

**ADJUSTMENT ISSUES OF PAKISTANI LABOR MIGRANTS RECRUITED THROUGH BROKERS
FOR MIDDLE EAST: A SOCIO-LEGAL PERSPECTIVE**

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Abstract

Labor migration from Pakistan to Middle East in search of employment has been a historical phenomenon. Migration is a source of income generation and earning remittances, and it contributes to the socioeconomic well-being of left-behind families. The brokerage agencies are constantly recruiting labor and in recent years labor migration to Middle East through brokers has been significantly increased from Pakistan. The brokerage agencies act as facilitator and play an active role in influencing labor decisions to migrate. The issue of labor migration require attention from research scholars on the basis of a broad range of problems to migrants at destinations i.e. finding a suitable job, remuneration issues, accommodation problems, terms and duration of their agreement with broker as well as cultural, language and other social adjustment issues. This study investigate recent trends in labor migration to Middle East recruited through brokers and also highlights the adjustment issues faced by these migrants for Middle East. The study was conducted in three districts of Malakand Division i.e. District Dir Lower, District Dir Upper and District Buner of Khyber Pakhtunkhwa, Pakistan, while applying qualitative approach. Primary data was collected from fifteen (15) respondents (labor migrants recruited through brokers). Data was collected through in-depth interview, using interview guide, and the sample was selected through purposive sampling technique. The collected information was analyzed qualitatively and a thematic discussion has been developed to clarify the issue under study and to derive study findings and conclusion. The research concluded that labor migration through brokers is a critical issue and these migrants have several adjustment issues such as finding a decent employment, breach of job contract, wage issues, forced and unsafe labor environment, premature repatriation, migrant's health issues and their exploitation through agents and sub-agents. The study suggests that accountability of recruiting agencies, formulation of policies for migrants' rights protection, arrangement of trainings program for migrants, coordination of different stakeholders in understanding and highlighting the issue are required.

Keywords: Labor Migration, Brokers, Adjustment Issues, Rights Protection, Confiscation of Documents, Remittances

Introduction

In human history migration has been an old phenomenon and people have been migrated from one place to another. Primarily, people migrate in search of employment opportunities (King, 2002), and it has been a phenomenon of greater significance. With the advent of industrialization and the introduction of modern means of communication and transportation, the movements of people across countries, regions, and cities have been significantly increased in recent years. This shift transportation and communication, has also resulted in establishment of globalized economies and emergence of transnational networks (Masur *et al.*, 1981). In Pakistan, migration has been determined by a number of push and pull factors and has promoted the movement of huge number of people to other parts of the world including Europe, the Middle East, and Gulf Countries (Connell, 2006; Migration, 2008).

Labor migration to Middle East plays an important role in socio-economic development, both for the country of origin and destination at large. Relevant studies indicate that migration reduces poverty, and contributes in social, economic and political development of communities (United Nations, 1995). During 2010, almost 214 million migrants (international) produced estimated US\$ 440 billion remittances (World Bank Report, 2011b). Pakistan also receive an 6.5 percent of the country's GDP, which represents a core part of the Pakistani economy (Kugler, Levintal, & Rapoport, 2018). The last several decades witnessed significant increase in migration to Middle East from many Asian countries including Pakistan, and serves as an important livelihood source for most poor people and help in promoting socio-economic development (Brauw, 2007, Deshingkar & Akter, 2009 & Anhd, 2003). The process of globalization and technological development has made people movement easy for searching jobs and other economic opportunities to sustain the economies of their families. Undoubtedly, on one side this has brought economic prosperity to the left behind families, one the other side it has also affected the structure of families and has also impacted their emotional ties (Alonso, 2010 & 2011). Migration to the Middle East is a source of remittances and contributes for a better livelihood and well-being of the left- behind families of migrants (Gill, 1991), thus families make a cost benefit analysis and invest in sending the young male members of their families to the Middle East. The basic purpose of such migratory decision is to get better economic opportunities and to fulfill the basic needs of their families in a better way (Rivera-Batiz, 1982, Djajic, 1986).

After World War II, international migration to the Arab region has been significantly increased and it remains an important source of livelihood for many families in Pakistan. It was during 1960s that revenue from oil had greatly increased and economic development begun to take shape in a decent manner which had shaped both social services and economic infrastructure in this region. This shift has made it an attractive place for labor migration and created huge demand for labor of different categories for the neighboring countries including Pakistan. In this context, the semi-skilled and unskilled worker from many South Asian countries including Pakistan joined the expanded labor markets of Gulf, South East Asia and East Asia. Migration of over 2 million people for employment to the Middle East has been a crosscutting issue and it affects both countries of origin and destination. The overall volume, patterns and direction of international labour migration have been determined by the socioeconomic and cultural fabric of the countries of origin and nature of opportunities available in destination countries. These factors have essentially determined the nature, intensity and patterns of international labor migration from Pakistan to the Middle East.

Approximately 90 per cent migrant comprise of workers abroad and in the Middle East, the ratio of migrant workers to local is amongst the highest, particularly in the Gulf Cooperation Council (GCC) states. According to relevant studies in Qatar, almost 94 per cent of workers are migrants

while this figure is above 50 percent in Saudi Arabia. Besides, in Jordan and Lebanon, migrant workers also comprise a major portion of the workforce, particularly in the sectors including construction, agriculture and domestic work.

Migration of labor from Pakistan to the Middle East is one of the most important means of earning remittances and remittance flow to Pakistan. This facilitates the poor left behind families to improve their living standard and spend a life with dignity (Clemens, 2011). In this way, migrant workers constitute an important source of labor for the economy of both destination and origin countries, and thus make an undeniable contribution to the growth and development global, regional, national and local economies. In developing countries like Pakistan, migrant workers economic contribution has profound impacts on local rural communities and helps their families to acquire education and avail better health services. Although, most migrant workers have reported positive work experience, however; many do not have positive experiences as they had not enjoyed decent work conditions at destinations. In particular, those migrant workers who have been recruited through brokers have bad experiences of their migrant life. Majority of them had suffered suffer from delay in job contract, low remuneration as committed, low or non-payment of their wages, unsecure working conditions, absence of social protection, and lack of freedom to claim workers' rights. Also they have faced harsh treatment from their boss or kafeel, discrimination and exploitation as well as breach of contract, confiscation of travel documents and unavailability of proper medical services. In the most extreme cases migrant workers also suffer from human trafficking and forced labor (De Braauw & Giles, 2008). Relevant research studies also show that migration also encourage brain drain (Collier et al 2004; Stark 2004), and also serves as an alternative, brain gain, as the children of left behind household are encouraged to get education and obtain good life opportunities (Gibson, McKenzie & Stillman, 2011, Raport, 2011). In this context, migration has a direct impact on both sending countries. These impacts are both positive i.e. affecting human capital in long run, and consequently economic growth, and negative i.e. losing skilled and unskilled adult labor and brain drain. However, the recruitment through brokerage agents has severe implication on migrants and their families.

Study Rationale

At global level migration has been recognized one of the most important element of socio-economic development, and migrants have significant developmental contributions on both origin as well as destination countries (Migration Analysis Report, 1995). Today's world is interconnected by modern technology and communication that has made the phenomenon of migration a reality. On one side people leave their countries and move in search of employment opportunities, education, and better quality of life, while on the other side many people left their countries due to prevailing conflicts, poverty, socioeconomic inequalities and absence of sustainable livelihoods opportunities (Massey et al., 1993). During 2019, the volume of international migrants has crossed 272 million (Kaplin, 2019), showing that globally 1 in 7 individuals is a migrant (Castelli, 2018; McAuliffe & Ruhs, 2017). Usually migrant prefer to move to the developed countries due to availability of different services and facilities. International migration from Pakistan is constantly increasing, and labor migration help in reducing unemployment, poverty, and provide opportunities for earning remittances. The Middle East is one of the most preferred places of destination for Pakistani labor migrants, and the recruitment of labor for Middle East through broker has been increased in recent years. Although, this has been an important factor in economic growth and prosperity in Pakistan, however; the recruited migrants through brokers encounter numerous adjustment issues. The migrants recruited through brokers been subject to exploitative working conditions, encounter deceptive recruitment practices, expensive pre-departure loans, excessive job placement fee,

making of unfair profit through migrant labor and exposing them to harsh and long working hours. The recruitment through brokers has been inadequately regulated and monitored and it has been a subject of increased attention international agencies and civil society organizations. In this context, safeguarding the interests of migrant's workers at both origin and destination is the obligation of the recruitment agencies, however; they give no attention to migrant rights and they are exploited during the entire process of migration. Pakistan is a developing country and it also support labor migration and has devised several institutional support mechanism and policies, but it is also a fact that Pakistan had not sufficiently reduced labor from exploitation, and had no mechanism to protect and safeguard the rights and interests of labor migrants at abroad. This study was conducted in three selected districts of Khyber Pakhtunkhwa, with the purpose to investigate the recent increase in labor migration recruited through brokers from Pakistan for Middle East. The study is also focusing to identify the major implications, and critical adjustment issues of migrants at their destinations. The study was based on the following specific objectives:

Objectives of the Study

- To find out the factors of labor migration to middle east through brokers
- To investigate socio-economic problems and adjustment issues of migrant labor and their families recruited through brokers for Middle East
- To know about the tactics of brokers used for financial exploitation and it's relation to the socio-economic adjustments of migrants in Middle East
- To investigate the impact of brokers recruitment process on migrants labor and other legal rights and protection.

Methodology and Theoretical Framework of the Study

The study adopted qualitative research design for making in-depth analysis of the issue. The current study was conducted Malakand Division, of Khyber Pakhtunkhwa Province of Pakistan. As the population was huge and it was difficult to study the whole population of the area, therefore three districts of Malakand Division namely District Dir Upper, District Buner and District Dir Lower were selected for the study. Primary data was collected from a sample fifteen (15) respondents (who have been recruited through brokers for Middle East and have adjustment issues), through in-depth interview using interview guide. Further, the selection of the samples was made through purposive sampling technique. From each of the target districts an equal sample of five (05) respondents was selected. For accessing/identification of respondents an initial survey was conducted in the target areas. Different theories were reviewed and used to develop the broader theoretical framework for this study. In this debate, the push and pull theory of migration (1966), has been of greater importance, which is focusing on personal as well as social, political, geographical and economic factors of migration. The modernization theory (1950s and 1960s), and mark the west as a sign of modernization and industrialization and argue that migration is a result of the process of diffusion. Further, the new economics of labor migration theory (1985), recognize household as a unit in migration related decisions and states that migratory decisions are determined by costs and benefits analysis at the household level as a whole. The dual labor market theory (1969-1971), argues that labor migration as the result of the structural needs of receiving economies. They also explain that international labor migration is the outcome of the industrial demands of modern societies (Massey et al., 1993), while structuralism is concerned with different socio-cultural factors that are linking the sending as well as receiving countries and thus results in migration (Goss & Lindquist, 1993). The theoretical framework helped in understanding the issue and capturing its different aspects. It also facilitated development of research tools and helped in data analysis of the study.

Results and Discussion

Labor Migration through Brokers and their adaptation Issues at Destination

Labor migration through brokers has been increased in the last decades. Due to the prolong stay at abroad the migrants are also shift their families and this has resulted in foreign born children in these migrant families. This creates significant issues of adaptation for migrants and their families because the societies at destination are different from their native in respect of cultural practices, norms, values and social networks. It was found that children of this migrant face several issues related to socio-economic and cultural adjustments issues. It was also revealed that they also encounter adjustment problems when they return their native societies. These issues are maintained and a usually a hybrid cultural practices are developed and native/indigenous values and norms are vanished gradually. In this context one of the respondent stated:

"...Our children face several problems in their daily life at abroad. The culture and language is different from their native culture and language. Adjustment with foreign and akin environment and neighborhood is not easy. This creates problems in education and socialization in a different way" (A-3).

Similarly, another respondent explained that:

"...Countries of Middle East have different culture from our local cultural setup. Our children are socialized children in different way and on our return back they face difficulty in adjusting to the local environment. They have developed different behavior, attitude and habits. This creates a gap in understanding the local cultural patterns and the new at abroad. Most of the cultural values they have learnt abroad are not in accordance to the local cultural setup..." (F-5)

Relevant literature indicates that children of migrants are likely to have issues in the destination countries in accessing health services, they face language issues, experience low self-esteem and depressive feeling (Pottinger, 2005). Besides, due to absence of native networks children of these migrant families experience poor emotional attachment and they could not develop their well-being, social networks and personalities in a positive manner (Sun, Chen, & Chan, 2015; Harris & Kao, 1998). Most of the adjustments problems are the result of changes that they face in destination in field of education, social relations and exposure to media (Demireva, 2019). An extract from interview:

"....Migrant families are away from their native countries and they face problems in accessing quality health, face language learning issues and also have problems in acquiring education. In most cases migrants are treated differently at destination..." (S-10).

Although, with passage of time changes occur in migrants and they adjust themselves within the new communities and become familiar with the new social network (Demireva, 2019; Knight, & Ocampo, 1993). In this way, migrant families develop a strong affiliation and taste for the prevailing foreign culture (Pedersen, 2002; & Bankston, 1998), which in turn, create theoretical and practical complication for children and families of migrants at destination. In many cases it has been that certain practices that are functional or normative in the new cultural context violate the social and moral codes of native cultural tradition of immigrants or vice versa (Zhou, 1997). In their destinations, migrants face issue of social, cultural, and educational adjustments and they also face issues of language, poor health, and have low self-esteem and depressive feelings. Such problems are witnessed in sexual behavior, spousal choice, education, social networks and such transition shapes the overall development and behavior of children.

Labor Migration, Social and Language Adjustment Issues of Migrants at Destination

The process of globalization has intensified labor migration across the globe. Migration results in loss of significant community networks, and culture. It also loosens sense of mutual

harmony, and more importantly migration also exposes people to new language and results in loss of language, and acquiring a new language as necessary requirements. In abroad, migrant and their families face difficulties related to national identities, religion, and languages. Although, migrants and their families are fluent in their national language, however; they are unable to ability to properly express themselves in foreign language. This inability of communication and expression affect migrants, their families and children at large and left great imprint on their future lives (Miller, 1984). In this context, children that are socialized or raised in a different language remain costly both for parents and children and influence their relationship and interaction. Besides, learning of foreign language also weakens their affiliation and learning of mother language, and understanding of social bonds, identities and relationships and thus creates and a harsh dilemma of social adjustment for migrants and their families. On one side, migrants, but on the other side such communication in another language (foreign language) ultimately effects their relationship, family integration and cohesion in many ways (Boekestijn, 1988; Gehring, Debry, & Smith, 2001). It is also evident from one of the field interview:

“...Migration creates need for learning new foreign language. By learning new language we lose words of our local language and the dialectic. Sometimes it become difficult for us to communicate with our children and family members in a better manner thus influence our integration....” (T-12).

Migration exerts significant influence on the family as a social institution and also has everlasting effects on its individual members. Migration pose social adjustment issue at abroad and create intergenerational social conflicts, gaps in understanding and accessing issues and produce tensions in the family, and eventually have destabilizing effects on the family networks (Haug, 2008; Hong 1992 & Stern, 1986). During field interview, this was narrated likely by a respondent:

“....Migration has affected our communication at abroad. Although, learning and speaking a foreign language becomes necessary for us, but in return we pay a high price for it. We along-with our children feel deprivation and loss our cohesion and integration with native culture and language. On return back to our native communities we face problems and could not easily communicate with our family members, relatives, friends due to change in accent and addition of new foreign words in language....” (S-15).

In addition, the learning and change in language that migrants have experienced also has (Rumbaut, 1997; Stern, 1986). The younger generations that learn a different language from their native language are often separated from the roots of their family language, practices and culture patterns. It makes it difficult for parents to teach their children all the things they want easily, thus creating a culture lag and children could not develop a strong sense of self, the values of their family and culture of their native society.

Brokers Recruitment, Labor Rights Violation, Wage Differences and Contract Issues

The brokerage agencies are seeking to accumulate profit in recruitment process and they are involved in constant competition. In their constant competition for recruitment and profit gaining they want to recruit many workers at a lowest cost. Although, workers are recruited on lowest costs, however; this opens doors for their exploitation at abuse at destination. They are not paid wages on time, are involved in forced employment, and the agents and their sub-agents often breach the term of employment contract abroad. In many instances, migrants have also faced issues of excessive recruitment charges, delay in employment, and premature termination of the work contract against the terms and conditions mentioned before departure. In addition, the practice of signing double contract by recruiters on recruited workers is a severe issue, which results in different forms of exploitation of the workers. Besides, migrant workers also face exploitation at the hands of sub-agents and they are treated as sub-human beings and discriminated. In this regard, field information also show that migrant workers face several issues in their destination with respect to wage payment, provision of contact, conditions of job hours etc. A respondent utterly stated that:

“... The economic situation in our area compelled us to migrate for earning a livelihood. For me, migration through agent was a difficult experience. I faced have been deceived by the recruiting agents and sub-agents through different tactics. The job contract was not provided in time and when it was signed I found it quite different from that which was promised by the agents. There was a difference between the payment of salary and other facilities and the contract was not according to the verbal commitment...” (Z-13).

The recruitment of unskilled laborer for skilled, recruitment of underage as well as overage person has been reported from the recruited migrant worker. Further, significant difference in job demand against job supply has been an issue of great disappointment and concern among the recruited labor (Ruhunage, 1989). The recruiters involve local and foreign agents rather than direct involvement of employer and in order to earn profit, the recruitment for different jobs is quite higher than actual requirement which create unnecessary competition among agents. It also promote a culture of demanding commission by foreign agents in the recruitment process and has been reported as an adverse development, In many cases it results in termination or breach of contract agreement, demanding long working hours and delay in payment of wages as well. A respondent shared his experiences if exploitation at the hands of agents and stated that:

“....Surprising the agents charged excessively from me. They promised something else before departure but did not fulfill their commitments. The agents as recruiter breached the terms of contract and delayed deployment on job and delaying tactics and the wages were also not according to the verbal committed wages. Labor recruiting agencies are not for workers facilitation rather these are business agencies established for profitmaking and exploiting workers....” (I-11).

Similar experiences were also shared by other respondents and narrated their sad stories of their life. They also expressed how they have been exploited by the recruitment agencies at destinations. A respondent told that:

“....We paid all the required payment to the recruitment agency before contract. Later on we are compelled to sign a substitute contract contrary to our interests. The exploitation did not stop here, but sub-agents at abroad also asks for commission and in case we did not pay it, they take revenge through forced labor and debt bondage...” (S-10)

The recruitment agencies are involved in constant competition and profit making. The recruit workers beyond market demand at lowest cost, but after recruitment they are exploited and abused at each step at destination. In the name of providing quality and high paid jobs, these agencies compelled them to pay recruitment fees before receiving their written contract, and thus sign unfavorable contracts with the labor. The agents and sub-agents are involved in different deceitful practices such as contract substitution, forced labor, long working hours, low wages, debt bondage, harsh treatment and exploitation a work place. In most cases, migrant workers recruited through brokerage are dependent on the recruitment agents for a safe and arranged migration process, and for decent work and living conditions, however; migrants' desires are not always fulfilled. They are exploited through illegal recruitment, excessive extraction of payment, forced labor, inadequate health facilities, unsafe living conditions, and withholding or delay in payment of workers salary. In this regard, one of the respondents stated:

“.....We have no voice to raise our voice at abroad. We are at the mercy of recruiting agents for jobs and other services. We face harsh treatment at workplace from manager and the kafeels also confiscate our documents so that we are unable to move...” (M-14)

In destination countries, workers are also subject to long working hours with little or no rest during work. Besides, they are also exposed to physical assault and psychological torture and in some instances they are mistreated and abused by employers. The workers have no choice and

right to terminate the contract in case they are not willing to work with the agency (Kaur, 2010). In many Asian countries including Pakistan, recruitment agencies are key actors in labor migration to the Middle East. In this context, the ILO study on recruitment of Pakistani workers for Overseas Employment found that private overseas employment agencies in Pakistan have been seen charging excessive payment for overseas employment. Due to a lack of communication, illiteracy or preparation of employment in foreign language, most of the migrants are unable to understand their salary which is often contrary to the verbal committed salary. A respondent expressed that:

“....After reaching our destination, the kafeels or sponsors confiscates our passport and other travel documents. We are left with no choice but to follow their orders and whatever they want us to do” (A-7).

Another respondent told that:

“At abroad, we could not claim our labor rights at foreign and are not treated equally with nationals. Our movement is also restricted without consent of employer. In many instances, we are subject to fraud, low wages, abuse, discrimination, and exploitation at abroad by agents” (M-13).

Migrant workers are exposed to health risks and have limited labor rights, and they are trapped at several levels. Further, migrant workers are not allowed to access open job market due to restrictions imposed by the *kafeel* or sponsors. Due to the sponsors or *kafala* system the worker cannot enter, leave or transfer employment without obtaining written consent from sponsor (*kafeel*). In addition, their passport confiscated by *kafeel* and in a study it was found that almost 90 percent of low-income migrant workers reported having their passports confiscated (Benach, Muntaner, Delclos, Menéndez, & Ronquillo, 2011; Jayaprakash, 2013). Moreover, the prevalence of such illegal practices of recruiting agents prohibits freedom of movement and puts workers under full dependency of the *kafeel*.

Conclusion

The process of globalization and technological development and modern communication has significantly increased international migration. Pakistan is one of the most important countries that provide labor force of different categories to developed countries as well as to Middle Eastern and Gulf countries. Labor migration to Middle East plays a central role in earning remittances, contribute to reduction in poverty for left behind families and promote socio-economic growth in both sending and receiving countries. The study also concludes that migrant workers make significant contribution to national economy and have profound impacts on the life standard of their left behind families. Labor migration also diffuses innovations, transfer and spread of skills as well as balancing labour supply and demand between countries. The Middle Eastern labor market provides temporary job opportunities to both skilled, unskilled and semi-skilled Pakistani workers, mostly representing the middle, lower middle or poor segments of society. Although, Pakistan has developed institutions and set rules to regularize the labor recruitment processes however; due to exploitative practices of some corrupt recruiters, intermediaries and employers in the country migrant worker are subject to severe exploitation at abroad. They face unfavorable working conditions and also face social and economic adjustment issues at destination countries. The derogatory recruitment processes in Pakistan and abroad and the role of sub-agents particularly have added immense exploitation through the recruiting system.

Recommendations

In light of the analysis of the findings of the study, it is suggested that improvement in labor policies and strategies are required. Inter-governmental coordination and actions, official regulation, and labor friendly policies are necessary to reduce labor exploitation and safeguard interests of the labor. Further, migrant workers at both sending and receiving countries shall be given equal treatment and basic rights and access to services. The governments should reduce the number of recruitment agencies to prevent competition among them and bring sub-agents and brokers into the formal sector. Further, regulation of economic transactions among recruiters, laborers and employers

is necessary for protection of labor rights. Arrangement of proper trainings for migrant workers at sending and receiving countries are indispensable because it will enable migrant in understanding the rules and procedures of recruitment process easily. In light of the study it is also suggested that government must launch poverty reduction program across the country because poverty compel people to migrate and thus they are trapped by brokers (agents) and employers at destination. Measures shall be taken to stop illegal migration of workers because many migrants die before reaching their destinations, while many other are deported due to strict rules/regulation and security concerns. Moreover, basic language training of migrant workers is also necessary that will facilitate them to communicate with the native people and policy makers, civil society organizations and media personnel need to work for the issues of migrant labor, develop comprehensive strategies for raising the issues at local and international levels and properly manage labor migration through brokers effectively.

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