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BACKGROUNDER
SERIES

MIGRATION



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Introduction

Human migration is a movement by people from one place to another with the intention of settling temporarily or permanently in a new location. The movement is often over long distances and from one country to another as well as within the country. Migration may be in individual level, family units or in large groups. Migration occurs at a variety of scales, inter-continental (between continents), intra-continental (between countries on a given continent), and inter-regional (within countries). However, one of the most significant migration patterns has been rural to urban migration, the movement of people from the countryside to cities in search of opportunities and better quality of life. A human migration involves long-term relocation, so travelling and vacations don't count.

So, why do people migrate? Two basic reasons are Push and Pull factors. Push factors force people to leave their current home. Across history, push factors have included a diverse range of situations, including drought, famine, war, invasion, disease, lack of job opportunities, lack of religious or personal freedoms, or discrimination. Pull factors attract people through job opportunities, education opportunities, freedom, safety, food, climate, or established networks of family and friends. Voluntary and involuntary migration are two distinct types of migration. If you make the choice to move, based on whatever push and pull factors matter most to you, it is a voluntary migration while if you are physically forced to relocate, it is an involuntary migration. For better or worse, each of these forms of migration have been important throughout history, by moving people into new areas, mixing gene pools, and integrating cultures.

Migration is increasingly seen as a contributor to development. Migrants make important contributions to the economic prosperity of their host countries, and the

flow of financial, technological, social and human capital back to their countries of origin helps to reduce poverty and stimulate economic development there as well. But migration has challenges, as well. It can deprive countries of highly educated and skilled workers, a process known as "brain drain." It can also separate families and increase inequalities between people who receive remittances and people who do not.

Global Status

UNFPA claimed that in 2013, the number of international migrants worldwide reached 232 million, an increase of 57 million, or 33 %, compared to 2000. Most international migrants reside in the developed regions (59 %). Europe hosts the largest number of international migrants (72 million), followed by Asia (71 million) and Northern America (53 million). About 3.2 % of the world's population are international migrants, compared to 2.8 % in 2000. The share of international migrants in total population varies considerably across development groups and major areas. Thus, international migrants represent 10.8 % of the total population in the developed regions compared to 1.6 % in the developing regions. Oceania (20.7 %), Northern America (14.9 %) and Europe (9.8 %) record the highest proportions of international migrants in total population.

According to UNFPA report, in 2015, 244 million people, or 3.3 % of the world's population, lived outside their country of origin. The majority of migrants cross borders in search of better economic and social opportunities. Others are forced to flee crises. The current mass movement of refugees and displaced persons has given rise to an intense fear or dislike of foreign people, their customs and culture, or foreign things and calls for tightening borders. Internal migration within countries is also on the rise as people respond to inequitable distributions of resources, services and opportunities, or to flee violence, natural disaster or the increasing number

of extreme weather events. The movement of people from rural to urban areas has contributed to the explosive growth of cities around the globe. According to the United Nations, there has been a 41% increase in migration from 2000 to 2015.

The [World Migration Report 2015](#) estimates that there are 232 million international migrants and 740 million internal migrants around the world. Nearly 50% of all international migrants reside in ten “highly urbanized, high-income countries”. Those were identified as Australia, Canada, the United States, France, Germany, Spain, United Kingdom, the Russian Federation, Saudi Arabia and the United Arab Emirates. In the Asia-Pacific region, an estimated 120,000 people are migrating to urban areas daily. With that kind of movement, the number of people living in urban areas is expected to increase by 63% by 2050 in that region.

According to the UN Refugee Agency, by the end of 2014, 59.5 million individuals had been forcibly displaced as a result of persecution, conflict, generalized violence or human rights violations. This trend continued, and may have even intensified, in 2015, with exceptionally large numbers of refugees and migrants arriving in Europe, a majority of them from Syria and other conflict-affected places.

United Nations have made the following agendas to deal with migration related problems and to achieve sustainable development:

- Respect the human rights of all migrants, regardless of their migration status
- Take into account the vulnerabilities of migrants, refugees and internally displaced persons
- Recognize the contribution of migration for global sustainable development
- Address forced displacement and humanitarian crises
- Promote international cooperation

- Strengthen the resilience of host communities
- Support the rights of citizen to return to their country of origin

One of the most significant changes in migration patterns in the last half century is that more women are migrating on their own than ever before. Women now constitute almost half the international migrant population, and in some countries, as much as 70 or 80%.

Status in South Asia

According to [Situation Report on International Migration in South-East Asia](#), over half the world's population lives in the Asia-Pacific region. In 2005, Asia hosted 53 million out of the world's 191 million migrants according to the United Nations Department of Economic and Social Affairs. In the 1970s and 1980s, international migration from Asia grew dramatically. The main destinations were North America, Australia, and the oil economies of the Middle East. Since the 1990s, migration within Asia has grown, particularly from less-developed countries with massive labor surpluses to fast-growing newly industrializing countries.

Indeed, all countries in Asia experience both emigration and immigration. The major destination countries throughout Asia are Brunei, Hong Kong, Japan, Singapore, South Korea and Taiwan. Whereas, the major source countries are Bangladesh, Burma, Cambodia, China, India, Indonesia, Laos, Nepal, Pakistan, Philippines, Sri Lanka, and Vietnam.

Migration in Nepal

In recent years, there has been a steady pattern of migration in Nepal from the hill and mountain regions to the Terai. The 1981 Nepalese census indicated a pronounced shift from a mountain-rural to a plains-urban society. It is estimated that 60% of Nepal's population is concentrated in the hill and mountain regions, while 60% of

farmland is in the Terai. The migrants hope to make a better life for themselves by moving to the agricultural hub of the country. However, these migrants are having difficulty finding affordable land. This massive movement is causing a great deal of tension in the Terai.

Over the past decade, Nepal has experienced a sudden and dramatic increase in migration for employment to various destination countries. As more and more Nepali citizens depart for foreign jobs, regulators and stakeholders face new challenges in managing the migratory cycle and ensuring that the well-being and rights of all migrant workers are safeguarded.

In 2004, one million Nepalese worked abroad (World Bank 2004); between 1996 and 2004 remittance inflows soared from 3% of GDP (US\$203 million) to 12% of GDP (US\$794 million), mainly driven by labor migration to the Gulf and Southeast Asia, where earnings are much higher than in India. The proportion of households receiving remittances also increased from 24% to 32%. The study showed that almost half of all hill households interviewed received remittances, and these represented close to 35% of their income.

According to Centre for the Study of Labor and Mobility, 331,880 workers have gone abroad for work from western development region, 121,911 workers have gone from eastern region, 107,631 from central development region, 106,035 from far western development region and 94,724 from Mid-Western development region. Gulmi is the district with the highest number of foreign workers (44,848), followed by Syangja (40,195) and Kalikot is the district with lowest number of workers going abroad (136).

Migration Policies and Surveys in Nepal

There are several policies in action in Nepal to control and regulate migration. These

policies can be listed as: Foreign Employment Tribunal Rules (2011); Foreign Employment Policy (2012); Foreign Employment (First Amendment) Rules (2011); Foreign Employment Rules (2008); Foreign Employment Act (2007); Foreign Employment Rules (1999); Foreign Employment (Second Amendment) Act (1998); Foreign Employment (First Amendment) Act, (1992); Foreign Employment act, (1985); Immigration Rules, (1994); Immigration Act, (1992); Labor Rules, (1993); Labor Act, (1992); Bonus Act, (2030); Child Labor Act, (2000) and Trade Union Act, (1992).

The Government of Nepal has signed bilateral labor agreements with five major destination countries, namely the Kingdom of Bahrain (29 April 2008), the State of Qatar (21 April 2005), the United Arab Emirates (3 July 2007), the Republic of Korea (23 July 2007) and Japan (2009). The government is also taking into consideration signing labor agreements with Oman, Lebanon and Malaysia. Likewise, there some surveys have also been conducted to document the migration movement. Some of these surveys are: National Population and Housing Census, Nepal Labour Force Survey, Nepal Living Standards Survey, Demographic Sample Survey, among others.

Existing Issues and Challenges

Migration is expected to expand the choices of people with regard to employment, income generation, accessing services and participation in social development. However, the opportunities available to Nepalese are minimum for they are not endowed with skills needed to enjoy the best of the choices available and possible in all of the above. The key challenges could be categorized into Life and Health, Wages and Abuses. Survival, health related problems, heat stroke, accidents, sanitation and proper shelter, insurance and minimum safety net, many forms of exploitation and sexual abuse of women are major challenges of Nepalese workers living abroad.

Numerous cases of intolerable sufferings of the Nepalese migrant workers have been highlighted in many news reports and studies. It is a bitter reality that Nepalese workers are accepted in East and South East Asia as well as in the Gulf region primarily because they are cheap and they do whatever job they are given. In terms of wages, Nepalese workers are the worst paid in the Gulf. They receive US \$125-200 per month. The low pay is not just an example of exploitation but most of the times the reason is the lack of education, knowledge and skill. Nepalese migrant workers are mostly unskilled and lack proper language training. Desperate and poor, they are compelled to receive low pay and are at high risk of abuse and neglect. Nepalese newspapers often carry news of migrant workers being denied their salary, forced to live in inhumane conditions and sometimes abused and exploited physically are some of the challenges that need to be addressed as soon as possible.

Current Programmes/Interventions

Various organizations have been working in the field of migration in Nepal. Organizations like International Organization for Migration (IOM), Nepal Association of Foreign Employment Agencies (NAFEA), International Labor Organization (ILO), POURAKHI, Pravasi Nepali Coordination Committee (PNCC), among others have been actively participating in understanding and addressing the issues related to migration in Nepal. These organizations have conducted various programmes to help workers and avoid problems of migration. Some of the areas of intervention by these organizations are as follows:

- Control and Regulate International Migration for Nepalese Workers
- Helping Returnee Women Migrants
- Safe Migration and Rescue Mechanism Initiatives
- Advocacy for Human Rights of Migrant Workers

- Health checkups for workers preparing to go abroad
- Establishment of Migration Resource and Counselling Centers
- Media mobilization and policy advocacy
- Safe migration of women
- Protection and promotion of workers' rights
- Assistance and counseling to labor going abroad

Existing Policy and Implementation Gaps

Although the government established structural mechanisms to protect the rights of migrant workers, there are definite gaps such as the point of contact for foreign employment not being migrant friendly. Due to the large numbers of workers applying to go abroad, the Department of Foreign Employment is congested and short-staffed. Prospective migrants find the formal process to receive the labour permit cumbersome, with many hidden costs. The inquiry and investigation process for complaints are typically conducted without any standard operating procedure. This has led to inconsistencies in handling individual and institutional complaints.

This has however, improved significantly with the shift of certain functions of the Department to the new Labour Village and will be improved further as more and more services will be linked and introduced to the Labour Village.

There are long gaps in the processing of requests from abroad for migrant workers and issuing the labor permit. The information regarding the details of available jobs that are advertised in Nepal does not match the information provided for the labor permit – such as the name of the employer and the terms and conditions of employment. In such a context, fraud or deception is possible because often the institution mentioned in the initial approval notification is not the same as what is stated in the final appointment letter. The job description, wage rate and the name of the

recruiting agency often do not match what is in the contract signed before applying for the labor permit. These gaps in the Department of Foreign Employment processes increase the chance of fraud and malpractice and allow recruiting agencies freedom to operate as they like.

Due to the large number of members in the Foreign Employment Promotion Board, regular meetings are not taking place because of the difficulty in agreeing upon the same time. At the same time the secretariat lacks the human resources to oversee all of its activities. The Foreign Employment Promotion Board and Department of Foreign Employment are located in Kathmandu and do not have offices at the district level; it is difficult to implement activities (promotional and orientation, including skills training) outside of Kathmandu and closer to where prospective and returned migrants live. The responsibility of exploring safe and decent destinations and frbeing informed on the nature of grievances and distress that migrant workers experience is still a challenge due to lack of institutional capacity and lack of human resources.

The Foreign Employment Promotion Board has a big challenge to prevent fraud, deception and abuse (physical, sexual and psychological violence) in relation to foreign employment and to ensure that migration is safe, dignified and decent. The Board has representation from foreign employment institutions, but it has not successfully promoted good practices among the recruiting agencies in promoting fair, transparent and systematic recruitment.

Way Forward

There are various problems faced by the migrant workers both in home country and the country of destination. Unless addressing the problems of migrant worker at policy level, solution is far behind. Nepalese Government on the one hand is not capable enough to the proper implementation of existed policy and the

other there are several things to do to the regulation and management of foreign labor migration.

Basic things that are found to improve are amending the existed laws, promotion of labor market through the labor diplomacy, management of manpower agencies and welfare activities to the best benefit of labor migrants.

The situation of women migrant workers is found more vulnerable as compared to men migrant workers. The existing law in itself is found to be discriminatory towards women and issues of women migrant workers are not considered sincerely. Even though, migration of women in foreign employment occupation has assisted to the economic empowerment of female to some extent.

Manpower agencies are almost unfair about their business dealing with the workers and their professionalism is questionable. The role of trade union organizations is also found ineffective to address the issues of potential labor migrants in home country as well as in the country of destination. Categorization of manpower companies is very essential at present context. Companies with better grade should be awarded or get incentive from the government that assist to promote their business in an organized way. The incentive can be tax-free, recognition of authorized manpower agency for a certain period of time and authority to handle the monitoring work of labor migrants in abroad. Specialization of manpower companies is also very much essential. Government has to design such a policy that permits the manpower companies to supply workers either in a single country or for specific work.