

CHAPTER - I

INTRODUCTION

This Chapter deals with General Background of the Study, Statement of the Problems, Objectives of the Study, Significance of the Study, Limitations of the Study and Organization of the study respectively.

1.1. General Background

The time of life when a person is young, especially the time before a child becomes an adult is called youth. According to WHO, Youth are the young people between 10 – 20 years of age. Youth are those young populations who are physically fit, mentally alert and socially adjustable. Youths are taken as the most active population because they are mostly responsible for the rapid progress and development of the country. Youth people are the integral part of the society with both challenges and potentials. Youth 'in my opinion' is the pillar of the nation. Adolescents and youths are synonymous to each other. These groups of people are special concern to policy makers simply because the basic needs for these populations such as health, education, employment etc programs need to expand to meet the needs of these growing populations. These are also important from the demographic point of view since they are potential for the future development of other groups of people. It is also argued that youth are opportunity oriented and they move for opportunity and this is also the case in Nepal that youth are more mobile to the urban centers first and then travel abroad. Due to the strict less law such youths are migrating abroad for the working purposes. To labour hard in the international countries, has become the part of their life and such trends are following by the coming youths of the country.

'Migration' itself is a clear and a vital demographic word in population studies. Being as a population student, it is very important to know about these terms. Population from one place to another is a usual phenomenon since from the development of human civilization. The migration in the beginning was for the sake of food and exploring new places for security and integrity of people. But, gradually the migration took the shape in diverse form and now has become a very essential and common in each and every aspects of the world of the human movements.

Migration is one of the dominant demographic variables along with fertility and mortality. It affects not only population size, it also affects in its structures and characteristics. Because of its complexity, migration is not easy to define. However the UN Multilingual Demographic Dictionary defines Migration as "a form of geographical mobility or spatial mobility between one geographical unit and another, generally involving change in residence from the place of origin or the place of departure to the place of destination or place of arrival", (UN, 1973: 172).

The movement of individuals or groups which involves a permanent or semi-permanent change of usual residence is termed as migration. Internal migration and international migration are two broad division of migration. Internal migration is the residential mobility of peoples from one geographical unit to another within the same country, whereas international migration refers to the migration across national boundaries.

The two key factors: ("**A. Push**" and "**B. Pull**" factors are those factors which either forcefully push people into migration or attract them) drive migration and will continue to fuel this kind of movement for many years.

A. **A push factor** (Not enough jobs, Few opportunities, "Primitive" conditions, Political fear, Poor medical care, Not being able to practice religion, Loss of wealth, Natural Disasters, Death threats, Slavery, Poor housing, Landlords, Bullying, Poor chances of finding courtship etc) is forceful, and a factor which relates to the country from which a person migrates. It is generally some problem which results in people wanting to migrate.

B. **A pull factor** (*Job opportunities, Better living conditions, Political and/or religious freedom, Enjoyment, Education, Better medical care, Security, Family links, Better chances of finding courtship*) is something concerning the country to which a person migrates. It is generally a benefit that attracts people to a certain place.

So, the Push and Pull factors are usually considered as north and south poles of a magnet. Migration is purely a socio-economic phenomenon, which is the result of a complex mechanism involving social, physical, political, institutional and other determinants. However, migration is guided by individual behavior and decision because it is not possible to determine that people with similar demographic, social and economical characteristics migration factors.

Talking about the International migration, immigration and emigration are the two important terminologies. Immigration refers to the process of entering into the country from another country and emigration refers to the process of going to another country. The study refers to the emigration of population especially for the labour purpose. International labour migration is one of the integral components which are concerned with the movement of people across national boundaries to become involved in foreign services and job opportunities. Especially labour migration takes place from less developed countries to most developed countries for future prospects. Millions of peoples from around the world, especially from the developing world are leaving their usual place of residence for seeking better employment opportunities and supply food for their dependants. Globalization and integration of regional economics have added impetus to the growing mobility of workers across the world (*Seddon et al. 2001*).

Economic, Political and cultural interrelations play a vital role in the flow of people between one country to another. In its diverse types, international migration is linked to such interrelations which are affected by the development process. Seeing the trends of the migration, most of the people from under developed, economical crisis, political instability and combined with the absence of peace and security, human rights violations countries etc are all factors affecting international migration.

An alarmingly large proportion of labour migration occurs illegally, aided and abetted by a clandestine and often criminal industry. Increasingly, governments of both sending and receiving countries are developing regulatory mechanisms to manage labour migration. These include selective recruitment policies by countries needing labour, strong marketing and overseas employment strategies by countries supplying labour.

For some countries of destination, labour migration, particularly of the highly skilled, is more than a temporary manpower adjustment strategy; and can have long-term implications for immigration. For countries of origin, it can support development, for example through remittances. The private sector can play a key role in making labour migration demand-driven in destination countries, and in recruiting workers in countries of origin.

It is estimated that the number of international migrants in the world including refugees is in excess of 130 million and about half of them are from the developing countries. The trends of brain drain from the economically poor countries are increasing gradually towards the developed countries, so the international migration entails the loss of human resources for many countries of origin and may create the political, economical and social tensions in the countries of destination. The impact of migration on the host society and its effects on country of origin, more effective use can be made of the potential contribution that expatriate nationals can make to the economic development on their countries of origin (*ICPD, 1996*).

By observing the trend of labour migrants, it seems that most of them are either unskilled or semi skilled and a few portion of them are highly skilled. According to non-government group, there are over 19 million Asian migrant workers in Asia and over 25 million Asian migrant workers working across the world. At least half of the migrant workers are women and many are in domestic work, the entertainment industry and also in irregular woks (*Marwan Macan-Marka, IPS, 2003*).

Keeping eye on Nepal about Labour Migration, which is suffering from the lack of proper employment and income generating opportunities, the Labour migration is greatly recognized. Due to poverty, huge competitions on job among youths, complicated labour markets, different rules, laws and lack of proper employment opportunities; Concerning these factors, huge amount of Nepalese youths are daily heading towards foreign countries employments to achieve better jobs alternatives to sustain their family life and to fulfill their desire and dream of lifetime opportunities. So, creating opportunities for income generation, employment is indispensable from poverty alleviation. In this context, maximum number of Nepalese youths needs to assimilate in the mainstream of economic development through their skill developments and providing domestic and foreign employment opportunities.

A huge number of Nepalese workers are going abroad to work in the absence of fruitful local employment opportunities. Migration is nothing new to Nepal, and the total stock of Nepalese nationals working overseas (excluding about one mission in India) in different capacities is estimated to be about half a million (*ILO-DFID 2002*). The history of formal entrance of Nepalese citizens in foreign employment begins in 1814-1815 after the Nepal-British India war. A total of 4,650 Nepalese youngsters were recruited to the British armed forces as a British-Gurkha regiment.

The migration of Nepalese people for other employment purpose begins to work in the tea states of Darjeeling and forest of Assam by the second half of the 19th century. Economic migration to the Middle East from South Asia and other parts of the world was spurred-on by the oil boom in the early 1970s. The reasons behind the migration are almost same in Nepal as other parts of the world. Existing poverty, limited employment opportunities, deteriorating agricultural productivity, armed conflict are some of the reasons about the motives behind international labour migration. There are many villages in Nepal where the labour migration has been established as a culture of community to go aboard for work for a while and return back with some money and experience of placement in different geographical location. The influence of friends, relatives and well wishers has also played a prominent role to the promotion of international labour migration.

The current uncertain political situation of the country has made people displaced from their usual place of residence and the alternative means of employment for displaced youth is established as foreign employment. The current political situation has also limited the developmental activities throughout the country and expansion of industries to be stopped. The remittance that country receives each year is not used in productive work. Most of the amounts are being spent on household expenditure, health services, education for the children and constructing new houses, other essential maintenance work and pay back loan taken by the migrant workers. It is seen that neither our government nor the migrants have appropriate vision to invest their earning in the productive work.

So, it is essential to update the labour administration to consolidate the rights, interests and protection of the labourers of industrial enterprises and other sectors. Until 2007, more than 5,32,083 Nepalese youths were involved in foreign countries employments (*DOI: 2007*). In the long term vision of National Plan, labour force can be supplied to the domestic as well as the international markets. In the context of the globalization and liberalization for which required numbers of competent, skilled, creative, competitive and high quality manpower will be developed by calculating the necessary labour force in different sectors of the economy. The 10th has the long term vision of promoting industrial peace, healthily and safe working environments and enhancing the dignity of the labours by assisting in poverty alleviation and millennium goals of developments of the country.

1.2 Statement of the Problem

In 2007, International labour migrants represent only 2.9 percent of the global population. The UN population Division had estimated that the migrant population in 2005 was 205 million, whereas in 2000 was 175 million where half of them were female, i.e., 48.6%. However, the socio-economic and political visibility of migrants, especially in highly industrialized countries is much greater than this percentage would suggest. Regular migrants are not likely to put a great burden on health and welfare services than host population as they pay taxes. Irregular migrants, who run the highest health

risks, less likely to seek medical attention, this does not only poses risks for the health of the migrants, but also a public health concern and can contribute to fueling sentiments of xenophobia and discrimination against all migrants (IOM, 2007).

Many concerns that surround migration, such as loss of jobs, lower wages, increased welfare costs and the belief that migration is spiraling out of control, are not only exaggerated or unfounded but contrary to evidence. The first ever comprehensive study looking at the costs and benefits of international migration, there is ample evidence that migration brings both costs and benefits for sending and receiving countries, even if these are not always shared equally. The International Organization for Migration (IOM), Director General Brunson McKinley says that, "We are living in an increasingly globalize world which can no longer depend on domestic labour markets alone. This is a reality that has to be managed. If managed properly, migration can bring more benefits than costs."

Migrant workers are aliens. This may, on this account alone, be the targets of suspicion or hostility in the communities where they live and work. In most cases, financially poor, they share the handicapped economy, society and culture of the least-favoured groups in the society of the host state. Discrimination against migrant workers in the field of employment takes many forms. These include exclusions or preferences as regard the types of jobs which are open to migrants and difficulty to access to vocational training. Different standards are often applied to nationals, on the one hand, and migrants, on the other, as regards job tenure, and contracts may deprive migrants of certain advantages.

Cases are cited of legal and administrative rules which have forced migrants to remain in certain occupations and specific regions, as well as inequalities in pay. Migrant workers are known to be excluded from the scope of regulations covering working conditions and have denied the rights to take part in trade-union activities.

International labour migration has become an important sector in Nepal at present. In the past few years, Nepalese youths are rapidly increasing in foreign labour

migrants due to the lack of proper employment opportunities, political uncertainties, and poor economic conditions of the country and expensive living life etc which are also the causes of migration towards foreign countries. Most of the migrants are from the rural areas. Lack of job and employments opportunities have compelled the households in village to go for foreign employments.

Likewise, the household collects money for this purpose by mortgaging and selling their land, properties and taking loan with high interest rates because of illiteracy and scarcity of appropriate skills which results them to work for low salary. Cases of betrayal and cheating by the manpower companies and local brokers have emerged as some serious problem related with foreign employment. However, the attractions of working abroad are usually due to the higher income than that available in Nepal. But working conditions and the social context within which immigrants live and work are also under considerations. Employment in the Gulf countries generally involves hard physical work in constructing and under difficult working conditions; the social context is often restrictive and even hostile. The danger of physical and even sexual abuse is very likely to women migrants to the Gulf countries. Male migrants also experience the physical and psychological effects of work, i.e., often dirty degrading and dangerous. Despite this, the number of migrants to the gulf countries has increasing day by day. It is not only in the gulf, but also in Korea, Kuwait, Singapore or Saudi Arabia. The risks and the hardship are increasing.

Malaysia, Korea, UAE and Israel have also recently emerged as a popular destination for Nepalese youths. During 1999/2000, there were reports of more welcoming attitude towards Nepalese Youth immigrants' labours. In 2007, it was shown that the departure migrant workers are increasing sharply up to 5,32,083 from Nepal towards foreign countries. It seems that Qatar, Malaysia, Korea, UAE, Israel employers' have given priority to Nepali Youth workers because of their diligence. In 2006, the Qatar government's labour agreements with Nepal and in Feb. 2001, Malaysian Govt. officially opened their labour migrants to Nepalese Youths so far. In the context of Nepal, International labour occupation has been developed as an emerging business, but the business has not reminded as a dignified professions at all. The reports about irregularities in foreign labour migration problems faced by potential labour migrants

before and after their departure for foreign employments are not properly address for the policy level.

Migrant workers have to face numerous problems while they make decision to migrate abroad as an employee for foreign employment. Migrants take a blind decision to migrate for work without any consideration of actual income that they receive in the country of destination. Similarly, they have to face problem to find sufficient money that should be spent for going abroad and the only way to get money is through the local feudal with high interest rate. Government, except some causes, has special provision to provide loan in subsidies interest rate. Beside that, information is lacking in each and every step for potential labour migrants. Most of them are not aware where they are going, what work they have to do, and the actual cost they need to spend to go for work and other social and cultural information about the country of destination. As a result, there are numerous realistic stories of the suffering of Nepalese migrant workers abroad. It is believed that Nepalese workers are accepted in east and south Asia as well as in gulf countries only because they work in cheap and they do whatever job given to them. Most of the migrants are educated from middle and lower middle class families who go abroad with the hope of earning much within a short period (*Rimal,2004*).

Most of the migrant workers in abroad are working in a vulnerable situation without any effective legal protection by the Nepalese governments as well as the receiving government. The exploitation made by the foreign companies in the work places is reported several times but no specific labour diplomacy has been adopted by the Nepal government except some cases. Workers are not allowed to work in each and every country around the world but we have several serious cases about the pathetic situation of the Nepalese migrant workers who are working in the unauthorized countries without any legal and social protection by host countries. The massacre of twelve Nepalese workers by an extremist group in Iraq on august 2004 can be taken as a good example of that. There are many other cases where illegal Nepalese workers are kept in prison for a long time in charge of both fake and genuine cases. But our

government is not adopting proper political diplomacy to rescue them and assure their safe return to the homeland.

While observing the government policies and programmes, it is found very few citations lacking to protect the rights of the migrant workers and assure their safe migration in the country of destination. Government has made promotional policy regarding foreign employment but at the same time less attention has been paid to provide services and facilities in the home ground. Some of the provisions mentioned in the foreign employment act 2064 (2007) are like controlling the foreign employment business rather than promotional one. The legal jurisdiction and responsibilities related to labour has expanded notably as per the policy on labour administration, act and laws, but there has been no implementation of the provision relating to labour laws as expected due to lack of manpower expansion and development of infrastructures.

Likewise, incompatibility between the demand and supply of skilled manpower in the market, lack of required level of communication between the labour administration and management, absence of good relations and mutual trust among the labour administration, management and laborers, lack of improvement in industrial relations in most of the industrial enterprises due to absence of organizational management as provided by the law etc, are the other different problems.

So, this research under the title of "International Labour Migration: Causes and Consequences of Nepalese Youths" has been conducted to identify the major causes and consequences of international labour migration of Nepalese Youths including the flow, level, trend and concentration of Nepalese youths migrants excluding India. This research has also approached to evaluate the existing government policies and programmes to the regulation of international labour migration.

The research is primarily based on the secondary source of information where some of the key observations of the research are also based on the primary source of information obtained from the key informants, observing the key government

documents and the documents published by United Nations (UN) and other international agencies.

In the observation, part of the research volume and trend of international labour migrants and remittance has been analyzed. Similarly, the key aspects of Foreign Employment Act 1992 and its amendment in 2007 have also been included. The analysis of National Labour Act and other government policies and programme included in different budget speeches are also observed in the same section. The relevancy of International Convention on the Rights of the Migrant Workers and other international conventions for the protection of migrant workers are also observed due to the importance of international policy in the national context. Finally, the major findings, conclusions and recommendations are also presented as key aspect of the research.

1.3. Objective of the Study

The general objective of this research is to identify the "Causes and Consequences of Nepalese Youths" on the prospects of International Labour Migration in foreign countries evaluating the existing government policies, youths priorities, popular destinations and programmes in this field. The specific objectives of this study are:

1. To analyze the causes and consequences of Nepalese youths depending on the international labour migration in foreign countries.
2. To identify the flow, level, trend and concentration of Nepalese migrant labours excluding India.
3. To identify the problems and challenges, that is faced by Nepalese migrant workers both in home country and the country of destination.
4. To evaluate the existing government priorities, policies and programmes in the context of Nepal and,
5. To recommend, suggest for appropriate amendments in the existing laws, policies and the priorities of the government and private sectors as well.

1.4. Significance of the Study

International labour migration is burning issue today, but very few studies were conducted in the past about this sector in Nepal. While observing the past research documents, it seems that most of the studies are very specific to provide information on the status of international labour migration of Nepalese youths in foreign countries. Some of the studies have only focused on remittance, where some other are only highlighted the issue of female migrants' workers. Articles written by different scholars are not very much updated, even in the long year's gap and that is because of the lack of proper information. So, this study generalizes the issue of Nepalese youths on the prospects of international labour migration and provides updated current information regarding the status of the international labour migrations.

This study provides the information about the situation of international labour migration, including flow, level, trend and concentration of Nepalese youth labour migrants, excluding India. It also focuses on Causes, consequences and problems faced by Nepalese workers while taking the aim to go overseas. It emphasizes the Nepalese Govt. priorities, policies and programs on labour migration, for them who are interested to know about it.

So, it could be said that it is an depth studies on the issues of international labour migrations on specific with Nepalese youths, So the recommendation and the suggestions of this study will be useful for the concerned authority to establish better priorities, policies and programmes to manage and regulate the international labour migrations of the country.

1.5. Limitations of the Study

Due to the various constraints, this study is focused to analyze the Causes and Consequences of Nepalese Youths in the field of International Labour Migration. Having outlined the objectives, statement of problems and methodology of the study, brief note on its principal limitation of the research study are as follows:

- In the context of Nepal, data problem is acute in corporate and government level. Related sector still is unable to provide required data. Very few information were

found in the websites and in other printed media, my approaches in the concern authorities was not perfect to do a complete study in this vague subject. There is not any systematic data base which makes it difficult to carryout on any research in Nepal; this problem is also incorporated with this study.

- This study is properly based on secondary data as well as some primary data are also used. Secondary data has its own limitation, and primary data were collected by the questionnaire so the respondent, sometimes, may not be willing to give exact opinion. And some of the questionnaires were returned by the respondent with incomplete responses.
- This study has only covered the causes and consequences of international labour migration with flow, level, trend and concentration of labour migrants excluding India and evaluation of existing government priorities, policies and programmes. Although, there are thousands of migrant workers currently residing in India and working in vary vulnerable situation.
- Survey investigations were conducted through sampling method, so always sampling may not represent the population thought.
- The regression results were based on limited period and it was difficult to represent actual result.

1.6. Organization of the Study

The studies are organized into six chapters, each devoted to some aspects of the study of *"International Labour Migration: Causes and Consequences of Nepalese Youths"*. The chapters i.e. one to six consists of Introduction, Review of Literature, Research Methodology, Presentation and Analysis of secondary data and current existing National and International government policies and laws, Presentation and Analysis of primary data of causes and consequences of labour migration of Nepalese youths, Summary, Conclusions, Suggestions and Recommendations respectively. To

follow a simple research methodology, it is rationales behind this kind of organization of the study are as:

Chapter - One

It deals with the introduction to the topic "*International Labour Migration: Causes and Consequence of Nepalese Youths*". This chapter includes general background, statement of problems, objectives of the study, signification of the study, limitations and organization of the study.

Chapter - Two

It includes a discussion of the conceptual framework and review of major empirical works. The conceptual framework analysis and review of related literature incorporated in this chapter provides a strong framework for next chapters including an overview of international migration, international labour migration in the world, Asia and Nepal.

Chapter - Three

It describes the research methodology employed in this study. This chapter deals with research design, nature and source of data, selection of enterprises and method of analysis techniques are also included in this research.

Chapter - Four

It deals with the empirical analysis of the study which analyzes the flow, level, trend and concentration of Nepalese labour migrants in abroad including causes and consequences of labour migration with the problems and challenges faced by the workers in country of origin and countries of destination.

Chapter - Five

It examines the existing government priorities, policies and programmes in this field.

Finally, Chapter - Six

It summarizes the whole research study and mentioned suggestions, recommendations, conclusion of the study. This chapter is presenting the major findings in comparison with theory and other empirical evidence to some extent possible. It also offers several directions for future research on "*International Labour Migration: Causes and consequences of Nepalese Youths*".

CHAPTER - II

REVIEW OF LITERATURE

This chapter deals with the review of an overview of international migration including International Labour Migration in the world, Asia and Nepalese context. Migration related theories and researches are carried out in this research, both in international and national levels. The whole review is divided into two sections as theoretical literature and empirical literature including Causes and Consequences. After than a brief overview of migration related policies and laws are analyzed in terms of international boundary. Then, conclusion is drawn which is the conceptual framework of the study. Finally research questions are set on the base of this literature and conceptual framework.

2. CONCEPTUAL REVIEW

2.1. An Overview of Labour Migration

Over the past three decades, policies in the area of labour migration have developed along four major paths: growing restrictiveness and selectiveness in the admission of labour migrants in developed countries; a significant increase in the number of countries, particularly developing countries that have become host to foreign workers; the rising recognition that the rights of migrant workers and their families need to be protected and; the adoption of regional agreements on the free movement of persons (*UN, 2002*).

Globalization of integration of regional economies has added impetus to the growing mobility of workers across abroad. In Asia, the movement of labour is becoming an important and enduring phenomenon associated with economic growth and development since it eases skill imbalances in labour markets and provide broad cultural and economic benefits for sending and receiving countries. Migrants' remittances, for example, are now a valuable and stable source of foreign exchange to many origin countries. At the global level, the importance of migration to development is

now reflected in the fact that it has become the part of agenda of multilateral institutions, as for example in the trade negotiations within the framework of General Agreement on Trade and Services (GATS).

While market forces are driving labour migration, there are several signs of market failure associated with its related processes. A number of risks have been associated with migration including trafficking and forced labour, recruitment malpractices such as fraudulent job offers and exorbitant placement fees, debt bondage, sexual and physical harassment, employment in hazardous jobs, and under or non payment of wages. Experience suggests that state intervention through appropriate regulatory institutions and measures are essential to the efficient and equitable working of the labour market.

Recruitment malpractices, fraud and abuses are widespread in many Asian Countries. To combat them, government should have transparent systems in place for licensing and supervising private recruitment agencies. There should be stiff sanctions against fraud and against the practice of charging workers excessive placement fees, while providing incentive for good performance and cutting down lengthy bureaucratic procedures through such measures as establishing “one-stop” contract registration processing centers (*ILO 2003*).

Despite major barriers to migration, irregular migration has grown in recent years in Asia due to, among others, restrictive labour migration policies which are not in line with labour marker needs. There is consensus that irregular migration is undesirable and must be minimized particularly as it often results in putting workers in a position of vulnerability to violation of their basic human rights.

Until the First World War, international migration played a key role in the integration of economies on both sides of the Atlantic. After the Second World War, migration of workers contributed to economic and social integration between countries in South and North. During both these periods, labour went hand in hand with capital

mobility, and migration was key factor in the globalization of economies. International migration now seems to be excluded from the new process of globalization.

At the beginning of the twenty-first century, the total number of persons living outside their countries of origin worldwide was 175 million including 120 million migrant workers and their families according to the ILO estimates. It is estimated that 20 million African men and women are migrant workers and that by 2015 one in ten Africans will live and work outside their countries of origin. While migration is bound to grow and offers development opportunities for both countries of origin and destination as well as for individual migrant workers, ill-conceived or inadequate policies have led to a series of problems that are of direct concern to the International Labour Organization and its constituents (*UN, 2002*).

It is surprising to know that the larger share of international population movement is in developing countries. The refugee burden is particularly heavy in developing countries, which receive nearly three-quarters of all officially-designated refugees and untold numbers of other forced migrants. In addition, the developing world contains numerous magnets for economic migrants, including the newly industrializing economies of Asia; the oil-producing Middle East Gulf States; West Africa and increasingly South Africa; and the Southern Cone, Venezuela, and Mexico in Latin America. While international migrants represent only a small fraction of the world's population, the impacts of these movements can be larger compared to the numbers who move (*ILO: 2003*).

Who are these international migrants?

They include people who have moved more or less "voluntarily" (e.g., short and long term workers ranging from unskilled labourers to highly skilled "professional, technical and kindred" [PTK] workers), as well as those whose movement is in some sense "forced" (e.g., refugees and bona fide asylum seekers, and people who move for environmental reasons or "eco-migrants"). Including this spectrum, there are many migrants whose movement is a response to poverty and lack of employment at home.

Some are settlers, whose migration whether undertaken legally or illegally is essentially permanent; others have moved (at least initially) on a temporary basis. In general, migrants tend to be young adults. Again, it comes as a surprise to many that between 40 and 60 percent of all international migrants worldwide and over one half of refugees are women and girls. In some migration streams (such as those from Sri-Lanka and Indonesia to the Gulf States), the majority of migrants in the 1980s were women.

Increased attention to the volume and directions of international population movements has been accompanied by growing awareness that migration is linked often in ways that are poorly understood to the process of development itself. Developing countries, which both send and receive the majority of international migrants, are trying to understand better the role of migration in the development process. Industrial countries, for their part, are examining the ways in which their trade, aid, investment, and development assistance policies affect and are affected by international migration, especially from developing areas. In the case of migration, globalization and its dominating facet, foreign direct investment, may mean two opposing things. It can be viewed as the necessary complimentary between of movements of production factor labour and flows of capital and goods or, conversely, as an alternative to the movement of workers. In the first case, globalization would lead to the growth and diversification of migration flows, while in the second international trade and capital movements would substitute migration.

Beyond quantitative changes, the essence of new development brought in by globalization is the transformation of pattern of trades and productive systems. High skilled labours become more capital alike and are characterized through high international mobility, while movements of low skilled labour may become superfluous regarding rising capital portability.

Many developing country's governments encourages international labour migration, more often implicitly than explicitly. By providing employment for both unskilled and skilled workers, emigration offers an outlet for domestic frustrations that

might otherwise present serious political problems and can produce large inflows of valuable hard currency remittances. The consequences of international migration for development (of development on migration) in countries of origin and destination remain hotly debated.

Many countries around the world are facing rapidly changing dynamics of labour migration. Migration pressures are increasing in all regions of the world. Migrant workers are often still subject to severe forms of exploitation in recruitment and employment, to force labour, substandard housing, exclusion from social protection, and denial of many basic human rights. All too frequently, national migration policies, legislation and practices are outdated. Many governments acknowledge that existing law and practice are manifestly inadequate to assure effective management of today's labour migration conditions.

From 2000 to 2001, a number of governments in Central and South-East Asia, the Caucasus, the Persian Gulf and Latin America have asked the ILO to provide advice and technical assistance towards reformulation and modernization of labour migration legislation, structures, policies and practices. Our aim is to offer the relevant government a comprehensive review-analysis, recommendations package to address labour migration issues and needs, update legislation, policy and practices, and implement measures for effective management of labour emigration and immigration. The ILO International Migration Branch has the accumulated knowledge, expertise and framework to respond to these challenges. It, however, requires additional resources to provide adequate and timely cooperation to constituents.

2.2. International Migration from Demographic Perspective

The relationship between international migration and other demographic factors such as population size, population growth, age structure and internal population composition is neither simple nor deterministic. For example, popular views hold that high fertility in areas of migrant origin, juxtaposed with low fertility in areas of destination, is a major cause of international migration. Yet such differentials do not explain the greatest volume of migration, which is between developing countries, where

both origin and receiving areas are characterized by high fertility and youthful age structures. Nor do they explain the significant volume of migration from Eastern to Western Europe both regions of low fertility.

This is not to say that demographic differentials are irrelevant but rather that they create only the potential for international movement and are only one among many sources of migration pressure or inducement. In the case of developing countries, high fertility coupled with declining rates of infant and child mortality has produced very "young" age structures. It is after a substantial lag of 15 to 20 years, as these successively larger groups of children reach the age of labour force entry, that the "expulsive" force of high fertility might be felt. Unless job growth is sustained at exceptionally high levels, the labour market for young adults becomes saturated, and relative incomes decline for this segment of the population. Typically, this is accompanied by substantial rural-to-urban migration and, if circumstances permit, by follow-on migration to more favorable labour markets in other countries.

Similarly, low fertility in receiving countries may serve as a kind of inducement to international migration, if only indirectly and again with a long delay. In some countries with high in-migration, fertility rates are at extraordinarily low levels. In Germany, for example, the total fertility rate in 1993 was 1.4 children per woman; in Italy 1.3. Such low fertility rates may elicit pressures on governments from employers worried about future "labour shortages," or from politicians expressing collective fears of population decline, and may contribute to the adoption of explicit or implicit policies favouring openness towards substantial in-migration.

The magnitude of potential demographic pressures for international migration from developing countries is striking. According to ILO estimates made in the mid-1980s, in the two decades from 1970 to 1990, the economically-active population of the developing world increased by 59%, or some 658 million people. By comparison, the economically-active population in the developed countries increased by only 23% or 109 million people. Over the two decades from 1990 to 2010, growth of the economically-active population in the developing world is projected to be considerably

larger in absolute terms (733 million) and somewhat smaller in percentage terms 41% than over the prior two decades. In contrast, the economically active population in developed regions is expected to increase by only 50 million people, or 9%. Even if high fertility in developing countries were to decline to moderate levels tomorrow, the demographic pressures for migration would continue for several decades.

2.3. International Migration from Labour Perspective

In many countries of destination, international migrants are an important source of labour supply to ease manpower constraints and facilitate rapid economic growth. This was the case in Western Europe during the post-World War II years up to 1973-74; it continues to be the case in the Arab Gulf and in burgeoning Asian economies such as Malaysia's. The effects of migrants on the employment of natives continue to be a subject of debate, probably because those effects vary, not only by country but also by sector, occupation, and type of migration. For example, while there were little evidence of negative effects in selected U.S. labour markets (*largely because migrants and natives were complements*), one recent study showed negative wage effects among blue collar workers in Germany. However, empirical evidence on the issue is sparse, especially so for developing countries.

The costs and benefits of international migrants for social services and entitlements, similarly is hotly debated. On the one hand, migrants tend to have high rates of employment and where taxation systems function, of tax contributions. On the other hand, it is argued that migrants impose costs through their use of social welfare, health and education services. Studies of these issues yield conflicting results; most are confined to developed countries and few if any apply longitudinal cost-benefit methods of analysis.

Although labour migration has been limited for over 25 years in developing countries, the foreign labour force has significantly increased during this period. The apparent paradox point to the fact, in many developing countries, large number of

foreign workers entered the host country as family members-now the largest share of migration flows in OECD countries or refugees.

In a climate of growing policy restrictiveness, policies reflect an evolution towards greater selectiveness, favouring the groups of individuals and people who meet specific labour needs, such as those in science and technology, those with skills considered in short supply in the labour market, those who are able to bring in capital.

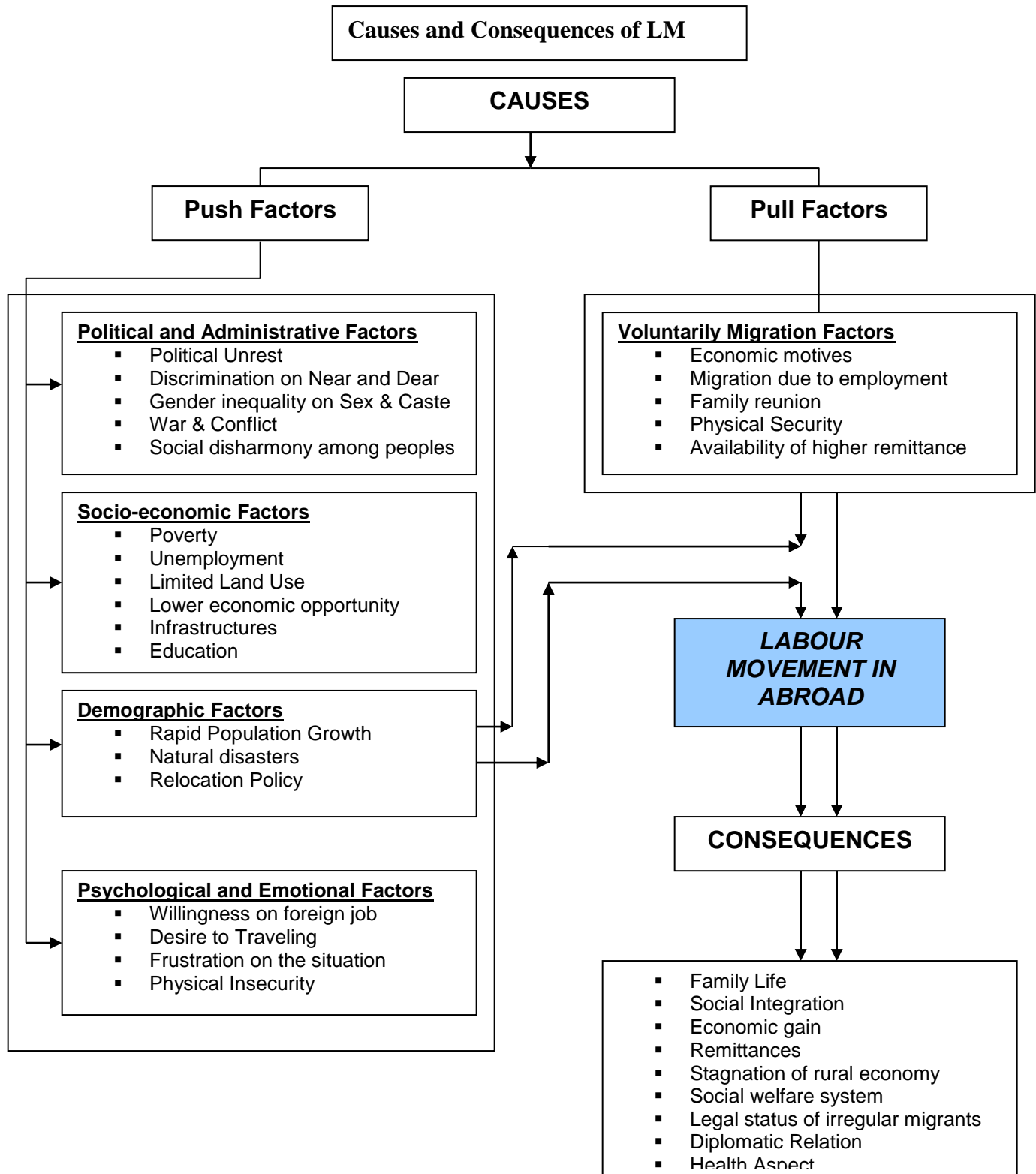
2.4. Causes and Consequences of International Labour Migration

The causes of international migration are multiple and for any given country, changes over time. Understanding those causes, identifying what if any issues they raise for migrants and their countries of origin and destination and determining appropriate and effective policy options for addressing such issues needs to be done on a country by country basis.

Consequences in countries of origin: Many developing countries' governments have encouraged international labour migration, more often implicitly than explicitly, for instance, Turkey, the Philippines, South Korea, India, Pakistan, Bangladesh, Sri Lanka, Jamaica, Cuba, Barbados, Mexico, El Salvador, and Nicaragua. Their reasons are multiple. Emigration can provide relatively well-paid employment, especially attractive for governments struggling to keep peace with rapid labour force increases. In some countries (Egypt, Sri Lanka and India are prominent examples), educational systems are producing numbers of highly-educated graduates far in excess of domestic demand for such persons. By providing employment for both unskilled and skilled workers, emigration offers an outlet for domestic frustration that might otherwise present serious political problems and can produce large inflows of valuable hard currency remittances. Moreover, some governments have welcomed, if not encouraged, the emigration of selected ethnic groups and political dissidents.

At the same time, sending country governments express concern that emigration deprives these nations of their best human resources, represents a transfer of educational investment from poor to rich countries and leads to abuses or exploitation

of their workers. Out migration can also pose the risk of rather serious and sometimes dramatic economic problems and the need to make sudden adaptations when migrants return unexpectedly and in large numbers, as occurred in the aftermath of Iraq's incursion into Kuwait in 1990. The mentioned chart can describe more about this as:



The consequences of international migration for development (and the effects of development on migration) in countries of origin remain hotly debated and poorly understood. The positive links are most clear over the long term, as illustrated historically by countries such as Sweden, Germany and Britain, and more recently by "transition cases" such as Italy, Greece, South Korea and Taiwan, all of which went from being countries of emigration to countries of in-migration. Over the short term (10 to 20 years), it has proven difficult to demonstrate empirically any "automatic mechanism" by which international migration results in development. At the same time, there is evidence that rapid and successful development may increase emigration in the short term.

Although the poorest seldom have the means to migrate, remittances have been shown to play an important role in poverty alleviation for migrant households and in sub-national areas of out migration. The consequences of remittances for income inequality depend greatly on the income composition of a given migrant stream. Inequality may increase if migrants are concentrated in upper-income households but may have a neutral effect where migrants are fairly distributed across income levels.

The consequences of migration for labour markets and human capital in countries of origin are multiple and most often context-specific. It has been difficult to demonstrate absolute reductions in unemployment as a result of international migration, but emigration does appear to play an important role in absorbing labour force growth. Whether or not emigration constitutes a "drain" of workers at any skill level sufficient to hinder the development process depends upon the availability of human and other resources to fill the gap. Similarly, migration may or may not contribute to the acquisition of skills abroad. It is more clearly evident, however, that migration and remittances improve the ability of migrant families to educate and provide health care for their children. Consequences in countries of Destination: Migrant-receiving countries are a heterogeneous lot, and generalizations about the consequences of international migration for them as a whole are difficult to make, especially given that migration patterns and reactions to them change over time and with changing circumstances. Arguably the most universal consequence is that

international population movements, however small can alter the ethnic, racial, cultural, and sometimes the political composition of receiving societies. While these diverse populations are often successfully integrated, they may also contribute to social conflict and, in extreme cases, violence against migrant groups.

2.5. Problems Faced by Migrant Workers in Sending Countries

In Philippines, there is little or no employment opportunity in the home country, or there is only an under-employment opportunity. Workers must pay a placement fee to a local employment agency or a special fee to their own home government. Workers often must borrow money at high interest to pay these fees.

Similarly in Thailand, there is need for pre-departure orientation programs for Thai workers who wish to go overseas for work. The Ministry of Labour does have programs in operation to facilitate the process. The problem is an insufficient budget for pre-departure orientation programs and proper administration. The bureaucracy set up to handle the growing number of interested Thai candidates for jobs abroad is also very complicated and the process is very time consuming. Thai overseas workers tend to be non-confrontational to employers, hard working, and docile so they are in demand. The Thai government actively promotes overseas jobs and tolerates the job brokers' involvement.

This has been further complicated by a burgeoning number of private job placement agencies that have found that it is very profitable to step into the system and offer their services to Thais who wants quick jobs abroad. These job brokers travel to village after village offering quick overseas employment and present a picture of instant wealth to villagers who are very vulnerable to their spiel. The condition for such employment, of course, is paying the broker a placement fee. The official fee is roughly 70,000 baht (US\$1,400) but, in fact, the amount being paid fluctuates according to the demands of the job broker and the gullibility of the job-seeking workers. Often the figure is closer to three times the official quota.

Contracted work overseas is rarely long-term. Usually the work contract lasts for two years. For the worker to recoup the amount of money paid to the broker as a placement fee a full two years is virtually essential and, even so, any meaningful profit requires a good deal of overtime work. There is much activity at present at the Ministry of Labour to update their procedures to be more relevant to the situation and more protective of the workers seeking overseas employment.

3. REVIEW OF RELATED RESEARCH WORKS

3.1. Frame Work

Very rare dissertations are found on the issue of Nepalese international labour migration even though the limited literatures and specification studies on this issue made a difficult task to perform. Despite of those lacking, this study tries to identify the features, characteristics, levels and trends of the Nepalese international labour migration on the one hand and the prevailing national and international policies existing on behalf of the rights of labour migrants abroad on the other. Based on the various theories, laws, and the social structure of the Nepalese society, the concept of this research work can be summarized in the following ways:

- ❖ According to the Neo-classical economic theory, Dual labour market theory and others, this research work aims to find out the demand and supply of labour from the low economies to the higher economies.
- ❖ It is also observed that the labour policies in different labour sending and receiving countries which can guide to evaluate the existing Nepalese policies on the issues of labour migration.
- ❖ The causes and consequences of international labour migration in different labour sending and receiving countries will also guide to contextualize this research in the Nepalese context.
- ❖ The history of labour migration in the context of Nepal is found to be an old phenomenon but the concentration of labour migrants has changed after the restoration of democracy in 1990. No proper policies were needed in the past but these days the voice for protecting the rights of the migrant worker from the national and international community has increased significantly. So, this search

work is intended to respect the international provisions on the issue of migrant workers and formulate better labour migration policies and programmes in the Nepalese context.

- ❖ The main concern of this dissertation is to reflect the reality of Nepalese international labour migration scenario and alert Nepalese government and concerned authorities to be more focused on the management of labour migration.

3.2. Previous Research Works on International Labour Migration

Various researches have been conducted internationally on the issue of international labour migration but in the Nepalese context, it is found that very few researches/studies have been conducted to analyze the overall situation of labour migrants. Some of the prominent one found during this research are as follows;

- ❖ George K. Zipf (1946), the reason that compelled the migrants to move.
- ❖ W.A. Lewis (1954), International migration is caused by geographic difference in the supply and demand for labour.
- ❖ Ter Heide (1963), Migration may be influenced not only by absolute geographical distance but also by technical distance.
- ❖ Simon Kuznet (1964), Outline how economic development could lead migration.
- ❖ Everett S. Lee (1966), Decision and process of migration is determined by four factors.
- ❖ G.G. Cain (1976), International migrations is caused by Push and Pull Factors in sending and receiving countries.
- ❖ Michael P. Todaro (1976), Migration is primarily an economic phenomenon for the individual migrant, where migration mechanism can be explained by the differences in 'expected' rather than 'actual' earnings between two places.
- ❖ Oded Stark (1991), the migration of labour with the processes of economic betterment and development.
- ❖ David Seddon of University of East Anglia has been involved in some research works on the issue of labour migration. His recent article in a website (www.migrationinformation.org) is published under the title of "Nepal's

dependence on Exporting Labour”. He has also been involved in other number of researches/studies in association with Nepal Institute of Development Institute (NIDS).

- ❖ Prominent Research Work by NIDS is “New Lahures” published in the year 2004.
- ❖ Similarly, UNIFEM, Govt. of Nepal and SAMANATA have conducted a rapid assessment social investigation under the tile of “Policies, Service Mechanisms and Issues of Nepali Migrant Women Workers” in the year 2003.
- ❖ Mr. Ganesh Gurung of NIDS has prepared a report on the “Patterns in Foreign Employment and Vulnerability of Migrant Workers” in 2002.
- ❖ ILO-DFID mission to Nepal on migration in 2006 was prepared a report for “Managing Foreign Employment in Nepal: Issues, Challenges and Strategies”.
- ❖ Prof. Dr. Bal Kumar K.C., in his different article on “Migration Poverty and Development in Nepal” published in Asian Pacific Migration Journal has also mentioned the issues of International Labour Migration.
- ❖ Prof. Dr. Bal Kumar K.C., CDPS, TU (1997), researched on migration situation in Nepal including internal and international, to access the nature and types of population movement, characteristics, cause, consequences and volume of migration in origin and destination based on primary source of data covering 75 administrative districts including 19,800 households.
- ❖ Prof. Dr. Bal Kumar K.C. (1998), studied on the situation of International migration in Nepal, as regard the main reason for emigration is quit different from immigration.
- ❖ Khatiwada, (2001), studied on "Causes and consequences of International Migration in Nepal" based on secondary source of MEBDC survey to access the nature and types of immigrants and emigrants including cause and impact of international migration.
- ❖ Prof. Dr. Bal Kumar K.C. (2003), analyzed that some resources are likely to seek foreign employment and some are likely to migrate within the country and subsequently add to the present level of poverty in their destination.
- ❖ Mr. Prakash Bhattarai, (2005), studied on Migration of Nepalese Youth for Foreign Employment: Problems and Prospects (A review of existing government policies and programmes).

- ❖ In 2006, the ILM Department published the following: Glossary on Migration (Arabic, Spanish and Slovene); R. Cholewinski, R. Perruchoud, E. MacDonald, International Migration Law: Developing Paradigms and Key Challenges, to be published February 2007 by Asser Press Publishers; R. Perruchoud, K. Tomolova, Compendium of International Migration Law Instruments, to be published in early 2007 by Asser Press Publishers.
- ❖ On 17 March 2006, the Migration Law Database was officially launched in three official languages: English, French and Spanish (*available at www.iml.iom.int*).

4. REVIEW OF EMPIRICAL WORKS

4.1. Theories Regarding International Labour Migration

There is no single, well-developed theory of international migration. In view of this state of the art and the recent growth in trans-border population movements, the International Union of Social Scientists in Population (IUSSP) has formed a Committee on South-North Migration, which is systematically examining international migration theories, their assumptions, supporting evidence, and policy implications.

Among the various models attempting to explain why international migration begins, five major approaches can be discerned:

- a. **Neoclassical economics macro theory:** This (arguably the body of theory most familiar to World Bank staff) views geographic differences in the supply and demand for labour in origin and destination countries as the major factors driving individual migration decisions. Among the assumptions of this model are that international migration will not occur in the absence of these differentials, that their elimination will bring an end to international movements, and that labour markets (not other markets) are the primary mechanisms inducing movements. Government policy interventions affect migration by regulating or influencing labour markets in origin and destination countries.

- b. **Neoclassical economics micro theory:** This focuses on the level of individual rational actors who make decisions to migrate based upon a cost-benefit calculation that indicates a positive net return to movement. In this approach, human capital characteristics that raise the potential benefits of migration, and individual, social, or technological factors that lower costs, will lead to increased migration. Differences in earnings and employment rates are key variables, and governments influence migration through policies that affect these (e.g., through development policies that raise incomes at the point of origin, decrease the probability of employment at destination, or increase the costs of migration).
- c. **The new economics theory of migration:** This views migration as a family (i.e., group) strategy to diversify sources of income, minimize risks to the household, and overcome barriers to credit and capital. In this model, international migration is a means to compensate for the absence or failure of certain types of markets in developing countries, for example crop insurance markets, future markets, unemployment insurance, or capital markets. In contrast to the neoclassical models, wage differentials are not seen as a necessary condition for international migration, and economic development in areas of origin or equalization of wage differentials will not necessarily reduce pressures for migration. Governments influence migration through their policies toward insurance, capital, and future markets, and through income distribution policies that affect the relative deprivation of certain groups and thereby their propensity to migrate.
- d. **Dual labour market theory:** This holds that demand for low-level workers in more developed economies is the critical factor shaping international migration. To avoid the structural inflation that would result from raising entry wages of native workers, and to maintain labour as a variable factor of production, employers seek low-wage migrant workers. In this model, international migration is demand-based and initiated by recruitment policies of employers or governments in destination areas. Wage differentials between origin and destination areas are neither necessary nor sufficient conditions for migration.

The options for government policy intervention to affect migration are limited--short of major changes in economic organization in destination areas.

- e. **World systems theory:** This focuses not on labour markets in national economies, but on the structure of the world market notably the "penetration of capitalist economic relations into peripheral, no capitalist societies", which takes place through the concerted actions of neo-colonial governments, multinational firms, and national elites. International migration is generated as land, raw materials, and labour in areas of origin is drawn into the world market economy and traditional systems are disrupted. The transports, communications, cultural and ideological links that accompany globalization further facilitate international migration. In this view, international migration is affected less by wage or employment differentials between countries than by policies towards overseas investments and toward the international flow of capital and goods.

As the IUSSP Committee stresses, "...the conditions that initiate international movement may be quite different from those that perpetuate it across time and space....new conditions that arise in the course of migration come to function as independent causes themselves...[making] additional movement more likely, a process known as cumulative causation." Several theories address the perpetuation of international movements:

- i) **Network theory:** This stresses that migrant networks serve to reduce the costs and risks of international migration and thus to increase the likelihood of movement. The development of such networks are often facilitated by government policies towards family reunification and, once started, migrant networks can make international flows relatively insensitive to policy interventions.
- ii) **Institutional theory:** This point to the fact that once international migration has begun, private and voluntary organizations develop to support and sustain the movement of migrants. These include a variety of legal and illegal entities that provide transport, labour contracting, housing, and legal and other services, many of which have proven difficult for governments to regulate.

- iii) **Cumulative causation theory:** This holds that, by altering the social context of subsequent migration decisions, the establishment of international migration streams creates "feedbacks" that make additional movements more likely. The factors affected by migration are the distribution of income and land; the organization of agricultural production; the values and cultural perceptions surrounding migration; the regional distribution of human capital; and the "social labelling" of jobs in destination areas as "immigrant jobs." Again, once a "migration system" has developed, it is often resistant to government policy intervention.

The IUSSP Committee concludes that theories regarding the initiation or perpetuation of international migration need not and should not be viewed as contradictory or mutually exclusive. Rather, "it is entirely possible that individuals engage in cost benefit calculations; that households act to diversify labour allocation; and that the socio-economic context within which these decisions are made is determined by structural forces operating at the national and international levels. The task of assembling and evaluating the empirical evidence to support, refute, or refine these theoretical approaches is currently in progress.

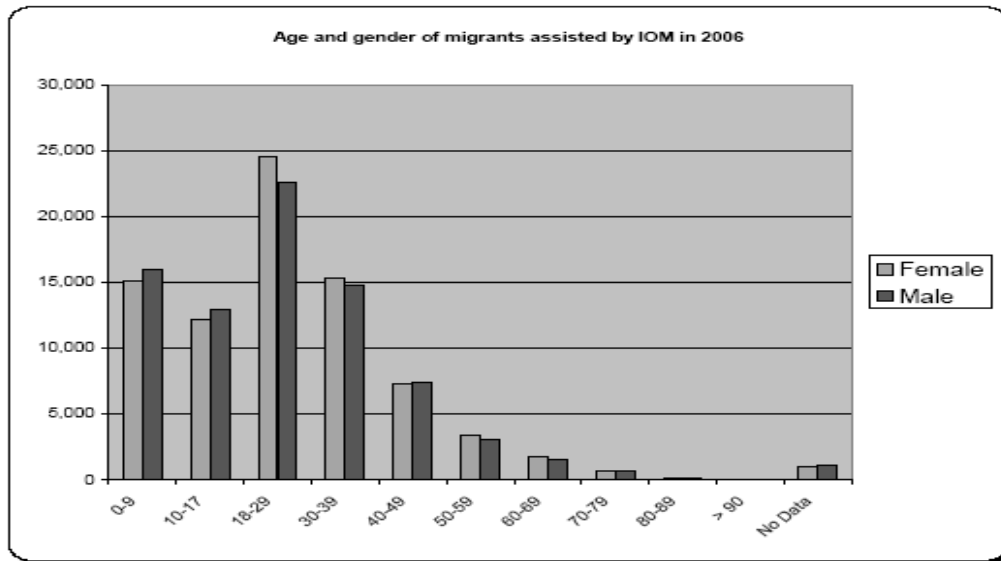
4.2. International Labour Migration in the World

International labour migration is currently global phenomenon and few countries remain completely unaffected by it. However, it is difficult to establish with accuracy the number of migrant workers in the world today. In many countries, the terms like "Economic Migrant", "Permanent Migrant", and "Irregular Migrant" are universally accepted, and the system by which the data were collected often differ widely reducing the comparability of statistics. It is clear, however, that international labour migration has grown considerably in the years. The ILO recently estimated that over 90 million people (*migrant workers and their families*) are currently residing legally or illegally in a country other than their own, not only has the total number of individuals involved in the migration process, the number of countries from which they are emanating and to which they are heading, has also grown. In 1970, 64 countries were major senders or receivers of migrant labour and by 1990, this figure had increased to over 100, taking

into account the dissolution of the former Soviet Union, Yugoslavia, Italy, Japan, Malaysia and Venezuela are among the new major receiving countries and Bangladesh, Egypt and Indonesian are among the new major senders (*ILO estimates cited by Ale, 2004*). The recent data on International Labour Migrants statistics by gender of IOM 2006 are as follows:

Figure No: 2.1

Age and gender of migrants assisted by IOM in 2006



Source: IOM, 2006

Similarly, the IOM published report of 2006 describes the labour migrants by service and region of departure countries of destination are as follows:

Table No: 2.2

Movements of Labour Migrants by Service and region of departure countries of destination

Region	Service Area Classification	Total Migrants
Africa	Emergency and Post-conflict Division	18,468
	Resettlement Assistance	18,029
	Repatriation Assistance	11,458
	Migrant Processing and Assistance	2,553
	Return Assistance to Migrants and Governments	811
	Capacity Building Through Qualified Human Resources and Experts	74
	Counter-trafficking	59
Africa Total		51,452
Asia and Oceania	Resettlement Assistance	23,697
	Migrant Processing and Assistance	9,801
	Counter-trafficking	346
	Return Assistance to Migrants and Governments	108
	Technical Cooperation on Migration Management and Capacity Building	15
	Capacity Building Through Qualified Human Resources and Experts	15
Asia and Oceania Total		33,982
Europe	Return Assistance to Migrants and Governments	23,866
	Resettlement Assistance	15,390
	Migrant Processing and Assistance	1,211
	Counter-trafficking	416
	Technical Cooperation on Migration Management and Capacity Building	99
	Repatriation Assistance	40
	Post-emergency Migration Health Assistance	37
Europe Total		41,059
Latin America and the Caribbean	Migrant Processing and Assistance	5,357
	Labour Migration	1,913
	Return Assistance to Migrants and Governments	1,203
	Technical Cooperation on Migration Management and Capacity Building	291
	Repatriation Assistance	178
	Counter-trafficking	136
	Migration and Economic/Community Development	42
	Resettlement Assistance	8
Emergency and Post-conflict Division	7	
Latin America and the Caribbean Total		9,135
Middle East	Emergency and Post-conflict Division	13,442
	Return Assistance to Migrants and Governments	715
	Resettlement Assistance	680
Middle East Total		14,837
North America	Resettlement Assistance	2,697
	Migrant Processing and Assistance	2,342
North America Total		5,039
Global Support/ Services	Resettlement Assistance	5,560
	Humanitarian Assistance to Stranded Migrants	159
	Counter-trafficking	106
	Repatriation Assistance	42
Global Support / Services Total		5,867
Grand Total		161,371

Source: Report of IOM, 2006

4.3. International Labour Migration in Asia

Economic development, trade and labour dimensions of migration have been identified as important concerns by a number of Asian countries. How does labour migration contribute to development? What benefits can labour mobility confer on regional economic integration? How can States ensure appropriate attention to employment standards and other measures to discourage irregular migration and unfair competition with national workers? What costs does the loss of skills and talent "brain drain" incur for some countries?

Labour migration is one of the major economic and social interests for a number of countries in the region. Migrant remittances represent a significant portion of foreign exchange earnings for Bangladesh, India, Indonesia, Nepal, Pakistan, Philippines, Sri Lanka and Vietnam, among others (worldwide, a total of 73 billion dollars per annum, second only to petroleum). For several industrializing countries in the region, migrants provide a significant portion of their semi-skilled and/or unskilled labour needs.

For some States in Asia and elsewhere, the loss of skilled workers and trained professionals through emigration represents a serious threat to development efforts. A regional approach to migration must enhance the beneficial aspects and at the same time develop mechanisms to encourage the retention or return of talent. Migrant workers in host countries in Asia and the Middle East face extensive abusive and exploitative situations according to many reports. Application of human and labour rights norms to non-citizens is inadequate or seriously deficient in many countries in the region, particularly as regards irregular migrants, those without authorization to enter or remain in the country.

Increasing migration pressures coupled with stronger control measures has contributed to growth of smuggling and trafficking of migrants. Trafficking in migrants has been given considerable visibility in inter-governmental forums, in the news media, and by governmental and non-governmental organizations in Asia. Women and children are especially victimized; many are trafficked into conditions of slave labour and/or forced prostitution. Experience in various countries has demonstrated that enforcement

of minimum labour and workplace standards serves as an effective deterrent to irregular migration and employment by discouraging sub-standard exploitative conditions that make utilization of unauthorized foreign workers attractive to certain employers and that render such employment uncompetitive for national workers.

In 1970, Asia accounted for 35 percent of the world's migrant stock. By 2000, that share had declined to 25 percent, although international labour migrations from and with-in Asia expanded rapidly from 1970 onwards. Following the sharp increase in the oil price in 1973, the oil-producing countries of western Asia accelerated the intake of foreign workers initially for the construction of needed infrastructure. The migrant stock in the six member states of the Gulf Cooperation Council (*GCC: Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates*) rose from an estimated 1 million in 1970 to 4 million in 1980, and to 9.6 million in 2000, of which 5.3 million resided in Saudi Arabia. As migration increased, workers were recruited from more distant origins. While in the 1970s, migrant workers had mostly been imported from other Arab countries, by the late 1970s they were being recruited from Bangladesh, India and Pakistan and so on, also from several East and South East Asian countries, specially the Republic of Korea, Philippines and later Thailand, Sri Lanka and Indonesia. Iraq's invasions of Kuwait in August 1990 had a significant effect on the foreign population in the GCC. During the first 4 months of the invasions, more than 2 millions foreigners are estimated to have left Iraq, Kuwait and Saudi Arabia. Soon after the end of the war in 1991, foreign workers began to return to Kuwait and Saudi Arabia. However, changes in political alignments during the crisis lead to repatriation of important groups of foreigners, such as Jordanians, Palestinians and Yemenis, and to the recruitment of workers from Egypt and the main sending countries in East and South East Asia to fulfill the job vacated by those departing (*IOM, 2006*).

During the past 30 yrs, labour migration to the GCC countries evolved in terms of occupations and the participation of women. Once the construction of infrastructure was over, migrant workers began to move from the construction to the services sectors. As a part of the rising demand for service workers, women began to be recruited as migrant workers, mainly as domestic workers. Hence, their numbers rose while the

foreign labour force in GCC countries remained primarily male. By the early 1990's, women constituted 25% of the foreign labour force in Kuwait, 10% in Oman and 9% in Qatar. In the 1980's, sustained economic growth in Japan and the newly industrialized countries and regions of East and South East Asia began to attract foreign workers from less prosperous countries in the region. Hong Kong and Singapore, which had been long importers of migrant workers, as well as Japan, Malaysia, The Republic of Korea and Taiwan, provided an alternative destination for unskilled workers from countries such as China, Indonesia, Philippines or Thailand. As in other setting, migrant workers inserted themselves mostly in construction and certain manufacturing industries, such as the automotive industry in Japan or the electronics sectors in the Republic of Korea or Taiwan. Labour migration within East and South East Asia involved a high participation of women, who found employment mainly in the service sector, typically as domestic workers.

Between 1975 and 2001, the numbers of legally resident foreigners in Japan more than doubled from 750,000 to 1.8 million, among them mostly from Brazil and Peru. In addition, by 2001, there were over 250,000 foreigners in an irregular situation in Japan. The Republic of Korea also began to experience labour shortages in certain sectors of the economy during the 1980s, thus becoming a magnet for both legal and undocumented migrant workers. By the 1988, there were 45,000 foreigners in the Republic of Korea, which was reached 162,000 in 1989. In 2001, the numbers of foreign residents had more than 230,000, among them 129,000 were in labour force. Taiwan also had to resort to foreign labour to maintain its economic expansion. In 1991, it recruited 3,000 contract workers, all destined for the construction industry. By 1993, the numbers of admitted contract workers had risen to 98,000 and reached 316,000 in 2000. Among them 30% were women, engaged in health and domestic services. Malaysia has a long history of reliance on foreign workers, mostly from neighboring Indonesia to work in the plantations. By 1993, the total foreign work force in Malaysia was estimated at 1.2 million, constituting about 15% of the total labour force in the country. During the 1997, Asian financial crisis, many undocumented Indonesians workers had to return home. Nevertheless, the migrant populations in Malaysia are estimated to have reached nearly 1.4 millions in 2000. As a result of the financial crisis,

several receiving countries in the region introduced measures to restrict the admission of foreign workers but as in Malaysia, the constraining effect of the flows of workers to these countries was only temporary (*IOM,2006*).

Migration and management of labour migration are now acknowledged as central issues of concern for governments and social partners worldwide. recent ILO figures indicate that there are some 5 to 7 million migrant workers and their dependents outside their countries of origin across Asia and another 8 to 9 million in the middle east, the majority from Asia, an increasing number of governments have recognized the need to establish, modernize or improve their legislation, policies, practices and administrative mechanism to address migration issue, particularly labour migration (*MMAM, 2002*).

5. STUDIES ON NEPALESE CONTEXT

Historical Scenario

A huge number of Nepalese workers go abroad to work in the absence of fruitful local employment opportunities. Migration is nothing new to Nepal, and the total stock of Nepalese nationals working overseas (excluding about one million in India) in different capacities is estimated to be about half a million (*ILO-DFID, 2002*). The history of formal entrance of Nepalese citizens in foreign employment begins in 1814-1815 after the Nepal-British India war. A total of 4,650 Nepalese youngsters were recruited to the British armed forces as a British-Gurkha regiment.

Similarly, the migration of Nepalese people for other employment purposes, such as working in the tea states of Darjeeling and the forest of Assam, began in the second half of the 19th century. Economic migration to the Middle East from South Asia and other parts of the world was spurred-on by the oil boom in the early 1970s. International labour migration, mostly to Gulf States, Malaysia and other South East Asian countries is a new phenomenon of migration in the Nepalese context with about a 30 year long history. Unexpectedly, foreign labour migration has developed in such a way that it has shifted the agricultural based economy towards remittance based economy. According to figures released by the government, there are more than 565,000 documented

migrant workers abroad; whereas other estimated figures put the number at more than one million Nepali migrant workers including 100,000 female migrant workers. This figure does not include the population who migrated to India.

The reasons behind migration are almost same in Nepal as in other parts of the world. Poverty, limited employment opportunities, deteriorating agricultural productivity, and armed conflict are some of the motives behind international labour migration. There are many villages in Nepal where labour migration has been established as a culture of a community; that is, going abroad for work for awhile and returning with some money and the experience of living in a different geographical location. The influences of friends, relatives and well-wishers have also played a prominent role in the promotion of international labour migration.

Ongoing political unrest and brain drain situation of the country has displaced people from their usual place of residence and the alternative means of employment for displaced youth has been established as foreign employment. The past conflict has also limited development activities throughout the country and expansion of industries has ceased. This situation has created more difficulty in securing employment within the national borders and the final step of many people is to go abroad for employment. Though concrete research has yet to be conducted, the young people from conflict prone areas are compelled to leave for foreign employment to save their lives.

So far in the Nepalese context, foreign labour occupation has developed as an emerging business. But the business has not remained a dignified profession at all. The reports about irregularities in foreign labour migration and problems faced by potential labour migrants before and after their departure for foreign employment are not properly addressed at the policy level. A migrant worker has to face numerous problems while he/she makes the decision to migrate for foreign employment. Most of the migrant workers are taking a blind decision to migrate for work without any consideration of actual income that he/she will receive in the country of destination. Similarly, he/she has to face the problem of finding sufficient money to go abroad and the only way to get

money is through a loan with a high interest rate. The government, except some cases, does not offer special provisions to subsidize loan interest rates.

Information is lacking in each and every step for potential labour migrants. Most of them are not aware of where they are going, what work they have to do, the actual cost they need to spend to go for work and other social and cultural information about the country of destination. As a result, there are numerous real stories of the suffering of Nepalese migrant workers abroad.

Most of the migrant workers abroad are working in vulnerable situations without any effective legal protection by the Nepalese government or the receiving countries' government. Workplace exploitation by foreign companies is well known but the Nepalese government has not adopted any specific labour diplomacy policies, except in some cases. While workers are not allowed to work in each and every country around the world, there are several serious cases about the pathetic situation of Nepalese migrants working in unauthorized countries without any legal or social protection by the host countries. The massacre of 12 Nepalese workers by an extremist group in Iraq on August 2004 can be taken as a good example of that. There are many other cases where illegal Nepalese workers are kept in prison for a long time on both fake and genuine charges. Nevertheless, the Nepalese government has not adopted proper political diplomacy to rescue them and assure their safe return to the homeland.

As a response to physical and sexual abuse of women migrants to the Middle East, Government of Nepal officially banned female migration to the Gulf States in 1998. They were generally forced to work under '3-Ds' (Dangerous, Difficulty and Dirty) conditions. The migration of females is a bit restricted. To obtain a passport women have to produce a permission letter from their guardian, that is, from their husband if they are married or from their father if they are unmarried. This provision indicates not only the violation of women rights but also neglects the fundamental spirit of the constitution of Nepal in the 1990s.

Gender Development Index and Gender Empowerment Index are found to be 0.452 and 0.391 respectively. Labor participation is 48.9 percent for females, and 67.6

percent for males. Most of the women are involved in informal, subsistence-oriented, domestic (home-based), and (unpaid) non-wage earning work. The weekly contribution of male and female to external economic activities is 42.6 and 36.3 hours respectively. On the other hand, weekly male and female contribution to household economic activities is 46.5 and 42.5 hours respectively. Similarly, weekly labor contribution of male and female to non-economic household activities is 9.7 and 25.1 hours respectively. The total weekly male and female involvement in economic and non-economic activities is found to be 98.8 and 103.9 hours respectively. Similarly, the share of women in income is seen to be only 30 percent and in administrative services 12.7 percent. A (resolution) proposal to ensure 33 percent representation of women in all state mechanisms has been passed by the reinstated parliament. Beijing Action Plan, National Action Plan relating to International convention on eradication of all kinds of discrimination against women, and a national plan of action on control of trafficking in women and children have been prepared. Some of the laws discriminatory against women have been amended. Gender focal points have been established on all sectoral ministries in addition to establishment of National Commission on Women. Assistance has been provided for skill development for social and economic empowerment of single women. A mechanism for gender budgeting has been set up in the Ministry of Finance. The (practice) tradition of compulsory participation of women in preparation and implementation of local development program has been institutionalized. The awareness level of women has increased as a result of active engagement of the non-governmental sector and the civil society in protection of women's rights. However, it is felt that there has not been adequate improvement in the legal provisions, development programs and budget allocation for gender equality (*Three Year Interim Plan, 2007/08*).

Statistics show that remittances sent by migrant workers near one hundred billion each year and this amount holds great importance to the national economy. Some economists have analyzed the Nepalese economy as a remittance economy, in which the contribution of remittances has played a prominent role in keeping the national economy in balance during difficult financial times. The amount of remittances sent through informal channels has not yet been calculated but it is estimated to be equal to that which comes in from the formal channel.

An analysis of government policies and programs indicates a significant deficiency in protecting the rights of migrant workers and assuring their safe migration to the country of destination. The government has promoted policies regarding foreign employment but at the same time paid less attention to the provision of domestic services and facilities. Some of the provisions mentioned in the Foreign Employment Act-2042 and its amendment act 2064 (2007) involve the controlling of foreign employment business rather than promoting it.

According to the Nepal Living Standards Survey (NLSS) 2060/61 (2003/04), total unemployment is estimated to be 3.8 percent. A new Labor and Employment Policy, 2062 (2006) has been issued for internal labor management. Since adequate employment opportunity has not been generated in the domestic labor market, some 800 thousand youths have gone to various countries for employment. However, it is estimated that the number of youths going to third countries without completing government procedures is also significant. Similarly, the number of people migrating to various parts of India for employment on a seasonal and permanent basis is increasing as compared to number of youths going to third countries. It is seen that labor administration should carry out additional efforts to ensure secured, decent and productive employment opportunities for female and male laborers/employees by effectively managing domestic and foreign employment sectors. Although attraction to foreign employment is increasing, there is a challenge to make them safe and organized. At the same time, it has not been possible to produce skilled and capable human resources in accordance with the demand of foreign labor market, (*Three Year Interim Plan, 2007/08*).

On the one hand the importance of international labour migration has increased due to newly developed sources of income for Nepal's households and on the other hand, until the late 1990s and according to the emphasis of most studies and the National Planning Commission (NPC), agriculture has been hailed as the key to rural development. In reality, the economic climate has changed from an agricultural based economy into a remittance based economy, according to several studies conducted by governmental and non governmental agencies. Thus, the issue of international labour

migration needs to be addressed at the policy level, which could assist in promoting safe migration and the management of labour migration in an effective way.

The Nepalese government now intends to actively promote international labour migration and to safeguard the interests and welfare of migrants; however, only a few initiatives have been taken so far. Among these are bilateral talks with the governments of the Gulf States in order to increase the number of posts for Nepalese, increase security as well as improve the migrants' conditions of employment. Furthermore the government is trying to regulate the procedure of recruitment. Therefore, a number of Gulf States and Asian countries to which Nepalese workers may be officially recruited are listed and conditions for registered recruiting agencies are defined, including the condition that these have to be based in the Kathmandu valley, that is, in or near the capital.

For all households involved in migration it the lack of opportunities in Nepal for employment and for secure livelihood strategies that leads to migration whether within the country or region, or overseas. Households that are poor have fewer choices with regard to migration opportunities and the very poorest households are the most vulnerable when it comes to illegal migration and various forms of trafficking. The recent Maoist insurgency also basically reflects frustration of youth with poverty and the lack of opportunities, which is again exerting migration pressure from the affected areas to other parts of Nepal or overseas, particularly India.

The number of people going abroad for work has increased in the last few years, especially since the onset of armed conflict and political uncertainties in Nepal. The major concentration of Nepali migrant workers abroad was traditionally in the Gulf States but the dynamics have changed and while the number of people going to the Gulf States is still significant people are have also been migrating to Malaysia and Qatar over the past three years. A class division among the labour migrants is also found to select the country of destination, i.e., poor people are to India, the Gulf States and Malaysia and rich people towards Japan, South Korea, North America and Europe.

Trends of International Migration in Nepal

Due to the open border, Nepalese people have been going abroad for purpose of trade, business and employment, the Nepalese hill people going outside the country for employment started during the Anglo- Nepal war of 1814 and before the signing of the 'Sugauli Treaty', in 1816 (*kansakar, 1984*). Since many years, Nepalese are migrating to foreign countries for the purpose of employment, but the government has not taken effective and serious concern about it yet. The first population census on Nepal was conducted in 1911. The result of the census from 1911 to 1942 was not published for public use; the census schedule of 1911 census indicated no recording on migration. Migration data was collected for the first time in the census of 1920 and 1930, and had recorded only male emigrants on the basis of employment outside the country in the form of a. Army Services and b. Other Services like security guard, general labour; driver etc., the first scientific census was launched in 1952/54. In 1981, the study of new era had for the first time unified all statistic of international migration which had published by NPC in 1984. This was the modern research about migration in Nepal. Although by no means analytical for lack of comparable data, it initiated interest in migration search in Nepal (*Ale, 2004*). It attempted to study about migration, but the studies were not completed (*kansakar, 2003*). The trends of International Migration in Nepal from 1961-2007 are shown below:

Table No: 2.3

Trends of International Migration in Nepal (1961-2007)

Years	Total Population	No. of Immigrants	%of Total Population	No of Emigrants	% of Total Population
1961	9,412,996	337,620	3.57	328,470	3.35
1971	11,555,983	337,448	2.92	-	-
1981	15,022,839	234,039	1.56	402,977	2.61
1991	18,491,097	439,488	2.38	658,290	3.44
2001	22,736,934	608,092	2.67	762,181	3.24
2007	26,427,399*	873,761**	3.31	1,005,844**	3.81

Source: ** Department of Immigration Report 2007, CBS, 2003 and * CBS projection data on population 2007.

From the given data, it could be seen that in 2001 total no. of immigrants was 2.67% but in 2007, it raised by 3.31% which differences is 0.64%. Similarly, the Total

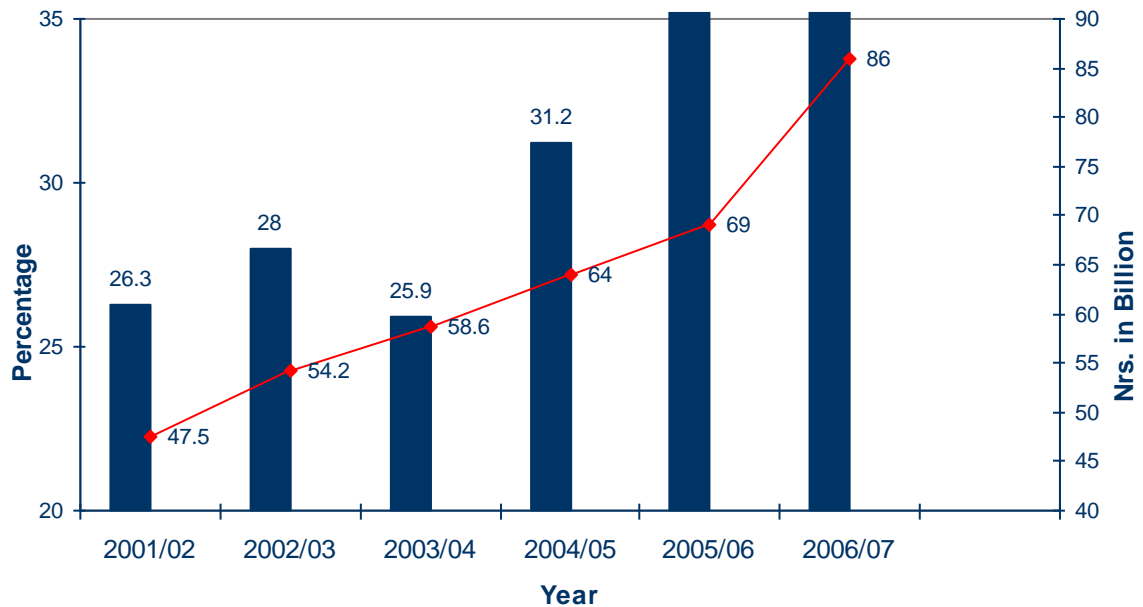
No. of Emigrants percentage was 3.24 in 2001 but in 2007, it was rose by 3.81% which difference will be 0.57%, which means the total No. of Immigrants and Emigrants are increasing gradually and effecting on International Migration in the Country.

On the one hand, a gender analysis of census data for the absentee population throws up some interesting features. Overall, 10.8% of the absentee populations were women and about 83% of them went to India for work. Only 17% of female labour migrants went to other countries for work. Although the census reports that only around 2,000 women are working in the Gulf, a range of different estimates claim that between 8,000 and 10,000 women are actually working in Gulf countries. What is clear is that data on the number of foreign labour migrants is inconsistent and contradictory (*ILO, 2004*).

On the other hand, the contribution of remittance to GDP was increasingly significant over the years. It is also reported that the remittances are also informally channeled, and that of remittance from the formal channel is recorded to have been as approximately US \$ 2.5 billion every year in the country. Looking at the contribution in the national economy the remittance has played a vital role during a decade- long armed conflict and reducing poverty to some extent. This is a good indication for the interest the country. But it has to be maintained the country's position outside the world. In fact the remittance is the invisible source of national income. It is also expected that it may increase in the following days if its source or mechanism is developed in a transparent manner, and if its channel is through banks. The figure 2.2. Shows that it has surpassed contribution of exports to GDP, in 2005/06 the remittance was 69 Billion rupees whereas, in 2006/07 it was increasing sharply up to 86 Billion rupees, which is sufficient to cover the contribution on GDP of the country:

Figure No: 2.2

The Economic Impact of Remittance by year



Source: *Foreign Employment and its Impact on the Nepali Economy, Report of NRN Conference 2007* and www.Thetelegraphnepal.com.

Migration Related Policies and Laws in Nepal:

Both Internal and International Migration in Nepal are legally designed as "a migratory activity with change of residence of persons from one area of administrative region to another or as migratory activity there to and from foreign states or vice versa for a period of more than six months" (*VRS 1976, cited in Khatiwada: 2001*).

It has been already stated that international migration is related to global labour mobility. It implies the mobility of peoples from their home countries to any other foreign state for temporary or permanent settlement.

International migration is basically governed by domestic laws of the countries concerned, which is different from country to country. However, attempts have been made to globalize the measurement of the international migrants. This treaty of European Union has also recognized the needs of establishing the legal basis for its

member's states for a common immigration policy regarding nationals of the countries in respect of:

- i. Conditions of entry and movement by nationals of third countries on the territory of member states.
- ii. Conditions of residence by national of third countries on the territory of member states, including family relation and access to employment.
- iii. Combating unauthorized immigration, residence and work by nationals of third countries in the territory of member states.

A natural and inherent right of all people indispensable to the enjoyment of the rights of life, liberty and the pursuit of happiness and action by and official against migratory right was pronounced inconsistent with the fundamental principles of the republic. The migratory right was reasserted by treaties. So, the international migration is basically governed in Nepal by:

- i. International migration related laws of Nepal
- ii. Nepal-India treaty of peace and friendship, 1950
- iii. Nepal-India open border and,
- iv. Refugee Immigration

Besides this, some laws related to International Migration are:

1. Nepal Agency Act, 1957.
2. Citizenship Act, 1963
3. National Civil Code 1963
4. Passport Act, 1967
5. Registration Act, 1976
6. Tourist Act, 1978
7. Foreign Exchange Act, 1980
8. Foreign Employment Act, 2007
9. Nepal petroleum Act, 1985
10. Interim Constitution of Nepal 2007
11. Immigration Act, 1992
12. Labour Act, 1992
13. Foreign Investment and technology transfer Act, 1992
14. International Finance Act, 1997 and recent published and amendments different regulations, Acts and so on.

Besides this, the 10th. Plan described in migration was "to systematize the internal and external migration" in the context of labour migration, their objectives were:

- a. To safeguard the rights, interests and social security of labourers and to maintain industrial peace by ending exploitation of labourers.
- b. To consolidate and manage labour market information and to produce skilled manpower thereby helping in poverty alleviation.
- c. To create an environment to help Nepalese labourers to get employment opportunities in foreign labour markets (10th Plan: 2002-2007).

Moreover, the above-mentioned studies, review of literature and conceptual framework the following research questions were set in the context of Nepal, it will become necessary to be finding out:

1. What are the causes and consequences of Nepalese youths depending on the international labour migration in foreign countries?
2. What are the flow, level, trend and concentration of Nepalese migrant labours excluding India?
3. What are the problems and challenges that are faced by Nepalese migrant workers both in home country and the country of destination?
4. What is the existing government priorities, policies and programmes in the context of Nepal?

To fulfill the above research questions numbers of observational analysis are dealt in the coming chapters of the research/study, which includes observational analysis of volume and trend of Nepalese labour migrants, observation of national policies and acts and other international instruments on the issues of migrant workers and situational analysis on the basis of primary sources of information.

CHAPTER - III

RESEARCH METHODOLOGY

This chapter describes the research methodology employed in this study. It deals with research design, nature and source of data, sampling technique, research tools, and selection of agencies, method of analysis and definition of key terms respectively.

3.1. Research Design

The research design refers to the entire process of planning and carrying out a research study (*Woeff and Pant: 2000, 53*). This study is based on both secondary and primary data. The required secondary data will be collected from various sources covering a period of 10 years, i.e. from 1994/95 to 2006/07 for analyze the causes and consequences of international labour migration including the flow, level, trend and concentration of Nepalese labours migrants and also analyze the govt. priorities, policies and programmes in this field. The survey investigation in some foreign employment agencies, ILO and Nepal government, Department of Labour and Employment Promotion Division as well as some Nepalese youths who are currently heading towards the foreign employment are selected as sample to collect the primary data.

Likewise, qualitative and some quantitative information are collected to observe the situation of International Labour Migration in the Nepalese context. It is so because of the qualitative nature of the research. The information are obtained from the national and international publications, authorized documents produced by Government of Nepal, information provided by Government, Non-government and UN bodies in their websites, article written by different scholars on the issues of international labour migration and so on.

Primary information on the issues was also taken with the help of an in-depth interview with the experts and the person working on migrant workers' issues. Some

open questions were asked to them to get their inputs in this research. Informal discussions were also held with the experts and concerned individuals to obtain detail information about the topic. The list of the persons selected for in-depth interview is given in “Appendix A”

Similarly, to conduct the study, descriptive cum analytical research approach is adopted. Descriptive approach is utilized mainly for conceptualization of the associated problems of this field. Analytical approaches are followed mainly to analyze relationship among level, trend and concentrations of labour migrations.

3.2. Nature and Source of Data

The necessary secondary data and information are collected in this study from the various publications, Population Monograph of Nepal ,Data available in the records of Central Bureau of Statistics on Govt. of Nepal, Department of Labour and Employment Promotion Division, National Planning Commission-3 years Interim Plan of Nepal, Quarterly Economic Bulletin on remittance and others topics issued by NRB as well as some Economic and Labour survey of Ministry of Finance, Demographic Survey of Ministry of Population and different websites, publications. Different Acts on Foreign Labour Employment are used in this research. The collected references include:

- ❖ Population Monograph of Nepal 2003, Population Census of Nepal, Central Bureau of Statistics, Government of Nepal.
- ❖ Demographic and Health Survey, different FY publications of Population Division, Ministry of Health and Population, Government of Nepal.
- ❖ Various plan documents, National Planning Commission, Govt. of Nepal.
- ❖ Quarterly Economic Bulletin, Nepal Rastra Bank, various issues.
- ❖ Statistical Pocket Book of Labour migration 2005, 2006, Nepal Living Standard Survey 2003/04, Population Profile of Nepal, CBS, Govt. of Nepal.
- ❖ Different Website of International Labour Migration: Causes and Consequences.
- ❖ Annual report of Department of Labour and Employment Promotion Division 2004, 2005 and 2006.

- ❖ Various foreign employment agencies reports and Department of Immigration traffic reports 2007 and more.
- ❖ Different UN bodies, i.e., UN, ILO, UNHCR, IOM, World Bank, ADB reports, data and its publications and
- ❖ Other governmental and non-governmental publications, books, journals, previous research studies, dissertations, Websites and article are used.

Similarly, this study used the primary data through the survey. This investigation deals with the study of the opinions of respondents with respects to the major aspects of causes and consequences of Nepalese youths to migrate from the country as a labour. The survey investigations are in some foreign employment agencies and few Nepalese youths who are currently heading towards the foreign employment are selected as sample to collect the primary data.

3.3 Sampling Techniques

The sampling process of this study was unconstructive. This study is based on a structured questionnaire as well as unstructured dialogues in all respondents. A total of 15 foreign employment agencies and 20 Nepalese youths currently heading towards the foreign employment and 5 experts and the people working on the issues of foreign labour migration were selected as a respondent. The sample selected for this section of study is drawn from all sectors of foreign employment agencies and some experts respondents located in Kathmandu valley were used and also took in-depth interview, open questions method during the study visit for survey investigation is conducted by using non-probability and non-random sampling method. The major aim behind the selection of such diverse sample is because of getting bunch of information from different perspectives and analyzes them in a proper way.

3.4 Research Tools

Review of published and unpublished materials related to the labour migration and some open questions related to international labour migration for in-depth interview are the main research tools in this study. The materials to reviews the labour migration

is obtained from secondary sources. The in-depth interview was taken with the Nepalese Youths who are currently heading towards the foreign employments, some experts and the persons who are working in migrant workers issues. These open questions were asked to them to get their inputs in this research. Informal discussions were also held with experts and concerned individuals to obtain detail information about the topic. There was live question answer session during face to face dialogue with the concerned individual. During the interview session with the experts, basically personal experiences were noted down. The lists of the persons selected for in-depth interview and the questionnaires asked in this interview are given in "Appendix - A" and "Appendix - B" respectively.

3.5. Method of Analysis

The main purpose of analyzing the data will be changing it from an unprocessed to an understandable presentation. The analysis of the data consists of organizing, tabulating and performing statistical analysis (*Wolff and Pant: 1999, 127*). So, the following methods of analysis are used in this research:

A. Descriptive Techniques

Most of the available data in this research has been analyzed through the descriptive technique in primary data through interview, where some quantitative data are organized in tables and interpreted these tables in words. Similarly, qualitative information of this research has been explained in an organized way within the congested time frame.

B. Some Statistical Tools

The some of statistical technique are used to analyze the data. Variables are resorted to a number of cases. Various possible alternative specifications are also attempted where necessary in each case in order to obtain best results. The empirical results are estimated in this study by using for the period of 1997/98 to 2006/07. Similarly, secondary data are classified, tabulated and analyzed by using various statistical tools.

CHAPTER - IV

ANALYSIS OF EXISTING NATIONAL AND INTERNATIONAL GOVERNMENT LABOUR POLICIES AND LAWS

This chapter deals with national and international labour policies and laws, it is essential to analyze the issues of international labour migration. This chapter has approached to reflect most of the national and international provisions, policies and laws especially the instruments declared by IOM, UN, ILO, different countries policies and Government's Foreign Employment Act, Labour and Employment Policy of Nepal simultaneously.

4.1 The UN

International Convention on the Protection of the Rights of all Migrant Workers and Members of Their Families: the convention was adopted by the United Nations General Assembly Resolutions 45/158 of 18 December 1990. The convention opened a new chapter in the history of efforts to establish the rights of migrant workers and to ensure that those rights are protected and respected. It is a comprehensive international treaty, inspired by existing legally binding agreements, by United Nations human rights studies, by the conclusions and recommendations of meetings of experts, and by the debates and resolutions on the migrant worker question in United Nations bodies over the past two decades (<http://www.unhcr.ch/html/menu6/2/fs24.htm>). And the basic features of this convention are;

- ❖ It addresses the treatment, welfare and rights of this specific group of people.
- ❖ Provides and internationally recognized definition of “migrant worker” and certain categories of migrant workers.
- ❖ Considers migrant workers as more than economic entities or labourers. They are social entities with families.
- ❖ Recognizes that migrants have human rights regardless of their legal status, whether they are documented or undocumented. It defines human rights of

migrant workers whether legal or illegal, and also defines other rights, which are applicable only to migrant workers in a regular situation.

- ❖ Seeks to establish minimum standards for the protection of legal, political, economic, civil, social and cultural rights for migrant workers.
- ❖ Recognizes the importance of women as migrant workers in their own right.
- ❖ Recognizes the complexity of the situation migrant workers face in the contemporary world.
- ❖ Provides the definitions for specific categories of migrant workers-such as “frontier workers”, “seasonal workers”, “project-led workers” and self-employed workers”.
- ❖ Does not propose new human rights exclusively for migrant workers, but draws attention to the dehumanization of migrant workers and members of their families.
- ❖ Outlines duties of all states, specifically those belonging to sending states and states of employment.
- ❖ Requires states to take appropriate measures against those who organise illegal migration and to impose sanctions on those who use violence, threats or intimidation against migrant workers.

Like all other international human rights agreements, the convention sets standard which create a model for the laws and the judicial and administrative procedures of individual states. Governments of state which ratify or access to the convention undertake to apply its provisions by adopting the necessary measures. They undertake to ensure that migrant workers whose rights have been violated may seek judicial remedy. The convention provides that states must respect the basic human rights of all migrant workers. They must also prevent clandestine migration for employment and stop manpower trafficking activities. Furthermore, states must declare and pursuer a policy to secure equality of treatment in respect of matters such as employment and occupation, social security, and trade union and cultural rights.

4.2 Other International Conventions and Conferences

ILO Migration for Employment Convention of 1949 (*No.97*): The convention provides the foundation for equal treatment between national and regular migrants in

recruitment procedures, living and working, access to justice, tax and social security regulations. It sets out details for contract conditions, participants of migrant in job training or promotion and deals with provisions for family reunification and appeals against unjustified termination of employment or expulsion and other measure to regulate the entire migration process.

ILO Migrant Workers (supplementary Provisions) Convention of 1975 (*No.143*): The convention was elaborated at a time when concern about irregular migration was growing. It sets out the requirements for respect of the rights of the migrants with an irregular status, whilst providing for measures to end clandestine trafficking and to penalize employers of irregular migration. The world conference on human rights held at Vienna in June 1993 in its Declaration and Programme of Action urged all States to guarantee the protection of human rights of all migrant workers and their families. The conference also stated that the creation of conditions to foster greater harmony and tolerance between migrant workers and the society of host States was of particular importance.

The International Conference on Population and Development (ICPD), held at Cairo in September 1994, dealt with migration issues and, in particular, with the question of global migration. In chapter X of the Programme of Action which it adopted, the conference called for a comprehensive international approach to dealing with international migration. Among the areas requiring action, the conference identified mainly the root causes of migration and called for measures to deal with documented, as well as undocumented migrants. World Summit for Social Development, held at Copenhagen in March 1995, states committed themselves, at the international level, to ensure that migrant workers benefits from the protection provided by relevant national and international instruments, to take concrete and effective measures against the exploitation of migrant workers and to encourage all states to consider ratifying and fully implementing international instruments relating to migrant workers.

The fourth World Conference on Women, held at Beijing in September 1995, paid considerable attention to the situation of migrant women. In the platform of action, which it adopted, the conference called on states to recognize the vulnerability to violence and other forms of abuse of women migrants, including women migrant workers, whose legal status in the host states depends on employers who may exploit their situation. It also urged governments to establish linguistically and culturally accessible services for migrant women and girls, including migrant workers who are the victims of gender based violence.

Similarly, International Labour conference 2004 adopted a plan of action to ensure that migrant workers are covered by the provision of international labour standard. Framework accepted in the conference will comprise international guidelines between sending and receiving countries that address different aspects of migration; promoting decent work of migrant workers; licensing and supervising agencies for migrant workers; preventing abusive practices migrant smuggling and trafficking in persons; protecting their human rights and preventing and combating irregular labour migration. The plan also covers specific risks for all migrant workers-women and men-in certain occupations and sectors with particular emphasis on dirty, demeaning and dangerous jobs and on women in domestic service and the informal economy. It also seeks to labour inspection, create channels for migrant workers to lodge complaints and deals with policies to encourage return migration, re-integration into the country of origin and transfer of capital and technology by migrants.

4.3 Government Policies Regarding Migrant Workers- Asia & Overseas

a. Overseas

4.3.1. Canada

The Canadian admission policy provides admission procedures for skilled workers, trades persons and professionals, with points awarded based on criteria such as age, education and ability to speak English or French, in order to provide for long-

term needs of skilled workers. (<http://www.cic.gc.ca>; www.hrdc-drhc.gc.ca; www.canlii.org; ILO migration survey 2003).

4.3.2 New Zealand

The immigration of skilled workers who have employment offers or qualifications and work experience in an occupation with a shortage of workers is encouraged. The Government attempts to assist with integration for permanent residence by providing a settlement information kit paid by migrant worker fees. The kit covers housing, health, education, work, business, government, laws, integration and information on such issues as banking, transportation, legal issues and history of the country. There is a government web site for migrant workers and a helpline. The Department of Labour publishes information on labour rights in several languages. There is tripartite consultation on labour migration policy. The Immigration Service Settlement Branch provides funding to organizations and businesses that help migrants settle in the country. These services provide information on rights and social services and benefits. English classes are also available to migrant workers. <http://www.immigration.govt.nz>; ILO migration survey 2003: Country summaries (Geneva, ILO, 2004).

4.3.3 Spain

Spain has instituted three formal structures for the participation of the social partners in legislation and policy on labour migration: a Forum for the Social Integration of Immigrants, an Inter-Ministerial Commission on Immigration Affairs, and provincial executive commissions. In addition, the Ministry of Labour has a labour migration administration, Dirección General de Ordenación de las Migraciones, and a state secretariat, the Delegación de Gobierno para la Extranjería y la Inmigración formed as part of the 2000 Global Programme to Regulate and Coordinate Foreign Residents. Affairs and Immigration in Spain (Plan Greco), this secretariat is charged with coordinating migration management activities, including integration of immigrant communities, with a focus on their contributions to economic growth. The head of this secretariat is a leading member of both the Inter-Ministerial Commission on Immigration Affairs, which assesses government practices towards non-citizens, and the Superior

Council on Immigration Policy, which oversees immigration affairs at all levels of government. www.migrationinformation.org; <http://www.mtas.es/migraciones>

4.3.4 United Kingdom

The Highly Skilled Migrant Programme permits the entry of highly skilled migrants, even if they do not have job offers, for employment or self-employment purposes. Different assessments are made for applicants under age 28 and over 28 based on a point system. As with most work visas in the United Kingdom, an application can be made for permanent residence status after four years.

<http://www.ind.homeoffice.gov.uk>

4.3.5 Australia

Those seeking to migrate to Australia for employment can apply through either the permanent or temporary streams of Australia's Migration Programme. Permanent visa applicants, with the exception of those sponsored by an Australian relative living in a designated area of Australia, are assessed against a points test based primarily on skill, age, English language, work experience and migration occupation in demand list (MODL) components. The temporary stream allows businesses to sponsor overseas employees to come to Australia to fill skilled positions that cannot otherwise be filled from within the Australian labour force. The position must meet minimum skill and salary levels and the applicants must demonstrate they have the skills and qualifications to fill the position. Those who have studied in Australia are eligible to apply for permanent resident status. Temporary admissions have been increased to meet employers needs for skilled workers, but are not available to the less-skilled. Temporary workers may apply for permanent residency, and their spouses are allowed to work. Annual labour market analyses are performed to determine economic and labour market needs, regional needs, the economic, social and environmental impact of migration and the expected number of applicants, including how many are expected to apply based on skills or family needs. The Department of Immigration and Multicultural and Indigenous Affairs (DIMIA) manages labour migration. It has a web site which provides labour market information in many languages. The National Office of Overseas Skills

Recognition provides information for potential migrant workers on requirements for various job categories. Once a migrant worker has entered Australia, the worker's foreign-earned credentials can be assessed, and loans may be provided for courses required for credentials in Australia. Various professional bodies and states have their own additional criteria for regulating admission to individual professions for overseas qualified persons. The Government has out posted the DIMIA representatives to key industry bodies to help industry use the migration system to get the people they need. The DIMIA and industry run joint recruitment events to better match potential skilled migrants with employers who are finding it difficult to recruit skilled workers locally.
<http://www.immi.gov.au>; www.austlii.edu.au; www.acci.asn.au; www.actu.asn.au

4.3.6 Germany

The seasonal foreign workers, programmed operate under Memoranda of Understanding between Germany and origin countries and are administered by the German Public Employment Service and its counterparts. The majority of seasonal workers are Polish agricultural workers. Migrant workers are admitted for up to 90 days if nationals are not available to work in agriculture, forestry, hotels and catering, fruit and vegetable processing and sawmills. Employers may not hire migrant seasonal workers for more than seven months per year, unless they grow certain crops. Employers must submit employment contracts to local labour offices, which must include certain wages and working conditions, including on housing, meals and travel arrangements, if any. Employers pay a fee per worker to the Employment Service, which they may not charge to the worker. Although there is a requirement that employers provide adequate housing, there have been reports of substandard living conditions.
<http://www.arbeitsagentur.de>

b. Asia

4.3.7 Philippines

The Philippines has an employment-driven emigration policy that emphasizes temporary labour migration, worker protection and maximizing the development impact

of remittances. The Government identifies labour market niches abroad and arranges an orderly supply of labour through supervised recruitment by foreign employers, recruitment agencies and foreign governments based on bilateral agreements. The Philippines Overseas Employment Administration (POEA) is a specialized agency under the Department of Labor and Employment responsible for the administration of labour emigration. It issues licenses to private, Philippines-based recruitment agencies, which must enter into legally enforceable work contracts with workers seeking employment abroad. The POEA approves these contracts, monitors malpractices and prosecutes violators of recruitment standards. However, the Philippines permit recruitment agencies to require pregnancy and HIV/AIDS testing of workers. The POEA formulates emigration policies, campaigns against trafficking, provides pre-departure information, addresses labour rights violations abroad and assists its nationals in destination countries. The Government can suspend or cease the deployment of workers to certain countries in cases of repeated abuse. Migrant workers using official channels receive pre-departure training on social and working conditions abroad, life insurance and pension plans, medical insurance and tuition assistance for the migrant and his or her family, and are eligible for loans. An identification card is issued to migrant workers that provides access to international savings accounts in a consortium of banks and allows for low-cost remittance transfers. Incentives are provided for migrants who return, including loans for business capital at preferential rates and eligibility for subsidized scholarships.

<http://www.poea.gov.ph>

4.3.8 Hong Kong

Anti-Migrant Policies- The Hong Kong Government has a dualistic policy in dealing with foreign workers: Expatriate professionals, info-tech specialists, business people, academics and other high-skilled expatriates are enticed to come to Hong Kong where they are treated in high respect. Aside from company perks and benefits enjoyed by expatriates, the immigration policies pertaining to them are very liberal: after working for a continuous period of seven year, the professional expatriates can claim the right of residence. Also, while being employed, they can bring in their spouse and dependents.

They can shift to other job categories. Once terminated, they can quite freely seek other jobs without being subjected to the "two week rule" (*explained below*).

Labourers and other so-called low-skilled migrants, e.g., FDWs and construction workers, are allowed in legally, although with restrictions and quota ceilings. FDWs and migrant labourers are placed under highly restrictive immigration controls which the low-skilled workers undergo. The NCS policy ("two week rule") began in 1987, purportedly to stop FDWs from abusing their employment in Hong Kong by moving from one employer to another. The basis has long been challenged by migrants as outrageous, since FDWs are typically the victims of arbitrary termination by employers. Once out of work, the FDW their visa will expire in two weeks. Once terminated, they are virtually thrown out onto the street, with no place to stay, any money or source of income, no insurance, and not allowed to take new employment until her papers (most all are women) are processed anew. It is also the practice of some employers even to manufacture up false charges, e.g. theft (like planting money in their belongings and calling in the police) to legitimize the unceremonious expulsion of the FDW.

The process of applying for a new visa (If they are able to find a new employer within two weeks) depends greatly on a good letter of reference and upon the verbal word of the previous employer. So, in effect, for most cases, they have to return to their homeland and save up money to apply thru an agency again. Since the early 1990s, many NGOs and other groups have campaigned for the scrapping of the NCS policy. Nonetheless, the Immigration Department and Employers' Association has stuck adamantly to this discriminatory policy. Removal of migrants' minimum wage, thus allowing an institutional wage discrimination policy based on FDWs nationality (like in Singapore).

Labour Policies

Foreign Domestic Workers (FDWs) are on probation for the first few months of their employment. During that probationary period, they can be fired for any reason. FDWs are covered by a minimum wage policy and a standard employment contract

issued by the government. The contract spells out the wages, benefits, terms of employment and the responsibilities of both the FDW and the employer. However, reality speaks a different story as many FDWs are denied the right to claim these benefits. Some of the most prevalent problems faced by FDWs are underpayment of wages, denial of days off, inhuman treatment, and exorbitant agency fees. Aside from contract violations, FDWs are also subjected to discriminatory treatment especially in shops, markets and in public in general.

4.3.9 Japan

A new law regarding over-stayers went into effect on February 18, 2000. It is estimated that there are about 250,000 over-stayers in Japan. If the overstayer is deported, he/she cannot reapply for entrance to Japan for 5 years. However, there was a case in January 2001 where a Filipino over-stayer (for 12 years) married Japanese. He was granted legal status in Japan.

4.3.10 South Korea

Policies Related to Migrant Workers in Korea: The Alien Industrial Technology Training Program (AITTP) was established in 1991. It allowed trainees from third world countries to learn industrial skills and technology. Through AITTP, entry of workers became legal with three types of Trainee programs:

Joint Venture: A Korean company, through the Ministry of Trade, enters into an agreement with a foreign company whose business is compatible or complementary to the business of the Korea partner. *Technology Cooperation Program (TCP):* Korean companies to send trainees in order to learn technical developments. *Korean Federation of Small Business (KFSB):* Factories in Korea bring in foreign workers because of shortage of local foreign employment agencies. Many of the NGOs in Korea are trying to abolish the present "trainee" visa system of the government. It degrades the background and skilled training of those who come to Korea. For those unskilled workers, it puts them on lower footing than their Korean counterparts doing the same job with the same

amount of training. Also, seeing the higher pay and greater freedom of movement, which undocumented workers enjoy, many trainees are tempted to "run away."

4.3.11 Taiwan

The Taiwan government is business/employer friendly. It does not favour the migrants but it wants them to come to Taiwan because their wages are far below those of local workers. In Taiwan many factories are going bankrupt with migrant workers being sent home without severance pay, unpaid overtime and the forced savings of up to 30% of their earned wages. Vietnamese migrant workers must pay 12% taxes on their overseas earnings to their home government.

Taiwanese law does not protect migrant workers who are undocumented. Once captured, they must pay taxes on 160% of the minimum wage for the period of time they have been in Taiwan whether they were employed or not. The Labour Standards Law does not cover domestics, caregivers and fishermen. The Taiwan government cannot force the employer to follow the Labour Standards Law (LSL). There is no rule of law in Taiwan. A legal system requires that laws are enforceable, enforced, orderly and uniform. These qualities are lacking in Taiwan's legal system.

4.3.12 Thailand

Thailand Policy Relating to Migrant Workers: The Ministry of Labour is mandated to deal with Thai workers who wish to go overseas for work and the Ministry does have programs in operation to facilitate the process. The problem is insufficient budget for pre-departure orientation programs and proper administration. There is much activity at present at the Ministry of Labour to update their procedures to be more relevant to the situation and more protective of the workers seeking overseas employment.

Undocumented residents in Thailand are officially seen as "illegal" and this translates into being "without protection under Thailand's Labour Law". They are paid well below the standard minimum wage, can be fired without cause, can claim no medical compensation, are not protected by any limit on hours of work, and are

constantly in fear of police who demand bribes for not arresting them. This reality extends also to the families of undocumented alien workers residing in Thailand. These families cannot legally rent or buy housing. They have only limited access to schooling for their children. They are subject to arrest and deportation at any time.

Officially, the Thai government sees these undocumented aliens as a threat to the society and security of Thailand, as taking jobs away from Thai workers, and as an intolerable burden. Thai government officials would insist that all these workers should be deported at once. And there have been periodic efforts to do just that. However there is enormous pressure put on the government by the powerful Thai business lobby that claims that the Thai economy, especially in the areas of fishing, agriculture, construction, and small / medium industry, would shut down overnight if this source of cheap and willing labour were lost.

Therefore there is a vicious cycle of conflicting policy. Forced deportation is followed by a period when the government relents and gives in to the demands of powerful business interests. This works for a while and then there is another period of deportation and so on. There are many obvious problems with this present process. Employers think that the fee is too high. Six months, even one year's employment, is not enough time to job-train the workers. There is no assurance that the workers will return willingly to their native countries afterwards. There is no assurance that the registration will stop the inflow of new migrants.

4.4 Current National Act, Laws and Policies on Labour Migration

4.4.1 The Interim Constitution of Nepal 2007 (2063)

The Interim Constitution of Nepal 2007, in Part-3 of Fundamental Rights of the peoples on Article 12 (1),(2) and (3) provides the rights to the following freedoms:

- (1) Every person shall have the right to a dignified life, and no law shall be made which provides for the death penalty.

- (2) No person shall be deprived of his or her personal liberty save in accordance with law.
- (3) Every citizen have the following freedoms:
 - (a) freedom of opinion and expression;
 - (b) freedom to assemble peaceably and without arms;
 - (c) freedom to form political parties;
 - (d) freedom to form unions and associations;
 - (e) freedom to move and reside in any part of Nepal; and
 - (f) freedom to practice any profession, carry on any occupation, industry and trade.

In relation to migration, sub-article 3 (e) and 3 (f) are dependent on each other, as the entertainment of one requires the application of the other. The movement of people described is often inspired or included by a desire or need for an occupation, profession or trade. The other freedoms contained in sub-article 3 are inseparably attached, and thus no adverse situation will be allowed to restrict a person from enjoying such rights during migration. The freedom of movement is not merely a freedom of locomotion, but a freedom to change one's residence. Thus, the exterminate orders which were widely used during the panchayat era would be unlawful under the terms of the present interim constitution.

By virtue of Article 20 (Right of Women) (1), (3) and (4), these freedoms can not be affected by discrimination on the basis of sex and anything else stated in the provisions. It means that no law can prevent the free movement of women throughout the country. Thus, women can reside where they wish, based on their choices. Any restriction on such matters shall be void. However, as per the provision of sub article (4), the government can make some special affirmative measures to benefit women migrants. Migration should not restrict the exercise of fundamental rights guaranteed under the part -3 of the constitution. Hence, migrating men and women are equally entitled to:

- ❖ The right to a fair trail (Article 14)
- ❖ The right to property (Article 19)

- ❖ The right to religion (Article 23)
- ❖ The right to protect against exploitation (Article 29)
- ❖ The right to information (Article 27)
- ❖ The right against preventive detention (Article 25)

Article 29 especially underpins a respect for human dignity. It protects migrants from being trafficked or subjected to conditions of slavery and servitude. This provision also distinguished the act of trafficking and migration. There is no specific legislation regulating the migration process in Nepal. However, the private (vital) registration act requires the compulsory registration of migration and for migrants to obtain a certificate there of. The purpose of the act however is limited to the administration of records and has no direct significance to the freedom of movement. Yet, the registration of migration helps persons in their private affairs such as:

- ❖ Enlisting as votes in the place they have migrated to.
- ❖ Procuring facilities or benefits available in migrated place like ration certificate for foods, fuels etc.
- ❖ Certification of death, birth, marriage.
- ❖ Difficulties to acquisition of citizenship certificate etc.

Likewise, Part-3 of Fundamental Rights of the peoples on Article 18; Right relating to Employment and Social Security (1), (2) and (3) provides the rights to the following areas:

- (1) Every citizen shall have the right to employment, as provided in law.
- (2) The women, labor, aged, disabled, incapacitated and helpless citizens shall have the right to social security, as provided in law.
- (3) Every citizen shall have the right to food, sovereignty, as provided in law.

Similarly, Part-3 of Fundamental Rights of the peoples on Article 30; Right relating to Labor (1) and (2) and provides the following right:

- (1) Every worker and employee shall have the right to appropriate labor exercise.

- (2) Every worker and employee shall have the right to form and join trade unions and carry out collective bargaining for the protection of his or her respective interest, as provided in law.

Although, seeing the policies of state of Part-4 of Article 35 (7), (16) and (17) constitutes the following policies on Labor employments:

- (7) The state shall pursue a policy of ensuring the right to work of the labor force which remains as the main social and economic strength of the country by providing them with employment and raising their participation in the management of enterprises, while at the same time protecting their rights and interests.
- (16) The state shall pursue a policy of having the farmers, workers as well as the class dependent on labor involved in the process of development of the state by making arrangements for the necessary infrastructures of technical education and trainings for their development.
- (17) The state shall pursue a policy of providing allowances to aged, incapacitated women and the unemployed by making laws.

So, the Internal migration of people has been a matter of concern for government for longtime. However, the concern is not equally significant in matters of migration of Nepalese for works abroad. The government has yet to ratify the International Convention on Migrant Workers. The reason for staying back from ratifying the convention is not clear (CeIRRD, 2007).

4.4.2 Three Year Interim Plan, 2007/08 (2065)

In the current Three Year Interim Plan of NPC, the following policies are adopted to promote the labor and youths of the nation, which are divided in two sections:

1. Labor and 2. Youths, this can be described as follows:

Labors

Legal provisions are in need of timely reform based on the changes that have occurred in the labor market. No improvement in the industrial relations has been achieved as it was expected. Accordingly, in addition to protecting fundamental rights of workers and employees and establishing employment as fundamental right, following policies will be adopted to achieve the objectives of promoting opportunities for employment and self employment at home and abroad:

- ❖ In addition to reforms in existing legal and institutional provisions, diplomatic mechanism will be put in place to protect the interests of migrant Nepali workers and to make domestic and foreign employment safer and more dependable. Employment opportunities for women will be promoted at home and abroad through provision of necessary skills, training and women friendly legislations;
- ❖ Opportunities for self reliance will be created for *dalits, adivasi janjatis, madhesi* communities, laborers, poor peasants, people with disabilities, freed bonded laborers, landless squatters and people from other marginalized communities by providing appropriate skill training;
- ❖ Necessary mechanism will be devised to promote harmonious relations between workers and management and to maintain industrial peace by ensuring interests and rights of workers;
- ❖ Labor force working in agriculture, tea gardens, transportation, construction, brick kiln, restaurant including home-based workers and other informal sector workers will be identified and legal arrangement will be made with a view to provide them protection;
- ❖ Based on identification of international labor market, legal, technical and practical trainings will be provided with a view to maximize available opportunities;
- ❖ Policy will be adopted to gradually replace foreign labor;
- ❖ Separate institutional arrangements will be made for the management of internal and external labor affairs;
- ❖ Labor Commission and Labor Tribunal will be established;

- ❖ Social security provisions will be developed on gradual basis for workers and employees and a separate Fund will be created for the management of work related accidents and hazards;
- ❖ Life and accident insurance covering entire contract period will be provided for people going for foreign employment;
- ❖ Labor agreements will be negotiated with countries which receive Nepali workers beyond a certain threshold;
- ❖ After identification of the unemployed a gradual policy of minimum employment guarantee will be pursued;
- ❖ Labor force survey will be undertaken to reach at the realistic estimation of labor situation;
- ❖ Foreign employment sector will be made more organized, and Remittance amount will be directed toward productive sector.

Youths

The following policies will be embraced to ensure that all youths have an opportunity to be involved in the reconstruction and socioeconomic transformation of the nation:

- ❖ In line with international standards, a national youth policy will be introduced in the spirit of the special provision in the Interim Constitution;
- ❖ Developing socio-economic entrepreneurship among the youths, the youths will be provided with opportunities for employment, self-employment and social work;
- ❖ Necessary institutional mechanisms will be developed to increase the youths' creative participation in development and reconstruction. The youths will be mobilized for the reconstruction of social structure;
- ❖ To address the problems facing the youths, mechanisms including youth counseling service and resources centers will be developed;
- ❖ Special attention will be given to provide education, training and employment to the youths, attempts will be made to instill the sense of secured future at home in them and to encourage to properly utilize their labor and skills;
- ❖ An assessment will be made of the unemployed and atmosphere will be created to provide them with employment and self-employment opportunities at home;

- ❖ Youths will be encouraged in sporting activities necessary for overall personality development.

4.4.3 Foreign Employment Act 2007 (2064)

Various government agencies are directly and indirectly related to the promotion of foreign employment, for example, by providing training and legal support. The Ministry of Labour and Transport Management (MLTM) and the Department of Labour and Employment Promotion (DLEP) are the principal government agencies that regulate the activities of licensed recruiting agents. In addition to the MLTM and DLEP, the government of Nepal has formed from time to time, other agencies to look after foreign employment of particular importance is the Employment Promotion Commission (EPC).

The DLEP is the main agency for the implementation of Acts, Rules and Regulations in the field of labour administration and industrial relations. The DLEP has responsibility for registering foreign employment companies and recruiting agencies. It issues recruitment licenses to foreign employment companies, and has the power to renew or cancel such licenses. It works to promote programmes of foreign employment, collect overseas employment information and initiate training/welfare activities for migrant workers.

The foreign employment Act 2007 (2064) is made to provide for the matters relating to foreign employment. The basic features of this Act can be summarized as follows:

- ❖ In the Act, article 10, sub clause (2), deals about license process of foreign employment agency and foreign employment enterprises. Registration requires a deposit of Rs. 3,000,000 (30 Lakh) cash or Rs. 700,000 (7 Lakh) cash and 2,300,000 (23 Lakh) bank guarantee paper. The agencies are then given a recruiting license, which permits them to recruit workers for employers' abroad. But, the license should be renewed each year.
- ❖ In the Act of Part- 4, article 14, *the provision of prior permission* to be taken by the license holder employment agency. Once satisfied that the demand is genuine and that the terms and conditions offered conform with government regulations, the

Ministry of Labour and Transport Management can grant permission to the agency permission to recruit.

- ❖ In the article 15, *the provision of public information*: once granted permission to recruit, the recruitment agents should provide public information to the potential migrant workers through the media and advertisement in the Nepalese language of national daily of different publications for open competition among the candidates giving prior time of at least 7 day.
- ❖ In the article 16, *the provision of publish the list* of selected qualified workers and post it to their notice boards as well as send one copy of this list to the DLEP.
- ❖ In the article 17, *the provision to take the prior permission* of DLEP to carry the passport to stamped and article 18, the provision of put the work permit sticker of DLEP on the passport of the migrant labour for foreign employment.
- ❖ In the Act of Part- 12, article 72, *the provision of Medical Examination*: Persons finally selected have to undergo a medical examination in a government authorized hospital or clinic. Only candidates who are found to be physically fit for foreign employment are eligible to sign an employment contract and can fly to country of destination.
- ❖ In the Act of Part- 5, article 24 and article 30, *the provision of Training*: the recruitment agent should provide basic pre-departure orientation training to the selected workers before they travel abroad. During this orientation, workers can learn about their duties and responsibilities while abroad. They are also provided with first hand information about the work environment and labour laws in the country of employment.
- ❖ In the Act, article 19, sub clause (1), deals about to send the selected workers within the 3 months from the selected periods for foreign employment.
- ❖ An article 22, *the provision to use home country Airport prior to departure*: this provision wants to ensure how many migrant workers are heading towards the foreign employments and confirm to ensure that whether the migration process are legal or not.

- ❖ An article 26, *the provision of Insurance of Migrant workers*: this mechanism provides the migrant workers for safer environments of insurance policy while to work in foreign country as a migrant labour.
- ❖ Compulsory involvement of government representatives during the selection process of the workers and justifiable contract mechanism between the recruitment agency and the migrant worker.
- ❖ In the Act of Part- 7, article 32, *the provision of Complain*: the mechanism is also provisioned for the benefit of the workers. If the employment agency has not fulfilled its contract responsibility or license holder who has not taken necessary and appropriate action to make the contract conditioned fulfilled.
- ❖ In the Act of Part- 9, article 44, *the provision of Compensation*: the license holder agency or foreign employment agency has to provide compensation to the worker in case they could not find contracted jobs or any exploitation or injuries occurred by the workers.

So, the foreign employment act is the only law, which regulates the engagement of the Nepalese people in employment in countries other than Nepal and India. As stated before, the Act primarily regulatory, and as such prescribes rules for registration of employment agencies, their roles and responsibilities, governmental control mechanism and punishment for violation of rules. The Act has hard anything to do with the opportunity and convenience to obtaining the job, welfare in the destination and remedies against the problems or exploitation encountered. The existing labour laws apply to workers of institutions within Nepal, and it has no concern with Nepalese migrants' workers abroad. The present act does not concern with the rights, interest, emergency situation abroad and welfare of migrant workers those who are currently serving in foreign countries as a migrant labour of Nepal.

4.4.4 National Labor Policy 2005 (2062)

The government has issued a National Labor Policy 2005 (2062). This documents primarily deals with general labour policies and as such the policy guidelines

adopted by the government apply for workers in general. The policy document does not refer to migrant workers specifically. However, National Labor Policy 2005 has dealt the government policies and programmes on different labour issues, where the issue regarding the promotion and reliability of international labour migration is also highlighted to some extent. The provision mentioned in the NLP on the issues of international labour migration is like a complementary action to increase the effectiveness of foreign employment Act 2007.

While observing the document, one of the objectives of the labour policy is to make special attempts for institutional development of the regime of foreign employment of Nepalese, and secure its continuing. Since the policy document refers to institutional development of foreign employment of Nepalese, it can be inferred that the Nepalese migrant workers in other countries are matter of concern under it. However, this connation does not include internal migrant workers. It means that the policy document ignores the different status of internal migrant workers.

The following major policies regarding migrant workers are incorporated in the policy section on National Labour Policy 2005. These policies are:

- ❖ To increase foreign employment and to make reliability on it, appropriate changes and amendments on prevailing foreign employment act and policy to encourage foreign employment company shall be adopted.
- ❖ Developing labour elasticity, social security and occupational safety and health as intrinsic components of labour administration, the social security network will be expanded in a graduated manner by coordinating them on the initiative of the government, social partners and non-governmental sector.
- ❖ Quality vocational training and skill development training will be made more effective and developed as a means of fulfilling the requirements of the economic system and labour market as well as to create opportunities for employment and self-employment.
- ❖ To enlarge the employment and self-employment opportunities for the youth, women, indigenous peoples, *dalits*, elderly, differently able and backward sections

and groups, special target programmes that support employment will be conducted.

- ❖ In order to eliminate child labour by developing alternatives in accordance with the national and international commitments articulated by HMGN, the interventions of the governmental sector, private sector, donor community, employers' and workers' representative organizations and national and international organizations will be coordinated and strengthened and the practice of classifying the general, hazardous and worst forms of child labour in the formal and informal sectors and eliminating them based on priority will be adopted.
- ❖ Female employment will be enlarged by creating a women- and family-friendly working environment at the workplace through the provisions of affirmative discrimination, maternal safety, security and suitable leave facilities and suitable employment opportunities will be created for the qualified differently able and physically challenged by developing the workplace along the concept of affirmative discrimination and friendly workplace.
- ❖ Employment will be adopted as a cornerstone of poverty alleviation by developing labour relations according to the concept of decent work and ILO's labour standards.
- ❖ All labour-intensive employment sectors with economic development potentials will be identified and investment in such sectors encouraged priority will be accorded to employment-oriented investments.
- ❖ A distinct policy on labour migration will be formulated and enforced for the promotion of safe and decent foreign employment, additional employment will be generated by conducting employment-oriented infrastructure building and local development programmes (such as rural roads, small irrigation, health, education and similar other programmes).

Likewise, activities that contribute to capacity building, expansion and system improvement of the offices engaged in employment promotion and labour administration, in addition to boosting the morale of personnel, will be carried out:

- ❖ The agencies related with the labour administration, vocational training and skill development training centers, employment exchange service, institutional structure of the labour court, work procedure, capacity and legal provisions will be reviewed, made more capable and strengthened.
- ❖ Human resource development and utilization will be built in as a tradition by considering employment promotion and labour administration a specialized sector.
- ❖ Initiative will be taken to establish harmony, uniformity and coordination between the various sectoral policy and legal provisions relating to employment promotion and labour administration.
- ❖ For technical inspection of the establishment, competent agencies of the private sector will be involved and the role of the labour offices will be concentrated on follow-up and evaluation.
- ❖ The existing central labour advisory committee will be empowered as a central labour advisory council by making arrangements for necessary legal provisions, and it will be facilitated to play an effective role in policy and law formulation in the labour and employment sector, remuneration determination, and research and development.
- ❖ A national-level labour foundation will be established and strengthened for extending research, skill development training and labour education for labour inspection, workplace inspection, skilled work performance and productivity.
- ❖ In order to maintain harmonious labour relations, labour disputes will be resolved through bipartite dialogue after building a favorable environment; strikes and lockouts will be used as the last resort after the adoption of tripartite dialogue, as needed; and the culture of appropriately resolving the disputes over individual and collective rights and entitlements at the workplace will be developed.

Thus, in the working policy of NLP 2005, "Training Employment and Skills Development" have emphasized to create the environment to send Nepalese Youths in maximum numbers to different countries for foreign employments. For this purpose, the programme of sending Nepalese workers in the foreign employment as skilled labour, the involvement of private sectors in the training programme are also included.

By observing all above provisions and policies of NLP, it is found that the government looks very sincere and dedication to increase the effectiveness of international labour migration. So, the government is accepted the importance of foreign labour migration in our context and the sincerity of government is reflected in National Labor Policy 2005.

4.5 Institutional Arrangement

Institutional arrangement in the government level is also vital for the promotion of foreign labour migration. As per the information of concerned government official in Department of Labour and Employment Promotion (DLEP), Ministry for Labour and Transport Management is responsible for designing the policies and programme regarding the subject of foreign labour migration and the Department of Labour and Employment Promotion (DLEP) is working as a key implementing agency of government policies and programmes. Major work of DLEP is to provide work permission to the manpower agencies and verify the documents of labour migrants. It also gives due consideration to judge the cases of falsification. The cases of falsification is monitored and judged by the DLEP in Kathmandu valley and by the labour offices in other districts out of Kathmandu valley.

The license process of also not very complicated and no specific technical experiences is needed for the foreign employment enterprises. In the first stage, the employment agencies need to be registered in the “Office of the Company Registrar” under the Ministry of Industry and Commerce. Then a license for work permission is issued by DLEP. Each company has to submit a police report, 2.5 million rupees as a fixed bail bond and ten thousand rupees as service charge to obtain a license. The company should also pay rupees five thousand as a renewal fee in each fiscal year.

The National Labour Policy-2005 has made a provision for the formulation of high level advisory committee for the expansion of foreign employment and increment of the reliability of its business. The advisory committee also exists at present that provides

feedback to the government for making a policy and the simplification of provisions mentioned in the act.

Besides these major provisions, government also conduct consultation meetings with the experts, occupational groups, trade unions and foreign employment enterprises to make rules and regulations for the promotion and management of foreign employment occupation.

CHAPTER - V

PRESENTATION AND ANALYSIS OF DATA, CAUSES AND CONSEQUENCES OF NEPALESE YOUTHS ON MIGRATION

This chapter presents and analyses the secondary as well as primary data, the Causes and Consequences of International Labour Migration. The analysis of flow, level, trend and concentration of Nepalese migrants labour in abroad is important to analyze. The major causes like, Push and Pull factors, consequences like, labour migration and remittance, remittance and transfer income, contribution of international labour migration in Nepal, problems and challenges of labour migration including lack of diplomatic mission, lack of access to information, problems in government and policy level and foreign employment agencies and problems faced by migrant workers both in home country and the country of destination, issues, nature and motives behind migration are the major part in this chapter, whereas, the primary data are analyzed through structured questionnaire method as much as possible.

5.1 Current Situation of Labour Migration

Nepal is one of the world's least developed countries, with a population of around 27 million. More than 30% of Nepalese earn less than one dollar per day. Sandwiched between two giant neighbors - India and China, Nepal is landlocked. As agriculture remains a major source of livelihood followed by service sector particularly tourism, the remittance received from the migrant workers has been major sources for foreign currency earning. Because of limited industrialization, unemployment and particularly underemployment is the main problem faced by Nepalese economy. The Tenth Plan assumes that annually more than 200,000 new labor forces join the labor market increasing the country's total labor force. Due to the limited domestic employment opportunity, foreign employment has been the most important sector for them.

It is estimated that an average 500-600 youths leave Nepal for overseas employment daily. Approximately 800,000 Nepalese are working in overseas mainly in the Middle East, East Asia, and Southeast Asia. In the last five years, the trend of foreign labor migration has shown that this sector has been the pivotal for Nepalese economy. Nepalese workers abroad have been known as hard working and sincere in their job. The feedback received from labor receiving countries have indicated that Nepalese workers have been found as honest, diligence, quick learner in language and good in developing interpersonal relationship. Majority of the workers who wants to go aboard for employment are unskilled. However, sufficient semiskilled and skilled labor is also available in Nepal.

The implementation of Foreign Employment Act, the Nepalese employees started to go abroad by the process of individually and institutionally. Until now, Government of Nepal provided the authorized licenses to 526 foreign employment agencies and open for works in 107 countries (*DLEP, 2007*). The main sectors for work of Nepalese workers, who have been going to work abroad, are: *Building construction, Mechanical agricultural farming, Security and office management, Productive industry sector, Hotel and catering and others.*

Table No. 5.1

Male and Female Migrant Labour Data Based on different Category 2006/07

SN	Country	No. of Migrant Labour	Category	No. of Female
1	Malaysia	82798	Production Operator, General Workers and Security Guard	162
2	Saudi Arab	18261	Driver, Labour, Mason, Salesman	33
3	Qatar	58266	Driver, Labour, Electrician, Storekeeper, Carpenter, Steel fitter, Plumber	577
4	Israel	916	Care Giver	10
5	UAE	15441	Salesman, Accountant	6
6	Bahrain	554	Labour, Steel Fixer	
7	Russia	150	Scaffolder	
8	New Zealand	3	Carpenter	
9	Macau	132	Security Guard	
10	USA	25	Security Guard	
11	Cecelse	2		

12	South Korea	131	Trainee Worker	
13	Cyprus	3	House Made	
14	Kuwait	655	Driver. Labour, Security Guard	
15	Oman	28	Labour	
16	Hong Kong	151	Security Guard, House Keeper	26
17	Cypan	13	Driver	
18	Afghanistan	32	Security Guard	
19	Maldives	15	-	15
	Total	1,77,576		829

Source: Department of Labour and Employment Promotion, 2007.

From the above data, the main flows of the migrant labour are in Malaysia, Saudi Arab, Qatar and UAE which constitutes that the Arab countries and Malaysia is the popular destination for foreign employments to Nepalese Labor. But in this current period, the volume of migrants' workers is shifted from Malaysia to Qatar this year, which trend is increasing every year.

5.2 Flow, Volume and Trend of Nepalese Youths for foreign employment by FY

The flow, volume and trend of Nepalese youths on labour migration by fiscal year are presented here based on the available secondary data for 10 years i.e., from 1997/98 to 2006/07. The trend analysis of labour migration is to observe the concentration of migrant workers by fiscal years.

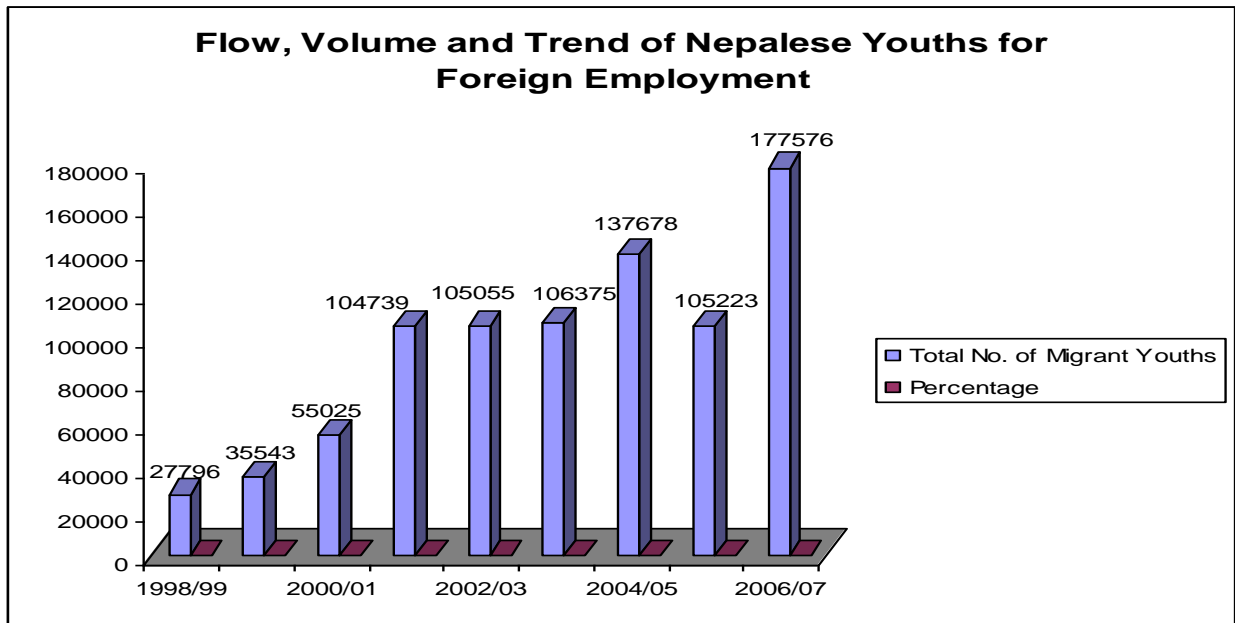
Table No. 5.2

Flow, Level and Trend of International Labour Migration by Fiscal Year

Period	Fiscal Year	Total No. of Migrant Youths m/f	Percentage
1	1997/98	7745	0.90
2	1998/99	27796	3.22
3	1999/00	35543	4.12
4	2000/01	55025	6.38
5	2001/02	104739	12.14
6	2002/03	105055	12.18
7	2003/04	106375	12.33
8	2004/05	137678	15.96
9	2005/06	105223	12.20
10	2006/07	177576	20.58
	Total	862755	100.0

Source: Department of Labour and Employment Promotion, 2007.

Figure No. 5.1



Source: Department of Labour and Employment Promotion, 2007.

The above figure gives an overview of Flow; Level and Trend of Nepalese youths labour migrants in abroad. To analyze the above data, 862,755 numbers of Nepali workers went to foreign with work permit except India. But how many workers have worked based on the duration in visa is not fixed record. Even who went to abroad and come back with extra visa and they carry other people with them for work. In this process they apply the way of India and they don't inform the government.

So, it is difficult to find out that, how many workers have been working in the sector of foreign employment. To estimate the process of this movement above 10 lakhs workers went to foreign countries and have been working except India (January 10, 2005, Kantipur). In the record of fiscal year 1997/98 the numbers of Nepali workers were 7745 (0.90% percent of total migrants) for foreign employment, even the number increased and reached 55025 (6.38% of total migrants in the year 2000/01). After that, the ranges of foreign employment workers are being increased and it is above one lakhs in each year. In that period of six month of the year 2005, more than 1 lakh Nepalese workers went to foreign employment except India. In the fiscal year 2004/05, among the

total migrants 137678, i.e., 15.96% of total migrants, whereas, 590 female migrants were worked as a labor, which was 0.43 percent of total migrants in that year. Similarly, in this last year 2006/07, 829 migrants were female, which was 0.47% of 2006/07 migrants of 177,576, i.e., 20.58% of total migrants 862,755. The number of female involved in foreign employment is very little, because after the death of a Nepali women decided to stop sending female workers to the gulf countries saying that the women going abroad for foreign employment become victims of domestic violence.

The number of labour migrants has increased rapidly only after 1997/98. This indicates that people started to migrate from their usual place of residence after origination of armed conflict in 1996, and the volume has been larger and larger when the armed conflicts made impact in all part of the country, one year after another. The data can also be analyzed that, since the beginning of armed conflict people lost their usual way of earning in their respective villages. So, their option to feed their dependents was very limited and the security of their life was also challenged.

At this situation, people are attracted to go abroad for work, earn some money and send back to their family. Similarly the impact of information and communication all around the country is another factor to justify the increased volume of labour migrants in the past few years. Media are very powerful and scattered around the country. Even the general people have access to media and they are well known about opportunities in foreign employment through the public information of foreign employment agencies. Peoples' interest to be engaged in new forms of join in a new environment is also another factor for the increasing volume of labour migration from Nepal. So, conflict, unemployment, impact of media and willingness of people are the vital factors and push to those who are going for foreign employment.

5.3 Concentration of Nepalese Labour Migrants by Countries

In recent years, the number of international labour migrants has increased rapidly. Especially, migration to Golf States and to Malaysia has dramatically increased. The number of labour migrants to the Middle East (Saudi Arab, Qatar, United Arab

Emirates, Kuwait and Bahrain) alone may today be nearly four times as many as in the mid 1990s. Although, the proportion of labour migrants outside South Asia has increased significantly, migrants to India still account for the vast majority of all international migrants. However, one of the major aspects of this trend analysis is to observe the concentration of labour migrants by country of destination. The country of destination is observed on the basis of concentration of Nepalese labour in different years in different places.

Table No. 5.3

Migrant Labour Data Based on Permit System 2006/07

SN	Country	Pre-permission	Final Permission
1	Malaysia	97520	82798
2	Saudi Arab	27475	18261
3	Qatar	83289	58266
4	Israel	1845	916
5	UAE	19998	15441
6	Bahrain	1191	554
7	Russia	260	150
8	New Zealand	79	3
9	Macau	438	132
10	USA	59	-
11	Canada	25	-
12	Secelse	6	2
13	South Korea	895	131
14	Maldives	30	15
15	Singapore	45	-
16	Cyprus	425	3
17	Kuwait	2632	655
18	Oman	320	98
19	Japan	275	-
20	Hong Kong	233	151
	Total	2,37,040	1,77,576

Source: Department of Labour and Employment Promotion, 2007.

The above data shows the migrant labour data based on Permit System 2006/07, which describes that, the significant youth's migrant labour workers moved to Malaysia and Qatar for foreign employment than others countries. It indicates that more than 141,064 migrant workers among 177,576, which is 79.44% of total youths are heading towards foreign employments in that countries, which is more than 2/3 migrants youths.

So, the very large amounts of workers are depending on Malaysia and Qatar jobs in recent years.

Table No. 5.4

Concentration of Nepalese Labour Migrants by Countries

Country	1997/98	1998/99	1999/00	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07
Saudi Arab	4825	14948	17867	17966	21094	17990	16875	13359	9268	18261
Qatar	1802	9030	8791	14086	19895	26850	24128	41952	41667	58266
U.A.E.	284	1417	6360	8950	8411	12650	12760	12503	9226	15441
Kuwait	137	609	465	885	378	907	3194	1686	401	655
Bahrain	111	787	583	904	695	818	606	258	292	554
Hong Kong	155	301	209	331	482	564	672	178	82	151
Malaysia	89	151	171	11306	52926	43812	45760	66290	43544	82798
Korea	192	267	766	245	131	712	1321	325	126	131
Others	150	286	331	352	727	752	1056	1127	617	1319
Total	7745	27796	35543	55025	104739	105055	106375	137678	105223	177576

Source: Department of Labour and Employment Promotion, 2007.

The above data shows that the flows of Nepalese migrant workers are highly concentrated to Saudi Arab and Qatar in the years 1997/98 to 1999/00. Due to high expected income and high demands of Nepali labour in Saudi Arab and Qatar, people of both skilled and semi-skilled qualities motivated to go to these countries. Although, Nepal identified other countries as the labour destination countries like UAE, Kuwait, Bahrain, Hong-Kong etc. Malaysia wasn't given work permit to the Nepalese workers till 1996/97. However, Korea was also the favorable destination in that period. Nepal was not able to consume the increasing demand to labour employment in its youths especially abroad. In the period of 1997/98 to 2000/01, the overwhelming political situation of the country go even worse that over before, resulting a great body of rural population displaced to the city center. In these years, the significant number of Nepalese labour force had been consumed in abroad especially in the job market of Saudi Arab and Qatar. The number of Nepalese labour i.e., 4825, 14948, 17867 and 17966 have been consumed by Saudi Arab and 1802, 9030, 8791 and 14086 number of

Nepalese labour have been consumed by Qatar in the corresponding years since 1997/98 to 2000/01. Regarding other destination countries, the flow seems quite negligible excluding Malaysia in the year 2000/01. The region behind this may be less payment for the job or may be low popularity of those countries.

In the fiscal year 2001/02 to 2006/07, there has been a grand overflow of active human resource in international labour migration. The flow of migrant workers has significantly increased in Malaysia since the year 2001/02 and significant decrease in Saudi Arab and Qatar. However, in the year of 2000/01, high rate of workers went to Saudi Arab, and then the rate is increased in Malaysia, Qatar, Saudi Arab and UAE. Recently in the last year 2007, more than 46.63 percent of total workers went to Malaysia. Similarly, 98.42 percent to Nepalese workers went to foreign employment towards these four countries only among the total number of 177576 labour migrants.

In the context of flow, level, trend and concentration of international labour migration the responses obtained from in-depth interview are supported to the national figure recorded as previous. All the respondents are likely to say that there is increasing trend of labour migration with high level. And more labour migrants are concentrated mainly in Qatar in recent days then after Malaysia, Saudi Arab, and UAE. These four countries are the most favorable destination for migrants. So more labour migrants are concentrate in these four countries. They emphasize that the more labour migrants are concentrated in Malaysia due to the high demand of Nepal labour in Qatar.

On the one hand, if we saw the overall youths for foreign employments, the table 5.5 is clearer to explain:

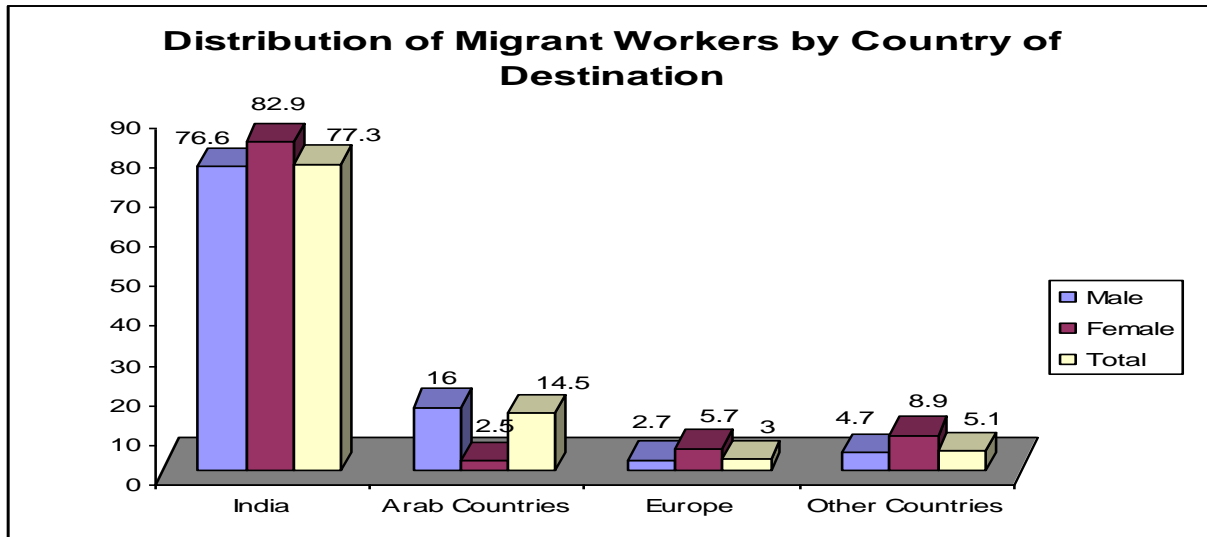
Table No. 5.5

Distribution of Migrant Workers by Country of Destination

Country	Male	Female	Total
India	76.6	82.9	77.3
Arab Countries	16.0	2.5	14.5
Europe	2.7	5.7	3.0
Other Countries	4.7	8.9	5.1
Total No. of Migrants	679469	82712	762181

Source: CBS, 2001.

Figure No. 5.2



Source: CBS, 2001.

From the above Figure, a large number of Nepalese have migrated primarily to India, i.e., in total 77.3% Nepalese youths are working as farm laborers and industrial workers (CBS, 2001). There is little data on the flow of Nepalese migrant workers to India and at the same time the Indian migrant workers in Nepal. This is because Nepal and India share a common, open border and nationals from either country require no travel permit or passport to cross the border. The informal migrant workers to India and Nepal are also not required to register themselves, nor do they have to undergo medical tests. In an attempt to maintain a record on the movement of migrant workers, Nepal introduced a work permit system in three districts of Kathmandu Valley on an experimental basis effective April 1987, revoking legislation from 1960. In practical terms, it was ineffective.

The number of Nepalese migrant workers seeking jobs in countries other than India has been growing for three main reasons. **Firstly**, *Nepal's population has been growing at a rapid pace.* **Secondly**, *the agricultural sector providing employment to the bulk of the population has not been able to grow or expand fast enough to absorb growing manpower.* **Thirdly**, *wages both in Nepal and India are often too little to support a family.*

On the other, if we examined the total departure report in 2007 of Department of Immigration of Nepalese peoples. i.e., Table 5.6, it is very large amount of population are flowing to international countries, but it is not clear that whether they are the migrants or not. But, in the sum up we can say that, large volumes of peoples are migrating from the country for the better options to survive their life and sustainable futures of their families.

Table No. 5.6

Total Nepalese Departure Report, 2007

Country	Check Points of Nepal								Total
	TIA	Kodari	Kakarvitta	Birgunj	Bhairahawa	Kanchanpur	Dhangadhi	Nepalgunj	
Australia	10028	652	170	64	1137	76	1	54	12,182
Austria	3572	373	49	4	171	17	0	7	4,193
Bangladesh	8262	0	12097	14	14	8	0	1	20,396
Belgium	4630	247	62	26	331	25	1	5	5,327
Canada	6552	413	117	52	584	37	1	25	7,781
China	15045	12529	69	37	929	51	0	22	28,682
Denmark	3218	166	14	14	151	12	0	15	3,590
France	19734	644	215	110	1474	160	3	95	22,435
Germany	19631	1256	196	82	955	164	0	46	22,330
Israel	3134	236	156	68	1617	632	5	63	5,911
Italy	10106	655	53	40	440	32	0	27	11,353
Japan	23853	444	285	256	3298	72	0	27	28,235
Malaysia	4008	165	31	23	706	3	0	2	4,938
Netherlands	9438	1045	98	40	1092	18	2	8	11,741
New Zealand	1873	88	62	8	172	12	0	7	2,222
Norway	1902	89	13	6	519	0	0	2	2,531
Pakistan	2522	8	0	0	1343	7	0	0	3,880
Singapore	3267	83	22	7	982	7	0	4	4,372
Sri Lanka	1320	2	2	12	35525	12	0	8	36,881
Switzerland	4800	386	82	29	381	51	0	22	5,751
Spain	14214	581	105	55	767	48	0	22	15,792
Sweden	1640	204	62	22	264	14	0	18	2,224

South Korea	14262	682	203	105	5262	193	0	33	20,740
ROC (Taiwan)	4173	95	27	13	1308	1	0	6	5,623
Thailand	5415	110	27	50	14603	3	23	2	20,233
USA	26306	1053	746	125	1561	149	3	66	30,009
UK	29321	960	429	113	1726	208	4	106	32,867
India	97496	6717	7	7	12	0	0	0	104,239
Other	43383	1742	509	392	9140	308	12	139	55,625
Total	393105	31625	15908	1774	86464	2320	55	832	532,083
Nepal	466909	5420	1280	58	72	16	0	6	473,761
Grand Total	860,014	37,045	17,188	1,832	86,536	2,336	55	838	1,005,844

Source: Department of Immigration 2007.

From the above data, the total Nepalese 1,005,844 are departure from the country, but the same amount of Nepalese are not arrived in the country at the same period, which shows that large percentage of peoples are missing/absence from the country for better options in recent years, which trend is increasing day by day.

5.4 Motives behind Nepalese Labour Migration

Dream of people from the middle class or lower class family who go aboard for work are for financial gain. So, the only motive behind labour migration is money. General expectations of most of the migrants are paying debts; enroll children into the school, jewelries for women members of the family, general medial expenses and a bit comfortable life than previous one. The people from higher middle class who go for foreign employment are with more expectations than the middle class or the lower class family. The higher middle class people would like to buy land in Terai areas, buy a house either in the district head quarters or in the city and to earn some money for running a small enterprises after returning back from their work in abroad.

Similarly, the people gone for Europe, United States of America and other developed countries are the people from the major city areas (*Kathmandu, Biratnagar, Dharan, Pokhara and others*) of Nepal who could spend more than one million rupees to arrange their travel. They are from higher class family and ready to bear high risk about the money they invest. Motives behind migration are to earn near about 10 million

rupees and further to buy a house and car in Kathmandu and invest rest of the money for business work. Where as some of the people from an aristocratic family would like settle down in the country where they are working.

5.5 Nepalese Women Migrant Workers in Abroad

Migration of men and women in Nepal has become very common as they seek better opportunities abroad. Though traditionally only men migrated in search of work from Nepal but the migration of women in abroad in search of gainful employment has also begin since the last decade. Due to the traditional values and patriarchal Nepalese society, majority of women are only limited in household work and the work for foreign employment is like beyond our imagination. But gradually women are come out from household work and their involvement not only in agricultural work has been creased but also in foreign labour migration. Migration of women in India is an old phenomenon but 20 years have been past about their migration in other countries as a migrant worker.

There is no specific data available about the exact number of female migrant workers besides India, but the estimated number is around 150 thousand. Women are facing a high risk in three different cycle of migration i.e. *pre-departure, post arrival and reintegration*. Causes behind demand of Nepali migrant women workers is because their honesty and competence to bare the responsibility of household works like making food, taking care of children and old age people. Nepali women are ready to work in low wages due to the lack of bargaining power and they are devoted to work in any circumstances because of ignorance about their rights.

Women migrant workers have the lack of information about the administrative process of departure, the country of destination, salary they can obtain for their work and possible risks and challenges that have to bear during and after their departure. Lacking information is because of common platform to be in touch with the concern people and authority. Another problem woman has to face in her family to get permission for foreign employment. Security of young women and question of sexuality is aroused by the family members, so the capacity to take the common household

decision is always obstacles to the potential migrant women workers. Another barrier for women is the lack of knowledge of authorized channel to assure their safe migration. So, most of the women go for work through the informal network. Nepalese government does not have a scheme to provide comprehensive training and pre-employment information to the female migrant worker. The available pre-departure training is just for formality to obtain the certificate.

The economic exploitation of women is more serious issues than men. Some of the cases indicate that women are paying 60 percent annual interest of their loan to arrange their traveling in abroad that give them more financial burden and less opportunity to save money during their work in abroad. Consolidate efforts of banking sector is also lacking to provide money in soft loan and capitalize their earning in an organized way. Most of the women migrant workers are engaged as a domestic worker and that is completely the informal sector.

Government has not developed a scheme to provide skills that is essential to work in informal sector and even the trainees are also not sincere to get appropriate training that requires to them. In all sense women are found to be in uncertainty and confused position. The level and harassment is also very high. Their health issues are not properly addressed and they have not informed about their rights and duties.

Thus it is found that, migrant women workers are more vulnerable to situations of risk because of a number of factors and these factors are inter-linked right from the government policies to the availabilities of opportunities, the social and gender roles of women, their vulnerability to violence as well as their access to information and services. While policy by itself is not solely responsible for the problems of migrant women workers, it lays the foundation for some of the issues, which have emerged. The institutional framework, the social fabric and the lack of information compound these issues. All these aspects affect migrant women workers live negatively, sometimes resulting in psychological and physical trauma (*UNIFEM, 2002*).

But in some cases, the provision of foreign labour migration has also contributed to empower women economically and socially. Nepali women migrant workers in Hong Kong, South Korea, Israel and Germany can be an example where women have access on latest technologies like mobile and internet, housemaid, Care givers; they are taking part in social events and unskilled women are now skilled to perform their work in informal as well as formal sector. The report of Nepal Living Standard Survey 2004 has indicated that women are contributing 11% of the total remittance sent in Nepal. Other studies are also indicated that women are saving more than men.

Even though, due to the lack of promotional policy of the government and the lack of coordination capacity among the government bodies, women are not very much benefited from the foreign employment. The Interim constitution of Nepal-2007 has guaranteed the right to equality between and women but at the same time Government's Foreign Employment Act-2007 has adopted restrictive policy to enjoy those rights freely because women get permission for foreign employment with the consent of their husband or parent.

Due to the lack of labour attaché in the labour sending countries women do not have applicable forum to secure their rights from the state level. Government has deduced the yearly budget of the Ministry of Labour and Transport Management due to the existed armed conflict of the country. So it is very hard to them to mobilize human and financial resources to divert the labour administration for the welfare of migrant workers.

Reintegration of women migrant worker is very much lacking. State does not have policy to create employment opportunities to the returned back female migrant workers with skills. Their earning is not spent for productive work in the home country. Private sector also does not have schemed to use the remittances in the productive work. So the current demand is to create economic options for the returned female migrant workers in home country and use their skills and money for national development.

5.6 Causes of Nepalese Labour Migration

Motive for migration includes political, economic, social and environment causes, which are based on number of reasons. Both the positive and negative factors compel migration. These compulsions may be interpreted as voluntary as voluntary and involuntary reasons to migrate. Many people choosing to migrate from one place to another or one country to another in response to factor compelling them in order for survival, safety and dignity, and for well being of themselves and their families.

a. **Low Economic Growth of the Country:** People migrate for various reasons. However, voluntarily a large number of people migrate for works. The economic crisis has been one of the most appealing factors for migration. The poor growth of economy and per capital income of the people in the third world resulting in vast unemployment and hardship of people are the major causes for migration to work. The present trend show that the migration is intensive phenomenon of mobility of people from poor to rich country, rural and agricultural economy to industrial economy, conservation and despotic nations to democratic countries and so on. The trend is obvious in a country like Nepal, where a very huge youth population has migrated to countries in gulf, Japan, Korea Malaysia, etc. The crisis of insurgency engulfing the country over the last decade has aggravated the migration implausibly.

b. **Political Unrest and Conflict in the Country:** The causes of migration for worlds are therefore coveted. In the period of 1996-2006 was very difficult situation for the peoples of Nepal, where fight between the state and Maoists rebels has created extreme difficulty in life in hill villages. In that period, the possibility of youths being engaged in traditional agriculture is largely diminished due to insurgency, which resulted crisis, the threat of coming into cross fire, suspicion of fighting groups and resulting action and compulsion to inform the government of rebels in the one hand and to join the rebellion armed force on the other being the major causes. The youth population in many hill districts if therefore deprived of traditional employment, thus leading to migrate for works as well as to avoid the risk of life. Similar situation was found in many

countries in Asia in the past which drove a numbers of peoples to leave their country for works and safety.

c. **Push and Pull Factors:** In spite of these reason, the major causes of International labour migration are the Push factors: *Political and Administrative Factors, Socio-economic Factors, Demographic Factors, Psychological and Emotional Factors* in the origin and the Pull factors: *Voluntarily Migration Factors* in the country of destination. The Push factors are those, which discourage peoples to remain in their place of origin, such as poverty, unemployment, limited land use, lower economic opportunity, conflict, war, social disharmony, willingness, rapid population growth etc. The Pull factors are those, which encourage or motivated peoples to go in overseas country, which are economic motives, physical security and exception of higher remittance, are the major factors in the context of Nepalese youth's migration.

d. **Unemployment, Under-employment and financial gain:** The desires of people from the middle class or lower class family who go aboard for work are for financial gain. So, the only motive behind labour migration is money. General expectations of most of the migrants are paying debts; enroll children into the school, jewelries for women members of the family, general medial expenses and a bit comfortable life than previous one. *The key informants of the in-depth interview are also supported that the major causes of labour migration are the Unemployment and Under-employment in our country and financial gain or exception of higher remittances send from the place of destination.*

In the context of causes of youth's migration, it is important to analysis the situation of the determinants of economic status of Nepalese peoples. The main determinants of economic status of Nepalese peoples are agriculture, income, employment status, daily wages and adequacy of consumption level. If there if little access on agriculture, income, employment, daily wages and consumption level, it will lead to poverty and more peoples start to move outside the country for better options.

The table No. 5.7 shows the situation of the determinants of economic status of Nepal, which is as follows:

Table No. 5.7

Determinants of Economic Status of Nepal

Description	Survey Year	
	1995/96	2003/04
Agriculture:		
Agriculture HHS with land (% of total HHS)	83.1%	77.5%
Average size of agricultural land (in hector)	1.1 ha	0.8 ha
Holding operating less than 0.5 ha (% of total holding)	40.1%	44.8%
Income:		
Nominal average HH income in Nominal Nrs.	43732	80111
Nominal average per capita income in nominal Nrs.	7690	15162
Employment status:		
Employment rate	67.2%	74.3%
Unemployment rate	4.9%	3.8%
Mean daily wages (Nrs):		
Agriculture	40	75
Non-agriculture	74	133
Inadequacy of Consumption:		
Food consumption	50.9%	31.2%
Housing	64.1%	40.6%
Clothing	57.6%	35.6%
Health care	58.7%	28.3%
Schooling	45.3%	21.4%

Source: Nepal Living Standards Survey 2003/04, CBS.

e. Unequal distribution of lands: The above data examines that the situation of the determinants of economic status is very low. Nepal is known as an agricultural country; however, the percentage of agricultural holdings has decreased from 83 percent to 78 percent in 2003/04. Agriculture is the major economic sector although it occupies less than 1/5 of the total land area of the country. Out of the total households in the country, 78 percent are agricultural households with land in 2003/04. This table reveals that a majority of the agricultural households depends on small farm size for cultivation. There are nearly 45 percent of small farmers (operating 2 hectares and more land). The average size of agricultural land 0.8 ha in 2003/04. There is an uneven distribution of the agricultural land in the country. 45 percent of small farmers operate only 13 percent of total agricultural land while 31 percent of the land is operated by 8

percent of large farmers. So, unequal distribution of land is the major cause of Nepalese Youths for International labor migration.

f. **Level of income and inadequacy of consumption:** Level of income also influences the labour migration, the level of income is influenced by employment status. NLSS defines a person to be employed if he/she worked for at least an hour in the last 7 day or was on leave temporarily. Based on this definition of employment, there are only 74.3 percent peoples are employed. But all of them are not satisfied with their employment status. In the context of mean daily wages, there were Nrs. 40/- and 74/- of mean daily wages in agricultural and non-agricultural sector respectively in 1995/96 and it reached Nrs. 75/- and 133/- in agricultural and non-agricultural sector respectively in 2003/04. The inadequacy of consumption has improved across all types of consumption over the last 8 years of these two survey period. However, the inadequacy of consumption on food, housing, clothing, health care, and schooling is still high.

Thus, all these above figures shows that the poverty level of Nepal is still very high, rapid population growth of Nepal is directly or indirectly linked with poverty, unemployment, limited land use, lower economic opportunity, war, conflict and social disharmony. Which creates the serious socio-economic problems in the country. So, to solve these problems, peoples choose the alternatives ways like International Labour Migration from the country.

5.7 Consequences of Nepalese Youths toward labour Migration

International labour migration has both positive and negative consequences. Migration has helped pushing social formation into their advanced states. It has promoted the cultural exchanges among people from different parts of the world, and has virtually brought the concept of global village into being. The migration of peoples is also a vehicle for developing divergent cultural tolerance in the world. Yet, the last four decade of 20th century have demonstrated a contrary. The overwhelming trend of transnational mobility of people has given rise of numbers of problems. The labour and

sexual exploitation of children and women being the worse one. Most of the working age populations are engaged in international labour migrations, who are leading persons of the society. So, it creates many social costs in the origin due to the lacks of leading persons. The massive industrialization and accessibility of any nook and corner of the world due to transportation linkages have influenced the current phenomenon of the transnational mobility of the peoples. Statistics shows that 140 million of the worlds population (one in every 50 human beings) live outside their country as migrants (CeIRRd, 2006).

The consequences factors behind to migration of Nepalese youths are: *Family Life, Social Integration, Economic gain, Remittances, Stagnation of rural economy, Social welfare system, Legal status of irregular migrants, Diplomatic Relation, Health Aspect* are the main reasons. But, in the present context of political instability, insecurity, economic recession and rising unemployment, foreign employment is the only ray of hope for the youth of Nepal and it has become the backbone of the country's economy. Revenue collection and remittance are the most important factors for the improvement of economic status of the country. So, International remittance is the major consequences of labour migration. However, the consequences of international labour migration are described below on the topics of labour migration and remittance, remittance and transfer income, contribution of international labour migration in Nepal as positive consequences.

5.8 Nepalese Youth Migration and Remittance

The remittance is the main backbone of the Nepal's economy in recent days. More than 12 lakhs Nepalese are working abroad as migrants workers (DOI, 2007). It is difficult to examine the recent data of 2007, although, the NLSS (Nepal Living Standards Survey) had carried out the result on remittances and transfer income of the periods 1995/96 to 2003/04. This report defined the remittance as a transfer income received by households within the 12 months. The situation of remittance and transfer income is shown in table No. 5.8 as follows:

Table No. 5.8

The Remittance and Transfer Income of FY 1996 and 2004

<i>Description</i>	<i>Nepal Living Standards Survey</i>	
	<i>1995/96</i>	<i>2003/04</i>
<i>Percent of all households receiving remittances</i>	23.4	31.9
<i>Average amount of remittance per recipient household (nominal NRs.)</i>	15,160	34,698
<i>Share of remittances received by household from within Nepal</i>	44.7	23.5
<i> From India</i>	32.9	23.2
<i> From other countries</i>	22.4	53.3
<i>Share of remittances in total household income among recipients</i>	26.6	35.4
<i>Per capita remittance amount for all Nepal (nominal NRs.)</i>	625	2,100
<i>Total amount of remittance received (nominal NRs.)</i>	12,957,840,907	46,365,466,726

Source: Nepal Living Standards Survey 2003/04, CBS.

According to the above table, the proportion of households receiving remittances has increased from 23 percent in 1995/96 to 32 percent in 2003/04. Average amount of transfer earnings per recipient household has more than doubled in nominal terms in the same period. Other significant change is in the share of these remittance amounts by source: within Nepal and from India accounted for more than 75 percent of total transfer income eight years ago. Now, the share from other countries including the Gulf accounts for more than half of the share. For those households with positive remittance earnings, their share in total income has increased from 27 to 35 percent. Overall, total amount of remittance received has increased from about 13 billion Nrs. to more than 46 billion Nrs. in nominal terms, while per capita remittance for the entire country has more than tripled in nominal terms between two rounds of NLSS.

Likewise, if we saw the contributing share of remittances, in total household income about 35 percent of all household income comes from remittances earnings in Nepal. Interestingly enough, there are quite small differences among the geographical groups and consumption quintiles. This is probably explained by the fact that these shares are for households with positive remittances only and they would differ across

groups if the analysis included all households. In nominal terms, average household income grew by more than 80 percent from 1995/96 to 2003/04. During the same period, per capita income increased from Rs. 7,690 to Rs. 15,162. Eight-year growth rate for the poorest twenty percent of population is 98 percent while that for the richest 20 percent of population is 110 percent. Other significant change in the past eight years is the composition of income sources: the share of farm income in total income has declined from 61 percent to 48 percent while that of non-farm income increased from 22 to 28 percent and of other sources including remittances increased from 16 to 25 percent.

Similarly, the percentage of people classified as employed has increased from 67 in 1995/96 to 74 in 2003/04, while the share of unemployed has decreased slightly and the group classified as inactive has decreased by 6 percentage points in the same period. Implied rate of labor force participation has increased and that of unemployment has decreased. Unemployment rate among 15-24 year olds remains high at 6 percent, while that among 10-14 year olds has decreased significantly. Distribution of number of working hours per week for those employed has stayed fairly constant over the past eight years: about one-fourth in each of 1-19 hours and 20-39 hours, and the remaining half in 40 hours and more. Finally, distribution of main sector of employment indicates that the share of agriculture, both wage and self employment has decreased from 1995/96 to 2003/04, while that of non-agriculture has not changed much. Extended economic work 1 has a share of 9 percent. Incidence of child labor is estimated to be 31 percent among 5-14 year old children (*NLSS, 2003/04*).

a. Contribution of International Labour Migration in Nepal

The main contributions of international labour migration in Nepal are to provide a significant source of foreign currency, to raise national income and to reform the households' economic status through remittance. 1/3 Nepalese workers of labour market went to foreign employment except India since 2002. The amount of money they have earned and enter into the nation as remittance and it plays the role to mobilize the

national capital. Foreign currency is important to run the way of development like Nepal. In the situation of economic crisis and decreasing the sources to earn foreign currency, international labour migration is one of the important resource sectors. By this reason, it is vital factor for tie up of national economic condition. bank, hundi, money order/transfer, by friends are the media of sending money and they are applying above these way to transfer or sending money or other goods for their relatives. By the cause of unawareness and different barriers, all the remittance did not enter by the bank. The condition of remittance recorded by the Nepal Rasta Bank is shown as below:

Table No. 5.9

Share of Remittance in GDP

FY	GDP (in Million)	Total Remittance	% of share or remittance in GDP
1990	99702	1748	1.7
1995	209976	5064	2.4
2000	366251	42759	11.7
2001	394052	53525	13.6
2002	406138	55806	13.7
2003	437546	61531	14.01
2004	474129	66494	14.02
2005	492856	72987	14.80
2006	510657	89654	17.56

Source: Nepal Rastra Bank, 2007.

The condition of the above mentioned table shows the increasing share of remittance in the GDP from banking sector. In 1990 the shares of remittance in GDP was 1.7 percent but in 2000, it was increased up to 11.7 percent. Then after it is gradually increasing year by year in huge amount, in 2006, it was reached up to 17.56 percent of total GDP.

Similarly, the average income transfer in the form of remittance is Rs 34,698 (in current prices) per recipient household in 2003/04. Among development regions, the amount is the highest in the West (Rs 45,805) and the lowest in the Far-west (Rs

15,679). The difference between urban and rural is more than twice (Rs. 68,981 versus Rs. 29,530). The amount in Kathmandu valley urban is even higher (Rs. 118,998). Disparity among consumption groups is very severe: Rs 65,514 for the richest quintile versus Rs 13, 906 for the poorest quintile. Per capita remittance- perhaps a better indicator for the whole population- stands at Nrs. 2100. Urban areas have double the size of rural areas but the strongest association is seen with the level of household consumption. The poorest consumption quintile receives one-eighth of what the richest quintile receives in per capita terms.

Perhaps a better indicator of source shares is by size of transfer incomes. Table 15.3 summarizes number, size and share of remittances by source. NLSS II estimates that the total amount of remittance in the country is Nrs. 46 billions in nominal terms. India accounts for 23 percent, three Arab countries for 27 percent, other countries for 17 percent and internal sources for the remaining share. This is a large shift from eight years ago when internal sources and India accounted for more than three-fourth of the total amount.

Though, the remittance has made the capital format of the country by supplying foreign currency, if we analyze the consumption sector of the capital, it has not much contributed in the formation of the national economy. The remittance has not increased the economic activities rather it has prompted the import of the foreign goods. So, it has developed the foreign economy in the country in two ways; Firstly, by using Nepalese youth force in cheap cost in their country and Secondly, by expanding the foreign goods in the market.

However, ***the Key-informants of In-depth interview*** claim that the poverty level is decreasing in Nepal from 41.8 percent to 30.8 percent between the periods from 1995/96 to 2003/04, due to the contribution of international labour migration. So, the labour migration is only the important source of income at present situation of economic recession of the country, which is the major consequence of International labour migration.

5.9 Problems and challenges of Youth Labour Migration

There are serious problems and challenges of labour migration, which are faced by migrant workers in their life. In the context of Nepal, around 85% of Nepalese workers have been working with low rate of salary abroad. Those who are working abroad, they kept their land or properties with *Dhito* and take some loans in high interest rate, and some sold their whole lands to go for foreign works. Among them, some went to abroad easily and some are cheating by agents or the company. Similarly, some who went to abroad for employment are faced the problems of salary and return to their country and petition the case in the court against foreign employment agency. The rate of amount to pay in the processing is different from one company to another. One study shows that, Nepalese workers pay 65-70 thousand in average for foreign employment. That study pay the attention about 49.4 percent of workers earn 10 thousand per moth (UNIFEM 2005). Those who went to foreign employment with two year work permit visa, they could not success to earn effectively because their total income spent for the return of loans and home expenditure. But the case is different, who get three year work permit visa, they success to save some money.

To estimate the total expenditure of total income, they pay 61.2 percent for home expenditure, some percent for loans and for the education of child and 2 percent of amount invest in income generation activity and other amounts spend in the sectors of land and house purchasing in urban areas. More remittance is spending in non productive sector and can not play the vital role to manage their family status in future. There is no positive role and long term money and skills in non productive sector.

However, based on the observation of relevant documents and *in-depth interview* the concerned peoples, the problems and challenges in labour migration are in the following sectors for Nepalese youths:

- ❖ Lack of Diplomatic Mission abroad,
- ❖ Lack of access of information in remote areas of the county.

- ❖ Serious problems in Government and different policy levels.
- ❖ Unfair selection, fraud documentation, financial corruption in Foreign Employment Agencies.
- ❖ Low education level, lack of skills/training, financial problems of migrant workers for foreign employments.

5.10 Problems of Labour Migrants in Home Country and the Country of Destination

Nepalese migrant workers are basically exploited in a three way. The first exploitation is from the manpower agencies in Nepal, the second is from the manpower recruitment agency of labour receiving country and the third way is the massive exploitation from the companies where they work. Other forms of exploitation are not exposed properly but they are exploited in a different way from their home village to the country of destination. There is lack of government sincerity to identify the major problems of migrant workers within the national boundary and in abroad. At the same time, Government's departments are also not established in all major labour receiving countries to monitor the situation of labour migrants and help them in need.

The major reason behind the exploitation of potential foreign labourers is because of number of layers from origin to the country of destination and in each layer. But at the same time the involvement of private sector is also essential due to their approaches in international labour migrate. We might have to lose the market in foreign employment if the government excludes their involvement. Unequal wages is greatly prevailed between migrant workers and the nationals but the migrant workers can not speak about it due to the fear for losing their job. Nepalese workers are compelled to sign in a fake agreement letter where all the fundamental rights of migrant workers are prohibited where the company has made another agreement paper only to show their government with the fake details about the facilities provided to the migrant workers. In most of the workers' agreement paper, their affiliation with the trade union is prohibited that has hindered to make them organized about their rights.

Police and Immigration Department also force the migrant workers to give them money. Some of the companies have made 12 hours working agreement which is against the international provision of minimum working hours. The government system of taxation to the migrant workers is not fair. Workers either they low or high income need to pay equal tax to the Malaysian government. Foreign labour migrants are working in a bonded condition. Their travel documents are seized by the employers during their job placement, so they could not raise their voice against exploitation and compelled to work even in low wages. Most of the migrant workers are not able to send their earnings safely. Illegal migrant workers are facing such problem in a massive way. Due to the lack of security and proper mechanism to send their money back they are not able to save or earn enough money in reality.

There is a lack of cooperation of Nepalese diplomatic mission in the labour receiving country. Human mafias are active to exploit the honest labours but the government is not being sincere to take appropriate step. Migrant workers are not organized and there is massive exploitation; where the migrant workers are working in a vulnerable condition. Migrant workers have a lack of realistic information about the country of destination. So, they will go with a sweet dream but come back with a sad story during their work place. The following problems are defined as:

a. Problems of Migrant Workers in Abroad

Based on the observation of relevant documents, *in-depth interview* with the concerned people, the following are found the major problems of Nepalese migrant workers in abroad are:

- ❖ Low wages
- ❖ Poor working conditions
- ❖ Recruitment fraud
- ❖ Lack of social protection
- ❖ Denial of human rights
- ❖ Discrimination and xenophobia
- ❖ Social exclusion

- ❖ Irregular migration
- ❖ Forced labour and trafficking in women and children
- ❖ Lack of freedom of association and right to collective bargaining
- ❖ Restriction on mobility and travel
- ❖ Rush jobs and peak hours
- ❖ Absence of medical treatment and health services
- ❖ With holding of papers and IDs

b. Problems of Migrant Workers in Home Country

Nepalese labour migrants are facing numerous problems in home countries and some of them are major and some are minor. There are some issues which can be addressed from the policy and programme level and rest of the issues might be less practical and hidden. Here is a list of prioritized problems of migrant workers in home countries are mentioned on the basis of this research/study, which are:

- ❖ Lack of information in all aspects
- ❖ Monetary problem
- ❖ High interest loan
- ❖ Lack of adequate skills and job orientation
- ❖ Comprehensive pre-departure training and orientation
- ❖ Exploitation by local agents manpower agencies
- ❖ Administrative difficulties
- ❖ Problems in re-integration
- ❖ Capitalization of earning money

5.11 Problems in Government and Policy Level

There is lack of adequate human resource in the government level that provides labour permit to the workers. Labour official provide work permission on the basis of submitted document but government doesn't have a proper mechanism that verify the illegibility of the document i.e. the lack of check and balance in the labour administration. It is also found the lack of exposure and study visit to the labour administrator in the labour sending countries. Concerned labour administrator need to have a good

knowledge about the situation of foreign labour workers, labour act and migrant worker policies of different countries. There is also the lack of demand verification system within the government system. Whether the workers are demanded legally or not, whether they get salary mentioned in the agreement paper or not, what should be done, if the workers are exploited in the country of destination. These questions are always unanswerable in the policy level.

Labour agreement with the government in labour receiving countries not going in a satisfied way. Government, for the first time in its history has made a labour agreement with Qatar but the labour agreement in itself is not adequate. Other possibilities for further labour agreements from government level are not initiated in an effective way. A follow-up activity from the government level is always lacking. The fixation of minimum wages of Nepalese migrant workers is not properly implemented due to the wrong attitude of recruitment agencies towards the migrant worker. But government has not developed a mechanism to do cross checking on this matter and charge penalty to the concerned employment agencies.

Lack of labour attaché- the major work of labour attaché is to monitor the situation of migrant workers and to work as mediator among the worker, companies and the government of labour receiving country, if the problem occurs. Human resources are not sufficient in the foreign diplomatic missions of Nepal Government. The higher volume of Nepalese workers are in Qatar, Malaysia and United Arab Emirates where quite few number of government officials are working in diplomatic mission. The number of people working in the respected country is only able to issue the passport. Market promotion from the government level is always lacking aspect since the very beginning of labour sending tradition.

Market assessment is also lacking from the government. Market assessment will assist to project the need of labours for future years and the possible areas that the government has to supply the workers. But, Nepalese government has no such mechanism and whatsoever is done is without proper planning. Training or counselling to the outgoing labour migrants, provided by the government is not effective and

practical due the lack of skilled trainers. General the trainers does not have practical knowledge about the place of destination and lacking international traveling experiences. So, in most cases they do provide wrong information.

Lack of coordination is also observed among between the government bodies. No uniformity of documents/document standard provided by labour act. All administrative processes should be done from a single table for the easy facilitation of work permit. The inclusion of labour cycle is also very important while adopting the national policies on foreign employment which is lacking in the current government policies on foreign employment. Labour cycle here means that pre-departure, departure, on the job and integration. These four stages of labour migrant are very important and the government has to effectively address these stages in the national policy on foreign employment. The government has not allocated proper budget for strengthening the labour administration. The available resource is only limited to expense for salary and allowances of staffs. No proper attention has paid for strengthening the skills and makes the labour administration equipped to carry out their day-to-day activities. Due to the limitation of human resource in the concerned sector, there is negative impact on work performance and productivity of the concern institution.

In conclusion, foreign employment occupation is still not in the higher priority of government, though they are claiming that our economy is transformed towards remittance based economy.

5.12 Foreign Employment Agencies

There are some foreign employment agencies in Nepal who are performing a good job while supplying labour migrants. They do give proper information to the worker regarding their job, earning and other cultural orientation. But most of the agencies do not give real information that a worker need to be aware while going abroad for work. Foreign employment only shares positive things about the country of destination but generally they don't share about difficulties and challenges that might occur during the job placement period. Foreign employment companies are not regulated, though the

regulation of foreign employment is clearly stressed in the Foreign Employment Act-2007. Many companies are into the briefcase and performing their work illegally. These sorts of activities are also assisted to develop the wrong attitude among the people about the work of foreign employment companies. There is unfair competition among the Nepalese foreign employment agencies, so the cost of the workers has increased to arrange their trip to abroad and get work permission. For getting more quotas from the foreign recruitment agencies, they are ready to agree with imbalance labour agreements that affect the wages of migrant workers.

Foreign employment agencies have been lacking the quality of international labour market relationship with the business companies in labour receiving countries. Most of the labour contract is done with the local agents and sub agents in the labour receiving countries not with the employers directly. Due to the lack of relationship skill, they do not have good bargaining power in most cases. If they could increase the bargaining power, Nepalese labour migrants could earn double than the current average earning. International human mafia groups are quite active around the world and their only intention is to get maximum benefit from the potential labour migrants. So, labour migrants from Nepal are also exploited in most of the cases. They have to pay higher amount of money for low wages works, most of them are compelled to work in a bonded situation, no social security and living in other several social and economic problems.

CHAPTER - VI

SUMMARY, MAJOR FINDINGS, RECOMMENDATIONS AND CONCLUSION

This chapter analyses the summary of the research, recommendations and conclusion of the study. Moreover, this chapter presents the major findings in comparison them with theory and other empirical evidence to some extent possible. It also offers several directions for future research through this study.

Summary of the Research

Most of the people use to go to different countries in order to look for foreign employment, higher education, migration etc. In the globalization age, the mobility of the people from one country to another country has become the potential destination for the foreign employment or migration in the recent years. In 1768, since the unification of the country- Nepal, the Nepalese people have gradually started to settle their livelihood across the national border. In the history of foreign employment of Nepal, the Nepalese people had formally taken initiative for having employment in the foreign countries in the early 19th century. It is noticed that migration had taken place since 1814 through Gorkha Soldiers recruited under the British Army.

The Nepalese people have started to move in the Gulf countries since 1985 for foreign employment. Such trend for foreign employment has been increasingly continued in the recent years. It is also recorded that 107 countries are open for foreign employment as decided by the Nepal Government. Different data in relation to the employment in the foreign countries are available. However, it is also estimated that more than 1.4 million Nepalese citizens are working in various sectors in various countries. It is noted that Malaysia is the top destination country; large numbers of Nepalese people are estimated to be working in the countries like Qatar, Saudi Arabia, UAE, Kuwait, Bahrain, Israel etc. It shows that people are taking keen interest in foreign

employment. This has greatly helped reduce unemployment problem on the one hand and generate much income and volume of remittances on the other. It can be claimed that the remittances have helped support for the social transformation and increase of business relation with the foreign countries.

The contribution of remittance to GDP was increasingly significant over the years. It is also reported that the remittances are also informally channeled, and that of remittance from the formal channel is recorded to have been as approximately US \$ 1 billion every year in the country. Looking at the contribution in the national economy the remittance has played a vital role during a decade- long armed conflict and reducing poverty to some extent. This is a good indication for the interest the country. But it has to be maintained the country's position outside the world. In fact the remittance is the invisible source of national income. It is also expected that it may increase in the following days if its source or mechanism is developed in a transparent manner, and if its channel is through banks. Besides them remittance policy, system, process, cooperation, coordination, documentation, programs, promotions etc. must be required to be improved.

As mentioned earlier, the Nepalese workers are taking keen interest for the foreign employment in order to find out better opportunities. However, there exists challenge as well as opportunities. It is also reported that most of the Nepalese workers have been exploited not getting the amount of remuneration as mentioned in their agreement papers. They have not been informed the nature of their job. As a result, they have to face accident, physical abuse, injuries, grief and even unexpected deaths etc due to the unknown nature of their jobs. In some of cases, their jobs have not been secured because of not meeting employer's needs. In such circumstances, new jobs have to be looked for. They will have to approach to the broker for seeking new jobs for them who may cheat them in terms of taking much commission from job seekers. This type of exploitation is happening time to time. These are the bitter experiences and obstacles the Nepalese workers have been facing. Such incident takes place due to lack of awareness, orientation, training, inadequate information, alien culture and language

barriers, fraudulent activities etc. It is therefore, necessary that all the concerned persons have to be very serious in order to avoid cheating and illegal activities. To avoid such unpleasant incident the Nepalese workers who are going abroad, they should be properly oriented or trained about the labour legal provision of the labour law of the said countries, discipline, manner, technology and technical and other related awareness. Likewise, it is essential to monitor channels, terms and conditions before the implementation of actions.

The management of foreign employment and remittance are facing complexities. To minimize them, there should be an agreement through the diplomatic channel between both the countries of demand and supply of job. It is also required to sincerely handle the issues created. Recently, it is also mentioned that the Government of Nepal has signed labor agreements with the Republic of Korea, State of Qatar and the United Arab Emirates (*UAE*). Since the signatory countries are committed to be responsible and accountable for settling issues amicably, it is expected to protect the Nepalese workers going abroad in order to make this sector much secure, utilization of the remittance in investment sector or in productive sector promoting foreign employment. The policy should be strengthened and appropriate policies should be adopted for looking after long term point of view. The administrative sector handled by the bureaucratic level has to make them very effective and efficient for strengthening regulatory activities and to resolve the problems. The recruiting agencies have to take responsibility and accountability for making their dealing transparent. The Nepalese workers, who want to go to the interested country, have to be very serious. They should have necessary information and details of jobs are to be collected whether the agency is reliable or not. The new Foreign Employment Act and the Labor Migration policy have to be implemented to protect the labor rights of the concerned persons.

The present diplomacy agendas - economic, social, culture, tourism, hydro-power, trade and commerce etc. under the Nepal's foreign policy are to be seriously considered in a positive way. In the new context, foreign employment is also one of the burning or crucial agendas of diplomacy among them the present diplomacy must

facilitate to promote many economic sectors including poverty reduction. As mentioned earlier, the remittances have generated national economic growth. This is the high time to put emphasis on the top priority. Certainly, foreign employment has caused many implications on carrying out the foreign policy in a pragmatic way. However, the diplomatic missions have to take timely initiations and to play active role to control and protect foreign employment and to maintain bilateral relation and responsibilities in relation to the Nepalese workers in the foreign labor market. It can be suggested that the labour desk should be installed if it is required in the particular identified missions as per heavy size of the labor market. The government / diplomatic mission has to take into account for establishing welfare fund and make contributions from its own resource and collecting a certain amount of contribution from the Nepalese workers going aboard and working in the foreign countries where they are working.

Thus, in the sum up, it is also essential to reorient on foreign policy in the days ahead. There should be mutual coordination and cooperation between the delivering and receiving countries. To raise voice, on behalf of the Nepalese workers the frequent exchange visits at high level, diplomatic level, bureaucratic levels and track II levels are required for making good relationship between both the countries. In addition, there should be a close coordination among the ministries of labor, finance, foreign, and departments under their respective ministries to establish good networking between the concerned countries for effective solution to avail opportunities from the foreign employment to boost up Nepalese economy.

Major Findings

The major findings of the research study on the topic of "International Labour Migration: Causes and Consequences" are as follows.

- ❖ There are more than 1.2 millions documented Nepali labour migrants in abroad for the last 13 years. This number does not include the migrants, who are residing in India.
- ❖ The major concentration of Nepali labour migrants is found in Malaysia, Qatar, Saudi Arab and the United Arab Emirate. There is no significant number of labour

migrants in other countries. Recent data on migrant workers, more than 46.63 percent of total workers went to Malaysia. Similarly, 98.42 percent to Nepalese workers went to foreign employment towards these four countries only among the total number of 177576 labour migrants

- ❖ There is rapidly increasing trend of international labour migration in Nepal where as significant number of labour migrants are increasing in Qatar and Malaysia than other countries.
- ❖ In the fiscal year 2006/07, 829 migrants were female, which was 0.47% of 2006/07 migrants of 177,576, i.e., 20.58% of total 862,755 migrants.
- ❖ Mainly Nepali workers are going abroad for works like building construction, mechanism, Productive industry sector and hotel and catering etc.

Causes and Consequences

- ❖ The economic crisis of the country is the Major cause of international labour migration, which is directly related to the unemployment and underemployment.
- ❖ All kinds of people from poor to higher socio-economic status are migrating to the accessible location and their interest behind migration is money. The expectation of earning is found different in each work place. But the common motive of each migrant is targeted to uplifting socio-economic status of their family as compared to present situation.
- ❖ Ongoing political instability, past conflicts and the loss of employment opportunity are found the major causes to the increment of international labour migration. Volume of migrant workers has been increased after the origination of armed conflict in Nepal.
- ❖ In the present situation of political instability, insecurity, economic recession and rising unemployment, foreign employment is the only ray of hope for the youth of Nepal and it has become the backbone of the country's economy.
- ❖ The total remittances coming in to Nepal from abroad was Rs.35 billion in 1997 of which the high amount (2.3.0 billion) came from East/South East Asia and the lowest amount (1.5 billion) came from the Gulf.

- ❖ In the year 2003/04, the total amount of remittance received in nominal Nrs was Rs.46 billion and percent of all household receiving remittances is 31.9% which was Rs. 13 billion and 23.4% respectively in 1995/96.
- ❖ The percentage share of remittance in GDP is increasing year by year and it was 17.56% in 2006 according to the record of Nepal Rastra Bank. But, if we consider the remittance comes from non-banking sector, the ratio of remittance is more than 35 percent of Gross Domestic Product.
- ❖ The total revenue collected through the process of labour migration Rs.1580199792 in the fiscal year 2061/62 B.S.
- ❖ The main contribution of remittance in Nepal is to reduce the poverty level. The poverty level is decreased in Nepal from 41.8 percent to 30.8 percent between the periods of 1995/96 to 2003/04 due to the contribution of remittance.
- ❖ Beside these, the social cost in the place of origin is also the consequences of labour migration. Most of the working age populations are involving in migration and there is lack of productive workers and leading population in the society.

Problems and Challenges

- ❖ Most of the Nepali workers have kept their land as well as other property with *Dhito* and take loan in high interest rate to go to employment, but most of them have been working with low pay scale, deduction of commission for foreign employment agencies from labours monthly salary from the employer. So, they could not success to earn effectively because their total income spends for the return to loan and home expenditure.
- ❖ If they earn some money, they spend this money in non-productive sectors and it can not play the role to mange the family background in future.
- ❖ Lack of diplomatic mission and lack of access to information, skillful strong orientation, training and counseling to the out going labour migrants are the major challenges for labour migration. Due to the lack of co-operation of Nepalese diplomatic mission in the labour receiving country, many migrant workers are working in a vulnerable condition.

- ❖ It is also found that government has a lack of proper vision and working mechanism to address the issue of international labour migration. Market promotion, market assessment, demand verification and the provisions of labour attaches in the potential labour receiving country are still lacking though the foreign labour migration has been developed as emerging business and a reliable source of national income in the difficult economic situation of the country.
- ❖ Foreign employment agencies are not fare in their business deal. They have lack of professionalism to successfully operate their business. Government's policy to regulate the work of manpower is absolutely ineffective. Foreign employment agencies are more focused on earning money rather than providing best services and benefits to the labour migrants. Manpower companies are loosing their bargaining capacity with the foreign recruitment agencies due to the unhealthy competitions prevailed among the Nepalese companies. But impression is existed every where about the work of manpower.
- ❖ Exploitation of workers is found from the very beginning. i.e., from his / her usual place of residence to the country of destination. Government's sincerity to address the issue to labour migrants in the implementation level is found very weak in terms of coordination capacity, labour diplomacy and the allocation of resources the needy area of concern.
- ❖ Labour migrants are working in poor and vulnerable environment. Most of them are working in bonded situation.
- ❖ Most of the migrant workers are not able to send their earning safely. Due to the lack of security and proper mechanism to send their money back, they are not able to save or earn money in reality.
- ❖ Problems that are faced by migrant workers in the home country are very much neglected and the problems in the working countries are highlighted but no effective action is taken by the government. Further this problems, the recent challenges towards these fields can be described as:
 - ✓ Bilateral labour agreements should be struck between Nepal and the countries to which Nepalese migrate for work.

- ✓ The present insurance system in Nepal must be changed to better protect Nepalese while they are working abroad.
- ✓ Since most Gulf countries do not have Embassies/Consulates in Nepal, visa processing is both time consuming and costly. An effort should be made to establish consulates in Kathmandu.
- ✓ Since the foreign employment policy is control-oriented rather than promotion-oriented, a comprehensive review of the foreign employment policy should be made.
- ✓ Credit support should be provided to the poor in order to promote their participation in overseas employment, which at present is beyond their financial capacity.
- ✓ New training centers should be established and the existing ones improved in order to better serve the needs of Nepalese migrant workers.
- ✓ Gender discrimination, such as the ban on women seeking overseas employment, should come to an end.
- ✓ The competition between recruiting agents across South Asia has led to a decline in the levels of remuneration for migrant workers. A South Asian level collaborative effort should be made among foreign employment agencies in the region.

Different Policies and Laws

- ❖ International instruments including the "Convention for the protection of the rights of the migrant workers and members of their families" are found very much powerful to ensure the rights of migrant workers, so, Nepal have to give priority in this fields as well as the declarations, recommendations and the plan of action adopted in different international conferences are also very much applicable to best benefit of migrant workers. Nepal is the state party of all these conferences i.e. state has morally obliged to implement the plan of action in the national level.
- ❖ Foreign Employment Act-2007 (2064) adopted by the state is control oriented and welfare of migrant worker is very much considered. This act also found discriminatory towards women due to the provision of taking prior consent with

their guardians and there is less attention of the government to assure safe migration of women.

- ❖ In one sense, the state's policy on foreign employment is perfect but its implementation aspect is found very weak due to the identified problems at all level. Government action is not directed in a proper way as the policy has directed. Government is lacking financial and human resources to strengthen the capacity of labour administration. Labour migration being highly important sources of national income, which is not in the priority of the government. So it should be given more priority in these fields as well.

Conclusions

International labour migration mostly in Gulf States, Malaysia and other South East Asian countries is a new phenomenon in the Nepalese context. However, the international labour migration has developed in such a way which has shifted the agricultural based economy towards remittance based economy. The figure of the government authority says that there are more than 1.2 million documented migrant workers are working abroad as a labour migrants, where as other estimated figure says that there are more than two million Nepalese migrant workers in abroad. This figure does not include the migrated population towards India. Numbers of peoples going abroad for work have been increased for the last few years, especially the origination of armed conflict, high unemployment rate, unfair selection and the current political instability in the country. Major concentration of Nepali migrant workers was in Gulf States for the very beginning but the dynamics has been changed and peoples are migrating towards Qatar and Malaysia since the past five years, even though the numbers of peoples going to the Gulf States is still significant.

In the sum up, Push factors in the place of origin and Pull factors in the place of destination are the major causes of international labour migration, which includes the social-economic, political and environmental. Among the various causes, economic motives are the most important cause of labour migration. Every person wants to be a rich person with higher financial gain. So, in the situation of economics crisis,

unemployment, underemployment, poverty and low economic opportunity, international labour migration is the most favorable alternatives option for financial gain. Similarly, ongoing political unrest and unemployment in the country are also major causes of international labour migration. The past fight between the state and the Maoists had created extremely difficulty for the life of the peoples and the current Terai unrest and blockade between political parties decision for the fruitful bright future of the country. The possibility of youths being engaged in traditional agriculture is largely diminished due to the political instability in the country is the major causes behind the migration of Nepalese youths.

There are both positive and negative consequences of international labour migration. Financial gain is the most important positive consequences and social cost or burden is the negative consequences of labour migration. Generally working age population are involved in labour migration, due to which there is lack of productive workers and leading population in the place of origin specially rural part of Nepal. Which creates the social problem, but on the other hand, the process of international youth's migration solves the problems of unemployment and underemployment in Nepal. In the present scenario of Political instability, insecurity, economic recession, rising unemployment, rising fuel and food prices in the country, foreign employment is the only ray of hope for the youths and it has become the backbone of the country's economy. Revenue collection and remittance are the most important factor for the improvement of economic status of the country.

There are various problems faced by migrant workers both in home country and the country of destination. Unless addressing the problems of migrant workers from the policy level. Solution is fare behind. Nepalese Government on the one hand is not capable enough to the proper implementation of existed policy. There are several things to do for the regulation and management of international labour migrant. Basic things that are found to improve are amending the existed laws, promotion of labour market through the labour diplomacy, transparent and strong control mechanism of brokers, foreign employment agencies and welfare activities to the best benefit of labour migrants. The situation of female migrant workers is found more vulnerable as

compared to male migrant workers. The existing law is itself found discriminatory towards women and issues of female migrant workers are not considered sincerely.

International provisions are found very sound and applicable to protect the rights of migrant workers but government in both sending and receiving countries does not seem sincere to the domestication of the spirit of international instruments, conference recommendations and plan of action. Foreign employment agencies are almost unfair about their business dealing with the workers and their professionalism questionable. The role of government is found ineffective to address the issues of potential labour migrants in home country as well as in the country of destination. There is lack of information, orientation and skill development training program for the labour migrants before going in abroad. Therefore, they face many problems and challenges in their destination. However international labour migration only the important source of income in Nepal. But, if the process of going abroad is manage properly by the government by providing the detail information, orientation and skill development training program the income can be increased three times more than the present situation. So, the Nepalese government should continue the international labour migration considering its consequences.

Recommendations

The following recommendations are presented as *in Four Phases* for managing the international labour migration in professional ways, which are:

A. Recommendations Regarding Pre-departure

- ❖ The present legislation, especially that relating to pre-departure, is vague. The legal provisions should be clear, precise and simple.
- ❖ There is a growing trend towards the recruitment of Nepalese migrant workers by non-Nepalese recruiting agents which puts the migrant workers at higher risk.
- ❖ The recruitment process is very complex and beyond the comprehension of most Nepalese migrant workers. Unless the processes are simple, there are

chances for exploitation. The processes must be simplified and better explained.

- ❖ Because there are no bilateral labour agreements between Nepal and the countries where Nepalese migrant workers are employed, the terms and conditions of employment are dictated by written and unwritten agreements between the foreign employment agencies in Nepal and the employers overseas. Such bilateral agreements are essential to improve the welfare of Nepalese migrant workers abroad.
- ❖ In view of the rising demand for foreign employment opportunities and limited market opportunities, labour markets in new countries should be explored.
- ❖ Most foreign employment seekers come from poor financial backgrounds. In order to benefit the poorest of the poor, financial schemes including soft loans and incentives need to be developed so that they can have equal opportunities.
- ❖ Technical and vocational training for unemployed youth willing to go abroad for
- ❖ Employment should be provided so that they can gain access to better jobs and higher remuneration.
- ❖ Hopeful migrant workers have virtually no information or counselling about labour markets. Access to these services is essential to improve the opportunities of Nepalese seeking employment abroad and reducing their vulnerability to risky situations.
- ❖ The accountability of manpower agencies to the government and the general public should be clear and transparent in order to minimize mistrust and blame.
- ❖ The manpower agencies are mainly located in Kathmandu. This situation limits the ability of those outside the capital area to seek overseas employment. Manpower agencies need to be decentralized and relocated in regional development centres such as *Dipayal, Nepalgunj, Pokhara and Dhankuta* in order to widen opportunities for the rural poor.

- ❖ The accidental/health insurance needs to extend coverage to destination countries and place of work.
- ❖ In order for policy to be better informed, more attention must be paid to the undocumented workers, especially those migrating to India.
- ❖ The pre-departure programme should include better general health orientation and the topic of HIV/AIDS should be specifically included in such programmes.
- ❖ Counselling services should be provided to all those being tested for HIV.

B. Recommendations regarding the post-arrival experience of migrant workers

- ❖ The host country employer should provide orientation about the job and the culture of the host country.
- ❖ Labour Attaches should be appointed in countries where the number of Nepalese migrant workers exceeds 5,000. Although the government has decided this at the policy level, it has yet to be implemented. An appropriate mechanism must be in place for the implementation of the policy decision.
- ❖ The informal and social contacts among the Nepalese migrant workers in host countries are very limited. Such contacts should be promoted.
- ❖ Migrant workers often face emergency or difficult situations, but do not know where to turn for help. Emergency telephone numbers and services should be provided so that they can establish contact and seek assistance.

C. Recommendations regarding the reintegration experience of migrant workers

- ❖ Returnee migrant workers have little voice in the policy-making process regarding foreign employment. The formation of a Migrant Workers Association in Nepal would mitigate this problem and also promote sharing of experiences among the returnees.
- ❖ Several Nepalese have returned from their jobs overseas infected with HIV/AIDS. Care and counseling should be provided for these people.

- ❖ Migrant workers should be provided with incentive packages, such as scholarships for their children and other benefits for their families staying at home in Nepal.
- ❖ A counseling centre for migrant workers and their families should be established.

D. Others

- ❖ Nepalese government should pay more attention about the nature of government's policy on foreign employment i.e. should it be control oriented for the promotional one. If it is promotional, there should be the strong recognition of foreign employment agency and they should provide facilities to make their work easier. The promotional policy should also be in favor of the worker going abroad, which include the protection and promotion of the rights of the migrant workers.
- ❖ The basic things that must be addressed in the policy level for the welfare system of workers in the country, fair selection of foreign employment agencies, control in the financial matters from government sides, effective information dissemination system and administrative processes involved in the departure should be transparent.
- ❖ The government should develop reintegration process of migrant workers in their respective community and for the holistic development of the country. Capital accumulated and skills gained by migrant workers need to use properly when they returned back after their work.
- ❖ Nepalese government needs to ratify the international convention of the protection of the rights of migrant workers and members of their families. Ratification of this UN convention by the Nepalese government will also assist to increase their bargaining power with the labour receiving countries to protect the rights of Nepalese labour migrants. Ratification of UN Convention by the labour receiving country will create moral pressure to the receiving country for the ratification of the convention.

- ❖ Nepalese government should pay as especial consideration to the welfare of women migrant workers and all discriminatory laws regarding the women involvement in foreign employment should be amended as per the guiding principle of the state.
- ❖ Nepalese government has to carry out and in depth study identifying the problems of migrant workers in home countries as well as in the potential countries where they are going for work. The study will assist to lobby in the government level regarding the problems facing by migrant workers. Nepalese governments also need to establish a department in major workers receiving countries that could facilitate the problems of migrant workers on time.
- ❖ Government should think to provide appropriate information, orientation counseling and training for the potential labour migrants so they could get well paid job and also develop their skills. Traditional and illegal way of sending money should be avoided. The money earned by migrants workers transact through the back.
- ❖ Remittance should attract to invest in the sector of productive industries and creation of the employment in the country and government should play the co-operative role for the establishment of economic activities and expansion.

Direction for Further Research

The scope of the study of international labour migration is both wide and vague. So, due to the limitations of time and resources, this study only covered the Causes and Consequences of International Labour Migration with problems and challenges and existing government policy in this field. This is very important aspect of international labour migration. It is hoped that it will be more important contribution in the international labour migration of Nepal for further studies.

Nepalese migrants who migrate to different foreign countries play a vital role in Nepalese economic development. Being a poor underdeveloped nation as well as its

landlocked nature, the main sources of income of the country is foreign remittance obtained by the Nepalese workers in abroad. So, one of the international labour migration issue is that the role of remittance for the country and their socio-economic status before and after going abroad.

Similarly, there are many Nepalese migrants are facing different kinds of vulnerable problems. Therefore, the issue like "Labour Migration and Trafficking", "Foreign Employment for Women: Challenges and Opportunities", Its detail investigation through the research in this field will be more topics for the future research as well as the remittance and its contribution through youths migration from the country, recent problems and difficulties will be another topics for those interested in the fields, which could be the more emerging researchable issues in the subject of International Labour Migration.

REFERENCES

- Adams, H., Richard, 2003. *International Migration Remittances and the Brain Drain* (Geneva: ILO).
- Ale L.B., 2004. *International Labour Migration*, an unpublished M.A. dissertation submitted to the faculty of humanities and social sciences, central department of geography (kirtipur: TU).
- Adhikari Jagannath, 2004. *National Labour Policy of Nepal government*, accessed at www.samren.Org/govt_progremmes/Nepal/n1.pdf.
- Bhattarai, Prakash, 2005. *Migration of Nepalese Youth for Foreign Employment: Problems and Prospects*, An unpublished M.A. Dissertation, submitted to the central department of population studies (kirtipur: T.U).
- Birks, J.S.et al, 1980. *International Migration and Development in the Arab Region* (Geneva: ILO).
- Cain glen G., 1976. *The Challenges of Segmented Labour Market. Theories to the orthodox theory a survey*, Journal of Economic Literature, Vol.14.
- Central Bureau of Statistic, 2006. *Nepal Living Standard Survey 2005/06 Statistical Report, Vol-2* (Katmandu: CBS).
- Central Bureau of Statistic, 2005. *Nepal Living Standard Survey 2003/04 Statistical Report, Vol-1* (Katmandu: CBS).
- Central Bureau of Statistic, 2005. *Population Monograph of Nepal, Vol-2* (Katmandu: CBS).
- Centre for Legal Research and Resource Development, 2002. *Analysis of Laws and Policies on Labour Migration and Trafficking* (Bhaktapur: CeLRRd).
- Elizabeth, Morris (ed.), 2004, *Report on the ILO Sub-regional Training Workshop on Labour Migration Policy and Management* (Geneva: ILO).
- Gurung, Ganesh, 2002. "Nepali Economy based on remittance", *Foreign Employment for Women: challenges and opportunities* (Kathmandu: UNIFEM).
- GEFONT, 1998, *GEFONT and the Migrant Workers*, (Kathmandu: GEFONT Resource Centre).

- Gurung, Ganesh, 2002, *Patterns in Foreign Employment and Vulnerability of Migrant Workers* (Kathmandu: NIDS).
- Gurung, Ganesh and David Seddon, 2003, *New Lahures* (Kathmandu: NIDS).
- Heide, Ter, 1963. *Migration Models and the significance* (Geneva: ILO).
- HMG/Nepal, 1985, *Foreign Employment Act-2042* (Kathmandu: Available at www.labournepal.org).
- HMG/Nepal, 1999, *National Labour Policy* (Kathmandu: Available at www.labournepal.org).
- Human Rights Watch, 1995, “*Trafficking of Nepali Girls and Women to India's Brothels*” (Washington D.C.: Human Rights Watch).
- NG, 1985. *Foreign Employment Act*, Employment Promotion Commission, accessed at www.labournepal.org/labourlaws/foreign_emp_law.htm
- NG, 2005. *Labour Market Information Bulletin, year 3, No. 10*, Quarterly Publication (Kathmandu: NG).
- ILO, 2002, *Report of Tripartite Forum on Labour Migration in Southern Africa Pretoria* (Geneva: ILO).
- ILO, 2003, *Draft Summary of Conclusions of ILO Regional Tripartite Meeting on Challenges to Labor Migration Policy and Management in Asia* (Bangkok: ILO regional office).
- ILO-DFID, 2002, *Managing Foreign Employment in Nepal: Issues, Challenges and Strategies*, an unpublished advisory report (Kathmandu, 2002).
- IOM, 2003, *International Labour Migration: Trends and IOM Policy and Programmes* (Geneva: IOM, MC/INF/264).
- IOM, 2004, *International Migration Vol. 42(5)* (Geneva: IOM).
- ILO, 2003. *Challenges to labour Migration Policy and Management in Asia, 2003* (Geneva: ILO).
- ILO, 2005. *Key indicators of the Labour Market*, accessed at <http://www.ilo.org/public/english/employment/stral/kilm/index.htm>
- IOM, 2006. *World Migration Report: 2006*, accessed at http://www.iom.int/en/news/pr882_en.shtml

- IOM, 2006. "Labor Migration in Asia, " *World Migration Report, 2005*, accessed at http://www.iom.int/en/pdf_files/wmt2006_pressikite/wwmr_chap23_eng/wmr_labokansakar, VBS, 1984. *Emigration Remittance and Rural Development*, Centre for Economic Development and Administration (CEDA) (Kathmandu: TU).
- Kantipur Publication, 2006. "*International Labour Migration in Nepal*", the Kantipur National Daily, Monday, January 10, 2005 (Nepal: Kantipur).
- K.C., Bal Kumar et.al; 1997. *Migration Situation in Nepal, An Unpublished Survey Report* (Kirtipur: CDPS).
- K.C. Bal, Kumar, 2003 "*Migration, Poverty and Development in Nepal*" (Bangkok: ESCAP).
- Kathleen, Newland, 2003, *Migration as a Factor in Development and Poverty Reduction* (New York: Migration Policy Institute).
- Khatiwada, Padma, P, 2001, *Cause and Consequences of International Migration in Nepal*, An unpublished dissertation submitted to Central Department of Population Studies (CDPS), (Kathmandu: CDPS).
- Maryknoll Ministry of Asia, 2002. *News and Events*, accessed at www.mapmigrant.org/
- Marwan, Macan, M., 2003, "*Asian Migration Trail*" (IPS.: Bangkok).
- Ministry for Labour and Transport Management, Labour and Employment Promotion Department, 2003, *Labour Market Information Bulletin, Year 2. No. 2*, (Kathmandu: Labour and Employment Promotion Department).
- National Planning Commission, 2002. *The Tenth Plan (2002-2007)*, (Kathmandu: NPC).
- National Planning Commission, 2007. *The Three Year Interim Plan 2065-2068* (Kathmandu: NPC).
- Parajuli, Manju, 13 April 2004, "*Baideshik Rojgar Ma Mahila*" (Kathmandu: Kantipur National Daily).
- Rimal, Bishnu, 2004, "*Migrant Workers a Snap Shot*", (General Federation of Nepalese Trade Unions (GEOFONT) (Kathmandu: 2004).
- Seddon, D. et al, 2001. *The New Lahures, Foreign Employment and Remittance Economy of Nepal* (Kathmandu: NIDS).
- Sharon, Stanton, Russell, 2002, *International Migration: Implications for the World Bank*, (Manila: World Bank).

- UN, 2004. *Foreign Labour Migration and the Remittance Economy of Nepal*, *Critical Asian Studies*, Vol. 34, No. 1: 19-40.
- UN, 1994. Programmed of Action, *Report of the International Conference on Population and Development, Cairo, 5-13 Sept, 1994* (New York: UN).
- UN, Development Fund for Women, 2003. *Foreign Employment for women: Challenges and opportunities* (Kathmandu: UNIFEM).
- UN, 1990, *International Convention on the Protection of the Right of the Migrants Workers and Members of their Families* (New York: available at www.un.org).
- UN, 2002, *International Migration Report*, (Geneva: UN).
- UNIFEM, SAMANATA & HMG/Nepal, 2002, *Policies, Service Mechanisms and Issues of Nepali Migrant Women Workers: A Rapid Social Investigation* (Kathmandu: UNIFEM).
- UNIFEM & Sancharica Samuha, 2003, *Foreign Employment for Women: Challenges and Opportunities* (Kathmandu: Sancharica Samuha).
- Wicramasekara, Piyasiri, 2002, *Perspective on Labour Migration, Policy responses to skilled migration: Retention Return and Circulation* (Geneva: ILO).

Appendix - "A"

List of Foreign Employment Agencies Visited During the Research

SN	Foreign Employment Agency Detail	Address
1	Milan International Manpower Pvt. Ltd.	Sundhara, KTM
2	Riza Overseas Employment Pvt. Ltd	Lazimpat, KTM
3	Gulf Manpower Service Pvt. Ltd.	Pulchowk, LPT
4	Himal Manpower Employment Sevrvice Pvt.	Basundhara, KTM
5	Harati Overseas Pvt. Ltd.	Baneshwor, KTM
6	British Gurkha Overseas Services, Pvt. Ltd.	Tikhedewal, LPT
7	Unique Overseas Pvt. Ltd	Bishalnagar, KTM
8	The Raj Overseas Pvt. Ltd.	Shantinagar, KTM
9	SOS Manpower Service Pvt. Ltd.	Maharajgunj, KTM
10	Global Overseas Services Pvt. Ltd.	Chhauni, KTM
11	Green Land Overseas Manpower Serices Pvt. Ltd.	Battisputali, KTM
12	Gorakhkali Foreign Employment Company Pvt. Ltd.	Maharajgunj, KTM
13	Gorkha Re-employment Services Pvt. Ltd.	Sundhara, KTM
14	Sun International Overseas Pvt. Ltd.	Bansbari, KTM
15	Sangrilla International Manpower Supply Pvt. Ltd.	New Baneshwor, KTM
16	New Gorkha International Pvt. Ltd.	Pulchowk, LPT

Appendix - "B"

List of Expert/Managers:

1. Mr. Yagya Prasad Sharma, Immigration Officer, Department of Immigration, Maitighar, KTM.
2. Mr. Ganga Bahadur Gurung, Recruitment Manager, British Gurkha Overseas Services, Pvt. Ltd, Lalitpur.
3. Mr. Tirtha Raj Khanal, Section Officer, Department of Labour and employment Promotion, KTM.
4. Ms. Saru Joshi Shrestha, Regional Programme manager for Migration, UNIFEM, Nepal.
5. Ms. Prabina Gurung, Programme Officer, NIDS, KTM.

Appendix - "C"

To collect the primary data from different sources, The Structured Questionnaire for In-depth Interview are as follows:

Pro-Forma of Structured Questionnaire on
A Survey of International Labour Migration: Causes and Consequences of Nepalese Youths

Name (Optional):-
Organization/Company: -
Rank/Position: -..... Age: -.....
Occupation: -
Years of Experience: -.....

1. How do you categorize and evaluate the Labour Migrants to the foreign countries at this present changed scenario on political situation of Nepal as a Democratic Republic Country?
2. What kinds of relation do you want between foreign employment Agencies and the Nepalese Youths who are seeking for migrants labour towards foreign countries?
3. What are the problems and challenges of Nepalese Youths as a Labour Migrants to foreign countries?
4. How do you observe the Flow, Level, Trends and Concentration on Nepalese Labour Migrants in abroad?

5. What are the major causes & consequences of International Labour Migration in Nepal?
6. What is the main contribution of International Labour Migration in Nepal?
7. What kinds of problems are faced by migrant workers both in home country and the country of destination?
8. What are the major priorities and policies and programmes of the government regarding labour migration?
9. What are the challenges of implementation aspects of Foreign Employment Act– 2007 (2064) and National Labour Policy – 2005 (2062)?
10. What are the problems within the government and policy level for not paying proper attention towards the welfare of labour migrants?
11. What should be done to assure the safe labour migration in the future days?
