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Pro-Migration Policy in a Data-Weak State: Pakistan's Migration Governance Gaps and the Case for Evidence-Based Reform

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Abstract

Pakistan has an aggressive policy stance towards migration since the 1970s. Foreign employment is considered a development tool and migrant remittance as a macroeconomic tool. The Bureau of Emigration and Overseas Employment (BEOE), which was created under the Emigration Ordinance of 1979, is the main office where this policy is carried out. However, there are three basic flaws in this form of governance. First, it is based on migratory flows of low-skilled workers heading to the Gulf and does not explicitly take into account professional migration via non-BEOE channels (the channel most relevant to state capacity and brain drain issues). Second, it records only outflows, and is unable to record return migration, so cannot calculate net migration. Thirdly, a draft migration policy, which was prepared about three years ago, is not yet approved and governance institutions are functioning under a law of 1979, which is not aligned with the migration situation in Pakistan. Three research questions are tackled in the paper: What are the structures of the system of governance of migration in Pakistan and their historical roots; what are the specific data gaps in the existing system, and why do they matter for policy; and what reform framework would overcome the gaps identified in the governance system. Based on the Pakistan Migration Reports 2020 and 2024, this paper argues that Pakistan is a pro-migration country with a data weak governance system. It encourages emigration as a development policy, but failed to have an institutional structure to assess the results, control its skill composition, safeguard the workers, or turn the brain drain into brain circulation. To address four gaps in governance, recommendations are made including that laws should be modernized, existing occupation data should be enhanced, a return migration and professional outflows measure should be developed, and there should be a governance system for engaging the diaspora beyond financial remittances. Based on the four principles of legal modernization, expansion of the data system, occupationally targeted retention, and diaspora engagement on knowledge, the paper proposes a reform framework.

Keywords: Migration Governance; Pakistan; BEOE; Emigration Ordinance 1979; Data Gaps; Brain Drain; Remittances; Return Migration; Pro-Migration Policy; Reform

1. Introduction

Pakistan has a definite migration policy. It promotes emigration. The successive government has been negotiating bilateral labour agreements with the Gulf Cooperation Council (GCC) states since the early 1970s, establishing an administrative framework to register and

safeguard the outgoing workers since then, and promoting remittance as a national success. Millions of Emigrant Registrations are processed annually by the Bureau of Emigration and Overseas Employment (BEOE). According to the State Bank of Pakistan, remittances inflow to Pakistan is between USD 27 and 31 billion per year (Shah, Shahzad, Quddus, & Qazi, 2024). From 1971 to January 2025, a total of 14,114,918 Pakistanis had registered for employment overseas (Gallup Pakistan, 2025).

However, this pro-migration policy is anchored in a sub-optimal governance framework that has significant structural flaws. The BEOE was created in 1979 for the particular category of migration – agency-led, Gulf-bound, low-skilled, male labour migration. But that migration remains and continues to dominate Pakistan's outflows. The overwhelming majority of BEOE registered emigrants in 2023 headed to the Gulf and 55.5 per cent were either unskilled or semi-skilled (Shah et al., 2024). However, there are other types of migrants to the United States and the United Kingdom who are not BEOE registered including doctors and engineers who are able to obtain visas through an employer, Nurses who are able to get visas through the NHS, students who are able to make the transition to work in the United States or the United Kingdom, and managers who have migrated, primarily with family members, without any formal registration under BEOE. Ashraf (2022b) proved this systematically: there is no BEOE registration requirement for the NHS Skilled Worker visa, the H-1B petition, the Post-Study Work visa, or with respect to family reunification visas. Migration to the USA and UK by professionals is the everyday standard practice and not simply a recurring exception.

This migration is not visible to the BEOE. It can't count these workers, determine where they go, or gauge if they ever come back. It can therefore not report on the numbers of doctors who left last year for the UK, of nurses in NHS hospitals, or engineers who have returned with new skills and networks from the USA. It isn't a trivial detail. Pakistan's decisions on brain drain, and engagement with the diaspora, and state capacity, are made without data to inform them.

This paper considers the migration governance system in Pakistan in terms of its data architecture. It contends that Pakistan is a government data-poor state that is pro-migration and implements emigration as a development strategy but lacks the institutional arrangements to monitor its impact, to control its composition or to transform it from an unidirectional outflow to a brain circulation resource.

1.1 Research Questions

1. What are the structural features of Pakistan's migration governance system, and what historical and institutional origins explain their current weaknesses?
2. What specific data gaps does the current governance system produce, and why do they matter for migration policy decision-making in Pakistan?
3. What reform framework would address the four identified governance gaps, legislative obsolescence, occupational data limitations, the professional and return migration blindspot, and the absence of diaspora knowledge engagement in a sequentially achievable way?

2. Literature Review

2.1 Migration Governance in Labour-Exporting States

Migration governance refers to the institutional mechanisms that govern, facilitate and manage migration of people across national borders. Governance comes in two flavours for

labour exporting states. The first is facilitative, creating the infrastructure to move workers and remittances through bilateral agreements, recruitment agencies, emigration clearances, protectorate systems. The first is facilitative: the infrastructure to move workers and remittances—bilateral agreements, recruitment agencies, emigration clearances, protectorate systems. The second is protective – making sure that migrants are not exploited, receive legal assistance and that they are subject to agreements that establish the minimum wage and working conditions standards.

It can be concluded that Pakistan is a good example of a facilitative and weak protective governance model. The BEOE, the nine protectorates and the bilateral agreement network is mainly intended to accommodate outflows. Issues related to worker protection, such as minimum wage enforcement in host countries, legal protection of exploited migrants and information on rights are recognized as objectives, but are not implemented consistently (Shah, Amjad, Hameed, & Shahzad, 2020). Skeldon (2009) noted that migration governance in developing countries has a greater orientation towards facilitating migration than protecting it, since the economic benefit i.e. remittances are visible and immediate while harm arising from inadequate protection is dispersed and thus is a responsibility of the individual migrant.

Davenport (2004) made a distinction between the migration governance responses of panic and stimulation policies. Panic response is reactive: Governments or the government response when something looks bad – emergency measures that respond to symptoms without structural causes. Stimulation responses are proactive: they develop research infrastructure, use migration networks in diasporas and establish circumstances under which migration results in development gains. The policy and mechanisms of migration management in Pakistan have vacillated between panic and passivity, without achieving the stimulation response as demanded by the evidence.

Ashraf's (2022a) study was the most systematic empirical evidence of the governance panic issue in Pakistan. He demonstrated that the 2022 BEOE aggregate outflow of 832,339 was presented as a professional brain drain, yet only 4.7 per cent of the outflows were highly qualified and skilled workers. The governance system generated much more prominent numbers than the occupational breakdown which would have set the agenda for the debate; the latter was not communicated in a political format. This is the near-term policy impact of data weak governance.

2.2 Brain Drain, Brain Circulation, and Governance Prerequisites

Since the brain drain literature was first conceived 60 years ago, it has developed significantly. Bhagwati and Hamada (1974) was the first rigorous economic model to demonstrate that brain drain is associated with a decline in wages and an increase in unemployment of the immigrants, as well as a decline in wages and an increase in unemployment of the people who stay in their country of origin, and that the effect of brain drain is particularly strong, when the social value of the skilled person in the country of origin is greater than the private value to him: This is the case for doctors and teachers. To compensate source countries, Bhagwati (1976) suggested a brain drain tax on the earnings of the migrants from the source country in destination countries. Never going to be implemented.

Tung (2008), Gaillard, Gaillard, and Krishna (2015), and Seguin, State, Singer, and Daar (2006) have developed the brain circulation literature, which outlines the governance conditions that

allow skilled emigration to become a resource to promote circular development. There are always three conditions that can be detected. First, institutional capacity to identify and reach the diaspora: having a sense of where diaspora professionals are located, what they do and how they can be connected to institutional efforts in the origin country. Secondly, extending engagement of the diaspora beyond remittances: virtual faculty programmes and research collaboration networks, advisory boards, and return migration facilitation. Third, governance quality in the origin country that would make engagement “rational” for diaspora professionals.

Pakistan is devoid of all three. Brain circulation theory pinpoints the demography of Pakistan's "professional diaspora" in USA and UK for whom the BEOE data cannot identify. This has been illustrated by Ashraf (2022b) using the proxy of remittances. Approximately 6.72 billion USD (30.9 percent of the total remittance inflows) was received by the USA and UK together in FY2019, even though they accounted for only about 0.2 percent of all BEOE-registered emigrants. But there is only one possible reason: the high income and large size of the Pakistan professional diaspora in both countries which is structurally invisible to governance system. Based on his research, Ashraf (2022b) has found that the brain drain phenomenon to Western destinations is not a 2022 phenomenon, but a decades-old structural reality, and that BEOE destination data is unable to measure the brain drain.

Brain chains are a conceptual tool introduced by Friesen and Collins (2017), which refers to complex institutional connections between people, families, diaspora communities and states. Brain chains must be actively maintained along the chain. All Pakistan's governance system deals with the first link of emigration facilitation, while it ignores the other links. In a comprehensive review over the last 40 years, Docquier and Rapoport (2012) have shown that high-skill emigration does not have to reduce or even exhaust the human capital stock if it leads to positive network externalities through diaspora connections. However, robust state capacities and sound policies will be necessary to realize these positive impacts. There is no shortage of them in Pakistan at the moment.

2.3 Data Weakness and Its Policy Consequences

The data a governance system is based on determines its effectiveness. In the context of migration governance, data quality is critical to policy targeting the right problems. Policies based on the data will be calibrated to the former, but not the latter if the data system is accurate in capturing low-skilled migration towards the Gulf but fails to capture high-skilled migration towards the West. This is the case with Pakistan.

Ashraf (2022a) was the first to tackle the disaggregated analysis of BEOE occupational data systematically throughout the COVID cycle (2019-2022). His results revealed a lack of structural change, meaning that low-skilled workers continued to be the majority in each year, the majority of low-skilled workers continued to flow to the Gulf in each year, and provincial origins remained constant. The share of highly qualified and skilled category was 4-5 per cent of all outflows in all 4 years. Only one of the structures had shown any increase in the number of people; the number of people who nursed increased from 337 in 2019 to 1,768 in 2022. This occupational analysis goes directly against the prevailing narrative of an occupational exodus, which was made imperative by the data architecture of the governance system, which foregrounds aggregate totals and obscures occupational breaks.

Ashraf (2022c) extended this analysis to the female migration dimension and found that female emigrants are also highly killed, in that they are even more so than male emigrants about 5 percent of male emigrants were highly qualified and skilled, while about 45 percent of female emigrants were. The system of governance is more invisible for female professional migrants who are more likely to migrate via non-BEOE pathways (such as NHS recruitment, employer sponsored visas, academic pathways). The double invisibility (professional and female) is added to the governmental blind spot.

Raghuram (2009) set the context of the NHS dependence on South Asian female health workers in postcolonialism, highlighting that the recruitment of developing country nurses to the NHS is a longstanding feature of the UK health labour market. Pakistan has never adopted an ethical recruitment strategy, as outlined in the WHO Health Worker Migration guidelines, so that nurses are recruited for active NHS work with no negotiated safeguards for capacity building in the domestic health system.

2.4 COVID-19 and Migration Governance

From all aspects of migration governance, COVID-19 challenged Pakistan. It caused disruptions to legal outflows, led to mass repatriation (some 304,000 workers returned with the help of 500 government organized flights) and revealed the lack of a registry for overseas workers: there was no way to know who was where and what the legal situation was. Meer and Villegas (2020) demonstrated that the COVID-19 pandemic had a dramatic effect on curtailing global migration to a virtual standstill and revealing the lack of coordination in addressing the vulnerability of migrant workers between countries. During the pandemic, destination-country policies have exposed the precariously placed position of international students and skilled workers, as seen in de Lange's 2020 work. Indeed, prior to the pandemic, Salik (2020) had highlighted that Pakistan's reliance on remittances made it highly vulnerable to loss of income of migrants, which was substantiated by the COVID period.

Ashraf (2022a) demonstrated that the post-COVID rebound of migration in 2022, which amounted to 832,339, was a structural rebound of pre-existing labor-intensive migration patterns and not a qualitative change. This bounce back has been handled well by the governance system. It did not take the occasion to start the structural reform the data had called for a long time. Muhammad (2021) empirically proved that the COVID-19 clearly affected the relation between migration, remittances and growth in Pakistan. The pandemic period could be a great opportunity for reverse brain drain, as remote working options were not planned for by the governance system in Pakistan, Bakalova, Berlinschi, Fidrmuc, and Dzjuba (2021) have identified.

2.5 Research Gaps

The literature reviewed above indicates that this paper fulfills a number of specific needs as identified below. The first gap is the lack of a governance-oriented analysis linking gaps in data architecture to specific failures in governance policy. However, most studies focus on either the causes of brain drain, or the effects of brain drain, but not on the governance system that generates the data (or data gaps) upon which brain drain policy is based. The other one is the lack of linkage between the occupational analysis of Pakistani emigration (Ashraf 2022a, 2022b, 2022c) and the literature on the governance reform of migration policy. Ashraf's work shows the limitations of BEOE data and what it can do. This paper builds on that analysis to develop a governance reform framework. The third gap is the lack of new analysis

in the context of governance reform, using the latest comprehensive analysis on BEOE, SBP and related migration data which is the Pakistan Migration Report 2024. The majority of governance studies published are based on data prior to 2022. The data presented in this paper is based on the 2024 reports to update the governance diagnosis.

3. Theoretical Framework

3.1 Pro-Migration States and Their Governance Logics

The idea of migration governance in developing countries favoring facilitation over protection was argued by Skeldon (2009), who explained that remittance flows are concrete and tangible, whereas the negative effects of inadequate protection are not so easily identifiable. Davenport (2004) distinguished between stimulation responses and panic: Simulation responses are proactive and develop institutional capacity to attract migration to yield development benefits, while panic responses are reactive and react to the symptoms. Pakistan's governance system has done a good job of stimulating efficiently but has not come forward towards the evidence-based response.

This paper combines the use of three theories. The Push–Pull Theory (Lee, 1966) is able to explain why skilled workers leave Pakistan and what are their push factors namely unemployment, low wages, political instability, poor governance and weak institutions that motivate emigration in Pakistan. It also highlights the pull factors in destination countries such as NHS recruitment, H-1B sponsorship, Express Entry and labour demand in the Gulf. Brain Circulation Theory (Tung, 2008; Gaillard et al., 2015) identifies governance environments that make it possible to change the trajectory of skilled emigration from a loss into a circular development resource. It is difficult to reform governance because it is costly for political elites to give up patronage systems that impede merit selection, and they have greater incentives to do so than those to reform the system (Political Economy Theory, Acemoglu & Robinson, 2012; Migdal, 1988).

3.2 Data-Weak Governance and Its Consequences

A data-weak governance system is one that consistently lacks administrative data that captures phenomena important to its policy mandate. Pakistan's BEOE data system was created to monitor the agency arranged, protectorate registered migration to the Gulf countries. It is able to do so precisely and reliably. It is however missing in structural terms from the professional field of emigration, namely through employer-sponsored visas to the West, which is the most relevant field from the brain drain and diaspora engagement perspectives.

This invisibility is seen from the remittance record by Ashraf (2022b). However, the USA and UK accounted for 30.9 per cent of the remittance inflows to Pakistan in FY2019 (around USD 6.72 billion), while having 0.2 per cent of the BEOE-registered emigrants. This disproportion of remittance to emigrant is a direct reflection of governance blindspot. The policy consequence was demonstrated by Ashraf (2022a) who demonstrated that aggregate BEOE totals drove the brain drain panic in 2022 although disaggregated BEOE data (which would have reframed the policy debate) was structurally absent from governance communication.

4. Methodology

4.1 Research Design

The study adopted a descriptive-analytical approach which is structured around governance gap identification. It outlines and explains the existing governance system in terms of its level

of legal support, institutional structure and production of data, and then it identifies what it is not able to do, such as measure professional outflows, track return migration, engage diaspora knowledge or manage migration composition. The difference between what the system is doing and what migration governance needs is the reform agenda that is proposed in the paper. This design is suitable for governance analysis as it assumes that the policy is based on failures in specific institutions, instead of idealized typologies.

4.2 Data Sources

This paper has two main data sources. The Pakistan Migration Report 2024, authored by Shah, Shahzad, Quddus, & Qazi (2024), offers data on emigration from BEOE to countries of destination, province, district, occupation and skill category in the last five years from 2019 to 2023. It also offers State Bank of Pakistan bilateral remittance data for FY2019 to FY2024, Roshan Digital Account data for FY2021 to FY2024 as well as an analysis of migration governance, the brain drain debate, remittance trends, and irregular migration. The Pakistan Migration Report 2020 (Shah, Amjad, Hameed, & Shahzad, 2020) offers historical background, an analysis of governance, and the 2019 baseline. Direct extracts from these two reports have been used for all quantitative data. Occupational disaggregation and remittance proxy analysis are provided by published analyses by Ashraf (2022a, 2022b, 2022c) and contextualize the governance data.

4.3 Analytical Approach

The analysis is conducted in three levels which are in accordance with the three research questions. RQ1 is answered by examining the legislative and institutional framework for migration in Pakistan, which was established in 1979 through the Emigration Ordinance, and how this framework has evolved and/or remained stagnant in line with migration realities. The paper, for RQ2, seeks to pinpoint four distinct governance data gaps and policy implications in the available data, which includes BEOE occupational and destination data as well as SBP remittance data. The paper suggests a sequential four-stage reform pathway, which is built on the identified gaps and is rooted in theoretical literature on brain circulation, data-driven governance, and dualism in migration management, for RQ3.

5. Data Analysis

5.1 Pakistan's Migration Governance Architecture: Strengths and Structural Limits

Migration governance in Pakistan is based on the laws that have been more than 40 years old. The BEOE and the nine protectorates through which the Pakistani workers register for jobs abroad were set up under the Emigration Ordinance of 1979, which was introduced as a direct consequence of the Gulf oil boom during the tenure of General Zia ul-Haq. The Ordinance introduced the system of Emigration Clearance certificates, regulation of recruitment agents and introduced the bilateral agreement system with the host countries in the Gulf (Shah et al., 2020; Shah et al., 2024).

This was a proper and effective governance structure for 1979 migration system, which was agency managed, low-skilled, mostly male and migrating towards the Gulf. However, there have been significant changes in the world. Now today, Pakistan has millions of professionals in USA, UK, Canada and Australia that were brought through visas that in 1979 did not exist. Since Ashraf (2022b) has explained in detail, the main pathways for professional Pakistanis to immigrate to the West are through the NHS (sponsored by employers), H-1B sponsorship, Express Entry, and Post-Study Work routes. None of these brings about the registration

requirements of the 1979 Ordinance. The structure of the governance system does not support the migration reality that it's designed to oversee. It is a diagnosis made explicitly by Shah et al. (2024) who state that a draft of a policy document has been prepared for over three years that has yet to be approved by the government.

Table 1: BEOE Data System: Capabilities and Structural Gaps

Data dimension	BEOE capability	Structural gap
Low-skilled Gulf emigration	Fully captured through protectorate registration	None for this category
Professional Western emigration	Systematically missed: H-1B, NHS, Post-Study Work routes bypass BEOE (Ashraf, 2022b)	0.5% of registered emigrants vs. 24–31% of remittances from USA+UK
Annual outflows	Accurately recorded by destination, province, occupation	Destination cannot be cross-tabulated with occupation in published data
Return migration	Not collected	Net migration impossible to calculate; stock of overseas Pakistanis unknown
Female migration	Captured; 0.94% of 2023 total (Ashraf, 2022c)	Female professional migration through non-BEOE pathways not captured
Irregular emigration	Not captured by definition	40,450 Pakistanis illegally present in Europe in 2022 (Eurostat, cited in Shah et al., 2024)
Remittance-emigration link	Not linked at individual or destination-occupation level	Channel switching to hundi/hawala invisible to official data (Ashraf, 2022b)

Note. Sources: Shah et al. (2020, 2024); Ashraf (2022b, 2022c). PSW = Post-Study Work route (UK). H-1B = US employer-sponsored skilled worker visa. NHS = National Health Service (UK). The biggest blind spot in Table 1 is the professional Western emigration. In FY2019, 30.9 percent of Pakistan's total remittance inflows were received from the USA and UK, which is around USD 6.72 billion, out of which the USA accounted for 16.9 percent and UK for 14 percent whereas they also had the highest share at most 0.2 percent of Pakistan's registered emigrants (Ashraf, 2022b; Shah et al., 2024). This imbalance shows that there is a very large segment of high income professional Pakistanis in both countries, who migrate undetected by the governance system tasked with controlling it.

5.2 Skill Composition: What BEOE Data Actually Shows

This phenomenon of brain drain in Pakistan is well demonstrated with the brain drain debate in 2022. Politicians and commentators used the overall emigration figure of 832,339 for BEOE's 2022 data to believe in a professional exodus (Shah et al., 2024). This fact was challenged by Ashraf (2022a) using the systematic occupational disaggregation approach. Data that would've reframed that debate is in Table 2.

Table 2: Skill Composition of Pakistani Registered Emigrants, 2019–2023

Skill category	2019	2020	2021	2022	2023
Highly qualified + skilled (%)	4.1	3.9	4.8	4.7	8.0
Skilled (%)	45.8	46.2	45.5	41.7	36.5
Unskilled + semi-skilled (%)	50.1	49.9	49.7	53.6	55.5
Total emigrant N	625,876	225,213	288,280	832,339	862,625
Nurse emigrants (N)	337	148	599	1,768	4,880

Note. Sources: Shah et al. (2024); Ashraf (2022a). Highly qualified + skilled includes BEOE-defined categories only; Western visa pathway migrants are not captured. Nurse figures from Shah et al. (2024, Figure 1.4).

Table 2 indicates that there was structural continuity throughout the pandemic cycle. Highly qualified and skilled workers continued to make up 4 to 5 percent of total outflows in 2019–2022, and 8 percent in 2023, even if this figure seemed higher than usual in popular discourses, it remained below the 91 percent level. Unskilled and semi-skilled workers were over 50% for all the years. The only one acceleration confirmed is nursing, with 4,880 in 2023 compared to 337 in 2019, a 13.5-fold increase. This nurse acceleration has been corroborated by Ashraf (2022a), who demonstrated that the influx of nurses aligns with the activation of NHS Health and Care Worker visas in February 2021, as well as peak recruitment efforts by the NHS in South Asia during 2021–2022. This is the only occupational category in which governance information provide a valid signal of brain drain and a specific policy response.

5.3 The Remittance Diagnostic: Evidence of an Invisible Professional Diaspora

Another data gap is the lack of a direct connection between emigration and remittance data at the individual or destination level. The remittance evidence is presented in Table 3, which highlights the extent of the Pakistanis professional diaspora's blindspot.

Table 3: Pakistan Remittance Inflows by Source Country: USA and UK Share vs. BEOE Emigrant Share, FY2019–FY2022

Measure	FY2019	FY2020	FY2021	FY2022
Total remittances received (USD bn)	21.74	23.13	29.45	31.28
UK remittance share (% of total)	15.7	11.1	13.9	14.4
USA remittance share (% of total)	15.2	7.5	8.8	9.9
USA + UK combined share (%)	30.9	18.6	22.7	24.3
USA + UK remittances (USD bn, est.)	~6.72	~4.30	~6.69	~7.60
UK BEOE registered share (%)	0.1	0.4	0.4	0.4
USA BEOE registered share (%)	<0.1	<0.2	<0.2	<0.1

Note. Source: Ashraf (2022b), based on State Bank of Pakistan, Country-wise Workers' Remittances, as synthesised in Shah et al. (2020, 2024). FY = fiscal year (July–June).

The basic imbalance of governance that Pakistan has is evident in Table 3. The USA and UK combined exported USD 7.60 billion (around 0.5 percent of BEOE-registered emigrants). The remittance per worker for USA and UK workers is several multiples of the remittance per worker for Gulf workers. This can only be attributed to a massive group of highly paid Pakistanis, who, for one reason or another, have not been registered anywhere, as pointed out by Ashraf (2022b). The brain drain to western destinations is not obvious to BEOE but it is obvious in financial terms in remittance data.

5.4 Irregular Migration: The Third Governance Gap

The irregular migration evidence is summarized in Table 4.

Table 4: Irregular Pakistani Migration to Europe: Governance Evidence, 2019–2022

Indicator	Value	Year
Pakistanis illegally present in Europe	40,450	2022
Irregular land border crossings by Pakistanis	6,561	2022
Irregular sea border crossings by Pakistanis	5,461	2022
Asylum applications from Pakistan in Europe	40,618 total; 85% unsuccessful	2022
Return decisions for Pakistanis issued in Europe	18,656 decisions; 14.3% effectively implemented	2021
Pakistan's rank among irregular nationalities in Europe	Top 10 consistently	Ongoing

Note. Sources: Eurostat and Frontex data as cited in Shah et al. (2024, Tables 4.1–4.6). Return decisions effective implementation = 2,668 of 18,656 (1,093 forced + 1,575 voluntary).

Table 4 demonstrates that there are many workers leaving Pakistan through irregular channels and the governance response is overwhelmingly based on enforcement measures. The Federal Investigation Agency (FIA) deals with the criminality of the smuggling networks but not the push factors that put workers in the irregular path. Çduygu (2020) pointed out that the unreliability of the governance on both sides of the migration crisis makes irregular migrants one of the most at risk groups in the crisis. In the absence of positive governance, Pakistan's governance system leaves a large and ever expanding population of its citizens in the most precarious migration conditions.

5.4 The Fourth Governance Gap: Return Migration as a Blindspot

The mechanism of governance in Pakistan is not able to measure return migration. This is a significant data constraint. One of the main avenues of the brain drain can become brain gain or brain circulation is return migration. As per Wadhwa (2009), the reverse brain drain from USA to India and China was put into record with the improvement of the conditions in the countries. Of returning migrants, Gaillard, Gaillard, and Krishna (2015) followed the trail of knowledge benefits that are created in the countries of origin when highly educated people return, but that benefits are achieved only if institutional environments are receptive and amplify what they return.

As there is no data on return migration, it will be impossible to have an accurate picture of the number of professionals who have returned to Pakistan from the west, whether or not they have secured jobs commensurate to their skills acquired abroad or whether there are sectors where net migration has taken place despite a high rate of gross migration. Shah et al. (2024) make a clear point that knowledge about return migration to Pakistan is limited and that data collection mechanisms are not routinely able to measure return migration. This was also a methodological limitation as Ashraf (2022a) stated: "The net migration, which is the economic relevant number, is not available from BEOE records." This gap seriously challenges the brain circulation agenda.

6. Discussion

The structure of Pakistan's migration governance system is shaped by the context of the Gulf oil boom in which the Emigration Ordinance was enacted in 1979. It was conceived to provide

an easy and regular access of low-skilled labour to the Gulf, which is made possible by agencies, and it achieves this objective pretty well and regularly. The historical roots of this design are sound: this was the most common mode of migration out of Pakistan in 1979 and the economic benefits to be gained from accommodating this migration were huge. In the 1970's and 1980's, Gulf remittances came to the rescue of the Pakistan's balance of payments and so have done in numerous instances since then.

However, just because the design was done in 1979 doesn't mean it is the right design for 2025. The professional movements of the 21st century—NHS nurses, H-1B engineers, Post-Study Work academics—with their distinct features remain structurally invisible to the governance framework that is forged for the movement of the labourers from the Gulf. (Ashraf 2022b) The features of the 1979 Ordinance which focus on agency-arranged migration with protectorate registration is architecturally incompatible with employer-sponsored professional migration. The non-updated framework is indicative of the political economy, where key stakeholders in the governance system – recruitment agencies, protectorates, Gulf bilateral partners – are beneficiaries of the status quo and thus have little interest in altering it, despite the draft policy being languishing unapproved for three years (Shah et al., 2024).

Each of the four data gaps that the analysis has identified is associated with specific types of policy failure: invisibility of professional Western emigration, lack of a link between remittance and emigration, absence of data on irregular migration and positive governance, and absence of return migration data. Because of the emigration blindspot of the professionals, brain drain panic in 2022 was based on aggregate BEOE figures and not on the occupational composition, leading to misdirected policy concern (Ashraf, 2022a). However, the remittance-emigration disconnect is evident as the USA and UK professional community, producing 24-31 per cent of total remittances, is not reflected in governance data, which is why they are not taken into account in the policy of diaspora engagement (Ashraf, 2022b). The lack of a governance process around irregular migration puts workers in precarious situations into which there is no positive state intervention. Brain circulation is not possible to manage due to the return migration blindspot, which cannot be measured.

The most invisible in governance data are female professional migrants, who are even more highly skilled than male migrants but make up less than 1 percent of the BEOE-registered outflows, added Ashraf (2022c). There is also a gender aspect to the Governance blind spot for female migrants who come to the country through NHS, academic and employer channels bypass the BEOE registration system altogether. We need a governance system that is capable of sighting the most capable women who are emigrating if we want to protect them, engage them and build policies that consider their unique context.

The governance gaps are tackled in the proposed process of reform in the following sequence: Data reform will be possible through legislative reform, policy reform through data reform and diaspora engagement reform through policy reform. The sequencing is crucial as the reforms are interdependent. The first reform is the modernization of the legislation. The Emigration Ordinance of 1979 needs to be replaced with a system that is more attuned to migration in the 21st century. The new framework should expand on the data collection requirement for professional emigration via foreign missions, add the requirement for data collection for return migration via arrival data and deregistration processes and include a

diaspora engagement mandate, and include legal authority for bilateral, ethical recruitment processes with NHS England and other professional recruiters abroad.

Data system expansion is the second reform. Three data systems need to be created. An emigration registry should be established by the professional Pakistani emigrants at the Pakistani High Commissions and Embassies in Washington DC, New York, London, Toronto and other major cities around the world where professional Pakistani emigrants are found. For the return migration, there is a need to establish a return migration tracking system that connects the data on numbers of internationally arrived migrants with BEOE data on numbers of departed migrants, and to incorporate survey instruments into the data collection process of existing household surveys of the migrants on their way back. The linkage system for remittances should be with State Bank bilateral remittances and registered emigrant volumes and categories of occupations.

This third reform is occupation specific retention. The one trend which hits the threshold for serious governance concern is that of the emigration of nurses from 337 in 2019 to 4,880 in 2023 (Shah et al., 2024), which is directly attributed to NHS policy changes noted by Ashraf (2022a, 2022b). Pakistan should negotiate a formal bilateral ethical recruitment agreement with NHS England based on the WHO framework on nurse migration or other health professionals, increase the capacity of nurse training in Pakistan, and try to work towards evidence-based and not narrative-driven retention of other health professionals. In his recent article (Ashraf, 2022a), Ashraf explicitly cautioned against any "unprecedented/exceptional" brain drain that stems from the false conclusions that can be drawn from the data. Retention policy should be based on occupational evidence, not aggregation of alarms.

The fourth reform is "diaspora knowledge engagement." In addition to financial remittances, Pakistan's professional diaspora in the USA and UK is a source of knowledge, networks for research, institutional linkages, and capacity for reform. Higher education commission should specify a formal Virtual Diaspora Faculty Programme to allow the diaspora academics to co-supervise Pakistani PhD students, participate in curriculum development and research projects without having to come back to Pakistan. Diaspora advisory boards, with clear policy input mandates, should be set up in health and education ministries. The Roshan Digital Account needs to be revised to provide return vehicles in the form of USD that will remove the exchange rate risk and sector-specific return avenues like investments in healthcare infrastructure or university research.

7. Conclusion

In this study, the argument that Pakistan is a pro-migration state and has a data-weak governance system was put forward. It can effectively attract emigration (millions of registrations by the BEOE, bilateral agreements to ensure access to the markets of the Gulf and remittances play a major role in the macroeconomy). But it's not able to capture what really counts: professional outflows to western destinations, return migration, net migration or the contributions of the diaspora in the form of knowledge, other than financial remittances.

Four gaps in governance were identified. The Emigration Ordinance 1979 is structurally counterfeit to 21st century migration trends, especially in relation to professional migration via the immigration programs of employers. The 90 percent of migrants who move to the Gulf countries are included in BEOE data, while the less than 0.5 percent who move to the USA

and UK are not and those who do, are the group most relevant for brain drain concerns and also have the most economically productive remittances (Ashraf, 2022b). There is no measurement of return migration and net migration is therefore unknown and brain circulation policy is therefore unfeasible. Diaspora engagement is only in the financial aspect and not in the knowledge engagement which is considered by the brain circulation literature as most development-relevant.

Ashraf (2022a) demonstrated that this brain drain panic was the result of data weakness: the sum of the BEOE (domestic-to-foreign) total was what caused policy alarm, whereas the disaggregation of the BEO by occupations, which would have revealed that low-skilled migration from the Gulf is the main driver of the rebound, was structurally missing from governance communications. It has been revealed by Ashraf (2022c) that the least visible to the governance system are the most highly skilled emigrants from Pakistan which are the females working as professionals. The findings combined argue for a reform in governance that is now more essential than optional to evidence-based migration policy.

Sequential implementation of the proposed reform framework (legislative modernization, expansion of the data system, occupationally targeted retention (with nursing specific focus), and diaspora knowledge engagement) is possible. It does not call for curbing migration or the policy stance which Pakistan had taken toward pro-migration has been beneficial for its macroeconomy. It needs to create a governance mechanism advanced enough to sort out the type of migration that it wishes to enable, the kind of migration that it wishes to manage, the composition that it wishes to foster, the measures that it wishes to put in place to assess the results of the migration that it wishes to enable and make it manageable, and its engagement with the diaspora that it has, not simply by sending money back there. That's the plan for reform. There's already evidence to suggest that.

References

- Acemoglu, D., & Robinson, J. A. (2012). *Why nations fail: The origins of power, prosperity, and poverty*. Crown Publishers.
- Ashraf, M. J. (2022a). Migration rebound without transformation: Post-COVID labor outflows and the limits of brain drain from Pakistan. *Migration Letters*, 19(3), 366–378.
- Ashraf, M. J. (2022b). The invisible corridor: Skilled Pakistani emigration to the United States and United Kingdom, 2019–2022. *Migration Letters*, 19(2), 326–340.
- Ashraf, M. J. (2022c). Limited yet skilled: Female migration from Pakistan and the gendered structure of overseas mobility. *Migration Letters*, 19(4), 581–594.
- Bakalova, I., Berlinschi, R., Fidrmuc, J., & Dzijuba, Y. (2021). COVID-19, working from home and the potential reverse brain drain (CESifo Working Paper No. 9104). CESifo Group Munich.
- Bhagwati, J. (1976). The brain drain. *International Social Science Journal*, 28(4), 691–729.
- Bhagwati, J., & Hamada, K. (1974). The brain drain, international integration of markets for professionals and unemployment: A theoretical analysis. *Journal of Development Economics*, 1(1), 19–42.
- Chand, M. (2019). Brain drain, brain circulation, and the African diaspora in the United States. *Journal of African Business*, 20(1), 6–19. <https://doi.org/10.1080/15228916.2018.1527249>
- Davenport, S. (2004). Panic and panacea: Brain drain and science and technology human capital policy. *Research Policy*, 33(4), 617–630. <https://doi.org/10.1016/j.respol.2004.01.006>

- de Lange, T. (2020). COVID-19 migration policy measures for international students and graduate job searchers: A lost round in the battle for brains. *Frontiers in Human Dynamics*, 2, Article 594420. <https://doi.org/10.3389/fhumd.2020.594420>
- de Lange, T., Mantu, S., & Minderhoud, P. (2020). Into the unknown: COVID-19 and the global mobility of migrant workers. *Maastricht Journal of European and Comparative Law*.
- Docquier, F., & Rapoport, H. (2012). Globalization, brain drain, and development. *Journal of Economic Literature*, 50(3), 681–730. <https://doi.org/10.1257/jel.50.3.681>
- Friesen, W., & Collins, F. L. (2017). Brain chains: Managing and mediating knowledge migration. *Migration and Development*, 6(3), 323–342. <https://doi.org/10.1080/21632324.2016.1147564>
- Gallup Pakistan. (2025, March 6). Pakistan migration patterns: Gallup Pakistan analysis of the Pakistan migration patterns. Gallup Pakistan.
- Gaillard, J., Gaillard, A. M., & Krishna, V. V. (2015). Return from migration and circulation of highly educated people: The never-ending brain drain. *Science, Technology and Society*, 20(3), 269–278. <https://doi.org/10.1177/0971721815597120>
- İçduygu, A. (2020). Stranded irregular migrant workers during the COVID-19 crisis: The question of repatriation. *Research Papers Series on COVID-19 and Its Role in the Transformation of Migration and Mobility*.
- Johnson, J. M., & Regets, M. C. (1998). International mobility of scientists and engineers to the United States: Brain drain or brain circulation? SRS Issue Brief. National Science Foundation.
- Kone, Z. L., & Özden, Ç. (2017). Brain drain, gain and circulation. In *Handbook of globalisation and development* (pp. 349–370). Edward Elgar Publishing.
- Lee, E. S. (1966). A theory of migration. *Demography*, 3(1), 47–57.
- Meer, N., & Villegas, L. (2020). The impact of COVID-19 on global migration. GLIMER Working Paper. Governance of the Local Integration of Migrants and Europe's Refugees.
- Migdal, J. S. (1988). *Strong societies and weak states: State-society relations and state capabilities in the Third World*. Princeton University Press.
- Muhammad, I. (2021). Long and short-term relationship between migration, foreign remittances and economic growth of Pakistan: A case of COVID-19 [PhD dissertation, Ritsumeikan Asia Pacific University].
- Raghuram, P. (2009). Caring about 'brain drain' migration in a postcolonial world. *Geoforum*, 40(1), 25–33. <https://doi.org/10.1016/j.geoforum.2008.01.007>
- Robertson, S. L. (2006). Brain drain, brain gain and brain circulation. *Globalisation, Societies and Education*, 4(1), 1–5. <https://doi.org/10.1080/14767720600554028>
- Salik, K. M. (2020). Policy review: Remittances and COVID-19 — Is Pakistan ready for a likely decline in flows. Sustainable Development Policy Institute.
- Seguin, B., State, L., Singer, P. A., & Daar, A. S. (2006). Scientific diasporas as an option for brain drain: Re-circulating knowledge for development. *International Journal of Biotechnology*, 8(1–2), 78–90.
- Shah, N. M., Amjad, R., Hameed, M., & Shahzad, A. (2020). Pakistan migration report 2020. Centre on International Migration, Remittances and Diaspora (CIMRAD), Lahore School of Economics.

Shah, N. M., Shahzad, A., Quddus, S., & Qazi, M. (2024). Pakistan migration report 2024. Centre on International Migration, Remittances and Diaspora (CIMRAD), Lahore School of Economics.

Skeldon, R. (2009). Of skilled migration, brain drains and policy responses. *International Migration*, 47(4), 3–29. <https://doi.org/10.1111/j.1468-2435.2008.00484.x>

Teferra, D. (2005). Brain circulation: Unparalleled opportunities, underlying challenges, and outmoded presumptions. *Journal of Studies in International Education*, 9(3), 229–250. <https://doi.org/10.1177/1028315305277030>

Tung, R. L. (2008). Brain circulation, diaspora, and international competitiveness. *European Management Journal*, 26(5), 298–304. <https://doi.org/10.1016/j.emj.2008.05.003>

Wadhwa, V. (2009). A reverse brain drain. *Issues in Science and Technology*, 25(3), 45–52.

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