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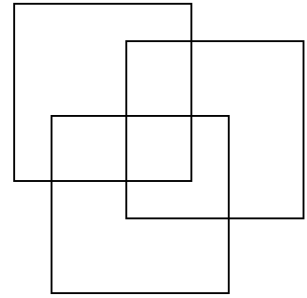
LAW AND PRACTICE:

The recruitment of low-skilled
Pakistani workers for overseas employment



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Foreword

In today's globalized economy, workers are increasingly looking for job opportunities beyond their home country that will provide a better livelihood and decent work. By matching available jobs in countries of destination with suitably qualified workers in countries of origin, public and private employment agencies have an important role in this quest. In South Asia, recruitment for overseas employment is largely managed by the private sector, leaving only a small share of the market to the public sector employment agencies. This paves the way for a thriving industry of intermediaries in both origin and destination countries.

Concerns have been raised about the growing role of unscrupulous employment agencies, informal labour intermediaries and other operators acting outside the legal and regulatory framework. Low-skilled workers are particularly vulnerable to exploitation and abuse, including: deception about the nature and conditions of work, retention of passports, illegal wage deductions and debt bondage linked to excessive migration costs. A combination of these abuses can amount to human trafficking and forced labour. Despite the existence of international labour standards relating to recruitment, national laws and their enforcement often fall short of protecting the rights of migrant workers.

In response to those challenges, the International Labour Organization's (ILO) Director-General, in his report to the 2014 International Labour Conference, called for an ILO agenda on fair migration and emphasized the concern about abusive and fraudulent recruitment practices affecting migrant workers. The ILO also launched a global Fair Recruitment Initiative and is now in the process of developing guidelines on fair recruitment to assist member States, social partners, labour recruiters and other stakeholders. This process should include labour recruitment policies and practices that are in compliance with internationally recognized human rights and labour standards.

This report studies the prevailing recruitment practices in Pakistan with a focus on low-skilled migrant workers. It describes the current legal and policy frameworks, looks at actual practices and provides recommendations on how to make enforcement of recruitment regulations more efficient and equitable. It also proposes possible measures to overcome challenges related to self-regulation and ethical recruitment.

The study is based on a survey of literature, relevant laws and rules on migration and interviews with government officers in the Ministry of Overseas Pakistanis and Human Resource Development, government functionaries in field offices, migrant workers, overseas employment promoters in the public and private sectors and their representatives as well as subagents. I am grateful to Lubna Shahnaz and her team, Shahid Naeem and Umer Khalid, for their hard and persistent work in conducting this study.

Ingrid Christensen

Director

ILO Country Office for Pakistan

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Acknowledgements

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The valuable comments from Sadia Hameed, National Project Coordinator, ILO Country Office for Pakistan and Anna Engblom, Chief Technical Adviser, ILO Country Office for Nepal, both from the ILO-South Asia Labour Migration Governance Project, on the interview questionnaires and various drafts of the report helped a great deal to improve its quality.

Lubna Shahnaz
Lead researcher



Executive Summary

From 2003 to 2015, a total of 5.4 million Pakistani workers went overseas for employment. An overwhelming majority of them (97 per cent) went to a Gulf Corporation Council (GCC) country. Saudi Arabia and the United Arab Emirates together accounted for the largest share, at nearly 93 per cent of all Pakistani workers who went abroad for employment.

The recruitment industry in Pakistan has grown dramatically over the years and comprises 1,857 private agencies and one public agency (as of 2015) and a network of informal subagents operating in the major labour-sending regions of the country. These agencies and subagents link workers with employers abroad for a fee that is typically charged to the workers but sometimes to employers, or to both. Although migrant workers are proving to be a critical force in the development of their home country, the recruitment of workers from developing countries, like Pakistan, can be exploitive.

This report looks at recruitment practices of Pakistani workers into low-skilled occupations¹ in the GCC countries. The report describes the legal and policy frameworks related to recruitment in Pakistan and gaps in those frameworks. It provides recommendations on how to make the enforcement of recruitment regulations more efficient and equitable and proposes possible measures to overcome challenges related to self-regulation and ethical recruitment.

LEGAL AND INSTITUTIONAL FRAMEWORK

Pakistanis can legally pursue overseas employment through two modalities, either through an overseas employment promoter, which can be public or private, or through “direct” employment, by which an individual makes an employment arrangement on their own effort or through a friend or relative working abroad.

The Emigration Ordinance (1979) and Emigration Rules (1979) provide the legal framework for safeguarding the rights of overseas workers and regulating the activities of private and public overseas employment promoters. The Emigration Ordinance provides guidelines for licensing and regulating overseas employment promoters, protecting workers against malpractices and redressing grievances of workers against employment promoters and employers (or vice versa). The enforcement of the Emigration Ordinance is managed by the Bureau of Emigration and Overseas Employment (BEOE), the Protector of Emigrants and the community welfare attachés in the countries of destination.

The main role of the Director General of the BEOE, as specified in the Emigration Rules, concerns the operation and administration of policies in relation to the promotion of overseas employment and overall control and administration of the BEOE, its offices and its staff. The Director General

¹ This paper uses the term “low-skill” with reference to the characteristic of the occupation (skills required). Many jobs in agriculture, in construction, industry and services fall in this category.

is responsible for advising the Government on migration policies and procedures. The duties of the Protector of Emigrants, who reports to the BEOE Director General, includes processing all demands for employment received by overseas employment promoters, ensuring that migrants fully understand the terms and conditions of their employment agreement, inspecting their transport from the country and inquiring about the treatment of migrants when abroad and their return journey.

The promoters initiate the process of recruiting workers for foreign employment after receiving demand from a public or private employer abroad, which they are required to report to the Protector of Emigrants Office overseeing their geographic area of operation. The submitted demand is scrutinized by the Protector of Emigrants Office and, once found satisfactory in terms of its validity (and the power of attorney it grants the promoter to recruit persons), the wages and other terms and conditions it offers, permission is granted to the overseas employment promoter to proceed in recruiting workers. Subsequently, the promoter advertises in newspapers for workers, citing all important information (required qualifications and experience).

A foreign service agreement is registered at the Protector of Emigrants Office for the period during which permission to deploy workers is valid. It is the Protector of Emigrants responsibility to ensure that the terms and conditions in the agreement are strictly in accordance with the terms and conditions of the demand letter that was already approved. The foreign service agreement is then signed and sealed and an entry on the passport is stamped with an approved design. A copy of the foreign service agreement and insurance policy document are handed over to prospective migrants by the briefing officer once the pre-departure orientation is concluded. All migrant workers are required to appear at the Protector of Emigrants Office for briefing, along with their overseas employment promoter or representative.

MIGRANT WORKERS' EXPERIENCES

Interviews with 47 migrant workers, which included eight migrants returning from abroad and key informants on actual practices in the recruitment industry, highlighted significant divergences from the regulations. The feedback received from migrants, overseas employment promoters and other stakeholders indicated that enforcement of the laws, regulations and standard operating procedures in the industry is weak. It was difficult to get candid feedback on all aspects of the overseas recruitment process because migrant workers were reluctant to express their grievances due to fear that someone may create another hurdle for them. The interviews with migrant workers indicated that the cost of obtaining foreign employment through an overseas employment promoter was much higher than the officially prescribed fees; migrants reported paying in the range of 200,000 to 500,000 Pakistan rupees (PKR) (\$1,910–\$4,775), depending on the category of work visa. This is in line with the findings of an ILO survey on migration costs from Pakistan to Saudi Arabia and the United Arab Emirates, which shows that the average investment made by the surveyed Pakistani workers to find a job and start work in either of those two countries was \$3,489. The average cost of the migration journey to Saudi Arabia, at \$4,290, was considerably higher than the average cost to go to the United Arab Emirates, at \$2,358.

The interviews further highlighted the lack awareness of the requirements or prerequisites of the job for which the migrant workers had received the work visa. Another major divergence reported concerned the non-provision of any information about the work agreement or contract to departing workers. Most of the returned migrant workers interviewed said that they were not given a contract prior to their departure and that the benefits promised at the time of recruitment, such as health insurance, were not usually provided and there were instances of re-signing of contract with different terms upon arrival in the destination country, such as lower wages than were initially promised.

Many migrant workers were not properly briefed by the Protector of Emigrants Office or the overseas employment promoters on the conditions that they would encounter in the destination country. The briefing by the Protector of Emigrants Office is supposed to include details on the terms and conditions of overseas employment as well as what to do if a problem arises.

The interviews highlighted the role of subagents in the recruitment process. In most cases, the migrant workers were assisted in leaving Pakistan by a relative or a close acquaintance working as a subagent in return for a fee. Each subagent had a link with an overseas employment promoter who processed their recruits. The subagents operating in the industry benefit from the ignorance of prospective migrants, whom they usually overcharged and do not inform of any grievance redress remedy available to them. The subagents charged high fees, at about 70 per cent more than what other migrants paid when they applied through a licensed overseas employment promoter. Many migrants cited incidents of fraud through these subagents.

Some migrant workers complained about the wastage of time in the processing of their job applications at the Protector of Emigrants Office. Officials in Protector of Emigrants Offices complained about the lack of staff and proper facilities to cater to the needs of migrants. Overwork and lack of staff delayed the processing of applications, which cost prospective migrants time.

Another issue raised by the interviewed migrant workers related to the appointment of one company by most GCC governments for the medical screening of workers. The migrants reported many loopholes in the process of medical examination through designated medical centres. These centres were reported to overcharge migrant workers, and there were instances of laboratory workers extorting prospective migrants for favourable test results.

To improve self-governance in the recruitment industry, the Pakistan Overseas Employment Promoters Association (POEPA), which is the licensed representative body of the overseas employment promoters, has developed a code of ethical conduct for its members, to be launched in the near future. The code emphasizes fair practices in recruitment to improve the image, reputation and credibility of the overseas employment promoters. According to the code, all POEPA members and their staff are required to obey all rules and regulations while providing their services. Overseas employment promoters are also required to have transparent and well-defined business policies so that they discuss all fees and costs with prospective migrants and document all stages of the process.

RECOMMENDATIONS


On the basis of the issues that emerged through the research and challenges confronting the overseas recruitment industry in Pakistan, the report offers the following recommendations.

Recommendations for the Government

- The Government needs to develop a coherent policy to implement the long-term vision for promoting overseas employment, in consultation with all relevant stakeholders.
- There is a need to re-examine relevant laws with a view to introducing amendments that respond to emerging realities, such as the increase of workers going abroad through education consultants or using various irregular channels.
- The Ministry of Overseas Pakistanis and Human Resource Development needs to review the overseas employment promoters licensing procedures and put in place an output-based system encompassing well-defined indicators for evaluating performance on a periodic basis.
- To improve the enforcement of the current laws and regulations, a focal institution – the Bureau of Emigration and Overseas Employment – should be given financial and administrative autonomy, with targets to be achieved.
- A well-defined monitoring system should be developed by improving the infrastructure and increasing the number of inspectors who can regularly monitor recruitment agencies and their compliance to the rules and regulations.
- There is a need to open new Protector of Emigrant Offices, especially in the interior Sindh and Balochistan provinces, to reduce the workload of existing offices and to promote overseas employment from the more remote regions of the country.
- Regular evaluation of the performance of the community welfare attachés, appointed by the Foreign Office, is needed to ensure that the interests of migrant workers are safeguarded. The Government needs to ensure that only professionals are posted as community welfare attachés.
- There is need to bring abusive overseas employment promoters to justice. Increasing the security deposit to PKR1 million can be considered to keep unscrupulous elements out of the industry. Another option to consider is the issuing of overseas employment promoter licenses to overseas Pakistanis because they have better knowledge of job opportunities in their host country.
- The BEOE should develop a dedicated research unit to analyse the skill requirements in labour-importing countries, and the technical education and vocational training institutes in the public sector should design special training programmes to respond to those skill requirements.

- The subagents should be brought into the regulatory regime as a way to control the rising incidence of malpractices. The law should be amended to cover their services in such a way that they are registered, and listed and associated with an overseas employment promoter.
- The Government should launch an awareness campaign through print and electronic media to educate prospective migrant workers on the correct channels for migration and how to avoid exploitive practices common in the overseas recruitment industry.
- The Government should improve pre-departure orientation system, including expanding staff or office space. Partnerships with provincial departments are needed to increase access to pre-departure orientation for workers from remote areas.

Recommendations for the Pakistan Overseas Employment Promoters Association

- The POEPA should ensure the implementation of the code of conduct on ethical recruitment by establishing committees to involve more agencies to promote the volunteer signing of the code and its enforcement.
 - The POEPA should take up the issue of non-registered recruitment agencies with the Government and should develop a mechanism for issuing and renewing licenses with its members.
 - The POEPA should raise awareness on safe and legal migration processes to help restrain the activities of unscrupulous agencies and agents.
- 

Abbreviations

BEOE	Bureau of Emigration and Overseas Employment
GAMCA	GCC Approved Medical Centres Association
GCC	Gulf Cooperation Council
ILO	International Labour Organization
NADRA	National Database and Registration Authority
NAVTTTC	National Vocational and Technical Training Commission
NPR	Nepal rupees
OEC	Overseas Employment Corporation
OESPAAA	Overseas Employment Service Providers Alliance of Asian Associations
PKR	Pakistan rupees
POEA	Philippines Overseas Employment Administration
POEPA	Pakistan Overseas Employment Promoters Association
UNODC	United Nations Office on Drugs and Crime


Exchange rate: \$1= PKR104.7 as of December 2015.

Unless specified, all \$ currencies are US dollars.

Notes on the use of terminology:

Although the Government of Pakistan uses the term “emigration” in the name of its departments managing overseas migration as well as the ordinances and laws (and the ensuing text) covering the movement of workers abroad for employment, this report uses the terms “migration” and “migrant” due to the temporary nature of the migration and that the workers intend to ultimately return to Pakistan. Emigration is recognized as the movement out of a resident country with the intent to settle elsewhere.

This paper uses the term “low-skill” with reference to the characteristic of the occupation (skills required). Many jobs in agriculture, in construction, industry and services fall in this category.





1 Introduction

Pakistanis can legally pursue overseas employment through two modalities, either through a public or private overseas employment promoter or through “direct” employment, by which an individual makes an employment arrangement on their own effort or through a friend or relative working abroad. The Overseas Employment Corporation (OEC) is the only public agency in Pakistan that recruits workers for overseas employment, although its role as a recruiting agency has been minimal. In the private sector, recruitment is primarily conducted through licensed overseas employment promoters. From 1971 to 2015, around 58 per cent of migrant workers went abroad with the help of a private promoter, while 40 per cent went through the direct channel. The remaining 2 per cent used the services of the OEC.²

The private recruitment industry in Pakistan has grown dramatically over the years and comprises private recruitment agencies and a network of subagents operating in the major labour-sending regions of the country. These agencies and subagents link workers with employers abroad for a fee that is typically charged to the workers but sometimes to employers, or to both.

Various factors spurred the growth of private employment agencies over time, including an increasingly flexible labour market, constraints in the operations of public employment services and the development of new networks for placement. Even though recruitment for overseas employment was initiated by the public sector around the world, it evolved quickly into a private-sector industry, with hiring companies increasingly seeking more flexible staff and with more workers willing to move across borders under varied work arrangements. Private recruiters gained importance in the efficient functioning of labour markets, and private overseas employment agencies (promoters) steadily increased their business activities. In better-organized economies and well-regulated environments, they have enhanced the employability of jobseekers with skills training. The growing complexity of the migration infrastructure in countries of origin and destination increased the role and importance of recruitment agencies and subagents, from matching the demand and supply of labour to providing other services, such as processing all documents, and arranging medical screening, pre-departure orientation, accommodation and skills training, assessment and certification.

The International Labour Organization (ILO) adopted the Private Employment Agencies Convention (No. 181) in 1997, replacing an earlier standard that aimed at the abolition of private recruitment agencies.³ The Convention recognizes that private employment agencies can contribute to the better functioning of the labour market and sets general parameters for the regulation, placement and employment of workers recruited for overseas employment. It also emphasizes that governments need to ensure that private employment agencies do not charge workers for their services. Pakistan has not ratified the Convention.

² ILO, 2016.

³ ILO, 2007.

Migration has a significant role in promoting growth and development in the developing world. The United Nations Population Division⁴ estimated the world's stock of migrants, defined as persons residing outside their country of birth, at 232 million in 2013. The ILO in 2015⁵ estimated that about 65 per cent of all labour migrants, or around 150 million workers, leave their home country in search of decent job opportunities.

Diasporas can help in promoting trade, investment and entrepreneurship as well as facilitating the transfer of new knowledge and skills.⁶ Perhaps the most important and direct role of diasporas in the economic development of their country of origin comes through the remittance income they send home, which directly impacts the welfare of recipient households. In 2015, the World Bank estimated that, globally, some \$436 billion in remitted income was sent back to developing countries, which is about four times the flow of official development assistance to the developing world.⁷

Although migrant workers are proving to be a critical force in the development of their native country, the recruitment of workers from developing countries, like Pakistan, can be exploitive. In response to growing international concern about human and labour rights violations linked to abusive recruitment practices, the ILO launched a Fair Recruitment Initiative in 2014 to address regulatory and enforcement gaps, improve mechanisms for complaints and remedy, empower migrant workers, facilitate social dialogue on these issues, increase recruitment options, monitor costs and ultimately ensure the implementation of recruitment practices based on international standards. In line with this initiative, the ILO, through its European Union-funded South Asia Labour Migration Governance Project, commissioned this research study on the private and public recruitment industry in Pakistan, with a focus on low-skilled occupations in foreign employment. The research is intended to inform the Government of Pakistan towards improving its current regulatory and legal frameworks related to the recruitment of workers for foreign employment and enhance sector-wide self-regulation.

1.1 OBJECTIVES AND SCOPE OF THE STUDY

This study looked at recruitment practices in low-skilled occupations, including but not limited to construction and agricultural workers and drivers. The report describes the legal and policy frameworks related to recruitment in Pakistan and gaps in those frameworks. And it provides recommendations on how to make the enforcement of recruitment regulations more efficient and equitable, including through measures to overcome challenges related to self-regulation and ethical recruitment.

⁴ See www.oecd.org/els/mig/World-Migration-in-Figures.pdf [accessed 30 May 2016].

⁵ See www.ilo.org/global/topics/labour-migration/publications/WCMS_436343/lang--en/index.htm [accessed 30 May 2016].

⁶ Newland and Plaza, 2013.

⁷ See: <http://pubdocs.worldbank.org/pubdocs/publicdoc/2015/10/102761445353157305/MigrationandDevelopmentBrief25.pdf> [accessed 30 May 2016].

The study was commissioned with the following objectives:

- Review existing practices, mechanisms, procedures and processes relating to the recruitment of persons for foreign employment. This includes recruitment procedures for private and public recruitment agencies (such as the OEC) as well as for subagents or brokers.
- Identify gaps in the recruitment and regulatory processes that enable exploitive practices.
- List challenges for the Government in regulating cross-border recruitment.
- Identify good practices in other labour-sending countries (especially in South Asia).
- Provide recommendations for the improvement of recruitment practices, procedures and processes and for strengthening the regulatory mechanisms.
- Develop an outline of the monitoring and regulatory process for subagents and brokers to be followed by the Ministry of Overseas Pakistanis and Human Resource Development.

1.2 DATA SOURCES

The analysis in this study is based on different sources of information. The starting point was a review of literature on overseas employment and migration in the context of Pakistan as well as its regional peer countries. The desk review provided an overview of the national and international legal and policy frameworks related to recruitment for foreign employment. The global regulatory framework for regulating overseas employment primarily includes international conventions, in particular ILO Conventions dealing with migrant workers, and other multilateral frameworks governing labour movements across the world. The national framework regulating various aspects of recruitment for foreign employment in Pakistan was also assessed against global best practices. The desk review also examined studies on migration in Pakistan and other South Asian countries.

Following the desk review, interviews were conducted with 47 key informants for their perspective on various aspects of the regulation of the overseas employment promotion industry in Pakistan. Key informants included government stakeholders (including but not limited to Ministry of Overseas Pakistanis and Human Resource Development and its departments – the Bureau of Emigration and Overseas Employment, the Overseas Employment Corporation and the Overseas Pakistanis Foundation), the Pakistan Overseas Employment Promoters Association, private overseas employment promoters and representatives of international agencies working on migration-related issues. Interviews with a small sample (34) of current, intending and returning migrant workers (for a holiday or their contract had ended) were also conducted in three cities (see Appendix I for a list of people interviewed).

Semi-structured interview guides were developed for gathering information from the different types of informants. The information obtained through the interviews helped highlight gaps between the de jure and de facto regulation of the overseas employment promotion industry and fulfilment of the required procedures and processes as laid down in the relevant laws and regulations. The interviews also brought out genuine problems and constraints that the overseas employment promoter industry experiences, which helped in assembling substantive recommendations for improvements.



2

labour migration from Pakistan

Since the 1970s, around 8.7 million Pakistanis workers have registered for overseas employment; 58 per cent of them went through overseas employment promoters, 40 per cent as direct employment through their own contacts (through a relative or friend) and less than 2 per cent through the OEC (table 1).

Table 1. Workers registered for overseas employment by the Bureau of Emigration and Overseas Employment (overseas employment promoters and direct) and the Overseas Employment Corporation, 1971 to October 2015

Year	Overseas employment promoter	Direct	Overseas Employment Corporation**	Total
1971–1976	101 459	-	-	101 459
1977–1980	339 470	167 164	19 767	526 401
1981–1990	656 504	345 393	57 828	1 059 725
1991–2000	854 825	417 202	42 204	1 314 231
2001	101 516	26 413	2 112	130 041
2002	112 061	35 361	1 705	149 127
2003	146 190	67 849	1 404	215 443
2004	91 849	81 975	1 040	174 864
2005	63 168	78 967	1 194	143 329
2006	75 454	107 737	1 083	184 274
2007	119 789	167 244	674	287 707
2008	187 967	242 347	1 528	431 842
2009	226 956	176 572	926	404 454
2010	209 247	153 657	1 781	364 685
2011	254 709	202 184	1 336	458 229
2012	387 973	250 614	1 014	639 601
2013	322 014	300 700	1 457	624 171
2014	374 288	378 178	1 375	753 841
2015*	473 179	300 690	926	774 795
Total	5 098 618	3 500 247	139 354	8 738 219

Note: * Data up to October 2015 only.

Source: ** Data for 1977–2000 obtained from the BEOE, while data for 2001 onwards received from the OEC.

From 2003 to 2015, an overwhelming majority of Pakistani migrant workers (97 per cent) went to a Gulf Corporation Council (GCC) country. A total of 5.4 million Pakistani workers found overseas employment during this period through overseas employment promoters (54 per cent) or direct employment (46 per cent). Saudi Arabia, followed closely by the United Arab Emirates, accounted for the largest share of Pakistani workers, at nearly 93 per cent of all workers who went abroad

for employment purposes (see Appendix II, table A1). The outflow of Pakistani workers surged in 2007–09 and 2012–14 and will again reach a new all-time high in 2015, primarily driven by a greater uptake of workers in Saudi Arabia and the United Arab Emirates.

NOTE: The BEOE data on the number of migrants do not always represent individual migrants. A person is counted as many times as they change their employer within the same country or secure employment in another country each time they go through the BEOE migration process. Also, highly skilled workers typically do not register with the BEOE before they leave. Thus, the number of migrants reflected above is not fully accurate. This caveat needs to be kept in mind while interpreting the data on migrant worker outflows from Pakistan.

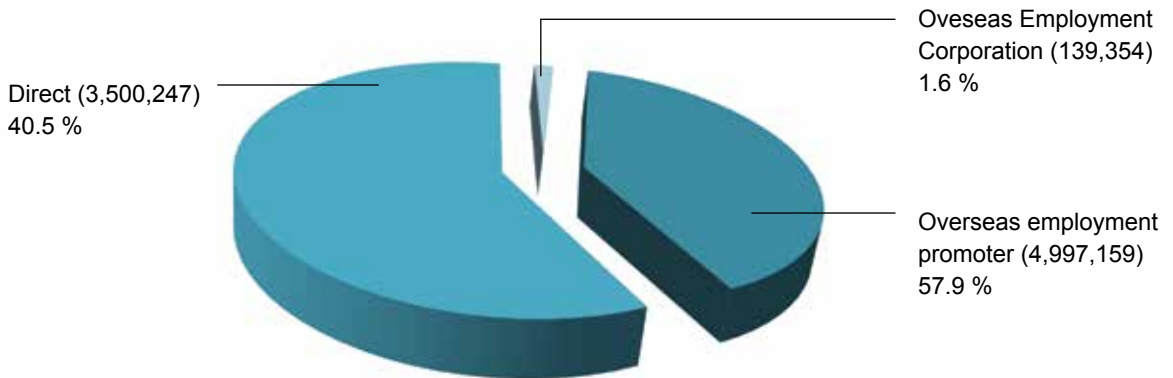
The largest share of workers going abroad for foreign employment through the BEOE between 2000 and 2015 were considered as unskilled, at 2.5 million workers of the total 5.8 million (see Appendix II, table A1). They mainly included manual labourers and farmers. This was followed closely by 2.4 million workers in the skilled group, comprising electricians, plumbers, secretaries, stenographers, clerks, typists, masons, carpenters, drivers, tailors, etc. Some 560,000 workers were categorized as semi-skilled, such as cooks and waiters. During that same time period, an overwhelming majority of workers registered for overseas employment through the OEC were unskilled, at 7,438 workers (see Appendix II, table A2).

According to the home residence data, the province with the largest number of workers who went abroad between 2000 and 2015 was Punjab, at 3 million (52 per cent) of the total 5.8 million workers. Khyber Pakhtunkhwa Province followed, with 1.5 million (26 per cent) workers and then Sindh Province, with 520,000 migrant workers. The share of migrant workers as a share of total provincial population was largest for Khyber Pakhtunkhwa, which accounted for 13.5 per cent of the country's population in 2015 but had a share of 26.4 per cent of migrant workers who went for overseas employment over the past 15 years (see Appendix II, table A4 for the district of residence breakdown of BEOE-assisted workers and table A5 for the provincial breakdown of migrants who found jobs through the OEC).

Based on the available sex-disaggregated data, it is evident that female migrants constitute only a small portion of overall migrants, less than 1 per cent of the total during 2008–13 (see Appendix II, table A6). During that period, a total of 6,444 female workers migrated abroad, 45 per cent of whom were skilled, followed by 23 per cent who were highly qualified, and 21 per cent who were highly skilled. The overwhelming majority (87 per cent) of the female migrant workers went to GCC countries, of which majority (at 41 per cent) were semi-skilled. Around 2,600 female workers went abroad for overseas employment through the OEC. The largest number of female migrants to date went abroad in 2014, and an overwhelming majority of them (2,208) went to Saudi Arabia.

Since 1977, around 58 per cent of the total workers placed abroad were recruited by overseas employment promoters, and around 41 per cent of the total workers managed to find overseas employment through a direct source, leaving only 1.6 per cent of workers assisted by the OEC (figure 1).

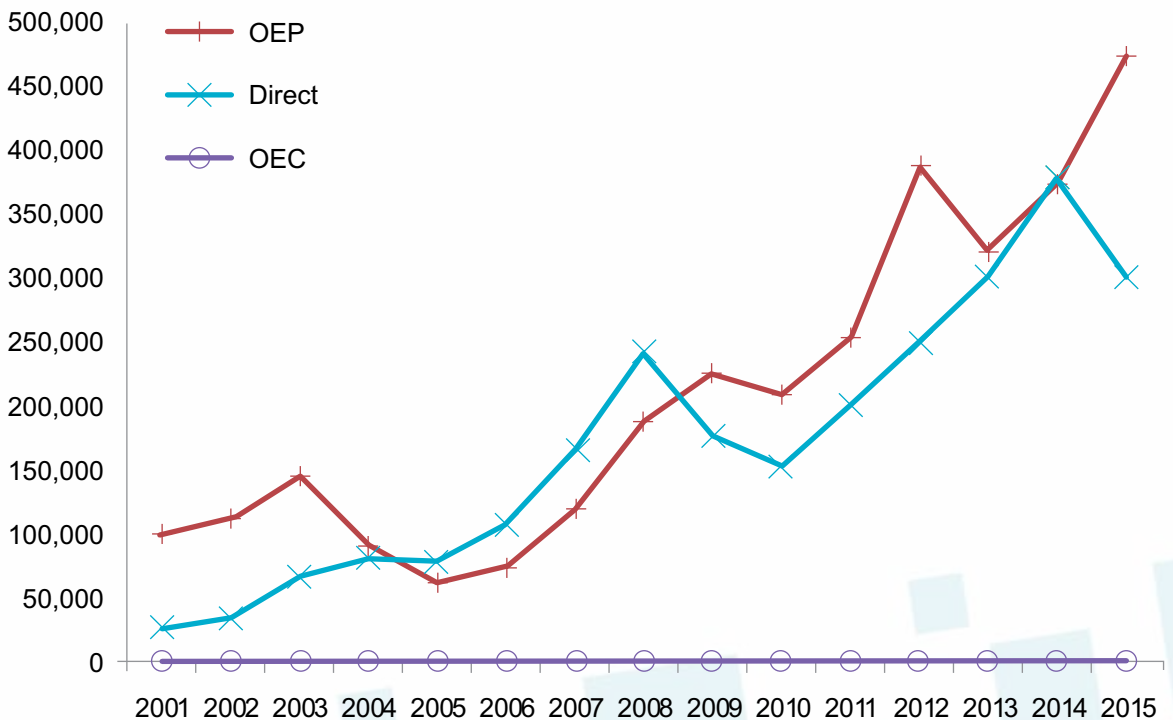
Figure 1. Distribution (%) of Pakistani workers placed abroad for employment, by mode of recruitment, 1977–2015



Source: Bureau of Emigration and Overseas Employment

Trend analysis of more recent data indicates that the role of the OEC in the total placement of workers has declined to less than 1 per cent. The use of overseas employment promoters was higher during early 2001 to 2003 and between 2009 and 2012. Direct employment shows an increasing trend over the past 15 years, with the exception of 2008–10 (figure 2) and 2014–15.

Figure 2. Number of migrant workers, by mode of recruitment, 2001–15



Note: OEP=overseas employment promoter; OEC=Overseas Employment Corporation.
Source: Bureau of Emigration and Overseas Employment.



3

International normative framework for regulating recruitment for overseas employment

There are three types of international covenants applicable to migrant workers:

- i. Fundamental human rights instruments;
- ii. ILO migrant worker-specific Conventions; and
- iii. Other instruments.

i. Fundamental human rights instruments (United Nations universal human rights instruments and ILO core Conventions)

The rights of migrant workers are covered under a number of international instruments encompassing human rights, including labour rights. Universal human rights and core labour rights are applicable to everyone, irrespective of citizenship and migration status. The 1998 ILO Declaration on Fundamental Principles and Rights at Work provides a foundation of core labour rights, applicable to all workers, including migrant workers with undocumented status. These basic rights include collective bargaining, freedom of association, freedom from all forms of forced and compulsory labour, freedom from child labour and freedom from discrimination in employment or occupation.

Forced labour and the trafficking of women and children and related human rights abuses are covered by the ILO core Conventions – the Forced Labour Convention, 1930 (No. 29); the Abolition of Forced Labour Convention, 1957 (No. 105); and the Worst Forms of Child Labour Convention, 1999 (No. 182) – that bind countries to eliminate all forms of forced or compulsory labour and the worst forms of child labour. The ILO adopted the Protocol on Forced Labour in 2014 to strengthen the global efforts on eliminating forced labour. The Palermo Protocols, adopted by the United Nations to supplement the 2000 Convention Against Transnational Organized Crime, comprise: (i) the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children; (ii) the Protocol Against the Smuggling of Migrants by Land, Sea and Air; and (iii) the Protocol against the Illicit Manufacturing and Trafficking in Firearms, Their Parts and Components and Ammunition. These instruments commit ratifying States to prevent and combat trafficking in persons, protecting and assisting victims of trafficking and promoting cooperation among States to meet those objectives. The ILO supplemented the Forced Labour Convention with a legally binding ILO Protocol on Forced Labour to address implementation gaps and thus strengthen the prevention, protection and compensation measures and better work towards the elimination of forced labour in all its forms.

Countries of origin and destination for migrant workers have ratified most of the United Nations universal human rights instruments and the ILO core Conventions. Pakistan has ratified all eight ILO core Conventions. The GCC countries, which are the main destination for migrant workers from South Asia, including Pakistan, have ratified these conventions in some forms, with Kuwait having the distinction of having ratified seven of the eight ILO core Conventions (see Appendix II, table A8). This is important because most of the migrant workers' rights violations taking place in these countries are related to forced labour, freedom of association and discrimination. These core Conventions may offer a more effective avenue to combat some of the major migrant rights violations, such as the forced labour situations experienced by migrant domestic workers, as there are no indications that the migrant worker-specific Conventions will be ratified in the near future.

ii. ILO migrant worker-specific Conventions

There are two ILO Conventions on migrant workers – Migration for Employment (Revised), 1949 (No. 97) and the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143) – in addition to the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, 1990.

These migrant worker-specific instruments lay down a comprehensive charter of migrant rights, which provide a basis for national policy and practice on migrant workers. Important aspects of these conventions relate to equality of treatment and opportunity and the principle of non-discrimination. Around 90 countries⁸ have ratified at least one of the three international migrant worker conventions. Pakistan is not among them. None of the South Asian countries sending migrant workers and none of the GCC destination countries has ratified either of the ILO migrant worker Conventions. Bangladesh has ratified (in 2011) while Sri Lanka has acceded (in 1996) the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. This is a comprehensive instrument covering all stages of the migration process. Regarding recruitment, Article 66 of the Convention restricts recruitment operations of workers between States to public services, state bodies and authorized private agencies. Pakistan has so far not ratified any of these migrant worker specific conventions of ILO.

iii. Other ILO instruments

In addition to the international instruments, all or most of the international labour standards in countries of destination apply to migrant workers recruited through legal channels. These include standards relating to employment conditions, social security, labour inspection, maternity protection, protection of wages, occupational safety and health and sector-specific standards. For example, the following three instruments are considered important for safeguarding the rights of migrant workers:

⁸ ILO, 2014.

- a. Private Employment Agencies Convention, 1997 (No. 181) and the related Recommendation No. 188
- b. Domestic Workers Convention, 2011 (No. 189)
- c. ILO Multilateral Framework on Labour Migration.

a. Private Employment Agencies Convention, 1997 (No. 181) and the related Private Employment Agencies Recommendation, 1997 (No. 188)

The International Labour Conference in 1997 adopted the Private Employment Agencies Convention (No. 181), supplemented by the Private Employment Agencies Recommendation, 1997 (No. 188). Both of these instruments accord legitimacy to private employment agencies in managing the recruitment of migrant workers in tandem with public employment services. Convention No. 181 has replaced the Fee-Charging Employment Agencies Convention (Revised), 1949 (No. 96).⁹ While acknowledging the importance of private agencies in promoting recruitment of migrant workers, the main provisions of the Convention pertain to measures by ratifying States to regulate these agencies in order to protect migrant workers and prevent exploitation, including minimizing the burden in terms of the costs involved in the migration process. Article 8 specifies special protection for migrant workers against abuses and fraudulent practices in recruitment, placement and employment. According to the Convention, the “private employment agency” refers to any natural or legal person or entity independent of public authorities that provides one or more of the following labour market services:

- services for matching offers of and applications for employment, without the private employment agency becoming a party to the employment relationships that may arise;
- services that employ workers with an intention of making them available to a third party, who may be a natural or legal person that assigns their tasks and supervises the execution of these tasks;
- other services relating to job seeking, determined by the competent authority after consulting the most representative employers’ and workers’ organizations, such as the provision of information, that do not set out to match specific offers of and applications for employment.

The Private Employment Agencies Convention and its Recommendation recognize the contribution of the private recruitment agencies and their services to properly match the demand for and supply of migrant workers and provide a balanced regulatory framework to governments to protect workers from exploitation and abuse. Convention No. 181 has been ratified by 28 governments to date. None of the South Asian countries, including Pakistan, or any GCC destination country has ratified it (Japan is the only Asian State to have ratified it).

⁹ Both Bangladesh and Sri Lanka have ratified Part II (progressive abolition of fee-charging employment agencies and regulation of other agencies) and Part III (regulation of fee-charging employment agencies) of Convention No. 96.

b. Domestic Workers Convention

The Domestic Workers Convention, 2011 (No. 189) sets the first global standard for the estimated 52 million domestic workers worldwide, the vast majority of whom are women and girls. Domestic workers face a range of serious abuses and labour exploitation, including excessive working hours without rest, non-payment of wages, forced confinement, physical and sexual abuse, forced labour and trafficking. Under the treaty, domestic workers are entitled to protections available to other workers, including weekly days off, limits to hours of work, minimum wage and social security coverage. The Convention also obliges governments to protect domestic workers from violence and abuse and to prevent child labour in domestic work.¹⁰

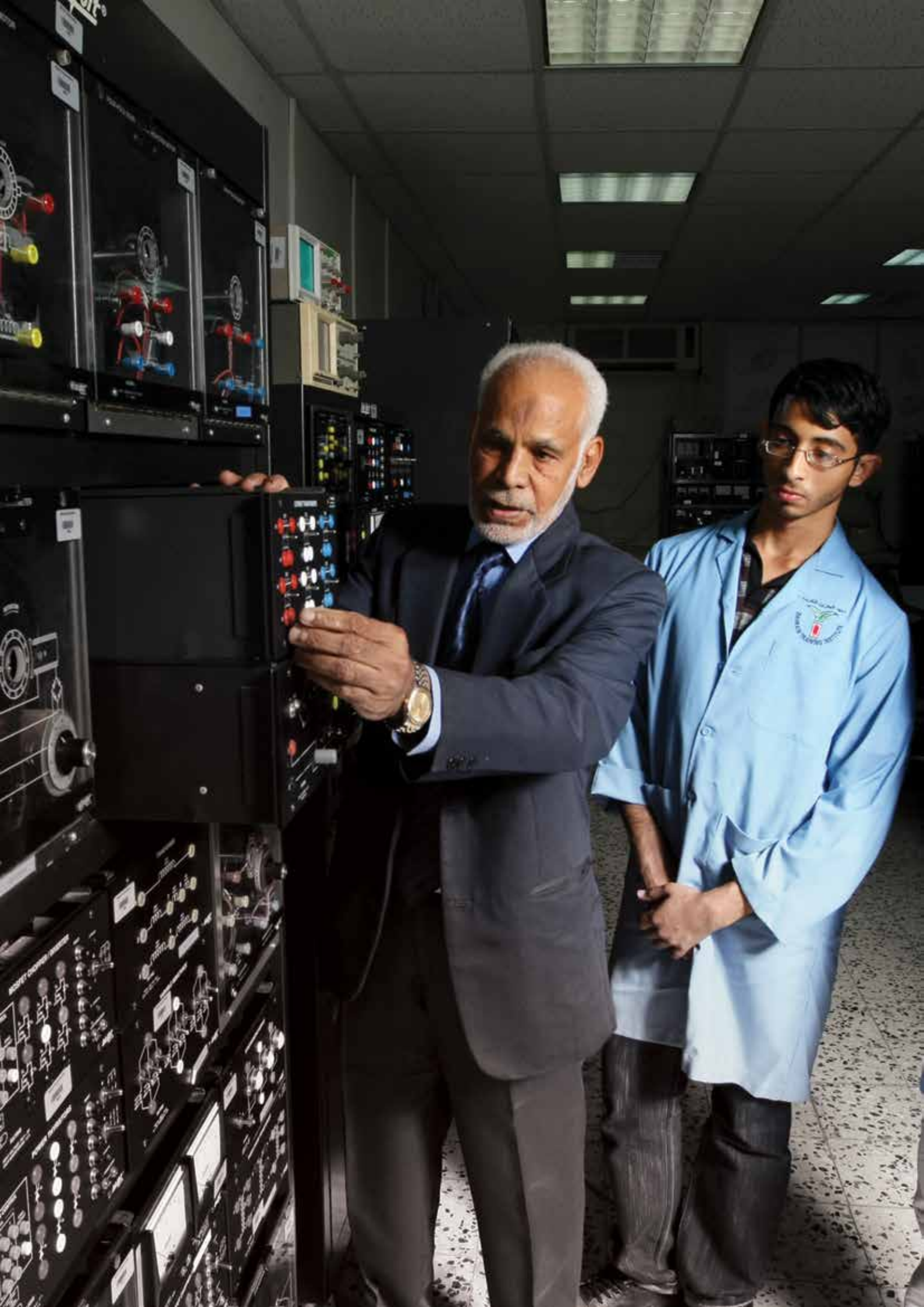
c. ILO Multilateral Framework on Labour Migration

In 2006, the ILO initiated the Multilateral Framework on Labour Migration, which entails non-binding guidelines for a rights-based approach to labour migration for member countries. The Framework builds upon the ILO and United Nations migrant worker Conventions but responds to more recent global challenges and developments, such as the growth of temporary labour migration programmes, the feminization of migration, the greater role of the private sector in arranging migration across borders and the high incidence of irregular migration, including the trafficking and smuggling of persons. Only 22 countries have ratified the Convention, none among the GCC countries and only the Philippines in Asia.¹¹

The Framework provides detailed guidelines on the licensing and supervision of recruitment and contracting agencies for migrant workers under its Principle 13. These guidelines, with reference to private recruitment agencies, cover the prevention of unethical practices, prohibition of the retention of identity documents, respect for migrants' rights, provision of understandable and enforceable employment contracts and specific regulations for recruitment and placement services.

¹⁰ See www.hrw.org/news/2012/08/06/domestic-workers-convention-labor-rights-treaty-take-effect [accessed 30 May 2016].

¹¹ See www.ilo.org/dyn/normlex/en/f?p=1000:11300:0::no::p11300_instrument_id:2551460 [accessed 30 May 2016].



4 Regulation and operation of the recruitment industry in Pakistan

4.1 THE LEGAL FRAMEWORK

The Emigration Ordinance (1979) and Emigration Rules (1979) provide the legal framework for safeguarding the rights of overseas Pakistani workers and regulating the activities of the overseas employment promoters. The Emigration Ordinance (1979) replaced the older pre-partition Emigration Act of 1922, supplemented by the Rules of Emigration of 1959, which spells out the mandates of three organizations – the National Manpower Council, the Directorate of Seamen’s Welfare and the Protectorate of Emigrants. As the new Emigration Ordinance was promulgated in 1979, those three organizations were merged into the Bureau of Emigration and Overseas Employment.

Clause 16(1) of the 1979 Emigration Ordinance provides that the Government may, by notification in the official Gazette, make rules for carrying out the Ordinance, including the licensing, supervision and control of overseas employment promoters and the prohibition of unlicensed persons from engaging in causing, assisting or recruiting persons to migrate as well as the conveyance and accommodation of migrants. Rule 7 of the Emigration Rules on “unauthorized persons not to assist in emigration” states that no one can help another person migrate for employment abroad unless they are licensed to do so (or exempted by an order in writing from the Government, subject to conditions specified in the order). Thus, the legal and regulatory framework does not permit the use of subagents in any aspect of the overseas employment recruitment process.

The Emigration Ordinance provides the framework for licensing and regulating overseas employment promoters, safeguarding workers against malpractices and redressing grievances of workers against employment promoters and employers (and vice versa). The enforcement of the Emigration Ordinance is managed by the BEOE Director General, the Protector of Emigrants and the community welfare attachés (formerly called labour attachés). The main role of the Director General, as specified in the Emigration Rules, concerns the operation and administration of policies in relation to the promotion of overseas employment and overall control and administration of the BEOE, its offices and its staff. The Director General is responsible for advising the Government on migration policies and procedures.

The duties of the Protector of Emigrants, who reports to the BEOE Director General, includes processing all demands for employment received by overseas employment promoters, ensuring that migrants fully understand the terms and conditions of their employment agreement, inspecting their

transport from the country and inquiring about the treatment of migrants when abroad and their return journey. The field inspectors in the Protector of Emigrants Office are responsible for field visits to the premises of overseas employment promoters and inspecting their records, verifying actual available passports, their conduct with clients, etc. The record of complaints in the Protector of Emigrants Offices helps staff evaluate overseas employment promoters' performance at the time of their license renewal. BEOE maintains an updated list of promoters whose license has been cancelled.

The community welfare attachés are responsible for promoting overseas employment, looking after the welfare and interests of migrants, reporting on complaints received about overseas employment promoters, responding to the complaints of migrants and reporting to the BEOE Director General. They are also supposed to keep an eye on the labour market trends in the destination countries, review the cost of living and inflation status and report on these issues to the BEOE Director General to better inform decisions regarding the labour force demands from particular countries.

The BEOE, along with the Protector of Emigrants and community welfare attaché,¹² work under the Ministry of Overseas Pakistanis and Human Resource Development (see Appendix II, table A9 for a list of the regional Protector of Emigrants offices and the districts within their jurisdiction.)

Licensing and supervision of overseas employment promoters

According to the existing regulatory framework, overseas employment promoters¹³ must be licensed to engage in any overseas recruitment. The license is issued by the Ministry of Overseas Pakistanis and Human Resource Development, but on the advice of the BEOE Director General after an applicant fulfils the eligibility criteria. This includes police clearance, a character certificate from the Intelligence Bureau and police about the applicant, an experience certificate from the previous employer and proof of financial soundness (record of a bank account for at least six months, with a minimum balance of PKR5 million or immovable property of similar value;¹⁴ see Appendix III for details of the documentation requirement and other formalities for obtaining a license). According to Rule 8 subrule 4 to be licensed, prospective overseas employment promoters must deposit the license fee (PKR15,000, or \$143) and security (PKR300,000, or \$2,865).

The license is initially issued for a period of three years, after which it may be renewed for up to a maximum of three years, depending upon the number of workers the promoter has sent abroad. For instance, if an overseas employment promoter sent more than 50 workers in the preceding year, the license is renewed for three years; an overseas employment promoter who sent 10–49 workers would get a two-year extension. A promoter who sent fewer than ten workers in the preceding year would get an extension of only one year.

¹² See www.beoe.gov.pk/ContactUs_CWAs.asp [accessed 30 May 2016].

¹³ Labour migration from Pakistan: 2015 status report, government of Pakistan (There were 1,857 licensed overseas employment promoters as 2015, while 22 licenses were cancelled in 2015).

¹⁴ See www.beoe.gov.pk/Guidelines_for_Obtaining_Fresh_overseas_employment_promoter_Licence.asp [accessed 30 May 2016].

According to the Emigration Rules, a licensed overseas employment promoter can operate a maximum of two government-approved branches. This restriction aims to control criminal and irregular activities. The security fee can be confiscated by the BEOE Director General as a penalty if there is sufficient proof of involvement of an overseas employment promoter in any illegal activity. To check whether the employment promoters are working within the law, Protector of Emigrants staff inspect the offices of the licensees and provides guidance or advice when needed (although this is difficult due to limited staff).

Rules on recruitment fees

As noted in chapter 3, ILO Convention No. 181 requires minimizing the cost for overseas employment. Pakistan and many other Asian labour-exporting countries have yet to ratify Convention No. 181, and their legal frameworks governing overseas employment have thus yet to cooperate with this requirement. Currently in Pakistan, migrant workers who have secured overseas employment through a licensed promoter pay a service charge to the promoter, which varies by duration and salary. The worker deposits the amount into the government treasury, which is then reimbursed to the promoter upon completion of the overseas employment process. The overseas employment promoter submits a certificate to the Protector of Emigrants Office requesting release of the service charge three days after the migrant begins working overseas.

In total, a migrant using an overseas employment promoter should expect to pay between PKR21,125 (\$201) and PKR31,524 (\$301) for a range of costs, as shown in table 3. Migrants who have secured employment directly typically pay more, between PKR45,575 (\$435) and PKR48,524 (\$463). The official charges cited in table 2 are seldom applied in practice, and workers end up paying substantially more to secure employment abroad through an overseas employment promoter.

Table 2. Official fees (in PKR and equivalent \$) for overseas migration, by recruitment channel

	Overseas employment promoter	Direct employment	Overseas Employment Corporation
Service charges	PKR1 500 (\$14.32) (if employment for up to 120 days) PKR6 000 (\$57.30) (if monthly salary up to \$1 200 and contract for more than 120 days) PKR10 000 (\$95.50) (if salary above \$1 200 and contract for more than 120 days)	PKR25 000 (\$239) ^a	From professionals PKR65 000 (\$621) ^p From labourers PKR 40 000 (\$382) This includes air ticket
Welfare Fund of Overseas Pakistanis Foundation	PKR2 000 (\$19)	PKR2 000 (\$19)	PKR2 000 (\$19)
State Life Insurance Corporation fee	PKR2 000 (\$19)	PKR2 000 (\$19)	PKR2 000 (\$19)
Foreign service agreement and stamping fee	PKR500 (\$4.8)	PKR 2,500 (\$ 23.8) PKR 1,450 (\$13.8) (in case of employment up to 120 days)	PKR6 000 (\$57)
Registration fee (application for job)			PKR3 000 (\$29)
E number chargesc	-	-	PKR4 000 (\$38)
National ID card for overseas Pakistanis	PKR2 625 (\$25) to PKR3 674 (\$35)	PKR2 625 (\$25) to PKR3 674 (\$35)	PKR2 625 (\$25) to PKR3 674 (\$35)
Visa fee ^d	Saudi Arabia: PKR7 850 (\$75) UAE: PKR5 600– PKR7 000 (\$53–\$67)	Saudi Arabia: PKR7 850 (\$75) UAE: PKR5 600– PKR7 000(\$53–\$67)	Saudi Arabia: PKR7 850 (\$75) UAE: PKR5 600– PKR7 000 (\$53–\$67)
GAMCA Medical examination feese	PKR 5 500 (\$52.50)	PKR5,500 (\$52.50)	PKR5,500 (\$52.50)
Total	PKR21 125–PKR31 524 (\$201–\$301) (\$435–\$463)	PKR45,575– PKR48,524 (\$688–\$946)	PKR72,125– PKR99,024

Notes:

^a In most cases, individuals who proceed on overseas employment on a “direct” basis also engage an overseas employment promoter to process their case, as informed by field visits. Overseas employment promoters in Rawalpindi charge a lump sum fee, PKR25,000.

^b A slightly different fee structure applies for employment in the Republic of Korea and entails only a service charge.

^c This refers to the registration fee for an applicant to keep their resume active on OEC’s website for a one-year period.

^d According to Rule 15(a) of the Emigration Rules, an overseas employment promoter is entitled to receive actual expenses incurred on all items pertaining to the processing of a worker’s case, including the visa fee. However, the visa fees vary substantially by category of work or across companies within a destination country, so it is not possible to give an average figure here.

^e Workers going to United Arab Emirates can obtain a medical examination from any medical centre – they are not required to use a GAMCA centre.

Source: Ministry of Overseas Pakistanis and Human Resource Development, National Database and Registration Authority, Overseas Pakistanis Foundation and OEC.

Exchange rate used PKR 1 = US\$104.71

Wage determination

Many labour-exporting countries maintain lists of minimum or standard wages for various occupations of their workers going to GCC countries and ask the labour-importing countries to abide by these for their national migrant workers.¹⁵ Nepal has set minimum wages for some countries for its migrant workers (based on skill level and occupation), with workers who are offered wages below that rate in destination countries not permitted to migrate. India has a large referral wage list for several professions and unless this wage is specified in the contract, clearance is not given by the Ministry of Overseas Indian Affairs. These wages are updated regularly based on the information that comes from the embassies and can be accessed publicly from the Ministry's website.¹⁶ In the Philippines, for example, in addition to standard rates set by the government, the agents make adjustments to the wage depending upon experience of a particular worker. The regulator compares the agreed wage rate with standard wage rate based on the experience and qualification of the intended migrant worker.

In Pakistan, wages come under consideration at the time of granting of permission by the Protector of Emigrants to an overseas employment promoter for processing the recruitment for a particular demand. The role of the community welfare attaché becomes important in terms of the responsibility to send periodical reports to the Protector of Emigrants Office about prevailing labour wages in host countries, along with the situation of inflation and cost of living. Different factors come under consideration while allowing an overseas employment promoter to initiate the processing of recruitment, about which the community welfare attaché provides necessary information, such as hourly wage rates in the host country, the cost of living and inflation. The Protector of Emigrants Office also consider the cost of living for families of migrant workers back home, the cost of medical care for families of migrant workers, improvement in quality of life and standard of living and the expected level of savings. However, under the prevailing system, Pakistan does not set any minimum wage for its workers in foreign employment, unlike Nepal and India, which prescribe minimum wages and referral wages for different occupations for their migrant workers.

4.2 MECHANISMS FOR MONITORING AND ENFORCING COMPLIANCE

In a comparative analysis¹⁷ of the regulation of recruitment processes and migration costs in South Asia, especially in Bangladesh, Nepal and Sri Lanka (see box 1), common issues reported by migrants centred on the high fees charged by agencies and subagents, failure to be paid the promised salary and other benefits and no proper briefing on the destination country. These anomalies trap migrant workers already in destination countries into forced labour situations through the collusion between local and foreign recruiters. Wickramasekara concluded that stronger regulation and monitoring were needed to reduce the costs. Both origin and destination governments can contribute by lowering their fees on administrative costs, visas and work permits.

¹⁵ For instance, Nepalese Foreign Employment Act (2013) Article 23; see www.nepalicanidate.com/Salary.aspx [accessed 30 May 2016].

¹⁶ See <http://moia.gov.in/services.aspx?id1=194&idp=194&mainid=73> [accessed 30 May 2016].

¹⁷ Wickramasekara, 2013.

BOX 1

SRI LANKA - EVALUATION MECHANISM OF OVERSEAS EMPLOYMENT PROMOTERS

The recruitment for overseas employment in Sri Lanka is regulated by the Bureau of Foreign Employment, which has developed elaborate criteria for assessing the performance of employment promoters.

1. Bonus points for total number of workers recruited.
2. Recruitment allowed under the following categories:
 - Professional;
 - middle level and clerical related;
 - skilled;
 - semi-skilled;
 - unskilled; and
 - housemaid.
3. Dispute settlement mechanisms.
4. Sending workers to new destination countries.
5. Market diversification.
6. Payment of cess.
7. Submission of renewal application.
8. Extension of bank guarantee.
9. Maintenance of registers containing details of:
 - Migrants;
 - job offers;
 - remittance reimbursed;
 - foreign employers and or commissions;
 - bookkeeping; and
 - passports surrendered to agency and of their holders.
10. Proper maintenance of office:
 - traceability and locating;
 - new name board;
 - attractive appearance;
 - interior layout and practical aspect;
 - process management; and
 - well-functioning equipment.
11. Business continuity systems.
12. Outlook and identity of staff:
 - outlook of office staff;
 - wearing identity cards;
 - migrant workers profile and pre-migration awareness programmes;
 - proper maintenance of migrant workers profile; and
 - pre-migration awareness programmes.
13. Assessment of human resources (staff of agencies)
 - higher education;
 - general certificate of education, advanced level;
 - general certificate of education, ordinary level; and
 - up to general certificate of education, ordinary level.

Source: See http://applications.slbfe.lk/FEB/LA_GRADING_2012/la_criteria.asp [accessed 30 May 2016].

The BEOE Director General is authorized to refuse the license application for any overseas employment promoter if satisfied that the person is guilty of misconduct, the professional performance has been unsatisfactory or there has been breach of the Emigration Ordinance or the Emigration Rules. The overseas employment promoter can challenge the revoking of the license by filing an appeal under Rule 9.5. In 2015, the Ministry of Overseas Pakistanis and Human Resource Development cancelled 22 licenses due to non-compliance or non-performance.

If an overseas employment promoter is not able to arrange passage for a migrant worker within 30 days of the registration of the foreign service agreement, the migrant is entitled to a refund of whatever was paid (under Rule 15.5, although no refund is required if a migrant chooses not to go abroad). If there is delay on behalf of the employer, the Director General or Protector of Emigrants can extend the 30-day limit accordingly.

If an overseas employer finds a migrant worker unfit for employment, the overseas employment promoter is liable for the worker's return air ticket (Rule 16.4). Rule 25(iii) states that overseas employment promoters cannot arrange for lower terms and conditions (service charges, cost of air travel, salaries and benefits) that were negotiated by another overseas employment promoter for a particular worker. This clause was included to ensure that different overseas employment promoters do not compete for the same employer by lowering wages of migrant workers. Rule 25(xii) stipulates that no overseas employment promoter can accept a demand letter (request) from an employer who has defaulted in the payment of the amount of commission due to another overseas employment promoter. In case an overseas employment promoter knowingly and deliberately enters into an agreement with such employer, the promoter is liable for the defaulted commission.

If a migrant lodges a complaint with the Pakistan embassy in the host country against an employer for violation of the work agreement, the community welfare attaché posted there must respond by persuading the employer to abide by the agreed terms of the contract. If that is not successful, the embassy attaché is to take the matter to the local authorities or labour courts to redress the migrant's grievances. The attaché then submits a report of the incident to the BEOE, which may direct the overseas employment promoter to try to persuade the employer to abide by the terms of the foreign service agreement (Rule 27.1, 2, 3).

The Protector of Emigrants is required to keep a locked complaint box near the office gate in which any person can deposit a complaint. The Protector of Emigrants, after any inquiry deemed necessary, can take appropriate action or sends a report to the Director General with full particulars of the complaint and recommendations (Rule 28). The processes under the grievance redress system in place under the Emigration Rules are outlined in box 2. Recently, the Ministry of Overseas Pakistanis and Human Resource Development developed (with ILO assistance) an online complaint registration and tracking system¹⁸ under the Policy Planning Unit.

¹⁸ See <http://complaint.ophrd.gov.pk/> [accessed 30 May 2016].

BOX 2

GRIEVANCE REDRESS SYSTEM

BEOE Director General

1. On receipt of a complaint from a migrant, the Director General refers it to the Protector of Emigrants for investigation if it is considered not of a serious nature.
2. On receipt of a report from the Protector of Emigrants, the Director General decides the case on its merits or issues a “show cause” notice to the overseas employment promoter.
3. On receipt of a reply to a show cause notice from the overseas employment promoter, the Director General examines the reply, calls in the overseas employment promoter for a hearing and makes a decision on what action to take.
4. In case of a complaint of a serious nature, the Director General refers it to the Government, with recommendations for investigation by the Federal Investigation Agency.
5. In case the complaint of the migrant is against a person other than an overseas employment promoter, the Director General refers it to the Government for prosecution under the ordinance or any other law in force.

Community welfare attachés

1. On receipt of a complaint from a migrant, the community welfare attaché responds as follows:
 - (a) If the complaint is against the employer:
 - (i) The attaché assists the complainant to settle the grievance with the employer; and
 - (ii) (ii) if it cannot be settled under subclause (i) and the remedy lies with the local labour courts or the local authorities, the attaché is to assist the complainant in finding remedy in such courts.
 - (b) If the complaint is against an overseas employment promoter, the attaché refers it to the BEOE Director General along with the necessary facts and recommendations.
2. In the case of a complaint from an employer against an overseas employment promoter, the community welfare attaché, after any inquiry deemed necessary, sends a report to the BEOE Director General with recommendations for taking action.
3. In the case of a complaint from an employer against a migrant worker, the community welfare attaché persuades the migrant to abide by the terms of the foreign service agreement and in the event of gross misconduct, the attaché recommends deportation of the migrant to the BEOE Director General.

Protector of Emigrants

The Protector of Emigrants takes appropriate action or makes a report to the BEOE Director General with the particulars of a complaint and recommendations within 30 days. All such complaints against an overseas employment promoter are to be entertained within a period of six months from the date a migrant worker began their employment abroad.

To ensure that the rights of migrants are safeguarded, the following aspects are covered in the pre-departure briefing given at the Protector of Emigrants Office.¹⁹

- Workers are fully informed about the salary and other benefits provided under their contract.
- Workers know about the nature of their job.
- Workers are insured.
- Workers know about the particulars of the employer.
- Workers are briefed on the possible effects of engaging in labour union activities if these activities are not allowed in the host country.
- Workers know about the compensation if they die while working abroad and repatriation of their body.
- Workers are briefed on avoiding illegal activities.
- Workers are briefed on the health risks associated with having sexual relations and how to prevent HIV infection.
- Workers are advised to follow the rules of the host country.
- Workers are advised to respect cultural values and norms of the host country.
- Workers are informed of the consequences of breaching the foreign service agreement and the possibility of deportation.

4.3 RECRUITMENT INDUSTRY OF PAKISTAN

As noted, Pakistanis can obtain foreign employment through three channels: (i) direct recruitment, (ii) public recruitment and (iii) recruitment through overseas employment promoters.

4.3.1 Direct recruitment

Direct recruitment refers to the channel through which prospective migrant workers find employment overseas through their own efforts or with the facilitation of a relative or friend already employed abroad. Their foreign service agreement, contract or offer letter must be signed by the employer and attested by the Pakistan embassy in that country. These workers must obtain a work visa through their own efforts as well.

The first step in this process is the submission of required documents to the Direct Employment Section in the Protector of Emigrants Office, such as the visa letter, computerized identity card, passport, the No Objection Certificate – (for female workers or government officers) and the foreign service agreement or contract (or understanding, if agreement is not available). The Protector of Emigrants (Direct Employment Section) issues the required forms and guidelines for registration fees and the required bank challans.²⁰ The prospective migrant worker submits the fee challans in a designated bank branch and registers with the National Database and Registration Authority (NADRA) and presents all fee challans and certificates to the Protector of Emigrants Office. After

¹⁹ While workers going abroad either directly or through overseas employment promoters are briefed at the Protector of Emigrants Office, the OEC organizes its own pre-departure briefings. The OEC essentially has had the powers of the Protector of Emigrants delegated to it through an office order of the Ministry of Overseas Pakistanis and Human Resource Development.

²⁰ Bank challans are bank deposit fee forms that contain two or three copies each for reference and record of the BEOE and worker or other departments, such as the Overseas Pakistanis Foundation.

the registration and checking of the credentials of the intended migrant worker from the NADRA records, previous work abroad (if any) Federal Investigation Agency and Police, etc., the migrant is allotted a registration number and passport stamp (the stamp is different for migrants with direct employment arrangements and those who used a recruitment promoter) and their file is then sent to the Protector of Emigrants. The Protector of Emigrants officer signs and embosses the passport and directs each prospective migrant worker to the briefing section. The briefing officer gives a pre-departure orientation on various points regarding health, labour rights and living in a host country.

As previously noted, even with direct employment, migrant workers typically engage the services of registered overseas employment promoters to process their cases. During the field visits to various offices of overseas employment promoters in Rawalpindi for this research study, most claimed that to avoid complexities related to the breach of contract or violation of the terms and conditions of the foreign service agreement and the allied punitive actions, they prefer to work with migrants with direct recruitment only. The overseas employment promoters do not receive any reimbursement from the fee deposited by a prospective migrant with direct work arrangement. Hence, the promoters charge a fee, which in most cases is around PKR25,000 (\$239).

4.3.2 Employment through the Overseas Employment Corporation

The OEC was initially established in 1976 as a section of the BEOE, but it evolved into an autonomous corporation to oversee the export of workers, mainly by responding to demands from other governments. It retains a board of directors who provide policy guidelines, which are executed by the managing director. Regional offices of the OEC are located in Karachi, Lahore, Peshawar and Quetta. Administrative and financial control is exercised by the Ministry of Human Resource Development.

The OEC is mandated to promote the employment of professionals, highly skilled, skilled, semi-skilled as well as unskilled workers in foreign countries through government-to-government agreements, memoranda of understanding or through direct demand from employers. For instance, the Government of the Republic of Korea allows hiring through public recruitment. So far, the OEC has facilitated more than 128,000 workers to find employment in the public and private sectors in 53 countries.

The OEC acts as a protector of migrants to ensure their welfare and to promote harmonious working relationships between employers and employees. The OEC assists employers in conducting tests and interviewing candidates. Those selected for employment abroad are then assisted with their travel arrangements. The OEC maintains a website, which includes a CV bank that currently contains around 192,000 CVs of professionals and highly skilled Pakistanis.

4.3.3 Employment through private overseas employment promoters

The predominant channel for foreign jobs is through the overseas employment promoters. There are 1,857²¹ overseas employment promoters registered with the BEOE (table 3).

The promoters initiate the process of recruiting workers for foreign employment once they receive a request from a public or private employer abroad, which they are required to report to the Protector of Emigrants Office. The submitted demand is scrutinized by the Protector of Emigrants Office. Once the Protector is satisfied that the overseas employment promoter is in possession of a valid letter of demand for labour, has power of attorney to recruit persons, and the wages and other terms and conditions are satisfactory, the Protector grants permission to the promoter to proceed in recruiting workers. After receiving the Protector's permission, the promoter advertises in newspapers for workers, citing all important information (required qualification and experience).

Table 3. Overseas employment promoters, by region, 2015

City	No. of overseas employment promoters	%
Rawalpindi	695	37.4
Lahore	372	20.0
Karachi	273	14.7
Malakand	185	10.0
Peshawar	182	9.8
Multan	149	8.0
Quetta	1	0.1
Total	1 857	100

Source: Bureau of Emigration and Overseas Employment.

During the period for which the permission is valid to deploy workers, a foreign service agreement is registered at the local Protector of Emigrants Office. Once satisfied that all recruited persons by overseas employment promoters fulfil the requirements as requested by an employer, that the overseas employment promoter has briefed the prospective migrant worker about the contract, that the worker fully understands the terms and conditions of the employment arrangement, a Protector of Emigrants officer then registers the foreign service agreement. It is the Protector of Emigrant's responsibility to ensure that the terms and conditions in the agreement are strictly in accordance with the terms and conditions of the demand letter that was already approved. The Protector of

²¹ Government of Pakistan, 2015.

Emigrants registers the registration number on each copy of the agreement and on the passport of the migrant. The foreign service agreement is then signed and sealed and an entry on the passport is stamped.

A copy of the foreign service agreement and insurance policy document are handed over to each prospective migrant by the briefing officer of the Protector of Emigrants Office once the pre-departure orientation is concluded. All migrant workers are required to appear at the Protector of Emigrants Office for the briefing along with their overseas employment promoter or representative. Two copies of the Foreign Service agreement are handed to the overseas employment promoter, who keeps one copy in their record and sends the other to the foreign employer. A fourth copy is kept in the records of the Protector of Emigrants Office.

Emigration Rule 19 requires overseas employment promoters to provide a document to the Protector of Emigrants that affirms power of attorney to recruit workers and a letter of demand from an employer abroad that shows all terms and conditions and other benefits. These documents are to be attested and verified by the embassy or consulate of Pakistan in the host country, the embassy or consulate of the host country in Pakistan or Ministry of Foreign Affairs of the host country.

Prior to a worker's departure from Pakistan, the overseas employment promoters who processed their employment is required to give the migrant a contract that details the terms and conditions of their employment abroad. There is a standard contract for workers going abroad for employment that is in line with the Rules (see Appendix IV). All overseas employment promoters are required to provide complete information to migrant workers (as it appears in the standard contract, which comprises 34 articles). A standard migrant worker's contract is required to include provisions of health care, settlement of disputes if the employer fails to comply with the obligations. To avoid disputes with an employer in the host country, migrant workers are to be briefed about all details of the agreement beforehand (covering overtime pay, leave pay, air travel costs and paid vacation).



Box 3

PAKISTAN'S RESPONSE TO IRREGULAR MIGRATION AND TRAFFICKING

Irregular migration in Pakistan is covered under the Prevention and Control of Human Trafficking Ordinance (2002). The Federal Investigation Agency is mandated with investigating human trafficking and migrant smuggling-related issues. The Ordinance defines human trafficking as “obtaining, securing, selling, purchasing, recruiting, detaining, harbouring or receiving a person, not withstanding his implicit or explicit consent, by the use of coercion kidnapping, abduction, or by giving or receiving any payment or benefit, or sharing or receiving a share for such person’s subsequent transportation out of or into Pakistan by any means whatsoever for any of the purposes laid down by the law”.

Although it is difficult to estimate the magnitude of irregular migration, the latest available data on the number of Pakistanis deported from host countries gives a possible indication: 66,427 Pakistanis were deported in 2013 from various destinations but mainly from GCC countries.^a However, many migrant workers who were deported because of their irregular status actually entered the country as a regular migrant worker. They moved into irregular status after their employment contract expired or because they changed their employer. Such a worker could, of course, also have been smuggled or trafficked.

Trafficking in persons and the smuggling of migrants in the Pakistani context has been affected by several push-and-pull factors. Push factors include lack of employment opportunities, rising inflation, increasing unemployment, a weak law and order situation and/or large-scale disasters (which are factors influenced by poor economic growth, increasing population pressures, poor social indicators, poor governance, poor quality of and lack of access to public services and energy crises).

Pull factors include social networks formed due to legal migration, economic opportunities, labour shortages and ageing populations in the destination countries. People leaving Pakistan are usually unemployed and are leaving for economic or social reasons.

Major routes used for irregular migration (including smuggling) include:

- Pakistan to the Islamic Republic of Iran to Oman to the United Arab Emirates
- Pakistan to the Islamic Republic of Iran to Turkey to Greece
- Pakistan to the Middle East to West Africa to Spain.

According to research by United Nations Office on Drugs and Crime,^a a human trafficking originating mainly from Lahore, Gujranwala, Faisalabad and Peshawar, while cases of Pakistanis in irregular migration begin mostly from Gujrat, Gujranwala, Mandi Bahauddin, Dera Ghazi Khan, Multan and Sialkot.

ILO researchers’ analysed^b the role of Pakistan’s labour and criminal justice response in preventing trafficking in persons and migrant exploitation. Their study looked at the private recruitment industry, its regulation and monitoring mechanisms and how regulation impacts the recruitment business. The study highlighted the challenges for the Government in regulating cross-border recruitment, which includes capacity building for monitoring and enforcing regulation compliance within the private recruitment industry, the elimination of fee charging to migrant workers, regulation of subagents and resolving the jurisdiction gaps between origin and destination countries.

^a UNODC, 2014; ^b ILO, 2014b.

4.4 CURRENT PRACTICES IN THE OVERSEAS RECRUITMENT INDUSTRY

This section presents findings from the informant interviews on practices in the recruitment of workers for overseas jobs, highlighting divergence from the regulations. The feedback received from migrants (both prospective and those who had returned), overseas employment promoters and other stakeholders indicates that enforcement of the laws, regulations and standard operating procedures in the industry is weak.

Manipulating the migrants

The migrant workers who were interviewed for this study at airports prior to their departure for an overseas destination or in the waiting area of a Protector of Emigrants Office were reluctant to express their grievances due to the fear that someone may create another hurdle for them. Thus, it was difficult to get candid feedback on all aspects of the overseas recruitment process. This indicates that the prospective migrant workers may have been instructed to remain silent by the overseas employment promoters or their subagents, lest it unnecessarily complicates their case. Migrants who had returned prematurely from abroad also expressed a similar reluctance to share information. Lack of transparency combined with limited awareness about the migration process, officially valid fees and complaint registration mechanisms among prospective migrant workers coming from rural areas seemed to be the defining characteristics of the industry.

Actual costs involved

The interviews with migrant workers indicated that the cost of obtaining foreign employment through an overseas employment promoter is much higher than the officially prescribed fees (see table 2). This cost was reported to be in the range of PKR200,000 to PKR500,000 (\$1,910–\$4,775), depending on the category of work visa. For instance, to obtain a visa for Saudi Arabia or the United Arab Emirates, migrant workers reported paying between PKR200,000 and PKR250,000 (\$1,910 and \$2,388). A migrant from Azad Jammu and Kashmir said that he had paid PKR500,000 (\$4,775) to a subagent for a visa as a driver in Dubai.

These findings echo the findings of a recent study on measuring migration costs for low-skilled migrant workers from Pakistan to Saudi Arabia and the United Arab Emirates in which the researchers estimated that the average cost for a Pakistani worker to find a job and begin working was PKR365,315 (\$3,489).²² The average cost of migration to Saudi Arabia was considerably higher, at PKR449,186 (\$4,290), than moving to the United Arab Emirates, at PKR246,895 (\$2,358). The study was inconclusive on the reason for this difference. It is largely attributed to the preference of Pakistanis for working in Saudi Arabia, where long-term prospects of finding employment are greater, given the size of the economy and the amount of oil revenues it generates, as compared with other GCC countries.

²² ILO and KNOMAD, 2016.

As that study report pointed out, the total migration cost is divided into 13 components: visa fee, agent's fee, transport (domestic and international), contribution to Workers Welfare Fund, passport fee, medical test fee, contract fee, insurance premium, briefing fee, clearance fee, exit fee and other costs. The survey findings found that the visa fee was the major cost component for the surveyed low-skilled migrants, constituting more than 80 per cent of their total investment. Workers reported paying, on average, \$3,494 for the work visa for Saudi Arabia (which was 81 per cent of their total expenses) and \$1,818 for the United Arab Emirates work visa (which was 77 per cent of the total expenses).

The second-highest cost for the surveyed migrants was the agent's²³ fee, at \$271, which constituted nearly 8 per cent of their total migration investment. Workers who went to Saudi Arabia paid \$342 (8 per cent of their total cost) for the agent's fee, while workers going to the United Arab Emirates paid \$164 (7 per cent of their total cost). The third-highest cost component of the migration investment was the expense of international transport, mainly airfare. The average one-way airfare (between Pakistan and the GCC country) paid was \$249, which accounted for 7 per cent of the total expense. The average airfare to Saudi Arabia was \$248 (6 per cent of the total cost) and \$251 to fly to the United Arab Emirates (11 per cent of the total cost).

Compliance with employment contracts

The interviews with migrant workers further highlighted the lack awareness of the requirements or prerequisites of the job for which they had received the work visa. For example, a man with a Pakistani heavy transport vehicle license who was recruited to work as driver for a store chain in Dubai was not allowed to do the job once he arrived because his license was not valid for driving in the United Arab Emirates. He had been told prior to his departure that his Pakistani license would be acceptable in Dubai and there would be no issue in working as a driver. Another worker who had gone to Saudi Arabia was hired as a gardener but instead was assigned many other tasks. In cases in which there was a mismatch between the required qualifications demanded by the foreign employers and the workers' actual skills, the workers were relegated to working in a lower-skilled position with a salary that was less than they had been promised with the other job.

Another major divergence reported concerned the non-provision of any information about the work agreement or contract to departing workers. According to the Emigration Rules, overseas employment promoters are to provide a contract agreement to workers that articulates the terms and conditions of the employment offered to them abroad. This contract must be signed by workers (and a copy given to them) prior to their departure. Most of the returned migrant workers interviewed said that they were not given a contract prior to their departure; some were given a new contract by their employer in the destination country that had different terms that was stated in their foreign service agreement. Some of the workers said that they never received a contract during their time abroad.

²³ The questionnaire did not ask about different fees to different types of agents (promoters), so for the purpose of this survey, an agent can be either a subagent or any other actor (non-registered) who helped the worker obtain an employment visa through an individual (already working in a destination country and who bought some visas) or to overseas employment promoters for a fee. Some migrants used the services of one such agent, while others might have used the services of several. In the latter case, the migrant was asked to specify the aggregated amount.

Workers who received a copy of their agreement had difficulty in understanding its provisions because it was either in English or Arabic. ILO Guidelines²⁴ for recruitment agencies stress that they should ensure that selected workers are informed in their own language and clearly understand and freely accept the terms and conditions of employment. According to Rule 4(b) of Pakistan's Emigration Rules, an overseas employment promoter is responsible for ensuring that migrant workers "fully understand the terms and conditions of employment abroad as given in the foreign service agreement". However, the Emigration Ordinance and Rules are silent on the provision of copies of the foreign service agreement in native language or in Urdu, but there is no legal binding on overseas employment promoters not to give the foreign service agreement in native languages.

Migrant workers also reported that the benefits promised at the time of recruitment were not usually provided. For instance, one migrant said he was promised health insurance but that, instead, the employer carried a first aid box with him and offered the same tablet to each worker who complained of some medical condition. A 2009 ILO study²⁵ on recruitment practices in Pakistan for overseas employment also indicated that instances of re-signing a contract with different terms upon arrival in the destination country and wages that were lower than promised were common.

Briefing or no briefing

The ILO Guidelines advise that sending and receiving governments should work with recruitment agencies, employers' organizations, workers' organizations, international organizations and non-government organizations to develop a core curriculum for pre-departure training. Pre-departure training should cover the terms and conditions of employment, rights, workers' obligations and protections (including salary deductions), the importance of retaining identity documents and copies of the contract, language, culture, effective and reliable remittance channels, key contacts, preventive and emergency health measures, complaint mechanisms and relevant laws for working and living in the receiving country.

Interviews carried out with 47 migrants, which included eight returning migrants, indicated when departing, they were not properly briefed by the Protector of Emigrants Office. Their overseas employment promoter also did not brief them appropriately on the conditions that they would encounter in the host country. The briefing by the Protector of Emigrants Office is supposed to include details on the terms and conditions of overseas employment as well as what to do if a problem arises. Most of the returned migrants who were interviewed were not aware of the role of the Pakistan embassy or community welfare attaché for help with breach of employment terms or unfair treatment by the foreign employer. The Pakistani workers were not properly briefed about their rights at work abroad and thus did not have the courage to go to the embassy or community welfare attaché. Even when told they could lodge a complaint, they did not have the courage to follow through.

²⁴ See www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/publication/wcms_160006.pdf [accessed 30 May 2016].

²⁵ ILO, 2009.

Interviews with Protector of Emigrants officers and overseas employment promoters supported this finding, with some promoters admitting that some of their clients never appeared at the Protector of Emigrants Office (for a briefing or processing of their papers). A promoter in Rawalpindi said that he never informs his clients about the briefings, although their cases are processed with the indication that they had attended the mandatory briefing. A migrant who had returned from Dubai said that the duration of the briefing given to his group before leaving was less than ten minutes.

Briefings, when given, are general in nature and not designed for specific countries or trades. Visits to the Protector of Emigrants Offices in Rawalpindi, Lahore and Peshawar revealed that the BEOE had not invested funds in office maintenance. The offices were overcrowded and, due to frequent visitors, were not tidy. There was not sufficient seating for prospective migrants waiting. In one office, prospective migrants waited more than five hours for their briefing to start. Many of them had travelled from far-flung districts. In Peshawar, the officer said the office is located in a highly insecure area but they had little security arrangements. He had suggested shifting the office to a more secure location, which the Government had recently agreed to do.

Subagents

A 2012 study²⁶ looked at private recruitment practices in the Asia-Middle East labour migration corridor. Countries in the Middle East are considered the most competitive labour markets in the world. The supply of labour far exceeds demand, making it extremely difficult to control recruitment practices. According to the 2012 study, most migrant workers from Asia are unaware of the risks involved and are willing to pay a stiff premium to work in a Middle Eastern country. The study report noted that numerous agencies were taking advantage of migrants by charging excessive fees for documentation and offering expensive pre-departure loans. The researchers concluded there was urgent need to revise the government recruitment operations in the labour-sending countries and proposed policy changes to reduce the number of recruitment agencies to an ideal level that would help prevent cutthroat competition between them. They also recommended the formalizing of brokers and subagents and proper regulation of recruiters and employers.

During the interviews for this Pakistan study, the role of subagents in the recruitment process was repeatedly mentioned. As noted, the Emigration Ordinance and Rules prohibit involvement of any person other than the one with a valid recruiter's license to facilitate the overseas employment of Pakistani workers to prevent fraud or additional (excessive) costs. Yet, in most cases, the interviewed migrant workers were assisted in leaving Pakistan by a relative or a close acquaintance working as a subagent in return for a fee. Many subagents had a link with an overseas employment promoter who processed their recruits and others were working independently but with a link to a recruitment agent in a destination country (they sell Azad visas²⁷). Most of the interviewed workers were not even aware of the overseas employment promoter who had processed their application; the subagent

²⁶ Agunias, 2012.

²⁷ Azad visa means the employment is not with any employer. The migrant worker is free to find a job, but must pay an agreed amount with agreed terms to the kafeel, or sponsor, which can be a monthly or quarterly payment.

was their only contact in the whole process. The interviews indicated that subagents work in a close-knit community in rural areas, targeting potential clients on behalf of overseas employment promoters. The 2009 ILO study²⁸ also found that unregistered subagents had a significant role in the overseas employment process, especially for the recruitment of semi-skilled or unskilled workers from rural areas.

During their interviews, overseas employment promoters denied the involvement of subagents in their business and strongly opposed registering them as independent entities or affiliates. Their prime concern was that once this door is opened, each promoter would be under pressure to take on relatives as subagents. Despite this, there is a need to formalize the work of the subagents and institute a system for regulating them. The Government may consider following the practice in vogue in Nepal, with necessary adaptation to the Pakistani context (see box 4).

The subagents operating in the industry benefit from the ignorance of prospective migrants, whom they usually overcharge and do not inform of any grievance redress remedy available to them – probably due to lack of their own knowledge or out of the fear that the migrants may lodge a complaint against them. There have been many reported incidents of fraud through these subagents. It is a common practice for a subagent to take money from a prospective migrant and then disappear. A migrant who had returned to Pakistan due to breach of his contract by the employer had reported the grievance, asking for a refund of the money paid to the subagent. Although subagents cannot be prosecuted under the provisions of the Emigration Ordinance or Rules, there is an understanding between the Federal Investigation Agency and the BEOE to refer such cases to the agency for prosecution.

The discussions with subagents for this study exposed reluctance on their part to be formally associated with an overseas employment agency or to submit to government regulation. They were of the view that the problems in the recruitment industry stemmed mainly from other players and that most subagents are not exploitive. They were convinced that their service provides job opportunities to many unemployed Pakistanis.

None of the overseas employment promoters interviewed, on the other hand, admitted using the service of a subagent. Almost all the promoters claimed that their business is not doing well these days, even though they also acknowledged that the demand for Pakistani workers had increased due to increased development activities in the GCC countries, in particular Saudi Arabia and the United Arab Emirates. One promoter described two types of subagents: a small proportion of subagents were linked with a specific overseas employment promoter, while the majority worked for many recruiters.

²⁸ ILO, 2009.

BOX 4**NEPAL - REGULATION OF SUBAGENTS THROUGH EMPLOYMENT PROMOTERS**

There has been a steady increase in the total number of labour permits issued for foreign employment in Nepal. A total of 2.23 million labour permits were issued over the six-year period between 2008–09 and 2013–14, which represents about 8 per cent of Nepal’s total population.*

Nepal’s Foreign Employment Act (2007) specifies the management of labour migration policy, which is articulated through the Foreign Employment Rules (2008). Chapter 10 of the Rules on “Provisions relating to appointment of agents” allows for licensed exporters of labour to appoint an agent within Nepal or overseas after following due process. In such a case, the labour exporter makes an application that includes biodata of the person proposed to be appointed as agent, provided the proposed subagent fulfills the following criteria:

- able to read and write the Nepali language fluently;
- able to make others understand matters relating to foreign employment; and
- has no criminal record.

If the department gives permission, the licensed agent must make a deposit of 200,000 Nepal rupees (NPR) into a government fund.

The licensed agent can also request permission to appoint an agent in a country where workers are sent (with an application that includes the biodata of that person). The proposed agent must be a Nepali national, have a bachelor’s degree and no criminal record. A deposit fee of NPR200,000 is also required. Both types of permissions are to be renewed each year. The licensed agent can remove any licensed agent, whose deposit fee will be refunded.

The licensed labour exporters are required to publish in a newspaper of national circulation the full name and address of the agents permitted to work with them.

Source: Nepali Institute of Development Studies and National Centre for Competency in Research, 2012. * Government of Nepal, 2014.

Lengthy processes

Some of the migrant workers complained about the waste of time in the processing of their job applications. The Protector of Emigrants officers complained about the lack of staff and proper facilities to cater to the needs of migrants. Overwork and lack of staff delayed the processing of applications, which cost prospective migrants their time. Migrants interviewed in the Lahore airport complained about the waste of time by NADRA (to obtain the national ID card), by embassies while considering the request for a visa and by overseas employment promoters. The migrants interviewed at the Peshawar airport complained about delays due to slow processes within the

police department for police clearance, the Protector of Emigrants Office and NADRA (also for the national ID card). Overall, most of the migrant workers cited delays in obtaining their national ID card. The process was lengthy and required original documents.

Most people interviewed thought that the mandatory requirement for a national ID card was unnecessary. A NADRA official pointed out that because NADRA is a self-financed organization, it has to generate resources, including for the ID cards. An officer with the Overseas Pakistani Foundation along with the Protector of Emigrants officer in Peshawar both saw need for a national ID card. NADRA is of the view that the ID card provides information on migrant workers that is not available through any other source and can serve as an alternate identification document for Pakistanis when working overseas, especially where it is common practice for employers to hold workers' passports to restrict their mobility.

Shortage of trained government officers

Another informant pointed to deficiencies related to the shortage of human resources in the Protector of Emigrant Offices and the level of commitment and skills necessary to undertake their responsibilities among existing staff. The availability of appropriately trained staff is necessary to perform their assigned tasks, such as 'inspect the conveyances' used for the transportation of migrants (aeroplanes, ships or buses) and the inspection of Trade Test Centres, which are private entities that are responsible for certifying technical skills of prospective migrant workers on behalf of the foreign employers for quality assurance.

Medical screening and health insurance

Another issue raised by migrant workers related to the appointment of a sole company – Gulf Approved Medical Centers Association (GAMCA) – by most GCC countries for the medical screening of workers. GAMCA is an association created to provide medical examinations to expatriates intending to join the labour market in the GCC countries. The migrants reported many loopholes in the process of medical examination through designated GAMCA medical centres (see Appendix II, table A10). Due to its monopoly position, GAMCA tends to overcharge migrant workers. And the results of specified lab tests cannot be challenged. This has given rise to a new type of corruption, with laboratory workers extorting prospective migrants for favourable test results. The news report appearing in the daily Dawn²⁹ and other reports in social media³⁰ confirm these practices as reported by migrant workers. GAMCA doctors have been penalized also in the past.³¹ The complaints are not rampant in Pakistan, but there are references³² of such incidents in many other countries.³³

The Emigration Rules stipulate that State Life Insurance Corporation is to provide insurance services to migrating workers. All the interviews for this study highlighted the need to open the insurance

²⁹ See www.dawn.com/news/694306/gcc-approved-medical-centres-get-notice [accessed 30 May 2016].

³⁰ See www.facebook.com/BoycottGamca/posts/556969720984404 [accessed 30 May 2016].

³¹ See <https://paklaws.wordpress.com/tag/consumer-court-punished/> [accessed 30 May 2016].

³² See www.migrant-rights.org/2012/08/gamca-controversy-update/ [accessed 30 May 2016].

³³ See www.gmanetwork.com/news/story/134899/news/migrants-gamca-clinics-continue-to-exploit-ofws [accessed 30 May 2016].

option to other companies, which would encourage competition and promote better service delivery for migrant workers at a competitive price.

Interviews with officers in the Ministry of Overseas Pakistanis and Human Resource Development and the BEOE stressed that human resources and financial constraints are major bottlenecks in the proper implementation of the migration laws and regulations. At the time of the research, there were 260 vacant positions across the BEOE and the Protector of Emigrant Offices. Filling these positions would enable the BEOE Director General to carry out the federal ombudsman's decision regarding providing migrants with "one-stop" facilities at the airports to respond to any problems, which would require deployment of staff at all international airports across Pakistan (they are currently operating in the Islamabad airport).

The Government should discuss with destination country counterparts a simplifying of their procedures. One interviewed informant for this study suggested that the Government of Pakistan should make diplomatic overtures with other countries in the region to agree on a minimum standard of working conditions and on minimum wages, and all governments should not allow the export of their human resources for less than the agreed minimum wage or decent working conditions.

Community welfare attachés

Although the community welfare attachés are perceived as providing valuable service, there are reports of misuse of authority. Many informants in this Pakistan study questioned the performance of some individuals in that position community welfare attachés. They underlined the importance of exploring the potential jobs markets and appropriately pitching Pakistani workers. There are a total of 11 community welfare attachés posted in the six GCC countries and any vacant post is filled immediately. One informant alleged that community welfare attachés, instead of sharing labour market analysis with overseas employment promoters or the OEC, had facilitated their relatives in finding jobs in exchange for a small fee. Another informant suggested that the appointment process for community welfare attachés be based on their relevant qualification instead of personal bias or nepotism. Their continued appointment should be monitored and be based on performance in terms of providing relevant information that helps the export of more workers from Pakistan.

4.5 RECRUITMENT INDUSTRY AND SELF-REGULATION

In 2008, the International Organization for Migration organized a gathering of representatives of recruitment agency associations from Colombo Process member States, that concluded with a Commitment to Action on Ethical Recruitment and led to the formation of the Overseas Employment Service Providers Alliance of Asian Associations (OESPAAA).³⁴ Four meetings have been conducted to date in which all member States come together to discuss various issues and solutions, including ethical recruitment practices and the protection of migrant workers' rights. The POEPA is a member of OESPAAA and participated in all meetings.

³⁴ See <http://oespaaa.org/> [accessed 30 May 2016].

Code of ethical conduct

The POEPA is a licensed (under the 2007 Trade Organizations Ordinance) representative body of overseas employment promoters. The POEPA is also a registered body incorporated with the Securities and Exchange Commission of Pakistan under the Companies Ordinance (1984). POEPA aims to improve the working conditions and facilitate a unified approach in policies and matters affecting the interest of the trade.

In following up the commitment made at the OESPAAA forum, the POEPA developed a code of conduct on ethical recruitment. The POEPA Central Executive Committee officially launched the code of ethical conduct on 22 June 2016. The code of conduct is based on the guidelines provided by the Emigration Rules to encourage self-governance in the industry. The POEPA plans to formally launch the code with the following objectives:

- Promote professionalism, integrity, quality, honesty and trust of overseas employment promoters business with jobseekers, employers and other stakeholders.
- Promote fair practices in recruitment and improve image, reputation and credibility of the overseas employment promoters.
- Promote self-accountability and accountability with clients, job seekers, fellow business enterprises and the POEPA.
- Regulate the conduct of overseas employment promoters to ethical standards that come in compliance the Emigration Ordinance and its Rule of Business and international labour standards.

According to the code, all POEPA members and their staff are required to obey all rules and regulations while providing their services. Overseas employment promoters are also required to have transparent, well-defined business policies so that they discuss all fees and costs and document all stages of the process. They are also required to avoid involving in activities that may set bad examples and encourage unhealthy competition.

The code provides that the advertisement of jobs must be accurate, complete, clear and verifiable. The advertisement must cite the requirements for specific jobs, wages, medical allowances, securities, etc. and the declaration of having no subagent. Advertised vacancies must be registered with the Protector of Emigrants Office.

The overseas employment promoters are required to protect jobseekers from any sort of fraud, prevent gender-based discrimination and be careful of processing underaged migrants. They are required to ensure that prospective migrants fully understand their foreign service agreement. They are not to misrepresent the qualification of workers to employers. They are also required to avoid recruiting persons who may involve unnecessary risk. The promoters are to carry out the recruitment process by themselves through legal and protected means to send workers abroad.

Box 5**OVERSEAS EMPLOYMENT IN THE PHILIPPINES**

The Philippines sends a large number of workers abroad, primarily as the result of the demand for qualities that their nationals possess. Over the years, the Philippines has deployed more than 3 million Filipino workers to 190 destinations in various fields. The Philippines Overseas Employment Administration (POEA) attached with the Department of Labor and Employment, facilitates the acquisition of decent jobs for Filipino migrant workers, promotes their protection and advocates their smooth reintegration into Philippine society.

The Pre-Employment Service Office handles the registration or accreditation of foreign employers, approves job orders and documents new hires or selected workers and returning workers. The Licensing and Regulation Office regulates the operations of private employment agencies and conducts pre-employment orientation seminars for departing Filipino workers. The Adjudication Office hears and decides cases filed against licensed private employment agencies, foreign employers and overseas Filipino workers violating POEA rules and regulations. The Management Services Group provides support to the four offices through market research and development, employment standard formulation, policy research and public information and education activities, in addition to maintaining the information system and providing administrative services.

Philippine workers are hired either through a recruitment agency or directly. Financially strong recruitment companies, having clearance from the National Bureau of Investigation and the Anti-illegal Recruitment Branch of Philippines Overseas Employment Administration are granted license to work. Each staff member's clearance is compulsory. Such licensed agencies are responsible to recruit medically and technically qualified persons as well as to ensure fulfillment of the terms and conditions of the agreement. The distinctive features of the system include:

1. Selected candidates must attend a pre-departure orientation seminar.
2. The employer who identified a Philippine agent is required to submit the recruitment documents to the nearest Philippine Overseas Labor Office at the Philippine embassy or consulate for verification.
3. Private recruitment agency charges a service fee from the employer that is equivalent to one month of a recruited worker's salary.
4. The POEA also controls the working of subagents, who work under specific licensed agents after getting clearance and approval from the POEA, and the licensee assumes full responsibility of subagents.
5. The POEA runs public education and information campaigns, conducts pre-employment orientation and anti-illegal recruitment seminars nationwide and conducts pre-deployment orientation seminars for all migrant workers. There is a mechanism for the settlement of disputes between employer and employee, through the National Conciliation and Mediation Board or the National Labor Relations Commission.

Source: See www.poea.gov.ph/ [accessed 30 May 2016].

Box 6**PUNJAB OVERSEAS PAKISTANIS COMMISSION, LAHORE**

Established under the Punjab Overseas Pakistanis Commission Act (2014), the Commission is mandated to address the problems faced by the families of overseas Pakistanis. The scope of the Commission covers the problems relating to their property disputes and housing societies, family disputes, criminal cases, telephone, electricity, gas, water connections or problems, travel agent and airline-related cases, employment requests, financial matters or disputes, bank-related matters and cooperative societies claims.

The Commission helps overseas Pakistanis through advisory services, providing general information and help to resolve other complaints as well. The complaint-redress process adopted by the Commission:

- All complaints relating to the Punjab Provincial Government Departments are transmitted by the office of the Overseas Pakistanis Commissioner in Punjab to the relevant departments or offices and follows up. Regular progress reports are submitted to the chief secretary or chief minister.
- The commissioner is authorized to refer any complaint to the ombudsman for investigation.
- The complainants may lodge their grievances via:
 - online complaint portal
 - constituted advisory councils
 - respective embassies, high commissions and/or consulates
 - directly to the Office of the Commissioner
 - a helpline (+92 42 111-672-672).
- All departments appoint an officer at the level of additional secretary as focal person for the redress of complaints relating to overseas Pakistanis. The Police and Board of Revenue appoint an officer at the level of additional inspector general and a member of Board of Revenue to deal with the complaints of the overseas Pakistanis and monitor their progress.
- District committees have been set up in all districts with the following composition:
 - chairperson (nominated by the Commission)
 - district coordination officer (vice chairperson)
 - two members (nominated by the Commission)
 - district police officer or head of the district police (member)
 - additional district collector (secretary or member)
 - district public prosecutor and district attorney, as coopted members
 - representatives of the district departments, as coopted by the committee
 - supervisory officer of federal agencies.

The Punjab Overseas Pakistanis Commission also makes recommendations for policy changes and improvements in the federal or provincial government system on the basis of recommendations and feedback received from overseas Pakistanis.



5 Challenges and recommendations

This study examined the practices, mechanisms and procedures relating to recruitment for overseas employment. It was carried out with the objective of highlighting weaknesses in implementation and shortcomings in the regulatory regime and suggesting improvements in Pakistan's recruitment industry.

5.1 CHALLENGES

Following the review of the legal and regulatory framework for overseas recruitment in Pakistan, which encompasses the Emigration Ordinance and its Rules, the study identified the following major challenges to the smooth operation, monitoring and growth and development of the recruitment industry:

- Lack of a coherent policy that can translate the long-term vision of the Government in promoting overseas employment as a development tool for the country. The recently prepared Vision 2025 – the long-term development framework acknowledges the importance of developing the skill level of Pakistani human resources and appropriately exporting them to earn much-needed remittances. However, the vision needs to be translated into a coherent policy by the relevant federal ministry, appropriately abreast with the modern-day complexities.

- The legal and regulatory framework in terms of the Ordinance and Act and the subordinate legislation (the Rules) suffer from various loopholes and lack of enforcement. The most important oversight is the involvement of subagents while the law does not recognize any role for them. The Pakistan survey found that subagents are often the prime obstacle to transmitting accurate information to workers seeking overseas employment. These non-regulated intermediaries may act on behalf of one or more overseas employment promoters or receive a fee for each low-skilled worker they bring to an overseas employment promoter. The subagents incentivize the workers to find a job, make oral promises about foreign wages and working conditions that are not fulfilled, hide the terms and conditions and collect fees without issuing receipts. When workers find different wages and working conditions abroad, there is often no effective way to hold the subagents responsible.

- According to the emerging international standard and code of conduct for private recruitment agencies no fee should be charged from jobseekers (migrant workers). Instead, employers should pay a recruitment agency for sourcing workers. Although the Pakistan legal framework allows recruitment agencies to charge a PKR6,000 fee (\$57), the study found that migrant workers pay a heavier fee to recruitment agencies and subagents. The issue is the contradiction of the national law with the international standards and another issue is the monitoring of the fees paid by the workers. There is a lack of any mechanism by which state authorities can monitor the fees paid to recruitment agencies.

- Lack of implementing capacity of responsible institutions to implement provisions of the existing laws and regulations. This manifests in many forms, including lack of appropriately trained human resource, disconnect between the institutions, large zones assigned to Protector of Emigrants Offices that overburden them, lack of accountability and rule of law, lack of resources or general indifference among staff.
- Governance issues in implementing institutions make the problems more complex. The roles and responsibilities are not clearly defined, both at the individual level as well as for institutions. There are duplications in the role of the Protector of Emigrants and the Federal Investigation Agency. Nepotism in the selection of government functionaries is a concern. Courts are overburdened and investigations never completed. All such inefficiencies lead to lack of transparency and inaction, which further leads to suffering of overseas workers.
- Lack of coordination among state institutions. There is no system for analysing the demand for labour in the near future, accordingly fine-tuning the availability of trainings to prepare workers to compete in the potential labour markets or to update the curriculum of training institutions.
- Lack of awareness among potential migrant workers about the recruitment process and the labour market situation of major destination country, about the culture of destination countries and the environment of work in which they would be required to work.
- The Government's ineffectiveness in negotiating better terms and conditions with major destination countries as well as in exploring new and emerging markets for workers. The Government needs to engage with neighbouring countries competing for the same market segments abroad to agree on minimum standards to respond to concerns regarding working conditions.

5.2 RECOMMENDATIONS

On the basis of those challenges, the study offers the following recommendations for improving the regulation and operation of the industry, separately for the Government and for the recruitment industry.

Recommendations for the Government

- The Government needs to develop a coherent policy to implement the long-term vision for promoting overseas employment, in consultation with all relevant stakeholders.
- There is a need to re-examine relevant laws with a view to introducing amendments that respond to emerging realities, such as the increase of workers going abroad through education consultants or using various irregular channels. There is a need to broaden the base of the existing committee established to re-visit the Immigration Law and Rules and it should be given a time frame for finalizing recommendations.

- The Ministry of Overseas Pakistanis and Human Resource Development needs to review the overseas employment promoters licensing procedures and put in place an output-based system encompassing well-defined indicators for evaluating performance on a periodic basis. Introducing a performance-based reward system would be useful.
- To improve the enforcement of the current laws and regulations, a focal institution – the Bureau of Emigration and Overseas Employment – should be given financial and administrative autonomy, with targets to be achieved. A vigilant monitoring system, based on performance indicators for each institution, section and officials, needs to be developed. Financial independence will enable the BEOE to fill its currently vacant positions and put in place better infrastructure and facilities across the Protector of Emigrants Offices. IT-based solutions need to be introduced in the BEOE and Protector of Emigrants Offices for record keeping, updating and processing of cases for improved efficiency.
- A well-defined monitoring system should be developed by improving the infrastructure and increasing the number of inspectors who can regularly monitor recruitment agencies and their compliance to the rules and regulations and collection of receipts from migrant workers for fees paid to recruitment agencies.
- There is a need to open new Protector of Emigrant Offices, especially in interior Sindh and Balochistan provinces to reduce the workload of existing offices and to promote overseas employment from the more remote regions of the country.
- Regular evaluation of the performance of the community welfare attachés, appointed by the Foreign Office, is needed to ensure that the interests of migrant workers are safeguarded. The Government needs to ensure that only professionals are posted as community welfare attachés. The renewed appointment of a community welfare attachés should be tied to performance.
- There is need to bring abusive overseas employment promoters to justice. Increasing the security deposit to PKR1 million can be considered to keep unscrupulous elements out of the industry. Another option to consider is the issuing of overseas employment promoter licenses to overseas Pakistanis because they have better knowledge of job opportunities in their host country.
- The OEC should visit foreign countries periodically to explore new markets and negotiate better terms of service for Pakistanis, assess the requirements for workers and required skills. The community welfare attachés also need to take a more proactive role in analysing the demand for foreign labour in foreign countries. The BEOE should develop a dedicated research unit to analyse the skill requirements in labour-importing countries, and the technical education and vocational training institutes in the public sector should design special training programmes to respond to those skill requirements.
- The subagents should be brought into the regulatory regime as a way to control the rising incidence of malpractices. The law should be amended to cover their services in such a way that they are registered, and listed and associated with an overseas employment promoter. The overseas employment promoters need to be made liable with subagents to fulfil the promises they make and requiring receipts for all monies collected during the recruitment process.

- The Government should launch an awareness campaign through print and electronic media to educate prospective migrant workers on the correct channels for migration and how to avoid exploitive practices common in the overseas recruitment industry.
- The Government should improve pre-departure orientation system, including expanding staff or office space. Partnerships with provincial departments are needed to increase access to pre-departure orientation for workers from remote areas.

Recommendations for the Pakistan Overseas Employment Promoters Association

As per law, all licensed agencies are required to join the POEPA. In practice, not all licensed agencies are POEPA members. Hence:

- The POEPA should ensure the implementation of the code of conduct on ethical recruitment by establishing committees to involve more agencies to promote the volunteer signing of the code and its enforcement.
- The POEPA should take up the issue of non-registered recruitment agencies with the Government and should develop a mechanism for issuing and renewing licenses with its members.
- The POEPA should raise awareness on safe and legal migration processes to help restrain the activities of unscrupulous agencies and agents.



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Appendix I

Key informants interviewed

ILO

Ms Anna Engblom, Chief Technical
Adviser, South Asia Labour Migration Governance Project

UNODC

Ms Shahida Gillani

IOM Pakistan

Mr Junaid Arshad Khan, Focal Person on Human Trafficking

Ministry of Overseas Pakistanis and Human Resource Development

Mr Ahmed Sial, Senior Joint Secretary, Islamabad
Mr Ali A. Tanoli, Deputy Secretary
Mr Qazi, Section Officer (Policy)
Mr Shahid, Section Officer (Emigration)
Ms Shazia, Section Officer

Protector of Emigrants

Mr Syed Tariq Shamim, Peshawar
Mr Waseem Barakullah, Deputy Director, Lahore
Mr Zulfiqar Hussain Shah, Rawalpindi

Punjab Overseas Pakistanis Commission, Lahore

Mr M. Afzal Bhatti, Commissioner

Pakistan Overseas Employment Promoters Association,

Mr M. Aqeel Awan, Senior Vice Chairman

NADRA

Mr Amir Bukhari, Director National Identity Card

International Center for Migration Policy Development

Ms Sadeef Dearing, Senior Regional Advisor

Former Protector of Emigrants

Mr Raj Mehmood Baluch

Overseas Pakistanis Foundation

Mr Jamil Afzal Cheema, Director General Welfare and Service Division

Bureau of Emigration and Overseas Employment

Mr Rana Matloob Ahmad, Additional DG

Overseas Employment Corporation

Mr Jamshed Ahmad Khan, GM Operations

Migrant workers leaving Pakistan for the first time

12 migrant workers at Allama Iqbal International Airport, Lahore

12 migrant workers at Benazir International Airport, Rawalpindi

13 migrant workers at Bacha Khan International Airport, Peshawar

Overseas migrant workers returning to Pakistan

3 migrant workers arriving at Allama Iqbal International Airport, Lahore

5 migrant workers arriving at Benazir International Airport, Rawalpindi

Overseas workers

Mr Ziaullah, Hafizabad

Mr Asghar Ali, working in Saudi Arabia

Overseas employment promoters

Manzar Enterprises

Ataullah Overseas Employment Promoter

Esha Overseas Employment Promoters

HSV Overseas Employment Promoter

Ghaffar Sons

Samaa Overseas Employment Promoter

G-B Overseas Employment Promoters

Mussyyed Overseas Employment Promoter

Muslim Overseas Employment Promoter

Subagent

3 subagents on the condition that their identity will remain anonymous.

Education consultants

PFL Education Consultants – Islamabad

ABN Overseas Education – Islamabad

Sheharyar Naqvi

Immigration Experts – Islamabad

Fazil Ali

Additional data

Table A1. Number of overseas Pakistani workers who migrated through the BEOE, by destination country or territory, 2003–15

Region/country	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	Total
Middle East														5 280 157
Saudi Arabia	126 397	70 896	35 177	45 594	84 587	138 283	201 816	189 888	222 247	358 560	270 502	312 489	418 423	2 474 859
United Arab Emirates	61 329	65 786	73 642	100 207	139 405	221 765	140 889	113 312	156 353	182 630	273 234	350 522	274 628	2 153 702
Oman	6 911	8 982	8 019	12 614	32 474	37 441	34 089	37 878	53 525	69 407	47 794	39 793	39 092	428 019
Kuwait	12 087	18 498	7 185	10 545	14 544	6 250	1 542	153	173	5	229	132	147	71 490
Bahrain	809	855	1 612	1 630	2 615	5 932	7 087	5 877	10 641	10 530	9 600	9 226	7 824	74 238
Qatar	367	2 383	2 175	2 247	5 006	10 171	4 061	3 039	5 121	7 320	8 119	10 042	10 994	71 045
Other countries in the Middle East	158	314	197	257	242	281	323	369	279	481	1 442	1 568	893	6 804
Europe														40 240
Italy	128	581	551	431	2 765	2 876	5 416	3 738	2 875	3 361	2 068	1 563	403	26 756
United Kingdom	858	1 419	1 611	1 741	1 111	756	556	430	308	183	158	250	199	9 580
Germany	42	8	2	8	5	6	9	2	11	23	26	23	31	196
Other countries in Europe	238	312	369	339	407	252	212	134	191	253	171	333	497	3 708
America														2 839
United States	140	130	238	202	297	232	184	196	182	164	226	351	297	2 839

Continued: Table A1.

Continued: Table A1.

Region/country	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	Total
Asia and Far East														
Malaysia	114	65	7 690	4 757	1 190	1 756	2 435	3 287	2 092	1 309	2 031	20 577	16 998	80 795 (1.5 %)
Republic of Korea	2 144	2 474	1 970	1 082	434	1 534	985	251	12	7	12	46	11	64 301
Other countries in	328	154	376	603	424	428	523	408	395	423	426	507	537	10 962
Asia and Far East														5 532
Africa														
Libya	1 374	375	261	67	450	940	1 293	2 157	490	1 872	4 543	2 121	7	15 950
Sudan	27	93	360	140	128	60	109	324	227	383	368	559	443	3 221
South Africa	59	7	38	65	45	93	314	184	195	302	211	189	127	1 829
Nigeria	66	14	25	55	57	105	125	162	166	142	117	113	88	1 235
Other countries in Africa	67	97	75	8	141	219	575	163	152	115	149	205	351	2 393
Other countries of the world														
Other countries	396	381	562	523	706	934	985	952	1 258	1 117	1 288	1 857	1 879	12 838 (0.2 %)
Total	214 039	824	135	183 191	287 033	430 314	403 528	362 904	456 893	638 587	622 714	752 466	773 869	5 441 497

Note: Figures up to October 2015 only. () figures in parenthesis are column percentages for respective regions. Data for the period before 2003 were not available by year by country. Source: Calculations based on data provided by BEOE and MOPHRD, Islamabad.

Table A2. Number of workers who went overseas employment through the BEOE, by skill level, 2000–15

Year	Highly qualified	Highly skilled	Skilled	Semi-skilled	Unskilled	Total
2000	2 999	10 292	54 110	2 125	38 207	107 733
2001	3 155	10 846	64 098	2 768	47 062	127 929
2002	2 618	14 778	74 968	3 236	51 822	147 422
2003	2 719	22 152	101 713	4 601	82 854	214 039
2004	3 291	15 557	77 033	3 840	74 103	173 824
2005	3 737	15 467	57 793	2 675	62 463	142 135
2006	5 708	16 332	71 898	3 375	85 878	183 191
2007	8 178	20 975	110 938	3 243	143 699	287 033
2008	9 713	33 173	177 791	4 209	205 428	430 314
2009	4 954	3 260	182 657	2 465	210 192	403 528
2010	7 081	31 650	165 726	5 181	153 266	362 904
2011	6 974	3 018	171 672	73 247	201 982	456 893
2012	9 298	4 202	261 531	104 240	259 316	638 587
2013	12 057	5 032	263 138	102 963	239 524	622 714
2014	14 647	6 216	287 649	120 204	323 750	752 466
2015*	14 050	6 670	322 745	123 977	306 427	773 869
Total	111 179	219 620	2 445 460	562 349	2 485 973	5 824 581

Noted: * = figures are up to October 2015 only.

Source: See [http://beoe.gov.pk/migrationstatistics/1971-2015%20\(upto%20Feb\)/Occupation-wise-1971-2015.pdf](http://beoe.gov.pk/migrationstatistics/1971-2015%20(upto%20Feb)/Occupation-wise-1971-2015.pdf).

Table A3. Number of workers processed for overseas employment through the OEC, by skill level, 2 000–15

	Highly qualified	Highly skilled	Skilled	Semi-skilled	Unskilled	Other	Total
2000	333	68	426	370	774	432	2 403
2001	610	205	266	103	270	658	2 112
2002	157	487	430	172	87	372	1 705
2003	192	108	542	273	124	165	1 404
2004	118	294	120	43	46	419	1 040
2005	321	290	115	24	2	442	1 194
2006	351	114	96	28	70	424	1 083
2007	103	152	37	29	21	332	674
2008	178	129	89	32	983	117	1 528
2009	222	75	40	31	524	34	926
2010	859	53	56	15	764	34	1 781
2011	643	166	29	0	460	40	1 338
2012	204	17	23	4	747	19	1 014
2013	224	12	18	1	1 154	48	1 457
2014	257	60	11	26	697	324	1 375
2015*	137	37	18	3	715	16	926
Total	4 909	2 267	2 316	1 154	7 438	3 876	21 960

Note: * = Figures are up to October 2015.

Source: Overseas Employment Corporation.

Table A4. Number of workers registered for overseas employment through the BEOE, by district, 2005–15

District	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015 ^a	Total
1. Islamabad	992	876	1 263	9 050	1 569	1 168	1 790	4 190	7 109	8 943	5 122	42 072
2. Sialkot	7 193	9 328	12 076	5 973	19 802	17 877	24 704	30 529	28 433	27 943	27 673	211 531
3. Gujranwala	4 075	5 121	7 719	5 746	13 533	14 747	18 361	27 703	25 811	24 826	27 456	175 098
4. Lahore	5 397	6 078	8 198	2 896	12 270	10 944	16 671	23 709	24 614	26 048	24 784	161 609
5. Rawalpindi	10 141	11 773	12 373	17 450	9 707	8 677	10 379	15 615	14 405	18 322	18 596	147 438
6. Faisalabad	3 488	4 127	6 610	6 577	10 176	9 231	13 108	21 349	21 810	23 727	25 929	146 132
7. Gujrat	8 043	7 787	11 117	10 110	12 485	13 774	13 825	18 803	15 327	16 251	16 047	143 569
8. Dera Ghazi Khan	2 986	3 344	5 835	4 339	12 497	11 920	14 115	19 471	17 987	19 362	25 936	137 792
9. Mandi Bahauddin	2 613	3 860	8 151	2 786	8 493	8 614	8 225	11 240	10 868	15 528	14 135	94 513
10. Chakwal	2 408	4 111	5 853	11 454	7 577	7 341	7 188	10 114	9 922	10 074	10 317	86 359
11. Attock	2 654	3 790	6 122	13 798	8 074	6 998	7 032	8 881	7 823	8 813	8 963	82 948
12. Jhelum	2 118	3 561	6 256	11 098	8 079	7 822	7 616	9 802	8 905	8 585	6 942	80 784
13. Sargodha	2 128	2 356	4 150	8 496	5 593	4 957	6 401	9 958	9 591	12 711	10 845	77 186
14. Multan	2 048	2 307	3 778	3 039	6 195	5 463	6 200	10 786	10 231	10 967	14 801	75 815
15. Toba Tek Sing	1 730	2 619	4 584	6 800	4 839	4 553	5 759	8 602	7 742	11 978	13 084	72 290
16. Rahim Yar Khan	2 000	3 066	4 386	2 516	6 257	5 284	5 670	8 586	9 176	12 052	11 494	70 487
17. Narawal	1 863	3 806	5 698	1 608	6 123	5 190	6 905	9 318	8 027	9 030	11 334	68 902
18. Sheikhpura	2 056	3 169	5 311	2 827	5 625	5 476	6 014	7 787	6 315	10 418	11 743	66 741
19. Jhang	912	1 420	2 848	8 272	2 445	2 333	2 858	5 742	5 730	8 936	7 413	48 909
20. Vehari	1 103	1 511	2 503	2 670	3 093	3 284	4 746	7 780	6 165	7 158	8 093	48 106
21. Muzaffargarh	1 282	1 106	2 090	2 659	3 412	3 327	3 844	5 762	6 398	9 009	7 382	46 271
22. Bahawalpur	1 239	1 612	2 335	3 187	3 246	3 444	4 933	6 187	5 675	6 292	7 334	45 484
23. Mianwali	1 160	1 544	3 169	8 731	2 306	1 740	2 714	4 156	5 264	7 461	6 617	44 862
24. Sahiwal	1 118	1 524	2 147	2 822	2 739	3 079	3 924	5 664	5 270	7 981	7 424	43 692
25. Khanewal	928	1 175	2 025	2 553	2 575	3 100	3 224	5 214	6 270	8 427	8 042	43 533
26. Kasur	1 037	1 825	2 276	7 072	2 151	3 101	2 011	3 572	4 721	5 985	5 202	38 953
27. Rajanpur	592	886	1 997	2 820	2 561	2 116	3 338	4 442	5 575	8 037	6 026	38 390
28. Hafizabad	388	839	2 328	1 404	1 706	2 000	2 420	4 610	4 663	7 931	8 652	36 941
29. Layya	537	754	1 215	11 279	2 544	1 809	1 467	2 700	2 766	3 595	6 848	35 514
30. Okara	726	1 234	1 811	3 520	2 028	2 134	2 578	4 377	4 443	6 299	5 721	34 871
31. Khushab	765	1 200	2 515	5 343	1 990	1 864	1 741	3 856	3 796	5 231	4 988	33 289

Continued: Table A4.

Continued: Table A4.

District	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015 ^A	Total
32. Bahwalnagar	755	894	1 655	1 703	2 689	2 062	2 827	4 673	4 771	5 403	5 852	33 284
33. Lodhran	504	642	1 975	2 170	1 803	1 910	2 220	5 572	5 273	4 253	5 389	31 711
34. Nankana Sahib	0	0	0	741	2 465	1 419	1 611	5 279	5 741	6 221	5 623	29 100
35. Bhakar	190	253	713	11 113	664	627	833	2 684	3 289	3 844	2 839	27 049
36. Pakpattan	299	683	1 218	1 659	1 939	1 125	1 304	2 896	3 113	4 343	3 831	22 410
37. Khanpur	0	0	0	3	11	37	151	265	102	492	477	1 538
38. Karachi	8 682	10 718	14 636	211	20 926	21 882	29 468	28 392	30 247	54 857	56 776	276 795
39. Jacobabad	124	91	214	18 123	1 455	697	441	706	739	1 505	1 944	26 039
40. Larkana	516	728	946	1 408	1 567	1 459	1 751	2 488	2 648	3 914	4 483	21 908
41. Hyderabad	362	463	720	392	1 151	887	1 034	1 802	5 428	4 315	4 940	21 494
42. Sukkur	384	296	448	2 428	692	420	568	1 835	3 013	2 678	2 257	15 019
43. Nawabshah	425	514	591	1 017	892	761	944	1 196	1 480	2 718	3 371	13 909
44. Dadu	376	278	610	1 483	1 022	860	853	1 536	1 301	2 517	2 963	13 799
45. Shahdadkot	0	0	0	44	296	670	709	1 527	1 144	3 161	4 564	12 115
46. Shikarpur	78	120	169	2 655	392	339	600	909	947	1 261	1 999	9 469
47. Noushehro Feroze	173	156	361	543	283	1 584	556	1 034	1 294	1 838	1 547	9 369
48. Ghotki	0	0	0	219	316	593	618	1 325	1 699	2 219	2 294	9 283
49. Khairpur	154	173	542	1 007	494	409	668	568	634	1 418	1 707	7 774
50. Sanghar	196	371	484	638	373	415	464	766	1 005	1 473	1 268	7 453
51. MirpurKhas	117	139	315	411	270	246	231	916	1 205	1 424	1 515	6 789
52. Thatta	54	640	173	221	113	104	325	333	787	1 155	1 665	5 570
53. Badin	58	104	134	461	212	131	156	261	353	1 099	1 138	4 107
54. Kambar	0	0	0	5	110	187	339	840	1 157	899	502	4 039
55. Tharparkar	48	40	83	455	173	86	230	92	326	664	269	2 466
56. Umerkot	0	0	0	6	42	84	216	81	201	588	348	1 566
57. Dir	3 259	4 087	8 696	16 937	17 898	15 827	20 887	25 882	15 400	14 853	20 888	164 614
58. Swat	4 546	5 396	10 481	10 553	15 409	13 131	18 137	23 941	15 141	16 289	22 152	155 176
59. Mardan	2 786	3 917	6 467	14 244	9 683	7 827	8 839	14 452	13 458	15 719	14 773	112 165
60. Peshawar	2 648	3 280	5 903	6 798	8 447	7 479	9 229	12 608	10 877	14 198	12 330	93 797
61. Swabi	3 200	4 632	7 752	2 717	9 377	8 564	11 959	11 696	11 747	11 505	9 883	93 032
62. Charsada	1 443	2 052	3 471	3 700	5 801	4 261	7 083	12 156	9 477	9 352	7 875	66 671

Continued: Table A4.

Continued: Table A4.

District	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015 ^a	Total
63. Bannu	1 941	2 285	4 050	7 036	5 078	4 593	7 421	8 075	9 016	8 488	8 201	66 184
64. Mansehra	1 790	1 860	3 648	7 002	5 079	4 653	5 058	7 985	7 578	8 555	8 830	62 038
65. Abbottabad	1 861	2 415	3 643	6 172	4 852	4 265	5 690	8 327	7 004	8 064	7 695	59 988
66. Kohat	3 037	4 032	5 602	4 467	4 087	3 390	3 718	7 402	8 550	6 865	5 458	56 608
67. Malakand	1 155	1 521	2 657	11 087	5 374	3 612	4 353	7 006	4 316	6 551	7 191	54 823
68. Nowshera	1 726	2 005	3 124	4 461	4 601	3 085	4 413	7 797	8 351	8 309	5 799	53 671
69. Haripur Hazara	1 297	1 950	2 956	507	3 943	4 322	5 168	5 808	6 289	6 551	7 287	46 078
70. Bonair	1 625	1 887	2 974	295	3 180	3 016	4 007	4 991	4 480	6 117	9 558	42 130
71. Dera Ismail Khan	752	759	1 414	4 505	2 252	2 175	2 684	2 156	3 948	3 902	3 923	28 470
72. Karak	1 009	1 076	1 213	2 624	2 110	1 771	2 489	3 016	3 030	4 474	4 441	27 253
73. Chitral	210	516	567	17 821	347	257	414	713	868	1 212	1 669	24 594
74. Hangu	0	0	0	1 151	1 892	1 683	2 811	4 204	3 713	3 436	3 457	22 347
75. Shangla	335	340	740	712	1 492	1 319	1 776	3 358	2 493	2 701	3 928	19 194
76. Batagram	63	141	341	1 307	1 217	959	1 401	2 369	1 796	3 953	5 456	19 003
77. Lakkhi Marwat	134	259	299	960	1 024	1 177	1 408	1 206	1 632	2 823	3 384	14 306
78. Kohistan	26	77	138	5 767	624	315	443	743	707	1 206	530	10 576
79. Tank	263	302	593	581	866	541	731	458	547	2 301	2 449	9 632
80. Quetta	211	257	296	482	483	468	854	1 372	1 773	1 000	1 107	8 303
81. Khuzdar	216	369	229	112	440	302	554	701	2 057	879	417	6 276
82. Zhob	350	510	512	1 190	329	312	321	524	701	436	464	5 649
83. Sherani	0	0	0	0	547	377	488	417	581	614	630	3 654
84. Lasbela	90	107	157	91	425	127	494	264	545	599	294	3 193
85. Panjgur	343	349	428	19	314	299	263	61	277	313	499	3 165
86. Gowadar	77	61	42	0	364	31	147	321	954	761	267	3 025
87. Kharan	248	221	236	611	315	192	139	165	210	261	198	2 796
88. Turbat	69	639	1 122	40	370	269	129	1	34	75	3	2 751
89. Kech	0	0	0	0	0	58	156	152	469	559	1 005	2 399
90. Kalat	75	110	161	601	135	92	33	103	151	278	190	1 929
91. Chaghi	83	160	161	471	319	164	82	84	122	153	110	1 909
92. Loralai	35	111	77	1 056	51	29	38	39	68	57	50	1 611
93. Pishin	101	22	29	672	40	70	275	66	73	124	69	1 541

Continued: Table A4.

Continued: Table A4.

District	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015 ^a	Total
94. Awaran	0	0	0	8	85	49	8	44	346	245	674	1 459
95. Kachhi	600	120	7	284	13	5	11	32	27	16	3	1 118
96. Barkhan	0	0	0	58	79	101	90	113	175	230	249	1 095
97. Nasirabad	21	69	26	422	21	30	223	39	61	70	55	1 037
98. Jaffarabad	0	0	0	0	11	23	133	254	190	120	101	832
99. Makran	47	54	13	81	1	0	269	51	96	13	2	627
100. Killa Abdullah	105	118	38	8	32	29	45	49	44	87	47	602
101. Sibi	15	23	14	3	34	21	180	16	141	51	38	536
102. Musakhel	0	0	0	240	16	16	9	48	38	66	78	511
103. Killa Saifullah	153	60	135	47	9	7	13	19	10	14	21	488
104. Kohlu	7	30	12	261	12	8	3	15	24	30	21	423
105. Jhalmagasi	252	2	3	8	2	2	25	6	13	54	15	382
106. Ziarat	0	0	0	5	7	1	117	94	30	44	11	309
107. Bolan	0	0	0	21	1	4	146	37	42	14	2	267
108. Mastung	0	0	0	9	25	14	17	35	37	58	39	234
109. DeraBugti	0	0	0	9	0	30	0	0	4	37	4	84
110. Kotli	1 988	2 147	3 135	1 352	7 084	4 845	7 215	10 661	9 972	10 264	9 873	68 536
111. Muzaffarabad	1 940	2 259	4 296	7 438	5 077	3 579	4 844	4 905	6 601	9 683	9 430	60 052
112. Poonch	1 902	2 491	3 901	7 258	6 662	4 993	6 089	6 879	5 084	5 844	6 977	58 080
113. Bagh	1 487	1 522	2 315	4 987	5 043	3 058	5 117	5 551	6 109	7 823	7 630	50 642
114. Bhimber	85	1 119	2 220	4 131	4 455	3 712	4 909	4 400	4 016	6 237	6 469	41 753
115. Mirpur	1 376	1 719	2 181	4 881	1 408	1 242	2 999	4 233	5 388	7 611	7 347	40 385
116. Sudnuti	180	719	1 468	1 834	1 600	1 106	1 960	2 204	2 868	4 658	5 927	24 524
117. Gilgit	76	281	204	212	384	388	460	487	761	1 554	1 793	6 600
118. Ghizar	115	6	7	76	4	16	146	77	125	263	225	1 060
119. Ghanchi	72	21	45	7	49	26	69	148	184	146	168	935
120. Baltistan	76	50	93	47	59	24	42	62	60	106	142	761
121. Diamir	35	6	20	36	11	4	15	6	60	4	8	205
122. North Waziristan	920	1 590	2 045	2 355	3 632	2 645	3 696	5 500	6 545	6 676	5 349	40 953
123. Khyber Agency	761	1 265	2 443	3 560	3 126	2 621	3 485	4 226	5 874	6 269	5 798	39 428
124. Kurram Agency	1 387	1 957	2 202	2 388	4 530	3 739	4 507	4 560	3 939	4 486	4 908	38 603

Continued: Table A4.

Continued: Table A4.

District	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015 [^]	Total
125. Agency South Waziristan	992	1 370	1 827	1 553	2 405	1 568	1 674	3 824	5 663	7 345	5 766	33 987
126. Bajour Agency	275	294	895	3 864	2 227	2 098	2 428	4 071	2 717	3 815	4 266	26 950
127. Orakzai Agency	733	956	1 230	2 818	1 476	1 503	1 203	2 736	3 183	4 113	4 220	24 171
128. Mehsud Agency	254	214	923	4 258	1 670	1 290	1 400	2 381	2 269	3 737	2 585	20 981
129. Frontier Region, Peshawar	62	0	96	447	419	252	135	523	551	1 415	1 293	5 193
130. Frontier Region, Kohat	0	0	76	247	417	339	126	530	821	1 319	1 207	5 082
131. Frontier Region, Bannu	0	12	52	54	414	140	100	577	1 151	1 409	1 084	4 993
132. Frontier Region, D. I. Khan	0	0	206	287	223	3	15	94	333	828	897	2 886
Total	142 135	183 191	287 033	430 314	403 528	362 904	456 893	638 587	622 714	752 466	773 869	5 053 634

Note: ^ Data up to October 2015 only. Data by year and by district before the year 2005 are not available.
Source: See [http://beoe.gov.pk/migrationstatistics/1971-2015%20\(upto%20Feb\)/Dist-wise-1981-2015.pdf](http://beoe.gov.pk/migrationstatistics/1971-2015%20(upto%20Feb)/Dist-wise-1981-2015.pdf).

Table A5. Number of emigrants processed for overseas employment through the OEC, by province, FY2001/01–FY2015/16

Year	Punjab	Sindh	Khyber Pakhtunkhwa	Baluchistan	Azad Jammu & Kashmir	Gilgit-Baltistan	Federally Administered Tribal Areas	Islamabad Capital Territory	TOTAL
2000–01	1 080	590	149	150	63	23	7	24	2 086
2001–02	998	419	287	20	66	13	-	58	1 861
2002–03	1 389	188	166	5	137	11	8	29	1 933
2003–04	717	155	81	2	53	4	3	15	1 030
2004–05	634	295	79	5	40	2	-	17	1 072
2005–06	688	228	104	10	36	6	9	19	1 100
2006–07	541	299	98	9	30	5	9	21	1 012
2007–08	615	176	76	23	33	-	4	18	945
2008–09	873	332	170	19	20	2	4	30	1 450
2009–10	863	323	178	25	14	-	11	46	1 460
2010–11	1 033	608	188	36	13	4	8	28	1 918
2011–12	397	176	115	3	7	-	5	12	715
2012–13	881	164	214	4	14	2	14	15	1 308
2013–14	955	433	162	10	13	3	6	33	1 615
2014–15	581	106	137	5	3	4	3	31	870
2015–16*	201	37	37	164	3	1	1	10	455
TOTAL	12 446	4 529	2 241	490	545	10	74	406	20 830

*Figures for July–October 2015

Table A6. Number of female workers processed for overseas employment through the BEOE, by skill level and area of destination, 2008–13

Category	Middle East	European Union	Asia & Far East	America	Other	Total
Highly qualified	1 320 (23.7) [90.2]	60 (24.7) [4.1]	17 (5.8) [1.2]	56 (19.0) [3.8]	11 (22.7) [0.8]	1 464 (22.7) [100.0]
Highly skilled	1 271 (22.8) [94.1]	24 (9.9) [1.8]	20 (6.9) [1.5]	23 (7.8) [1.7]	13 (37.1) [1.0]	1 351 (21.0) [100.0]
Skilled	712 (12.8) [98.5]	4 (1.6) [0.6]	3 (1.0) [0.4]	3 (1.0) [0.4]	1 (2.9) [0.1]	723 (11.2) [100.0]
Semi-skilled	2 269 (40.7) [78.6]	155 (63.8) [5.4]	250 (85.9) [8.7]	209 (71.1) [7.2]	5 (14.3) [0.2]	2 888 (44.8) [100.0]
Others	9 (0.2) [50.0]	0 (0) 0	1 (0.3) [5.6]	3 (1.0) [16.7]	5 (14.3) [27.8]	18 (0.3) [100.0]
Total	5 581 (100.0) [86.6]	243 (100.0) [3.8]	291 (100.0) [4.5]	294 (100.0) [4.6]	35 (100.0) [0.5]	6 444 (100.0) [100.0]

Note: () Column frequencies; [] Row frequencies.
Source: BEOE.

Table A7. Number of female Pakistanis processed for overseas employment through the OEC, by destination country, 2004–15

Country	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015*	Total
Kuwait	-	-	-	-	-	-	-	-	-	-	-	1	1
Libya	7	6	-	-	-	-	-	-	-	-	-	-	13
Oman	12	7	10	27	26	78	71	42	3	5	25	15	306
Qatar	-	1	9	1	-	-	-	-	-	3	23	3	37
Saudi Arabia	314	308	179	115	121	34	299	307	81	68	382	50	2 208
United Arab Emirates	2	14	2	3	1	-	-	-	-	-	-	-	22
Malaysia	1	-	-	-	-	7	-	-	-	-	-	-	8
Indonesia	-	-	-	-	-	1	-	-	-	-	-	-	1
TOTAL	336	336	200	146	148	120	370	349	84	76	430	69	2 596

Note: * = Figures are up to October 2015, (-) mean zero.
Source: Overseas Employment Corporation.

Table A8. Conventions and ratifications (as of December 2015)

	Bangladesh	India	Sri Lanka	Nepal	Pakistan	Bahrain	Kuwait	Malaysia	Oman	Qatar	United Arab Emirates
Migration for Employment Convention, 1949 (No. 97) 49 ratifications											
Migrant Workers Convention, 1975 (No. 143) 23 ratifications											
Private Employment Agencies Convention, 1997 (No. 181) 31 Ratifications											
Domestic Workers Convention, 2011 (No. 189) 22 ratifications											
The UN Convention, 1990 47 ratifications	1998 signed		1996 ratified								
Forced Labour Convention, 1930 (No. 29) 178 ratifications	1972	1954	1950	2002	1957	1981	1968	1957	1998	1998	1982
Abolition of Forced Labour Convention, 1957 (No. 105) 175 ratifications	1972	2000	2003	2007	1960	1998	1961		2005	2007	1997
Freedom of Association, 1948 (No 87) 153 ratifications	1972		1995		1951		1961				
Right to Organize and Collective Bargaining, 1949 (No 98) 164 ratifications	1972		1972	1996	1952		2007	1961			
Equal Remuneration Convention, 1951 (No. 100) 171 ratifications	1998	1958	1993	1976	2001	2000		1997			1997
Discrimination Convention, 1958 (No. 111) 172 ratifications	1972	1960	1998	1974	1961	2000	1966			1976	2001
Minimum Age Convention, 1973 (No. 138) 168 ratifications			2000	1997	2006	2012	1999	1997	2005	2006	1998
Worst Forms of Child Labour Convention, 1989 (No. 182) 180 ratifications	2001		2001	2002	2001	2001	2000	2000	2001	2000	2001

Table A9. Jurisdiction of Protector of Emigrants Offices

Office	Jurisdiction (district)
1. Protector of Emigrants, Lahore	Lahore, Kasur, Okara, Sheikhupura, Faisalabad, Jhang, T.T. Singh, Gujranwala, Sialkot, Narowal, Hafizabad, Sargodha, Mianwali, Jhang, Khushab, Bhakar and Pak Pattan
2. Protector of Emigrants, Rawalpindi	Rawalpindi, Attock, Jhelum, Chakwal, Gujrat, Mandi Bhauddin, Islamabad and Territory of State of Azad Jammu and Kashmir
3. Protector of Emigrants, Multan	Multan, D.G. Khan, Bahawalpur, Bhawalnagar, Layyah, Lodheran, Muzafargarh, Sahiwal, Rahimyar Khan, Vehari and Rajanpur and Khanewal.
4.. Protector of Emigrants, Karachi	Province of Sindh, including districts Lasbela, Khuzdar, Gawadar, Pasni, Jiwani and Oramara of Baluchistan.
5. Protector of Emigrants, Peshawar	Province of NWFP and FATA, excluding districts Dir, Swat and Malak and Agency, Kohistan Buner, Chitral Bajore Agency and Shangla
6. Protector of Emigrants, Malakand	Dir, Swat and Malakand Agency, Kohistan Buner Chitral, Bajore Agency and Shangla
7. Protector of Emigrants, Quetta	Province of Balochistan, excluding districts Lasbela, Khuzdar, Gawadar, Pasni, Jiwani and Ormara.

Source: BEOE.

Table A10. GAMCA-approved medical centres, by area

Protectorate	No. of medical centres
Karachi	10
Rawalpindi/Islamabad	14
Lahore	7
Multan	7
Peshawar	7
Quetta	2

Appendix III

Requirements for seeking overseas employment promoters' license under the Emigration Ordinance

- i) Before preparing the documents, proposed name of the firm or recruiting agency is required to be got confirmed in writing by the Bureau of Emigration and Overseas Employment (BEOE) to avoid same and similarity, please bring Bank statement and property documents at the time of approving proposed name of the firm.
- ii) Three files of required documents are to be prepared (original, duplicate and triplicate) in separate file covers.
- iii) All photocopies are required to be attested by an officer (BPS-17&above) or notary public.

Required documents

The proposed overseas employment promoter provides the following documents to the Bureau of Emigration and Overseas Employment for the grant of fresh license.

1. Application on prescribed Form-2
2. Bank challan of PKR5,000/- as application fee, deposited in National Bank of Pakistan, F-8 Markaz Branch, Islamabad.
3. Copies of Article and Memorandum of Association (in case of Private Limited Firm) OR Certificate of Registration from Registrar Joint Stock Company & Partnership Deed (in case of partnership firm).
4. Photo copies of computerized national identity card of applicant/partners.
5. Good conduct/character certificate from District Police or district nazim of respective area. (The applicants living in the capital can obtain this certificate from the district magistrate and the applicants living in Tribal Areas can get it from a political agent of their respective area).
6. Computerized certificate from Income Tax Department showing tax number.
7. Biodata of the applicant and partner showing name, father's name, date of birth, place of birth, qualification, occupation, phone number, and permanent or present addresses.
8. Biodata of father or husband of the applicant or partners showing name, father's name, address etc.
9. Specimen signatures of applicant or managing partner, managing director who will sign foreign service agreements and other documents on behalf of the firm.

10. Name, address, occupation, telephone numbers of two respectable persons on responsible position who know the applicants for the past five years.
11. Bank certificate of current account of applicant
12. Five passport size photographs of applicant or partners duly attested (two on front and three on back side, respectively).
13. Proposed name of the firm or agency (approved by the competent authority).
14. Affidavit on stamp paper value of PKR20 and attested by notary public or oath commissioner.
15. Current bank account transactions statement of last 6 months showing closing balance up to PKR500,000 in the name of applicant or partners or property documents attested by the authorities concerned to show the financial soundness of the applicants.
16. Education certificate of the applicant (minimum matric).
17. Undertaking (on prescribed pro forma) on stamp paper value of PKR20 duly attested by notary public or oath commissioner
18. A checklist on prescribed pro forma for issuance of fresh overseas employment promoter License shall be signed by the deputy director (BEOE) and the applicant along with the indication of missing documents (if any). If deputy director has any observation, he shall put them in writing on the check list. The checklist should be in triplicate. One copy will be given to applicant, and one will be sent to Ministry. Third copy will be retained by BEOE. BEOE won't entertain in complete cases.

The overseas employment promoter license will not be issued to any national having dual nationality.

Appendix IV

Standard contract

ISLAMIC MANPOWER PROMOTERS OVERSEAS EMPLOYMENT PROMOTERS LICENCE No. 0972/RWP		اسلامك مين باور بروموترز لتوظيف القوة البشرية ماوراء البحار رقم الترخيص: ٩٧٢	PHOTO
Office # 04, First Floor, Al-Falah Askaria Plaza, Near Committee Chowk, Rawalpindi - Pakistan مکتب رقم ٠٤ طابق الاول الفلاح العسكريه بلازه کومپلی شونک راولپنڈی - پاکستان Tel: (92-51) 5940637 & 5940727 فونکس E-mail: islamic_mpp@yahoo.com ایمیل فاکس: (92-51) 5940754			
FOREIGN SERVICE CONTRACT (FSC) عقد عمل			
This contract is reached between foreign Employer and the Pakistani Employee, as per following terms & conditions. The Employer is represented by M/S ISLAMIC MANPOWER PROMOTERS, RAWALPINDI			
PARTICULARS OF EMPLOYER			
Name & address of Employer _____ _____ Telephone No: _____ Fax No: _____ E-mail: _____			
PARTICULARS OF EMPLOYEE			
Name of Employee _____ S/O _____ Passport No _____ Date & Place of Issue _____ NIC # _____ Postal Address _____ Next of kin _____ NIC # _____ Relation _____			
TERMS & CONDITIONS OF CONTRACT			
Job Title _____ Monthly Salary _____ Contract Period _____ Year(s) _____ Free Accommodation <input type="checkbox"/> YES <input type="checkbox"/> NO Free Medical <input type="checkbox"/> YES <input type="checkbox"/> NO Free Food <input type="checkbox"/> YES <input type="checkbox"/> NO Free Air Ticket <input type="checkbox"/> YES <input type="checkbox"/> NO Any other facility _____			
Probation period, working Hours, working days, holidays, overtime, repatriation of dead body, leave, cancellation of contract, social security and all other facilities and penalties shall be in accordance with the policy of Employer Company and/or Labour Laws of the host country.			
I agree for employment abroad on the above mentioned terms & conditions. _____ Signature / Thumb impression of Employee	Certified that above named employee has been provided employment as per above mentioned terms & conditions. _____ Signature & Seal of OEP (on behalf of Employers)	Certified that both parties are agree with the contents of this agreement and put their signature/ thumb impression before me. _____ Signature of PE (with Seal)	
Registration No: _____ Date: _____			

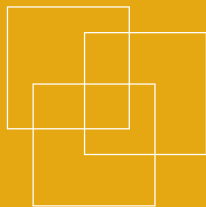
LAW AND PRACTICE:

The recruitment of low-skilled Pakistani workers for overseas employment

Pakistanis can legally pursue overseas employment through two modalities, either through an overseas employment promoter, which can be public or private, or through “direct” employment, by which an individual makes an employment arrangement on their own or through a friend or relative working abroad.

In today’s globalized economy, Pakistani workers are increasingly looking for job opportunities beyond their home country, to find better livelihoods and decent work. While public and private employment agencies have an important role in matching available jobs in countries of destination with suitably qualified workers, concerns have been raised about the growing number of unscrupulous employment agencies, informal labour intermediaries and other operators acting outside the legal and regulatory framework.

This report looks into the prevailing recruitment practices in Pakistan, with a focus on low-skilled migrant workers. It describes the current legal and policy frameworks, looks at actual practices and provides recommendations on how to make enforcement of recruitment regulations more efficient and equitable. It also proposes possible measures to overcome challenges related to self-regulation and ethical recruitment.



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