

Pakistani Visa Over-Stayers in Jeddah: Managing a Deportation Case

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Introduction

The Deputy Permanent Representative (DPR) of Pakistan to the Organization of the Islamic Cooperation (OIC), Jeddah was about to leave his office for the day when he received a message from his boss, the Consul General (CG) of Pakistan in Jeddah, who wanted to discuss some important organizational matters with him. The subject of the meeting came as a surprise as the DPR's mandate was restricted to Pakistan's representation at the OIC. It had no direct relationship with the Consulate General of Pakistan, Jeddah (CGP/J) and its organizational matters. Nevertheless, he went to meet the CG who after expressing concerns over the problems being encountered in the Consulate General's community welfare operations asked the DPR to engage with the Community Welfare Section (CWS) to help address difficult cases as quite obviously the Community Welfare Attaches (CWAs) were overburdened. As the CG explained, "Sometimes, the applicants have to suffer merely due to lack of proper attention."

The DPR had assumed his position in Jeddah almost a year ago. Having spent most of his career dealing with political issues in international organizations, he had rudimentary experience of either community welfare activities or administrative work at Pakistan missions abroad.

Nevertheless, he knew that for the CG his lack of experience in the matter was not likely to be a credible reason for declining to accept the task, as consular and welfare work also constituted an integral part of a diplomat's official duties. As expected, the CG directed him to start his engagement with the welfare section immediately. This included going through existing briefs and meeting relevant Saudi officials.

The events of that day marked the beginning of a three-year period during which DPR remained closely engaged with the mission's CWS. From now onwards, he oversaw welfare operations, liaised with the Saudi Ministry of Foreign Affairs and resolved cases that would usually go unattended by the overburdened CWAs. While simpler cases – which far outnumbered the complicated cases – could be resolved expeditiously, progress on the difficult ones was either not guaranteed or painstakingly slow.

The DPR's experience at the welfare section introduced him to widely varying approaches to public service delivery, characterized at times by compassion and

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empathy, and at others, by sheer apathy and negligence. Soon, it transpired, that while Pakistani political and bureaucratic elites in federal and provincial capitals were interested in the remittances sent home by Pakistani workers abroad, their focus on actual welfare of the diaspora was rather limited – or perhaps limited to political grandstanding.

Statement of Intent

This case study examines existing legal and administrative frameworks that are in place for addressing the problems faced by the Pakistani expatriate community in Saudi Arabia, where foreign workers are often denied not just rights equal to other more fortunate nationalities but even their due rights under existing Saudi laws. The case seeks to deepen the understanding about issues relating to Pakistani visa over-stayers who remain in the country after performing Umrah, the lesser pilgrimage to Makkah. In fact, many of them take advantage of the gaps in Umrah operations and arrive in Saudi Arabia on pilgrimage visas to avoid cumbersome employment procedures. The study also covers the challenges in providing relief to Pakistani illegal workers and Umrah over-stayers.

Research Question

The case study will explore the following key questions.

- (i) Why Pakistani consular missions sometimes fail to provide relief to Pakistani immigrants abroad?
- (ii) How can these missions be empowered to perform their duties adequately?

Background

For the DPR, consular and welfare affairs were mostly an unexplored territory. During the course of this case, he was to extensively study issues being faced by the Pakistani expatriate community as well as various dimensions of consular and welfare operations.

Saudi Arabia and Pakistani Expat Community

Saudi Arabia is the largest source of remittances sent by Pakistan diaspora. Pakistani workers in Saudi Arabia sent 26.1² percent (or approximately USD 7.6 billion) of the total remittances of the country in 2021 alone. The majority of these came from workers belonging to the semi-skilled category. An unknown but substantial number of them reached the country as pilgrims. Indeed, most of the remittances from the Middle East

² State Bank of Pakistan.

come from low- and middle-income groups. On the other hand, the higher income groups prefer to explore investment and immigration opportunities in Western countries. However, in terms of political voice and connections with Pakistan's powerful business and political elite, the high-income group in the expat community maintains a stronger influence in Pakistan.

As the Pakistani expatriate community is always reluctant to register itself with their representative missions (for various reasons), it is difficult for Pakistani diplomatic and consular missions to maintain a record of the exact number of Pakistanis abroad. This situation was particularly complicated in Saudi Arabia because not all Pakistani workers entered the country as legal foreign workers. Many arrived in the Kingdom as Hajj or Umrah pilgrims and did not return after performing their religious rites. These over-stayers avoided the consular offices and, for their part, the consular offices officially feigned ignorance about their existence.

Many among the over-stayers were actually facilitated by criminal gangs who arranged for their legitimate religious travel to Saudi Arabia with the ulterior motive of turning them into temporary workers. After completing their lesser Umrah pilgrimage (that just takes a few hours), they were helped in temporary settlement in the country and assisted with odd jobs for a commission fee or on a wage sharing basis. In all these cases, the workers were at the mercy of their handlers. Some of them were also facilitated into undesirable activities, including begging and prostitution, which not only tarnished the image of Pakistan but also exposed the vulnerable and largely under-privileged Pakistanis to exploitation and extortion. While overstaying workers came not only from Pakistan but also from several other countries, it were mostly Pakistanis and Yemenis who were the most prominent amongst the foreigners begging in the streets of Makkah, Madinah and Jeddah.

After every few years, the number of these overstaying workers from Pakistan and elsewhere swelled to an uncontrollable limit. At such junctures, the Saudi Government announced a general amnesty allowing them to come out of shadows, apply for legal jobs or leave for their respective countries after getting necessary legal approvals.

Pakistan Consulate in Jeddah

The Consulate General (CGP/J) had been reporting about the activities of these over-stayers and their handlers to the relevant authorities in Pakistan. However, due to various weaknesses in the legal and administrative structures of the country, the activities of these gangs never came to a complete standstill.

In spite of being the largest consular office of the country anywhere in the world, the CGP/J was housed in two dilapidated villas – the local term for a residential building. These premises were catering to the consular and welfare needs of an estimated one million strong Pakistani community scattered across Makkah, Madina, Abha, Al-baha,

Jizan, Asir and Najran regions, besides taking care of hundreds of thousands of pilgrims visiting during Umrah and Hajj seasons every year.³ Clearly, these two villas neither constituted a befitting accommodation for Pakistan's representative office nor a comfortable facility for applicants of consular or welfare services.

The Saudi Government had reciprocally allotted a large plot to the Government of Pakistan to construct a purpose-built consular facility with adequate facilities. However, no proper building had been constructed on the site. Even today, the community which contributes the largest remittance inflows to Pakistan does not have a reasonable place to visit in times of consular need or any other difficulty. Repeated recommendations by successive CGs for early construction of the consulate building have gone unheeded and, as a result, the CGP/J is extremely over-crowded, and barely meets the ever-persistent demands of a large community.

Consular and Welfare Services

The large consular missions of Pakistan (Consulates General) are headed by a Consul General, whose diplomatic status is governed by Vienna Convention on Consular Relations (1963). Their immunities and privileges have a limited and qualified application but their job is more difficult than the Pakistan embassies and High Commissions in the same countries, particularly where large Pakistani communities exist. Important wings of the consulates are their consular and community welfare sections. These sections are staffed by consular officers sent either by the Ministry of Foreign Affairs or the Ministry of Interior. The officers entrusted with community welfare (CWAs) belong to a number of ministries but are supervised by the Ministry of Overseas Pakistanis. Owing to their multifarious backgrounds – and occasionally good official connections – it is generally felt that not all CWAs are adequately trained to do their jobs or take the required interest in addressing the needs of the community.

Upon being entrusted with his new assignment, the DPR met the officers and staff providing and generally being responsible for the following consular and welfare services:

- (i)** Machine-Readable Passports (MRPs);
- (ii)** Emergency travel documents;
- (iii)** Visa Services;
- (iv)** Attestation of documents;
- (v)** Police clearance certification from Pakistan;
- (vi)** Facilitation in payments of pension to retired overseas Pakistanis;
- (vii)** Renunciation of Pakistani citizenship;

³ In 2019, the last year before the outbreak of the Covid pandemic, Pakistani Hajj pilgrims numbered close to 200,000, the second highest in the world as the quota for issue of visas is determined by the official Muslim population of a country; the official figures for the lesser Umrah pilgrimage performers was 1.75 million (information has been collated from a number of sources including aviation services and Saudi authorities).

- (viii) Repatriation/deportation of stranded/illegal Pakistanis;
- (ix) Welfare and consular services to Pakistanis in foreign prisons;
- (x) Specific welfare services including arrangement for completion of documentation and arranging transportation of dead bodies and healthcare to Pakistanis

During his interactions with them, the consular and welfare officers complained of lack of space within the consulate premises for conducting their activities with ease. They also recommended hiring of Arabic knowing staff with deeper understanding of the Saudi system in their respective sections in order to provide satisfactory services to the applicants.

Lastly, the DPR invited Pakistani doctors practicing in Jeddah who were regularly organizing medical camps in the consulate for detailed discussions on their operations. These medical camps were organized by the CGP/J on a weekly basis for those patients who otherwise could not get any healthcare due to either lack of funds or their lack of access to government hospitals on account of their illegal status.

He was informed that although the Saudi government hospitals were not barred from offering emergency medical assistance to foreign patients, illegal workers found it extremely difficult to access the hospitals due to restrictions imposed by the Saudi authorities. Consequently, many illegal workers suffered silently or were forced to seek help from rudimentary dispensaries set up by their respective missions with support from affluent community members or expatriate associations. In case of their deaths, either the community members or their respective missions helped in arranging their funerals in graveyards reserved for foreigners. The medical camps organized by the Consulate General were, therefore, a great support to low-income as well as illegal workers.

Kafala System

It was important for the DPR to adequately understand the Saudi labour system as the large expatriate population in Saudi Arabia was controlled through *Kafala* (sponsorship) labour System. This system tied foreign workers to their employers making them vulnerable to abuse, arbitrary arrest, detention and deportation.

Under local rules, illegal immigrants are divided into different categories such as those who run away from their sponsors (“*haroob*”), Umrah or Hajj over-stayers who work illegally after expiry of their visas or those who go under cover after violating local laws. These workers are usually denied basic rights, including the right to healthcare. They face problems in returning home unless allowed to exit by Saudi authorities. Resultantly, they remain underground to avoid detention by local law enforcement agencies. Often, they are compelled to bribe local officials just to continue their shadowy stay in the country.

All illegal Pakistani workers who managed to evade arrest and detention in the *tarheel* or deportation centers – that were essentially overcrowded prisons – finally ended up at that derelict and poorly equipped building called the Consulate General of Pakistan, Jeddah. These illegal Pakistanis included all those who wanted to be deported, jobless workers who sought employment, and also pilgrims who had overstayed and were later pushed into beggary or prostitution.

In case of imprisoned nationals, all foreign missions are required to provide consular services to them at these prisons. The consular and welfare officers of the CGP/J are mostly busy in providing general relief to these prisoners. It is not possible for them to devote extraordinary time and energy on isolated complicated and challenging cases.

Ameera – An Illegal Pakistani

On one of the late evenings in the winter of 2010, the DPR met his first challenge. He was about to leave the Secretariat of the OIC where its annual budget was being discussed. For several contentious issues, the meeting had turned long and exhausting. After the meeting, the DPR wanted to return home as quickly as possible. His cell phone rang just as he stepped into his car. On the other side was a panicked Consulate General staff member who informed him that he had discovered a woman hiding under the benches of the visitors' hall. The woman was appallingly sick but still conscious. Desperation can make humans do many strange things and the Consulate General received several desperate individuals almost every day. But hiding in the building after office hours was something not very common.

The official sought instructions on how to deal with the woman, who seemed visibly sick, exhausted and scared. Quite by instinct, the DPR decided to immediately go to the Consulate General to look into the matter himself. He informed his boss over the phone about the emergency and drove straight to the CGP/J. By that time, it was already 9 p.m.

As soon as the DPR reached the Consulate General, he was taken to the Consular Hall where he met a frail woman in her late thirties clad in a black *abaya*. By now, she had been persuaded to come out of the hiding place and sit on a chair. She appeared fatigued and insisted on meeting the *bara afsar* (the “big officer”).

Upon inquiry, she said that her name was Ameera and that she was from South Punjab city of Khanewal. Her voice was weary and drained and betrayed a lack of trust in people that she had been conversing with.

The DPR immediately contacted the welfare officer to inquire whether he had any information about Ameera or any of her acquaintances in Jeddah who could offer help in this case. The welfare officer was, as usual, busy at a deportation center making lists of illegal Pakistani workers who had to be deported in the next two weeks. Deportation

formalities were many and complicated; hence, the welfare officer was likely to remain busy with them for the next several days. As such, the DPR had to assume responsibility for the case. He began preparing a check list of actions needed for Ameera's deportation.

Deportation Procedures

Deportation procedures in the Kingdom are usually cumbersome. Under these rules, self-employed expatriates, *huroob* individuals (absconding/employees running away from their sponsors), and visa over-stayers can be deported from the Kingdom. For this purpose, the deportees should have a valid passport and no criminal record or issues with their *kafeel* (employer/sponsor). In case the expatriate is wanted for an offence, he/she would be arrested and tried in the relevant Saudi court which also decides punishment. After the punishment, the individual is deported and blacklisted for any visa category in the future. The individual is supposed to stay at the *tarheel* (deportation cell) while the concerned consulate prepares travel documents.

Initial Difficulties

Before addressing deportation issues, the DPR had to take care of Ameera's immediate needs. Mindful of the consulate's limited resources, he asked Ameera whether she had any contact in Jeddah who could offer her shelter for a few nights. Ameera replied in the negative and informed that she came to Saudi Arabia as a pilgrim. After overstaying, she had spent last several months in the streets around Haram in Makkah. She deliberately concealed details about her *mahrum* or legal male guardian with whom she had travelled.⁴

In view of her poor health condition, the DPR sought assistance of a Pakistani doctor from the local Pakistani community for Ameera's preliminary medical checkup. The doctor gave her medicines and recommended a detailed check-up.

Ameera was refusing to leave the Consulate until her departure from Jeddah. Given her condition, she could not be left unattended. At the same time, she was not volunteering crucial details of her case, particularly how did she had survived in the Kingdom for so long.

The DPR needed some time to build necessary trust with her in order to get the details of her case. Ameera was, therefore, offered a make-shift shelter within the Consulate General premises.

⁴ In order to forestall single women from staying back in Saudi Arabia (other than rare exceptions like doctors or nurses) the issue of a Saudi visa requires a male companion – either the husband or a close blood relation like a brother or a nephew. This is done primarily with a view to curb prostitution. However, unfortunately, there is official corruption and male accompaniers are able to leave the Kingdom leaving behind their female companions.

While Ameera rested, the DPR briefed his boss on her condition. The CG was not quite satisfied with the decision to provide shelter to Ameera within the CGP/J. For him the case was familiar. He had been reporting on the cases of trafficking of women to Saudi Arabia for begging. However, these activities had never stopped permanently. He was also trying to strengthen the welfare section of the mission with new locally recruited staff, but his requests for additional staff were yet to be approved.

The CG directed the DPR to extricate himself from his OIC engagements and attend to this special case as the welfare officers were fully committed with their huge workload. Ameera needed proper medical attention at a hospital. It was difficult for the Consulate to continue sheltering her and either arrange in-house medical support or even her immediate deportation. She needed to be shifted to another accommodation which she was strongly resisting.

The next morning, before he had left home, the DPR was informed by his staff that Ameera had left the Consulate early that morning and despite the staff's best efforts, she could not be traced. Overburdened with other assignments, the staff forgot about Ameera in the next few hours. The DPR too decided to go back to the OIC meeting which was his primary assignment. However, later in the day he was informed that Ameera had returned to the Consulate General. The CG again wanted the DPR to focus on her case. He, therefore, returned to meet the sick and exhausted woman who was withholding crucial details of her case. She was also resisting any suggestion to visit a hospital, fearing that the hospital would be obliged to report on her illegal status and she would be detained. However, she could not be left alone in this state.

Accordingly, the DPR spoke to the Pakistani doctor once again and sought his help in admitting Ameera for a complete medical examination. The doctor who was suspecting something serious in Ameera's health condition suggested a detailed checkup at a government facility as any private hospital would be reluctant to admit Ameera given her illegal status.

All the same, in the government hospital emergency wings, the law enforcement agencies could detain patients, but generally they were not removed without approval of the hospital authorities and the concerned doctor. The doctor committed to arranging something at the government hospital where he worked.

The next morning, after an extremely difficult process that would not have been possible without the help from the Pakistani doctor, Ameera was shifted to the emergency of a government hospital for a detailed medical checkup.

The DPR was now hoping that while Ameera would be receiving the necessary medical attention, he could attend to other formalities for her departure to Pakistan. The very next day the Pakistani doctor called him on phone to inform that given her illegal status Ameera was investigated by the police. During investigation, she admitted to begging

in the streets as well as some other illegal activities, including prostitution. These were both punishable offences.

He further informed that Ameera would be further investigated as the police believed that she must be having the support of a local gang involved in women's trafficking in the guise of Umrah operations. The Saudi authorities were familiar with the business of begging by foreign women in the Kingdom and they usually avoided being too hard on them. But Ameerah had given them clues and cues about involvement of local and foreign traffickers who had facilitated her stay in Makkah. However, given Ameera's condition, the police had allowed the doctor to take care of her and conduct necessary tests.

HIV Infection and Image of Pakistan

On the following day, the doctor informed that Ameera had been diagnosed as suffering from an HIV infection. She had been shifted to an unknown facility for treatment, while local police had begun an investigation into this case as one of trafficking and other illegal activities.

After this development, the CG rightly assessed that the matter could seriously damage Pakistan's image in case the media came to know about it. Moreover, it could also be exploited to Pakistan's detriment by major competitors in Saudi labour market, including India and Bangladesh. Additionally, Pakistan would find less sympathetic interlocutors in Saudi Arabia when it would be negotiating better arrangements for its Umrah/Hajj visitors or better terms for its workers.

These were serious issues. The DPR immediately wrote a detailed report to his supervisors in Islamabad. As usual, no response was received from any relevant ministry. Ameera was too small a fry to be bothered about. The DPR, then, met Jeddah-based Saudi Foreign Ministry officials who gave him a lecture on local rules and how Pakistan nationals were in breach of many of them. Fortunately, he found a way to meet the relevant police official investigating the case. The gentleman indicated the possibility of involvement of other Pakistanis in the case, but assured him of his full cooperation including consular access to Ameera which had already been requested via local office of the Ministry of Foreign Affairs.

Ameera's Story

A few days later, DPR met Ameera and conveyed the Consulate's inability to offer any help in case she was not willing to provide any information. Finally, Ameera broke down and disclosed details of her case. According to her, she had worked at a brick

kiln outside Khanewal, Punjab.⁵ Her family comprised her husband, three children and several members of the extended family, all engaged in manual labour or begging in Khanewal.

Faced with abject poverty, her family members were forced to work in difficult conditions. A few years earlier, a man had contacted her brother-in-law through an acquaintance and offered employment opportunities to the women of the family with benefits that could potentially change their lives. The person had identified himself as an agent of a tour operator. He offered female members of the family a free visit to Saudi Arabia for Umrah, after which, they would be required to live in Saudi Arabia for a few months. They would be engaged in street begging, domestic work, or “any other suitable job.” The compensation would be good and his contacts in Saudi Arabia would organize the women’s return travel.

Ameera’s husband asked, “why women and why not men.” He was informed that women could easily find work and earn more as beggars. Besides, police were normally not too strict in the case of women over-stayers. Ameera’s family was assured of her safety and wellbeing.

Despite Ameera’s apprehensions, her husband expressed interest in the offer. In case she was unable to find work as a maid, she could always resort to begging which was not something unusual for her. Ameera’s husband made her accept the offer. In her absence, he promised to take care of the kids.

Given the compelling circumstances – primarily their hopelessness – Ameera had agreed reluctantly. Along with other “willing candidates” she was trained by the recruiter in Umrah rituals. They were also taught basic Arabic words helpful in begging in Saudi Arabia. Their travel documents were prepared following which they travelled to KSA before the month of Ramadan in 2003.

Once in Saudi Arabia, the situation for Ameera changed for the worse with every passing day. Her handler in Saudi Arabia was a tough man. He would confiscate all the money she used to make, leaving her only with a few riyals. In case she refused, her handler threatened to hand her over to police. Ameera started hiding part of the money she made from her handler. Ameera and other Pakistani women who were engaged in begging in the Harum⁶ area, stayed in KSA until after Hajj for about five months. Such was the situation that initially Ameera believed that she would not survive long enough to be able to return home. However, in the end, it was not as bad as that.

⁵ While labour malpractices abound in Pakistan, brick kilns are particularly notorious in their exploitation of poor households, all members of which – including children as old as three or four - are held as bonded or indentured labourers. This practice has been widely highlighted and even abused by some not so charitable NGOs.

⁶ Literally the *Harum* means an inviolable sanctum – it is used to refer to the area around the two grand mosques in Makkah and Madinah.

Before their return to Pakistan, the handler took the women to the Consulate General of Pakistan to have their emergency passports issued,⁷ after which it was the Consulate's responsibility to obtain their *khurooj* (exit passes) from the *jawazaat* (Saudi Immigration Authorities). Such officially issued exit passes are required by Saudi authorities in order to let the Umrah over-stayers leave the country. Once the exit pass was issued, the handler provided air tickets for Ameera and other women's return to Pakistan. Families of the women beggars in Pakistan were pleased to see the large amount of money that they had made.

The next year, Ameera's husband himself approached the agent and offered her services for the same work in Saudi Arabia. This way, Ameera visited KSA twice in about six years. However, her current visit to the Kingdom was different. This time around, she had an abusive handler who would beat women if he suspected that they were concealing any money. He would also force the women into prostitution, on the commitment that they would be able to return home sooner than before and with larger compensation. His clients were mainly low-income illegal immigrants from Africa. After resisting for a while, Ameera finally yielded. This also brought about a change in the attitude of her new handler who began treating her more gently. After a few weeks, however, Ameera got unwell. Her health deteriorated which made her handler concerned. The handler tried to help her with some medicines, which proved ineffective. After waiting for a few weeks, the handler dropped Ameera at the entrance to the Consulate General in Jeddah, as he could not afford to support a sick woman anymore.

While dropping her at the Consulate General, the handler advised her to stay there until her papers were ready. He assured her that he would ask his "friends" in Pakistan to pressurize the Consulate officials to have her papers issued on priority. For Ameera, the Consulate General was not a new place. She had been visiting it earlier as well for getting emergency passes and complete *khurooj* procedures in the past. This time, however, she was sick and was not able to live in the streets or nearby parks. She, therefore, hid under the benches where the Consulate staff had discovered her and arranged for her stay. During her stay at the Consulate, Ameera was in touch with her handler through a cell phone which the latter had provided. He had asked her to meet him in the morning when she had gone out of the Consulate General's premises. The handler had threatened her by warning her against disclosing anything to the officials or else the security of her family in Pakistan would be in peril.

Ameera's tragic story clearly pointed to a network of women traffickers operating in Pakistan and Saudi Arabia. Women were being recruited and sent to Saudi Arabia to beg and commit other crimes. It was likely that Ameera had gotten infected when she had been forced to work as a sex worker.

⁷ Also known as an *exit pass*, this travel document is issued in lieu of a passport enabling the holder to be able to travel on a one-way trip to the home country; it is issued to people who have lost their passports, or have deliberately destroyed these to avoid detection of their illegal status or whose passports have been illegally withheld by local employers.

The DPR was obviously shaken. He wanted Ameera to be treated at the facility without any distraction. However, it was not an easy task as the police was likely to continue its investigation into the case. He wanted to talk to Ameera's relatives in Pakistan. After some persuasion, Ameera agreed to give him two cell numbers in Pakistan.

When the DPR called one of the numbers, a woman responded. Upon inquiry, the woman introduced herself as Ameera's sister. When she was told about Ameera's health, the woman did not seem to be very concerned, but she did seek his help for Ameera's early return to Pakistan. For the family, this did not seem to be an urgent issue.

The very next day, the Consulate General received copy of an email addressed to the high authorities in Islamabad mentioning that a Pakistani woman named Ameera was held by the Saudi police on concocted charges and that the "apathetic and negligent" Consulate authorities were not helping her. Immediately, the DPR and his boss realized that the traffickers in Pakistan had now sprung into action and had started pushing certain buttons to pressurize them.

After a few days, the supervisors in the Pakistan Ministry of Foreign Affairs in Islamabad asked the Consulate General to send a brief on Ameera which was provided to them in the hope that while the mission would be busy in arranging relief to the unfortunate woman, Islamabad would do something to stop this business which was continuing with great impunity, almost certainly in connivance with elements in certain agencies that were required to control the menace.⁸

“Smuggle her out” – An Advice

A week later, the DPR received two visitors in his office. One of them introduced himself as a local Pakistani businessman. He informed that he had been approached by some acquaintance in Pakistan with the request to help in the release and departure of Ameera. When the DPR requested for details, the so-called businessman did not divulge the identity of the "acquaintance." On the contrary he said in a threatening tone that "It would be in DPR's interest and in the interest of the Consulate General to have the woman released and sent to Pakistan and avoid encouraging the police to probe further."

The DPR told the visitors that he would himself like Ameera to depart for Pakistan immediately. However, there were several procedural hurdles in her departure. On this, the visitor offered to smuggle Ameera out of the Kingdom into Yemen and then take

⁸ The foremost of these agencies is the immigration police, the Federal Investigation Agency or FIA whose officers can readily identify the "genuine" passengers from such trafficked persons – and whose job it is to do so. Indeed, such victims are so clearly identifiable from their misdemeanor that even less trained persons (like fellow passengers) can pick them out like a sore thumb. This editor personally witnessed two bare-footed, extremely filthily dressed persons exiting Jeddah airport with their belongings in a gunny bag.

care of her further travel to Pakistan from there. He just wanted the Consulate to have Ameera released from the facility and assure the local police that she would be their responsibility. Once in the Consulate's custody, the visitor assured that she would immediately be taken to Najran region for crossing into Yemen. Once in Yemen, they expected the DPR to help them in getting an emergency passport from the Embassy of Pakistan in Sana'a.

Apart from other improprieties – and even illegal actions – this was almost an impossible task as Ameera's health condition was quite fragile. She was unlikely to survive the travails of such a perilous journey. Curious as he was, DPR asked the visitors as to why a poor kiln worker had become so important for them. In their reply, the visitors implied that they were visiting on behalf of their influential contacts in Pakistan who were worried about the whole affair and the way that he was handling it. It was quite clear that their main interest was in the release of Ameera from the police custody and later taking over her custody from the Consulate.

It was more than obvious that they were concerned that Ameera would share details of the activities and the identities of her handlers with the police. This could be a blow, howsoever temporary, to their sordid business. During the conversation, they posed themselves to be patriotic Pakistanis who were concerned about Pakistan's international image that would be compromised if the Ameera affair dragged on. The further highlighted that in case anything went wrong, it would be solely the responsibility of the DPR and CG.

At this point, the trained diplomat that he was, without getting further bogged down, the DPR informed them that the matter was in now in the Saudi police's control and that he would be obliged to inform the police if they insisted on taking the custody of Ameera. Thereafter, the visitors left without any further discussion.

Nevertheless, the exploitation of the issue in Pakistan intensified. Letters, petitions and emails were being sent to all influential quarters. The principal officers in the Ministry of Foreign Affairs were being contacted by politically influential individuals asking about the details of Ameera's case. The principals would then ask the CG to address the issue as quickly as possible. As the days passed on, the CG too became jittery about incessant telephone calls from Islamabad. More interestingly, he was also receiving calls from influential Saudi sources offering help in having Ameera released with the advice to avoid pursuing the case after her departure. Not surprisingly, the CG wanted to close the case as quickly as possible without ruffling too many feathers.

In the whole equation, the DPR was now becoming isolated. He needed allies within the system in order to ensure relief to Ameera as well as to expose the network engaged in trafficking vulnerable women from Pakistan. On his request, the CG allowed him to co-opt the Manager of the Pakistani National citizenship Registration Authority, popularly dubbed NADRA, who enjoyed a good professional reputation with strong links in community as well as with Saudi institutions.

The DPR tasked the Manager NADRA to find out some useful links in the community who might have an insight into cases like that of Ameera. After a few days, the Manager NADRA confirmed his suspicion that there was a group of people who maintained good contacts with elements in relevant agencies in both countries. They were involved in trafficking of women from Pakistan, among other countries. Women would declare one man in their group as their *mahrūm* or male guardian. The guardian would bring the group from Pakistan to Saudi Arabia and hand them over to their handlers and then their ordeals would begin. These women usually made huge sums of money by begging and “other activities” which would then be distributed among partners – hence the pressure from all around.

Fearing that Ameera would spill the beans, the local facilitators and handlers of trafficking ring had disappeared. The traffickers in Pakistan, nevertheless, had started working overtime. Authorities in Pakistan were receiving signed petitions from “concerned citizens” containing fabricated details of the abuse of helpless Pakistanis in the Consulate General of Pakistan, Jeddah. Ameera’s case would be cited as an example. The Ministry of Foreign Affairs was unhappy as it believed that the Consulate General was allowing the case to drag on and other ministries and agencies were angry due to the suggestions in DPR’s reports that elements in their ranks might have been involved in trafficking cases. No one from Pakistan was replying to his queries as well as requests to help address the root cause of the problem.

He met local police authorities in the hope that their investigation would indicate something useful. To his utter dismay, the authorities told him that all the local numbers in Ameera’s cell phone had fake identities and the numbers were no longer functional. Besides, the local police were also under pressure to remove the references to trafficking networks in their reports. So, very clearly the traffickers were active in both states and had ample contacts in and support from authorities in Saudi Arabia as well as in Pakistan.

Accordingly, the DPR now focused only on the return formalities for Ameera. He successfully negotiated the terms of Ameera’s release and deportation with the authorities. They agreed to drop the charges of prostitution and her cooperation with criminals, and consider his request to continue investigation into local networks of women trafficking. Now the issue was how to find a safe place in Pakistan where Ameera could also get treatment for her ailment since she was reluctant to return to her family. DPR spoke to a welfare organization in Karachi which connected him with an organization in Lahore whose focus was to provide relief to HIV+ patients and help them integrate with the society.

After few days, Ameera departed Saudi Arabia for Pakistan. Following her departure, the DPR continued following up with the Saudi authorities on Ameera’s case in the hope that they would further pursue investigation into trafficking networks from Pakistan. But after a while, the Saudi authorities lost interest in the investigation for some reasons best known to them. It was likely that this was due to the lobbying of

influential locals who were somehow connected with the network that ran not only between Saudi Arabia and Pakistan but also several other countries including Yemen, Indonesia, Sudan and other African states.

The DPR's reports which had been sent to all relevant Ministries in Pakistan yielded no results. Partly this was due to the manner in which complex bureaucracies operate and partly due to the manifest influence of the traffickers in Pakistan that they exercised in the departments which were supposed to pursue the case. Consequently, while Ameera had been deported, those who had brought her to Saudi Arabia and had forced her into begging and prostitution could not be taken to task.

After a few weeks, new challenges emerged to occupy DPR's attention. Among others, these included the cases of a mentally deranged but highly educated elderly woman claiming Pakistani citizenship without any papers to support the claim, a group of four Pakistani men who were charged with the brutal murder of their pregnant Indonesian maid and pressures on the Consulate General by a political party in Pakistan in their favour, and that of an old man who was suffering from many diseases, including putrefying wet gangrene, but still refusing to return to Pakistan as he thought his nephews would kill him for his property. Some of these people died while arrangements were being made to provide them with relief. When contacted, their relatives hardly showed any concern on their state. In fact, upon the demise of the elderly, they advised the DPR to bury them in Saudi Arabia. The welfare section continued to refer cases like these to him until his departure from Saudi Arabia.

Like Ameera, Professor Dr. Humayun Jahan, Mai Siddiqan and Hazrat Ali, among others, lived in his memory as symbols of misgovernance, negligence, wrong priorities and complicity of state institutions. Those who were involved in this complicity were not aware about the cost these voiceless and powerless people had to pay in a foreign land for the wrong deeds of the criminally minded people back home.

Lessons Learnt

At the Policy Level

- (i) Public sector complicity in trafficking – whether for want of appropriate legal frameworks, weak enforcement actions or powerless administrative mechanisms – deepens vulnerability and weakens confidence of people in the state's ability to address crimes like trafficking.
- (ii) Ameera's case underscored the role of tour operators and their illegal agents. The Umrah tour operations are not governed by a comprehensive law regulating their conduct from the start of the transactions to their end. Thus they are easily able to avoid any legal responsibility in cases of criminal activity.

- (iii) **Crime-Poverty Nexus:** The agents of these operators recruit victims from marginalized classes for trafficking them to the holy land as Umrah pilgrims. These pilgrims are then left behind in Saudi Arabia for begging and “other activities.” In Saudi Arabia, fines were imposed on the tour operators by the Saudi government when pilgrims under their care absconded. However, this fine was easily affordable given the heavy sums the Umrah over-stayers turned temporary illegal workers were expected to earn.
- (iv) Lately, the Saudi government has started issuing online Umrah visas with a strong associated cost and an over-arching system. This has made it somewhat difficult for tour operators to continue their activities without scrutiny as Saudis are now better equipped to track overstaying pilgrims. In Pakistan, however, a comprehensive law to regulate the conduct of the tour operators is yet to be adopted.
- (v) Moreover, after the 18th Constitutional Amendment, tourism has been devolved to the provinces. The absence of a comprehensive law and slow settlement of issues relating to devolution between provinces and the federation have enabled the tour operators to use the system in their favour and avoid being blacklisted in case they are caught upon involvement in any illegal activity.
- (vi) Unless these issues are addressed, necessary preventive checks cannot be imposed on Umrah operations. Similarly, an effective monitoring and accountability mechanism needs to be established to stop exploitation and extortion.

At the Personal Level

- (i) At the personal level, the DPR felt that he only been able to address one the many symptoms of a deeper malaise. The root cause of the ailment was in Pakistan. He sought solace in the fact that he did whatever was possible to provide relief to unfortunate Pakistanis in a foreign land. But continuation of this problem with varied intensities indicated that it had deeper roots. It had to do with weak oversight of Umrah operations and poor enforcement at the ports of departure.
- (ii) He needed support within the system which he could not muster. Even some of his colleagues within the Consulate General did not believe that the traffickers posed a threat to Pakistan’s image or to the welfare of vulnerable Pakistanis. His bosses at the Ministry of Foreign Affairs considered his views about the welfare of the low income and illegal workers as too radical.
- (iii) The DPR was able to persuade CG to seriously pursue the case of construction of a proper Consulate building with Islamabad. A proper building with permanent healthcare facilities for the community could have addressed some of the issues of helpless and powerless Pakistani expatriate community. But this proposal was also torpedoed by one of the political bosses. He requested the Ministry of Foreign

Affairs for a recall from Jeddah one year before conclusion of his assignment. Alternatively, he could have stayed in Jeddah and worked on raising awareness about the issues of Pakistani workers in that country through various means. In the long run, this might have won him allies in different departments willing to extend help in Pakistan, where required. That was, nevertheless, a vague prospect.

Conclusion

Illegal activities in the guise of religious tourism have exposed unwary Pakistanis to exploitation due to their economic and social vulnerability. It is the responsibility of all public sector organizations to address shortcomings of current legal and administrative frameworks in handling these situations. The consular missions of Pakistan abroad need to be empowered to deal with the challenges caused by crisis situations involving Pakistani diaspora.

Recommendations

Flowing from the above case, a set of recommendations is offered with focus on the welfare of Pakistani workers particularly in the gulf region, as follows:



- *Comprehensive Law*: There is a need to adopt a comprehensive law governing the conduct of tour operators. This law needs to be properly implemented.
- *Funds*: reasonable budgets may be provided for relief and rescue of trafficking victims enabling Consular offices to, inter alia, hire local staff with connections in local institutions as well as offer in-house medical facilities.
- *Adequate training*: The officers of the Ministry of Foreign Affairs need to be trained in consular and welfare duties with focus on regional specialization.
- At the international level, Pakistan's United Nations missions should enhance their engagements with relevant UN bodies such as those which deal with international

human rights and labour rights (ILO) law with a view to seeking better treatment for foreign workers worldwide. This will help Pakistani workers in any country.

- At the bilateral level, Pakistan must pursue bilateral consular dialogue particularly with all the Gulf states and where this mechanism has not yet been established, it may make an effort to establish it.
- Lastly, *an Inter-Ministerial Monitoring Committee* under a relevant federal secretary may be established to monitor various welfare initiatives by the missions, any delay in their implementation or in providing relief to the complainants at the Prime Minister's Performance Delivery Unit portal. This committee should also provide a mechanism of protection to competent officers against vilification and intimidation