

# Situation Report on International Migration in South and South-West Asia

Asia-Pacific RCM Thematic Working Group on International Migration including Human Trafficking



## **Members of the Asia-Pacific RCM Thematic Working Group on International Migration including Human Trafficking**

**Economic and Social Commission for Asia and the Pacific (ESCAP)**

**International Organization for Migration (IOM)**

**International Labour Organization (ILO)**

**Office for the Coordination of Humanitarian Affairs (OCHA)**

**United Nations Office of the High Commissioner for Human Rights (OHCHR)**

**United Nations Entity for Gender Equality and the Empowerment of Women (UN Women)**

**Joint United Nations Programme on HIV/AIDS (UNAIDS)**

**United Nations Development Fund (UNDP)**

**United Nations Population Fund (UNFPA)**

**United Nations High Commissioner for Refugees (UNHCR)**

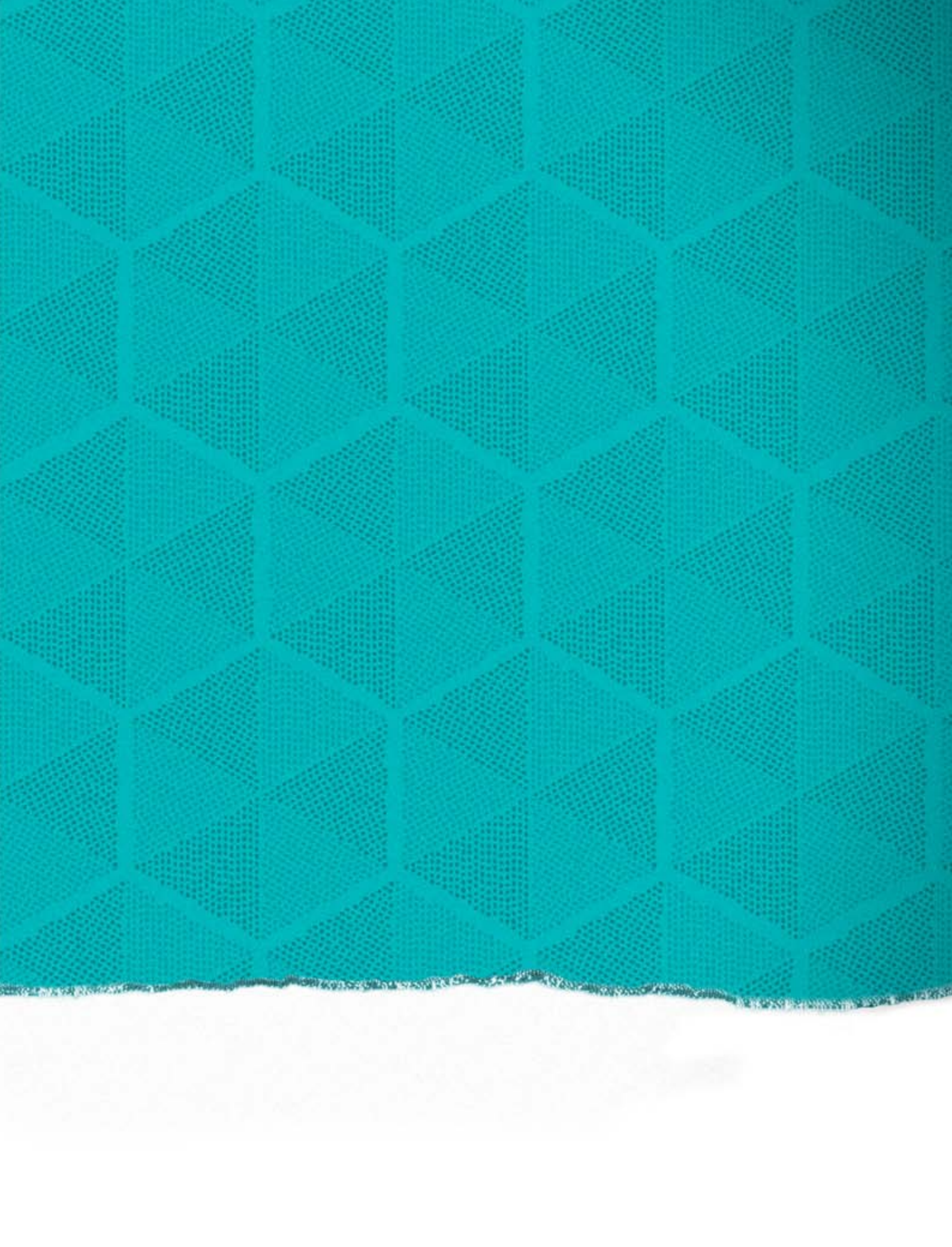
**United Nations Inter-Agency Project on Human Trafficking (UNIAP)**

**United Nations Children's Fund (UNICEF)**

**United Nations Office on Drugs and Crime (UNODC)**

**World Health Organization (WHO)**

**World Bank**



The opinions, figures and estimates set forth in these papers are the responsibility of the authors, and should not necessarily be considered as reflecting the views or carrying the endorsement of the United Nations.

# **Situation Report on International Migration in South and South-West Asia**

**Asia-Pacific RCM Thematic Working Group on International Migration including Human Trafficking**

# Foreword



As international migration has gained attention in the global agenda, calls for cooperation to manage international migration have increased. While international migration has acted as an engine for economic and social growth in South and South-West Asia, the full potential of migration has not yet been achieved. Desired outcomes from international migration are most likely to be achieved if countries of origin and destination build consensus and increase cooperation on international migration, including the realization of the rights of migrants within and beyond the region.

The *Situation Report on International Migration in South and South-West Asia* covers key characteristics and issues of concern regarding migration dynamics across ten countries—Afghanistan, Bangladesh, Bhutan, India, Islamic Republic of Iran, Maldives, Nepal, Pakistan, Sri Lanka and Turkey. Within these countries live some 1.77 billion people, or 25 per cent of the world's population. From the remote, mountainous passes of northern Afghanistan to the tiny atolls of the Maldives, South and South-West Asia is characterized by wide geographic and cultural diversity.

Migration dynamics within the subregion are similarly diverse. Migration forms a significant livelihood strategy for countries that range in population from under half a million to more than one billion people, but within this group are both countries of origin and destination, as well as points of transit. The subregion has a large number of regular labour migrants, but also contains the largest irregular and refugee populations in the world.

Due to the complexity and diversity of migration patterns and the notable impact of migration on economic and social development in the subregion, obtaining consistent and reliable information on migration data is of paramount importance to policy-making. In recent years, there has been increasing research on migration issues in South and South-West Asia, but few reports have provided a comprehensive overview of the broad thematic concerns of migration alongside key national issues and data. Such gaps impede even the best efforts of governments, policymakers and practitioners in formulating evidence-informed policy.

The *Situation Report on International Migration in South and South-West Asia* enhances the understanding of migration issues in South and South-West Asia by providing comprehensive reference material on international migration to assist policymakers and practitioners. The report contains sound policy recommendations on international migration in the subregion, and identifies gaps in knowledge to guide future data collection and research activities. The report serves as a companion document to the 2008 publication, *Situation Report on International Migration in East and South-East Asia*. Taken together, these two publications provide reference material on international migration covering most of Asia.

The report represents the result of a collaborative effort of the members of the Asia-Pacific RCM Thematic Working Group on International Migration including Human Trafficking, co-chaired by the Economic and Social Commission for Asia and the Pacific (ESCAP) and the International Organization for Migration (IOM). The goal of the Thematic Working Group is to support the Millennium Declaration and the Millennium Development Goals in Asia and the Pacific by examining the links between migration and development. The Group aims to support government policies and programmes that maximize the benefits and minimize the adverse effects of migration consistent with broader social and economic development goals.

The Thematic Working Group achieves these objectives through collaboration on knowledge generation, information sharing and dissemination of best practices on international migration and development issues in the region.

It is our hope that the end result of this report, as well as the other activities of the Thematic Working Group, will support governments to better manage international migration through official channels in South and South-West Asia, and increase protection of the rights of migrants from, and within, the subregion.



**Nanda Krairiksh**

Co-Chair  
Asia-Pacific RCM Thematic Working  
Group on International Migration  
including Human Trafficking



**Andrew Bruce**

Co-Chair  
Asia-Pacific RCM Thematic Working  
Group on International Migration  
including Human Trafficking



# Acknowledgements

This publication is the end product of collaborative work among the members of the Asia-Pacific RCM Thematic Working Group on International Migration including Human Trafficking. The overall guidance and direction for the preparation of the report was provided by the Co-Chairs of the Thematic Working Group, Nanda Krairiksh, Director, Social Development Division, ESCAP and Andrew Bruce, Regional Director for Asia and the Pacific, International Organization for Migration (IOM).

The report was technically edited by Vanessa Steinmayer, ESCAP and Yuko Hamada, IOM. The inter-agency project team, which contributed to the report consisted of: Heike Alefsen (OHCHR), Nilim Baruah (ILO), Deepa Bharathi (UN Women), Jaime Calderon (IOM), Dawn Foderingham (UNAIDS), Thetis Mangahas (ILO), Smita Mitra (UN Women), Khalilur Rahman (WHO), Bishwa Nath Tiwari (UNDP), Marta Vallejo-Mestres (UNDP), Thomas Vargas (UNHCR) and Jun-Hong Hannah Wu (OHCHR).

A number of United Nations and IOM officials generously gave their time and provided technical comments, or drafted sections. Their cooperation is greatly appreciated. They include: Davide Besana (IOM), Anna Coates (ESCAP), Disha Sonata Faruque (IOM), Rabab Fatima (IOM), Laura Giammarinaro (UNHCR), Maren Jimenez (ESCAP), Brian Kelly (IOM), Robert Larsson (UNHCR), John MacGeoghan (IOM), Pia Oberoi (OHCHR), Amber Parkes (IOM), Moni Pizani (UN Women), Vipawan Pongtrangoon (UNHCR), Amit Sen (UNHCR), Anne Stenhammer (UN Women), Donovan Storey (ESCAP), Naziha Sultana (IOM), Pajaree Suwannakarn (UNHCR), Anita Jawadurovna Wadud (IOM), Jacqueline Weekers (WHO), Dan Woods (IOM), Ayumi Yaegashi (IOM) and Farahi Zmaryalai (IOM).

We also thank Jerrold Huguet, Senior Consultant and Irdudaya Rajan Sebastian, Centre for Development Studies, Thiruvananthapuram, India for reviewing selected chapters and providing valuable insights.



We also acknowledge the contributions of the following consultants who drafted chapters for this report: Manolo Abella, Graeme Hugo, Philipp Martin, Nicola Piper and Bhindya Priesner.

The following IOM officials in the countries covered by the report collected data and reviewed the report at various stages and made important technical contributions: Amit Bhardwaj, Marco Boasso, Richard Danziger, Sarat Dash, Yelda Devlet, Pravina Gurung, Shantha Kulasekara, Nitin Kumar, Tajma Kurt, P.Nagasayee Malathy, Kristina Mejo, Hassan Abdel Moneim Mostafa, Mehran Razmher, Ali Rehman, Saleem Rehmat, Hira Mahmood, Prasuna Saakha, Abdolreza Samadzadeh, Meera Sethi, Federico Soda, Meena Poudel, Prajwal Sharma, Phonphan Tonpairroj, Etsuko Teranishi and Elizabeth Warn.

The following agencies made financial contributions to the preparation of the report: ESCAP, ILO, OHCHR, UNAIDS, UNFPA, UNHCR, UNICEF, UNODC, UN Women and WHO.

A number of government officials in the countries covered by the report cooperated in collecting current and unpublished data. Several also provided comments on the country chapters and made themselves available for consultations to ensure the accuracy of the information. Their time and support is greatly appreciated by all agencies. The report, especially the chapter on gender, draws upon the data collection of Sasi Kumar and Rakhee Timothy of V.V. Giri National Labour Institute, India.

The team also thanks Alan Cooper who edited the final report for publication and Daniel Feary who designed the cover and layout of the report.



# Abbreviations and Acronyms

<b>ADB</b>	Asian Development Bank	<b>CRC</b>	Convention on the Rights of the Child
<b>ALFEA</b>	Association of Licensed Foreign Employment Agencies (Sri Lanka)	<b>CRS</b>	Congressional Research Service (United States)
<b>BAFIA</b>	Bureau of Aliens and Foreign Immigrants Affairs (Iran, Islamic Republic of)	<b>DALY</b>	Disability-adjusted life year
<b>BAIRA</b>	Bangladesh Association of International Recruiting Agencies	<b>DWCP</b>	Decent work country programme
<b>BBS</b>	Bangladesh Bureau of Statistics	<b>DOFE</b>	Department of Foreign Employment (Nepal)
<b>BEOE</b>	Bureau of Emigration and Overseas Employment (Pakistan)	<b>ECR</b>	Emigration check required (Indian passport)
<b>BMET</b>	Bureau of Manpower Employment and Training (Bangladesh)	<b>ECNR</b>	Emigration clearance not required (Indian passport)
<b>BOESL</b>	Bangladesh Overseas Employment and Services Limited	<b>EPS</b>	Employment Permit System (Republic of Korea)
<b>BOMSA</b>	Association for Female Migrant Workers in Bangladesh	<b>FEPB</b>	Foreign Employment Promotion Board (Nepal)
<b>CHD</b>	Coronary heart disease	<b>FDI</b>	Foreign direct investment
<b>CIA</b>	Central Intelligence Agency	<b>GCC</b>	Gulf Cooperation Council
<b>CEDAW</b>	Convention on the Elimination of Discrimination against Women	<b>GDP</b>	Gross domestic product
<b>CERD</b>	Committee on the Elimination of Racial Discrimination	<b>GFMD</b>	Global Forum on Migration and Development
		<b>GNP</b>	Gross national product
		<b>IASC</b>	Inter-Agency Standing Committee

<b>IBSS</b>	Integrated Behavioural Surveillance Surveys	<b>LSHTM</b>	London School of Hygiene and Tropical Medicine
<b>ICCPR</b>	International Covenant on Civil and Political Rights	<b>MOIA</b>	Ministry of Overseas Indian Affairs
<b>ICRI</b>	International Consortium for Refugees in Iran	<b>MOLSAMD</b>	Ministry of Labour, Social Affairs, Martyrs and Disabled (Afghanistan)
<b>ICERD</b>	International Convention on the Elimination of All Forms of Racial Discrimination	<b>MAP</b>	Monitoring the AIDS Pandemic
<b>ICESCR</b>	International Covenant on Economic, Social and Cultural Rights	<b>MEWOE</b>	Ministry of Expatriates' Welfare and Overseas Employment (Bangladesh)
<b>ICRMW</b>	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	<b>MoLHR</b>	Ministry of Labour and Human Resources (Bhutan)
<b>ICWF</b>	Indian Community Welfare Fund	<b>MOU</b>	Memorandum of Understanding
<b>IDMC</b>	Internal Displacement Monitoring Center	<b>NAFEA</b>	Nepal Association of Foreign Employment Agencies
<b>IDP</b>	Internally displaced persons	<b>NIDS</b>	Nepal Institute of Development Studies
<b>INSTRAW</b>	International Research and Training Institute for the Advancement of Women	<b>NCD</b>	Non-communicable disease
<b>IPS</b>	Institute of Policy Studies of Sri Lanka	<b>NGO</b>	Non-Governmental organization
<b>ITPA</b>	Immoral Trafficking Prevention Act	<b>ODA</b>	Official development assistance
<b>LDC</b>	Least developed country	<b>OECD</b>	Organization for Economic Co-operation and Development
<b>ILO</b>	International Labour Organization	<b>OEP</b>	Overseas employment promoters (Pakistan)

## Abbreviations and Acronyms *continued*

<b>OPF</b>	Overseas Pakistanis Foundation	<b>UNESCO</b>	United Nations Educational, Scientific and Cultural Organization
<b>PRSP</b>	Poverty Reduction Strategy Paper	<b>UNFCCC</b>	United Nations Framework Convention on Climate Change
<b>POE</b>	Protector of Emigrants (India)	<b>UNGASS</b>	United Nations General Assembly Special Session
<b>PTSD</b>	Posttraumatic Stress Disorder	<b>UN.GIFT</b>	United Nations Global Initiative to Fight Human Trafficking
<b>RCP</b>	Regional Consultative Processes	<b>UNHCR</b>	United Nations High Commissioner for Refugees
<b>SAARC</b>	South Asian Association for Regional Cooperation	<b>UNICEF</b>	United Nations Children's Fund
<b>SLBFE</b>	Sri Lanka Bureau of Foreign Employment	<b>UNSD</b>	United Nations Statistics Division
<b>SLFEA</b>	Sri Lankan Foreign Employment Agency	<b>UN Women</b>	United Nations Entity for Gender Equality and the Empowerment of Women
<b>TB</b>	Tuberculosis	<b>USAID</b>	United States Agency for International Development
<b>TCN</b>	Third Country National	<b>WARB</b>	Welfare Association of Bangladeshi Returnee Employees (Bangladesh)
<b>UN-OHRLS</b>	United Nations Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and the Small Island Developing States		
<b>UN DESA</b>	United Nations Department of Economic and Social Affairs		
<b>UNAIDS</b>	Joint United Nations Programme on HIV/AIDS		
<b>UNDP</b>	United Nations Development Programme		



# Notes to Development Indicators and Graphics in the Country Reports

Notes to development indicators and graphics in Part I Country Reports

Development indicators in the top of each country report are from the following sources, unless otherwise noted in the footnotes:

Population, 2010

Population growth rate, 2010

Total fertility rate, 2009

Percentage urban, 2010

Per capital GDP, 2010

Remittances received to GDP, 2009

**World Bank, World Development Indicators**

<http://data.worldbank.org/indicator/SL.TLF.TOTL.IN>

.....  
Growth rate of the population aged 15-39 years, 2005-2010

Net migration rate, 2005-2010

**Calculated based on population numbers from the Population Division of the Department of Economic and Social Affairs, United Nations Secretariat, World Population Prospects: the 2010 Revision (<http://esa.un.org/unpd/wpp>).**



# Executive Summary

---

## Regional overview

International migration is a key factor behind the socio-economic development of South and South-West Asia, one of the fastest growing subregions in the world economically. Historically, international migration has acted to alleviate population pressures and unemployment while remittances from overseas migrants have contributed to poverty reduction and helped ensure relative macroeconomic stability even during times of crises. Notably, South and South-West Asia comprises 42 per cent of the population of the Asia-Pacific region and is the largest remittance-receiving subregion in nominal terms, receiving 40 per cent of the officially recorded \$206 billion of remittances sent to the region in 2010.

Despite recent impressive growth, several countries in South and South-West Asia are still classified as developing countries and four are least developed countries. Poverty remains widespread throughout the subregion, with 36.2 per cent of the population living on less than \$1.25 per day in 2006. Consequently, migrants are drawn to wealthier subregions that offer better opportunities. Political instability and conflict, as well as frequent natural disasters, also continue to trigger migratory movements.

This report analyzes migration issues taking into account socio-economic complexities. Analysis is provided in both the country and thematic chapters. The country chapters present an overview of migration dynamics in 10 countries: Afghanistan, Bangladesh, Bhutan, India, the Islamic Republic of Iran, Maldives, Nepal, Pakistan, Sri Lanka and Turkey while the thematic chapters contain an analysis of regional migration trends and issues from eight standpoints, namely environment and climate change, gender, health, labour migration, policy and international cooperation, protection of the rights of migrant workers, refugees and stateless persons, and remittances.

As is often the case among migrants globally, better job opportunities serve as a major pull factor for migrants in South and South-West Asia. The majority of labour migrants from the subregion work in the countries of the Gulf Cooperation Council (GCC) and Malaysia and private agencies typically play an extensive role in the recruitment process. From the perspective of countries of origin, the main challenges pertaining to labour migration are: increasing bilateral and multilateral cooperation with destination countries to improve working conditions and the treatment of migrants; reducing the cost of migration, minimizing recruitment fraud and abuse and extending labour-law protection to all workers, including domestic workers, who are mostly women; developing and recognizing skills;

and reducing the proportion of migrant workers engaged in high-risk and low-wage sectors.

While the majority of the countries of origin in South and South-West Asia have enacted legislation and put in place mechanisms to protect migrant workers, exploitative practices in labour recruitment and employment in low-wage occupations remain. In addition, the importance of inter-state cooperation among countries of origin in the subregion and destination countries has been recognized but thus far only a few binding agreements have been signed.

As a result of increasing rates of labour migration, remittances to South and South-West Asia have also risen over time and their relative importance to the economy of the subregion as a whole has substantially increased in the past decade. In several countries, remittances are the most important source of foreign income. For example, remittances to Nepal and Bangladesh accounted for 22 and 10 per cent of gross domestic product (GDP), respectively, in 2010. Studies have shown that recipients of remittances mainly use the funds to build a house or upgrade an existing house and for essential household expenditures which support human and social development, such as the payment of school fees and health-care costs. These funds contribute to macroeconomic stability. However, they also have adverse effects, such as enabling policymakers to delay the implementation of structural reforms which may increase employment opportunities at home. Also of note, a large number of remittances are sent through informal channels and thus remain unrecorded despite efforts to increase the proportion remitted through official channels.

Any balanced discussion on international migration should include both the positive and negative aspects associated with it. One area of major concern is the protection of migrants. Despite the protection provided to all migrants under international human rights and international labour law, many migrants from South and South-West Asia who either live and work in the subregion or elsewhere, are at risk of human rights violations. Key features of migration dynamics and migration governance in some destination countries exacerbate the vulnerability of migrants, including, among others, labour migration policies that tie employees to one employer and recruitment and hiring processes that are dominated by the private sector in both countries of origin and destination. Although the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW) provides a robust tool that addresses the specific vulnerabilities faced by migrant workers, ratification

among countries in the subregion remains low, even among countries of origin of migrants. Ratification and implementation of the ICRMW and other core international human rights instruments would be an important step towards greater protection of the rights of all migrants in South and South-West Asia.

From a gender perspective, women notably have increased their economic role through migration, contributing to the economies of both countries of origin and destination. To maximize this contribution, migration policies need to take into account gender equality and the empowerment of women. Studies show that women migrant workers both at the country of origin and destination are subjected to discriminatory practices, and human and labour rights violations at every stage of the migration cycle. Moreover, their access to legal or social protection or psychosocial services in the countries of destination is often very limited. In some countries of origin, women constitute about half of the overseas migrant workforce. A large majority of this workforce are domestic workers. Demand for such occupation groups has increased in line with global demographic and labour market developments. They account for 4 to 10 per cent of the workforce in developing countries and about 2 per cent of the workforce in developed countries.

The issue of migration and health has been well researched over an extended period of time but very little of this work has focused on disease, especially communicable diseases other than HIV and AIDS. Moreover, the dominance of the 'healthy migrant' model whereby migrant populations are considered to be healthier than non-migrant populations because of the selectivity of the migration process has masked the complexity of the relationship between migration and health. The 2008 World Health Assembly (WHA) and the 2010 Global Consultation on Migrant Health have directed the attention of States towards a more holistic consideration of the diversity of migrants' vulnerability to health problems and the need for developing more migrant-sensitive health systems.

The subregion witnesses movements that are complex and rooted in a combination of different motivations. In addition to economic drivers, a major push factor for migrants are underlying human rights violations or persecution. Pakistan and the Islamic Republic of Iran continue to host one of the largest and most protracted refugee populations in the world. Pakistan hosts more than 1.9 million registered Afghans, and another one million undocumented Afghan migrants are estimated to be living in the country. More than one million Afghan refugees reside in the Islamic Republic of Iran (UNHCR 2011). Many Afghan



migrants have lived outside their country of citizenship for three decades. In spite of the high number of refugees living within South and South-West Asia, only three countries in the subregion have ratified the 1951 Convention on the Status of Refugees and its protocol. Another area of concern is the high number of stateless persons. Notably, some countries in the subregion have already made efforts to give citizenship to selected groups of people who were previously classified as being stateless.

The association between environmental change and migration has become a major topic of discussion in recent years. This is due to growing recognition of the need for a global response and international cooperation on adaptation strategies to reduce vulnerability and build resilience in developing countries to meet the challenges of environmental change. The Copenhagen Accord, which endorses the continuation of the Kyoto Protocol, highlighted the importance of adaptation strategies. These strategies not only aim to mitigate risks of possible climate-induced migration, but also include migration. Although further research and debate is required to support such strategies, building resilience of countries and communities affected by a changing climate, environmental hazards and structural factors of vulnerabilities are broadly acknowledged, and were reaffirmed by the Cancun Agreements, of the sixteenth session of the Conference of the Parties (COP) at the United Nations Climate Conference, held from 29 November until 10 December 2010 in Cancun, Mexico.

---

## **Increasing cooperation**

International migration is inherently a multilateral concern, and desired outcomes are most likely to be achieved if countries of origin and destination meet on a regular basis to discuss labour migration issues and the best way to resolve them. Bilateral and regional meetings, with discussions guided by international principles and norms, offer the best hope for improving labour migration governance in South and South-West Asia. Strategic international cooperation within the region is required to overcome these challenges. Various migration initiatives have provided forums for discussion and a platform to propose suggestions for solutions to these issues. This has led to several positive examples of sharing of good practices and lessons learned within the region.

---

## Gaps in knowledge

Existing gaps in knowledge on international migration in South and South-West Asia reflect the difficulty in obtaining reliable data and information, the complexities of migration issues in the subregion, as well as the limited resources available to produce accurate data. To address these gaps, greater effort should be put into increasing the capacities of national governments and academic institutions in securing accurate and reliable data to inform policymaking.

---

## Key recommended actions

The following are the key recommendations pointed out in this report.

- Labour migration can be mutually beneficial for employers and migrants as well as for residents of countries of origin and countries of destination. For all groups to benefit, the migration process must be well-managed. This entails making sure migrants receive complete and accurate information about employment and implementing regulations that would lead to a reduction of recruitment costs, minimize irregular migration, ensure that migrants are treated equally while abroad and assist with the return and reintegration of migrants.
- The countries in the subregion as well as countries of destination for migrants outside South and South-West Asia should be encouraged to ratify and effectively implement all core international human rights instruments, including the ICRMW. Impediments to the ratification of this important instrument must be addressed. Also necessary are capacity-building and -strengthening activities on the scope and content of international human rights standards that protect migrants, with government officials, parliamentarians, national human rights institutions and civil society.
- A large proportion of remittances are transferred through informal channels. To promote the use of formal channels, banking procedures need to be simplified and bank transfers must be more efficient and cost less. In addition, raising the level of financial literacy of migrants as well as of remittance recipients would increase familiarity with banking procedures and reduce obstacles to remit through official channels, and ultimately increase the flow of remittances.
- In many countries of the subregion, investment opportunities and incentives must be made available to migrant workers. Currently, only a small proportion of remittances are used for investment purposes. This percentage could be increased by offering more investment opportunities catering to migrants. These types of remittance flows would ultimately generate long-term income as well as enable the offering of remittance-backed bonds.

- Migration policies in the region should be gender-sensitive, taking into account specific needs of men and women. Women migrants should be placed at the centre of migration policy instead of being mere spectators to the process. Governments need to shy away from efforts to restrict the migration of women by making the process burdensome as this approach ultimately encourages irregular forms of migration. Instead, countries of origin and host countries should work together to create a structure that facilitates safe migration and provides skill training to boost the potential of migrant women for upward mobility.
- Governments need to develop migration management policies that protect migrants and enhance their rights. This would include mechanisms that identify people in need of international protection and do not compromise the right of asylum. Additionally, providing protection and services to refugees and stateless persons is an ongoing issue in the subregion. To reduce the number of stateless persons, it is important to advocate for the adoption of appropriate citizenship laws and policies, consistent with international standards.
- The scale of migration is expected to rise as a result of environmental change and the vulnerability of the subregion to natural hazards and disasters. Therefore, governments need coherent policies, legal and institutional frameworks as well as stronger technical and operational capacities to effectively address migration resulting from environmental change and vulnerability. Policy is not a solution in itself but instead its effectiveness must be based on how it catalyzes local communities to become more involved in addressing this critical issue which affects migrants and those who remain.
- In order to improve the health status and utilization of health services by migrants, monitoring variables related to migrant health should be promoted. Governments, in partnership with other stakeholders, must consider their national migration and health context and take the lead in translating these recommendations into policies and legal frameworks that spur the development of migrant-sensitive health systems. Ensuring the continuity and quality of care received by migrants throughout the migration cycle is a recognized priority in South and South-West Asia. Another area of importance in the subregion is building capacity of the health and relevant non-health service sector to address the health and social issues associated with migration.

# Contents

## Part I Country Reports

Foreword	iv	Afghanistan	22
		Bangladesh	32
Acknowledgements	vi	Bhutan	42
		India	50
Abbreviations and Acronyms	viii	Islamic Republic of Iran	62
		Maldives	72
Notes to Development Indicators and Graphics in Country Reports	xi	Nepal	80
		Pakistan	88
Executive Summary	xii	Sri Lanka	100
		Turkey	110



## Part II Thematic Chapters

Labour migration	122
Remittances: implications for development	146
Protection of the rights of migrant workers: key issues	166
Gender and international migration	188
Migration and health	206
Asylum seekers, refugees and stateless persons	232
Migration policies and regional cooperation	244
Environmental migration, climate change and disaster risk reduction	258



# Part I

# Country Reports

# Afghanistan<sup>1</sup>



## Development Indicators

Population 2010 (in 1 000)

34 385

Total fertility rate, 2009



6.4

Population growth rate, 2010

2.8 %

Percentage urban, 2009



24.8 %

Growth rate of population aged 15-39 years, 2005-2010

3.9 %

Net migration rate, 2009 (per 1 000)



-2.6

Per capita GDP, 2009 (at current prices in US Dollars)

501 \$



Remittances received to GDP, 2009

N/A

Source: World Bank (2011), UN DESA (2010).

<sup>1</sup> G.M. Arif, Joint Director, Pakistan Institute of Development Economics and Dan Woods, Associate Program Officer Regional Labour Migration and Research, IOM Regional Office for Asia and the Pacific



---

## KEY POINTS

- **The limited number of decent jobs continues to be a strong push factor for migration from Afghanistan. Efforts to alleviate this problem are hindered by the country's widespread poverty, high population growth, particularly among the younger working age population, volatile security situation, drought conditions and reliance on illicit crops.**
- **Remittance flows tend to go through informal channels due to limited financial infrastructure in rural areas and higher returns compared to formal channels.**
- **Inadequate border controls, widespread poverty, embedded cultural factors and increasingly sophisticated and well-funded transnational crime networks contribute to the trafficking of persons, particularly women and children.**

---

## Social and economic context of migration

The population of Afghanistan is about 34 million, of which almost 80 per cent live in rural areas. Taking into account refugees and those in a refugee-like living situation in the Islamic Republic of Iran and Pakistan and significant communities in Germany, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, up to six million Afghans reside abroad (Arif and Shujaat forthcoming). The country's population is growing about 2.8 per cent annually, and is projected to exceed 90 million people by 2050. Afghanistan ranks near the bottom of worldwide development indices, with a human development index (HDI) ranking of 155 out of 169 (Human Development Report Office 2010) and an average life expectancy at birth of 44.6 years in 2010 (World Bank 2011).

Migration has long been part of the social landscape of Afghanistan, and many households often send at least one family member abroad to seek employment. This decision, made in the context of socio-economic and security conditions, can be viewed as a survival strategy. The wage disparity between Afghanistan and bordering countries, such as the Islamic Republic of Iran and Pakistan, and the countries of the Gulf Cooperation Council (GCC),<sup>2</sup> are important considerations for labour migrants seeking employment overseas.

The economy of Afghanistan relies on foreign aid, which accounted for 45.7 per cent of gross domestic product (GDP) in 2009 (World Bank 2010) and is a major factor behind the high economic growth of the past few years. However, the country remains extremely poor. More than one-third of the labour force is unemployed, and much of the employment is in informal sectors. Among the migrant and refugee populations, this figure is significantly higher, with estimates that the unemployment rate for refugees without a primary education exceeds 60 per cent (Groenewold 2006).

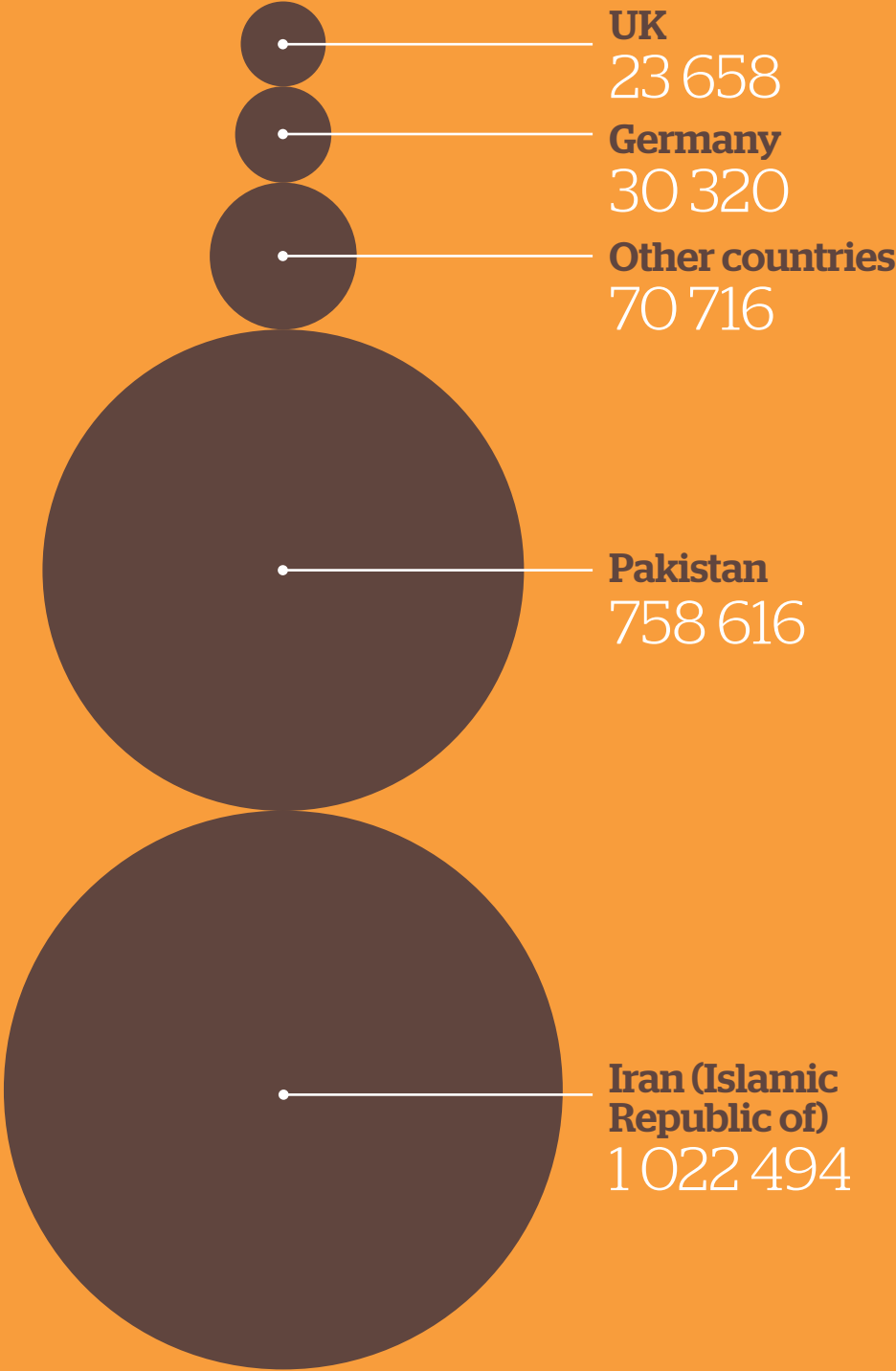
Due to the effects of post-conflict dispersion and periods of mass out-migration, remittances provide an important addition to the GDP and are a valuable source

<sup>2</sup> The member States of the GCC are Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and United Arab Emirates.

Figure 1.

# Refugees from Afghanistan by country of destination, 2009

Source: UNHCR (no date).



of foreign exchange. Many Afghan families rely on the remittance potential of at least one family member, particularly unmarried men, working in the Islamic Republic of Iran or Pakistan (Monsutti 2005). Remittances from family members working outside the country enable families to settle debts, pay for food and living expenses and, in some circumstances, reinvest the money (Monsutti 2006).

While remittances are a source of income and stability for many households in Afghanistan, recorded remittances from Afghans living abroad are far below their potential amounts (IOM 2008). Two factors behind this may be the perceived risk of doing business in the country and strong cultural barriers to using formal remittance channels. Consequently, most of the remittances from Afghans living abroad flow through informal channels.

Afghanistan is one of the few countries in the region that lacks a concrete emigration policy or a legal framework for managing international migration. As a consequence, the country has limited capacity to develop and implement policy, issue regulations or enact laws on matters relating to migration.

## Out-migration

The bulk of out-migration from Afghanistan in the past decades consisted of people fleeing conflict and oppression, mainly to neighbouring countries, namely, the Islamic Republic of Iran and Pakistan. Although large numbers of refugees have returned to Afghanistan, especially those who fled to the countries mentioned above, there is still a large diaspora of recognized refugees abroad.

Three main periods in recent history of Afghanistan generated waves of migration from the country. The first wave followed a period of instability from 1979. The second wave was caused by instability, oppression, and conflict between various groups and the Taliban Government during the 1990s. The third wave began in the early 1990s, as a large number of the well-educated Afghans from the liberal urban middle and upper classes migrated to Europe and North America to escape the Taliban regime. This large-scale migration spread to people from the lower-educated rural areas in the mid 1990s as the Taliban began to assert control. At the beginning of the twenty-first century, estimates of the number of Afghans living overseas included 3.2 million in Pakistan, 2.2 million in the Islamic Republic of Iran and several hundred thousand in disparate communities across the globe (Monsutti 2005).

A study commissioned by the United Nations High Commissioner for Refugees Office (UNHCR) estimates that about six million people left the country between 1979 and 1992 (UNHCR 2009). After the fall of the Taliban in 2001, the UNHCR launched voluntary repatriation programmes in both the Islamic Republic of Iran and Pakistan under a tripartite agreement and since 2002, more than four million Afghan refugees have been repatriated. However, despite this massive repatriation, Afghanistan continues to be the world's largest country of origin for refugees.

In 2009, there were still more than 1.9 million Afghans living with refugee status abroad. The majority of them were in the Islamic Republic of Iran (54 per cent) and Pakistan (40 per cent). Other countries hosting large communities of refugees from Afghanistan were Germany and the United Kingdom of Great Britain and Northern Ireland (see figure 1). Also of note, India, has been hosting a sizeable

number of refugees from Afghanistan, with the number estimated to be about 8,500 in 2009. In addition to recognized refugees, another 981,000 Afghans were estimated to be living in a refugee-like situation, mainly in the Islamic Republic of Iran and Pakistan (UNHCR no date).

Labour migration from Afghanistan is characterized by seasonal and cyclic patterns prompted by higher wages and relative stability in neighbouring countries, interspersed with phases of dramatic, large-scale migration during periods of political instability. More than three decades of continuous conflict have weakened the institutions of Afghanistan and prevented the Government from maintaining control in outlying regions. This instability combined with the destruction of infrastructure, breakdown of industry and loss of farms, houses and irrigation channels constituted major push factors for migration (Monsutti 2006). In addition, extended drought, such as in 2000 and 2004, has forced many rural families whose livelihood comes from land and livestock to adopt alternative livelihood strategies and consequently migrate in search of work (Nakanishi 2005).

Migration between Afghanistan, the Islamic Republic of Iran and Pakistan is often temporary and cyclical in nature. A number of Afghan migrants use Pakistan as a transit country to the Islamic Republic of Iran, as controls at border crossings between Afghanistan and the Islamic Republic of Iran are more strictly managed than those between the Islamic Republic of Iran and Pakistan. The Islamic Republic of Iran is also a transit country for onward travel to GCC countries, Turkey and Europe. A field survey by UNHCR in 2007 and 2008 showed continuity in cross-border movements, with seasonal variations in incoming and outgoing migration, and higher movements recorded in spring and summer (UNHCR 2009). Also of note, most labour migrants departing from the Afghanistan capital Kabul use the services of smugglers to facilitate border crossings (Stigter 2004).

---

## In-migration

As the opportunities for labour-migrants seeking seasonal work in Afghanistan during the planting and harvesting seasons are limited, the vast majority of in-migration to Afghanistan over the past three decades has been the repatriation of Afghans who left the country during periods of instability (Monsutti 2006).

In April 2002, a tripartite agreement among the Interim Authority of Afghanistan, Islamic Republic of Iran and UNHCR was signed, supporting the commencement of the voluntary return of Afghan citizens. This was followed in 2003 by a similar tripartite agreement among the Governments of Afghanistan and Pakistan, and UNHCR. About three million Afghans returned to their home country between 2002 and 2005 under the programme, including about 800,000 from the Islamic Republic of Iran and more than two million from Pakistan (figure 2). UNHCR estimates that about 4.5 million Afghan refugees have been repatriated from the two countries since 2002 (UNHCR no date).

Figure 2.

# Number of returning Afghan refugees from the Islamic Republic of Iran and Pakistan (assisted and spontaneous), 1989-2010

Source: UNHCR (no date).

2 million

1.5 million

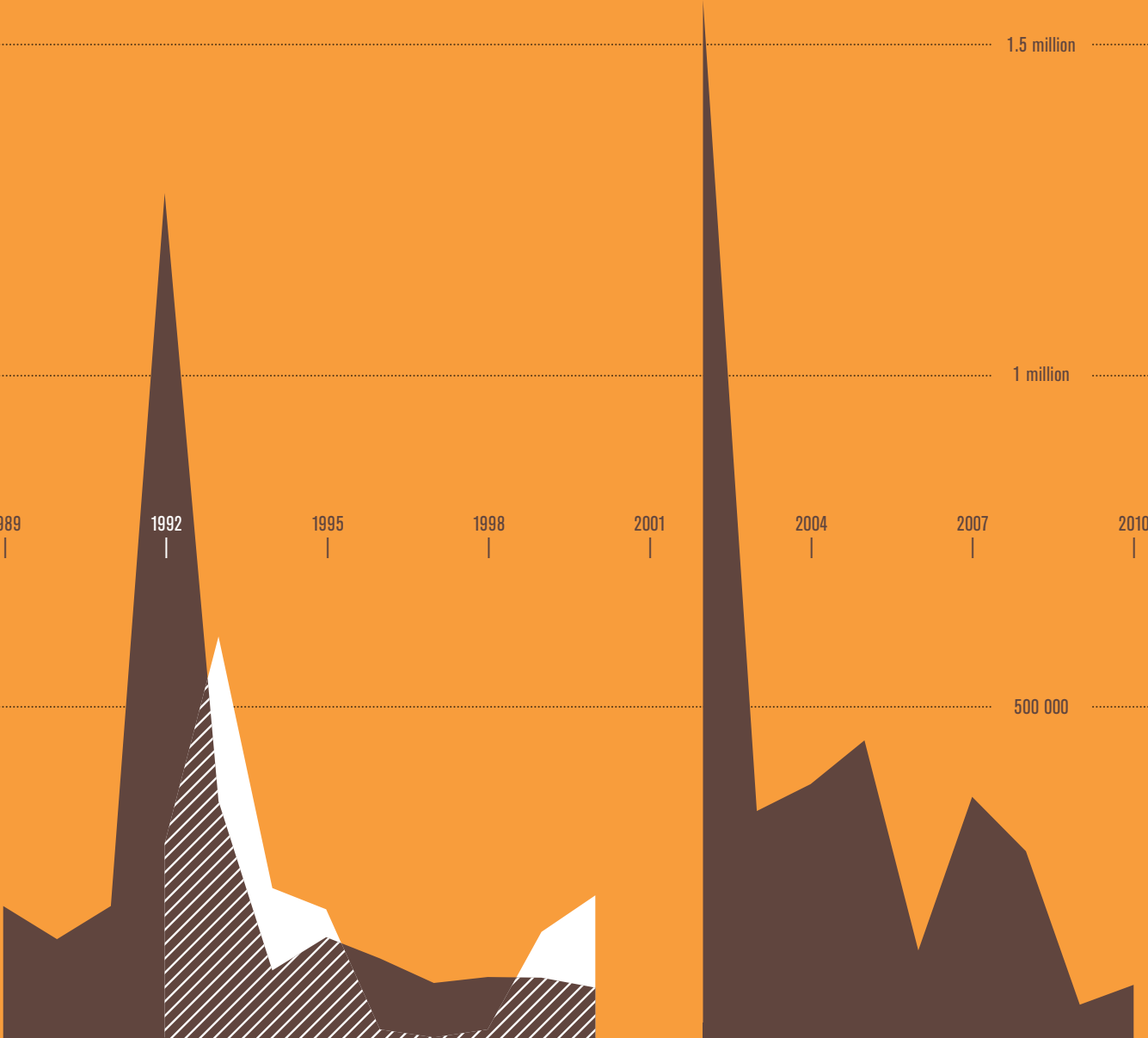
1 million

500 000

1989 1992 1995 1998 2001 2004 2007 2010

Pakistan

Islamic Republic of Iran





With regards to Pakistan, many Afghan migrants living in the northern part of the country returned home in 2008 and 2009 due to the high cost of living, lack of employment opportunities and the deteriorating law and order situation in Khyber Pakhtunkhwa province (UNHCR 2011).

Despite the country's high unemployment rate, migrant workers from other countries are employed in Afghanistan due to skill mismatch, especially in the construction industry. In 2006, some 60,000 Pakistani labour migrants were reportedly working in Afghanistan, with the majority holding seasonal construction jobs (Yousafzai and others 2006). Nepal, alone, reported an outflow of 1,292 workers to Afghanistan in 2009 (NIDS 2010).

In addition to activities that focus on assisting returning refugees with financial assistance (UNHCR 2006) or providing technical and vocational skills to enhance the income generation potential of returnees (IOM 2008), the Government of Afghanistan and international organizations have initiated several projects aimed at increasing the return of qualified expatriates to Afghanistan. Principal among these is the Afghan Reconstruction Trust Fund (ARTF) Expatriate Services Program that places returning Afghan citizens in government ministries (Embassy of Afghanistan 2010).

In 2011, a tripartite agreement among Afghanistan, Australia and UNHCR was signed to assist in building the capacity of government ministries, and to cover both the humanitarian migration of Afghans to Australia, and the return of Afghans who had made unsuccessful claims for protection in Australia (Australia Department of Immigration and Citizenship 2011).

Currently, 18,204 inhabitants live in an estimated 37 informal settlements in the Afghanistan capital, Kabul. A World Bank-UNHCR study conducted in 2011 of urban displacement in Afghanistan found that more than 90 per cent of those surveyed intended to settle permanently in cities. The study noted that members of internally displaced people (IDP) households tend to have lower literacy rates and formal levels of education, with 20 per cent of the males illiterate and only one of 100 women surveyed able to read. Also the severe acute malnutrition rate among this group was as high as 11 per cent and almost 20 per cent of the children aged 10–16 years must contribute to family income generating activities. These inhabitants survive in makeshift tents or shanties with inadequate infrastructure to maintain and sustain dignified living conditions (OCHA no date, World Bank and UNHCR 2011).<sup>3</sup>

---

## Human trafficking

Afghanistan faces a considerable human trafficking problem as a country of origin, transit and destination for the trafficking of women and children. As a landlocked country sharing borders with six countries with inadequate border controls, widespread poverty, and an increasingly sophisticated and well-funded transnational crime network, Afghanistan offers an environment conducive to human trafficking (IOM 2004).

<sup>3</sup> See [www.budgetmof.gov.af/sectors/Socail\\_Protection/Sector\\_Strategies/Refugees%20and%20IDPs.pdf](http://www.budgetmof.gov.af/sectors/Socail_Protection/Sector_Strategies/Refugees%20and%20IDPs.pdf).

Children, especially boys, are reportedly trafficked to Saudi Arabia, the Islamic Republic of Iran and Pakistan for forced begging, labour and sexual exploitation while girls are reportedly being trafficked to GCC countries for forced marriage. In Saudi Arabia, some children are trafficked by their parents who enter the country on a pilgrimage visa and then force their children to beg to finance the cost of the pilgrimage. In the worst cases, parents sell their children there or simply just abandon them (Fall and others 2007).

### Status of ratification of key international instruments

While the country has made some steps to implement protective mechanisms, such as the formation of the Committee to Counter Child Trafficking, it is not a party to either the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, or the SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution, leaving a gap in legal provisions for prosecution. Additionally, Afghanistan has not acceded to any of the key conventions related to migrant workers, but signed the Convention and the Protocol related to the status of refugees (table 1).

Table 1.  
Status of ratification of key international instruments on international migration

INTERNATIONAL INSTRUMENT	ENTRY INTO FORCE	STATUS
ILO Convention concerning Migration for Employment (rev 1949) (Nº.97)	22 January 1952	--
ILO Convention concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers (Supplementary Provisions) (Nº.143)	09 December 1978	--
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	01 July 2003	--
Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children	25 December 2003	--
Protocol Against the Smuggling of Migrants by Land, Air and Sea	28 January 2004	--
1951 Convention relating to the Status of Refugees	22 April 1954	--
1967 Protocol relating to the Status of Refugees	04 October 1967	--

Source: ILO (no date), United Nations (no date).



## References

- Arif, G. M., and F. Shujaat (forthcoming). *Migration Management within South Asia (Afghanistan, Iran and Pakistan)* (Islamabad, Pakistan Institute of Development Economics).
- Australia Department of Immigration and Citizenship Australia (2011). "Migration and Humanitarian Cooperation MoU signed with Afghanistan and UNHCR", media release, accessed from [www.minister.immi.gov.au/media/cb/2011/cb157303.htm](http://www.minister.immi.gov.au/media/cb/2011/cb157303.htm) on 11 August 2011.
- Embassy of Afghanistan (2010). *Return of qualified expatriates: Resource guide*, accessed from [www.embassyofafghanistan.org/documents/ExpatPacket11-2-06.pdf](http://www.embassyofafghanistan.org/documents/ExpatPacket11-2-06.pdf) on 11 August 2011.
- Belbase, K., and others (2007). *Preventing child trafficking in the Gulf countries, Yemen and Afghanistan: policy options*. Working paper for United Nations Children's Fund Division of Policy and Planning.
- Groenewold, G. (2006). *Millennium Development Indicators of Education, Employment and Gender Equality of Afghan Refugees in Pakistan* (The Hague, Netherlands Interdisciplinary Demographic Institute).
- Human Development Report Office (2010). *Human Development Report 2010 The Real Wealth of Nations: Pathways to Human Development*. Accessed from [http://hdr.undp.org/en/media/HDR10%20EN%20summary\\_without%20table.pdf](http://hdr.undp.org/en/media/HDR10%20EN%20summary_without%20table.pdf) on 11 August 2011.
- International Labour Organization (ILO) (no date). ILOLEX Database of International Labour Standards. Accessed from [www.ilo.org/ilolex/english/index.htm](http://www.ilo.org/ilolex/english/index.htm) on 11 August 2011.
- International Organization for Migration (2004). *Trafficking in Persons: An analysis of Afghanistan* (Kabul, IOM).
- \_\_\_\_\_ (2008). "Afghan civilian assistance program (ACAP) fact sheet" (Kabul, IOM).
- \_\_\_\_\_ (2008a). "Trafficking in persons in Afghanistan: Field survey report" (Kabul, IOM).
- Monsutti, A. (2005). "Afghan cross-border movements: social, political and economic realities", paper presented at the Conference on Afghan Populations Movements, Kabul, 27 April.
- \_\_\_\_\_ (2006). "Afghan transnational networks: looking beyond repatriation" (Kabul, Afghanistan Research and Evaluation Unit).
- Nakanishi, H. (2005). "Afghan refugees and migrants in Iran: Who is responsible for empowering them?" Accessed from [http://peacebuilding.kir.jp/data/dp/No6\\_Nakanishi.pdf](http://peacebuilding.kir.jp/data/dp/No6_Nakanishi.pdf) on 11 August 2011.
- Nepal Institute of Development Studies (NIDS) (2010). *Nepal Migration Year Book 2009* (Kathmandu, NIDS).
- Stigter, E. (2004). "The Kandahar bus stand in Kabul: an assessment of travel and labour migration to Iran and Pakistan", accessed from [www.areas.org.af/Uploads/EditionPdfs/425E-The%20Kandahar%20Bus%20Stand-CS-web.pdf](http://www.areas.org.af/Uploads/EditionPdfs/425E-The%20Kandahar%20Bus%20Stand-CS-web.pdf) on 11 August 2011.
- United Nations (no date). United Nations Treaty Collection, accessed from <http://treaties.un.org/Home.aspx> on 11 August 2011.
- United Nations Department of Economic and Social Affairs (UN DESA) (2010). *World Population Prospects: The 2010 Revision*, accessed from <http://esa.un.org/unpd/wpp/index.htm> on 11 August 2011.
- United Nations High Commissioner for Refugees (UNHCR) (no date). UNHCR Statistical Online Population Database, accessed from [www.unhcr.org/pages/4a013eb06.html](http://www.unhcr.org/pages/4a013eb06.html) on 1 September 2011.
- \_\_\_\_\_ (2006). UNHCR Pakistan: Solving the Afghan refugee problem, accessed from [www.un.org.pk/unhcr/about.htm](http://www.un.org.pk/unhcr/about.htm) on 1 September 2011.
- \_\_\_\_\_ (2009). Study on cross border population movements between Afghanistan and Pakistan, accessed from [www.unhcr.org/4ad448670.html](http://www.unhcr.org/4ad448670.html) on 1 September 2011.
- United Nations Office for the Coordination of Humanitarian Affairs (OCHA) (no date). Projects funded under the United Nations Trust Fund for Human Security: Afghanistan, accessed from <http://ochaonline.un.org/TrustFund/ProjectProfiles/ReintegrationofrefugeeIDPwomeninAfghanistan/> on 12 December 2011.
- World Bank (2010). Promoting second generation of public expenditure reforms: Afghanistan Reconstruction Trust Fund. Background paper for London Conference on Afghanistan, London, January. Accessed from <http://siteresources.worldbank.org/AFGHANISTANEXTN/Resources/305984-1264608805475/PERSummaryJan272010.pdf> on 11 August 2011.
- \_\_\_\_\_. World Development Indicators. Accessed from <http://data.worldbank.org/indicator/SL.TLF.TOTL.IN> on 11 January 2012.
- World Bank and UNHCR (2011). Research study on IDPs in urban settings – Afghanistan (Kabul, World Bank).
- Yousafzai, S., R. Moreau, Z. Hussain (2006). A risky feud. *Newsweek*, 20 March 2006. Accessed from [www.newsweek.com/2006/03/19/a-risky-feud.html](http://www.newsweek.com/2006/03/19/a-risky-feud.html) on 11 August 2011.

# Bangladesh<sup>1</sup>



## Development Indicators

Population, 2010 (in 1 000)

148 692

Population growth rate, 2010

1.1 %

Growth rate of population aged 15-39 years, 2005-2010

1.7 %

Total fertility rate, 2009



2.3

Percentage urban, 2009



28.1 %

Net migration rate, 2009 (per 1 000)



-4.0

Per capita GDP, 2009 (at current prices in US Dollars)

675 \$



Remittances received to GDP, 2009

10.8 %

Source: World Bank (2011), UN DESA (2010).

<sup>1</sup> Disha Sonata Faruque, National Programme Officer, IOM Bangladesh

---

## KEY POINTS

- **Bangladesh faces a high unemployment rate, and as a result, labour migration serves as an important livelihood option for many Bangladeshis.**
- **Remittances from Bangladeshi migrants have been growing at an average rate of 17 per cent annually since 2001. The rate surged 32.4 per cent to reach a record high of about \$10.7 billion in 2009. Remittances in 2010 were \$9.9 billion, about 9 times higher than total foreign direct investment (FDI), 5 times that of official development assistance (ODA) for the country and about 11 per cent of gross domestic product (GDP).**
- **In addition to the official channels, a substantial number of migrants also leave the country through irregular channels, causing concern to both the countries of origin and destination.**
- **Human trafficking is a major challenge for Bangladesh. It is a complex issue that is carried out in an organized and complex manner and many of the victims' families are reluctant to report trafficking cases. Consequently, obtaining accurate data and statistics on this practice is very difficult.**

---

## Social and economic context of migration

Bangladesh is a developing country with a population estimated to be about 148.7 million in 2010 (World Bank 2011) and a labour force of about 53.7 million people (BBS 2009).

Approximately 43.6 per cent of the labour force is employed in the agriculture sector (BBS 2009), with rice being the single most important product. As a result, most farmers are not likely to be fully employed throughout the year and require either higher wages for the agricultural work to carry them through the year, or additional non-farm income. This combined with the country's historical circumstances, geographic location and ecology has made Bangladesh a major resource of low-cost labour (Rahman 2000).

There are no official estimates of unemployment and underemployment<sup>2</sup> in Bangladesh, but some sources have suggested that about 5.0 per cent of the labour force is unemployed and 28.7 per cent is underemployed (BBS 2009). Out-migration has consequently helped alleviate the country's surplus of workers.

Based on estimates, about 9 per cent of the country's labour force, or 6.9 million Bangladeshis, are working abroad (IOM 2010) and the remittances from overseas migrants contribute to almost 11 per cent of GDP (World Bank 2010).

During the 2008 global financial crisis, the country's economic growth remained resilient due in part to remittances. Notably, remittance figures have continued to remain strong and steady even though overseas employment of Bangladeshis fell by about 45 per cent in 2009 from the previous year (BMET 2011).

<sup>2</sup> The condition in which people in a labour force are employed at less than full-time or regular jobs or at jobs inadequate with respect to their training or economic needs.

Labour force participation of Bangladeshi women is estimated to be about 31.5 per cent, a relatively high rate in Asia, but their representation among Bangladeshis in the international labour market in percentage terms is among the lowest in the region (BBS 2009). The relatively low representation is the result of a comprehensive ban imposed on women migration by the Government of Bangladesh in 1997 in response to widespread reports of physical and sexual abuse of domestic workers in some of the destination countries, principally in the region comprising the Gulf Cooperation Council (GCC)<sup>3</sup>. This ban, however, proved to be counterproductive, as women continued to migrate overseas by using unofficial channels. Although the Government lifted the ban in 2004, a number of conditions still remain that make it difficult for women to receive authorization to work abroad. The lifting of the ban, however, has raised the level of women's participation in the overseas employment sector over the last decade, albeit it is still low. Currently, women migrants constitute approximately 7 per cent of the total number of labour migrants going abroad for work through official channels (BMET 2011). Various studies argue however, that the figure is not representative of the actual number, as a large number of women continue to migrate through irregular channels due to the restrictions imposed on them on migrating through official channels.

## Out-migration

According to government sources, temporary labour migration officially began in 1976. More than 7.1 million migrant workers are estimated to have been employed overseas between 1976 and 2010 (BMET 2011).

The number of migrants leaving Bangladesh averaged 250,000 a year between 2001 and 2005, rose to almost 400,000 in 2006, and then doubled to 832,600 in 2007. Overseas employment reached a record high in 2008, with 875,055 workers leaving the country through official channels. In 2009, overseas labour employment fell 47 per cent from the previous year, due in part to the global economic crisis. The annual flow slowed down even more in 2010, with about 390,000 workers leaving the country (figure 1).

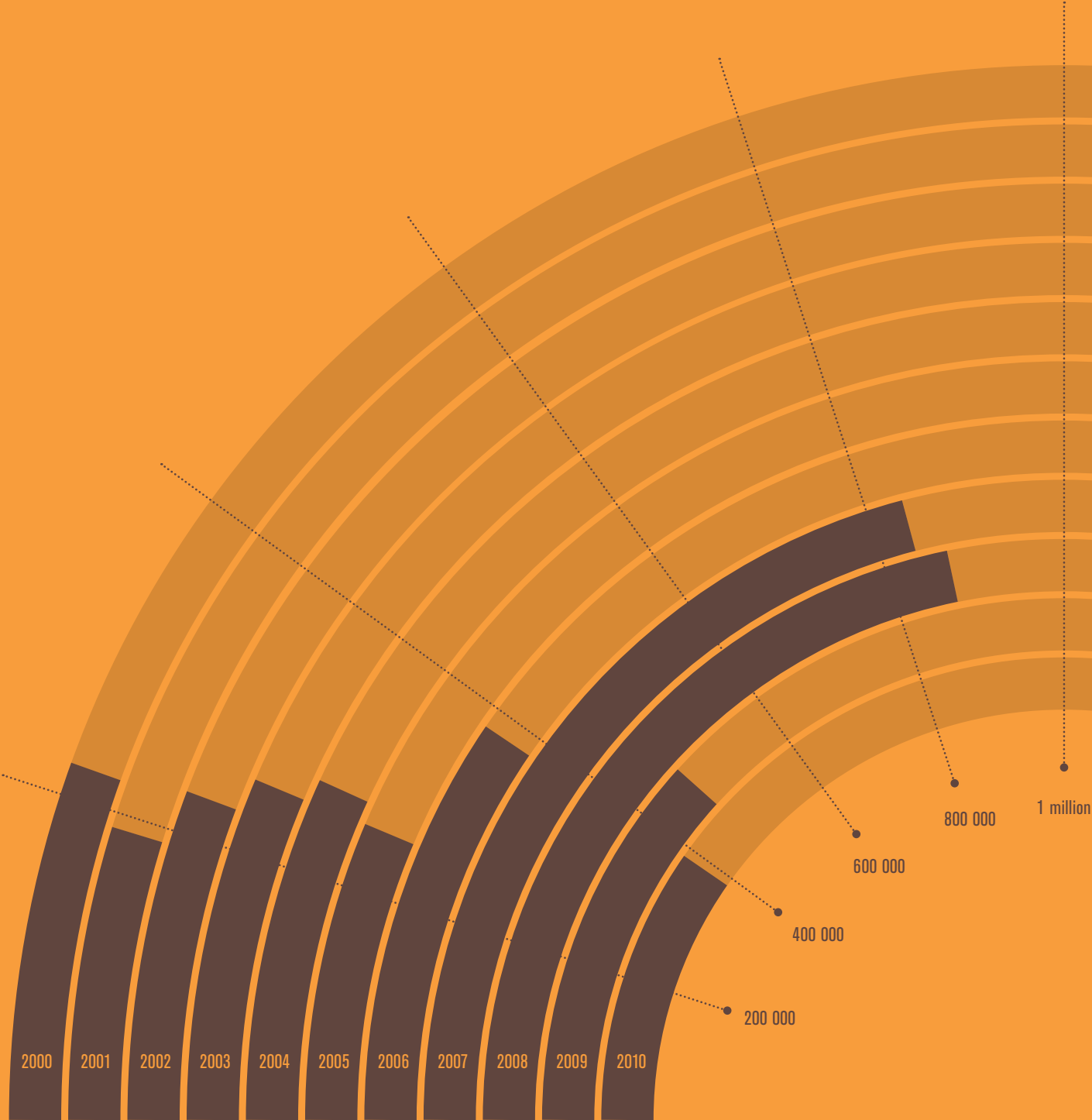
In 2010, the main destination countries for migrant workers from Bangladesh were Bahrain, Lebanon, Oman, Singapore and the United Arab Emirates. About 80 per cent of migrants who moved to Lebanon were women, a reflection of the increasing role of women migrants from Bangladesh. While the main destination subregion is still Western Asia, some countries are emerging as new destination locations, such as Italy, Mauritius and the Republic of Korea. In fact, recently, there have been significant shifts in the key destination countries. For a long time, Saudi Arabia was the host country for more than half of the Bangladeshi migrants but this number dropped sharply in 2009 and 2010. Similarly, Malaysia was an important destination country for several years, but recently the outflows to this South-East Asian country have tapered off (figure 2).

<sup>3</sup> The member States of the GCC are Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and United Arab Emirates.

Figure 1.

# Annual labour migration outflows from Bangladesh, 2000-2010

Source: BMET (2011).



About 50 per cent of temporary migrants from Bangladesh are classified as low skilled, 16 per cent semi-skilled, 31 per cent skilled and only 3 per cent professionals (BMET 2011). Bangladesh is looking to steadily turn its human capital resource into an asset through training, skills development and market research programmes and reap benefits from the labour migration process. This, however, presents a significant challenge due to the fact that low-skilled workers comprise about half of the migrants seeking employment abroad. These migrants generally lack basic education, and often do not have the opportunity to partake in further training to develop their skills.

Currently, the skill development training facilities in the country, both in the public and private sectors, are limited. However, efforts are being made to enhance and develop the capacities of the existing 38 skills training institutions to ensure that migrants are better prepared for working overseas. In addition, the Government has implemented initiatives in this area, such as the Skill Development Fund, to be used as a revolving fund to finance skills training programmes. The Bureau of Manpower Employment and Training (BMET) is now estimated to be able to train 50,000 workers annually in different trades (BMET 2011).

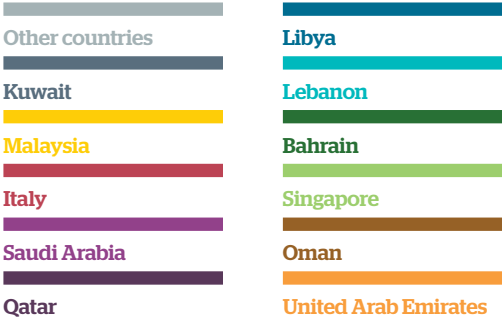
Systematic research into overseas labour market prospects and trends is not well developed in Bangladesh, and overseas employment takes place predominantly on an ad hoc basis. As a result, the country lacks a well-managed labour migration policy which would match demand in specific sectors with the properly skilled supply of labour. Only recently, the Government set up a market research unit in BMET.

The private sector is the most common channel for migration, accounting for more than 95 per cent of the migrant outflows. Within the sector, migrations are either arranged through personal networks (59 per cent) by the prospective migrants or through licensed recruiting agencies (40 per cent). Private recruitment agencies are further supported by the presence of sub-agents or middlemen (known as *dalals*) who work at the grass-roots level. The middlemen, who are often relatives, neighbours or returnee migrants, work with the recruitment agencies and provide a one-stop service to migrants aspiring to go abroad. For the low-skilled potential migrant, the middleman offers services, such as obtaining passports, visas, ticketing, government clearance and other documentations, in return for a fee. They also assist in making arrangements for departing migrants to obtain pre-departure orientation and training if required. The agencies, in essence, play a significant role in helping the migrants access their required travel-related documentation and carry out other official procedures. But, this service also often comes with its share of deceit and exploitation. As the middlemen are not registered with the recruiting agents or the governments, it has become a major challenge to monitor their activities and in turn, many of them exploit the migrants by charging exorbitant fees, in comparison to the amounts fixed by the government.

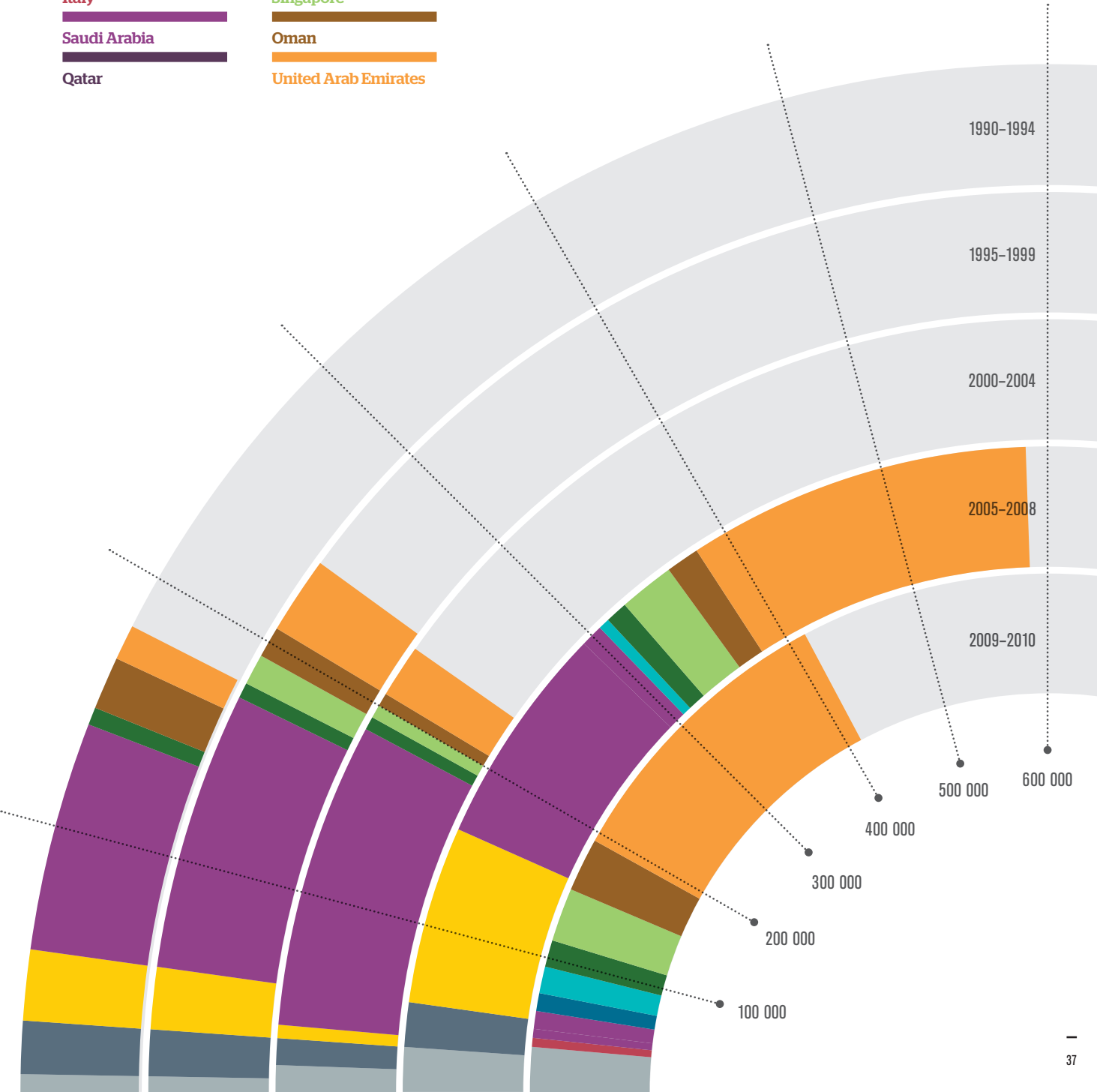
There is also significant migration from Bangladesh to Organization for Economic Co-operation and Development (OECD) countries, which notably has increased in recent years. The main destination countries are the United Kingdom of Great Britain and Northern Ireland, and the United States of America. In previous years, more than 10,000 Bangladeshis migrated to the United States of America annually (OECD 2011).

Figure 2.

# Outflow of migration workers from Bangladesh to main destination countries, 1990-2010

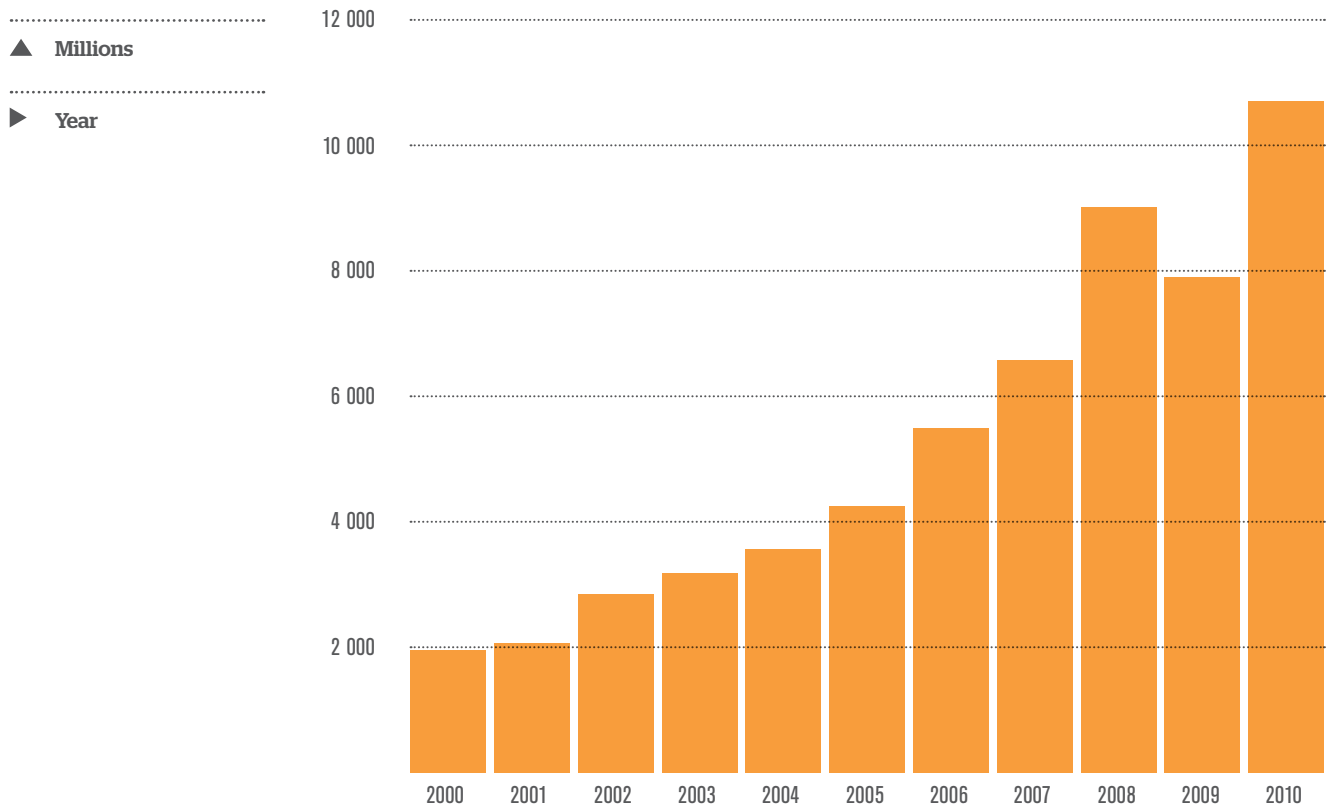


Source: ESCAP Labour Migration database, based on data from Bangladesh Ministry of Expatriates' Welfare and Overseas Employment (unpublished).



Remittances play a key role in the Bangladesh economy. In 2010, remittance flows to Bangladesh reached a record \$10.7 billion (figure 3), which placed the country among the top remittances receivers in the world. The increase in remittances also reflects the spikes in out-migration in 2007 and 2008.

Figure 3.  
**Remittances received by Bangladesh, 2000-2010**



Source: BMET (2011).

As stated earlier, the migration of women from Bangladesh is still low. However, in recent years, the number has picked up, mainly to countries in Western Asia, from only 454 in 2000 to 24,838 in 2010. In contrast, the flow of male migrants has dropped in the past two years. Approximately 80 per cent of women migrants work as domestic workers (BMET 2011).

Main destination countries of migrant women have changed over time. In the early 1990s, Malaysia was the main destination country but by the end of that decade, the flow of Bangladeshi women migrants to the country almost stopped, with Saudi Arabia and the United Arab Emirates becoming the main destination countries. In 2009 and 2010, the majority of women labour migrants went to Lebanon. Mauritius has also emerged as an important destination for women migrants (BMET 2011).



As a result of restrictions placed on Bangladeshi women seeking employment abroad, many of them have resorted to private and informal channels, making them vulnerable to abuse and exploitation. Also facilities and activities, to support women migrants, such as skills development and training, are limited. However, in light of growing recognition of the potential of female labour migration from Bangladesh, the Government recently adopted significant measures to encourage and support women labour migration through such activities as seeking out new markets, skills development training and pre-departure orientations.

In addition to the official movement mentioned above, a large number of women reportedly cross the border illegally to India and become irregular migrants. Due to the nature of this flow, the exact number of these migrants is difficult to ascertain.

Although Bangladesh has strong diasporas in different countries of the world, with an overwhelming majority in the United Kingdom of Great Britain and Northern Ireland, and the United States of America, tapping these communities to support the overall development of the country through business, trade links, investments, remittances, skill circulation and exchange of experiences has only recently been considered.

---

## **In-migration**

Bangladesh is primarily a labour-sending country, but some incoming migration flows take place, due in part to the porous borders and cultural affinities with neighbouring countries in the region. However, data on in-migration to Bangladesh remain limited.

Bangladesh hosts refugees belonging to an ethnic minority from Myanmar, known as the Rohingya. In the early 1990s, more than 250,000 people belonging to this ethnic minority entered Bangladesh. The Government of Bangladesh recognized Rohingya as refugees and created 22 camps. Since then, about 236,000 Rohingya have been repatriated and to date only two camps remain, the Kutupalong Camp and the Nayapara Camp, with a total of population of 28,000. Besides the registered refugees, an estimated 200,000–400,000 Rohingya have crossed into Bangladesh in the past two decades and settled predominantly in the south-east of the country bordering Myanmar (UNHCR 2007).

---

## **Human trafficking**

Human trafficking is major problem for Bangladesh. Given the complex, organized and clandestine nature of the crime, combined with reluctance of the victim's family to report cases of trafficking, it is difficult to obtain accurate and reliable data and statistics on human trafficking (UNODC 2011).

In addition to the conventional perception of trafficking, which tends to be limited to the sexual exploitation of women and children, Bangladeshis are highly vulnerable to labour trafficking due to the large number of labour migrants from the country. Recognized labour trafficking offences under the Government's legal framework include exploitation of labour at destination countries, infringement of contracts and bonded labour along with other forms of exploitation. It does not account for, among others, organ transplant and child labour. In response to all these challenges, the Government has drafted a new comprehensive law on

trafficking of persons to cover these shortfalls. The law is expected to be adopted shortly, following the completion of some procedural steps.

### Status of ratification of key international instruments and legal framework

The current legal framework related to out-migration in Bangladesh includes the Emigration Ordinance, 1982; Emigration Rules, 2002; Recruitment Agents' Conduct and License Rules, 2002; Wage Earners' Welfare Fund Rules, 2002; and Overseas Employment Policy, 2006.

The Government of Bangladesh developed the Overseas Employment Policy in 2006 to define its policy structure and implementation activities for the protection of the rights of migrants in the country and abroad; exploring new markets and human resource development, recruitment process, welfare of expatriates, remittance flows and investments; and economic and social reintegration of returnee migrants. In addition, the Policy sets the roles and responsibilities of the different government ministries and agencies that work on issues related to overseas employment.

On 11 April 2011, the Government ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families without any reservations. However, the ratification has yet to be published with the United Nations Treaties Section. The Government is expected to enact the necessary enabling legislation to support its implementation, and in turn introduce adequate protection mechanisms for Bangladeshi migrant workers against exploitation and abuse during all stages of the migration process. Bangladesh has yet to ratify the other key international instruments listed in table 1.

Table 1.  
Status of ratification of key international instruments on international migration

INTERNATIONAL INSTRUMENT	ENTRY INTO FORCE	STATUS
ILO Convention concerning Migration for Employment (rev 1949) (Nº.97)	22 January 1952	--
ILO Convention concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers (Supplementary Provisions) (Nº.143)	09 December 1978	--
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	01 July 2003	ratified 2011
Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children	25 December 2003	--
Protocol Against the Smuggling of Migrants by Land, Air and Sea	28 January 2004	--
1951 Convention relating to the Status of Refugees	22 April 1954	--
1967 Protocol relating to the Status of Refugees	04 October 1967	--

Source: ILO (no date), United Nations (no date).

---

## References

- Bangladesh Bureau of Manpower, Employment and Training (BMET) (2011). Statistical reports online, accessed from [www.bmet.org.bd/BMET/statisticalDataAction](http://www.bmet.org.bd/BMET/statisticalDataAction) on 11 August 2011.
- Bangladesh Bureau of Statistics (BBS) (2009). *Report on monitoring of employment survey-2009* (Dhaka, BBS).
- International Labour Organization (ILO) (no date). ILOLEX Database of International Labour Standards, accessed from [www.ilo.org/ilolex/english/index.htm](http://www.ilo.org/ilolex/english/index.htm) on 11 August 2011.
- International Organization for Migration (IOM) (2010). *World Migration Report 2010: The Future of Migration: Building Capacities for Change* (Geneva, IOM).
- Organization for Economic Co-operation and Development (OECD) (2011). International migration data 2011, accessed from [www.oecd.org/document/30/0,3746,en\\_2649\\_37415\\_48326878\\_1\\_1\\_1\\_37415,00.html](http://www.oecd.org/document/30/0,3746,en_2649_37415_48326878_1_1_1_37415,00.html) on 10 August 2011.
- Rahman, M. (2000). "Emigration and development: The case of a Bangladeshi village", *International Migration*, vol.38, issue 4, pp.109-130.
- United Nations (no date). United Nations Treaty Collection, accessed from <http://treaties.un.org/Home.aspx> on 11 August 2011.
- United Nations Department of Economic and Social Affairs (UN DESA) (2010). World Population Prospects: The 2010 Revision, accessed from <http://esa.un.org/unpd/wpp/index.htm> on 11 August 2011.
- United Nations High Commissioner for Refugees (UNHCR) (2007). Bangladesh: Analysis of gaps in the protection of Rohingya refugees, accessed from [www.unhcr.org/46fa1a32.html](http://www.unhcr.org/46fa1a32.html) on 21 March 2012.
- United Nations Office on Drugs and Crime (UNODC) (2011). Interview with Zakir Hussain, Dean of the Faculty of Law at the University of Chittagong, in Bangladesh on 9 June 2009.
- World Bank (2011). World Development Indicators, accessed from <http://data.worldbank.org/indicator/SL.TLF.TOTL.IN> on 11 January 2012.

# Bhutan<sup>1</sup>



## Development Indicators

Population, 2010 (in 1 000)

726

Total fertility rate, 2009



2.5

Population growth rate, 2010

1.7%

Percentage urban, 2010



36.8%

Growth rate of population aged 15-39 years, 2005-2010

2.7%

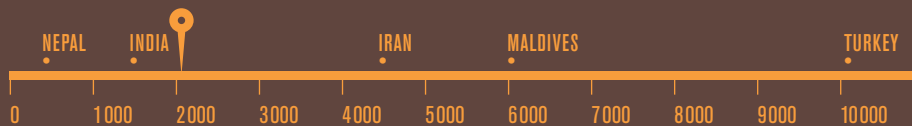
Net migration rate, 2005-2010 (per 1 000)



4.9

Per capita GDP, 2010 (at current prices in US Dollars)

2 088 \$



Remittances received to GDP, 2010

0.3%

Source: World Bank (2011), UN DESA (2010).

<sup>1</sup> Bindhya Pradhan Priesner, Consultant

---

## KEY POINTS

- **Bhutan is predominately a migrant-receiving country, as very few Bhutanese migrate abroad. The Bhutanese labour force is reluctant to do manual jobs due to low wages and a negative stigma attached to this type of work. This has, consequently, resulted in a labour shortage and opened up opportunities for workers from neighbouring countries. The migrant labourers from abroad tend to have significantly lower pay scales.**
- **The Government of Bhutan tightly controls in-migration through various regulations, including, among others, a ceiling on the number of foreign workers based on labour market demand at a given time, restrictions on the employment period for specified jobs held by foreign workers and a requirement that foreign migrants hire registered recruitment agencies to obtain jobs. Outbound migration mainly consists of Bhutanese students completing their education overseas.**
- **Rural to urban migration is significant in Bhutan despite government efforts to slow this trend by improving services in rural areas. The share of the country's urban population is expected to double to 60 per cent between 2005 and 2020, putting pressure on urban centres to handle the rapid influx of Bhutanese from different parts of the country.**

---

## Social and economic context of migration

Bhutan lies between China and India, which have a combined population that is two thousand times greater. In fact, the country's population density rate of 17.9 per square kilometre is the lowest in South Asia (UNSD no date) and with a land size of 38,394 km<sup>2</sup>, Bhutan has a relatively favourable land to people ratio despite its predominantly mountainous terrain.

Per-capita income in Bhutan stood at \$2,088 in 2010, a relatively high figure compared to most of its neighbouring countries, and in the global Human Development Index for 2009, it ranked 132 out of 182 in the category of countries listed under 'medium human development'. The country's progressive policies towards education, specifically with regard to the rollout of comprehensive education systems, resulted in a primary school enrolment rate of 84 per cent and primary school completion rate of 87 per cent in 2007. Enrolment at the higher and secondary level was reported to be about 25 cent for the same period (UNDP 2009).

The Bhutan economy is in a transitional phase. The country is experiencing significant growth in the hydropower and construction sectors and as a result, its dependence on agriculture is decreasing at the expense of increased reliance on the manufacturing and service sectors. The construction industry has for some time been one of the growth engines of the economy. However, despite efforts to train a large number of construction technicians, shortages of workers in this category persist. The wages paid to these types of workers are not sufficient enough to compensate for often having to work in remote locations and the negative image attached to this occupation. Similarly, blue-collar jobs hold a low status, and though training facilities have been created or expanded to support the building industry and sheet metal works, not enough people take advantage of them (Ernst and Young 2009).

The need for labour in the construction sector is increasing under the country's *Tenth Five Year Plan* (2008–2013), which includes projects to build hydropower plants, develop infrastructure and construct roads (Bhutan 2010).

In a recent survey, private sector firms reported difficulties in recruiting low-skilled labour as well as highly skilled experts among the Bhutanese labour force. In addition, 13 per cent of the Bhutanese firms interviewed identified labour skills as a major constraint. Average labour costs in Bhutan are almost 45 per cent higher than those in India (World Bank 2010). The twin pull factors of an internal labour shortage and high wages are especially strong in the construction sector, which is the main employer of foreign workers.

Skill mismatch is an increasingly important issue in Bhutan. Even though some sectors need to employ foreign workers due to labour shortages, unemployment in Bhutan has been on the rise. The Bhutan Labour Force Survey 2009 reported an unemployment rate of 4 per cent in 2009 (2.6 per cent for men and 5.6 per cent for women), up from 2.4 per cent in 2004. It indicated that unemployment rose sharply in urban areas from 2.0 per cent in 2004 to 7.5 per cent in 2009. Labour force data over the years also indicate that the number of unemployed youth is disproportionately high. Youth unemployment has increased rapidly from 2.2 per cent in 1998 to 9.9 per cent in 2007 and 13 per cent in 2008 (Ernst and Young 2009, Dorjing 2010).

The 2005 Bhutan census reported that 43 per cent of the people employed were working in the agriculture sector as compared to 75 per cent in 1999. The industrial sector in 2005 accounted for 17 per cent of the labour force, tripling from less than 5 per cent in 1999. Similarly, those employed in the service sector more than doubled from about 16 per cent to about 39 per cent during that period. This can be attributed to steps taken to modernize the economy and make it less dependent on subsistence agriculture as well as to the implementation of progressive education policies. These activities have consequently resulted in rural-urban migration trends and accompanying population movements. Nevertheless, the population of Bhutan is still predominantly rural but the pace of urbanization has been accelerating. In 2005, some 30.9 per cent of the population lived in urban areas, up from 15 per cent in 1994 (Bhutan Office of Census Commissioner 2005).

---

## Out-migration

Out-migration from Bhutan is minimal, consisting mostly of Bhutanese students receiving a tertiary education abroad on merit-based scholarships. According to government statistics released in 2008, there were about 3,200 Bhutanese scholarship students enrolled in various institutes in India and abroad (Bhutan, Ministry of Education 2008). These numbers, however, do not provide a complete picture, as there is no systematic data collection to capture the growing number of students studying abroad under private funding. Given its geographical proximity, India is the preferred destination. Some of the other host countries for Bhutanese students are Australia, Bangladesh, Myanmar, the Netherlands, New Zealand, the Philippines, Sri Lanka, Thailand, the United Kingdom of Great Britain and Northern Ireland, and the United States of America (Bhutan Ministry of Education 2008). Most of the students return to Bhutan, but some of them opt to take advantage of job opportunities overseas.

The number of Bhutanese seeking job opportunities abroad is not usually documented but is believed to be small. According to data from the Royal Monetary Authority of Bhutan, remittances from non-resident Bhutanese working in countries other than India totalled \$1.54 million in fiscal year 2006 (UNDP, UNAIDS and ILO 2010). Some Bhutanese reportedly move to India due to better economic prospects. Free movement is permitted between the two countries without the need to present a passport or visa, making it difficult to obtain data on the number of Bhutanese working in India.

## In-migration

Bhutan is largely a migrant-receiving country and applies stringent regulations on migrants. In 2004, Bhutan imposed a ceiling of 45,000 foreign workers in the country (Pramar 2004). This ceiling is periodically adjusted “depending on economic activities, national security and supply of Bhutanese workforce” (Bhutan Ministry of Labour and Human Resources 2011).

The Ministry of Labour and Human Resources of Bhutan publishes and updates regularly detailed records of all foreign workers in Bhutan. The number of recorded foreign workers in the country as of 1 August 2011 was 46,895, of whom more than 99 per cent of them were male. The vast majority of them, more than 98 per cent, originated from India and by far, the largest share (about 75 per cent) worked in the construction sector (table 1). Based on the figures, foreign workers account for about 15 per cent of the Bhutanese workforce (Bhutan, Ministry of Labour and Human Resources 2011).

Table 1.  
**Stock of foreign workers in Bhutan by country of origin, as of May 2011**

COUNTRY OF ORIGIN	TOTAL	MALE	FEMALE	UNKNOWN
India	43 408	43 197	179	1
Bangladesh	137	133	4	0
Japan	100	75	25	0
United States of America	68	45	23	0
Canada	33	20	13	0
Myanmar	26	11	15	0
Nepal	21	19	2	0
Thailand	21	14	7	0
Other countries	140	100	40	31
<b>Total</b>	<b>43 954</b>	<b>43 614</b>	<b>308</b>	<b>32</b>

Source: Bhutan Ministry of Labour and Human Resources (2011).

The Royal Monetary Authority of Bhutan estimated that outward remittances by Indian migrants working in Bhutan stood at \$23.09 million in 2006 (UNDP and others 2010).

Bhutan has strategically placed industrial plants and special economic zones along the southern border with India. These zones give manufacturers easier access to the Indian market and daily foreign workers from across the border. Although foreign workers are not permitted to be employed in Bhutan without a work permit, the open border between India and Bhutan has reportedly resulted in irregular foreign labourers in the border towns as daily wage earners. In the last few years, the Government has applied stronger measures to curtail the hiring of foreign daily labour in order to free up jobs for unemployed Bhutanese (Sanam 2010).

According to a recent report, almost one fifth of the Bhutanese firms surveyed reported that difficulty in getting access to foreign workers was a major or severe obstacle. A government online system for applying for permission to hire skilled foreign workers was believed to be working well, but regulations were hindering access to both skilled and low-skilled foreign labour. In addition, the required use of third party agents licensed by the Government to hire low-skilled foreign labour was considered to be costly and not advantageous for business (World Bank 2010).

Bhutan has adopted strict policies on immigration. In 2007, the National Assembly of Bhutan passed the Immigration Act of the Kingdom of Bhutan. The Preamble states that the Act aims to ensure that the Kingdom remains free from illegal immigrants and that it would retain control over the immigration of foreigners for the security and prosperity of the nation.<sup>2</sup>

The Handbook on the Recruitment and Employment of Foreign Workers compiles all the procedures laid down in the Immigration Act and Labour Act with respect to contract conditions, recruitment agencies and other directives. It states that only skilled persons and technicians not available among the Bhutanese population would be approved for recruitment and employment by the Labour Recruitment Committee. In addition, a number of occupations have been closed to foreign workers since 1 June 2004, including, among them, accountants, tailors, drivers, gardeners and hairdressers.<sup>3</sup>

The Immigration Act differentiates between “highly skilled, professional, and technical experts” and “skilled and technical workers”, with the former being defined as foreigners who have “extraordinary ability in the field of science, art, education, business, or sports, which has been demonstrated by sustained national or international acclaim and whose achievements have been recognized in the field through extensive documentation”. The normal duration of contracts for highly skilled, professional and technical experts should not exceed three years, while the maximum period for skilled and technical workers is one year.

Only those who are confirmed to be physically and mentally fit by a medical fitness certificate issued by a professional medical practitioner from a hospital in Bhutan can be recruited and employed as a foreign worker. Access to basic

<sup>2</sup> See [www.dit.gov.bt/sites/default/files/ImmigrationAct2007.pdf](http://www.dit.gov.bt/sites/default/files/ImmigrationAct2007.pdf).

<sup>3</sup> See [www.molhr.gov.bt/publication/hbook.pdf](http://www.molhr.gov.bt/publication/hbook.pdf).



health-care services in general are provided free of cost to Bhutanese nationals and accessible to foreign workers as well.

For the construction sector, the Government encourages recruitment of male members, and foreign workers are discouraged from bringing families/relatives to Bhutan during their contract period. Only those recruited for regular and permanent positions are permitted to bring their spouse and children. All foreign workers are required to come into the country through registered foreign workers recruitment agents, who are responsible for them during their stay in the country and must ensure their departure when their contract is completed.

A foreign worker is allowed to work only at the specified work site and in the occupation stated in the work permit, and a special permit is required for them to work in certain designated areas. A section in the Immigration Act of the Kingdom of Bhutan, 2007, referred to as “inspection, suspension, cancellation and revocation” gives provisions for spot checking in public places, as well as regular field inspections in all residential, commercial, private, and official premises, to identify irregular migrants and unauthorized foreign workers in the country. A heavy financial penalty can be levied on the employer of a foreign worker without a permit with even possible imprisonment, and immediate deportation of a foreign worker.<sup>4</sup>

---

## Human trafficking

There are cases on record involving internal and cross-border trafficking in Bhutan such as bringing children from other districts or recruiting young women on false promises to be domestic workers (Bhutan Times 2009). Although official data regarding trafficking of women and young girls within or outside Bhutan are not available, there have been anecdotal reports of Bhutanese women and children exploited for sex work outside Bhutan, and fairly frequent reports of missing persons (Bhutan no date). Evidence of increasing commercial sex work in urban areas and border towns has also been reported, an outcome of migrant women from neighbouring countries, and internal migration as young girls from rural areas move to more affluent areas in search of better opportunities (Nedan Foundation 2009).

According to the Labour and Employment Act 2007, children between 13 and 17 years of age can be legally employed, albeit in certain areas.<sup>5</sup> This is contrary to the country’s ratification of the Convention on the Rights of a Child (CRC). Currently, no support systems for working children or measures to monitor their situation are in place.

Notably, in 2007, the National Commission for Women and Children filed the first case of child trafficking in the country, involving a child who had been trafficked for domestic work. It generated widespread media coverage and intense public discussion. The perpetrator received a three-year sentence. The case was seen as a signal for Bhutan to intensify mechanisms to prevent and address the trafficking of women and children (UNICEF 2008).

<sup>4</sup> See [www.dit.gov.bt/sites/default/files/ImmigrationAct2007.pdf](http://www.dit.gov.bt/sites/default/files/ImmigrationAct2007.pdf).

<sup>5</sup> See [www.molhr.gov.bt/publication/labouract.pdf](http://www.molhr.gov.bt/publication/labouract.pdf).

## Status of ratification of key international instruments and legal framework

Bhutan has ratified several international and regional human rights conventions, including the CRC, and the SAARC Convention on Preventing and Combating Trafficking in Women and Children into Prostitution. Bhutan is signatory to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and several articles of CEDAW have been incorporated into national laws and policy documents (National Plan of Action for Gender 2008–2013). Bhutan is also signatory to the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), but has yet to ratify it.

Bhutan has not yet signed the 1990 United Nations International Convention on the Protection of Rights of Migrant Workers and Their Families, and the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons (table 2). Bhutan is not a member of the International Labour Organization (ILO). However, the Labour and Employment Act of Bhutan 2007 allows local workers to form their own associations, facilitating the protection of labour rights.

Table 2.  
Status of ratification of key international instruments on international migration

INTERNATIONAL INSTRUMENT	ENTRY INTO FORCE	STATUS
ILO Convention concerning Migration for Employment (rev 1949) (Nº.97)	22 January 1952	--
ILO Convention concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers (Supplementary Provisions) (Nº.143)	09 December 1978	--
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	01 July 2003	--
Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children	25 December 2003	--
Protocol Against the Smuggling of Migrants by Land, Air and Sea	28 January 2004	--
1951 Convention relating to the Status of Refugees	22 April 1954	--
1967 Protocol relating to the Status of Refugees	04 October 1967	--

Source: ILO (no date), United Nations (no date).

## References

- Bhutan (no date), *National Plan of Action for Gender 2008–2013*, Gross National Happiness Commission (Thimphu, National Commission for Women and Children).
- \_\_\_\_\_ (2010), *Tenth Five Year Plan 2008–2013, Volume 1: Main document*, accessed from [http://planipolis.iiep.unesco.org/upload/Bhutan/Bhutan\\_TenthPlan\\_Vol1\\_Web.pdf](http://planipolis.iiep.unesco.org/upload/Bhutan/Bhutan_TenthPlan_Vol1_Web.pdf) on 11 August 2011.
- Bhutan Ministry of Education (2008). *General Statistics*, accessed from [www.education.gov.bt/Publications/General%20statistics%202008.pdf](http://www.education.gov.bt/Publications/General%20statistics%202008.pdf) on 11 August 2011.
- Bhutan Ministry of Labour and Human Resources (2011). Data online, accessed from [www.molhr.gov.bt/lmis/nonnationallabourmarketinformation.php](http://www.molhr.gov.bt/lmis/nonnationallabourmarketinformation.php) on 1 August 2011.
- Bhutan Office of Census Commissioner (2005), *Results of Population and Housing Census 2005*, accessed from [www.nsb.gov.bt/pub/phcb/PHCB2005.pdf](http://www.nsb.gov.bt/pub/phcb/PHCB2005.pdf) on 1 August 2011.
- Bhutan Times (2009), “Human trafficking from Bhutan”, *Bhutan Times*, 25 January 2009.
- Dorji, T. (2010). “Constraints in Bhutan’s labor workforce”, *Bhutan Times*, 7 November 2010.
- Ernst and Young (2009). *Bhutan Labour Market Survey: a study on the long-term manpower requirements in the country*, accessed from [www.rec.org.bt/wp-content/uploads//Bhutan\\_Labor\\_Market\\_Study\\_FINAL\\_Jun24.pdf](http://www.rec.org.bt/wp-content/uploads//Bhutan_Labor_Market_Study_FINAL_Jun24.pdf) on 1 August 2011.
- International Labour Organization (ILO) (no date). ILOLEX Database of International Labour Standards, accessed from [www.ilo.org/ilolex/english/index.htm](http://www.ilo.org/ilolex/english/index.htm) on 11 August 2011.
- Nedan Foundation (2009). *Standard Operating Procedures on Trans-Border Human Trafficking and HIV between Bodoland Territorial Council and Royal Kingdom of Bhutan* (Delhi, Nedan Foundation).
- Pramdar S. K. (2004). “Bhutan: Regulating foreign workers”, *Asian Tribune*, 2 August 2004.
- Sanam, T. (2010), “Only foreign workers with permits to be allowed”, *Bhutan Times*, 19 September 2010.
- United Nations (no date). United Nations Treaty Collection, accessed from <http://treaties.un.org/Home.aspx> on 11 August 2011.
- United Nations Children Fund (UNICEF) (2008), *South Asia in Action: Preventing and Responding to Child Trafficking; An Analysis of Anti-Trafficking Initiatives in the Region*, accessed from [www.unicef-irc.org/publications/pdf/ii\\_ct\\_southasia\\_analysis.pdf](http://www.unicef-irc.org/publications/pdf/ii_ct_southasia_analysis.pdf) on 1 August 2011.
- United Nations Department of Economic and Social Affairs (UN DESA) (2010). *World Population Prospects: The 2010 Revision*, accessed from <http://esa.un.org/unpd/wpp/index.htm> on 11 August 2011.
- United Nations Development Programme (UNDP) (2009). *Human Development Report, Overcoming Barriers: Human mobility and Development*, (New York, UNDP).
- United Nations Development Programme (UNDP), United Nations AIDS (UNAIDS) and International Labour Organization (2010), *HIV and mobility in South Asia* (Bangkok, UNDP).
- United Nations Statistical Division (UNSD) (no date). UNdata: a World of Data, accessed from <http://data.un.org> on 1 August 2011.
- World Bank (2009), World Bank data online, accessed from <http://data.worldbank.org/country/Bhutan> on 1 August 2011.
- \_\_\_\_\_ (2010), *Bhutan investment climate assessment report: Vitalizing the private sector, creating jobs. Volume 1: Summary report*, accessed from <http://siteresources.worldbank.org/BHUTANEXTN/Resources/306148-1288813971336/BhutanICAVolume1.pdf> on 11 August 2011.
- \_\_\_\_\_ (2011). World Development Indicators, accessed from <http://data.worldbank.org/indicator/SL.TLF.TOTL.IN> on 11 January 2012.

# India<sup>1</sup>



## Development Indicators

Population, 2011 (in 1 000)

1 210 193

Population growth rate, 2010

1.3 %

Growth rate of population aged 15-39 years 2005-2010

1.7 %

Total fertility rate, 2009



2.7

Percentage urban, 2010



30.1 %

Net migration rate, 2005-2010 (per 1 000)



-0.5

Per capita GDP, 2010 (at current prices in US Dollars)

1 475 \$



Remittances received to GDP, 2010

3.1 %

Source: World Bank (2011), UN DESA (2010), India Ministry of Home Affairs (2011).

<sup>1</sup> Naziha Sultana, IOM Bangladesh

---

## KEY POINTS

- **India has long been an important source of highly skilled migrants (both professionals and students), particularly to developed countries, making 'brain drain' an area of concern.**
- **Despite the large number of skilled migrant workers living abroad, the majority of the country's remittances come from the low- and semi-skilled migrants working in countries of the Gulf Cooperation Council (GCC)<sup>2</sup> and in South-East Asian countries, such as Singapore and Malaysia.**
- **Many of the poor interested in working in GCC countries are deterred by the extremely high cost for low-skilled workers to migrate, ranging from \$1,199 to Kuwait to \$1,658 to Saudi Arabia (Zachariah and Rajan 2010).**
- **India is projected to be a net out-migration country during the next two or three decades due to its demographic structure (India, Planning Commission 2009).**
- **Many migrants utilize unofficial channels, referred to as *hawala*, to remit to India due to high service fees charged by money transfer agencies, lack of intermediary banks and limited knowledge about banking operations (Singh 2010).**

<sup>2</sup> The member States of the GCC are Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and United Arab Emirates.

---

## Social and economic context of migration

India is the second most populous country in the world, with a population that exceeds 1.2 billion, and the world's largest democracy. Despite a booming economy and success in poverty reduction, poverty still remains widespread throughout the country.

Through a mix of monetary and fiscal policies, India was one of the first countries to overcome the effects of the global financial crisis in 2008, with gross domestic product (GDP) growing 7.2 per cent and 8.3 per cent in 2009 and 2010, respectively, up from 6.7 per cent in 2008 (ESCAP 2010). During this period, the economic expansion was tilted towards the manufacturing sector while the services sector expanded slightly and the agricultural sector contracted. Notably, the largest sector in terms of employment continues to be the agricultural sector.

Women comprise a relatively low share of the total labour force in India. Only 25 to 30 per cent of rural and 15 to 18 per cent of urban women participate in the labour market. This is mainly due to traditional social- and family-related constraints posed upon women. However, the ratio of female participation has risen significantly in the last few years, particularly in urban areas (India Ministry of Labour and Employment 2010).

The migration of male labour has also had an impact on the socio-economic status of women in India. When men migrate, women assume more family responsibilities and gain more freedom as well as a higher status in the family.

## Out-migration

In absolute numbers, India is one of the top ten out-migration countries in the world and the leading country of origin in South and South-West Asia. In 2010, two of the world's top ten migration corridors included India, Bangladesh-India, with 3.5 million migrants, and India–United Arab Emirates, with 2.2 million migrants (IOM 2010). The types of out-migrants include among others, low-skilled temporary workers, students and people who migrate to OECD countries and then often end up settling permanently in the host country.

After China, India has the second largest diaspora in the world, with about 27 million people spread across the globe.<sup>3</sup> These overseas communities not only serve as a significant resource for the development of the country, but also as a vital link to access knowledge, skills, expertise, resources and markets. The largest diaspora communities are found in the United States of America, Saudi Arabia and United Arab Emirates. Given the increasing recognition of the role diasporas can play in assisting countries of origin, the Government of India has incorporated partnerships with overseas Indian communities into the centre of its migration management policies (India MOIA 2011).

Table 1.  
**Stock of Indian citizens abroad, selected destination countries**

COUNTRY OF DESTINATION	NUMBER	YEAR OF ENUMERATION
United States of America	1 425 819	2005
Saudi Arabia	1 500 000	2001
United Arab Emirates	950 000	2001
United Kingdom	619 000	2007
Canada	443 690	2006
Oman	312 000	2001

**Source:** United Nations (no date), ICWA (2001).

The type of migration usually varies by skill level. Low- or semi-skilled migrants typically work temporarily in Western Asia or South-East Asia while skilled workers are more inclined to work in OECD countries. Precise data on all migrant outflows from India are difficult to obtain.

The Ministry of Overseas Affairs (MOIA) only keeps detailed records of the outflows of low- and semi-skilled workers who have not completed ten years of schooling, as this category of migrants are the only ones that need clearance from

<sup>3</sup> Among them, 10 to 12 million hold Indian passports and the rest have foreign passports.

the Ministry. Moreover, as of 2011, even those without ten years of schooling require emigration clearance to work in just 18 countries, among them are the six GCC countries. In 2008, almost 850,000 low- and semi-skilled workers from India migrated to work abroad. The number dropped after 2009 due to the global economic crisis. The main destination countries for low- and semi-skilled workers are GCC countries, particularly Saudi Arabia and United Arab Emirates. In recent years, more than 95 per-cent of low- and semi-skilled workers migrated to GCC countries (figure 1).

MOIA does not publish sex-disaggregated data, making it difficult to obtain exact numbers of women migrating for work. However, based on information from various sources, the number of women engaged in international migration increased over the last decade. For instance the proportion of women migrants from the Indian state of Kerala increased from 9.3 per cent in 1998 to 14.6 per cent in 2008 (Zachariah and Rajan 2010). Andhra Pradesh, Kerala, Tamil Nadu and Maharashtra are the main regions of origin for low-skilled women migrating to work in GCC countries. A large percentage of women migrants are domestic workers (Rajan and Sukendran 2010). However, of note, a number of nurses, particularly from Kerala, also migrate to work overseas (Percot 2006).

The Government of India prohibits women less than 30 years of age from migrating for employment if they hold emigration check required (ECR) passports<sup>4</sup> (Rajan and others 2010). However, many women under this age still leave the country in search of jobs but they do so through unofficial channels, making them vulnerable to unlawful practices and exploitation. One study indicated that more migrant women (80 per cent) than migrant men (54 per cent) were forced to hand over their passports, job contracts and other legal documents to their employers (Ranjana and Shamim 2010).

Following the mass evacuation of migrant workers from Libya to bordering countries in February 2011 due to civil and political unrest, the MOIA facilitated the repatriation of Indian nationals—estimated to be 18,000. In addition, it made arrangements for their onward journey once repatriated back to India. By the second week of March, approximately 15,000 Indian migrants had been safely repatriated to India (India MOIA 2011).

Migrants are employed either directly by the employers or through outsourcing agencies and recruitment agents. There are currently 1,800 registered recruitment agents, of which 600 actively recruit semi-skilled workers, and three times as many unregistered ones (Rajan and others 2011). These agents liaise with the overseas employers and facilitate the migration process for the workers. However, there are frequent reports of fraudulent activities by these agents. Additionally, India has a number of human resources agencies which are engaged in recruitment for developed countries in high skill sectors.

Also of note, MOIA has launched a scheme to provide life insurance coverage for Indian workers who have migration clearance and migrated overseas on

<sup>4</sup> As per the Emigration Act, 1983, Indian passports are divided into two categories, passports with the endorsement “emigration check required” (ECR) and passports with the endorsement “emigration check not required” (ECNR). Holders of those with a stamp of ECR, are required to get emigration clearance from the Protector of Emigrants if they are going to any country except Pakistan, Bangladesh, European countries (excluding CIS countries), all countries of North America, Japan, Australia, New Zealand, Thailand, Singapore, Republic of Korea, and South Africa.





contractual/employment visas. In addition, the Ministry is looking to launch a plan to provide a pension at later ages in their life through the model of welfare funds. The plan would facilitate savings for migrant workers when they return to India and help with their reintegration.

Highly skilled workers migrate predominately to Organization for Economic Co-operation and Development (OECD) countries, but also to GCC countries. In recent years, out-migration of highly skilled labour to many developed countries, such as Australia, Canada, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, has been rising while new destinations, such as Japan, have emerged (table 2).

Table 2.  
**Migration outflows from India to OECD countries, selected countries, 2002-2008**

	2002	2003	2004	2005	2006	2007	2008
United Kingdom	37 000	..	81 000	..	103 000	..	48 000
United States of America	70 823	50 228	70 151	84 681	61 369	65 353	63 352
Canada	28 838	24 593	25 575	33 148	30 753	26 054	24 549
Australia	7 573	8 194	11 278	12 788	1 524	19 823	22 725
Germany	9 433	9 227	9 125	8 364	8 911	9 367	11 403
Italy	7 155	..	5 735	4 152	4 774	10 973	..
Japan	..	..	..	..	4 897	5 751	5 744
Spain	887	1 330	3 709	4 929	4 212	5 569	6 556
<b>Total</b>	<b>69 193</b>	<b>94 709</b>	<b>112 643</b>	<b>127 059</b>	<b>139 924</b>	<b>139 042</b>	<b>153 312</b>

Source: OECD (2010).

Out-migration from India is expected to continue to increase over the next two to three decades. This is based on projections that the country would have a manpower surplus of 47 million in 2020, which could be used to fill labour gaps

in many countries, particularly developed ones, experiencing labour shortages due to an ageing population (India Planning Commission 2009).

India receives 10 per cent of total global remittances, putting it along with China as one of the top two remittance-receiving countries in the world (Khadria 2009). In the last decade, the volume of remittances increased strongly from \$15.8 billion in 2000 to \$53.8 billion in 2009 (India MOIA 2011).

A recent phenomenon of migration from India is that of students heading to developed countries with student visas. In many cases, the students become permanent residents of the respective countries after completion of their studies.

After China, India is the largest country of origin of student migrants. The United States of America is the leading destination country with more than half of all Indian expatriate students, followed by Australia and the United Kingdom of Great Britain and Northern Ireland. Students from India are also the highest number of international students in the United States of America, comprising 15 per cent of the total (Roberts 2009).

Table 3.  
**Number of students from India studying abroad by main destination countries, 2001-2007**

	2001	2002	2003	2004	2005	2006	2007
United States of America	47 411	66 836	74 603	79 736	84 044	79 219	85 687
Australia	...	9 539	12 384	15 742	20 515	22 357	24 523
United Kingdom	4 302	6 016	10 422	14 625	16 685	19 204	23 833
Germany	1 412	2 196	3 429	4 237	4 339	3 585	3 421
New Zealand	355	952	1 205	1 698	1 563	..	2 452
<b>Total</b>	<b>69 193</b>	<b>94 709</b>	<b>112 643</b>	<b>127 059</b>	<b>139 924</b>	<b>139 042</b>	<b>153 312</b>

Source: UNESCO (no date).

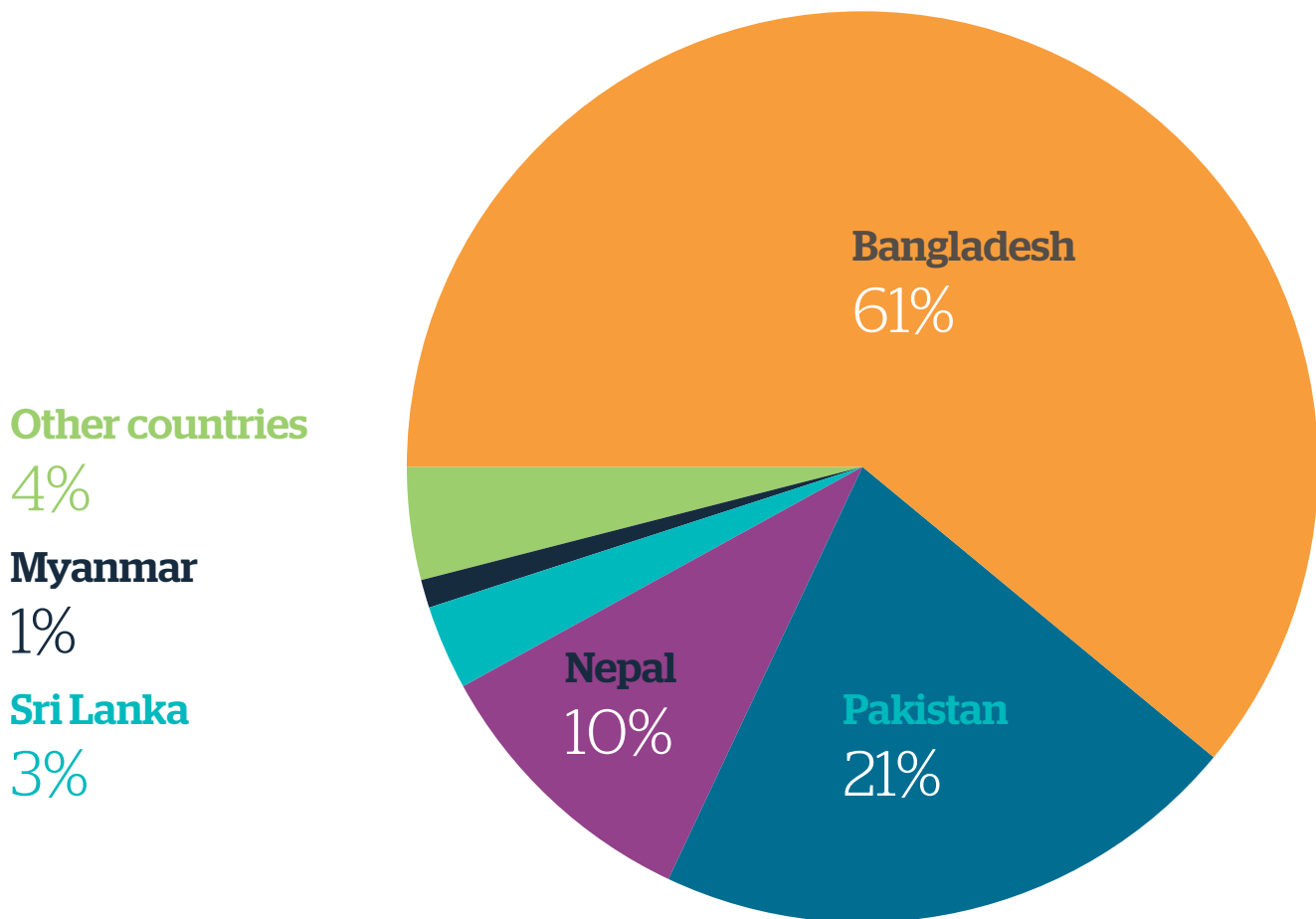
### In-migration

According to the United Nations Global Migration Database, India has the largest number of in-migrants in the Asia-Pacific region. This result is based on defining migrants as the foreign-born population in country. Consequently, it may be



skewed as a large number of the foreign-born population in India dates back to population movements during partition between Pakistan and India. In 2001, the total migrant population stood at 6.1 million, with 37 per cent older than 60 years and 42 per cent between 35 and 50 years old. As indicated in figure 2, almost all of the foreign-born population was born in neighbouring countries, about 3.7 million in Bangladesh, about 1.3 million in Pakistan and about 640,000 in Nepal (United Nations no date).

Figure 2.  
**Foreign-born population in India by country of birth, 2001**



Source: United Nations (no date).

In addition to migrant flows related to historical events, the country's relatively stronger economic position has generated more recent inflows from neighbouring countries. In the past few decades, India has become a destination for migrants from Nepal facilitated by an agreement on free movement between the two countries. While India itself is a country of origin of migrant workers heading abroad, the economic disparities between fast-growing India and its

poorer neighbouring countries has made it an attractive destination for migrants from those countries. Many of them, however, migrate irregularly and remain unrecorded.

In addition to the large number of migrant workers from Bangladesh and Nepal, India also provides shelter to almost 400,000 refugees from neighbouring countries, such as Sri Lanka, China, and Myanmar (United States Committee for Refugees and Immigrants 2009).

---

## Human trafficking

According to the United States Department of State's *Trafficking in Persons Report 2011*, India is a destination country for women trafficked from Nepal and Bangladesh for sexual exploitation and a transit country for men and women trafficked to Western Asia for forced, bonded labour<sup>5</sup> and sexual exploitation.

Internal trafficking has become a more prominent issue in the country. Increasing incidences of trafficking have been observed in places affected by natural disasters such as drought (United States Committee for Refugees and Immigrants 2009).

MOIA is working on developing a comprehensive law strictly related to overseas migration and combating cross-border human trafficking. Each state government in India also has legislative power and policies in place for combating trafficking in persons, however, policy status and implementation varies from state to state (UNODC 2009). Similar to other South Asian countries, India is party to the SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution, however, the Convention is limited to trafficking in women and children for prostitution, and does not address trafficking of men, or trafficking for purposes of labour exploitation. The Immoral Trafficking Prevention Act (ITPA) is the primary legislation in the country dealing with human trafficking. In recent years, between 5,000 and 7,000 persons have been prosecuted annually for offences related to trafficking in persons under ITPA (UNODC 2009).

Under various programmes, the Government provides different types of services for victims of trafficking, such as legal protection, medical and psycho-social support, shelter, education, skills training and rehabilitation assistance.

---

## Bilateral agreements for the protection of migrant workers and status of ratification of key international instruments

The Government of India has put in place measures to ensure safe and orderly migration, to engage productively with the country's diaspora and to protect its migrant workers. The MOIA, established in 2004 (as the Ministry of Non-Resident Indians' Affairs and later renamed), deals with issues affecting overseas Indians. Through the Ministry's activities, protection measures for the benefit of the skilled and semi-skilled workers, such as the labour welfare and protection agreements with GCC countries and Malaysia, have been concluded. A number of other important bilateral agreements have also been established,

<sup>5</sup> Bonded labour is a form of contemporary slavery in which a person pledges themselves against a loan. The services required to repay the debt, and the services' duration may be undefined.

including, among others, social security agreements with Belgium, France, Germany and Switzerland.

India has not signed any of the key international conventions related to refugees or migrant workers, but has signed the protocols on trafficking and the smuggling of migrants (table 4).

Table 4.  
**Status of ratification of key international instruments on international migration**

INTERNATIONAL INSTRUMENT	ENTRY INTO FORCE	STATUS
ILO Convention concerning Migration for Employment (rev 1949) (N°97)	22 January 1952	--
ILO Convention concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers (Supplementary Provisions) (N°143)	09 December 1978	--
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	01 July 2003	--
Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children	25 December 2003	signed 2002
Protocol Against the Smuggling of Migrants by Land, Air and Sea	28 January 2004	signed 2002
1951 Convention relating to the Status of Refugees	22 April 1954	--
1967 Protocol relating to the Status of Refugees	04 October 1967	--

**Source:** ILO (no date), United Nations (no date).

## References

- Economic and Social Commission for Asia and the Pacific (ESCAP) (2010). *Economic and Social Survey of Asia and the Pacific 2010* (United Nations publication, Sales No. E.10.II.F.2).
- Khadria, B. (2009). *India Migration Report 2009 Past, Present and The Future Outlook* (Dehli, Cambridge University Press India).
- Kumari, R., and I. Shamim (2010). Gender dimensions of international migration from Bangladesh and India: Social-economic impact on families left behind, accessed from [www.saneinetwork.net/pdf/07%20-%20Ranjana%20Kumari.pdf](http://www.saneinetwork.net/pdf/07%20-%20Ranjana%20Kumari.pdf) on 11 August 2011.
- India Ministry of Home Affairs (2011). Census of India 2011, provisional population totals, accessed at <http://censusindia.gov.in/2011-prov-results/indiaatglance.html> on 11 August 2011.
- India Ministry of Labour and Employment (2010). *Annual Report to the People on Employment* (New Delhi, India Ministry of Labour and Employment).
- India Ministry of Overseas Indian Affairs (MOIA) (2011). *Annual Report 2010–2011* (New Delhi, MOIA).
- India Planning Commission (2009). *Annual Report 2009–10*, accessed from [http://planningcommission.nic.in/reports/genrep/ar\\_eng0910.pdf](http://planningcommission.nic.in/reports/genrep/ar_eng0910.pdf) on 11 August 2011.
- Indian Council of World Affairs (ICWA) (2001), *Report of the High Level Committee on the Indian Diaspora* (New Delhi, ICWA).
- International Labour Organization (ILO) (no date). ILOLEX Database of International Labour Standards, accessed from [www.ilo.org/ilolex/english/index.htm](http://www.ilo.org/ilolex/english/index.htm) on 11 August 2011.
- International Organization for Migration (IOM) (2010). *World Migration Report—The Future of Migration: Building Capacities for Change* (Geneva, IOM).
- Organization for Economic Co-operation and Development (OECD) (2010). OECD International Migration Database, accessed from <http://stats.oecd.org/Index.aspx?DataSetCode=MIG> on 8 August 2011.
- Rajan, S. Irudaya, V. J. Varghese, and M. S. Jayakumar (2010). "Understanding female emigration: Experience of house maids", S. Irudaya Rajan, ed., *Governance and Labour Migration: India Migration Report 2010* (New Delhi, Routledge).
- \_\_\_\_\_ (2010). "Looking beyond the Emigration Act 1983: Revisiting the recruitment practices in India", S. Irudaya Rajan, ed., *Governance and Labour Migration: India Migration Report 2010* (New Delhi, Routledge).
- \_\_\_\_\_ (2011). *Dreaming Mobility and Buying Vulnerability: Overseas Recruitment Practices and its Discontents in India* (New Delhi, Routledge).
- Roberts, D. M. (2009). "Global Tendencies in Student Mobility. Research results from Institute of International Education's open doors and project atlas", accessed from [www.highereducationpromotion.eu/web/images/docs/global\\_tendencies\\_in\\_student\\_mobility.pdf](http://www.highereducationpromotion.eu/web/images/docs/global_tendencies_in_student_mobility.pdf) on 11 August 2011.
- Percot, M. (2006). "Indian nurses in the Gulf: From job opportunity to life strategy", A. Agrawal, ed., *Migrant Women and Work*, vol 4. (New Delhi, Sage).
- Singh, B. (2010). "Workers' remittances to India: An examination of transfer cost and efficiency", *International Migration*, vol. 45, issue 5.
- United Nations (no date), United Nations Global Migration Database v.0.3.6, accessed from <http://esa.un.org/unmigration> on 22 August 2011.
- United Nations (no date). United Nations Treaty Collection, accessed from <http://treaties.un.org/Home.aspx> on 11 August 2011.
- United Nations Department of Economic and Social Affairs (UN DESA) (2010). World Population Prospects: The 2010 Revision, accessed from <http://esa.un.org/unpd/wpp/index.htm> on 11 August 2011.
- United Nations Educational, Scientific and Cultural Organization (UNESCO) (no date), UNESCO Institute of Statistics, accessed from [www.uis.unesco.org/Pages/default.aspx](http://www.uis.unesco.org/Pages/default.aspx) on 20 August 2011.
- United States Committee for Refugees and Immigrants (2009), *World Refugee Survey*, accessed from [www.refugees.org/resources/refugee-warehousing/archived-world-refugee-surveys/2009-wrs-country-updates/india.html](http://www.refugees.org/resources/refugee-warehousing/archived-world-refugee-surveys/2009-wrs-country-updates/india.html) on 11 August 2011.
- United Nations Office on Drugs and Crime (UNODC), (2009). *Global Report on Trafficking in Persons*, accessed from [www.unodc.org/documents/human-trafficking/Global\\_Report\\_on\\_TIP.pdf](http://www.unodc.org/documents/human-trafficking/Global_Report_on_TIP.pdf) on 11 August 2011.
- United States Department of State (2011), *Trafficking in Persons Report 2011* (Washington, Office of the Secretary for Democracy and Global Affairs and Bureau of Public Affairs).
- World Bank (2010). Pakistan, accessed from <http://data.worldbank.org/country/pakistan> on 5 August 2011.
- \_\_\_\_\_ (2011). World Development Indicators, accessed from <http://data.worldbank.org/indicator/SL.TLF.TOTL.IN> on 11 January 2012.
- Zachariah, K.C., and S. Rajan (2010). *Migration and monitoring study, 2008: Emigration and remittances in the context of surge in oil prices*, accessed from [http://cds.edu/download\\_files/wp424.pdf](http://cds.edu/download_files/wp424.pdf) on 11 August 2011.

# Islamic Republic of Iran<sup>1</sup>



## Development Indicators

Population, 2010 (in 1 000)

73 974

Population growth rate, 2010

1.1 %

Growth rate of population aged 15-39 years, 2005-2010

1.2 %

Total fertility rate, 2009



1.7

Percentage urban, 2010



69.5 %

Net migration rate, 2005-2010 (per 1 000)



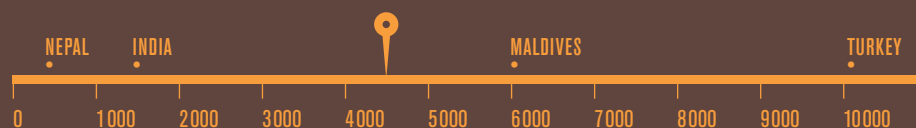
-0.5

Per capita GDP, 2009  
(at current prices in US Dollars)

4 526 \$

Remittances received to GDP, 2009

0.3 %



Source: World Bank (2011), UN DESA (2010).

<sup>1</sup> G.M. Arif, Pakistan Institute of Development Economics and Davide Besana, IOM Regional Office for Asia and the Pacific



---

## KEY POINTS

- **The geographic location of the Islamic Republic of Iran lends itself to its position as a country of origin, destination and transit of mixed migration flows.**
- **The Islamic Republic of Iran has long been and remains the most important destination for refugees from Afghanistan and a major destination for refugees from Iraq. The repatriation of refugees currently poses a challenge for the country.**
- **There are also large mixed migration flows to the Islamic Republic of Iran, especially from Afghanistan. Aside from seeking refugee status, many Afghans migrate to the Islamic Republic of Iran for work. Compared to some neighbouring countries, the country's high wages, relative economic and social stability and comprehensive social system, constitute a strong pull factor for migrants from the subregion.**
- **Migration to the Islamic Republic of Iran is likely to continue due to the economic disparities within the subregion and the low growth among the young labour force in the Islamic Republic of Iran.**

---

## Social and economic context of migration

The Islamic Republic of Iran is a country of origin, transit and destination for migrants and refugees. Two factors supporting this are its strategic geographic location and the ongoing conflict and economic disparities within the subregion. In terms of migration outflows, the country notably experiences out-migration and in-migration simultaneously (IOM 2009). In addition, its location makes it prone to cross-border migration by migrants seeking to reach third countries, primarily in Europe and members of the Gulf Cooperation Council (GCC).<sup>2</sup>

Socio-political events in the subregion have led to the development of a 'revolving door' phenomenon in the Islamic Republic of Iran, characterized by the departure and return of Afghan and Iraqi migrants in tandem with the escalation of conflict and instability in neighbouring countries. Migration flows to and from the Islamic Republic of Iran are to a large extent economically driven (Monsutti 2006).

Although a large number of Iranians live abroad, especially in Europe and North America, remittances do not appear to play a significant role in the country's gross national product (GNP) (IOM 2009). According to the World Bank (2011), remittance flows to the Islamic Republic of Iran in 2009 stood at slightly more than \$1 billion. However, a study conducted in 2003 estimated that more than half of the total remittances to the country were transmitted through informal channels (El Qorchi and others 2003) and consequently remained unrecorded in official statistics.

<sup>2</sup> The member States of the GCC are Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and United Arab Emirates.

Since 2001, there has been a marked shift in the methods of migration with the rise of human smuggling networks operating between Afghanistan and the Islamic Republic of Iran. More than 90 per cent of Afghans returning from the Islamic Republic of Iran admitted to migrating clandestinely while close to 80 per cent had received help by a smuggler (Majidi and Davin 2008).

Irregular migration results in significant revenue loss for the Governments of Islamic Republic of Iran and Afghanistan as migrants forfeit visa fees for legal travel to the Islamic Republic of Iran. Estimates indicate that the overall amount migrants pay to smugglers in one year is about \$90 million, while revenue lost by the Government of the Islamic Republic of Iran to clandestine operations is about \$221 million (see table 1).

Table 1.  
Cost comparison between legal and clandestine migration

	LEGAL OPTION—COST PER PERSON (\$)	SMUGGLERS—COST PER PERSON (\$)
Visa	60	-
Passport	180	-
Round trip (Kabul-Tehran)	500	-
<b>Total cost</b>	<b>740</b>	<b>361</b>

Source: Davin and others (2008).

## Out-migration

Although the majority of people who left the Islamic Republic of Iran in recent years were refugees from Afghanistan and Iraq returning to their country or further migrating to other countries of destination, a number of Iranian citizens also left the country in search of better educational and employment opportunities.

Two periods of out-migration were in the aftermath of the 1979 revolution and during the war with Iraq in the 1980s. Overall, the Islamic Republic of Iran has a large diaspora abroad. The largest numbers of Iranians live in the United States of America, estimated to be more than 302,000 in 2005. According to various country population registers, there are also sizeable Iranian populations in the United Kingdom of Great Britain and Northern Ireland (about 67,000), Sweden (about 58,000) and Germany (54,000) (United Nations no date).

Some Iranians continue to leave the country, including a number of highly educated citizens who move to the United States of America, and Canada. Between 2004 and 2008, about 12,500 Iranians migrated to the United States of America and about 6,300 migrated to Canada, annually (OECD International Migration Database no date).

Many Iranians still seek refugee status abroad, but the number of recognized refugees from the country has gone down in the past few years. Main destinations for those seeking refugee status remain Germany, Iraq, the United Kingdom of Great Britain and Northern Ireland, and the United States of America. Iraq also serves as a country of transit for onward migration to Europe or North America.

Due to limited migration opportunities, especially for lower-skilled workers, migrants from the Islamic Republic of Iran sometimes resort to using irregular channels.

Table 2  
**Stock of recognized refugees from the Islamic Republic of Iran by main countries of destination, 2005-2009**

	2005	2006	2007	2008	2009
Germany	24 016	13 213	15 123	15 816	20 226
Iraq	13 382	11 773	11 135	10 823	12 401
United Kingdom	9 039	9 566	10 227	10 320	10 845
United States of America	17 429	33 714	6 845	6 347	5 731
Canada	5 695	4 978	6 221	5 200	4 499
Netherlands	5 573	4 344	3 396	2 956	2 662
Austria	1 589	1 679	1 929	2 112	2 183
Sweden	5 016	5 205	1 934	1 909	2 148
Other countries	17 688	18 011	11 587	13 578	12 078
<b>Total</b>	<b>99 427</b>	<b>102 483</b>	<b>68 397</b>	<b>69 061</b>	<b>72 773</b>

Source: UNHCR (no date).



Encouraging Afghan refugees to return home has become difficult as 60 per cent of them have been living in the Islamic Republic of Iran for at least 15 years and have established roots. According to UNHCR, there were still about one million recognized refugees from Afghanistan in the Islamic Republic of Iran in 2010.

In recent decades, the inflows of migrants to the Islamic Republic of Iran have predominantly consisted of Afghan and Iraqi nationals seeking asylum. More than 1 million refugees from Afghanistan and almost 50,000 refugees from Iraq were still in the Islamic Republic of Iran as of March 2010 (UNHCR 2011). However, a large number of refugees have returned to their home countries in the past years, making the Islamic Republic of Iran a country of net out-migration.

Although thousands of Afghans lived and worked legally in the country prior to the Islamic Revolution, refugee flows from Afghanistan accelerated from 1979 (Ashrafiand and others 2002). The Islamic Republic of Iran initially applied an open door policy for refugees, which allowed Afghans to be granted refugee status on a *prima facie*<sup>3</sup> basis (Hakimzadeh 2006). Under this policy, Afghans received 'blue cards' confirming their status as people who sought exile for religious reasons.

After the withdrawal of the Union of Socialist Soviet Republics from Afghanistan, the Government of the Islamic Republic of Iran signed a three-year repatriation agreement with the Government of Afghanistan and the United Nations High Commissioner for Refugees (UNHCR) in 1992 (the first of many tripartite agreements) to actively encourage Afghan refugees to return home (Hakimzadeh 2006). As a result, the number of refugees from Afghanistan in the Islamic Republic of Iran dropped by more than one million in 1993 (figure 1).

Approximately 600,000 Afghan refugees returned from the Islamic Republic of Iran throughout 1993, but an escalation of the internal conflict in Afghanistan from 1992–1996 resulted in a new wave of refugees and economic migrants from Afghanistan to the Islamic republic of Iran by the mid-1990s. However, on this occasion, no permanent documents were issued (ICRI 2003). The tripartite agreement with Afghanistan and the UNHCR was renewed in 2002 but encouraging Afghan refugees to return home has become difficult as 60 per cent of them have been living in the Islamic Republic of Iran for at least 15 years and have established roots. According to UNHCR, there were still about one million recognized refugees from Afghanistan in the Islamic Republic of Iran in 2010 (figure 1).

The first wave of Iraqi refugees fled to the Islamic Republic of Iran in the early 1970s after many people were expelled from Iraq on claims that they were of Iranian origin. In another wave, 700,000 refugees arrived from Iraq in the aftermath of the Halabja crisis<sup>4</sup> in the late 1980s (ICRI 2003). In addition, a mass influx of 1.3 million Iraqis migrated to the Islamic Republic of Iran after the 1991 war in Iraq. However, many of them returned to Iraq during the 1990s. In 2010, about 46,000 Iraqis were living in the Islamic Republic of Iran (figure 2). Similar to migrants from Afghanistan, Iraqis need work permits to be employed but they reportedly have an easier time obtaining them.

Low-skilled workers from Afghanistan can earn up to twice as much in the Islamic Republic of Iran for similar type of work. Consequently, wage differentials

<sup>3</sup> Assessing at first sight; based or founded on the first impression.

<sup>4</sup> This refers to an attack on a Kurdish town in Northern Iraq located near the border with the Islamic Republic of Iran.

Figure 1.

# Number of refugees from Afghanistan in the Islamic Republic of Iran, 1980-2010

Source: UNHCR (no date).

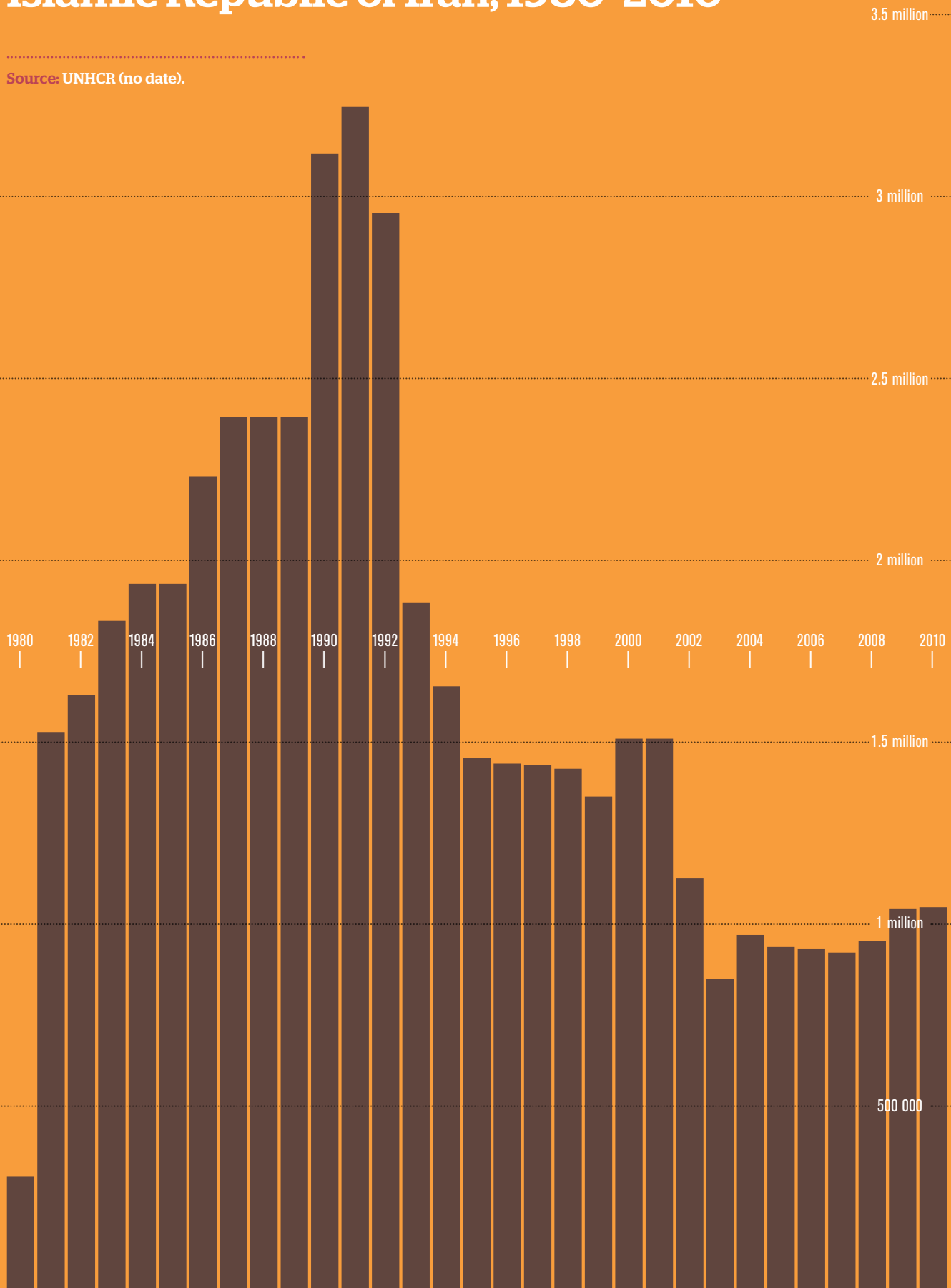
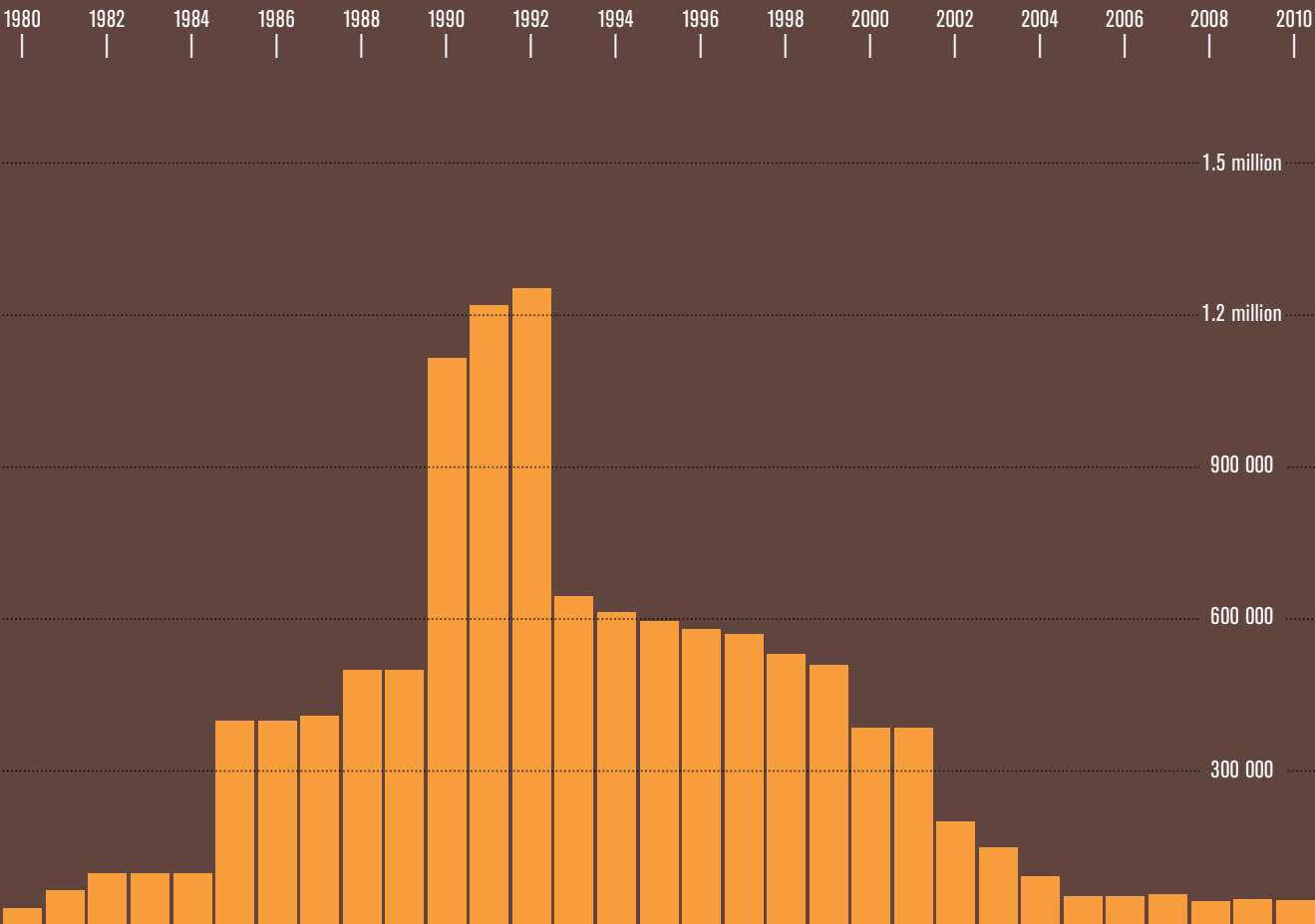


Figure 2.

# Number of refugees from Iraq in the Islamic Republic of Iran, 1980-2010

Source: UNHCR (no date).



between the Islamic Republic of Iran and neighbouring countries act as a significant pull factor. In addition, health and education facilities in the Islamic Republic of Iran serve as a potential pull factor for migrants while, as stated earlier, the country's strategic location on the route to Europe and the Arabian Peninsula makes it a natural transit point for those seeking to reach European or GCC countries.

### Status of ratification of key international instruments

Being a destination for a large number of asylum seekers and refugees, the Islamic Republic of Iran acceded the Convention and the Protocol relating to the Status of Refugees (table 3).

Table 3.  
Status of ratification of key international instruments on international migration

INTERNATIONAL INSTRUMENT	ENTRY INTO FORCE	STATUS
ILO Convention concerning Migration for Employment (rev 1949) (Nº.97)	22 January 1952	--
ILO Convention concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers (Supplementary Provisions) (Nº.143)	09 December 1978	--
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	01 July 2003	--
Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children	25 December 2003	--
Protocol Against the Smuggling of Migrants by Land, Air and Sea	28 January 2004	--
1951 Convention relating to the Status of Refugees	22 April 1954	acceded 1976
1967 Protocol relating to the Status of Refugees	04 October 1967	acceded 1976

Source: ILO (no date), United Nations (no date).



---

## References

- Ashrafi, A., and H. Moghissi (2002). Afghans in Iran: asylum fatigue overshadows Islamic Brotherhood. *Centre for World Dialogue*, vol. 4, N°4, Autumn 2002-The Era of Mass Migration, accessed from <http://worlddialogue.org/content.php?id=255> on 11 August 2011.
- Davin, E., A. Kabul, and N. Majidi (2008). Research study on Afghan deportees from Iran. ILO-UNHCR Comprehensive Solutions for Afghan Displacement, August.
- El Qorchi, M., S. Maimbo and J. Wilson (2003). Informal funds transfer systems: An analysis of the informal hawala system. A joint International Monetary Fund, World Bank paper, March. Available from [http://johnfwilson.net/resources/Hawala+Occasional+Paper+\\_3.24.03\\_.pdf](http://johnfwilson.net/resources/Hawala+Occasional+Paper+_3.24.03_.pdf).
- Hakimzadeh, S. (2006). "Iran: a vast diaspora abroad and millions of refugees at home", *Migration Information Source*, September, accessed from [www.migrationinformation.org/feature/display.cfm?ID=424](http://www.migrationinformation.org/feature/display.cfm?ID=424) from 11 August 2011.
- International Consortium for Refugees in Iran (ICRI) (2003). "Overview of the refugee situation", accessed from [www.icri-ir.com/factsheet.htm](http://www.icri-ir.com/factsheet.htm) on 11 August 2011.
- International Labour Organization (ILO) (no date). ILOLEX Database of International Labour Standards, accessed from [www.ilo.org/ilolex/english/index.htm](http://www.ilo.org/ilolex/english/index.htm) on 11 August 2011.
- International Organization for Migration (2009). Italy backs IOM reintegration programme in Western Afghanistan, accessed from <http://reliefweb.int/node/323478> on 11 August 2011.
- Monsutti, A. (2006). *Afghan Transnational Networks: Looking Beyond Repatriation*, (Kabul, Afghanistan Research and Evaluation Unit).
- Organization for Economic Co-operation and Development (OECD). *OECD International Migration Database*, accessed from <http://stats.oecd.org/Index.aspx?DataSetCode=MIG> on 8 August 2011.
- United Nations (no date), United Nations Global Migration Database v.0.3.6, accessed from <http://esa.un.org/unmigration> on 22 August 2011.
- United Nations (no date). United Nations Treaty Collection, accessed from <http://treaties.un.org/Home.aspx> on 11 August 2011.
- United Nations Department of Economic and Social Affairs (UN DESA) (2010). *World Population Prospects: The 2010 Revision*, accessed from <http://esa.un.org/unpd/wpp/index.htm> on 11 August 2011.
- United Nations High Commissioner for Refugees (no date). UNHCR Population Database, accessed from [www.unhcr.org/pages/4a013eb06.html](http://www.unhcr.org/pages/4a013eb06.html) on 8 August 2011.
- \_\_\_\_\_ (2011). UNHCR country operations profile – Islamic Republic of Iran, accessed from [www.unhcr.org/pages/49e486f96.html](http://www.unhcr.org/pages/49e486f96.html).
- World Bank (2011). *World Development Indicators*, accessed from <http://data.worldbank.org/indicator/SL.TLF.TOTL.IN> on 11 January 2012.

# Maldives<sup>1</sup>



## Development Indicators

Population, 2010 (in 1 000)

315

Total fertility rate, 2009



1.8

Population growth rate, 2010

1.3%

Percentage urban, 2010



40.5%

Growth rate of population aged 15-39 years, 2005-2010

2.3%

Net migration rate, 2005-2010 (per 1 000)

0.0

Per capita GDP, 2010 (at current prices in US Dollars)

6 041 \$

Remittances received to GDP, 2010

23.2%



Source: World Bank (2011), UN DESA (2010).

<sup>1</sup> Ayumi Yaegashi, IOM Regional Office for Asia and the Pacific

---

## KEY POINTS

- **Demand for workers in industries, such as construction and tourism, skill shortages and higher wages are pull factors for migrant workers, which mainly come from neighbouring countries.**
- **Limited scope to prosecute trafficking-related offences provide conditions which can result in forced labour.**
- **Environmental concerns stemming from the effects of climate change and natural disasters are putting the country in an extremely vulnerable position in which it may have to resort to forced migration.**

---

## Social and economic context of migration

Maldives comprises a chain of more than a thousand coral islands in the Indian Ocean at the southernmost tip of South Asia. More than a third of the population lives in the capital, Malé, with the remaining population distributed between seven administrative provinces on outlying atolls (Maldives Department of National Planning 2010). Due to the country's unique environment, there is extensive internal migration between provinces and the capital for the purpose of education or employment, and in-migration of international workers to support the burgeoning tourism and construction sectors (UNDP 2010).

Maldives has experienced three significant periods of migration during the past 50 years. The first period, prior to the 1970s, entailed the small-scale movement of workers seeking employment in traditional production and services industries. In the second period, between the 1970s and 1990s, the Government of Maldives opened its economy to the private sector, introduced commercial banks, established and promoted the tourism industry and welcomed foreign labour to the country. The third period began in the 1990s and is characterized by a substantial influx of foreign labour migrants (Rasheed 2003).

Tourism is the heart of the Maldivian economy, attracting 500,000 visitors annually, and accounting for 28 per cent of gross domestic product (GDP) and more than 60 per cent of foreign exchange receipts. Since the population of the Maldives is only 315,000, comparatively small changes to migratory patterns have significant implications on the economy. Recently, for example, the global economic crisis of 2008 adversely affected the country's tourism industry, which consequently had a strong impact on the Maldives economy (United States of America Central Intelligence Agency 2011). Fishing remains the second largest generator of foreign exchange and employs about 30 per cent of the country's workforce (World Bank 2010).

In December 2004, it was officially announced that the Maldives would no longer be classified as a least developed country (LDC). After a transition period, which was postponed due to the major tsunami that hit the Maldives only a few days after the announcement, the country fully graduated from LDC status in 2011 (UN-OHRLLS 2010). In 2004, only 3 per cent of the population lived below the national poverty line. However, there are large disparities between atolls and inequality, as significant as it is, is greater in the Maldives than in neighbouring South Asian countries. The poverty levels are highest on the islands where livelihoods are dependent on subsistence agriculture and fishing (Maldives

Department of National Planning 2011). The relatively high level of inequality reflects economic disparities between the capital Malé and outlying provinces. This, in turn, has fostered internal migration as workers migrate in search of better employment opportunities.

The country's geographic position as a chain of islands spread over a distance of 900 kilometres with the majority of islands lying below sea-level makes it extremely vulnerable to natural disasters and the effects of climate change (ADB and World Bank 2005). The major tsunami that hit countries in South and South-East Asia in December 2004 took a large toll on Maldives, leaving more than one hundred dead, displacing 12,000 persons and causing \$300 million of property damage. The GDP contracted 4.6 per cent the following year, but recovered slightly in 2006 on the back of increasing tourism and corresponding demand in the construction sector (UNDP 2010).

In comparison to neighbouring countries, remittances to Maldives are extremely low, the majority of which originates from seafarers working on foreign cargo vessels. In 2010, remittance inflows to the country totalled \$3 million, about 0.2 per cent of GDP, the lowest rate in South Asia (UNDP 2010). However, remittances from migrant workers in the country are nearly thirty times higher. Figures for 2009 indicate that foreign workers in the country remitted \$116 million abroad (World Bank 2011a).

The Government of the Maldives has in place a legal framework to regulate the entry of foreign labour migrants. The Employment Act (2008) and the Expatriate Employment Regulations (2008), overseen by the Ministry of Employment and Social Security, require employers to place a security deposit to be used to facilitate the repatriation of employees, if necessary (UNDP 2010).

---

## Out-migration

Although exact figures are not available, the overall number of Maldivian migrants leaving the country is believed to be very low. The majority of Maldivians employed overseas are seafarers working on foreign vessels. One reason for Maldivians to migrate abroad is tertiary education. According to statistics provided by United Nations Educational, Scientific and Cultural Organization (UNESCO), in 2007, about 1,200 students from Maldives were studying abroad with the majority of them in Malaysia (632), Australia (208) and the United Kingdom of Great Britain and Northern Ireland (197) (UNESCO 2011).

---

## In-migration

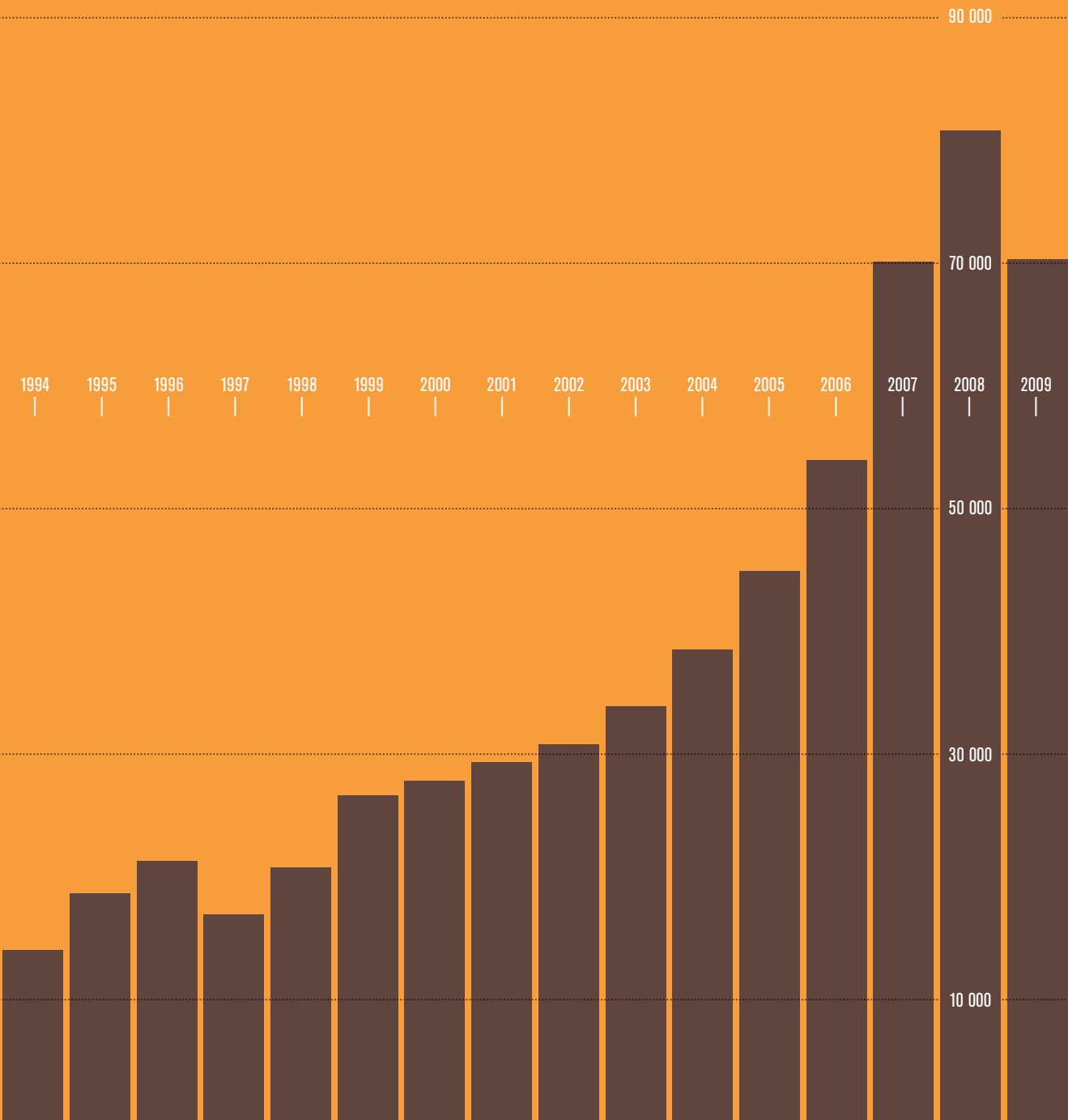
Maldives is primarily a destination country for migrants, particularly from other countries in the subregion, with relatively high wages being the main pull factor. The number of foreign workers in Maldives has increased rapidly in recent years and even expanded in 2005, right after the tsunami (figure 1). In 2009, there were 70,259 registered migrant workers in the Maldives, compared to 110,231 employed nationals (Maldives Department of National Planning 2010).

In 2009, more than half the 70,259 registered migrant workers were from Bangladesh. Significant numbers were also from India and Sri Lanka (see figure 2). Notably, based on recent estimates, the number of foreign workers is considerably higher when taking into account irregular migrants.

Figure 1.

# Number of registered migrant workers in the Maldives, 1994-2009

Source: Statistical Yearbook of Maldives (2010), Table 19.3.



Employment for these workers is principally in low-skilled and semi-skilled jobs in the construction, tourism, and community services sectors (Maldives Department of National Planning 2010). Due to rapid economic growth and comparatively slower growth in education training institutions, a skills shortage is evident among the local population. The construction and tourism sectors are dependent on the migrant labour force to fill the employment gaps. In 2009, the construction sector and the tourism sector employed 41 per cent and 16 per cent of the migrant workers, respectively. Employment per sector varies between nationalities of migrant workers. The majority (54 per cent) of migrant workers from Bangladesh were employed in the construction industry while migrant workers from India were more equally distributed among sectors, with 29 per cent employed in construction, 20 per cent in community and social services and 12 per cent in tourism. Sri Lankan workers are mainly employed in tourism (32 per cent) and construction (17 per cent) (Maldives Department of National Planning 2010).

The gender makeup of migrant workers between sectors differs significantly. Women comprised only 8 per cent of the registered migrant workers in Maldives in 2009 but totalled 38 per cent of migrants working in the education and community, social and personal services sectors. Meanwhile, during that time, no migrant women were employed in the construction sector (Maldives Department of National Planning 2010).

As English is increasingly being used as the language of instruction in government schools, demand for English-speaking teachers is high. In 2009, some 36 per cent of teachers in secondary schools were foreign (Maldives Ministry of Education 2010). The majority of foreign teachers in the Maldives are from India. Also of note, statistics provided by the Ministry of National Planning in 2010 shows that all expatriate teachers had received formal training, while about 30 per cent of the local teachers had not received formal training to be teachers (Maldives Department of National Planning 2010).

---

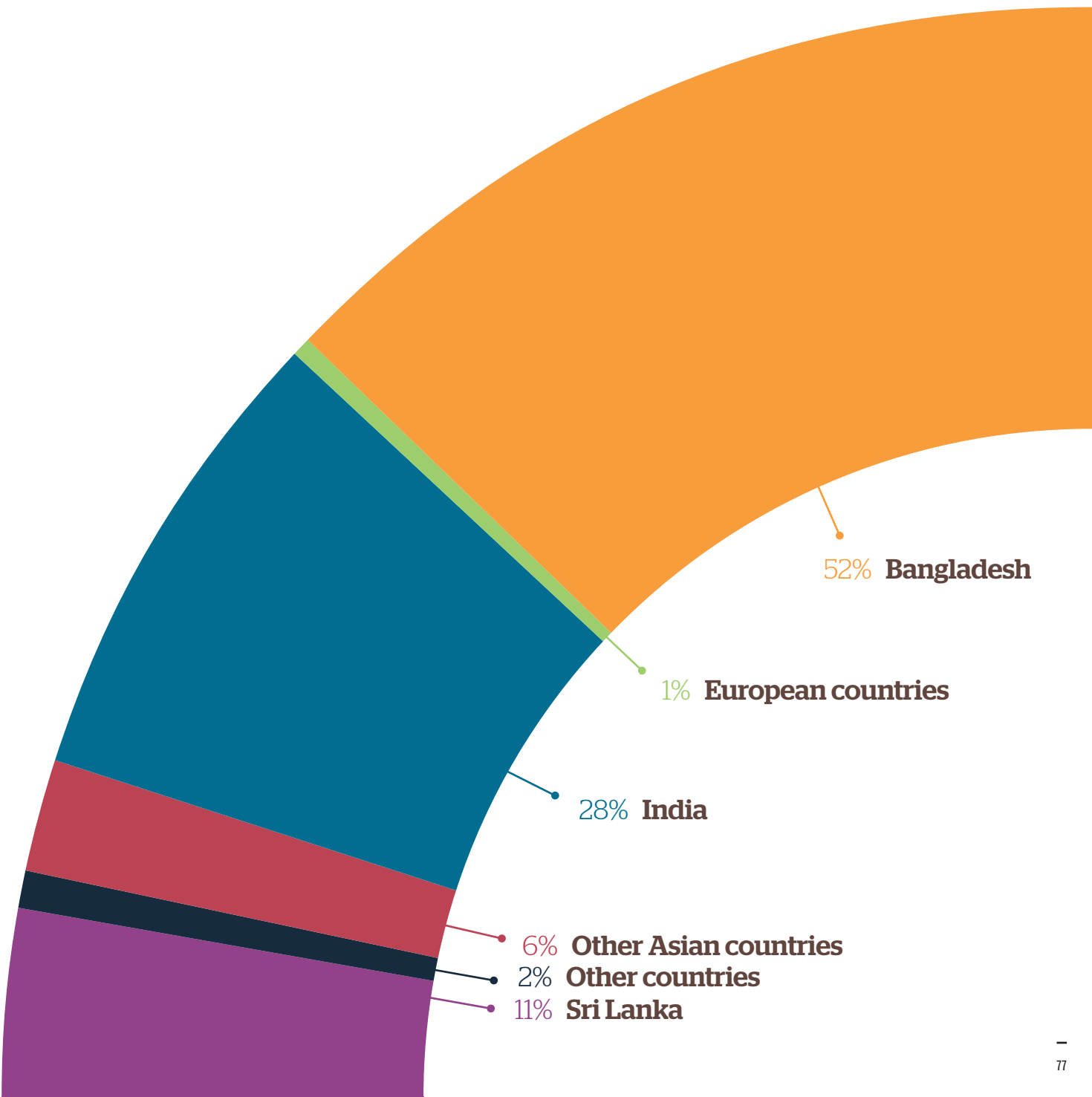
## Human trafficking

As a destination country without strong provisions to protect of foreign workers, or prosecute trafficking-related offences, Maldives has become a destination country for forced labour. In 2010, the United States Department of State *Trafficking in Persons Report* placed the Maldives on its Tier 2 Watch List due to the Government's inability of to investigate or prosecute offences related to the trafficking of persons (United States Department of State 2010).

According to the Report, an estimated 30,000 foreign workers in the construction and service sectors are without legal status and are subject to exploitation (United States Department of State 2010). However, lack of available data hampers efforts to assess the full impact of human trafficking in the country. In Malé, the Government faces ongoing problems in systematically identifying victims of forced sex work and those trafficked for involuntary domestic servitude (ADB and IOM 2009). Internal trafficking of women and girls from the outer atolls to Malé primarily for the purposes of domestic labour and sex work have also been reported.

# Figure 2. Migrant workers in the Maldives by country of origin, 2009

Source: Statistical Yearbook of Maldives (2010).



## Status of ratification of key international instruments

Maldives is a party to almost all the major international human rights instruments including the two Covenants and the SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution. However, the Government has not signed or ratified international instruments directly related to migration and trafficking, such as the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and the Protocol to Prevent, Suppress and Punish Trafficking in Persons (Palermo Protocol) (see table 1). Of note, the Government is reviewing the two instruments mentioned above for possible ratification/accession.

Table 1.  
**Status of ratification of key international instruments on international migration**

INTERNATIONAL INSTRUMENT	ENTRY INTO FORCE	STATUS
ILO Convention concerning Migration for Employment (rev 1949) (N°.97)	22 January 1952	--
ILO Convention concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers (Supplementary Provisions) (N°.143)	09 December 1978	--
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	01 July 2003	--
Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children	25 December 2003	--
Protocol Against the Smuggling of Migrants by Land, Air and Sea	28 January 2004	--
1951 Convention relating to the Status of Refugees	22 April 1954	--
1967 Protocol relating to the Status of Refugees	04 October 1967	--

Source: ILO (no date), United Nations (no date).



---

## References

- Asian Development Bank (ADB) and World Bank (2005). *Maldives tsunami: impact and recovery*. Joint Needs Assessment by World Bank-ADB-United Nations System, accessed from [www.adb.org/documents/reports/tsunami/joint-needs-assessment.pdf](http://www.adb.org/documents/reports/tsunami/joint-needs-assessment.pdf) on 11 August 2011.
- ADB and International Organization for Migration (IOM) (2009). Review of the SAARC Convention and the current status of implementation in the Maldives, accessed from [www.iom.org.bd/publications/Review%20of%20the%20SAARC%20Trafficking%20Convention%20Bangladesh.pdf](http://www.iom.org.bd/publications/Review%20of%20the%20SAARC%20Trafficking%20Convention%20Bangladesh.pdf) on 11 August 2011.
- International Labour Organization (ILO) (no date). ILOLEX Database of International Labour Standards, accessed from [www.ilo.org/ilolex/english/index.htm](http://www.ilo.org/ilolex/english/index.htm) on 11 August 2011.
- Maldives, Department of National Planning (2010). *Statistical Yearbook of Maldives 2010*. Accessed from <http://planning.gov.mv/yearbook2010> on 11 August 2011.
- Maldives Ministry of Education (2010). *EFA Plan of Action—Follow-up Dakar Framework for Action, 2001*, accessed from [http://planipolis.iiep.unesco.org/upload/Maldives/Maldives\\_NPA%20EFA.pdf](http://planipolis.iiep.unesco.org/upload/Maldives/Maldives_NPA%20EFA.pdf) on 11 August 2011.
- Maldives Ministry of Education (2010). Maldives schools information at a glance 2009. Accessed from [www.moe.gov.mv/v3/moe/media/363.pdf](http://www.moe.gov.mv/v3/moe/media/363.pdf) on 11 August 2011.
- Rasheed, A. (2003). “Labour migration—Is it an issue for small island economies?”, paper presented at *Knowledge, Capital, Critique* SAANZ Conference, Auckland, 10 December.
- United Nations (no date). United Nations Treaty Collection. Available from <http://treaties.un.org/Home.aspx>. Accessed 11 August 2011.
- United Nations Development Programme (UNDP) (2010). *HIV/AIDS and Mobility in South Asia*. Accessed from [http://regionalcentrebangkok.undp.or.th/practices/hiv/aids/documents/HIV\\_and\\_Mobility\\_in\\_South\\_Asia\\_web.pdf](http://regionalcentrebangkok.undp.or.th/practices/hiv/aids/documents/HIV_and_Mobility_in_South_Asia_web.pdf) on 11 August 2011.
- United Nations (no date). United Nations Treaty Collection, accessed from <http://treaties.un.org/Home.aspx> on 11 August 2011.
- United Nations Department of Economic and Social Affairs (UN DESA) (2010). *World Population Prospects: The 2010 Revision*, accessed from <http://esa.un.org/unpd/wpp/index.htm> on 11 August 2011.
- United Nations Educational, Scientific and Cultural Organization (UNESCO). UNESCO Institute for Statistics Data Centre. Accessed from <http://stats.uis.unesco.org/unesco/tableviewer/document.aspx?ReportId=143> on 11 August 2011.
- United Nations Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and the Small Island Developing States (UN-OHRLS) (2010). “Maldives identifies challenges in graduating to a developing country”, accessed from [www.unohrls.org/en/newsroom/current/?type=2&article\\_id=68](http://www.unohrls.org/en/newsroom/current/?type=2&article_id=68) on 11 August 2011.
- United States Central Intelligence Agency (2011). *The World Factbook—Maldives 2011* (Washington, CIA).
- United States Department of State (2010). *Trafficking in Persons Report 2010* (Washington, Office of the Secretary for Democracy and Global Affairs and Bureau of Public Affairs).
- World Bank (2010). *South Asia Economic Update 2010 : Moving Up, Looking East* (Washington, World Bank)
- World Bank (2011). World Development Indicators, accessed from <http://data.worldbank.org/indicator/SL.TLF.TOTL.IN> on 11 January 2012.
- \_\_\_\_\_ (2011a). *Migration and Remittances Factbook 2011*, (Washington, World Bank).

# Nepal<sup>1</sup>



## Development Indicators

Population, 2010 (in 1 000)

29 959

Population growth rate, 2010

1.8 %

Growth rate of population aged 15-39 years, 2005-2010

2.7 %

Total fertility rate, 2005-2010

Percentage urban, 2010

Net migration rate, 2005-2010 (per 1 000)



3.0

18.6 %

-0.7

Per capita GDP, 2009 (at current prices in US Dollars)

438 \$

Remittances received to GDP, 2009

23.2 %



Source: World Bank (2011), UN DESA (2010).

<sup>1</sup> Yuko Hamada, Senior Regional Labour and Migration/Migration and Development Specialist, IOM Regional Office for Asia and the Pacific and Bishwa Nath Tiwari, Deputy Programme Coordinator, Human Development Report Unit, UNDP Asia-Pacific Regional Centre

---

## KEY POINTS

- **Migration from Nepal to India dates back to the provision of free movement under the Indo-Nepal Treaty of Peace and Friendship of 1950. Due to the long and open border between the two countries, cross-border movements often remain unrecorded.**
- **Nepal is a relative newcomer to the global market of officially deployed labour migration. In the countries of destination, Nepalese often work in low-skilled jobs with limited protection.**
- **Migration of women to work abroad is increasing. In the past, female migration was restricted through official channels. So, women often migrated through India to Western Asia.**
- **Migration of women for foreign employment has contributed to the economic empowerment of women. Yet, despite government efforts to provide protection mechanisms for women, female migrant workers are considered to be more vulnerable to trafficking than men.**

---

## Social and economic context of migration

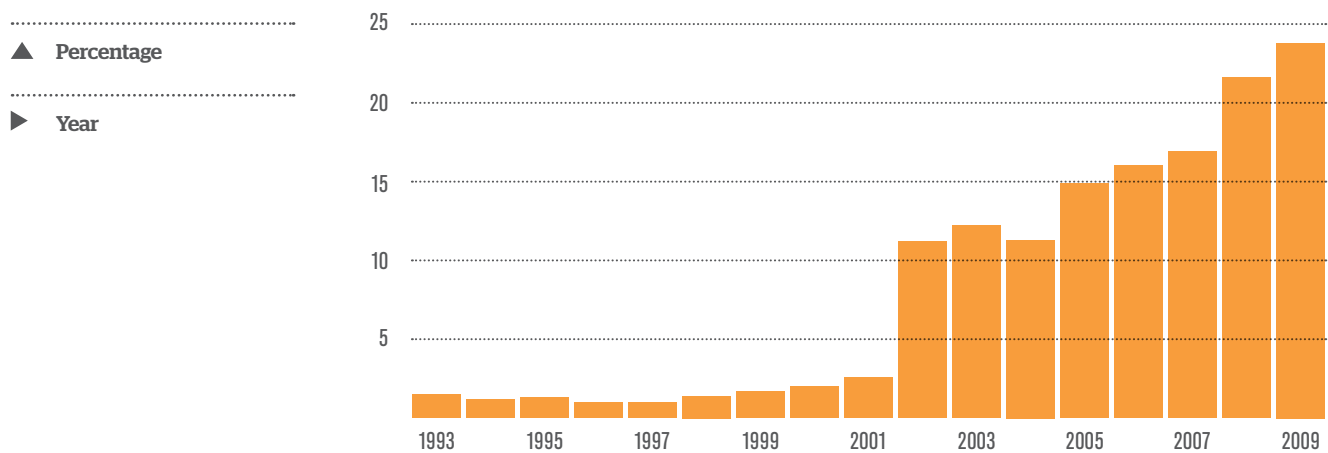
Temporary and permanent labour migration from Nepal on a regular basis dates back to the first quarter of the nineteenth century. Over the years, some of the root causes of this have been poverty, unemployment, a declining natural resource base, and long-lasting conflict (Gartaula 2009).

The population of Nepal rose rapidly after World War II, climbing from 8.4 million in 1954 to 18.5 million by 1991. This resulted in food shortages, which contributed to push a relatively large number of Nepalese to migrate overseas (Whelpton 2008). The population increased to 23.1 million in the 2001 census (Nepal, Central Bureau of Statistics 2003), and is estimated to have reached almost 30 million in 2010 (UN DESA 2011).

Political instability and increasing unemployment have also been drivers for out-migration and with a large number of Nepalese working overseas, the economy has become highly dependent of remittances. Officially recorded remittances rose from \$147 million, or 2.5 per cent of GDP in 2001, to \$2.99 billion, or 23 per cent of GDP, in 2009 (figure 1). As remittances from India are often made through informal channels, a good portion of them remain unrecorded. Notably, the proportion of remittances to GDP would be even higher if transfers through unofficial channels were included.

Figure 1.

## Remittances received by Nepal as a percentage of GDP, 1993-2009



Source: World Bank (2011).

## Out-migration

Diplomacy with neighbouring countries has increased opportunities for Nepalese to migrate abroad. For instance, migration was made easier by the Indo-Nepal Treaty of Peace and Friendship of 1950, which allowed Nepalese citizens to legally cross the border and take up work in India (IOM 2011, Tiwari 2010). Consequently, many Nepalese have migrated to India to engage in agricultural work and the country continues to be a major destination country for migrants from Nepal. Migration between the two countries is mostly not documented due to the free border-crossing without the need of a passport or visa. According to estimates, about 1.5 million Nepalese were living in India in 2004, of which 150,000 were women (NIDS 2010).

Encouraged by increasing global demand for labour migrants, the Government of Nepal actively promotes overseas migration. According to estimates of the Nepal Ministry of Labour and Transport Management, there are 2.27 million Nepali migrant workers abroad (IOM 2011). Approximately 900 migrant workers leave the country to work abroad every day. The Government of Nepal recorded that 298,094 people officially migrated from Nepal to different countries during fiscal years 2008 and 2009 (NIDS 2010).

Malaysia is the main destination country for official labour migration through the Ministry of Labour. During fiscal year 2009, 38 per cent of the Nepalese labour migrants went to Malaysia. The number of migrants from Nepal to Malaysia dropped significantly in fiscal years 2006 and 2007 due to policy changes set by the Government of Malaysia but then rose again. Member countries of the Gulf Cooperation Council (GCC)<sup>2</sup> are also major destination locations, led by Saudi Arabia, which hosted 21 per cent of the labour migrants in fiscal year 2009, followed by Qatar, with a 19 per cent share and the United Arab Emirates, with an 11 per cent share. Destinations in East Asia, such as Hong Kong, China, and

<sup>2</sup> The member States of the GCC are Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and United Arab Emirates.

Republic of Korea became increasingly popular especially in the first half of the last decade, but flows to this subregion have dropped in recent years (table 2).

Table 1.  
**Labour migration outflows for Nepal through the Department of Foreign Employment, 2005-2009**

COUNTRY	UP TO 2005	2006	2007	2009
Malaysia	304 667	74 029	33 485	113 982
Saudi Arabia	151 190	39 279	26 329	63 400
Qatar	206 385	59 709	56 850	55 940
United Arab Emirates	80 769	25 172	29 307	33 188
Kuwait	9 498	2 441	1 435	8 255
Bahrain	5 383	1 200	2 428	4 234
Lebanon	..	..	..	3 788
Oman	835	509	1 548	3 285
Israel	..	..	..	316
Hong Kong, China	3 343	361	149	102
Republic of Korea	5 376	765	0	..
Other countries	5 846	1 068	1 151	11 604
<b>Total</b>	<b>773 292</b>	<b>204 533</b>	<b>152 682</b>	<b>298 094</b>

Sources: KC (2008), IOM (2011).

Note: The data provided are for the fiscal year. In Nepal, the fiscal year starts from mid-July of the previous year up to mid-July of the following year.

In 2009, only 3.4 per cent of the officially deployed migrant workers from Nepal were women. However, according to other estimates, women make up 10 per cent of the migrant workers, and this portion is trending higher. Many women migrants remain unrecorded because they often migrate through irregular channels, or use India as a transit country and proceed to the destination country through arrangements made by private recruitment agencies in India. Also of note, a large

number of women migrants are single mothers and educated (Bhadra 2007). The leading destination countries for migrants from Nepal differ between men and women. Migrants to the main destination countries Malaysia, Saudi Arabia and Qatar are almost all male. However, Lebanon is the main destination for female Nepalese migrants, comprising 98 per cent of the total migrants to the country (table 2).

Table 2.  
**Labour migration outflows through the Department of Employment, disaggregated by sex, 2009–2010**

COUNTRY	MALE	% MALE	FEMALE	% FEMALE	TOTAL
Lebanon	92	2.4	3 696	97.6	3 788
Kuwait	6 067	73.5	2 188	26.5	8 255
United Arab Emirates	31 506	94.9	1 682	5.1	33 188
Bahrain	3 617	85.4	617	14.6	4 234
Oman	2 678	81.5	607	18.5	3 285
Qatar	55 656	99.5	284	0.5	55 940
Malaysia	113 733	99.8	249	0.2	113 982
Israel	82	25.9	234	74.1	316
Saudi Arabia	63 217	99.7	183	0.3	63 400
Hong Kong, China	84	82.4	18	17.6	102
Other countries	11 306	97.4	298	2.6	11 604
<b>Total</b>	<b>288 038</b>	<b>96.6</b>	<b>10 056</b>	<b>3.4</b>	<b>298 094</b>

Source: IOM (2011).

As mentioned earlier, remittance flows to Nepal are relatively large in line with the high level of migration from the country. These remittances, however, have both positive and negative effects on the country.

On the positive side, remittances function as a cushion or safety valve for the economy and as an informal social protection mechanism for migrant households. They are also a source of foreign currency, which helps keep the current account deficit under control even in periods of economic slowdown due to political instability. Of note, remittances contributed significantly to poverty reduction in Nepal during 1996–2009. Despite an internal conflict that started in

February 1996 and continued until the Government signed the Comprehensive Peace Agreement on 21 November 2006 with the Communist Party of Nepal, there was a significant decrease in poverty. It dropped 11 percentage points from 42 per cent in 1996 to 31 per cent in 2004 (Tiware 2007). The Government also benefits from migration through the fees generated during the recruitment process as well as from those paid by recruitment agencies.

On the negative side, remittances put inflationary pressure on the economy, which pushes up the prices of land and housing (Tiware 2010). Notably, the rate of inflation has been trending higher in recent years, peaking at 11.6 per cent in 2009, partially due to remittance flows (World Bank 2011). In addition, remittances have contributed to the appreciation of the real exchange rate and expansion of the non-tradable sector. To counteract the negative effects, Nepal Rastra Bank, the central bank of Nepal, has made efforts to use fiscal and monetary policies to maintain economic stability. This requires increasing investment in the tradable sector in the long run.

---

## In-migration

The Nepal Population Census includes questions on foreign-born citizens and persons with foreign citizenship living in Nepal. Among the foreign-born population, 81 per cent have already taken Nepalese citizenship (KC 2008). Data on foreign citizens in the 2001 population census was disaggregated by sex and age-cohorts. It showed that only 0.5 per cent of the population, or 116,571 people, had foreign citizenship, of which 57 per cent of them were men. The majority of the foreign citizens (88 per cent) were from India. Other countries where a significant number of foreign citizens came from were Bhutan (3 per cent), Pakistan (2 per cent), and China (1 per cent) (Nepal Central Bureau of Statistics 2001).

In the 2001 census, almost half (46 per cent) of the foreign-born population indicated marriage as the reason for residing in Nepal. Other cited reasons were to conduct business (8.4 per cent), provide services (6.1 per cent), agricultural work (4.8 per cent) and to study (4.5 per cent) (KC 2008).

Since 1990, a large number of ethnic Nepalis living in Bhutan, have sought asylum in eastern Nepal. At present, there are about 110,000 refugees in seven camps in Jhapa and Morang districts of Nepal. More than 40,000 people were deported for resettlement. In addition, around 72,000 remaining refugees are waiting for resettlement (IOM 2010).

---

## Human trafficking

It is estimated that between 5,000 and 15,000 girls and women are trafficked annually across the borders of Nepal to other destinations (United States Department of State 2009).

The Government of Nepal is expressly committed to addressing the problem of human trafficking, particularly trafficking of women and children, and is instituting effective legislative and other measures to ensure implementation of the provisions of the SAARC Convention on Preventing and Combating Trafficking of Women and Children for Prostitution as required by Article 10 (ADB and IOM 2009).

## Status of ratification of key international and regional instruments

Nepal has yet to ratify the key international conventions related to the status of refugees, the protection of migrant workers and protocols to prevent, suppress and punish trafficking in persons (table 3). However, Nepal is party to the SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution.

Table 3.  
**Status of ratification of key international instruments on international migration**

INTERNATIONAL INSTRUMENT	ENTRY INTO FORCE	STATUS
ILO Convention concerning Migration for Employment (rev 1949) (N°.97)	22 January 1952	--
ILO Convention concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers (Supplementary Provisions) (N°.143)	09 December 1978	--
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	01 July 2003	--
Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children	25 December 2003	Signed 2002
Protocol Against the Smuggling of Migrants by Land, Air and Sea	28 January 2004	Signed 2002
1951 Convention relating to the Status of Refugees	22 April 1954	--
1967 Protocol relating to the Status of Refugees	04 October 1967	--

Source: ILO (no date), United Nations (no date).



---

## References

- Asian Development Bank (ADB), International Organization for Migration (IOM) (2009). *Review of the SAARC convention and the Current Status of Implementation in Nepal* (Kathmandu, IOM Nepal).
- Bhattarai, P. (2005). *Migration of Nepalese Youth for Foreign Employment: Problems and Prospects* (Kathmandu, Youth Action Nepal).
- Bhadra, C. (2007). "International labour migration of Nepali women: the impact of their remittances on poverty reduction", Asia-Pacific Research and Training Network on *Trade Working Paper Series*, N°. 44, September 2007.
- Gartaula, H. N., (2009). International migration and local development in Nepal. *Contributions to Nepalese Studies* (Kathmandu, Research Centre for Nepal and Asian Studies).
- International Labour Organization (ILO) (no date). ILOLEX Database of International Labour Standards, accessed from [www.ilo.org/ilolex/english/index.htm](http://www.ilo.org/ilolex/english/index.htm) on 11 August 2011.
- International Organization for Migration (2011). *An overview of the current migration management process* (Kathmandu, IOM).
- KC, Bal Kumar (2008). "Nepal", *Asian and Pacific Migration Journal*, Special Issue: International Data Sources in Asia. vol. 17, Nos. 3-4, pp. 287-309.
- Nepal Central Bureau of Statistics (2001). *National Report 2001*. Accessed from [www.cbs.gov.np/Population/National%20Report%202001/tab20.htm](http://www.cbs.gov.np/Population/National%20Report%202001/tab20.htm) on 11 August 2011.
- Nepal Central Bureau of Statistics (2003). *Population Monograph of Nepal*, vols. I and II (Kathmandu, Central Bureau of Statistics).
- Nepal Central Bureau of Statistics (2004). *Nepal Living Standards Survey*, vols. I and II (Kathmandu, Central Bureau of Statistics).
- Nepal Central Bureau of Statistics (2005). "Poverty Trends in Nepal (1995-96 and 2003-04)", (Kathmandu, Central Bureau of Statistics).
- Nepal Institute of Development Studies (2010). *Nepal Migration Year Book 2009* (Kathmandu, NIDS).
- Tiwari, B. N. (2007). "Assessment of causes of conflict in Nepal". Accessed from <http://repository.unm.edu/handle/1928/3294> on 22 March 2012.
- \_\_\_\_\_ (2010). Impact of remittance from India on Nepalese economy. A paper presented at Nepal Centre for Contemporary Studies conference, Kathmandu, November.
- United Nations (no date). United Nations Treaty Collection, accessed from <http://treaties.un.org/Home.aspx> on 11 August 2011.
- United Nations Department of Economic and Social Affairs (UN DESA) (2010). *World Population Prospects: The 2010 Revision*, accessed from <http://esa.un.org/unpd/wpp/index.htm> on 10 September 2011.
- \_\_\_\_\_ (2011). *World Population Prospects: The 2010 Revision*. Population Division of the Department of Economic and Social Affairs of the United Nations Secretariat, accessed from <http://unstats.un.org/unsd/demographic/products/socind/population.htm> on 10 September 2011.
- United States Department of State (2009), *Trafficking in Persons Report 2009* (Washington, Office of the Secretary for Democracy and Global Affairs and Bureau of Public Affairs).
- Whelpton, J. (2008). *History of Nepal* (Cambridge, Cambridge University Press).
- World Bank (2011). *World Development Indicators*, accessed from <http://data.worldbank.org/indicator/SL.TLF.TOTL.IN> on 11 January 2012.

# Pakistan<sup>1</sup>



## Development Indicators

Population, 2010 (in 1 000)

173 593

Population growth rate, 2010

1.8%

Growth rate of population aged 15-39 years, 2005-2010

2.6%

Total fertility rate, 2005-2010



3.5

Percentage urban, 2010



37.0%

Net migration rate, 2005-2010 (per 1 000)



-2.4

Per capita GDP, 2009 (at current prices in US Dollars)

1 019\$



Remittances received to GDP, 2009

5.5%

Source: World Bank (2011), UN DESA (2010).

<sup>1</sup> G.M.Arif, Joint Director, Pakistan Institute of Development Economics and Ayumi Yaegashi, IOM Regional Office for Asia and the Pacific

---

## KEY POINTS

- **Slow economic growth, high unemployment, inflation and domestic instability comprise the main push factors for labour migration from Pakistan.**
- **In recent years, migrants from Pakistan have been predominately temporary male workers seeking employment in the countries of the Gulf Cooperation Council (GCC),<sup>2</sup> especially Saudi Arabia.**
- **Although the Government licenses overseas employment recruiters, many unauthorized recruitment agents exist and are used by migrants, causing concern as they often charge exorbitant fees.**
- **More than 1.7 million Afghan refugees or Afghans living in a refugee-like situation are in Pakistan. Over time, the Government of Pakistan has sought the need for more comprehensive repatriation strategies.**
- **Trafficking of men, women and children for the purpose of forced labour and sex work remains an issue in Pakistan. International instruments seeking to protect the victims and prosecute the perpetrators have yet to be ratified.**

<sup>2</sup> The member States of the GCC are Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and United Arab Emirates.

---

## Social and economic context of migration

More than 4 million Pakistani workers have registered for overseas employment in more than 50 countries in the last 40 years (UNDP 2010) and some seven million Pakistanis, about 4 per cent of the population, live outside the country. Sizeable diaspora communities reside in the United Kingdom of Great Britain and Northern Ireland, and Western Asia. Remittances play a key role in supporting economic growth.

With a population exceeding 170 million and growing at an annual rate of nearly 2 per cent, Pakistan is the world's sixth most populous country and the second most urbanized nation in South Asia (World Bank 2010). This rapid demographic growth has not translated into a strong and robust economy. In fact, the recent global financial crisis, combined with internal political instability, declining exports and low levels of foreign direct investment (FDI), resulted in a modest annualized economic growth rate of 1.6 per cent in 2010 (World Bank 2010). Poverty remains a serious concern in the country, with the majority of the population still living on less than \$2 a day.

A burgeoning population and slow economic growth contribute to growing unemployment in the country. In 2010, the unemployment rate stood at around 15 per cent, while inflation was 13 per cent from an annual rate of 7.7 per cent in 2007 (United States Central Intelligence Agency 2011). In addition, low wages, unequal employment opportunities between rural and urban areas, and an excessive reliance on the performance of the textile industry contribute to large-scale out-migration. Poor economic conditions were exacerbated by

a large earthquake, which took place in October 2005, and more recently the disastrous floods in June 2010, which affected more than 20 million people, and caused damages estimated at between \$8.7 billion and \$10.9 billion. Economic difficulties help to explain why out-migration remains an attractive livelihood strategy among Pakistanis (UNHCR 2010).

The security situation has further deteriorated in Pakistan, particularly in the north-west region of the country. Limited economic opportunities, high unemployment, natural disasters, ongoing instability, and a volatile security situation are all factors that continue to trigger high levels of internal and cross-border migration.

At the same time, due to its geographic location, Pakistan is a natural destination country for refugee and mixed migration flows from neighbouring Afghanistan, a country that suffers from even higher poverty and unemployment and has been plagued by decades of conflict.

Human trafficking is an ongoing concern in the country. A legal framework for prosecution is in place, but the Government has yet to ratify key treaties to facilitate this.

---

## Out-migration

Migrants from Pakistan can be categorized by the main destinations, which also determine the type of migration. Migrants to North America and Europe mostly plan to stay in the host countries for the long term and move overseas with their families. Migrants who do not have the opportunity to migrate to developed countries, especially low-skilled and semi-skilled labourers, migrate to work temporarily. Popular destinations for these migrants are GCC countries, which do not allow permanent settlement of foreign workers. Consequently migration to these countries is usually short or medium term, typically lasting for four or five years, although migration can sometimes last 10–15 years through multiple contract extensions (Arif and Shujaat forthcoming).

Apart from the communities of temporary labour migrants in GCC countries, the largest Pakistani communities abroad are in the United Kingdom of Great Britain and Northern Ireland, the United States of America, and Canada.

Out-migration from Pakistan dates back to the 1950s. The migrants at that time were predominately young men of the working age population seeking better opportunities in the United Kingdom of Great Britain and Northern Ireland. These types of migrants later sought jobs in other Organization for Economic Co-operation and Development (OECD) countries as well.

In the past decade, between 10,000 and 20,000 Pakistanis migrated annually to the United States of America and only a comparatively small number of them returned. As shown in figure 1, in 2008, about 19,700 Pakistanis moved to the United States of America, 17,000 to the United Kingdom of Great Britain and Northern Ireland and 13,400 to Spain.

The Government of Pakistan has made a concerted effort to encourage Pakistanis to seek employment abroad as way to combat unemployment, reduce poverty and earn foreign exchange through remittances. The Ministry of Labour, Manpower

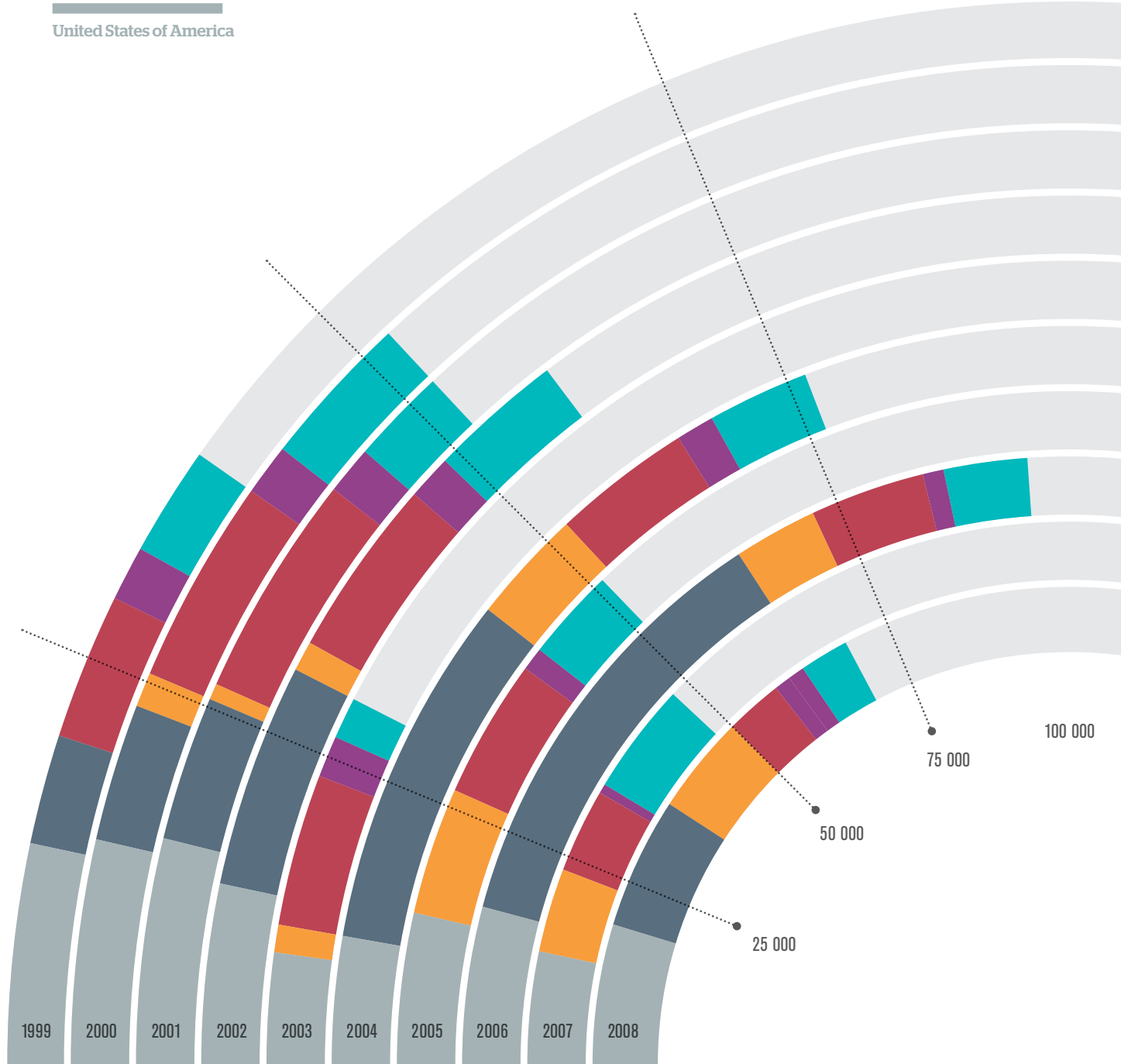
# Figure 1.

## Migration inflows to OECD countries from Pakistan, 1999-2008

- Other countries
- Republic of Korea
- Germany
- Canada
- Spain
- United Kingdom
- United States of America

Source: OECD (2010).

Note: Data were not available for the United Kingdom of Great Britain and Northern Ireland for 2003, 2005 and 2007



and Overseas Pakistanis established a number of divisions, such as the Overseas Employment Corporation (1976), the Overseas Pakistanis Wing (1978) and the Overseas Pakistanis Foundation (1979), to help improve the welfare of Pakistani nationals residing abroad.

Temporary labour migration processed through the Bureau of Emigration and Overseas Employment increased steadily in the past decades. The number of temporary migrant workers rose from an average of 140,000 per year in the early 1990s to more than 400,000 in 2008 and 2009 (see table 1).

The main destination countries for temporary labour migrants from Pakistan, who were processed through the Bureau of Emigration and Overseas Employment, are GCC countries. In the past decade, about 85 per cent of all labour migrants went to the two main destination countries, Saudi Arabia and the United Arab Emirates. However, notably, Italy has recently emerged as a prominent destination country (see table 1).

**Table 1.**  
**Annual labour migration outflows from Pakistan by country of destination, 2004-2009**

	2004	2005	2006	2007	2008	2009
Saudi Arabia	70 896	35 177	45 594	84 587	138 283	201 816
United Arab Emirates	65 786	73 642	100 207	139 405	221 765	140 889
Oman	8 982	8 019	12 614	32 474	37 441	34 089
Bahrain	855	1 612	1 630	2 615	5 932	7 087
Italy	581	551	431	2,765	2,876	5,416
Qatar	2 383	2 175	2 247	5 006	10 171	4 061
Malaysia	65	7 690	4 757	1 190	1 756	2 435
Kuwait	18 498	7 185	10 545	14 544	6 250	1 542
Libya	375	261	67	450	940	1,293
Republic of Korea	2 474	1 970	1 082	434	1 534	985
Other	2 929	3 853	4 017	3 563	3 366	3 915
<b>Total</b>	<b>173 824</b>	<b>142 135</b>	<b>183 191</b>	<b>287 033</b>	<b>430 314</b>	<b>403 528</b>

**Source:** Pakistan Bureau of Emigration and Overseas Employment (2011).

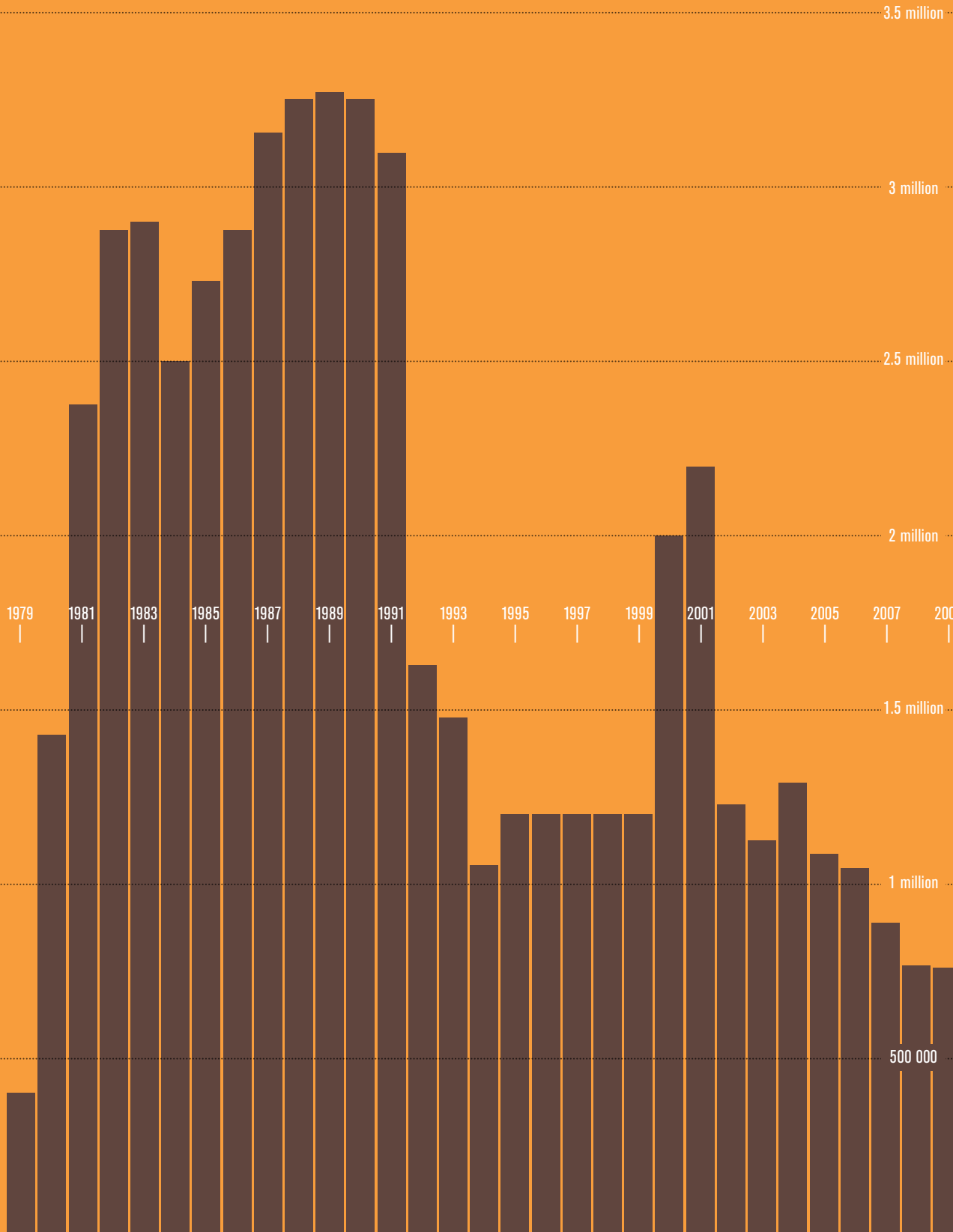


The substantial population movements of refugees and displaced people from neighbouring countries have dominated recent migration to Pakistan. Since the late 1970s, Pakistan has been a host country for millions of refugees and some 1.7 million still reside in the country.

Figure 2.

# Number of refugees from Afghanistan residing in Pakistan, 1979-2010

Source: UNHCR (no date).





The wages of Pakistani labour migrants in Western Asia are, on average, five to eight times higher than what they would receive in their home country. They also remit, on average, 78 per cent of their salaries, contributing significantly to the livelihood of family members who stayed behind (Overfeld and Zumot 2010).

Remittances from Pakistanis working abroad make an important contribution to the country's economy. According to the State Bank of Pakistan, Pakistan received \$8.7 billion in remittances in 2009, the equivalent of 5.4 per cent of the country's gross domestic product (GDP) (World Bank 2010). Remittances from GCC countries have constituted nearly half of all of the remittances Pakistan receives from its nationals worldwide.

Table 2.  
**Remittances received by Pakistan, by country of origin of remittances, 2009-2011**  
 (in millions of dollars)

COUNTRY	2009	2010	2011
United Arab Emirates	1 255.65	1 021.91	699.43
Saudi Arabia	1 143.82	845.91	714.90
United States of America	997.68	938.40	903.49
United Kingdom	577.17	482.79	239.82
Kuwait	238.49	227.29	221.64

Source: Pakistan Bureau of Emigration and Overseas Employment (2011).

The skill composition of Pakistani workers in Western Asia has not changed during the past few decades, with the majority of the people migrating to the region being categorized as low skilled, followed by semi-skilled, skilled and the highly qualified workers (Arif and Fujaat forthcoming). In 2008, a total of 85 per cent of Pakistani migrant workers were employed in construction, of which 47.8 per cent of them were low-skilled workers (Pakistan Bureau of Emigration and Overseas Employment 2010).

Recently, migration patterns have started to shift slightly, tilting towards skilled categories, including technicians, agriculturalists, electricians, steel fixers, mechanics and salespersons (Abrar 2005). This trend, however, is creating

shortages of various categories of skilled and semi-skilled workers in the domestic labour market, resulting in a 'brain drain' (ILO 2004).

The number of female labour migrants from Pakistan is not known as no sex-disaggregated data are made available by official agencies. But, according to anecdotal evidence, the number of women migrating on their own to work abroad is very low. Women under 35 years need to seek permission from the Ministry of Manpower to migrate work abroad.<sup>3</sup>

In the late 1980s and early 1990s, the number of people leaving Pakistan seeking asylum in the European Union or North America increased (Gazdar 2007). In 2009, there were about 35,000 Pakistanis living with refugee status abroad; the majority of them were in Canada, Germany, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.

## In-migration

The substantial population movements of refugees and displaced people from neighbouring countries have dominated recent migration to Pakistan. Since the late 1970s, Pakistan has been a host country for millions of refugees and some 1.7 million still reside in the country. The majority of refugees fled from conflict and political instability in Afghanistan, with over 50 per cent of the total number of Afghan refugees first arriving in 1979 and 1980 (see figure 2).

While the socio-political and security situation in Pakistan can be unstable, the comparative stability, social services and education provided in camps run by United Nations organizations and non-governmental organizations remains a pull factor for refugees and other asylum seekers, mainly from Afghanistan. Recognition rates for asylum seekers from Afghanistan in Pakistan have been high, reaching 80 per cent in 2009 (UNHCR no date).

The continued presence of more than a million refugees from Afghanistan in the country has put stress on the labour market in Pakistan. The flow of international aid directed at refugee support has gradually diminished, and this has prompted Afghans to head to the urban areas to seek employment. Afghans residing in Pakistan, either as refugees or in a refugee-like situation, commonly work as low-skilled labourers in such areas as construction, waste collection and recycling, and in other sectors that utilize physically demanding labour. These workers are often willing to work for lower wages than Pakistanis, which leads to claims by some Pakistani job seekers that wage levels are being depressed (Margesson 2007).

The repatriation of refugees from Afghanistan presents a challenge because a substantial number of them were born in Pakistan while others have been living there for more than two and a half decades (Margesson 2007).

Pakistan is a transit route for migrants heading to the Islamic Republic of Iran, GCC countries and Europe. In particular, Karachi is one of the prime transit cities in South Asia as it has a vital market for irregular migration (European Union AENEAS Programme 2009).

<sup>3</sup> See [www.unescap.org/esid/meetings/migration10/Proceedings.pdf](http://www.unescap.org/esid/meetings/migration10/Proceedings.pdf).

Also of note, China's growing interest in Pakistan has seen an increase in migration from China to Pakistan. The number of Chinese labourers surged from only 3,000 in 2008 to 10,000 in 2009. These labourers work on 120 projects in different sectors of the economy (Fazl-e-Haider 2009).

---

## Human trafficking

Human trafficking is an issue in Pakistan as it is a destination and transit country for the trafficking of women and children from countries such as Afghanistan, Azerbaijan, Bangladesh, India and Nepal, primarily for the purpose of forced labor and sex work (United States Department of State 2009). It has also adopted the National Action Plan for Combating Human Trafficking (2006) and a number of international protocols, such as the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children and the Protocol Against the smuggling of Migrants by Land, Air and Sea, but has yet to sign any of these.

The country's largest internal human trafficking problem is bonded labour. This practice tends to be concentrated in the provinces of Sindh and Punjab where bonded workers continue to be employed for work in brick kilns, carpet making, agriculture, fishing, mining, leather tanning, and the production of glass bangles (UNDP 2010). Many impoverished families send their children to work in cities or abroad for immediate economic relief, and child trafficking persists in rural areas (ILO 2010). Also, many Pakistani girls are reportedly trafficked to Western Asia for sexual exploitation (United States Department of State 2010).<sup>4</sup>

---

## Bilateral agreements for the protection of migrant workers and status of ratification of key international instruments

Table 3 lists agreements Pakistan has signed to manage labour flows with key destination countries. Although Pakistan has not signed any of the conventions related to labour migration, it has entered into a number of bilateral agreements to regulate the migration of workers from Pakistan.

Pakistan has not signed the 1951 convention and 1967 protocol related to the status of Refugees (table 4). However, the Government of Pakistan provides shelter to Afghan refugees under an agreement signed with the United Nations in 1981.

<sup>4</sup> Precise data to support this are currently unavailable.

Table 3.  
**Labour migration MOUs between the Government of Pakistan and foreign Governments**

MOU/BILATERAL AND MULTILATERAL AGREEMENT	COUNTERPARTY	DATE SIGNED
Agreement	Jordan	29 April 1978
Agreement Additional protocol	Qatar	28 March 1978
MOU	Kuwait	06 November 1995
MOU	Malaysia	20 October 2003
MOU	United Arab Emirates	22 December 2006
MOU	Republic of Korea	26 June 2008

Source: ILO Pakistan (no date).

Table 4.  
**Status of ratification of key international instruments on international migration**

INTERNATIONAL INSTRUMENT	ENTRY INTO FORCE	STATUS
ILO Convention concerning Migration for Employment (rev 1949) (N <sup>o</sup> .97)	22 January 1952	--
ILO Convention concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers (Supplementary Provisions) (N <sup>o</sup> .143)	09 December 1978	--
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	01 July 2003	--
Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children	25 December 2003	--
Protocol Against the Smuggling of Migrants by Land, Air and Sea	28 January 2004	--
1951 Convention relating to the Status of Refugees	22 April 1954	--
1967 Protocol relating to the Status of Refugees	04 October 1967	--

Source: ILO (no date), United Nations (no date).

## References

- Abrar, C. R. (2005). "Labour migration from SAARC countries: reality and dynamics". Study commissioned by BATU-SAARC, accessed from [www.gurn.info/en/topics/migration/research-and-trends-in-labour-migration/asia/study-on-labour-migration-from-saarc-countries-reality-and-dynamics](http://www.gurn.info/en/topics/migration/research-and-trends-in-labour-migration/asia/study-on-labour-migration-from-saarc-countries-reality-and-dynamics) on 11 August 2011.
- Arif, G. M., and F. Shujaat (forthcoming). *Migration Management within South Asia (Afghanistan, Iran and Pakistan)* (Islamabad, Pakistan Institute of Development Economics).
- European Union AENEAS programme (2009). Baseline study on *Illegal Migration, Human Smuggling and Trafficking in Pakistan*, accessed from [www.befare.org/Baseline%20Survey.pdf](http://www.befare.org/Baseline%20Survey.pdf) on 22 March 2012
- Fazl-e-Haider, S. (2009). "Chinese shun Pakistan exodus", *Asia Times Online*, 11 September 2009. Accessed from [www.atimes.com/atimes/South\\_Asia/KI11Df01.html](http://www.atimes.com/atimes/South_Asia/KI11Df01.html) on 11 August 2011.
- Gazdar, H. (2003). *A review of migration issues in Pakistan* (Dhaka, Refugee and Migratory Movements Research Unit).
- International Labour Organization (ILO) (no date). ILOLEX Database of International Labour Standards, accessed from [www.ilo.org/ilolex/english/index.htm](http://www.ilo.org/ilolex/english/index.htm) on 11 August 2011.
- International Labour Organization (2004). *Migrant Workers and Human Rights: Out-Migration from South Asia*. Accessed from [www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---sro-new\\_delhi/documents/publication/wcms\\_124657.pdf](http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---sro-new_delhi/documents/publication/wcms_124657.pdf) on 22 March 2012.
- International Labour Organization (2010). *Combating Child Trafficking, Project Overview Pakistan*. Information brochure, accessed from [www.ilo.org/public/english/region/asro/bangkok/library/download/ticsa5.pdf](http://www.ilo.org/public/english/region/asro/bangkok/library/download/ticsa5.pdf) on 22 March 2012.
- Margesson, R. (2007). "Afghan refugees: current status and future prospects". Report prepared for the members of the committees of the United States Congress, Congressional Research Service. Accessed from [www.fas.org/sgp/crs/row/RL33851.pdf](http://www.fas.org/sgp/crs/row/RL33851.pdf) on 22 March 2012.
- Organization for Economic Co-operation and Development (2010). OECD International Migration Database, accessed from <http://stats.oecd.org/Index.aspx?DataSetCode=MIG> on 8 August 2011.
- Overfeld, G., M. Zumont (2010). *Economic Development and Security for Afghanistan: Increasing Jobs and Income with the Help of the Gulf States*. Accessed from [www.ewi.info/system/files/reports/AfghanistanRemittances\\_0.pdf](http://www.ewi.info/system/files/reports/AfghanistanRemittances_0.pdf) on 11 August 2011.
- Pakistan Bureau of Emigration and Overseas Employment (2011). State Bank of Pakistan - country-wise worker's remittances. Accessed from [www.sbp.org.pk/ecodata/Homeremit.pdf](http://www.sbp.org.pk/ecodata/Homeremit.pdf).
- Refugee and Migratory Movements Research Unit (2003). Paper presented at Regional Conference on Migration, Development and Pro-Poor Policy Choices in Asia, Dhaka, June. Accessed from [www.childtrafficking.com/Docs/gazdar\\_2003\\_\\_a\\_review\\_of\\_mi.pdf](http://www.childtrafficking.com/Docs/gazdar_2003__a_review_of_mi.pdf) on 22 March 2012.
- United Nations (no date), United Nations Global Migration Database v.0.3.6, accessed from <http://esa.un.org/unmigration> on 22 August 2011.
- United Nations Development Programme (UNDP) (2010). *HIV/AIDS and Mobility in South Asia, 2010*. Accessed from [http://regionalcentrebangkok.undp.or.th/practices/hivaids/documents/HIV\\_and\\_Mobility\\_in\\_South\\_Asia\\_web.pdf](http://regionalcentrebangkok.undp.or.th/practices/hivaids/documents/HIV_and_Mobility_in_South_Asia_web.pdf) on 11 August 2011.
- United Nations Department of Economic and Social Affairs (UN DESA) (2010). World Population Prospects: The 2010 Revision, accessed from <http://esa.un.org/unpd/wpp/index.htm> on 11 August 2011.
- United Nations High Commissioner for Refugees (UNHCR) (no date). UNHCR Statistical Online Population Database. Accessed from <http://apps.who.int/globalatlas/default.asp> on 4 August 2011.
- \_\_\_\_\_ (2010). UNHCR Pakistan: Solving the Afghan refugee problem. Accessed from <http://un.org.pk/unhcr/about.htm>.
- United States Central Intelligence Agency (CIA) (2011). *The World Factbook*. Accessed from <https://www.cia.gov/library/publications/the-world-factbook/geos/pk.html> on 11 August 2011.
- United States Department of State (2009). *Trafficking in Persons Report, 2009* (Washington, Office of the Secretary for Democracy and Global Affairs and Bureau of Public Affairs). Accessed from [www.state.gov/g/tip/rls/tiprpt/2009/123137.htm](http://www.state.gov/g/tip/rls/tiprpt/2009/123137.htm) on 11 August 2011.
- \_\_\_\_\_ (2010). *Trafficking in Persons Report 2010* (Washington, Office of the Secretary for Democracy and Global Affairs and Bureau of Public Affairs).
- World Bank (2010). The World Bank Data, Pakistan. Accessed from <http://data.worldbank.org/country/pakistan> on 5 January 2011.
- \_\_\_\_\_ (2011). World Development Indicators, accessed from <http://data.worldbank.org/indicator/SL.TLF.TOTL.IN> on 11 January 2012.

# Sri Lanka<sup>1</sup>



## Development Indicators

Population, 2010 (in 1 000)

20 860

Population growth rate, 2010

0.9 %

Growth rate of population aged 15-39 years, 2005-2010

-0.4 %

Total fertility rate, 2005-2010



2.3

Percentage urban, 2010



15.1 %

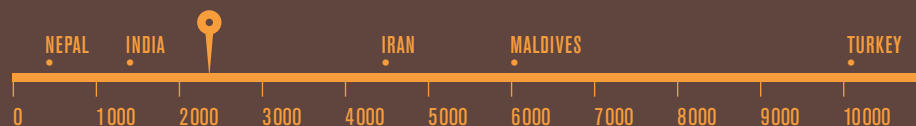
Net migration rate, 2005-2010 (per 1 000)



-2.5

Per capita GDP, 2009 (at current prices in US Dollars)

2 375 \$



Remittances received to GDP, 2009

8.4 %

Source: World Bank (2011), UN DESA (2010).

<sup>1</sup> Anita Jawadurovna Wadud, Project Development and Programme Coordinator, IOM Bangladesh

---

## KEY POINTS

- **Sri Lanka is the only country in South and South-West Asia that has net out-migration, low fertility and a shrinking population in the 15–39 age group. If out-migration, especially of young people, continues to be high, Sri Lanka is likely to suffer labour shortages in the long run.**
- **The number of female labour migrants from Sri Lanka slightly exceeds the number of male migrants, a unique characteristic in the subregion. The vast majority of women migrants from the country work as domestic helpers in Western Asia.**
- **A significant number of Sri Lankans migrated overseas as refugees during an extended period of internal instability and conflict in the northern and eastern regions of the country.**
- **Despite the effects of the global financial crisis on overseas employment opportunities, the foreign employment industry has become the highest net earner of foreign exchange in the Sri Lankan economy. Remittances to Sri Lanka in 2009 stood at 222 billion Sri Lankan rupees Rs (\$2 billion). Of that amount, 59.9 per cent were sent by Sri Lankan migrant workers in Western Asia.**

---

## Social and economic context of migration

The long civil war and the country's limited economic opportunities due to its small industrial base, formed push factors for out-migration among both skilled and low-skilled migrants. Sri Lanka had a tertiary out-migration rate of 28 per cent in 2000, the highest rate in the subregion. Migrants with a tertiary education tend to move to Australia, New Zealand or North America, while lower-skilled migrants usually seek work in countries of the Gulf Cooperation Council (GCC).<sup>2</sup> Notably, high debt and chronic trade deficit in years past led to a depletion of the country's foreign exchange reserves, which further pushed the Government to actively promote migration for foreign employment.

The end of the 30-year internal conflict in May 2009 marked a major turning point in Sri Lanka with an immediate revival of confidence in the country. Since the end of the conflict, Sri Lanka has implemented large-scale reconstruction and development projects with the aim of increasing electricity access and rebuilding the country's transportation and communication network.

According to a government survey released in 2010, about 67.2 per cent of the population was of working age, with an overall labour force participation rate of 47.4 per cent. Male labour force participation was more than twice (67.1 per cent) than that of females (30.4 per cent) (Sri Lanka Ministry of Finance and Planning 2010).

The survey also reported that in 2006/2007, more than 96 per cent of the population was considered literate (Sri Lanka Ministry of Finance and Planning

<sup>2</sup> The member States of the GCC are Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and United Arab Emirates.

2010). The high rate indicates a sharp increase in literacy among women as well as the narrowing of the gender gap. It also reflects the diminishing gender differences with regard to access to formal schooling. The gap between rural and urban literacy levels still exists; however, it has also decreased significantly.

---

## Out-migration

As is the case in many countries of origin in South and South-West Asia, out-migration in Sri Lanka is driven by low per capita income, unemployment and/or underemployment, high inflation, indebtedness and lack of access to resources. The number of Sri Lankans employed overseas increased significantly following the decision taken at the Fifth Conference of Heads of State or Government of Non-Aligned Countries held in Sri Lanka in 1976 to make more employment opportunities available in Western Asia to Asian countries with labour surpluses.<sup>3</sup> This decision was further strengthened by the subsequent liberalization of economic policies in the country in 1977. Additionally, the implementation of welfare packages for Sri Lankan employees abroad and their family members and compulsory registration has decreased irregular labour migration over time (Sri Lanka Bureau of Foreign Employment 2009).

Sri Lanka has seen a tenfold increase in migrant numbers in the last two decades, and current estimates suggest that about 1.7 million migrants work abroad, with an annual outflow of about 200,000 persons.

The factors behind migration from Sri Lanka can be broadly categorized as follows (IOM and IPS 2008):

- for settlement—mostly the skilled personnel;
- for economic reasons (for work)—skilled, semi-skilled and low-skilled personnel;
- for political reasons—mainly as refugees or asylum seekers;
- for educational purposes—mainly for undergraduate and postgraduate studies;

In 2009, about 667 Sri Lankans migrated overseas daily in search of jobs. GCC countries and other countries in Western Asian were the major destinations, accounting for 94 per cent of the migrant workers, with 84 per cent of them moving to Saudi Arabia, Qatar, Kuwait, United Arab Emirates and Jordan. Notably, the 2008 global financial crisis led to only a small decrease in total departures for foreign employment (table 1).

Traditionally, women in Sri Lanka have migrated in greater numbers than men. However, the relative share of women migrant workers from the country has decreased over time due to increased male migration, while the number of women migrating has remained relatively stable. In the late 1990s, more than 70 per cent of the migrants were women. This figure decreased to 51.2 per cent in 2009 (figure 1).

<sup>3</sup> Participants at the Conference were members of non-alignment movement, a group of States that consider themselves not aligned formally with or against any major power bloc.



Table 1.

**Total departures for foreign employment by country of destination, 2005–2009**

	2005	2006	2007	2008	2009
Saudi Arabia	76 210	61 424	60 489	67 443	77 849
Qatar	35 953	31 458	38 943	39 476	43 744
Kuwait	36 157	34 697	41 028	46 941	42 400
United Arab Emirates	36 371	33 797	39 018	51 174	39 653
Jordan	8 276	8 136	8 440	10 362	9 032
Bahrain	3 751	4 400	4 975	4 650	5 929
Lebanon	16 402	6 889	6 939	4 969	5 907
Oman	3 562	4 273	3 912	4 747	5 326
Republic of Korea	4 850	3 653	2 680	6 995	3 991
Maldives	2 738	3 467	3 915	4 228	3 904
Cyprus	2 234	2 346	3 004	2 829	2 929
Malaysia	1 168	3 584	1 043	1 293	1 050
Singapore	1 017	954	947	1 079	1 026
Other countries	2 601	2 870	3 126	4 313	4 379
<b>Total</b>	<b>231 290</b>	<b>201 948</b>	<b>218 459</b>	<b>250 499</b>	<b>247 119</b>

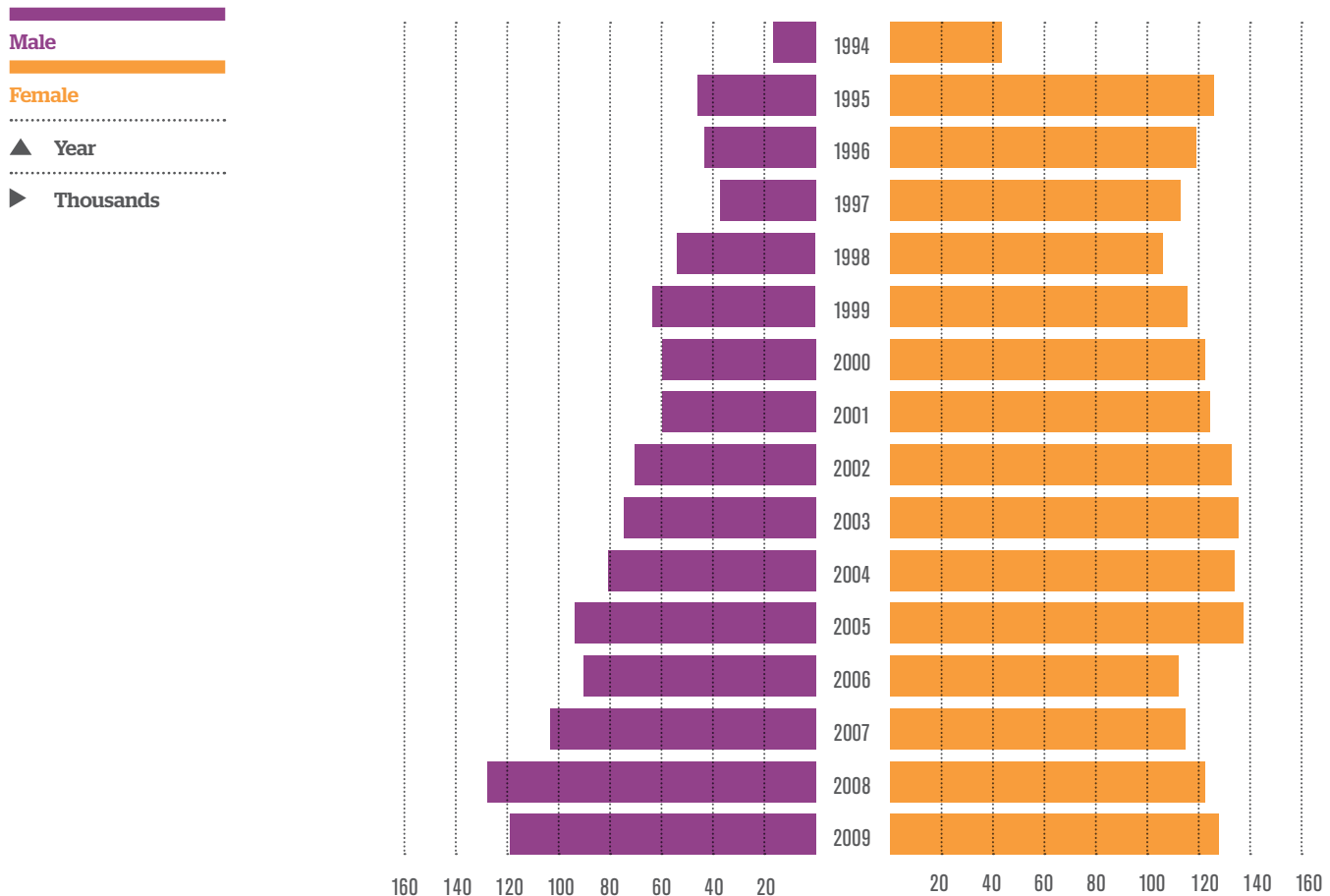
**Source:** Sri Lanka Bureau of Foreign Employment (2009).

A predominate number of women migrants, 89 per cent, were employed as domestic helpers in 2009. This percentage has continued to remain high despite efforts to reduce the share of domestic helpers among migrating women. Of note, the number of female migrants, as a whole, dropped in 2006, but has picked up again since 2007, mainly due to an increase in the number of women employed as domestic helpers. Outflows to some destination countries are largely dominated by female domestic workers. In 2009, of the total number of Sri Lankan migrants in Saudi Arabia and Kuwait, 74 per cent and 55 per cent of them were women working as female domestic helpers, respectively. The high number of women domestic workers migrating to Kuwait and Saudi Arabia, where protection of domestic workers is limited, is an area of concern (figure 2).

Overall, labour migration trends show that the majority of the migrants tend to be semi-skilled and low-skilled workers. The skill level of male migrants since 2002 has been fairly balanced, with the largest portion being skilled workers. Up until that time, the predominate number of male labour migrants were low-skilled workers. Based on this, it appears that the Government's efforts to promote the migration of skilled workers have made inroads with regards to men, but not with women. This can be attributed to the fact that women migrants from Sri Lanka move to Western Asian countries primarily as domestic workers, which

Figure 1.

## Number of male and female migrant workers from Sri Lanka, 1994-2009



Source: Sri Lanka Bureau of Foreign Employment (2009).

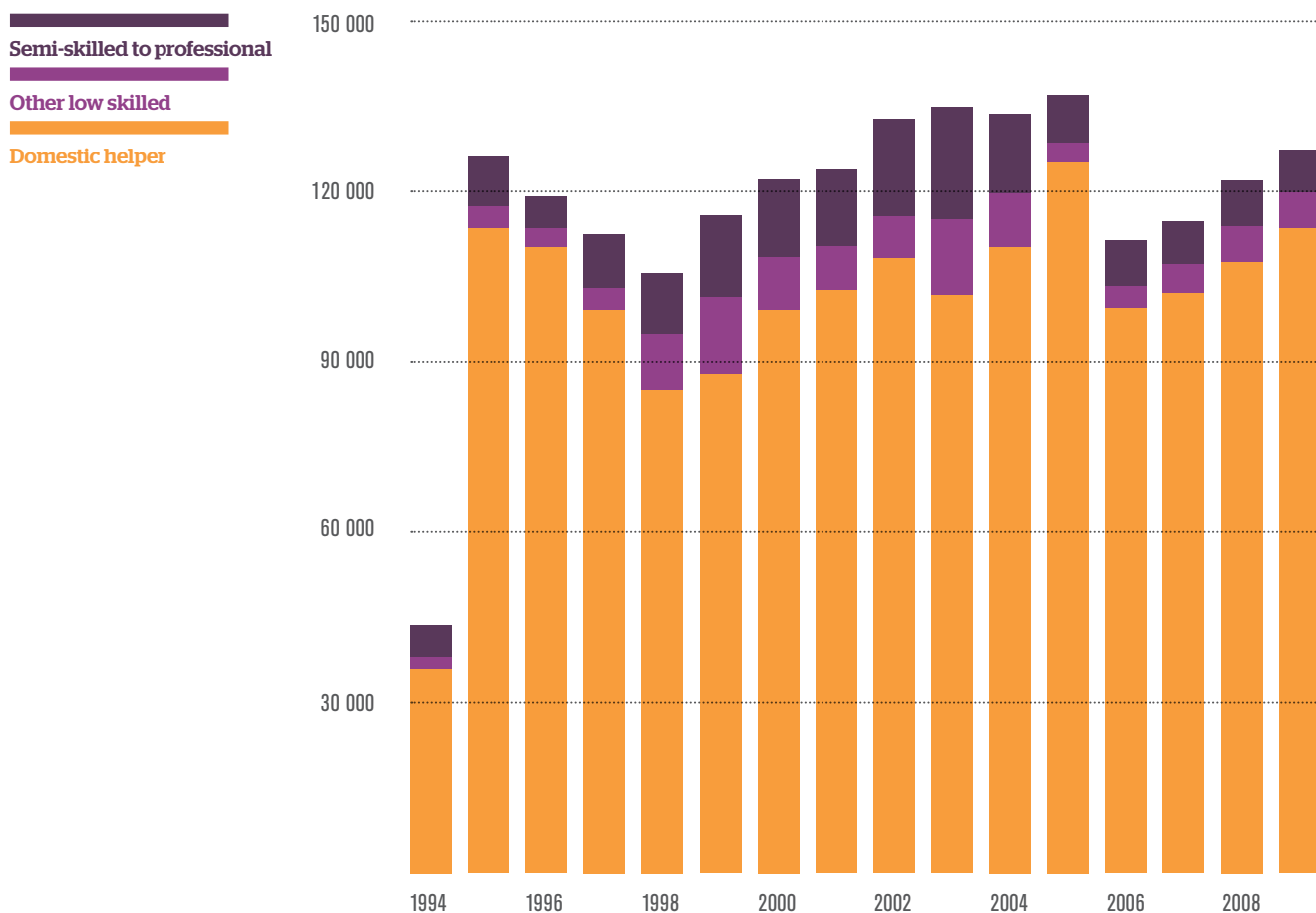
comprised about 89 per cent of all women migration in 2009 (Sri Lanka Bureau of Foreign Employment 2009).

Foreign employment has generated substantial remittance inflows and relieved local unemployment pressures as well as provided employment opportunities, especially for women. In 2009, Sri Lanka received Rs383 billion (\$3.5 billion) in remittances, accounting for about 47 per cent of the total foreign exchange earnings of the country. Despite the effects of the 2008 global financial crisis on overseas employment opportunities, remittances from migrants working abroad is the largest source of foreign exchange for the Sri Lankan economy. Of the total amount of remittances in 2009, Rs. 230 billion (\$2.1 billion), or 59.9 per cent, were sent by Sri Lankan migrant workers in Western Asia (Sri Lanka Bureau of Foreign Employment 2009).

The Government of Sri Lanka continues to take measures to prevent the exploitation of migrant workers. The newly created Sri Lankan Ministry of Foreign Employment Promotion and Welfare has released the National Policy on Labour Migration in order to ensure the protection of migrants' rights (Fernando

Figure 2.

## Number of women migrating for labour from Sri Lanka by skill level, 1994-2009



Source: Sri Lanka, Bureau of Foreign Employment (2009).

and Vijita 2009). The Sri Lankan Bureau of Foreign Employment, established in 1985, originally functioned under the Ministry of Labour and is now under the Ministry of Foreign Employment Promotion and Welfare. Its mandate is to ensure the promotion, development and regularization of the industry and to provide protection to Sri Lankan migrants overseas and their families. In 2009, it conducted raids on 182 illegal recruiting agencies and paid about Rs. 254 billion (\$2.3 billion) in insurance payments to migrant workers. In the same year, the Sri Lanka Bureau of Foreign Employment provided 103 pre-departure loans to outgoing migrants, and seven self-employment loans (Sri Lanka Bureau of Foreign Employment 2009).

The growth in foreign labour migration has not come without its challenges. Like many of its neighbouring countries, Sri Lanka continues to encourage workers to migrate. Only limited progress has been made in promoting overseas migration to skilled workers. Another challenge is centred on protecting the migrants. The number of complaints received by Sri Lanka from overseas labour migrants in 2009 amounted to about 4.9 per cent of total foreign employment recruitment, an increase of 2,402 complaints from the previous year. Moreover, the number

of deaths of overseas migrants in 2009 was 333, representing an increase of 4.9 per cent from 2008 (Sri Lanka Bureau of Foreign Employment 2009).

In addition to migration for overseas employment, there is also significant cross-border movement in the form of international student mobility. Better employment and opportunities to obtain residency has resulted in a growing trend among Sri Lankan students to choose developed countries for educational purposes. This often leads to permanent settlement in these countries. Sri Lanka has the highest rate of out-migration among its population with a tertiary education in the subregion. Data from World Bank (2010) indicated that 28.2 per cent of the tertiary-educated population in 2000 emigrated.

Data from various agencies issuing the student visas indicate that in addition to international student migration to OECD countries, there has been a relatively significant increase in the number of Sri Lankan students seeking educational opportunities in other South Asian countries, primarily Bangladesh, India and Pakistan. The rapid internationalization of higher education poses new challenges for policymakers. Strengthening higher education institutions and training would help minimize the adverse effects of student migration, and address concerns of a 'brain drain' (IOM and IPS 2008).

Due to the long-lasting conflict, many Sri Lankans, especially ethnic Tamils, left the country seeking asylum. According to data from United Nations High Commissioner for Refugees (UNHCR), more than 140,000 Sri Lankans are living as refugees abroad. The main host country is India, where about half of the refugees from Sri Lanka reside. Other important destinations are France, Canada, Germany and the United Kingdom of Great Britain and Northern Ireland (UNHCR no date).

Table 2.  
Refugees and asylum seekers from Sri Lanka, 2002-2008

ASYLUM COUNTRY	2002	2003	2004	2005	2006	2007	2008
India	63 767	60 922	57 274	50 730	69 609	72 934	73 286
France	15 938	15 062	15 304	15 602	15 669	16 605	18 102
Germany	17 403	15 121	12 850	15 304	5 832	6 388	6 594
Canada	12 873	12 563	12 062	11 076	9 877	21 279	20 442
United Kingdom	9 545	7 993	8 064	8 098	8 223	8 554	8 725
Other countries	13 713	10 349	8 496	7 329	7 756	9 188	10 596
<b>Total refugees</b>	<b>133 239</b>	<b>122 010</b>	<b>114 050</b>	<b>108 139</b>	<b>116 966</b>	<b>134 948</b>	<b>137 745</b>
<b>Asylum applications total</b>	<b>10 917</b>	<b>6 161</b>	<b>6 029</b>	<b>6 298</b>	<b>7 343</b>	<b>5 980</b>	<b>7 057</b>

Source: IOM and IPS (2008).

However, with the end of the 30-year internal conflict in May 2009, the number of refugees and asylum seekers are expected to drop considerably. The civil war displaced more than 300,000 people but by May 2010, about 215,000 had been released and resettled across Sri Lanka (ADB 2010).

---

## In-migration

Regular in-migration to Sri Lanka occurs on a very small scale. The majority of arrivals to Sri Lanka are tourists who stay there for a short time (usually not exceeding 12 months). In 2009, almost 500,000 foreign tourists entered Sri Lanka, with the majority being from the United Kingdom of Great Britain and Northern Ireland, and India (Sri Lanka Tourism Development Authority 2009). Due to the decrease in the number of tourist arrivals after the global financial crisis and rising concerns about safety, the Sri Lankan Tourism Board launched a campaign at the end of the war to attract tourists.

In addition to tourists, there is also an annual inflow of foreign students to Sri Lanka. In 2007 the country had 253 foreign students and the following year this number dropped to 142. The majority (47 per cent) of the foreign students are from Maldives. The others are primarily from China, India and the Republic of Korea. Mutual student exchange programmes and scholarship schemes in combination with the proximity factor are the main reasons for students choosing Sri Lanka for their education needs (Sri Lanka Tourism Development Authority 2009).

---

## Human trafficking

While every year thousands of Sri Lankans migrate willingly, many also fall prey to exploitation, including trafficking in persons. Sri Lanka is primarily a source and to a lesser extent a destination country for human trafficking (UNODC 2006). Men, women and children are trafficked from Sri Lanka to West, South-East and South Asian countries and to Europe for various exploitative purposes, such as commercial sexual exploitation and forced labour. A small number of women from South-East and South Asia and the former Union of Soviet Socialist Republics (USSR) are trafficked into Sri Lanka for commercial sexual exploitation (United States Department of State 2009).

Trafficking in persons is a serious issue in Sri Lanka. According to reports, there are a variety of factors which contribute to the vulnerability of children, increasing their incidences of being trafficked, including displacement caused by the armed conflict, the devastating effects of the 2004 tsunami, domestic violence and loss of traditional family structures due to increasing female labour migration (ECPAT International 2006).

At the national level, the Government of Sri Lanka has two main criminal laws relating to trafficking—the Convention on Preventing and Combating Trafficking in Women and Children for Prostitution (Act N<sup>o</sup>. 30 of 2005)<sup>4</sup> and the Penal Code (Amendment Act No 16 of 2006).<sup>5</sup>

<sup>4</sup> See [www.hsph.harvard.edu/population/trafficking/srilanka.traf.05.pdf](http://www.hsph.harvard.edu/population/trafficking/srilanka.traf.05.pdf).

<sup>5</sup> See [www.hsph.harvard.edu/population/trafficking/srilanka.traf.06.pdf](http://www.hsph.harvard.edu/population/trafficking/srilanka.traf.06.pdf).

Despite strengthened criminal laws to combat human trafficking, a report published in 2009 indicated that the number of recorded criminal investigations, and prosecutions had been small, with no convictions (UNODC 2009). With regard to action against fraudulent labour recruiters under the Bureau of Foreign Employment Act, the report stated that that in 2008 the Sri Lanka Bureau of Foreign Employment initiated 400 raids on fraudulent labour recruitment agencies, and took legal action against 80 agencies, resulting in 32 licence cancellations and the imposition of fines (UNODC 2009).

With regard to regional commitments, Pakistan has ratified the SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution and is a signatory to the SAARC Convention on Child Welfare. It is party to other less formal regional arrangements such as the 1998 Bangkok Accord and Plan of Action to Combat Trafficking in Women and the 2001 Strategy against Commercial Sexual Exploitation of Children and Child Sexual Abuse.

### Status of ratification of key international instruments

Sri Lanka is party to three of the four core anti-trafficking treaties as well as core human rights treaties and International Labour Organization (ILO) conventions relating to forced and child labour. Additionally, Sri Lanka is a signatory to the United Nations Trafficking Protocol and Smuggling Protocol, although it has yet to ratify them (table 3). Sri Lanka acceded to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families in 1996.

Table 3.  
Status of ratification of key international instruments on international migration

INTERNATIONAL INSTRUMENT	ENTRY INTO FORCE	STATUS
ILO Convention concerning Migration for Employment (rev 1949) (Nº.97)	22 January 1952	--
ILO Convention concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers (Supplementary Provisions) (Nº.143)	09 December 1978	--
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	01 July 2003	acceded 1996
Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children	25 December 2003	signed 2000
Protocol Against the Smuggling of Migrants by Land, Air and Sea	28 January 2004	signed 2000
1951 Convention relating to the Status of Refugees	22 April 1954	--
1967 Protocol relating to the Status of Refugees	04 October 1967	--

Source: ILO (no date), United Nations (no date).

---

## References

- Asian Development Bank (ADB) (2010). *Asia Development Outlook 2010 Update: The Future Growth in Asia*. Accessed from [www.adb.org/documents/books/ado/2010/update/ado2010-update.pdf](http://www.adb.org/documents/books/ado/2010/update/ado2010-update.pdf) on 11 August 2011.
- ECPAT International (2006). *Annual Report*, accessed from [http://www.ecpat.net/ei/Publications/Annual\\_Reports/ECPAT\\_Annual\\_Report2005-2006.pdf](http://www.ecpat.net/ei/Publications/Annual_Reports/ECPAT_Annual_Report2005-2006.pdf) on 22 March 2012.
- Fernando, V. (2009). "The feminisation of the migrant labour force in Sri Lanka", *News Blaze*, 4 November. Accessed from <http://newsblaze.com/story/20091104102551iwfs.nb/topstory.html> on 22 March 2012.
- International Labour Organization (ILO) (no date). ILOLEX Database of International Labour Standards. Accessed from [www.ilo.org/ilolex/english/index.htm](http://www.ilo.org/ilolex/english/index.htm) on 11 August 2011.
- International Organization for Migration (IOM) (2010). *World Migration Report* (Geneva, IOM).
- International Organization for Migration (IOM) and Institute for Policy Studies of Sri Lanka (IPS) (2008). *International Migration Outlook—Sri Lanka*. Accessed from [www.un.lk/resources\\_center/pub\\_pdf/1146.pdf](http://www.un.lk/resources_center/pub_pdf/1146.pdf) on 22 March 2012.
- Sri Lanka Bureau of Foreign Employment (2009). *Annual Statistical Report of Foreign Employment*. Accessed from [http://remittancesgateway.org/index.php/documents/doc\\_details/145-sri-lanka-annual-statistical-report-on-foreign-employment-2009](http://remittancesgateway.org/index.php/documents/doc_details/145-sri-lanka-annual-statistical-report-on-foreign-employment-2009) on 11 August 2011.
- Sri Lanka Ministry of Finance and Planning (2010). *Sri Lankan Labour Force Survey, Quarterly Report – 2010*. Accessed from [www.statistics.gov.lk/samplesurvey/2010Q1%20report.pdf](http://www.statistics.gov.lk/samplesurvey/2010Q1%20report.pdf) on 11 August 2011.
- Sri Lanka Ministry for Foreign Employment Promotion and Welfare (2008). *National Labour Migration Policy for Sri Lanka*. Accessed from [www.ilo.org/public/english/protection/migrant/download/mpolicy\\_srilanka\\_en.pdf](http://www.ilo.org/public/english/protection/migrant/download/mpolicy_srilanka_en.pdf)
- Sri Lanka Tourism Development Authority (2009). *Annual Statistical Report*. Accessed from [http://www.slttda.lk/sites/default/files/Annual\\_Report\\_2009.pdf](http://www.slttda.lk/sites/default/files/Annual_Report_2009.pdf) on 22 March 2012.
- United Nations (no date). United Nations Global Migration Database, v.o.3.6 online. Accessed from <http://esa.un.org/unmigration/> on 15 August 2011.
- United Nations Department of Economic and Social Affairs (UN DESA) (2010). *World Population Prospects: The 2010 Revision*. Population Division of the Department of Economic and Social Affairs of the United Nations Secretariat, accessed from <http://unstats.un.org/unsd/demographic/products/socind/population.htm> on 10 September 2011.
- United Nations High Commissioner for Refugees (UNHCR) (no date). UNHCR Online Population Database. Available from [www.unhcr.org/pages/4a013eb06.html](http://www.unhcr.org/pages/4a013eb06.html). Accessed 1 August 2011.
- United Nations Office on Drugs and Crime (UNODC) (2006). *Trafficking in Persons: Global Patterns*. Accessed from [www.unodc.org/pdf/traffickinginpersons\\_report\\_2006-04.pdf](http://www.unodc.org/pdf/traffickinginpersons_report_2006-04.pdf) on 11 August 2011.
- \_\_\_\_\_ (2009). *Global Report on Trafficking in Persons*. Available from [www.unodc.org/documents/human-trafficking/Global\\_Report\\_on\\_TIP.pdf](http://www.unodc.org/documents/human-trafficking/Global_Report_on_TIP.pdf).
- United States Department of State (2009). *Trafficking in Persons Report, 2009* (Washington, Office of the Secretary for Democracy and Global Affairs and Bureau of Public Affairs). Accessed from [www.state.gov/g/tip/rls/tiprpt/2009/123137.htm](http://www.state.gov/g/tip/rls/tiprpt/2009/123137.htm) on 11 August 2011.
- World Bank (2011). *World Development Indicators*. Accessed from <http://data.worldbank.org/indicator/SL.TLF.TOTL.IN> on 11 January 2012.

# Turkey<sup>1</sup>



## Development Indicators

Population, 2010 (in 1 000)

72 752

Total fertility rate, 2009



2.1

Population growth rate, 2010

1.3%

Percentage urban, 2010



69.6%

Growth rate of population aged 15-39 years, 2005-2010

0.9%

Net migration rate, 2005-2010 (per 1 000)

-0.1

Per capita GDP, 2010  
(at current prices in US Dollars)

10 094 \$



Remittances received to GDP, 2010

0.1%

Source: World Bank (2011), UN DESA (2010).

<sup>1</sup> Vanessa Steinmayer, Social Affairs Officer, United Nations ESCAP



---

## KEY POINTS

- **International migration in Turkey reflects the country's geographic position between Europe and Asia. Generally, people from Turkey migrate to the West, especially Europe. At the same time, Turkey has become increasingly linked with Asia through migration.**
- **In recent years, migrants to Turkey have originated mainly from Central Asian countries, Afghanistan and the Islamic Republic of Iran. The reasons for migrating are mostly to work or study or as refugees but some also use the country as a transit point to Europe.**
- **Turkey has a large diaspora, especially in Europe, due to migratory movements that occurred mainly from the 1960s to the late 1980s. In the past decade, an increasing number of migrants returned to Turkey from Europe.**
- **Labour migration to Turkey is expected to increase due to the country's declining fertility and low population growth of the 15–39 years age group.**

---

## Social and economic context of migration

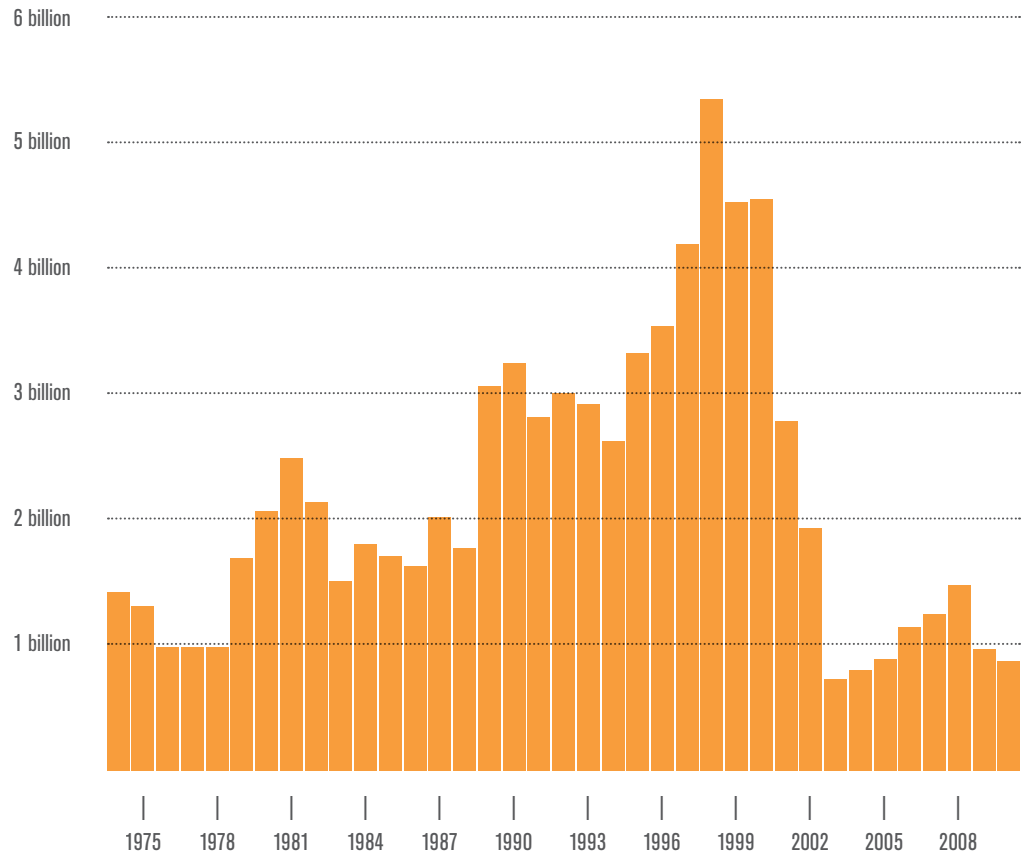
The geographic position of Turkey as a crossroads between Asia and Europe has been a major factor in determining the country's migration trends. For a number of years, the country had a negative net migration rate but the difference between out-migration and in-migration has been narrowing with the influx of foreign workers to fill gaps resulting from declining fertility and low growth of the working population. Turkey has a large stock of nationals in Europe and circular migration among this group is on the rise, with the country becoming increasingly attractive for young highly skilled people of Turkish descent that were raised and educated in Europe (Elitok and Straubhaar 2010). At the same time, Turkey is becoming a popular destination for migrants from Central Asia with Turkish and Russian language skills to work in the tourism industry. Low-skilled migrants from Central Asia as well as from Moldova and Ukraine also migrate to Turkey to work in agriculture and construction and as domestic helpers (IOM 2008).

Historically, Turkey was part of the Ottoman Empire, a multicultural state, comprised of a number of different ethnicities. In the first half of the twentieth century, the Turkish nation state evolved in Anatolia. Migration flows to the new nation state were mainly Muslims from the Balkans who, on basis of religion, were classified as Turks. In the second half of the century, Turkey became a country of labour out-migration, spurred by the signing of bilateral labour agreements, the earliest one with Germany in 1961, and later with a number of other European countries (Focus Migration 2006). According to the Turkish Ministry of Labour, in 2005, there were almost 4.4 million Turks living abroad (IOM 2008).

At the end of the twentieth century, remittances were an important component of the Turkish economy but that role has since diminished. They peaked

in the late 1990s, dropped sharply after 2002, and are now below the level seen in the 1970s (figure 1). Among the reasons for the decline are increasing unemployment of the migrant population in the main destination countries and decreasing family links of second and third generation migrants. The drop in remittances also reflects the country's transformation from a country of net out-migration to a potential country of net in-migration.

Figure 1.  
Remittances received by Turkey in US dollars, 1974-2010



Source: World Bank (2011).

Unemployment of the Turkish migrant population has become a social issue in many countries of destination and is an area of concern for Turkey. Data from the Ministry of Labour indicated that in 2005, the unemployment rate among Turkish migrants was 36 per cent in Belgium, 32.5 per cent in Germany and 25 per cent in France (IOM 2008).

In addition to changing demographics, increased economic development and European policies aimed at cutting the number of foreign workers are key factors contributing to the lower out-migration from Turkey, especially for labour migrants. At the same time, the country's relative wealth compared

to other countries in the subregion and neighbouring subregions and the language proximity has made it an attractive destination country. According to estimates from the United Nations Population Division, net migration could turn positive beginning in 2025 (UN DESA 2010).

---

## Out-migration

During 2005–2010, Turkey had a net migration rate of -0.1 percent. As stated earlier, the Ministry of Labour indicated that in 2005, there were more than 4 million Turks living abroad, with 46 per cent, or about 1.8 million, in Germany (IOM 2008). German sources, however, estimate a much higher figure, putting the number of persons of Turkish descent in Germany at 2.8 million. Much of this settlement has been long-term. According to Berlin Institut (2009), 85.6 per cent of the Turkish migrants have been living in Germany for at least 8 years and only 18.1 per cent of the Turkish migrants have sought naturalization as German citizens (Berlin Institut 2009). Other important destinations of migrants from Turkey are France and the Netherlands (both each comprised 9.4 per cent of the total migrants abroad in 2005) (figure 2).

Out-migration from Turkey has occurred in different phases. The first phase entailed labour migration through bilateral agreements in the 1960s. Most out-migrants in this early phase were men who tended to migrate alone. In the 1970s, most destination countries in Europe stopped labour migration but still allowed family reunification. This changed the demographic pattern of out-migration in the 1970s to consist mostly of women and children.

As a result of the policy change on labour recruitment, migration flows from Turkey to Europe took another course but did not decrease. In the 1980s after a military coup d'état, migrant outflows came mainly from Turkey's Eastern Provinces, mostly as refugees. The main countries granting asylum to refugees from Turkey were France, Germany and the United Kingdom of Great Britain and Northern Ireland. Refugee outflows from Turkey declined in the late 1990s and the destinations changed; Germany remained the main destination country throughout the 1990s but due to tougher policies, asylum seekers from Turkey were cut almost to half (Focus Migration 2006). Instead, asylum seekers from Turkey increasingly sought asylum in other countries, particularly in Canada, France and Switzerland. In 2010, according to United Nations High Commissioner for Refugees (UNHCR), the number of refugees from Turkey abroad was about 147,000, down from about 194,000 in 2002 (figure 3).

Although some Turks are still migrating to Germany, a large number are returning to Turkey, resulting in a positive net migration from Germany in recent years. During 2005–2008, about 29,000 people migrated on average every year from Turkey to Germany while about 31,000 migrated from Germany to Turkey. This also indicates that a great deal of circular migration has been taking place between the two countries.

The direction of net migration used to be different for men and women. Until recently, more women were migrating from Turkey to Germany than women returning from Germany to Turkey. Turkish men, on the other hand, were returning to their home country from Germany at a greater pace than those migrating to Germany. This dynamic changed in 2008, when the number of women returning to Turkey increased strongly. As a result, the net migration

# Figure 2.

## Stock of Turkish nationals abroad, 2005

Source: IOM (2008).



for both women and men was positive (Die Beauftragte der Bundesregierung für Migration 2010).

Studying abroad has become increasingly popular for Turkish students. Germany used to be the most frequent destination to study overseas, but in recent years, the United States of America has become a more popular destination. In 2008, about 12,000 students from Turkey were studying in the United States of America (UNESCO no date).

---

## In-migration

In 2010, the overall share of the foreign-born population of the total population in Turkey was 1.86 per cent, which equated to 1.4 million foreign-born people living in the country. According to the 2000 population census, 38 per cent of the foreign-born population of Turkey was born in Bulgaria, 22 per cent in Germany, 9 per cent in Serbia and Montenegro and 5 per cent in Greece. More than half (55 per cent) of the population born in Greece are older than 60 years and 17 per cent of them are older than 80 years, reflecting that their migration was tied to historic population movements. Of the population born in Germany, almost 50 per cent are between 20 and 34 years old. This also shows that there is significant circular migration between Germany and Turkey. The returning Turks tend to be young people of working age who can get well-paid jobs due to their intercultural and language skills (Berlin Institut 2009).

The majority of the foreign-born population in Turkey holds Turkish citizenship. In 2007, there were 207,076 foreigners with resident permits in Turkey, among them 23,018 were for work, 26,772 for education and the rest for other purposes, foreign spouses are likely to be an important category (IOM 2008).

In-migration flows to Turkey are complex. Broadly speaking, flows can be categorized into three different categories.

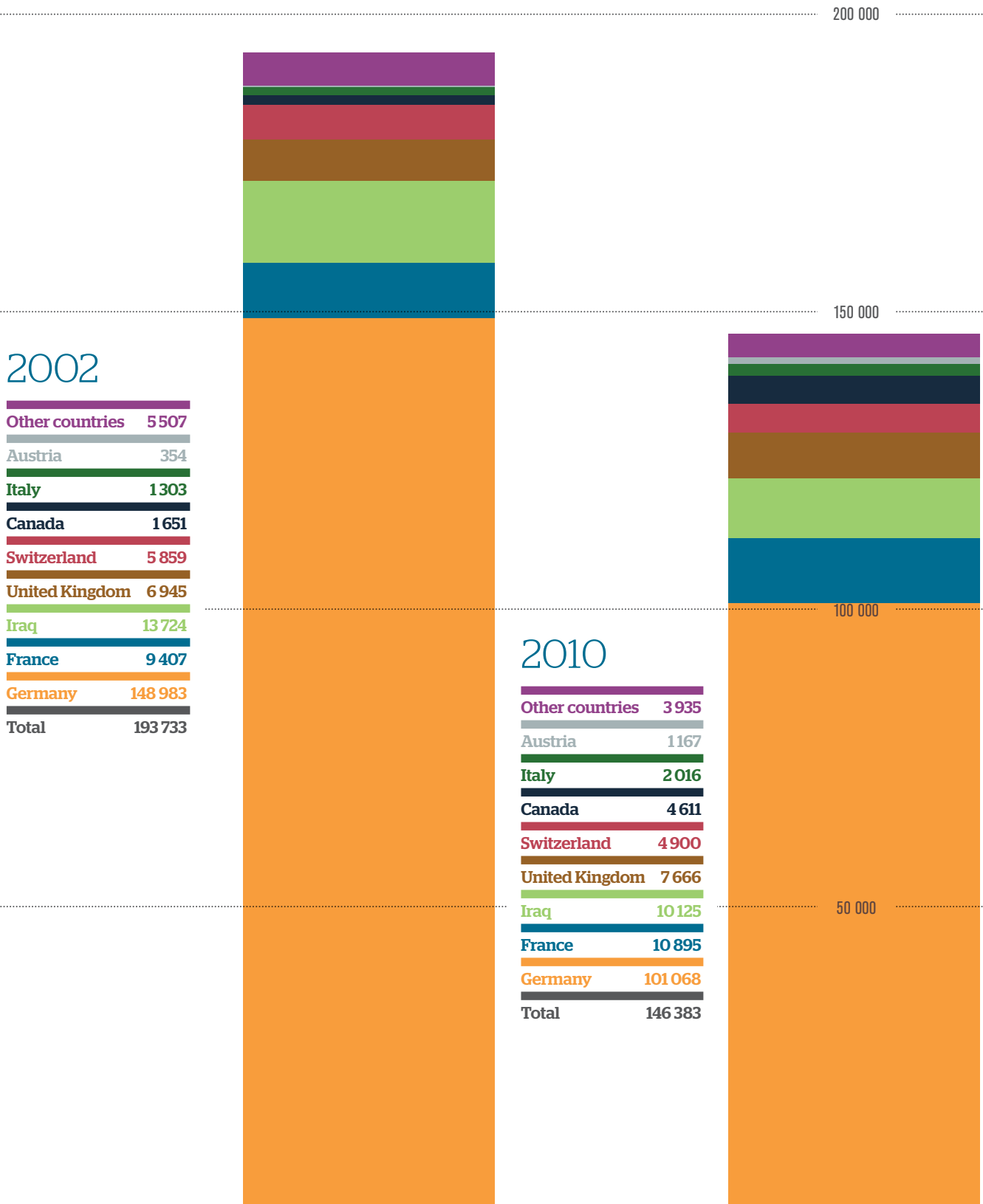
One category is circular migration which entails return migration from Germany and other countries in Europe. An increasing number of highly skilled young people, educated in Europe either return to Turkey permanently or work temporarily in the country with plans to return to Europe at a later stage (Berlin Institut 2009). Also in this category are retirees who often spend six months of the year in Turkey and six months in Germany in order not to lose their permanent residence permit in Germany.

The second category is asylum seekers who transit through Turkey. In most cases, they are trying to move to countries in Europe.

The third category, which has evolved in recent years, consists of migrants from Central Asia and other former republics of the USSR, who move to Turkey through irregular channels for work. Because they migrate through irregular channels, it is difficult to capture data on them. This migration flow is expected to continue due to Turkey's geographic position and the close similarity of the migrants' languages to Turkish (Elitok and Straubhaar 2010).

# Figure 3. Stock of refugees from Turkey abroad, 2002 and 2010

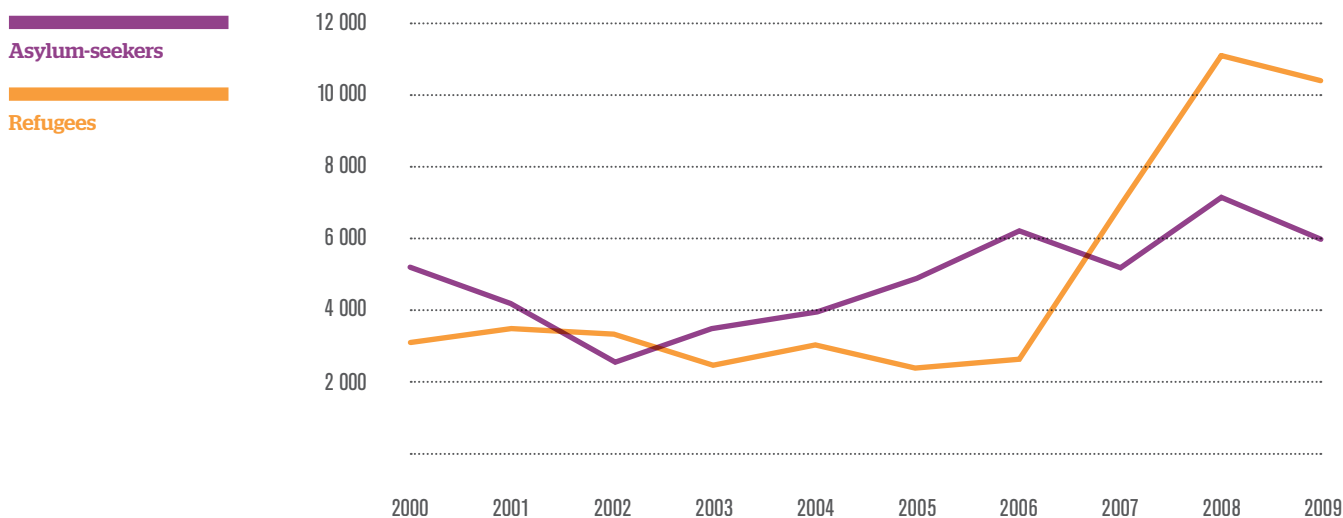
Source: UNHCR (no date).



Another trend which is often not reflected in data is the increasing popularity of Turkey for retirees not of Turkish descent from Europe, mainly Germany and the United Kingdom of Great Britain and Northern Ireland.

In 2009, there were 19,408 refugees, asylum seekers, stateless persons and return refugees in Turkey, of whom 10,350 of them were refugees and 5,987 were asylum seekers. The number of asylum seekers and refugees remained relatively stable during 2000–2005. However, since 2006, it has increased strongly every year (figure 4). The asylum seekers' and refugees' main countries of origin are Afghanistan, Iraq and the Islamic Republic of Iran. For many of them, Turkey serves as a transit country to Europe.

Figure 4.  
**Number of refugees and asylum seekers in Turkey, 2000–2009**



Source: UNHCR (no date).

Turkey is also becoming a popular destination for foreign students. In 2008, there were 20,219 foreign students in Turkey. Of that number, about 50 per cent were from the Asia-Pacific region, with 19 per cent of them from Azerbaijan, 15 per cent from Turkmenistan and 9 per cent each from the Islamic Republic of Iran, Mongolia, Kazakhstan and Kyrgyzstan. Nationalization policies set in Central Asia that promote a shift from Russian to national languages, which are in many cases Turkic languages, will likely reinforce this popular trend.

## Human trafficking

Due to its geographic location, Turkey is also a country of transit and destination for migrant smuggling and trafficking in persons. Women are mainly trafficked to Turkey as sex workers. The majority of victims of human trafficking identified in Turkey are between 18 and 24 years old, mainly from Kyrgyzstan, Moldova, the Russian Federation and Ukraine. The vast majority

of victims recruited to Turkey had a personal relationship with their recruiter (IOM 2008). The Government of Turkey has taken comprehensive measures to address human trafficking and ratified the United Nations Convention against Transnational Organized Crime, and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children. In order to prevent traffickers from exploiting the earlier law, which allowed people to obtain Turkish citizenship simply through a declaration at the time of marriage, the Citizenship Law was amended in 2003 to require foreigners to be married a minimum of three years to be entitled to Turkish citizenship.

### Status of ratification of key international instruments

Turkey has ratified most of the key international instruments related to international migration, including the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

Table 1.  
Status of ratification of key international instruments on international migration

INTERNATIONAL INSTRUMENT	ENTRY INTO FORCE	STATUS
ILO Convention concerning Migration for Employment (rev 1949) (Nº.97)	22 January 1952	--
ILO Convention concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers (Supplementary Provisions) (Nº.143)	09 December 1978	--
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	01 July 2003	ratified 2004
Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children	25 December 2003	ratified 2003
Protocol Against the Smuggling of Migrants by Land, Air and Sea	28 January 2004	ratified 2003
1951 Convention relating to the Status of Refugees	22 April 1954	ratified 1962
1967 Protocol relating to the Status of Refugees	04 October 1967	acceded 1968

Source: ILO (no date), United Nations (no date).



---

## References

- Berlin Institut (2009). *Ungenützte Potentiale. Zur Lage der Intergration in Deutschland* (Berlin, Berlin Institut).
- Die Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration (2010). *Bericht der Beauftragten der Bundesregierung für Migration. Flüchtlinge und Integration über die Lage der Ausländerinnen und Ausländer in Deutschland*. Accessed from [www.bundesregierung.de/nn\\_774/Content/DEPublikation/1B/Anlagen/2010-11-03-0-la-gebericht,property=publicationFile.pdf](http://www.bundesregierung.de/nn_774/Content/DEPublikation/1B/Anlagen/2010-11-03-0-la-gebericht,property=publicationFile.pdf) on 11 August 2011.
- Elitok, S. P., and T. Straubhaar (2010). *Turkey: Change from an Emigration to an Immigration and Now to a Transit Migration Country*. Hamburg Institute of International Economics (HWWI) and Transatlantic Academy, HWWI Policy Paper 3-16. Accessed from [www.hwwi.org/uploads/tx\\_wilpubdb/HWWI\\_Policy\\_Paper\\_3-16\\_01.pdf](http://www.hwwi.org/uploads/tx_wilpubdb/HWWI_Policy_Paper_3-16_01.pdf) on 22 March 2012.
- Focus Migration (2009). *Country Profile N°. 5: Turkey*. Bundeszentrale für politische Bildung, Netzwerk Migration in Europa, Hamburgisches Weltwirtschafts Institut (HWWI). Accessed from [http://focus-migration.hwwi.de/uploads/tx\\_wilpubdb/CP\\_05\\_Turkey\\_2009.pdf](http://focus-migration.hwwi.de/uploads/tx_wilpubdb/CP_05_Turkey_2009.pdf) on 22 March 2012.
- International Labour Organization (ILO) (no date). ILOLEX Database of International Labour Standards. Accessed from [www.ilo.org/ilolex/english/index.htm](http://www.ilo.org/ilolex/english/index.htm) on 11 August 2011.
- International Organization for Migration (IOM) (2008). *Migration in Turkey: A Country Profile 2008*. Accessed from [http://www.turkey.iom.int/documents/migration\\_profile\\_turkey.pdf?entryId=10260](http://www.turkey.iom.int/documents/migration_profile_turkey.pdf?entryId=10260) on 22 August 2011.
- United Nations (no date). United Nations Global Migration Database, v.o.3.6 online. Accessed from <http://esa.un.org/unmigration/> on 15 August 2011.
- United Nations Department of Economic and Social Affairs (UN DESA) (2010). *World Population Prospects: The 2010 Revision*. Population Division of the Department of Economic and Social Affairs of the United Nations Secretariat, accessed from [unstats.un.org/unsd/demographic/products/socind/population.htm](http://unstats.un.org/unsd/demographic/products/socind/population.htm) on 10 September 2011.
- United Nations Education, Scientific and Cultural Organization (UNESCO) (no date). United Nations Education, Scientific and Cultural Organization Statistical Institute Database. Accessed from <http://stats.uis.unesco.org/unesco/tableviewer/document.aspx?ReportId=143> on 11 August 2011.
- United Nations High Commissioner for Refugees (UNHCR) (no date). UNHCR Statistical Online Population Database. Accessed from <http://apps.who.int/globalatlas/default.asp> on 4 August 2011.
- World Bank (2011). World Development Indicators. Accessed from <http://data.worldbank.org/indicator/SL.TLF.TOTL.IN> on 11 January 2012.

# Part II





# Thematic Chapters

# Labour migration<sup>1</sup>

South and South-West Asia includes some of the world's migration extremes; India was the leading recipient of remittances in 2010, and the Gulf Cooperation Council (GCC) countries, a destination location for many migrants from the subregion, rely on foreign labour to fill over 90 per cent of their private-sector jobs. Most of the ten countries examined in this report experience net out-migration, and the majority of them would like to see more of its skilled workers move abroad to enhance migrant protection and maximize remittances.

<sup>1</sup> Manolo Abella and Philip Martin

<sup>2</sup> The member States of the GCC are Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and United Arab Emirates.

The major trends, policies, conditions and migration issues facing these ten South and South-West Asian countries are summarized in table 1. The six countries with the largest number of out-migrants face similar challenges, such as:

- Encouraging more skilled and fewer low skilled and low skilled women migrant workers to move abroad, under the theory that more skilled workers earn higher wages and can better protect themselves.
- Increasing bilateral and multilateral cooperation with destination countries to improve working conditions and the treatment of migrants.
- Enhancing the development impacts of remittances and the return of migrants with skills acquired abroad.
- Reducing the cost of migration, minimizing recruitment fraud and abuses and extending labour-law protection to all workers, including domestic workers.

The host countries in the subregion face different challenges. Examples of these are the following:

- **Bhutan**—regulating the entry of construction workers from Nepal and India.
- **The Islamic Republic of Iran**—regularizing the status of Afghans working in the country.
- **Maldives**—allowing employers to recruit migrants to work in the tourism industry and fill health-care related and teaching positions while encouraging members of the national population to obtain the education needed to fill jobs now occupied by migrants.
- **Turkey**—gaining admission into the European Union (EU) while managing in- and transit-migration.

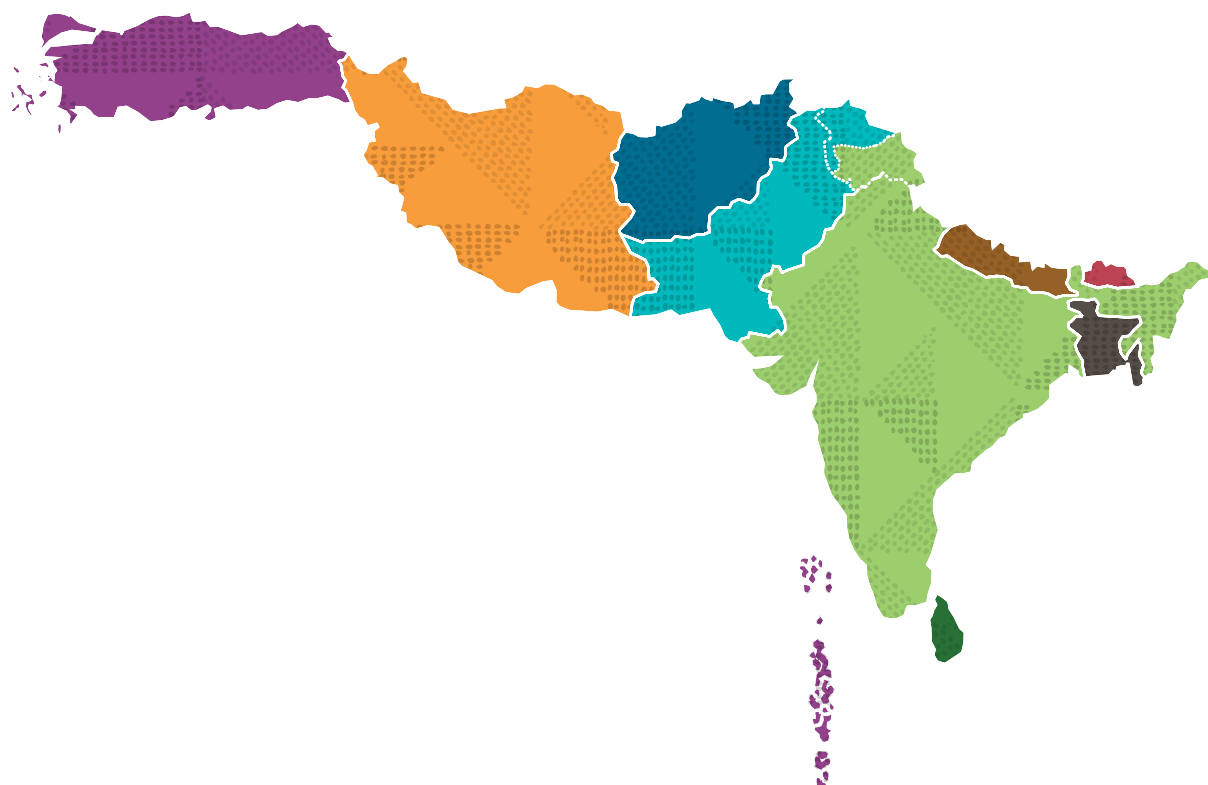
The governance of labour migration in the Indian subcontinent dates back to the Emigration Ordinance of the British colonial period. However, as demand for migrant workers in Western Asia picked up starting in the mid-1970s, Governments of Western Asian countries embarked on renewed efforts to regulate the recruitment of foreign workers in their countries. Bangladesh, India, Nepal, Pakistan and Sri Lanka have since enacted laws and established institutions to better protect their citizens at home and abroad, and currently these four countries have in place the following:

- Restrictions on direct recruitment of nationals by foreign employers or their agents, including on advertising job offers;
- licensing and regulating private fee-charging recruitment agents or ‘employment-promoters’ by requiring security bonds, setting maximum fees and imposing penalties for violations;
- checks on departing migrants to enforce minimum standards for contracts of employment.

Examples of other country initiatives related to migration are: establishing state corporations to compete with private recruitment agencies (Pakistan and Bangladesh and in five states in India); setting up dedicated agencies to provide

# Table 1.

## Labour migration in 10 South and South-West Asian countries



Country	Trends	Policies	Conditions	Issues
<b>Afghanistan</b>	3-5 million Afghans abroad despite return of 4 million during 2002–2006; many professionals abroad	Influx of 15,000 foreigners to help rebuild (2008); work-permit system established	Many Afghans abroad are refugees; negotiations or bilateral agreements with Qatar, United Arab Emirates, Kuwait, Iran (Islamic Republic of)	Regulation of Afghan recruiters; formalize labour migration to Iran (Islamic Republic of) by reducing costs
<b>Bangladesh</b>	Deployment falling from peak of 875,000 in 2008; remittances steady at \$11 billion in 2009	Set maximum recruitment fees, but most low-skill migrants pay more; migrant protection system has acknowledged flaws	Most low-skill migrants leave in debt; may work illegally abroad or overstay to achieve savings targets	How to reduce recruitment costs; will new Expatriate Bank provide low-cost loans?
<b>Bhutan</b>	Less than 700,000 people in mountainous country; permits migrant construction workers from India and Nepal	Government-ceiling on migrants was 30,000 in 2009; some occupations closed to migrants	Government fines on employers and of unauthorized migrants	Difficulty preventing migrants from staying longer than the maximum six months allowed; hard to ensure that recruiters do not overcharge migrants

Country	Trends	Policies	Conditions	Issues
<b>India</b>	Diaspora of 25 million; \$50 billion remittances in 2009; most migrants from south India to oil-exporting countries in Western Asia	Emigration Act of 1983 protects out-migrants by ensuring that recruiters do not overcharge them	Variable conditions in destination countries; complaints of high recruitment fees paid in India; contract substitution abroad	Government aiming to sign more agreements with destination countries; Overseas Workers Resource Centers in countries with Indian migrants
<b>Iran, Islamic Republic of</b>	Some professionals migrate abroad while low-skilled migrants enter from Afghanistan	300,000 work permits issued to refugees in Iran in 2008; July 2010 proposals to regulate private recruiters	1.5 million Afghans registered and received work permits between July 24 to August 26, 2010	Regulating continued entry of Afghans; integrating Afghans who have settled in the country
<b>Maldives</b>	Net in-migration country 100,000 foreign workers; 30 per cent are unauthorized	Recruiters may not charge migrants fees; employers to pay	Mostly South Asian and Indonesian migrants who fill jobs on all rungs of the job ladder	Dealing with unauthorized migration; how does the presence of migrants affect incentives of locals?
<b>Nepal</b>	Migration is a key source of family income; half of Nepalese families receive remittances	217,000 migrants mostly low-skilled and rural Nepalese left in 2008, some 96 per cent are male	80 per cent of Nepalese migrants leave with the help of recruiters; fees and promises remain important issues	How to regulate recruiters; protect female migrants under Foreign Employment Act of 2007
<b>Pakistan</b>	Diaspora of more than 4 million; half in GCC countries; 287,000 departures of migrants in 2007	Emigration Ordinance of 1979 lays out procedures to protect migrants and regulate recruiters	Half of Pakistani migrants leave with the help of recruiters, whose maximum charges are regulated	How to achieve government goal of encouraging more skilled workers to move to new destinations
<b>Sri Lanka</b>	Diaspora of 1.8 million; deployment of 252,000 in 2008; remittances of \$3 billion	National Labour Migration Policy for Sri Lanka in 2008-2009 aims to protect migrants	Half of Sri Lankan migrants are women going abroad to be domestic helpers; mandatory pre-departure training to improve knowledge-base	Regulating sub-agents who find Sri Lankan workers to fill foreign jobs; signing agreements with foreign governments with minimum wages and protections
<b>Turkey</b>	From net out-migration to net in-migration country between 1960s and 1990s	What is the role for Government of Turkey in integration of Turks and their children in European countries; regulating entries and transit migration	Variable for Turks in Europe and foreigners passing through Turkey en route to Europe; some transit migrants remain in Turkey	Will Turkey join the EU? If yes, will Turks have freedom of movement rights?

Sources: see text.

Note: The boundaries shown on the map do not imply official endorsement or acceptance by the United Nations.

insurance and welfare services to migrants and their families (Overseas Pakistanis Foundation and similar agencies in Sri Lanka, Bangladesh and Nepal); and posting labour attachés or welfare officers in countries with migrants to provide on-site services.

There is no quick fix to improving the governance of labour migration. Some effective incremental steps could be including enforceable regulations and standards, upgrading the quality of personnel at government agencies and providing them with the resources to carry out their work effectively, regulate the recruitment industry with the aim to encourage cooperation, responsible behavior and accountability and taking note of feedback on the effects of regulatory efforts. Migration is inherently a multilateral concern, and desired outcomes are most likely to be achieved if countries of origin and destination meet regularly to discuss labour-migration issues and the best way to resolve them. Regular bilateral and regional meetings, with discussions guided by international principles and norms, offer the best hope for improving labour migration governance in South and South-West Asia.

---

## Governance of labour migration

Bangladesh, India, Nepal, Pakistan and Sri Lanka have established similar systems and structures for the governance of labour migration to GCC countries as well as to destinations in South-East Asia.

There is an increasing trend towards more regulation of migration, usually with the aim to protect migrants. However, countries of origin cannot necessarily control outflows and, even if they could, the result could be a top-down process, which does not adequately take into account the interests of social partners, such as unions and non-governmental organizations (NGOs) as well as migrants. For example, governments committed to promoting foreign employment and protecting migrant workers may impede the freedom of movement of women or low-skilled migrants in ways that aggravate the vulnerability and abuse of these workers.

Bhutan and Maldives are primarily countries of destination, while the Islamic Republic of Iran and Turkey are destination, transit, and origin countries. The Islamic Republic of Iran has hosted more than a million Afghan refugees, many of whom were later granted visas to work in the country, while many Iranians have left the country for employment and other purposes. During the 1960s and 1970s, Turkish labour migration was organized through bilateral agreements with countries in the European Union, especially Germany.

Migration from Afghanistan has been mainly refugees to neighbouring countries, the Islamic Republic of Iran and Pakistan, where they have been allowed to work. Only recently, the Ministry of Labor, Social Affairs, Martyrs and Disabled (MOLSAMD) adopted a policy to promote labour migration of Afghan workers abroad, to such locations as GCC countries.

---

## Afghanistan

In 2011, up to six million Afghans were estimated to be living abroad (Arif and Shujaat forthcoming), despite the return of almost four million from neighbouring



countries, the Islamic Republic of Iran and Pakistan, between 2002 and 2006 (Margesson 2007). Many of those still abroad are professionals and skilled workers, resulting in the recruitment of replacement workers. The Government of Afghanistan introduced a “work permit system” administered by the Department of Foreign Residents Employment within the Ministry of Labour, Social Affairs, Martyrs and Disabled (MOLSAMD). An inter-ministerial committee was also established to approve the employment of needed foreign workers. By the end of 2008, it was reported that some 14,724 foreign nationals from 82 countries had been issued work permits.<sup>3</sup>

A recent MOLSAMD report notes that a ‘labour dispatch protocol’ had been signed with the Government of Qatar, and that negotiations with the Governments of the Islamic Republic of Iran, Kuwait and the United Arab Emirates, are underway for bilateral agreements to cover the employment of Afghans in these countries. MOLSAMD has created a branch and established regulations to govern the activities of private employment agencies (overseas employment promoters) to streamline the sending of Afghan workers abroad (Koepke 2011, UNHCR 2009).

According to one report, formalizing labour migration to the Islamic Republic of Iran has been difficult because it has become more expensive for Afghan workers to obtain work permits. It costs twice as much to enter the Islamic Republic of Iran legally than through smugglers (Koepke 2011).

---

## Bangladesh

Labour migration from Bangladesh is regulated under the Emigration Ordinance of 1982, which requires migrant workers to have valid contracts and work visas before leaving to fill overseas jobs. Section 8.1 allows the government to prohibit the out-migration of persons with particular skills “in the public interest,” and specifies that Bangladeshis leaving the country can be fined up to 5,000 Bangladeshi taka (TK) (\$65) or imprisoned up to a year. Section 10 authorizes the government to license recruiters and to withdraw recruitment licences for violations of recruitment regulations, such as overcharging migrants (Section 23).<sup>4</sup>

Three major agencies deal with the 3 R’s, namely recruitment, remittances and returns:

- The umbrella Ministry of Expatriates’ Welfare and Overseas Employment;
- the regulatory Bureau of Manpower Employment and Training (BMET);
- the government employment agency, Bangladesh Overseas Employment and Services.

The Bangladesh Overseas Employment Policy, adopted in October 2006, promotes the out-migration of Bangladeshis and aims to protect them while abroad. The Wage Earners’ Welfare Fund was created in 1990 and, under regulations set in December 2002, is supported by fees from migrants (an initial assessment of 1,000 Bangladeshi taka (TK) (\$15), interest on the bonds posted by recruiters

<sup>3</sup> See <http://molsamd.gov.af/en/page/3134>.

<sup>4</sup> See [www.immi.gov.bd/immi\\_rules.php#The Immigration Ordinance, 1982](http://www.immi.gov.bd/immi_rules.php#The%20Immigration%20Ordinance,%201982) Ordinance No. XXIX of 1982.

and a 10 per cent surcharge on fees charged by Bangladeshi missions abroad for passports and other services. The Fund supports desks staffed by BMET at Zia International Airport, which check and assist migrants leaving and returning to Bangladesh. It also pays for legal assistance given to overseas migrants and the return of remains of migrants who die abroad as well as provides support to the families of deceased migrants in Bangladesh and to returning migrants who were not paid by their foreign employers. The Fund is administered by a board consisting of Ministers of various government agencies and the recruiters' association Bangladeshi Association of International Recruiting Agencies (BAIRA).

BMET, set up in 1976 under the Ministry of Labor, has 17 offices throughout the country. It is tasked with organizing employment promotion and skills training, promoting the employment of Bangladeshis abroad and encouraging overseas migrants to send remittances home. It also provides employment counseling to migrants, regulates private recruiters and conducts research on migration and development. Before leaving Bangladesh, migrants must first register their employment contracts with BMET. This procedure, which usually is carried out with assistance from recruiters, is one of the final steps before departure. In 2009, BMET reported that some three million Bangladeshis have been registered since the registration process began in June 2004. Registered job seekers receive a BMET-issued photo ID that includes personal information.

The Ministry of Expatriates' Welfare and Overseas Employment (MEWOE), established on 20 December 2001 following advocacy from NGOs, is tasked with formulating overseas employment policy and overseeing the operations of the Wage Earners' Welfare Fund and shares responsibility with the Ministry of Labor over the supervision of recruitment and licensing of private recruiters, and the provision of services to migrants through labour attachés in Bangladeshi missions abroad. MEWOE encourages the Bangladeshi diaspora to invest in projects in their home communities and facilitates expatriate investments in Bangladesh. Since 2008, Bangladeshis abroad who remit foreign currency to Bangladesh have "special citizens' privileges".

---

## Bhutan

The Labour and Employment Act in 2007 amended the rules and regulations for the recruitment of foreign workers earlier prescribed in the 1994 Chathrim<sup>5</sup> for wage rates, recruitment agencies and workmen's compensation. The 2007 law empowered the Government to set a ceiling on the number of foreign workers (30,000 in 2009) and prescribed a formula<sup>6</sup> for how many foreign workers an enterprise may employ. The variables include whether the employer wants foreign workers for a government project, for the construction of an institution such as schools or commercial buildings or hotels, or for personal residential construction (a maximum 12 migrants in urban areas and five in rural areas). Foreign workers with skills not available locally may be admitted, but their duration of employment is limited to six months. Some 22 occupations are closed to foreign workers, including, among others, computer operators, accountants, travel guides, clerks and plumbers.

<sup>5</sup> Government Act.

<sup>6</sup> According to the formula the number allowed varies depending on the labour cost of the project, duration and the wage rate.

---

## India

Labour migration from India is governed by the Emigration Act of 1983, which regulates Indian-based recruiters and established the protectors of emigrants (POE) offices. Intending migrants are required to obtain emigration clearance from one the 13 POE offices throughout the country. However, 13 categories of persons are exempt from this requirement, including those with 10 or more years of schooling. Some researchers conclude that the POE process introduces another level of fees that migrants must pay while adding few protections (Rajan and others 2008).

India issues two types of passports— those that specify that the holder must receive an emigration check (ECR) by the POE and those that do not require the holder to obtain an emigration check (ENCR). Holders of ECR passports can nonetheless leave without a POE check for most countries, but need POE permission to travel to 17 countries, including GCC countries, Libya and Malaysia.

The Government of India acknowledges that its regulatory system may not fully protect migrant workers (Rajan and others 2008). As in other countries of origin, some Indian recruiters specialize in so-called ‘free visas’, often purchased from citizens in GCC countries. Migrants with ‘free visas’ may be employed by several employers, with varying wages and working conditions. NGOs report that some Indian migrants paid fees for work contracts that turned out to be different than what they expected, or received contracts that were not for genuine jobs.

The Ministry of Overseas Indian Affairs (MOIA), created in 2004, negotiates memoranda of understanding (MOUs) with major destinations of Indian migrants, including one with the United Arab Emirates signed in 2006. It also negotiates social security agreements, so far primarily with European countries, that can exempt Indian migrants from contributing to pension systems abroad or help them to obtain a refund of their contributions when they depart after a period of employment abroad. The MOIA in 2008 established Overseas Workers Resource Centers to help Indian migrants abroad and their families at home through a toll-free number. The MOIA also oversees the Indian Community Welfare Fund (ICWF). From its 42 Indian missions abroad, migrants can obtain emergency housing and medical services, receive legal help or travel home, and have remains returned to India in case of death abroad.<sup>7</sup>

---

## Islamic Republic of Iran

The 1990 Labor Law mandated the Ministry of Labor and Social Affairs “to issue, extend, and renew work permits to the refugees, subject to the written agreements of the ministries of interior and foreign affairs”. The first work permits for refugees were issued in late 2008, and during that time 300,000 were granted (Koepke 2011). In July 2010, the Bureau of Aliens and Foreign Immigrants Affairs (BAFIA), which is under the Ministry of Interior, proposed a guardianship concept that would allow private recruitment companies to organize the entry and stay of foreigners in the Islamic Republic of Iran. At the same time the Government announced that unauthorized foreigners could work legally by registering, which prompted 1.5 million Afghans to register between 24 July and 26 August 2010 (Koepke 2011).

<sup>7</sup> For more details see <http://moia.gov.in/services.aspx?ID1=83&id=m2&idp=81&mainid=73>.

---

## Nepal

A detailed Foreign Employment Act was enacted in October 2007, followed by regulations in 2008 that, among other things, allows for the granting of one-year renewable licences to recruiting agencies and established the Department of Foreign Employment to administer the law. Chapter 9 of the Foreign Employment Act makes recruiters liable for penalties of four to seven years imprisonment for making false promises to Nepalese going abroad or sending them abroad without proper documents. Aggrieved migrants can file complaints with the Foreign Employment Tribunal in Kathmandu, the location of the government migration agencies and most of the recruiters. The Foreign Employment Act calls for the establishment of a migrant workers welfare fund, labour desks at Nepalese airports to check the contracts of migrants leaving and labour attachés abroad to assist Nepalese migrants in countries with at least 5,000 migrants (Nepal has posted labour attachés for migrants in Malaysia, Qatar, Saudi Arabia and the United Arab Emirates).

The Foreign Employment Act included many safe migration provisions to protect women and was supported in its development by UNIFEM (now UN Women). Some recruiters expressed the fear that the strong provisions of the Act could make it more difficult to lawfully send Nepalese women abroad.

In 2009, the Government of Nepal had MOUs with Governments of four destination countries, namely Bahrain, Qatar, the Republic of Korea and the United Arab Emirates. Of these, Nepalese migrants are most eager to work in the Republic of Korea under the Employment Permit System, where they earn \$1,000 a month or more working in agriculture, fisheries, construction, small-scale manufacturing and some services. In order to be considered for jobs in the Republic of Korea, Nepalese must pass a basic test of proficiency in Korean, which helps to explain the proliferation of Korean language schools in Nepal. The number of Nepalese who study Korean and take the Korean language test far exceeds the number of those selected to work in the Republic of Korea. For example, over 36,000 Nepalese took the Korean language test in August 2010, and 4,200 passed, but employers in the Republic of Korea selected only about 2,700 Nepalese to work in the country.<sup>8</sup> Nepal has emerged from an internal conflict situation and policy makers view overseas employment as a safety valve for employment, especially for youth, and a source of foreign exchange. National development plans and ILO Decent Work Country Programmes (developed by the Ministry of Labour and social partners) have accorded priority to labour migration.

---

## Pakistan

Pakistan was one of the first Asian countries to encourage workers to go abroad. The country's Bureau of Emigration and Overseas Employment (BEOE) was set up in 1970 to coordinate offices previously responsible for the protection of emigrants and the welfare of seamen. The Bureau promotes safe and regular migration through the regional offices of the Protector of Emigrants.<sup>9</sup> The Emigration Ordinance of 1979 established the procedures for:

<sup>8</sup> See [www.epsnepal.gov.np](http://www.epsnepal.gov.np).

<sup>9</sup> The Offices of Protector of Emigrants are located in the Pakistani cities Karachi, Lahore, Rawalpindi, Peshawar, Quetta, Batkhela and Multan.

- registration of migrants;
- appointment and supervision of Community Welfare ;
- training, orientation and counseling for awareness of migrant workers;
- application for and licensing of recruitment agencies;
- appointment of sub-agents by recruiting agents;
- recruiting agent's code of conduct;
- imposing a penalty for contravention of rules.

Pakistan also established a welfare fund and authorized the creation of a corps of community welfare attachés in countries with large numbers of Pakistani workers. All migrants must contribute to the welfare fund, which is managed by the Overseas Pakistanis Foundation. Since 1979, the fund has financed the development of migrant housing projects in seven cities, disaster relief activities and the provision of health care to schools and colleges in all provinces; it also provides funds to assist migrants returning with a disability. Community Welfare Attachés are posted in 16 countries, including, among others, Bahrain, Kuwait, Libya, Malaysia, Oman, Qatar, the Republic of Korea, Saudi Arabia, United Arab Emirates, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.

---

## Sri Lanka

Sri Lanka established the Ministry of Foreign Employment Promotion and Welfare in 2007, abolished it for approximately six months in 2010, and then re-established it in November 2010. Wickramasekara (2011, p. 231) notes that the Government of Sri Lanka as well as a number of other Governments of South Asian countries emphasize a desire for “safe and orderly migration”, that is, the absence of smuggling and trafficking and migration under government-set rules.

In 2008, the Government of Sri Lanka developed a migration policy with three major elements: better governance and regulation of migration; more effective protection of migrant workers; and enhanced development impacts of migration and remittances in Sri Lanka. Tripartite steering groups,<sup>10</sup> chaired by the Ministry of Foreign Employment Promotion and Welfare, developed recommendations in changes in governance, protection, and development policies, which were incorporated into the National Labour Migration Policy for Sri Lanka<sup>11</sup> and accepted by the Government in April 2009.<sup>12</sup>

The National Policy calls for migration to be mainstreamed into the country's development policy, encouraging more skilled workers to migrate to new

<sup>10</sup> Tripartite steering groups consist of government officials and representatives from workers' associations, such as trade unions and employers.

<sup>11</sup> See [www.ilo.org/public/english/region/asro/colombo/downloads/pdf/migrationpolicyenglish.pdf](http://www.ilo.org/public/english/region/asro/colombo/downloads/pdf/migrationpolicyenglish.pdf).

<sup>12</sup> The governance part of the National Policy outlines the institutional structure to manage labour migration and the legislative and regulatory framework. The protection part covers pre-departure, employment abroad, and return and re-integration. The development section outlines ways in which remittances and the return of skills can accelerate development.



One common feature of labour migration from South and South-West Asia is the large role played by private agencies in the recruitment process. While these agencies have facilitated labour migration, experience has shown that it has not been easy to regulate their activities, particularly with regard to the fees that they charge for their services.

destinations and providing better English-language training, and envisions improved training institutions that issue certificates for skills recognized in foreign labour markets. It also requests for a revised code of conduct for recruitment agencies and a model employment contract for migrant workers be drafted.

Many Sri Lankan women going abroad to work are from rural areas and their migration experience, which usually involves working as a domestic helper, is often their first wage work. The Government of Sri Lanka aims to reduce the share of female domestic workers among Sri Lankan migrants from 50 to 25 per cent and to better protect Sri Lankan workers abroad. Departing migrants receive booklets in Sinhalese or Tamil with information on the destination countries and labour attaché or welfare officer contact information. All migrant workers are required to complete a pre-departure orientation of 12 days before heading to most of the GCC countries and 30 days for Singapore. Since 2009, departing female domestic workers must also participate in an 18-day pre-departure English and literacy programme.

---

## Recruitment of labour migrants

One common feature of labour migration from South and South-West Asia is the large role played by private agencies in the recruitment process. While these agencies have facilitated labour migration, experience has shown that it has not been easy to regulate their activities, particularly with regard to the fees that they charge for their services. In order to reduce the cost of recruitment, governments are constantly looking for more effective policy tools to influence their behaviour. The level of government regulation of private recruitment agencies varies by country of origin and destination. For example, the Republic of Korea has entered into bilateral agreements for government-to-government recruitment, excluding private intermediaries completely.

---

## Bangladesh

According to government data, about 60 per cent of Bangladeshi migrants leave on their own accord, 39 per cent leave with the help of private recruitment agencies, and 1 per cent leave by way of Bangladesh Overseas Employment and Services (BOESL) and other channels.<sup>13</sup> However, most of the 60 per cent who leave “on their own” in fact depart with the help of private recruiting agents who are said to coach migrants to claim they are leaving on their own (Martin 2009).

There were 801 licensed recruiters by BAIRA in June 2009 (831 in summer 2010), but only 100 were reportedly active in deploying migrants.<sup>14</sup> Most recruiters receive two-year licences after submitting a police report attesting to their crime-free record and recommendations from two members of BAIRA, and pay a 100,000 taka (\$1,400) license fee and post a 1.5 million taka (\$21,500) bond with the BMET (Ray and others 2007).

<sup>13</sup> See [www.bmet.org.bd](http://www.bmet.org.bd).

<sup>14</sup> The non-active BAIRA member recruiters reportedly assist Bangladeshis who have received foreign job offers through friends and relatives abroad, or who are returning to foreign employers, to complete required paper work in Bangladesh. These migrants are classified as going “on-their-own” in Bangladeshi migration data.

Some NGOs and migrant advocates contend that most recruiters do not provide any real service and that they are merely Dhaka-based intermediary businesses that depend on foreign recruiters to provide job offers and layers of sub-agents known as Dalals to find migrants to fill them. Critics also point out that many recruitment agencies are located in Gulshan, one of the most expensive parts of Dhaka, and that some licensed recruiters just sell, rent, or trade their recruiting licenses to others. On the other hand, BAIRA recruiters defend their business, saying it is vital to Bangladeshis seeking upward mobility, and is beneficial to the Bangladeshi economy.

Recruiters point to the relatively few complaints, less than 400 in 2008, to conclude that most migrants are satisfied. Critics assert that the nature of recruitment makes it hard for complaining migrants to win compensation, discouraging them from filing complaints. For example, Afsar (2009) reported that several migrants who were interviewed alleged that sub-agents and recruiters cheated them, but since they lacked receipts for the funds they said they paid, they were unable to be compensated. The Bangladesh 2005 Poverty Reduction Strategy Paper asserts, “The recruitment industry will be regulated more effectively. The renewal of licenses of private recruiters can be made contingent on their performance,” (Bangladesh Planning Commission 2005, p.80).

BAIRA recruiters say their effectiveness is diminished by roadblocks to conducting business with countries of employment. For example, some have reportedly complained about the difficulty in obtaining visas to visit GCC countries, which restricts their ability to get information about potential employers and their recruitment partners in the host countries.

A report from Ray and others (2007) blame Bangladeshi government regulations for some recruitment problems. For example, it recommended that the Bangladeshi government allow recruiters to deal legally in foreign currency, which could reduce bank-related migration fees. In the Philippines, recruiting licences cannot be sold or lent, and recruiters who do not deploy at least 100 migrants a year can lose their licences. The most common reform proposals involve substituting technology for recruiters, that is, use computers to record foreign job offers and to register potential migrants, and make recruitment fees a share of expected foreign earnings instead of a fixed amount.

Several foreign governments have halted the recruitment of Bangladeshi migrants temporarily because of recruitment issues, such as forged skills certificates and high pre-departure debts that encourage migrants to take second jobs or stay abroad (Martin 2009). Without long-term relationships between Bangladeshi recruiters and particular foreign employers or recruiters, some may have an incentive to send unqualified or indebted Bangladeshis abroad. For example, a low-skilled Bangladeshi may offer to pay more for a work visa for a plumbing work contract promising \$250 a month than for a visa for a labourer contract paying \$175 a month. A Bangladeshi trained as a plumber may not accept the \$250 wage, but the low-skilled worker who pays more gets the visa and goes abroad as a plumber. This is likely to leave the foreign employer dissatisfied because the worker he gets does not have plumbing skills.

The Bangladeshi recruitment system leaves many low-skilled migrants in debt as they depart (Martin 2009). Pre-departure migration costs are often twice the



official maximum charge, which was 84,000 taka (\$1,220) in 2009,<sup>15</sup> and the men who predominate among Bangladeshi migrants pay higher recruitment costs than migrant women.<sup>16</sup> Many borrow some or all of this money from private moneylenders, sometimes at interest rates of 10 per cent a month. Under such conditions a \$2,000 debt can double in a year.<sup>17</sup>

BOESL is a government agency created in 1984 to provide migrants with a low-cost recruitment option. In 2009, BOESL had 38 employees and a budget of 20 million taka<sup>18</sup> (\$270,000) to publicize the availability of Bangladeshi workers in foreign countries through its own offices and in collaboration with local partners.

BOESL handles only about one per cent of Bangladeshis leaving for foreign jobs; most of the migrants it sends abroad are sent to the Republic of Korea. The Agency specializes in providing skilled and professional migrants for large civil engineering projects abroad, screening Bangladeshis interested in these foreign jobs, inviting foreign employers to Bangladesh to interview potential employees and helping Bangladeshis selected to fill foreign jobs to obtain the necessary documents and certificates. In most cases, foreign employers cover the pre-departure costs of BOESL-deployed workers, although migrants going to the Republic of Korea, most of whom are relatively low-skilled, must pay for Korean language training in order to have their names placed on the BOESL list from which employers from the Republic of Korea select migrants.

Between 1999 and 2006, when private recruiters sent Bangladeshi workers to the Republic of Korea, the maximum recruitment fee was 210,000 taka (\$2,800). Under the Republic of Korea-Bangladesh labour migration MOU signed in 2006, only BOESL can recruit migrants to fill jobs under the Employment Permit System (EPS).

---

## Bhutan

Bhutan employers must recruit foreign workers through licensed recruitment agencies and provide migrants and local workers with personal accident insurance and additional coverage for work-related disabilities and death. A copy of the insurance certificate must be given to the Ministry of Labour and Human Resources. Recruitment agencies may charge employers (not the foreign workers) up to 20 per cent of the monthly wage of the foreign worker, and are jointly liable with the employer for claims arising from the contract, including payment of wages, death and disability compensation and the expense of returning to home country.<sup>19</sup>

<sup>15</sup> The 84,000 taka (\$1,100) government-set maximum recruiting charge, effective in 2006, applies to migrants going to GCC countries and Malaysia. It was raised in stages from 8,000 taka (\$105) in 1992 to 30,000 taka (\$400), 50,000 taka (\$660), 70,000 taka (\$925), and 80,000 taka (\$1,060). The maximum recruitment fee to send workers to Italy was set at 230,000 taka (\$3,040) in 2002. Recruiters have generally charged migrants at least twice the official maximum recruitment charge (Islam 2009).

<sup>16</sup> Karim-Rajput (2010) estimated the average cost of migration at 106,000 taka (\$1415) for Bangladeshi women and 141,000 taka (\$1880) for Bangladeshi men in 2010.

<sup>17</sup> Rural moneylenders charge very high interest rates, often 60 to 100 per cent. Migrants with few assets sometimes find a local guarantor to co-sign the loan; the guarantor often receives 10 per cent of the value of the loan for each year that a guarantee is provided.

<sup>18</sup> Six million taka, 30 per cent of the budget, represents BOESL salary costs.

<sup>19</sup> See [www.molhr.gov.bt/publication/BHUREA\\_Aug08.pdf](http://www.molhr.gov.bt/publication/BHUREA_Aug08.pdf).

Employer sanctions for hiring unauthorized workers are stiff, including imprisonment of three to five years and a monetary penalty of 108,000 to 180,000 Bhutan Ngultrum (Nu.) (\$2320 to \$3866). If an employer is found to have employed a foreign worker beyond the validity of the work permit, the employer will be liable for a penalty of Nu.3,000 (\$64) plus a progressive fine of Nu.100 (\$2.15) per day per worker from the date the work permit expired (Bhutan MoLHR 2008).

---

## India

Indians with ECR passports use four major channels to migrate abroad to work, namely individuals can arrange foreign jobs through friends and relatives, foreign employers may recruit Indians in India, India-based firms with foreign projects can send their employees abroad and Indian recruiters can match Indians with foreign jobs. Many sub-agents also operate between migrants and recruiters, both in India and abroad. They are not regulated, and their qualifications and fees vary widely.

The 1983 Emigration Act (amended in 2009) regulates India-based recruiters by requiring them to obtain licences normally valid for three years. It also calls for the creation of three levels of bonds that recruiters must post based on the number of migrants they send abroad.<sup>20</sup> Registered recruitment agencies that send fewer than 300 workers abroad a year must post a bond of 300,000 rupees (\$6,400), those that send 301 to 1,000 migrants a year must post a 500,000 rupee (\$10,700) bond, and those that send more than 1,000 migrants must post a one million rupee bond. Amendments to the 1983 Emigration Act in 2009 require recruitment agencies to post a 2.5 million rupee (\$54,000) bond good for 10 years, which serves as a guarantee against any future claims of workers for unpaid wages.

Maximum recruitment fees that registered recruitment agencies can charge migrants were 2,000 rupees (\$43) for low-skilled workers in 2008, 3,000 rupees (\$64) for semi-skilled workers and 5,000 rupees (\$107) for skilled workers; amendments to the 1983 Emigration Act in 2009 substituted a maximum recruitment charge of 25,000 rupees (\$537) or 45 days foreign wages, whichever is less. Media reports suggest that many Indian migrants pay far more. For example, an Indian gardener in Dubai reported paying \$2,745 in 2008 to get a three-year contract offering \$136 a month for a 48-hour week, suggesting that over half of his basic earnings would go to repay recruitment fees (Migration News 2009).

In 2005, a total of 4,300 recruitment agencies had obtained registration certificates but only 1,835 were operating (Rajan 2008). Recruiters pay service fees to POE that reflect the skill of the workers they send abroad. For instance, they pay 2,000 rupees (\$47) to have the POE check the contract of low-skilled worker; 3,000 rupees (\$64) for semi-skilled workers; and 5,000 rupees (\$107) for skilled workers. In 2008, the Government of India began requiring foreign employers who do not use authorized recruitment agents to post a \$2,500 bond for each Indian migrant they recruit, with the bond returned to the employer when the migrant returns to India. This is meant to provide some guarantee against failure of the foreign employer to live up to their end of the contract, but it also encourages foreign employers to use registered recruitment agencies.

<sup>20</sup> See <http://poeonline.gov.in>.



About two-thirds of Indian migrant workers leave from South India (20 per cent each from the states of Kerala and Tamil Nadu). A survey of Kerala migrants found that 80 per cent of them learned of foreign jobs from friends and relatives (Rajan and others 2008). Zachariah and Rajan (2010) found that the average cost of migration was 57,000 Indian rupees (INR) (\$1,223), including \$735 for the foreign work visa and \$300 for air travel to the foreign destination.<sup>21</sup> No migrants reported receiving bank or government assistance to cover recruitment costs. It also found that migrants who used recruitment agents had higher recruitment costs than migrants who used friends and relatives to go abroad. Commissions on fees charged to migrants appeared common and in some cases, recruiters collected a payment from approved medical centres for each migrant they refer for the mandatory health check.

About 60 per cent of the jobs in Western Asia held by Indian migrants in a survey paid \$200 a month, making recruitment costs equivalent to 6 to 10 months' earnings (Rajan and others 2008). Some Indian migrants reported much lower wages, often \$100 a month, while 10 per cent earned \$500 or more a month in GCC countries. Once they reach these countries, some Indian migrants say they are presented with new contracts offering lower wages, are assigned more tasks than expected, or do not receive promised benefits, such as time off and a return airfare. Indian recruiters say that the source of many of these problems lie in the GCC countries, blaming the need to buy work permits from GCC-based agents. They also allege that GCC-based recruiters keep transportation and other fees paid by employers, requiring them to charge migrants for costs for which the employer has already paid (Rajan and others 2008).

A number of activists would like the government to eliminate emigration-check-required passports, make it illegal for Indian recruiters to charge fees to Indian migrants and to negotiate minimum wages for Indian migrants abroad. There are efforts to transmit electronically the key provisions of contracts signed in India to the United Arab Emirates Department of Labor, which should help to resolve controversy over allegations of broken promises once migrants get to the United Arab Emirates.

---

## Nepal

In fiscal year 2009, about 80 per cent of the 294,000 Nepalese who migrated abroad left the country with the help of recruiters while the rest were presumably directly hired by foreign employers. This 80/20 recruiter/individual contract ratio continued in the first month of the fiscal year 2010.<sup>22</sup>

The Nepal Association of Foreign Employment Agencies (NAFEA) has contended that many Nepalese going to GCC countries ostensibly on direct hire by employers actually head to Iraq, and has consequently asked the government to halt individual contract migration to GCC countries.

<sup>21</sup> Passports cost 1,170 rupees (\$25) and emigration clearance 1,425 rupees (\$30).

<sup>22</sup> Nepal News, August 23, 2010. [www.nepalnews.com/main/index.php/business-a-economy/8583-outflow-of-nepali-migrant-workers-declines.html](http://www.nepalnews.com/main/index.php/business-a-economy/8583-outflow-of-nepali-migrant-workers-declines.html).

Nepal has a long tradition of migration abroad. However, there is a sharp contrast between the informal and low-cost migration of Nepalese to India<sup>23</sup> and the much more formal and expensive migration of Nepalese to non-Indian destinations with the help of recruiters. Reports of abuse of Nepalese migrants abroad tend to blame Nepalese recruiters and recommend stricter regulation of recruiters rather than consider alternatives such as deregulation to reduce recruitment costs. An increasing number of Nepalese women appear to be going to GCC countries and Lebanon to work as domestic helpers, leaving from Indian airports with individual contracts.

The 650 members of NAFEA acknowledge problems in the recruitment system.<sup>24</sup> Licensed recruiters are required to post a bond of 3 million Nepalese Rupees (NPR) (\$40,000) and the Government establishes the maximum fee they can charge migrants. NAFEA says that potential migrants must spend NPR 10,000 (\$134) to obtain a passport and make contact with recruiters and NPR 50,000 to 125,000 (\$670 to \$1,675) to obtain a foreign job, but the government-set maximum recruitment fee for migrants headed to GCC countries is NPR 70,000 (\$938). Many migrants borrow money to pay recruitment fees, often at high interest rates. Also of note, migrants are required to participate in an orientation session about their foreign job before departure.

---

## Pakistan

About half of Pakistani migrants find employment abroad through one of the private Overseas Employment Promoters, which numbered some 1,122 in 2007; most of the remaining migrants go directly or with the help of friends and relatives abroad. The Overseas Employment Promoters are licensed by the Ministry of Labour, Manpower and Overseas Pakistanis to recruit workers for up to three years abroad (renewable). Notably, Arif (2009) found that only 3 per cent of all those recruited to go overseas between 1971 and 2007 used the services of a state corporation established to undertake recruitment, the Overseas Employment Corporation. It also determined that this share has declined to only 1 per cent in recent years.

Under current regulations migrant workers recruited by overseas employment promoters (OEPs) should not incur expenses more than 7,150 Pakistani Rupees (PKR) (\$82), based on a maximum service charge of PKR 4,450 (\$51), a membership contribution of PKR 1,050 (\$12) to join the Welfare Fund, insurance premium of PKR 650 (\$7.40), registration fee of PKR 100 (\$1.14), and for national identity card that costs Rs 900 (\$10).<sup>25</sup> Those hired directly do not pay a service charge. Each worker recruited through an OEP deposits PKR 4,450 (\$51) with the Bureau of Emigration and Overseas Employment; three days after a migrant's departure, OEP may request a return of the deposit. However, studies indicate that migrant workers pay much more, with the average being PKR 80,000 (\$915) (Arif 2009).

<sup>23</sup> This type of migration is facilitated by the Indo-Nepal Treaty of Peace and Friendship of 1950, which allows Nepalese citizen to legally cross the border and take up work in India.

<sup>24</sup> See <http://nafea.org.np/>.

<sup>25</sup> All workers must take out insurance with the State Life Insurance Company.

---

## Sri Lanka

About 75 per cent of Sri Lankan migrants go abroad with the help of licensed recruiters. The country had 746 licensed recruiters in 2009, up from 626 in 2008, according to the government's database of licensed recruiters.<sup>26</sup> All recruiters must be licensed by the Sri Lanka Bureau of Foreign Employment (SLBFE) and, until 2009, were required to belong to the Association of Licensed Employment Agencies (ALFEA); since 2009, membership in the ALFEA is voluntary, and membership has dropped from 650 to 350. Licensed agents must post a cash bond with the SLBFE and provide a bank guarantee of 750,000 Sri Lankan rupees (LKR) (\$6,815) that the SLBFE can tap if there is a valid worker complaint against the recruiter.

The Government of Sri Lanka has extensive oversight on foreign jobs and the recruitment process. Foreign employers must have their job offers approved by the mission of Sri Lanka in that country, with the job offer-contract logged into the SLBFE database before recruiters in destination countries contact Sri Lankan-based recruiters to lawfully seek Sri Lankan workers to fill the jobs.<sup>27</sup> Sri Lankan recruiters may place ads in newspapers to attract migrants, or use sub-agents to find workers in rural areas.

Once a Sri Lankan worker is selected by a foreign employer or recruiter, Sri Lanka-based recruiters normally help Sri Lankan workers to obtain passports and visas, arrange for medical exams, and schedule a pre-departure training course for first-time migrants required by SLBFE. The final steps in the process involve the recruiter usually taking the worker's passport, the approved foreign job offer and the worker's training or experience certificate to SLBFE, where the data are entered into a database that enables the mission of Sri Lanka in the country to check and ensure that there are not several workers being recruited to fill one job.

Village-based sub-agents often match Sri Lankan migrants with licensed recruiters. Sub-agents can charge high fees and make (verbal) promises that are not met, as when they charge domestic helpers \$200 to \$300 to guide them to a licensed recruiter. When migrants complain about fees or unmet promises, they have no proof that the licensed recruiter collected such fees or made these promises, making it difficult to resolve complaints. Between 1994 and 2006, SLBFE received 101,000 complaints from migrants and settled 74,000 of them, paying \$660,000 (Del Rosario 2008).

In 2011, SLBFE began to require that sub-agents, classified as business promotion officers, register with the Bureau and notably that registered business promotion officers are prohibited from collecting fees from migrants. Furthermore, the Bureau requires licensed recruiters to include recruitment fees in their advertisements, and to get approval from it before running advertisements seeking Sri Lankan workers to fill foreign job offers. This effectively allows SLBFE to regulate advertised recruitment fees.

The Sri Lankan Foreign Employment Agency (SLFEA) is a self-supporting government agency established in 1996 to place Sri Lankan workers in foreign jobs.

<sup>26</sup> The largest recruiter in 2009 was Lord Manpower, which sent 10,600 migrants abroad, followed by Nafa Travels, 5,400 migrants, and Gulf Line, 3,100 migrants.

<sup>27</sup> The SLBFE plans to launch a web based recruitment system in 2011 that will allow foreign employers and recruiters to view the qualifications of Sri Lankan workers registered with SLBFE.

According to information provided by SLFEA directly to the author, the Agency has placed about 1,000 workers a year in foreign jobs, charging foreign employers and Sri Lankan workers fees to support itself. Another alternative to private recruiters involves the International Organization for Migration (IOM), which recruited 500 Sri Lankan workers for a Brazilian company constructing an international airport in Tripoli, Libya. Many of the Sri Lankan migrants, who were to earn at least LKR 58,000 (\$527) a month in Libya, were forced to return in spring 2011 due to internal conflict.

Most recruiters and SLFEA post the job orders they receive from foreign employers at SLBFE and transmit them to “independent” sub-agents in the villages from which most migrants originate (SLBFE 2010). However, SLBFE job order data on the number of foreign jobs available tend to get inflated. For example, if an order for 100 clerks is sent to four recruiters, each of whom post it at SLBFE, 400 foreign jobs for clerks would be posted, not 100. If only 80 of them are filled, some reports will claim that there are “shortages” of qualified Sri Lankan workers because of apparent difficulty in finding qualified workers to fill foreign jobs.<sup>28, 29</sup>

---

## Turkey

Organized Turkish labour migration to Western European countries began with the agreement between Turkey and Germany in 1961 that allowed German employers to recruit Turkish guest workers; Turkey subsequently signed labour-recruitment agreements with Austria, Belgium, France, the Netherlands and Sweden. Governments of European countries that host labour migrants and the Government of Turkey made assumptions about how this labour migration would evolve that were not fulfilled. The Governments of Germany and other host countries assumed that Turkish and other guest workers would rotate in and out of their labour markets, and Turkey assumed that remittances and the return of workers with newly acquired skills would speed up economic and job growth. These assumptions underpinned the Ankara Association Agreement of 1963 and the Additional Protocol of 1973 that promised Turkey a steady reciprocal lowering of tariff and migration barriers.

These bilateral labour agreements regulated the procedures for recruiting migrants, which was only through government agencies on both sides. For example, the agreement between Turkey and Germany required potential migrants to register at the Turkish Employment Services in Turkey. Officials of German Employment Services and either employers from Germany or their representatives in Turkey had the final decision on the selection of migrant workers (Sari 2003).

<sup>28</sup> The author obtained the information while on an advisory mission.

<sup>29</sup> For example, fewer than 10 per cent of the 6,900 job orders for professionals, such as accountants and engineers, were filled in 2008, as were less than 10 per cent of the 11,300 job offers for mid-level managers and nurses. About 19 per cent of the 445,000 job orders for domestic workers were filled in 2008. Foreign employers may specify Christian or Muslim domestic workers, and a quarter of the jobs for Christian domestic workers were filled, but only three per cent of those for Muslims.

---

## Bilateral Cooperation

The countries discussed in this report have had to rely first on national or unilateral measures when confronted with the challenges of managing migration. Most of the issues raised, from labour shortages in host countries to flawed recruitment procedures in countries of origin and destination, have been dealt with unilaterally, sometimes with the help of international organizations and NGOs. Several of the countries under study have developed national policies to improve the management of labour migration with the help of international organizations, such as the International Labour Organization (ILO) or IOM, and NGOs within the country successfully lobbied for changes in these policies. However, it is evident that since sovereignty does not extend across national borders the effective management of migration cannot depend on unilateral measures alone. The cooperation of host countries is essential to effectiveness, from combating fraud in recruitment to enforcing employment contracts.

While most Asian countries of origin have sought to enter into formal bilateral treaties with host governments, most agreements are memoranda of understanding (MOU) that do not require legislative action in the contracting countries to become effective. MOUs regarding migration are negotiated at the ministry level, usually by labour ministries, and specify who is responsible for implementation. They vary significantly in content, with the general MOUs expressing intention that labour migration will be mutually beneficial to MOUs that specify the obligations of each party. A MOU between India and Qatar, for example, specifies that employers should pay for the transport of the workers from the country of origin and their return (provided they fulfil their contract). It also includes the procedure to be followed for certifying work visas, the adoption and use of model employment contracts and the procedure for their registration, and the establishment of joint committees to oversee the operation of the agreement.

The agreements between the Republic of Korea and 15 Asian countries of origin, including, among others, Bangladesh, Nepal and Sri Lanka, are perhaps the best example of detailed MOUs, laying out a government-to-government recruitment system that guarantees the rights of migrant workers. Ministries of labour in countries of origin test and select workers, and their names are sent to the Human Resource Development Agency of Korea. ILO has been involved in promoting consultations and better coordination of policies and procedures. Bilateral cooperation among trade unions (as for example Nepal-Malaysia) can also make on-site assistance available to migrant workers, a complementary approach promoted by ILO.

---

## Recommendations

This chapter examined labour migration trends and patterns, management structures, conditions of employment abroad, and migration challenges and opportunities for 10 Asian countries. Four of these countries, Bhutan, the Islamic Republic of Iran, Maldives, and Turkey experience net in-migration or minimal levels of net out-migration. The other six, Afghanistan, Bangladesh, India, Nepal, Pakistan, and Sri Lanka, have clear net out-migration.

Host countries face a variety of issues, such as lack of skilled labour in Bhutan and the Maldives. Overseas migrants from the countries with net out-migration are mostly low-skilled men, but there is a significant variation, from entire families



often leaving Afghanistan to the wide range of skills among migrants leaving India. Sri Lanka sends the highest share of women abroad, mostly to be domestic workers in GCC countries.

Labour migration can be mutually beneficial for employers and migrants as well as for most residents of countries of origin and countries of destination. Achieving mutual benefits requires well-managed migration that protects the rights of migrants by providing them with complete and accurate information about foreign jobs, regulates and reduces recruitment costs and minimizes irregular migration, ensures that migrants are treated equally while abroad and helps the return and reintegration of migrants.

The challenge most amenable to unilateral, bilateral, and multilateral cooperation in the near term may be reducing recruitment costs, which may be more than 25 per cent of what a migrant with a three-year, \$200 a month contract can expect to earn. Cutting \$2,000 recruitment costs in half could be far more beneficial to migrants than cutting remittance costs in half. A South Asian migrant earning \$200 a month abroad earns \$7,500 over three years. If remittances are two-thirds of earnings or \$5,000, reducing remittance costs from 10 per cent to five per cent saves the migrant \$250, as remittance fees drop from \$500 to \$250. However, cutting recruitment cost in half saves the migrant \$1,000 and more if interest on loans—that are often taken—is considered.

The options to reduce recruitment costs include, among other things, educating migrants, regulating recruiters, promoting competition and ethical recruiter behavior and establishing government recruiting agencies. However, education, regulation and competition have so far not significantly reduced recruitment costs, especially in Asia, which has some of the fast-growing labour migration flows. Despite the benefits of migration to host countries, only a few of them provide significant resources to educate migrants, regulate recruitment effectively, and improve coordination between government agencies concerned with labour migration.

There are many reasons why it is easier to reduce remittance costs than recruitment costs. First, remittance transfers occur more often than recruitment transactions, making it easier to educate migrants. Second, remittance transactions are far more standardized than job-worker matches, which make them more transparent to participating migrants as well as to NGOs and enforcement staff. Third, remittances normally leave a paper trail, from an employer paying for work that was done to a migrant transferring some of his or her earnings to family and friends at home.

Remittance costs are on a declining trajectory because of migrant education, revised banking rules and competition, and technology such as mobile phones. On the other hand, recruitment costs are not on a similar declining trajectory for many reasons. Recruiters in some countries are well-connected politically, making it hard to prosecute them for violating recruitment regulations; in many cases, charges are dropped by workers after the recruiter provides a contract or makes a payment. In some cases, payments for recruitment are hard to discern because they are made early in the process or reflect what recruiters in one country pay to obtain job offers in another. In some countries, governments set unrealistically low maximum recruitment charges and tolerate overcharges.

Strategies to reduce recruitment costs starts with establishing realistic regulations and efficient government agencies to implement them. It should be possible to use technology to link government databases and reduce the need for paper documentation from job-seekers, such as police clearances, birth certificates, skills certifications, previous employment records and social security memberships. The continued reliance on paper documents provides opportunities for forgers and a market for facilitators and intermediaries.

Many governments have set maximum recruitment fees that are often violated with the full knowledge of regulators. Higher-than-maximum recruitment fees arise from the many layers of intermediation involved in foreign employment, including foreign recruiters or sponsors and secondary or tertiary agents at home who recruit workers as well as high profit margins. Cooperation among host governments is necessary to curb the practice of selling visas, but the practices of the local recruitment industry can be influenced by governments of countries with net out-migration by making information about foreign jobs available through mass media.

The cost of excessively high recruitment transactions can be much higher than their monetary value. When abusive recruitment practices are discovered, there are several reactions, including halting the recruitment of workers from particular countries or stopping the deployment of particular types of workers. Recruitment bans negatively affect the availability of needed workers, migrants' expected earnings, and the recruitment industry. A recruitment ban is, however, likely to improve the working conditions of those already employed.

Government checks of job offers and migrant contracts are also helpful but provide no panacea. Such checks have costs that must be paid by migrants or from general tax revenues. Government staff in embassies abroad dealing with large volumes of both job offers and migrant departures, cannot identify all problematic offers and contracts.

---

## References

- Afsar, R. (2009). "Unraveling the vicious cycle of recruitment: labour migration from Bangladesh to the Gulf States". ILO Working Paper 63, accessed from [www.ilo.org/declaration/whatsnew/lang--en/docName--WCMS\\_106536/index.htm](http://www.ilo.org/declaration/whatsnew/lang--en/docName--WCMS_106536/index.htm) on 22 August 2011.
- Arif, G. M. (2009). "Recruitment of Pakistani workers for overseas employment: Mechanisms, exploitation and vulnerabilities". Working paper of Pakistan Institute of Development Economics. Accessed from [www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---declaration/documents/publication/wcm\\_041928.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcm_041928.pdf) on 22 August 2011.
- Arif, G. M., and F. Shujaat (forthcoming). *Migration Management within South Asia (Afghanistan, Iran and Pakistan)* (Islamabad, Pakistan Institute of Development Economics).
- Bangladesh Planning Commission (2005). *Bangladesh unlocking the potential: National strategy for accelerated poverty reduction*. Poverty Reduction Strategy Paper, IMF Country Report N°. 05/410. Accessed from [www.imf.org/external/pubs/ft/scr/2005/cr05410.pdf](http://www.imf.org/external/pubs/ft/scr/2005/cr05410.pdf) on 22 August 2011.
- Bhutan Ministry of Labour and Human Resources (2008). *Handbook on Recruitment and Employment of Foreign Workers in Bhutan* (Bhutan, MoHLR).
- Daily Bangladesh News (2006). "Manpower market shrunk for policy failures", 5 November. Accessed from [www.bangladeshnews.com.bd/2006/11/05/manpower-market-shrunk-for-policy-failure](http://www.bangladeshnews.com.bd/2006/11/05/manpower-market-shrunk-for-policy-failure) on 22 March 2012.
- Del Rosario, T. (2008). *Best Practices in Social Insurance for Migrant Workers: The Case of Sri Lanka* (Bangkok, ILO Asian Regional Program on Governance of International Labor Migration).
- International Labour Organization (no date). *Decent work country programme for Nepal 2009-2010*. Accessed from [www.ilo.org/public/english/bureau/program/dwcp/download/nepal.pdf](http://www.ilo.org/public/english/bureau/program/dwcp/download/nepal.pdf) on 11 August 2011.
- Islam, N. (2009). "Skill enhancement for potential migrant and pre departure orientation". PowerPoint presentation, Bureau of Manpower, Employment and Training (BMET), Dhaka, April.
- Karim Rajput, A. (2010). *Towards a comprehensive recruitment monitoring policy in Bangladesh* (Geneva, IOM).
- Koepke, B., (2011). "The situation in the Islamic Republic of Iran nine years after the overthrow of the Taliban regime in Afghanistan". Refugee Cooperation, Middle East Institute, accessed from [www.refugeecooperation.org/publications/Afghanistan/03\\_koepke.php](http://www.refugeecooperation.org/publications/Afghanistan/03_koepke.php) on 22 March 2012.
- Margesson, R. (2007). "Afghan refugees: Current status and future prospects". Congressional Research Service Report for Congress. Accessed from [www.fas.org/sgp/crs/row/RL33851.pdf](http://www.fas.org/sgp/crs/row/RL33851.pdf) on 22 August 2011.
- Martin, P. (2009). "Reducing the cost burden for migrant workers: a market-based approach". Paper prepared for discussion at the GFMD, Athens, November.
- Migration News (2009). "UAE, Jordan", accessed from [http://migration.ucdavis.edu/mn/more.php?id=3515\\_0\\_5\\_0](http://migration.ucdavis.edu/mn/more.php?id=3515_0_5_0) on 22 March 2012.
- Nepal News (2010). "Outflow of Nepali workers declines", 23 August, accessed from [www.nepalnews.com/main/index.php/business-a-economy/8583-outflow-of-nepali-migrant-workers-declines.html](http://www.nepalnews.com/main/index.php/business-a-economy/8583-outflow-of-nepali-migrant-workers-declines.html) on 10 November 2010.
- Rajan, S., V. Varghese, and M. Jayakumar (2008). *Overseas recruitment practices in India*. Centre For Development Studies. Accessed from [www.ilo.org/public/english/region/asra/bangkok/events/overseas/download/paper4.ppt#298,20,Required Policy Changes](http://www.ilo.org/public/english/region/asra/bangkok/events/overseas/download/paper4.ppt#298,20,Required%20Policy%20Changes) on August 22 2011.
- Ray, S., A. Sinha and S. Chaudhuri (2007). *Making Bangladesh a leading manpower exporter: Chasing a dream of US\$30 billion annual migrant remittances by 2015*. Indian Institute of Management Calcutta, accessed from [www.ambdhaka.um.dk/NR/rdonlyres/386D0B20-E217-43B7-81D5-6FD4E522FA3C/0/IIMREPORTFINAL.pdf](http://www.ambdhaka.um.dk/NR/rdonlyres/386D0B20-E217-43B7-81D5-6FD4E522FA3C/0/IIMREPORTFINAL.pdf) on 22 August 2011.
- Siddiqui, T. (2009). "International labour migration and Remittance Management in Bangladesh", Occasional Paper 19 (Dhaka, RMMRU).
- Sri Lanka Bureau of Foreign of Foreign Employment (SLBFE) (2010). *Annual Statistical Report of Foreign Employment: 2009*. Accessed from [www.slbfe.lk/article.php?article=68](http://www.slbfe.lk/article.php?article=68) on 22 August 2011.
- United Nations High Commissioner for Refugees (UNHCR) (2009). *Study on cross border population movements between Afghanistan and Pakistan*. Accessed from [www.unhcr.org/4ad448670.pdf](http://www.unhcr.org/4ad448670.pdf) on 22 March 2012.
- Wickramasekera, P. (2011). "South Asia. Issues on migration and development", *Migration, Remittances and Development in South Asia*, Institute of Policy Studies of Sri Lanka (New Delhi, Sage Publications).
- Zachariah, K. C., and S. Irudaya Rajan (2010). *Migration Monitoring Study, 2008: Emigration and Remittances in the Context of Surge in Oil Prices* (Kerala, Centre for Development Studies).

# Remittances: implications for development<sup>1</sup>

Remittances are the most measurable outcome of international migration. South and South-West Asia is one of the world's largest subregions in terms of population and from a global perspective, it ranks number one among subregions in terms of remittance receipts and dependence on remittances. Of the total remittances transferred to the Asia-Pacific region in 2010, some 40 per cent were sent to destinations in the subregion. Remittances have notably taken a greater role in the development agenda during the past decade in line with a large increase in receipts. The Monterrey Consensus of the International Conference on Financing for Development, held in 2002, recognized remittances as a tool for Financing for Development in the Monterrey Consensus,<sup>2</sup> while the Doha Declaration on Financing for Development stated that remittances have become “significant private financial resources for households in countries of origin of migration”.<sup>3</sup>

<sup>1</sup> Vanessa Steinmayer, Social Affairs Officer, Economic and Social Commission for Asia and the Pacific (ESCAP)

<sup>2</sup> See [www.un.org/esa/ffd/monterrey/MonterreyConsensus.pdf](http://www.un.org/esa/ffd/monterrey/MonterreyConsensus.pdf).

<sup>3</sup> Doha Declaration on Financing for Development, Paragraph 29. Available from [www.un.org/esa/ffd/doha/documents/Doha\\_Declaration\\_FFD.pdf](http://www.un.org/esa/ffd/doha/documents/Doha_Declaration_FFD.pdf).

Many economies in South and South-West Asia rely on remittances as an important source of foreign exchange and to keep current account deficits at manageable levels. At the household level, they serve as an informal social security system, often used to cover food, education and health-care costs. Moreover, households with remittances can often afford more nutritious food and pay for better quality schooling.

---

### **Remittances: levels and trends**

Remittances are transferred through various channels, ranging from official bank transfers to being physically carried by hand to the receiving location. Due to the multitude of transfer channels, they are often difficult to track. The following section relies on data from official sources, which, for the most part, do not cover large portions of remittance flows, namely those that are either unreported or reported under other types of capital flows.

Defying expectations, the impact of the global financial crisis in 2008 on remittance flows to South and South-West Asia was limited. In fact, remittance receipts in United States dollars increased in 2009 to Bangladesh, Maldives, Nepal, Pakistan and Sri Lanka compared to the previous year and continued to increase in 2010. Even the growth in remittances remained high in most countries. Only Bangladesh experienced a drop in remittance growth, which rose 18 per cent in 2009 as compared to a 36 per cent increase in the previous year. India experienced a slight drop of 1 per cent in remittance receipts in United States dollars in 2009, but remittances in Indian rupees increased (India MOIA 2011). In 2010, the country's remittance receipts picked up again in dollar terms. One explanation for the resilience of remittance flows during this period is that a predominate amount of them came from countries of the Gulf Cooperation Council (GCC).<sup>4</sup> With the exception of Dubai, one of the emirates that make up the United Arab Emirates, locations in the GCC countries were only slightly affected by the global financial crisis. Job losses in Dubai were, however, cushioned by increased demand from the United Arab Emirates and Qatar (ESCAP 2009).

India leads the subregion in terms of remittance receipts, recording inflows totaling almost \$54 billion in 2010. However, large portions of these remittances did not necessarily originate from migrant workers abroad. Other sources of these remittances may have included the following:

- Employees' compensations, which have been increasing in line with the rise in Indian foreign direct investment (FDI) worldwide.

<sup>4</sup> The member States of the GCC are Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and United Arab Emirates.

- Funds from the diaspora populations.
- Property investments by the Indian diaspora, which are actually more similar to foreign direct investment (FDI) than remittances. Notably, in many cases, there is considerable statistical overlap between FDI and remittances (Kapur 2004).

Trailing far behind India were Bangladesh and Pakistan, ranked second and third in the subregion, respectively, with remittance receipts of \$10.8 billion and \$9.7 billion (figure 1).

During the 1980s, remittance levels remained relatively stable in the subregion, not exceeding \$5 billion in any country. The dynamics, however, shifted significantly in the 1990s. For example, remittances to India increased sharply during that decade and then again after 2002 in line with increased temporary labour migrant outflows. Similarly, remittances to Bangladesh, Pakistan and Sri Lanka have grown at a steady pace since 2002 (figure 2). With regards to Pakistan, in addition to increased labour outflows, the increase in official remittances may be attributed to tighter controls placed on informal money changers. Also, of note, in recent years, many Pakistanis with savings in offshore accounts have repatriated their funds, fearful of being caught in investigations into terrorist financing (Kapur 2004).

Although remittance receipts in Bhutan and Maldives are small in absolute and relative terms, amounting to \$4.8 million and \$4.0 million, respectively, they have notably been increasing steadily in the past few years.

Turkey was one of the subregion's largest remittance recipients in the 1980s and 1990s but this inflow plummeted in 2000. The decline was attributed to a number of factors, including among others, increasing unemployment in Germany—the main country of destination for Turkish labour migrants—decreasing links between second generation migrants and their country of origin, and the ageing diaspora populations. At the same time, the financial infrastructure in Turkey improved significantly and specifically designed products that targeted the diaspora population. Research conducted in the 1980s indicated that attempts by the Government of Turkey to attract higher levels of remittances were largely unsuccessful. Instead, the main determinants of remittances to Turkey were employment prospects in Germany as well as the political situation in the country—remittances increased with the perception that the funds would be utilized effectively (Straubhaar 1986). A more recent study confirmed that the level of remittance flows was dependent on the economic situation in the country of destination, Germany, but indicated that the economic situation in Turkey only had limited influence (Akkoyunlu and Kholodilintantin 2006).

Bhutan and Maldives are the only countries in the subregion with larger remittance outflows than inflows. In Bhutan, \$82 million of worker's remittances were sent from the country in 2010 while in Maldives, remittance outflows rose steadily over an extended period of time, peaking at \$125 million in 2008 and easing to \$110 million in 2010 (World Bank 2011).

Regarding Afghanistan, where reliable data on remittances are not available, the role of remittances can only be roughly estimated. A large number of Afghans live abroad, a majority of whom are refugees in the Islamic Republic of Iran or Pakistan, with limited ability to earn money and thus remit funds.

However, some of them have obtained refugee status in Europe and North America, putting them in a financial position to make remittances. According to household surveys, remittances play a large role in many Afghan households and most likely make a significant contribution to the economy (Jayawardhana and Jayaweera forthcoming). Thus, harnessing diaspora investment for the country's development could be of increasing importance for the country.

---

## Dependency on remittances

Dependency on remittances is mostly measured as remittances to gross domestic product (GDP). However, it is also worthwhile to examine remittances in comparison to other sources of foreign income, such as FDI, official development assistance (ODA) and exports. Even though a country's ratio of remittances to GDP may be relatively low, it can still depend on remittances as a source of foreign income in cases in which a large proportion of GDP is domestically generated.

In 2010, Nepal, with remittances amounting to 22.1 per cent of GDP, was the most remittance-dependent country in South and South-West Asia, followed by Bangladesh, with remittances amounting to 10.8 per cent of GDP. At the opposite end, countries in the subregion least dependent on remittances in 2010 were Bhutan (0.32 per cent of GDP), Maldives (0.28 per cent of GDP) and Turkey (0.12 per cent of GDP) (figure 3).

The degree of remittance dependence has fluctuated in the subregion and varies among countries. The most dynamic change occurred in Nepal. During the 1990s, remittances only made up between 1 and 2 per cent of GDP. This figure increased dramatically after 2002, and by 2009, it had risen to almost 24 per cent. In another example, Pakistan was the largest remittance-recipient economy as a proportion to GDP in the subregion during the 1980s, peaking at 10.3 per cent in 1983. The importance of remittances then decreased to between 1 and 3 per cent of GDP during the 1990s, but picked up again after 2001, mainly due to the rapid increase of nominal remittance receipts. Turkey was the subregion's third largest remittance-receiver in proportion to GDP in the early 1980s, but the proportion decreased to only 0.16 per cent of GDP in 2009 (figure 4).

Nepal's dependence on remittances is also reflected in other indicators. It is the only country in subregion where remittances exceed export revenues. In 2010, remittances were almost twice as high as the country's export revenues and the country received 39 times more in remittances than FDI inflows. In 2009, the country received 3.8 times more remittances than ODA receipts (World Bank 2011).

For many countries in the subregion, remittances serve as an important source of foreign exchange. This was especially true during the global financial crisis as remittances proved to be a more stable source of foreign exchange than other potential sources. In 2009, remittances were higher than FDI inflows in Bangladesh, India, Nepal, Pakistan and Sri Lanka, and higher than ODA flows in all countries of the subregion, with the exception of Maldives and Turkey (World Bank 2011).

Figure 1.

# Remittances received by South and South-West Asian countries, 2007-2010

Source: World Bank (2011).

Note: Data are not available for Afghanistan.

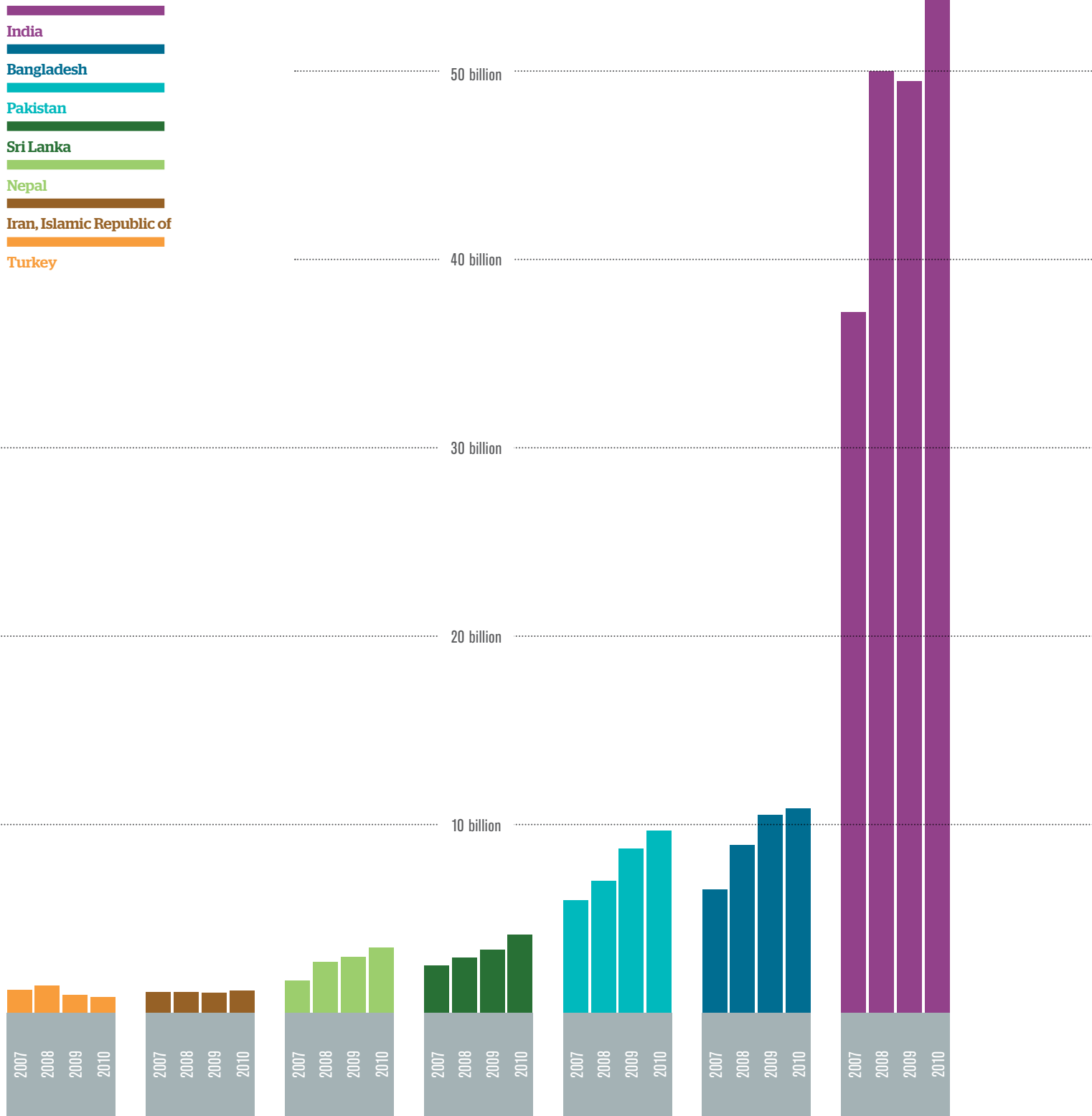




Figure 2.

# Remittance receipts by South and South-West Asian countries, 1980-2009 (5-year averages)

Source: World Bank (2011).

Note: Data are not available for Afghanistan. Data for Bhutan is only available from 2005.

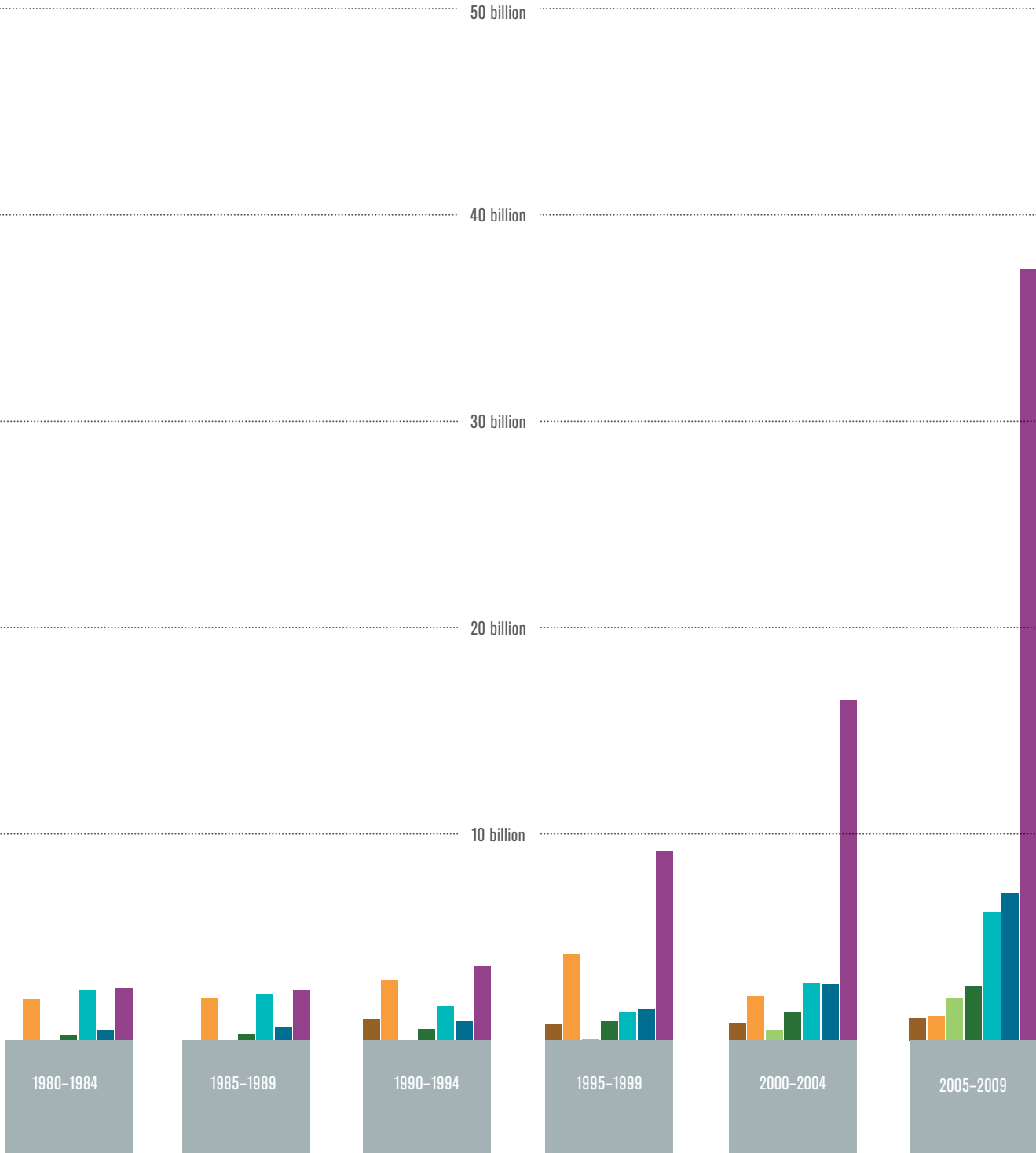
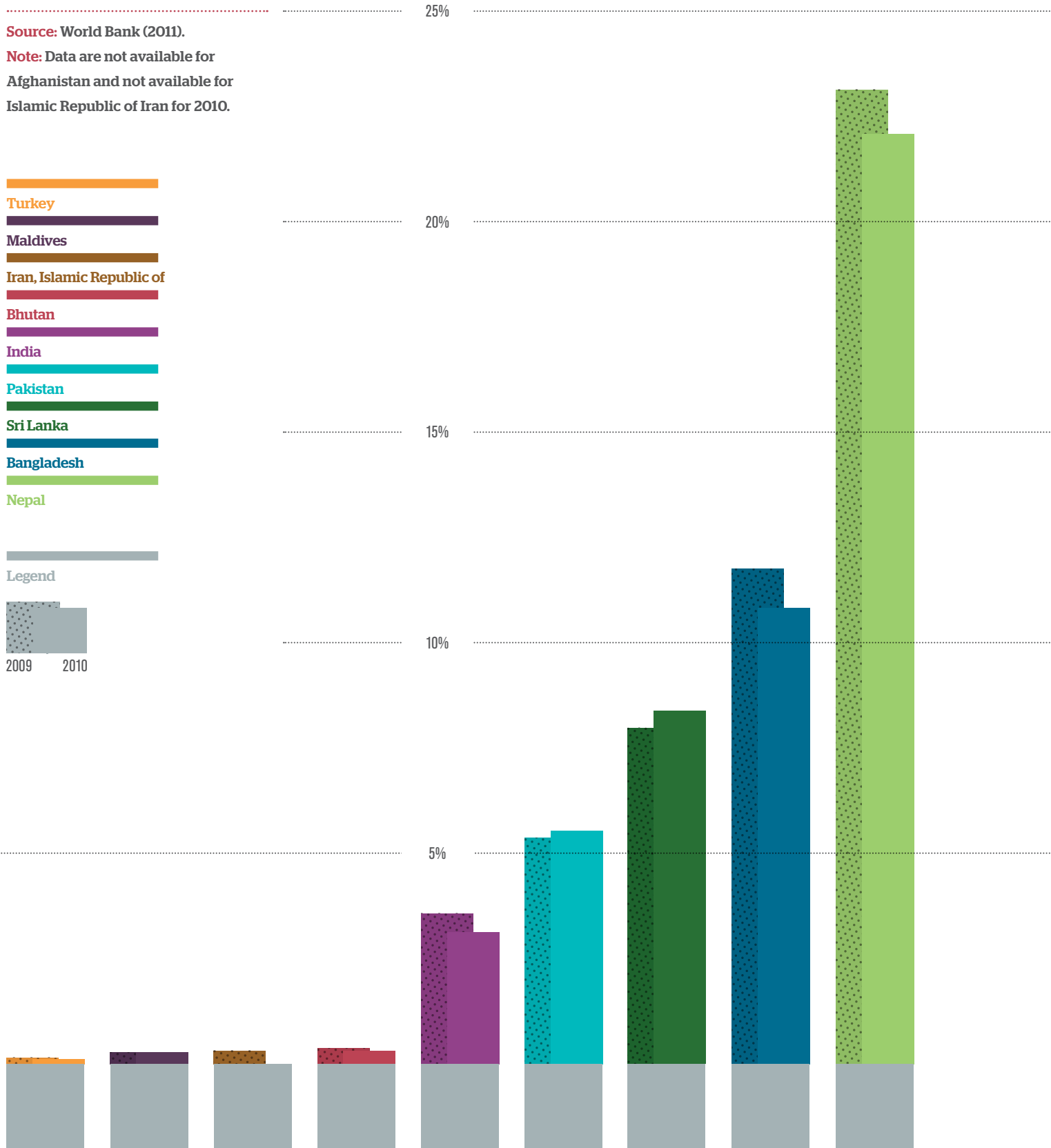


Figure 3.

# Remittances as a percentage of GDP in South and South-West Asia, 2009 and 2010





## Macroeconomic impact of remittances

As outlined above, remittances are an important source of capital flows in most countries in South and South-West Asia, and help stabilize the macroeconomic situation. Indeed, in several countries in South Asia, remittances have been instrumental in keeping current account deficits under control in spite of a chronically negative trade balance. Research supports that remittances have the potential to be a balance-of-payments stabilizer (Bugamelli and Paterno 2005). This has especially been the case in Bangladesh and Nepal. Research also suggests that remittances can increase debt sustainability by reducing country risk. Moreover, in addition to increasing household and government income, they also boost the government's revenue base and reduce the marginal cost of raising revenues (Chami and others 2008).

However, research on Sri Lanka indicates that the potential of remittances to buffer adverse macroeconomic shocks is rather limited. Remittances to the country tended to increase as the economic situation improved and declined during times of economic crises, which were often correlated with a deteriorating political situation. Remittances also climbed in tandem with rising oil prices, which can be attributed to increased job opportunities in the main destination countries, predominately oil-producing countries (Lueth and Ruiz-Arranz 2008).

Notably, much research has been conducted on the positive contribution of remittances to household income and poverty reduction but until recently, only a limited amount has been completed on the potential negative macroeconomic impacts of remittances.

Research on different countries of origin of migrants worldwide found the following negative macroeconomic impacts:

- **Reduced fiscal discipline:** Remittances may reduce governments' incentive to maintain fiscal discipline. Empirical evidence suggests that governments may take advantage of the fiscal space afforded by remittances by consuming and borrowing more (Chami and others 2008).
- **Dutch-disease effects (decreasing competitiveness of tradable goods due to exchange rate appreciation):** Although remittances constitute a source of financing in the balance of payments, empirical evidence suggests that remittances are positively correlated with real exchange rate appreciation. Some evidence of Dutch-disease-effects, such as an increase in the prices of non-tradable goods in remittance-receiving countries has been shown. Also, evidence suggests that Dutch-disease effects are stronger in fixed exchange rate regimes (Lartey and others 2009).
- **Reducing political will for policy reform:** Remittances can pose a moral hazard problem by reducing the political will to enact policy reform. Compensatory remittances insure the public against adverse economic shocks and reduce households' incentives to impress upon the government to implement reforms to facilitate policies for pro-poor economic growth (Chami and others 2008).
- **Weaker institutions:** Remittances are also associated with a weaker institutional environment. Regressions have shown that higher remittance receipts are associated with less control of corruption, lower quality of government and lower rule of law indicators. This may be linked to the moral hazard problem of reducing political will or pressure to enact governance reforms (Abdih and others 2008).

- Thus far, there is no proof that remittances have a positive impact on economic growth. It is even argued that remittances may delay growth-enhancing policies, reduce labour force participation and lead to riskier investments (Chami and others 2009).
- However, a significant drop in remittances would severely affect countries that are highly dependent on these inflows to sustain their economies. Research indicates that a slowdown or drop in remittances would likely increase the volatility of GDP output of the country and have adverse effects on its overall welfare (Chami and others 2009).

## Origin of remittances

The bulk of remittances received by countries in South and South-West Asia comes from temporary labour migrants. One obvious reason for this is that temporary labour migrants now outnumber those who have migrated permanently to settle in Australia, Europe or North America. Another factor is that most temporary labour migrants move overseas without their families with the aim to remit their earnings back home, while permanent emigrants leave their country of origin for a number of different reasons and tend to take their families with them and, as a matter of course, spend more money in the country of destination. Notably, some of the temporary labour migrants in GCC countries remain in the host country for an extended period but are not usually given the opportunity to permanently settle there.

There are a number of driving forces behind remittances, including among others, pure altruism, insurance motives, strategic motives, such as expecting non-monetary returns from the remittance-receiving family, and investment motives. Research has shown that for temporary labour migrants, insurance or strategic motives seem to be the main drivers to remit, while for permanent emigrants investment motives have a greater importance (Rapoport and Docquier 2005, Akkoyunlu and Kholodilin 2006).

Although remittances are more often associated with labour migration, all migrants, including refugees and asylum-seekers, have the potential to remit. This potential largely depends on the conditions the migrants face in the host country. Remittances made by temporary migrant workers or permanent emigrants are usually welcome, while those sent by refugees are sometimes considered controversial as they may be sent with the intention to help perpetuate existing conflicts or strengthen oppositional political movements (Kapur 2004). In some countries, diasporas have provided support to warring parties while in the post-conflict era, large diasporas have the potential to be sizeable sources of investment funds in the rebuilding period (Van Hear 2003).

The central banks of most countries of the subregion publish remittance data by country of origin. According to data from the Central Bank of Bangladesh, between 60 and 70 per cent of remittances received by the country in the past decade originated from GCC countries (IOM 2009). Among these countries, most remittances came from Saudi Arabia, the United Arab Emirates and Kuwait. Apart from GCC countries, the United States of America (about 15 per cent) and the United Kingdom of Great Britain and Northern Ireland (about 10 per cent)

were important countries of origin of remittances.<sup>5</sup> Similarly, about 60 per cent of remittances to Sri Lanka during a 5-year period up to 2009 originated from GCC countries plus Jordan and Lebanon, 18 per cent from countries in the European Union and only 4–6 per cent from countries in North America (Sri Lanka Bureau of Foreign Employment 2009). Similar shares were also reported from Pakistan in 2010, with 60 per cent of the remittances from GCC countries, 20 per cent from the United States of America, and 10 per cent from the United Kingdom of Great Britain and Northern Ireland (State Bank of Pakistan 2010).

Despite the country's strong reliance on remittances, the Central Bank of Nepal does not publish data on remittance inflows. However, according to the Nepal Living Standards Survey conducted during 2003 and 2004, a total of 27 per cent of remittances came from GCC countries and 23 per cent originated from India (Nepal 2004). The inflows and proportion from GCC countries are expected to rise in line with the increased number of Nepalese migrants to these countries.

---

## Methods of transfer

Remittances can be in the form of cash or in kind. Remittances in kind also play an important role and are often physically brought in during family visits and especially when migrants return to their home countries. According to a study on the Indian state Kerala, the majority of goods brought back were clothes (56 per cent), followed by gold ornaments and electrical goods (each 17 per cent) (Rajan and Zachariah 2007).

Remittances in cash are transferred through a number of ways. Among them are bank transfers, being hand-carried during home visits or by friends or relatives and the *hundi* system, in which money is transferred through non-banking sources, such as informal money changers or other businesses operating in the destination countries (Arif 2010, Siddiqui 2004). Officially reported remittances are those made through bank transfers and are, therefore, easy to track. To get the full scope of remittances in a country, data must be obtained on the flows that come in through informal channels and the most common way to obtain this data is through household or other types of surveys.

Surveys have revealed contradicting trends regarding the use of remittance channels. A representative household survey from Bangladesh reports that the majority of remittances (73 per cent) were sent through bank transfers. However, the authors of this survey also consider the plausibility that respondents had under-reported the use of informal channels given the sensitivity surrounding these types of money transfers (IOM 2009). Other surveys on Bangladesh (Siddiqui 2004, Afsar 2009), as well as surveys on Nepal and Pakistan, indicate that the majority of cash remittances are not transmitted through bank transfers. In a 2009 survey conducted on migrants in Pakistan, 60 per cent of the respondents stated that they use the *hundi* system (Arif 2010) while, according to the Nepal Living Standards Survey 2003–2004, some 78 per cent of remittances were transferred by persons, 2 per cent through *hundi* and only 6 per cent through banks (Nepal Central Bureau of Statistics 2004). Many migrants prefer to use non-bank transfer methods because they are often cheaper and faster than bank transfers. In addition, migrants as well as remittance-receivers often

<sup>5</sup> See [www.bangladesh-bank.org/econdata/wagermidtl.php](http://www.bangladesh-bank.org/econdata/wagermidtl.php).

perceive banking procedures as being complex or explain that it was difficult for them to visit the banks during opening hours.

The majority of remittances to Turkey are transferred through banks due to the large presence of Turkish banks in the main destination country, Germany. Bank transfers between the two countries are quick and economical. Moreover, the Central Bank of Turkey offers incentives to migrant workers by allowing them to hold special foreign currency deposit accounts. Due to the large proportion of remittances sent through banks, Turkish financial institutions have been able to issue large amounts of remittances-backed bonds, which account for a good portion of the global security-backed bond market (European Investment Bank 2006).

Several countries in the subregion have made efforts to further promote remittances through official bank transfers. For example, the State Bank of Pakistan, the Ministry of Overseas Pakistanis and the Ministry of Finance launched a joint initiative in 2009 entitled 'Pakistan Remittance Initiative'. This initiative aims to facilitate remittances and take "all necessary steps and actions to enhance the flow of remittances".<sup>6</sup>

Bangladesh recently launched the Expatriates' Welfare Bank with the primary objective of facilitating the migration process, bringing the cost of migration down and encouraging that remittances be sent through formal channels. The Bank is tasked with acting as an effective credit facility for migrant workers and providing soft loans to them and financial assistance to return migrants for smooth reintegration.

India also offers special bank accounts for non-resident Indians and persons of Indian origin. Deposits can be held in foreign currency as well as Indian rupees. Non-resident Indians and persons of Indian origin can also secure loans from Indian banks and purchase government bonds and securities.<sup>7</sup>

The use of official channels to remit funds to South and South-West Asia needs to be promoted further. To encourage using official bank transfers, it is necessary to further facilitate banking procedures and reduce costs as well as improve the financial literacy of migrants and remittance-receiving households. There is also scope for South-South cooperation within the subregion, as other countries could learn from each other's experiences.

---

## Development impact of remittances

---

### Remittances and direct impact on households

The impact of remittances on development is still an area open for debate and further analysis but most experts agree that remittance flows in the form of direct transfers to households raise household incomes and have the potential to contribute to overall poverty reduction.

However, it also must be noted that due to high costs, most labour migrants are from lower middle-income groups, instead of the poorest levels of society (Kapur 2004). Several surveys have shown that many migrant households already owned

<sup>6</sup> See [www.pri.gov.pk/about/](http://www.pri.gov.pk/about/).

<sup>7</sup> See [www.rbi.org.in/scripts/FAQView.aspx?Id=52](http://www.rbi.org.in/scripts/FAQView.aspx?Id=52).

a house before one of its members migrated (Arif 2010, IOM 2009, Siddiqui 2004). Nevertheless, unemployment and perceived poverty seem to be the main drivers to migrate. In contrast, migrants from urban areas often cite unemployment as the main reason to migrate, while those from rural areas tend to migrate to achieve a specific purpose, such as to build a house (Arif 2010).

A significant portion of remittances is used to repay loans taken to cover the cost of recruitment. During the first period of migration, which can last from four months to two years, a migrant's entire income often goes to repay loans. Consequently, research on development impacts of remittances must extend beyond the initial payback period in order to draw accurate results. Moreover, the cost of migration also determines whether and how soon there will be development impacts of remittances.

Surveys from a number of locations in South Asia (Bangladesh, Pakistan, Sri Lanka and the Indian state Kerala) reveal that migration improves the economic status of migrant households. Depending on the method used, some surveys found that migrant households are generally better off than non-migrant households, while others indicated after comparing households before and after migration, that the majority of them improved their economic status after migration. The gains in economic status were even greater for households with professional or educated workers abroad (Arif 2010).

Studies indicate that in most cases, households use remittances to establish new income sources, which sustainably improve their income. As an example, a representative household survey taken in Bangladesh not only found that the majority of migrant households used remittances to establish new income sources (IOM 2009) but that they were confident about being able to sustain the increase in household income after remittances ceased to come in. A survey from Sri Lanka, meanwhile, revealed that migrant households tended to have more income sources than non-migrant households. The authors concluded that this was because they were able to invest remittances in income-generating activities (Arunatilake, Jayawardena and Weerakoon forthcoming).

Surveys from Pakistan and Bangladesh showed that households with a long-term migrant abroad (10 to 15 years) received higher yearly remittances than households with a short-term migrant (Arif 2010, IOM 2009). This can be attributed to higher salaries for migrants with more experience abroad and reduced costs of migration for repeat-migrants. At the same time surveys revealed that households with long-term migrants abroad were less able to create alternative income sources. One possible explanation for this might be that many of the migrants abroad were forced to become repeat migrants due to the failure the households to generate other income sources.

---

## Use of remittances

The development impacts of remittances also depend on how remittances are used. Many experts claim that these impacts are limited as remittance flows are mostly used for consumption. But, research shows that although the majority of remittances are indeed used for consumption, this consumption improves the fundamental well-being of households by providing added income to afford better housing or more nutritious food. Research from Bangladesh also indicates





that remittances were spent more productively in the 1990s than in the previous decade when migration was a relatively new phenomenon (Siddiqui 2004). This suggests that the experience of households in handling remittances, as well as government policies to encourage productive investment of remittances, can lead to more positive development impacts.

Surveys conducted in Bangladesh and Pakistan show similar patterns in the use of remittances, although it is difficult to compare these survey results due to the application of different methods and categorization. In the survey taken in Pakistan, about 22 per cent of remittances were spent on real estate and agricultural machinery, 18 per cent on food and about 17 per cent on costs related to marriage.<sup>8</sup> Of note, in that survey, the use of remittances to pay for marriage was significant even though only 0.6 per cent of the respondents mentioned “earning money for marriage” as the main reason to migrate. In a survey taken in Kerala, 50 per cent of the cash remittances were used for “subsistence”, such as food, 24 per cent for education and 8 per cent to repay debt (Rajan and Zachariah 2007).

A survey in Bangladesh conducted in 2004 (Siddiqui 2004) showed similar spending patterns of remittances to a study on Pakistan conducted by Arif (2009). However, significant differences did appear with regard to savings. In Bangladesh, respondents saved only 3.4 per cent of the remittances, compared to 21 per cent in the Pakistan sample.

It also must be noted that according to the survey in Bangladesh, a significant portion (7 per cent) of the remittances was spent to finance the migration of other family members, which respondents considered as an investment for further enhancing family income. However, while the families see this as an investment, it in fact entails additional spending on recruitment costs. Taking into account the point noted earlier that the first months of migrant workers’ income usually are spent on repaying loans taken to cover recruitment costs, using remittances to cover the recruitment cost of another family member further increases the proportion of remittances spent on the cost of migration and reduces the potential development impact.

A comprehensive household survey undertaken in Bangladesh did not assess the percentage of overall remittances spent on each item, but instead determined how many households spend remittances for each item. According to that survey, 81.2 per cent of remittance-receiving households used the funds to pay family expenses, 39.1 per cent to repay debts, 38.2 for celebrations of religious festivities, 22.3 per cent for medical treatment and 21.3 per cent for the education of children (IOM 2009).<sup>9</sup>

In Turkey, remittances are more commonly used for investment purposes instead of being sent directly to households. Research often attributes this to weakening family ties of the Turkish population abroad as in most cases overseas migrants left the country with their families and many of them are now second and third generation migrant families (Sayan and Tekin-Koru 2004). The improvement of financial products targeting migrants may have also played an important

<sup>8</sup> In a Muslim cultural context, this mainly consists of the dowry (to be paid to the wife), cost for housing, clothing for the bride and cost of various celebrations.

<sup>9</sup> Percentages add to more than 100 per cent due to multiple answers provided by respondents.

role in channelling remittances into investments instead of direct transfers to households.

---

### Impact of remittances on health, education and housing

Remittances help improve health and education outcomes through direct spending. Moreover, they provide households with a stable source of income and thus social protection, which, in turn, reduces vulnerability to income shocks. With this kind of social protection, households are more willing to invest in education, especially for girls (Kapur 2004).

The studies of Bangladesh and Pakistan show that relatively small proportions of remittances are spent on education (between 3 and 5 per cent) and health (between 3 and 4 per cent) (Arif 2010, Siddiqui 2004). However, other research conducted in these countries, as well in Sri Lanka, indicate that remittance-receiving households generally spend more on health and education than non-remittance-receiving households, with the higher expenditure often used to pay for higher-quality services (Arif 2010, Siddiqui 2004, Arunatilake, Jayawardena and Weerakoon forthcoming). For example in the survey conducted in Pakistan, 79 per cent of the migrant children between 5 and 15 years in the sample were enrolled in school, a figure that exceeded the national average school enrolment rate.<sup>10</sup> In addition, many households used remittances to pay for a better quality of education, which is reflected in increased enrolment in private schools (Arif 2010).

The study from Kerala, the state where the majority of migrants from India originate, did not find a significant difference between remittance-receiving and non-remittance receiving households in terms of elementary and secondary school enrolment. But, it did show that remittance-receiving households were more often able to afford private self-funded colleges. An explanation for this may be that the public school system in Kerala is relatively good and basic educational needs are already met. Therefore, households would rather invest remittances in tertiary education, which can also explain the higher use of remittances for education in the Kerala sample than in the studies from Bangladesh and Pakistan (Rajan and Zachariah 2007).

Remittance-receiving households are more likely to be able to afford better quality health services as supported by research on Bangladesh, Pakistan, Sri Lanka and the Indian state Kerala (Arif 2010, Rajan and Zachariah 2007, Siddiqui 2004). Research on Sri Lanka even observes higher concentrations of private health services in areas with larger concentrations of migrant households (Arunatilake, Jayawardena and Weerakoon forthcoming).

Remittances can also help improve the quality of housing. Surveys reveal that, for example, in Pakistan, house ownership and the quality of housing was already relatively good before migration, but it improved after migration. Before migration, 59 per cent of the migrants owned a house made from cement and other concrete materials, while after the migrant returned home, 74 per cent of the households owned such a house. The Pakistan survey also indicates that 15 per cent of the migrant households owned a house with five or more rooms before migration,

<sup>10</sup> According to the ESCAP *Statistical Yearbook for Asia and the Pacific 2009*, primary net enrolment in primary education in Pakistan was 67.2 per cent.

with the percentage increasing to 37 per cent after migration (Arif 2010). In household surveys undertaken in the Indian state Kerala, remittance-receiving households had significantly better housing than non-remittance receiving households; a total of 58 per cent of the remittance-receiving households owned a house made of concrete that had at least two bedrooms, attached bathrooms and tiled floors, while only 17 per cent of the non-remittance receiving households could afford housing of that quality (Rajan and Zachariah 2007).

---

## Gender impact of remittances

Remittances can contribute to changing gender dynamics depending on whether women themselves migrate or stay behind. Studies have also shown that the effects of remittances differ based on the gender of the person administering the funds.

Earning salaries and remitting may benefit women financially and provide the basis of changing gender relationships. Women migrants often report that by becoming the main breadwinner in the family, their decision-making power and respect from their parents-in-law increased. A study on the impact of remittances from migrant women from Nepal even showed that violence against women decreased after women had migrated and earned their own income. The majority of women also reported that the migratory experience had improved their knowledge and self-esteem (Bhadra 2007).

The empowerment effect of remittances on women seems to be stronger than direct financial impacts. In purely financial terms, women seem to benefit less than men through migration. Studies have shown that women remit a higher proportion of their salaries, but the total amount is usually less in absolute terms due to lower salaries. A study on Bangladesh revealed that in 22 per cent of the households with migrating men, household income had increased after migration. The opposite held true in the case of female migrants, whose incomes even declined in 33 per cent of the cases, mainly due to the high cost of migration combined with low salaries that women typically receive. Similarly, a lower percentage of women than men were able to use their remittances to invest in land or housing (Afsar 2009).

When women migrate, their remittances are usually administered by their husbands or other family members. According to a study on women's remittances in Nepal, 25 per cent of the remittances were used for education—a high percentage compared to the studies on Bangladesh and Pakistan with the samples consisting mainly of men. This shows that, women accord high priority to children's education. The study also indicated that family members administering remittances sent home by women seem to use it mainly in line with the priorities of the remittance-senders. Only in some cases, women had expressed dissatisfaction with the way their “hard-earned money” was spent by the family, who they felt perceived it as “easy money” (Bhadra 2007).

When men migrate, it is often assumed that remittances by married men would be administered by their wives, which could increase women's decision-making power. However, a study from Pakistan showed that in reality, only about 20 per cent of the wives of men who had migrated hold the family's bank account. Instead, the survey showed that 50 per cent of these households' bank accounts

were administered by the migrant's father. Interestingly, wives are more likely to be the holder of the bank account in cases in which migrants have only a primary or no formal education, and are less likely to be the holder of the bank account when the migrant has a post-secondary education. The same applies in a rural-urban comparison. Women in rural areas are more likely to be the holders of bank accounts. Nevertheless, migration has increased the decision-making power of women in some areas, such as making decisions on the family's daily needs, but has not appreciably changed their decision-making role in areas pertaining to the education or marriage of their children. Also of note, the survey found that the change in decision-making capacity was often temporary and reverted to the husband when he returned from working abroad (Arif 2010).

More research is needed on the differences in spending behaviour between women and men as recipients of remittances. It is often stated that women as recipients of remittances use the income to finance the needs of the family, such as school fees, while men are more likely to use the income for personal purposes (Niimi and Ozden 2006).

Various studies have indicated that remittances have some empowering effects on women, but that these effects are not automatic and in some cases only temporary. To enable women to reap more benefits from remittances, specific policy interventions targeting women, such as increasing women's financial literacy, should be taken. Women migrants need to have access to more investment opportunities and channels that would ensure the proper use of their remittances. In some cases, this might also include the need to address legal barriers on women owning property.

---

## Policy considerations

Remittances have become an important element of several economies in the subregion, and in some countries, they are a key source of foreign income that help keep current account deficits under control in spite of chronic trade deficits. However, they may also have adverse effects on an economy from a macroeconomic perspective, and these factors must be studied in more depth. One negative impact is that remittances may reduce the incentive to introduce economic reforms which could lead to improving a country's trade balance.

The bulk of remittances to the key countries of origin of migrants in the subregion seem to come from temporary labour migrants working in GCC countries. There are two groups that remit the most funds, highly skilled migrants and migrants who have worked in these countries for an extended period (through repeated temporary contracts). The highly skilled migrants earn relatively high wages while the long-term migrants benefit from higher pay scales that come with more experience and decreasing migrant costs.

By serving as a direct source of income to households, remittances have the potential to contribute to the alleviation of poverty. The majority of remittances received by households are used to pay for daily consumption needs.

The high costs associated with migration hampers the ability of migrants to use remittances to support their families and invest. In fact, in the first months abroad, the entire income of migrants often is used to pay debts. These high costs limit the potential development impacts of remittances and steps should

be taken to reduce them. Also remittance flows used to finance the migration of other family members adversely affects the development impacts of remittances.

Although the bulk of remittances is used for daily consumption, a significant amount is spent on education and health. Research has shown that remittance-receiving households can afford more nutritious food and better quality health services.

As noted earlier, remittances from migrants who remain abroad for longer periods of time tend to be greater due to higher salaries in tandem with more experience. Long-term migration of one family member is more economical than using remittances to finance the migration of another family member. However, long-term migration tends not to be the preferred option of many migrants due to the social costs associated with it, difficult working conditions in the countries of destination and the cost of separation from their families.

A large proportion of remittances are transferred through informal channels. To promote the use of formal channels, banking procedures need to be simplified and the bank transfers must be more efficient and cost less. In addition, improving the financial literacy of migrants as well as remittance recipients would make them more familiar with banking procedures and reduce obstacles to remit through official channels.

In many countries of the subregion, investment opportunities and incentives must be made available to migrant workers. Currently, only a small proportion of remittances are used for investment purposes. The percentage could be increased by offering more investment products catering to migrants. These types of remittance flows would ultimately generate long-term income as well as enable the offering of remittance-backed bonds.

From a financial perspective, male migrants generally receive higher wages than women migrants, putting them in a better position to gain from remittances. Meanwhile, women left behind by migrant men are often not the holders of the family's bank accounts or the actual remittance-receivers. In many cases, remittances are sent to the father of the migrant. Improving financial literacy of women would help them reap more benefits from migration. However, notably, despite receiving lower wages, reports show that women migrants have gained socially by sending remittances and thus becoming the main breadwinners of the family.

The countries of South and South-West Asia have varying experiences in handling remittances. This, consequently, has created large scope for subregional cooperation and sharing of experiences. One example would be in the area of sharing of experiences pertaining to designing specific products targeting migrant workers and in issuing remittances-backed bonds.

## References

- Abdih, Y., and others (2008). Remittances and institutions: Are remittances a curse?. IMF Working Paper WP/08/29, Washington: International Monetary Fund.
- Afsar, R. (2009). Unravelling the vicious cycle of recruitment: Labour migration from Bangladesh to the Gulf States. International Labour Office, Working Paper N°. 63, Geneva, Switzerland.
- Akkoyunlu, S., and K. Kholodilintantin (2006). "What affects the remittances of Turkish workers: Turkish or German output?" (Berlin, German Institute for Economic Research).
- Arif, G. M. (2010). *Economic and Social Impacts of Remittances on Households: The case of Pakistani Migrants Working in Saudi Arabia*. Pakistan Institute of Development Economics (Geneva, IOM).
- Arunatilake, N., P. Jayawardena, and D. Weerakoon (forthcoming). *Sri Lanka Migration, Remittances, and Development*, in: *Migration, Remittances and Development in South Asia* (New Delhi, Sage Publications).
- Bhadra, C. (2007). "International labour migration of Nepalese women: The impact of their remittances on poverty reduction", Asia-Pacific Research and Training Network on Trade Working Paper Series, N°. 44, September. Accessed from [www.unescap.org/tid/artnet/pub/wp4407.pdf](http://www.unescap.org/tid/artnet/pub/wp4407.pdf) on 22 August 2011.
- Bugamelli, M., and F. Peternò (2005). "Do workers' remittances reduce the probability of current account reversals?", World Bank Policy Research working paper (Washington, World Bank).
- Chami, R., and others (2008). "Macroeconomic consequences of remittances", IMF Occasional Paper N°. 259, Washington, International Monetary Fund. Accessed from [www.imf.org/external/pubs/ft/op/259/op259.pdf](http://www.imf.org/external/pubs/ft/op/259/op259.pdf) on 22 August 2011.
- Chami, R., and others (2009). "Remittances: An automatic output stabilizer?", IMF Working Paper WP/09/91 (Washington, IMF).
- European Investment Bank (2006). "Study on improving the efficiency of workers' remittances in Mediterranean countries", accessed from [www.eib.org/attachments/country/femip\\_workers\\_remittances\\_en.pdf](http://www.eib.org/attachments/country/femip_workers_remittances_en.pdf) on 22 August 2011
- India Ministry of Overseas Indian Affairs (2011). *Annual Report, 2010 – 2011*. Accessed from [http://moia.gov.in/writereaddata/pdf/Annual\\_Report\\_2010-2011.pdf](http://moia.gov.in/writereaddata/pdf/Annual_Report_2010-2011.pdf) on 22 August 2011.
- International Organization for Migration (2009). *The Bangladesh Household Remittance Survey 2009* (Dhaka, IOM).
- Jayawardhana, T., and R. Jayaweera (forthcoming). "Afghanistan: migration, remittances and development", in Saman Kelegama, ed., *Migration, Remittances and Development in South Asia* (New Delhi, Sage).
- Kapur, D. (2004). "Remittances: The new development mantra?". G-24 Discussion Paper N°. 29, United Nations Conference on Trade and Development. Accessed from [www.unctad.org/en/docs/gdsmdpbq2420045\\_en.pdf](http://www.unctad.org/en/docs/gdsmdpbq2420045_en.pdf) on 22 August 2011.
- Lartey, E., and others (2009). "Remittances, exchange rate regimes and the Dutch Disease: a panel data analysis", presented at The Macroeconomic Consequences of Remittances: Implications for Monetary and Financial Policies in Asia, Mandaluyong City, March. Accessed from [www.bsp.gov.ph/events/ircr/downloads/papers/BSP\\_04\\_acosta\\_paper.pdf](http://www.bsp.gov.ph/events/ircr/downloads/papers/BSP_04_acosta_paper.pdf) on 22 August 2011.
- Lueth, E., and M. Ruiz-Arraz (2007). "Are workers' remittances a hedge against macroeconomic shocks?: The case of Sri Lanka", IMF Working Paper WP/07/22, (Washington, IMF).
- Nepal Central Bureau of Statistics (2004). *Nepal Living Standards Survey 2003/04*. Accessed from [www.cbs.gov.np/Surveys/NLSSII/NLSS%20II%20Report%20Vol%202.pdf](http://www.cbs.gov.np/Surveys/NLSSII/NLSS%20II%20Report%20Vol%202.pdf) on 22 August 2011.
- Niimi, Y., and Ç. Özden (2006). "Migration and remittances: Causes and linkages", World Bank Policy Research Working Paper 4087 (Washington, World Bank).
- Rajan, S., and R. Zachariah (2007). "Remittances and its impact on the Kerala economy and society", paper presented at the Conference on International migration, multi-local livelihoods and Human Security: Perspectives from Europe, Asia and Africa, The Hague, August.
- Rapoport, H., and F. Docquier (2005). "The economics of migrants' remittances", Institute for the Study of Labor Discussion Paper Series N°. 1531 (Bonn, IZA).
- Sayan, S., and A. Tekin-Koru (2004). "Cyclical properties of workers' remittances: the cases of Turkey and Mexico compared", paper presented at the Middle East Economic Association Conference, Alexandria, June. Accessed from Available from <https://netfiles.uiuc.edu/esfahani/www/MEEA/Conferences/50%20-%20Sayan%20-%20Paper.pdf> on 22 August 2011.
- Siddiqui, T. (2004). *Efficiency of migrant workers' remittance: The Bangladesh Case* (Manila, Asian Development Bank).
- Sri Lanka Bureau of Foreign Employment (2009). *Annual Statistical Report on Foreign Employment 2009*, (Colombo, SLBFE).
- State Bank of Pakistan (2010). *Annual Report 2009/2010* (Karachi, SBP).
- Straubhaar, T. (1986). "The determinants of workers' remittances: The case of Turkey", *Review of World Economics*, vol 122, N°. 4, pp. 728-740.
- United Nations Economic and Social Commission for Asia and the Pacific (ESCAP) (2009). "Impact of the global financial crisis on international migration – one year later", paper contributed to the Eighth Coordination Meeting on International Migration, New York, November. Accessed from [www.un.org/esa/population/meetings/eighthcoord2009/P05\\_ESCAP.pdf](http://www.un.org/esa/population/meetings/eighthcoord2009/P05_ESCAP.pdf) on 11 August 2011.
- \_\_\_\_\_ (2010). *Statistical Yearbook for Asia and the Pacific 2009*, Sales N°. E.10.II.F.1.
- World Bank (2011). World Development Indicators. Accessed from <http://data.worldbank.org/indicator/SL.TLF.TOTL.IN> on 9 August 2011.
- Van Hear, N. (2003). "Refugee diasporas, remittances, development, and conflict", *Migration Information Source*, June 2003. Accessed from [www.migrationinformation.org/feature/display.cfm?ID=125](http://www.migrationinformation.org/feature/display.cfm?ID=125) on 11 August 2011.

# Protection of the rights of migrant workers: key issues<sup>1</sup>

In their role as countries of origin of migrants, most countries in South and South-West Asia face the dilemma of promoting overseas employment and protecting their workers abroad. In a few of these countries, efforts are being made to improve migration policies and make them sensitive to migrants' rights (MFEPW 2008).

The protection of the rights of migrant workers is therefore a key concern, which is often considered to be the responsibility of the host countries. However, countries of origin can and should also play a role in improving the rights of migrant workers.

<sup>1</sup> Nicola Piper, Senior Researcher, Arnold Bergstraesser Institute, Freiburg, Germany, Pia Oberoi, OHCHR Migration Adviser, and Heike Alefsen, OHCHR Regional Office for South-East Asia



This chapter discusses protection issues that have emerged as migrants moved within South Asia and from South Asia<sup>2</sup> to the major migrant-receiving destinations in South-East Asia and the Gulf Cooperation Countries (GCC).<sup>3</sup> The discussion is, thus, based on the specific features of this region's labour migration, and policies and practices accompanying it. Using a social sciences approach, the chapter also emphasizes a human rights framework. It begins by outlining the effects of predominant migration policies on migrant workers' human rights and outlines specific rights violations, and follows with a discussion on normative and institutional issues that pertain to rights-based governance of migration. The final section considers the role of civil society in the promotion of migrant workers' rights.

The chapter focuses on the international movement of migrants rather than internal displacement or internal migration. It neither looks at the movements of migrants further afield to Australia, Europe, North America, and other regions, nor in detail at the movement of refugees from and within this region.

---

## Human rights impact of migration policies

---

### Background

In international human rights law, migrant workers are in principle well protected —through general norms of non-discrimination and equality; substantive rights such as freedom of movement, labour rights, and the right to be free from debt bondage; and through identity rights for specific groups, such as women's and children's rights. The list of applicable human rights norms include: International Covenant on Civil and Political Rights, International Covenant on Social, Economic and Cultural Rights, International Convention on the Elimination of All Forms of Racial Discrimination, Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), Convention against Torture, Convention on the Rights of the Child, and International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW). In addition, there are a number of International Labour Organization (ILO) Conventions relevant to migrant workers.<sup>4</sup>

### Key features of migration policy and migrants' rights in South Asia

South Asia displays certain specific features with respect to labour migration, all of which affect the ability of migrants to access and enjoy their human rights:

- A strict temporary labour migration regime with employment tied to one employer with tight contractual restrictions. This is especially prominent in GCC countries.
- A skill profile of migrants dominated by semi-skilled to low-skilled workers (with little professional, highly skilled migration).

<sup>2</sup> The countries situated in South-West Asia, namely Iran and Turkey, are not extensively covered in this chapter as their migration patterns are significantly different from those in the countries of South Asia. Although, references are made to them in certain sections, particularly in the discussion about international legal instruments.

<sup>3</sup> The member States of the GCC are Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and United Arab Emirates.

<sup>4</sup> For a full list of all relevant ILO conventions, see the ILO Multi-Lateral Framework on Labour Migration. Available from [www.ilo.org/public/libdoc/ilo/2006/106B09\\_343\\_engl.pdf](http://www.ilo.org/public/libdoc/ilo/2006/106B09_343_engl.pdf).

- Recruitment and hiring processes dominated by the private sector in both countries of origin and destination.
- High incidences of irregular migration.
- High share of female migration in the case of Sri Lanka but increasingly so in the case of Nepal (Bhadra 2007) and to a lesser extent in Bangladesh (Siddiqui 2001, Dannecker 2005).
- Increased trafficking and forced labour.
- Temporary labour migration.

The migration regime that has evolved in Asia—to the GCC countries as well as within Asia at large—is primarily a system of temporary migration largely of low-skilled and semi-skilled workers with contracts typically lasting one to three years (Wickramasekara 2006). Such contracts typically tie the worker to one specific employer. Breaking the contract to seek employment elsewhere—for instance, in the case of abuse or contract violation on the part of the employer—can change the status of a migrant to the status of an irregular migrant.

In existing temporary labour migration schemes, rights are linked to skill levels and lower-skilled categories. For example, Khadria and others (2010) report that highly skilled workers from India that migrate to GCC countries are allowed to bring their families while migrants classified as semi- and unskilled workers (70 per cent) cannot bring family members along. In the absence of family reunification policies in Asia, most migrant households constitute transnationally split families, either with one parent working abroad or both parents overseas but often in different countries.

.....

### Migration flows dominated by semi-skilled and low-skilled workers

Lower-skilled temporary migrant workers constitute the majority of labour migrants in South Asia. In general, they are more vulnerable to rights violations than higher-skilled ones, as they tend to work in the informal sectors of the labour market, or in sectors where labour standards are not applied or do not even exist for local workers. In terms of position within the labour market, most male migrants are hired to work in the construction sector, small-scale manufacturing firms, subcontracting companies engaged in agricultural sectors and food processing, on shipyards, in fisheries as well as in service industries. The demand for low-skilled workers exists in jobs such as domestic workers, cooks, gardeners and drivers, where there is typically no protection by any local labour laws.

In countries of origin, migrant workers can be subject to abuse by private and public recruitment agencies. Once at the destination, the key issues and concerns of foreign workers, therefore, centre upon workplace grievances and can be broadly classified under two headings: 1) employment-related, and 2) welfare, occupational health and safety issues. Employment-related issues are mainly about non-payment or under-payment of wages and unauthorized deductions. Issues in the second category (welfare, occupational health and safety) pertain to

accommodation, long working hours and workplace hazards. The latter includes work-related injuries and accidents as well as physical and sexual abuse. Official statistics on the numbers and types of the various workplace grievances as well as systematic studies or recording activities by non-governmental organizations on this issue are rare.

---

## Recruitment

Legal migration is limited to workers who have individually arranged their employment contracts in advance, while still in their country of origin. The limited role of governments in the process of recruitment has led to the commercialization of migrant labour flows through the assistance of designated public or private recruitment agencies. Studies have shown that a large portion of the labour recruitment in Bangladesh, India, Pakistan and Sri Lanka is carried out by private agencies. This practice exposes migrants in the low-skill categories to illegal human and financial exploitation (Plant 2008, Rannveig Agunias 2010). It also exacerbates the potential for collusion among members of business and government circles (Piper and Iredale 2003).

---

## Growing share of female migration

The increasing share of women in migration can be attributed to gendered push and pull factors. In South Asia, a subregion characterized by extreme poverty, the trend towards the feminization of migration is directly related to the feminization of poverty. Migrant women find work in traditionally female-dominated occupations, mostly in the health sector and carrying out domestic services. A smaller but considerable number of them work in factories, especially in the garment sector. As domestic workers, they lack recognition as workers and are as a result inadequately addressed by labour legislation.<sup>5</sup>

Domestic work deserves special attention in a discussion about labour migration because it is a highly significant source of legal employment for women in South Asia, and to a lesser extent for men, with demand for such services steady. Although well regulated through formal migration policies, possession of legal status (entry and work permit) does not necessarily translate into labour law protection or even recognition by labour laws. In fact, domestic work is widely excluded from national labour legislation. Foreign domestic workers or carers (typically women) do not fall under national employment acts (in Singapore; Malaysia; Taiwan Province of China; and the GCC countries) whereas foreign workers in industries such as construction and manufacturing are usually covered by industrial relations legislation. Thus, national employment acts or labour standard laws do not recognize domestic work as a legitimate form of labour despite the work permit most of these migrants hold. The ILO Convention N<sup>o</sup>. 189 on Decent Work for Domestic Workers, adopted on June 16, 2011 addresses these issues.<sup>6</sup>

<sup>5</sup> For more details, please see chapters on labour migration and gender and migration chapters in this report.

<sup>6</sup> See [www.ilo.org/wcmsp5/groups/public/---ed\\_protect/---protrav/---travail/documents/publication/wcms\\_161104.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---travail/documents/publication/wcms_161104.pdf).

---

## Areas of concern related to the protection of the rights of migrant workers

All migrants, regardless of their legal status, are entitled to respect for and protection of their fundamental human rights. These rights include the right to life, freedom from torture and other ill-treatment, freedom from arbitrary detention, as well as their social and economic rights, including rights at work, and freedom from any form of discrimination.<sup>7</sup>

Human rights abuses of migrant workers, especially domestic workers, in the GCC countries and South-East Asia have received a lot of attention in recent years. Reports of different kinds of abuse of migrant workers, including sexual abuse, are frequent (Khadria and others 2010). Of the official complaints received by the Government of Sri Lanka, most come from women working in the GCC countries, with the highest number of complaints between 2006 and 2009 having come from those deployed in Saudi Arabia and Kuwait (SLBFE 2009). The specific abuses, included among others, confiscation of passports or other identity documents, routine withholding of salaries, working excessively long hours, verbal and physical abuse at the hands of the employers, restrictions on freedom of movement, and violations by the host countries when they encounter the justice system, including arbitrary arrest and detention and expulsion (HRW 2009 and 2010). Some examples of concerns related to the protection of the rights of migrant workers are given below:

---

### Civil and political rights

- Detention and deportation of South Asian workers by several South-East Asian countries (Wickramasekara 2004).

---

### Social rights

- Health and safety management in the construction industry, one of the key sectors for male migrant employment, as a whole is poor. The fatal and major injuries rate is one of the highest for any industry, despite the fact that both hazards and prevention measures are well known (IFBWW 2004). There are also numerous incidences of domestic workers falling off high-rise buildings when cleaning windows.
- A study focusing on Indian migrant workers has shown the specific vulnerability of migrant workers to HIV and AIDS. It also cited the inadequate provisions (information and otherwise) to prevent these workers from being exposed to HIV and AIDS (Piper and Yeoh 2005).
- Low-skilled migrants are typically accommodated in crowded labour camps in small rooms with bunk beds which in some incidences have to be shared by at least two workers. The facilities provided to them, such as toilets and kitchens, are inadequate. Generally, the living conditions and amenities provided by large corporations are better than the facilities extended by small companies or

<sup>7</sup> See United Nations Economic And Social Council *Report of the United Nations High Commissioner for Human Rights* Document E/2010/89.



All migrants, regardless of their legal status, are entitled to respect for and protection of their fundamental human rights. These rights include the right to life, freedom from torture and other ill-treatment, freedom from arbitrary detention, as well as their social and economic rights, including rights at work, and freedom from any form of discrimination.<sup>7</sup>

individual employers. Many migrant workers who returned from work in the GCC countries and NGOs emphasize the need for improvement in both working and living conditions of low-skilled labour. Live-in domestic workers often lack privacy or are made to sleep in inadequate places without being provided their own rooms.

- In most destination countries in Asia, including Western Asia, low-skilled foreign workers are excluded from social security systems. In Qatar, for instance, nationals have free access to a government-supported health-care system while non-citizens must generally pay for these services. The labour law stipulates that employers must provide health care for their workers but these relatively new regulations are not often carried out in practice (Breslin and Jones 2009).

---

## Work and labour rights

- A major issue resulting in, or the first step toward, the violation of labour rights is recruitment. Various reports show that the high majority of foreign job placements are done by private recruitment agencies.<sup>8</sup> The ILO Convention No. 181 on private agencies encourages the non-collection or non-payment of fees from migrant workers. Unlawful deductions from wages also often include “training expenses” and accommodation and food even if stipulated in the contract that this would be for free or a lower amount.<sup>9</sup>
- The employer-sponsored system, *kafala*, is often considered to be one of the causes for rights abuses against migrant workers. Due to the system's limitations, Bahrain has announced plans to abolish it while Kuwait is looking into ways to reform it. Under this system, workers come to these GCC countries (or depart from them) through an invitation of their employers and their residency is subject to the signature of a work contract with an employer who can be an individual, an enterprise or even the State for a post in the public sector, such as a doctor or a nurse. Migrant workers are not allowed to change jobs or in some cases leave the country without the employer's consent. The employers, on the other hand, are made accountable for actions by the migrant workers (for example, if the worker disappears, employers must pay a fine). For these reasons, employers often withhold the migrant workers' passports. This system restricts workers as well as employers.
- On the issue of wages, a recent study on Pakistani and Bangladeshi migrants working in GCC countries found that their main concern involved actual wages. Many workers received their wages on a regular basis, but said that there was a discrepancy between the promised and the actual wage (Plant 2008). This was prevalent for female domestic workers as well as male workers in other sectors. One male respondent stated that he received less than 60 per cent of the promised amount. The sectors where this practice appears to be most widespread are cleaning, construction, domestic service and farm work (Plant 2008).
- There is also evidence of contract workers being misinformed as to the nature of the job to be carried out upon arrival. For example, through a personal interview conducted by the main author of this chapter in Kuala Lumpur in 2005, many workers indicated that they had been promised work as tailors or tilers, but ended up having to do arduous jobs of heavy loading or similar (Plant 2008).

<sup>8</sup> Please refer to chapter on labour migration in this report.

<sup>9</sup> See [www.ilo.org/ilolex/cgi-lex/convde.pl?C181](http://www.ilo.org/ilolex/cgi-lex/convde.pl?C181).

---

## Rights-based migration governance

---

### National level

Most governments in South and South-West Asia either actively or passively promote labour migration. To this end, legal and administrative structures dealing with the labour market sector have gradually been put in place in one form or another with some countries reported to have adopted measures to provide certain safeguards for migrant workers, and against abusive recruitment practices.<sup>10</sup>

---

### Bilateral approaches

The most common mechanisms for regulating interstate labour migration are various types of bilateral agreements. A formal bilateral agreement sets out each side's commitments and may provide for quotas. Less formal is a memorandum of understanding (MOU). Most countries prefer MOUs, probably because they are non-binding agreements and therefore are easier to negotiate, implement and modify according to changing economic and labour market conditions (Wickramasekara 2004).

In most cases, the main concerns raised regarding these MOUs are that they do not contain specified minimum standards for conditions of work; workers typically have no explicit right to join trade unions; and employers can keep workers' passports (Wickramasekara 2006). Moreover, the monitoring and enforcement mechanisms of these agreements are weak and with greater focus being on recruitment procedures and the regulation of migration flows, provisions for worker welfare and protection are sidelined. They typically lack gender sensitivity as domestic workers are often excluded, and there is no involvement of social partners in their formulation and implementation (Go 2007).

---

## Subregional processes

---

### South Asian Association for Regional Cooperation

The South Asian Association for Regional Cooperation (SAARC),<sup>11</sup> is a key subregional body that focuses on economic, technological, social and cultural development. The Association has yet to develop a framework that fully protects the rights and interest of migrant workers. However, the SAARC Social Charter, adopted by the twelfth SAARC Summit in Islamabad in January 2004, is primarily an agreement that is used to exert moral pressure on governments. The objective of the charter is to establish a people-centred framework for social development to guide efforts to build a culture of cooperation and partnership. The Charter does not recognize labour as a distinctive group and consequently workers are not even mentioned in the document nor does it mention rights and freedoms of individuals in the subregion. In addition, it provided no explicit commitment by SAARC member States to respect the ILO Core Labour standards, Declaration on Fundamental Principles and Rights at Work or, the United Nations Declaration on Human Rights (in particular Article 23) (Khatri 2007).

<sup>10</sup> For more details please see chapter on labour migration in this report.

<sup>11</sup> SAARC was established in 1985 with seven member States—Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka and then extended to eight members States in 2006 with the addition of Afghanistan.

SAARC has made concrete steps in combating trafficking in persons. The adoption of SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution in 2002 at the eleventh SAARC Summit in Kathmandu is viewed as significant initiative in combating and preventing trafficking in South Asia, especially as it recognizes the need for extraterritorial application of jurisdiction. The Forum for Women, Law and Development, however, pointed out some problems with the definition provided by this Convention, stating that it focuses too narrowly on sex work and, thus, leaves no room for application to a broader scenario of trafficking cases. Moreover, the Convention lacks a strong treaty body and perspective on the rights of victims (Wickramasekara 2004).

---

### Regional consultative processes

In Asia, regional consultative processes (RCPs) on migration and state-owned and state-led forums, have contributed to migration governance on a regional and global basis.<sup>12</sup>

---

### International legal instruments

Three types of legal instruments set rules aimed at protecting the rights of migrants, namely international human rights law, international labour standards set by the International Labour Organization (ILO) and conventions, such as the United Nations International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW). Table 1 shows the main international instruments on migration and their status in terms of being signed, ratified and acceded to by countries in South and South-West Asia.

---

### Ratification of various legal instruments

To date, eight out of the forty-five State parties that have ratified the ICRMW are in Asia and the Pacific, with three of them located in South and South-West Asia. The eight countries are Azerbaijan (in 1999), Timor Leste (in 2004), the Philippines (in 1995), Kyrgyzstan (in 2003), Tajikistan (in 2002), Turkey (2004), Sri Lanka (in 1996), and the latest addition Bangladesh (24 August 2011; after having signed the Convention in 1998), with Cambodia and Indonesia (both in 2004) and Palau (in 2011) having only signed the Convention.

The first two ratifications by Asia-Pacific countries were among the 12 that took place in the 1990s and occurred before the global ratification campaign was launched. Despite its overall population size and migration volume, Asia and the Pacific is surprisingly underrepresented among States parties to the Convention. Yet, one phenomenon consistent with the rest of the world is that so far no major migrant host country in Asia and the Pacific has ratified the Convention. The obstacles to ratification are complex and their assessment needs to be approached from a holistic framework, whereby the protection of migrant labourers through international human rights law is seen in relation to politics and practices at the national level (intra-State) as well as at transnational or regional level (inter-State).

<sup>12</sup> For more details see chapter on migration policies and regional cooperation in this report.



Table 1.

## Main international instruments on migration signed, ratified and acceded to by countries in South and South-West Asia

INTERNATIONAL INSTRUMENT							
MIGRANT WORKERS		MIGRANT WORKERS AND FAMILIES	SMUGGLING AND TRAFFICKING		REFUGEES		
ILO Convention concerning Migration for Employment (rev 1949) (Nº.97)	ILO Convention concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers (Supplementary Provisions) (Nº.143)	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children	Protocol Against the Smuggling of Migrants by Land, Air and Sea	1951 Convention relating to the Status of Refugees	1967 Protocol relating to the Status of Refugees	
ENTRY INTO FORCE							
	22 January 1952	9 December 1978	1 July 2003	25 December 2003	28 January 2004	22 April 1954	4 October 1967
<b>Afghanistan</b>	-	-	-	-	-	acceded 2005	acceded 2005
<b>Bangladesh</b>	-	-	ratified 2011	-	-	-	-
<b>Bhutan</b>	-	-	-	-	-	-	-
<b>India</b>	-	-	-	signed 2002	signed 2002	-	-
<b>Iran (Islamic Republic of)</b>	-	-	-	-	-	acceded 1976	acceded 1976
<b>Maldives</b>	-	-	-	-	-	-	-
<b>Nepal</b>	-	-	-	-	-	-	-
<b>Pakistan</b>	-	-	-	-	-	-	-
<b>Sri Lanka</b>	-	-	acceded 1996	signed 2000	signed 2000	-	-
<b>Turkey</b>	-	-	ratified 2004	ratified 2003	ratified 2003	ratified 1962	acceded 1968

Source: ILO (no date), United Nations (no date).

Ratification of non-migrant worker specific instruments, such as the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) must also be noted because their treaty bodies have begun to pay greater attention to these Conventions' application to the plight of migrants (ICMC and December 18 2007). During a visit to Bahrain, Oman and Qatar in October-November 2006, the Special Rapporteur on Trafficking of Persons especially Women and Children raised concern that many domestic workers were victims of trafficking and that access to justice for migrant workers, including domestic migrant workers, with complaints of abuse and maltreatment remained inadequate. On 20 April 2007, the GCC countries were reported to have agreed to look into recommendations of international organizations to improve the situation with regard to migrant workers (Amnesty International 2007).<sup>13</sup>

Between 2000 and 2003, international instruments on smuggling and trafficking, namely the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and the Protocol against the Smuggling of Migrants by Land, Air and Sea were signed by India and Sri Lanka and ratified by Turkey. In addition, Afghanistan acceded to the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol Relating to the Status of Refugees. In the same period, Turkey ratified the 1951 Convention Relating to the Status of Refugees and acceded to the 1967 Protocol Relating to the Status of Refugees.

No countries in the subregion have signed, ratified, or acceded to the ILO Convention Concerning Migration for Employment (rev 1949; N°. 97) or the ILO Convention Concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers (Supplementary Provisions; N°. 143).

---

## **The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families**

The ICRMW consists of nine parts: scope and definitions; non-discrimination with respect to rights; human rights of all migrant workers (Part III, which also includes the rights of migrants in an irregular or undocumented situation); other rights of migrants who are documented or in a regular situation; provisions applicable to particular categories of migrants; the promotion of sound, equitable, humane and lawful conditions in connection with international migration; application of the Convention; general provisions; and final provisions. It is considered the most comprehensive international treaty covering the rights of migrant workers beyond the realm of work, inspired by existing legally binding agreements, United Nations human rights studies, the conclusions and recommendations of meetings of experts and debates and resolutions on the migrant worker question in United Nations bodies over two decades.

The main contributions of the Convention to existing international human rights instruments are as follows:

- Bridges a gap in protection due to the situation of vulnerability in which migrant workers and members of their families frequently find themselves, owing, among other things, to their absence from their State of origin and to the difficulties they may encounter arising from their presence in the State of employment.

<sup>13</sup> The results of this were unknown at the time this report was published.

- Views migrant workers as more than labourers or mere economic entities.
- Provides, for the first time, an international definition of migrant workers, and categories of migrant workers.
- Guarantees minimum universal human rights standards for all migrant workers, both documented and undocumented.
- Extends further rights to regular migrant workers and members of their families, notably in the equality of treatment with nationals of States and in employment in a number of legal, political, economic, social and cultural areas.

---

### **Convention on the Elimination of All Forms of Discrimination against Women**

In contrast to the ratification of the ICRMW by only 45 countries, 171 countries have ratified the other six core human rights treaties, among them the CEDAW.<sup>14</sup> Given this imbalance and the feminization of migration in some countries in the subregion, efforts have been made to promote the CEDAW as an instrument to protect the rights of migrant women (UNIFEM 2003).

A study on treaty bodies' reference to migrant worker-related issues shows that the CEDAW Committee's main concern with regards to women migrants is trafficking and sexual exploitation. The Committee provides a detailed analysis of the causes of vulnerability of women to traffickers and of the various measures to combat trafficking, punish perpetrators and protect victims. The second most common conclusion regards emigration. The Committee also lists minimal labour rights women migrants should enjoy, with special attention given to typical female labour sectors with higher risks of abuse, such as domestic work, entertainment, agricultural work, work in free trade zones and the tourist sector. According to the CEDAW, to ensure the full enjoyment of migrant women rights under the Convention, host countries should put in place information and awareness-raising programmes about the availability of social services, information on rights of women, residence permits, legal remedies and language classes. The Committee stresses that migrant women, including those that are classified as irregular migrants, are victims of multiple discriminations with respect to health, education, employment, social and political participation and violence, including domestic violence, due to the intersection of gender with ethnic and religious factors. Migrant women are also victims of discriminatory laws with respect to access to residency or citizenship. The CEDAW advises that culturally and gender-sensitive measures are necessary and that the specific needs of women should be taken into account in the areas of health and protection against violence (ICMC and December 18 2007).

---

### **Impediments to ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families**

The main obstacles to ratification of the ICRMW revolve around the following issues (UNESCO 2003):

<sup>14</sup> The International Covenant of Civil and Political Rights (ICCPR) was ratified by 167 (signed by 72); the International Covenant on Economic, Social and Culture Rights (ICESCR) by 160 (signed by 69); International Convention on the Elimination of All Forms of Racial Discrimination (CERD) by 174 (signed by 85); CEDAW by 186 (signed by 98), the Convention Against Torture by 147 (signed by 77) and the Convention on the Rights of the Child (CRC) by 193 (signed by 140).

- In some States where migration is limited on their territory, the Governments do not see a need to legislate.
- The Convention is not well known and therefore not high on the political agenda.
- Some States lack the necessary infrastructure to apply the Convention.
- Some States do not wish international agreements to interfere with their migration policies which they view as a strictly national affair.
- Economic instability and high unemployment prompt states to give preference to national over foreign workers.
- Concerns regarding the need to extend protection to members of migrants' families.
- States do not wish to extend protection to undocumented migrants.
- Concerns that ratification would send out a signal to potential migrants and spur immigration.

### Non-ratifier countries of origin of migrants

According to the ICRMW, the main obligations for origin countries are to provide information on conditions of admission and remunerated activity; to give the right to emigrate and return; to regulate and monitor recruitment agencies; to assist migrants in the resettlement and reintegration process; and to provide overseas voting rights. Crucial obligations for sending countries are pre-departure information campaigns and training sessions, monitoring of workers abroad and the imposition of sanctions on brokers and recruiters operating illegally.<sup>15</sup> Under the current institutional arrangements in many countries, this is a difficult task. The ratification and implementation processes of any United Nations convention are complex undertakings and the governmental budgets and expert staff assigned to such matters are often limited.

In addition, the sheer number of private recruitment agencies, and the allegedly high level of collusion between government circles and recruitment agencies obstruct any serious efforts to regulate and monitor out-migration from the perspective of migrants' protection.

Another serious obstacle to ratification, as expressed by government officials in a study conducted in 2003, is the misgiving of losing out on the regional job market as host countries might be disinclined to employ foreign workers who would be perceived as too 'rights conscious'. This concern particularly affects countries of origin which highly depend on a small number of destination countries and the majority of whose migrants are mainly low-skilled workers (Piper and Iredale 2003).

### Non-ratifier countries of destination of migrants

According to the ICRMW, destination countries are obliged to observe the right to join trade unions for any migrant and the right to form associations and trade

<sup>15</sup> See [www2.ohchr.org/english/law/cmw.htm](http://www2.ohchr.org/english/law/cmw.htm).

unions for legal migrants; provide minimum social welfare (such as medical care); ensure equality of treatment in respect of remuneration and conditions of work and employment; allow documented migrants to be temporarily absent without affecting the authorization to stay or work; allow liberty of movement, of choosing the residence and access to alternative employment for legal migrants; give the right to seek alternative employment in case of termination of the remunerated activity for migrant workers not authorized to freely choose their remunerated activity; and work towards providing family reunification and extend to children of migrants the right to education.<sup>16</sup>

Ratification of the ICRMW would also mean that many countries of destination, such as GCC member States, would have to redesign their temporary labour migration schemes, which are tied to one specific employer. Yet, these countries consciously designed these temporary labour migration schemes with the intention to not let migrant workers become permanent residents. For example, GCC countries usually prefer to use the term 'temporary contract worker' instead of 'migrant worker'. Similarly, many other countries of destination of migrants in Asia do not consider themselves as countries of immigration. Governments hold that if they ratified the ICRMW, this would result in a large-scale influx and eventual settlement of foreign workers.

Another major obstacle to ratification is that governments are not prepared to extend rights to irregular migrants as they are considered to be violators of immigration laws. However, ways in which the status of migrants can become irregular (at times beyond their knowledge or control) is complex.

Moreover, gaining support for the protection of migrant workers is difficult in many countries of destination, as foreign workers are often perceived by the national population as competitors in the labour market.

---

## Convention of the Rights of the Child

Until 2003, the Committee of the Convention of the Rights of the Child (CRC) tended to refer to foreign children in general without singling out migrant children. Since then, it has started to clarify the status of foreign children: whether they are migrant children, children of migrant workers, regular or irregular, refugee children or asylum seekers, or children under special protection measures. Since 2000, the Committee of the CRC has also developed a strong interest in trafficking, including the situation of trafficked children once returned to their country of origin. This is notably due to the adoption in 2000 and entry into force in 2002 of the Optional Protocol on the Sale of Children. The main concern of the Committee is discrimination in access to adequate social services, in particular health and education facilities for migrant children in general and irregular migrant children in particular. Another concern is the issue of birth registration for irregular migrant children and children born of foreign parents. The Committee also examines child labour and economic exploitation and recommends that the best interest of the child be taken into account. It also expresses concern over the situation of migrant children in detention and immigrant reception centres (ICMC and December 18 2007).

<sup>16</sup> Ibid.

---

## International Labour Organization conventions

Based on the mandate to protect workers' rights and uphold labour standards, the ILO conventions pertain to employment and labour relations. Two of its conventions are directly related to migrant workers: ILO Convention N°. 97 on Migration for Employment and ILO Convention N°. 143 concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers. None of the countries in South and South-West Asia have ratified these two migrant worker-specific conventions.

The core labour standards set by ILO are indirectly relevant to migrant workers. Pakistan, Sri Lanka, and Turkey have ratified all eight conventions that constitute the full set of the ILO fundamental human rights conventions, that is: the two ILO core conventions relating to the elimination of discrimination (N°. 111 on Discrimination in Employment and Occupation and N°. 100 on Equal Remuneration) and the two fundamental ILO conventions on the Right to Organize and Collective Bargaining (N°. 98) and concerning freedom of Association and the Protection of the Right to Organize (N°. 87).

In the subregion, Bangladesh and Nepal have ratified at least four ILO conventions. Among the major host countries of temporary labour migrants from the subregion, Jordan, Kuwait, Malaysia and Singapore have ratified at least one of the conventions. Maldives is the only country in South and South-West Asia that has not ratified any of the Conventions while the GCC countries, with the exception of Oman, have ratified ILO Convention N°. 111 on Discrimination (Employment and Occupation).

The ILO Convention N°. 189 on Decent Work for Domestic Workers was recently adopted (16 June 2011). Consequently no country to date has ratified it. However, the countries covered in this report that were present at the adoption voted in favour of the Convention. Notably, the post-voting statement delivered by the United Arab Emirates on behalf of the GCC member States expressed support for this new standard.<sup>17</sup>

---

## Implementation of international instruments

---

### Treaty bodies

The human rights treaty bodies are committees of independent experts that monitor the implementation of the core international human rights treaties. They are created in accordance with the provisions of the treaty that they monitor.

All treaty bodies are mandated to receive and consider regular State reports, and issue guidance in the form of concluding observations at the conclusion of their consideration. State reports must set out the legal, administrative and judicial measures that the State has implemented in order to give effect to its treaty obligations. Committees issue guidelines to assist States with the preparation of their reports, such as the list of issues and questions which are transmitted by the committee in advance of the session that considers the States party reports. To assist States in implementing their recommendations, the treaty bodies have introduced procedures to ensure effective follow-up to their concluding

<sup>17</sup> For the full text of the statement, see Provisional Record N°. 30 (p. 30/7 to 30/8) on the following link: [www.ilo.org/ilc/ILCSessions/100thSession/reports/provisional-records/lang-en/index.htm](http://www.ilo.org/ilc/ILCSessions/100thSession/reports/provisional-records/lang-en/index.htm).

observations, such as the appointment of a follow-up rapporteur, and country visits dedicated to follow-up and implementation.

Treaty bodies also elaborate general guidance to interpret the provisions of the treaty (known as ‘General Comments’ or ‘General Recommendations’), and organize thematic discussions related to the subject of the treaty, many of which will eventually result in the elaboration of a general comment. Most of the treaty bodies have produced some form of general guidance related to the promotion and protection of the human rights of migrants, such as for example Committee on Economic, Social and Cultural Rights General Comment N°. 20 on non-discrimination and Committee on the elimination of Racial Discrimination General Recommendation N°. 30 on non-citizens.

Of the State parties to the ICRMW in the subregion, Sri Lanka, Bangladesh and Turkey are under the obligation to submit reports on the status of implementation. Thus far, only Sri Lanka has done so. The report from Turkey was due in 2006 and Bangladesh needs more time as it only recently acceded to the Convention.<sup>18</sup>

Sri Lanka identifies itself as primarily a labour out-migration country in the status of implementation report. It is not a destination country for overseas workers “largely because there is sufficient Sri Lankan workforce, including domestic labour, to satisfy overall market demand at all levels.”<sup>19</sup> Of its outgoing labour migrants, 90 per cent travel to Western Asia (of whom 63 per cent were women). Pre-departure orientation services are provided together with rights awareness. During an information-gathering trip to Sri Lanka by the main author in 2005, the content of these courses was limited to the most basic information, with no reference to migrants’ rights, and it appears that these courses were improved with the cooperation of United Nations systems and United Nations-affiliated agencies. Measures to regulate recruitment agencies have been set in place, and a welfare fund for migrant workers has been established. To protect the interests of its citizens as workers abroad, the Government has placed labour welfare officers in almost all Sri Lankan diplomatic missions in destination countries. Sri Lankan missions maintain safe houses to offer shelter to domestic workers in distress. In terms of social security, the Government is implementing a contributory pension scheme for migrant workers, which requires them a specified amount of money to qualify for a pension upon reaching the retirement age of 60.<sup>20</sup>

There are a number of shadow (or counter) reports by NGOs publicly available in the case of Sri Lanka reporting from Israel, Lebanon, and for Asia more broadly.<sup>21</sup> The main issues of concern mentioned therein are: the monitoring of recruitment agencies, limited consular support (and adequate training for consular officials), the lack of information on rights in the pre-departure training programmes provided for migrants (as a result of which, migrants are found to be unaware of their rights and the channels available to them to seek assistance), and the lack of overseas voting rights.

<sup>18</sup> See [www2.ohchr.org/english/bodies/cmwsessions.htm](http://www2.ohchr.org/english/bodies/cmwsessions.htm).

<sup>19</sup> See [www2.ohchr.org/english/bodies/cmws/docs/AdvanceVersions/CMWC.LKA.1.doc](http://www2.ohchr.org/english/bodies/cmws/docs/AdvanceVersions/CMWC.LKA.1.doc), p. 5.

<sup>20</sup> Ibid.

<sup>21</sup> See [www2.ohchr.org/english/bodies/cmws/cmws11.htm](http://www2.ohchr.org/english/bodies/cmws/cmws11.htm) for the full texts of the shadow reports on Sri Lanka.

---

## Special procedures

Special procedures is the general name given to the mechanisms established by the Human Rights Council to address either specific country situations or thematic issues in all parts of the world. Special procedures are either an individual (called 'Special Rapporteur' or 'Independent Expert') or a working group usually composed of five members. The mandate of the Special Rapporteur on the Human Rights of Migrants, created in 1999, covers all countries, irrespective of whether a State has ratified the ICRMW.

The Special Rapporteur does not require the exhaustion of domestic remedies to act. When the facts in question come within the scope of more than one mandate established by the Commission, the Special Rapporteur may decide to approach other thematic mechanisms and country Rapporteurs with a view to sending joint communications or seeking joint missions.

---

## Universal Periodic Review

The Universal Periodic Review (UPR) is a unique process which involves a review of the human rights records of all 193 United Nations member States once every four years. UPR is a State-driven process, under the auspices of the Human Rights Council, which provides the opportunity for each State to declare the actions they have taken to improve the human rights situations in their countries and to fulfil their human rights obligations. As one of the main features of the Council, it is designed to ensure equal treatment for every country when their human rights situations are assessed.

The UPR was created through the United Nations General Assembly on 15 March 2006 by resolution 60/251, which established the Human Rights Council itself. It is a cooperative process which, by 2012, will have reviewed the human rights records of every country. Currently, no other universal mechanism of this kind exists. The UPR is one of the key elements of the new Council which reminds States of their responsibility to fully respect and implement all human rights and fundamental freedoms. The ultimate aim of this mechanism is to improve the human rights situation in all countries and address human rights violations wherever they occur.

During UPR reviews of countries of the subregion, a number of recommendations were made:

- Pakistan was requested to consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.
- The efforts of by Nepal to promote the rights of all vulnerable and marginalized groups, including migrants, were welcomed.
- Regarding Sri Lanka, the CEDAW had already expressed concern in 2002 about the increasing number of women who migrate and find themselves in vulnerable situations, often subjected to abuse and sometimes death. Sri Lanka supported recommendations to enter into further agreements with countries hosting its migrant workers. The country was also encouraged to elaborate further on its plans to protect migrant workers, including women.



## Trade unions

Trade unions operate in several countries in the subregion, but their impact is often limited. However, of note, Sri Lanka has come to “recognize civil society organizations and trade unions to be another effective means by which migrant workers can avail themselves of an environment of successful reintegration” (MFEPW 2008). Workers in the subregion tend to have weak organizational influence and unionization rates are relatively low on a global basis. This is not surprising given the extent of the informal sector (in India, for instance, 90 per cent of the workforce is engaged in the informal sector), which is mostly non-unionized. In addition, migrants are seen as better off for having found employment, making the need for organizational support less pressing. Since practices of collective bargaining rights are weak in countries of origin, unions cannot easily argue for such rights in the host countries (Khatri 2007).

The GCC States in general restrict the right to form a trade union for local and foreign labour and until recently, trade unions were prohibited. In some GCC States, such as Bahrain, trade unions can operate. A step forward was taken by Saudi Arabia 2002, with the approval of regulations on workers councils. However, foreign workers are expressly excluded (IFBWW no date).

At the subregional level, the impact of trade unions is limited. For example, trade unions have not been able to make collective efforts to ensure that labour issues are included in the SAARC agenda and other regional activities.

## Migrant associations

Two expanding regional networks—the Migrant Forum in Asia (MFA) and Coordination of Action Research (CARAM) Asia—have member organizations in most of the origin countries discussed in this report, namely Bangladesh, India, Nepal and Sri Lanka and many of the destination countries or territories, namely Japan, Malaysia, Republic of Korea, Singapore and Taiwan Province of China. In a few countries of Western Asia, such as Bahrain and Jordan, some NGOs dedicated to this area have been established. A difference has to be made between organizations formed by migrants themselves or compatriot activists, such as by Filipinos in destination countries, and organizations set up by concerned non-migrant citizens, such as in Singapore.

MFA constitutes the largest and most active regional network in Asia, and is also the driving force behind the global migrant rights movement launched in 2006: the Peoples Global Action on Migration, Development and Human Rights (PGA) whose *raison-d'être* is to target global governing institutions and the Global Forum on Migration and Development (GFMD). Many of the MFA member organizations are part of national networks, such as the Action Network for Migrant Workers in Sri Lanka. Local organizations engage in a variety of activities, ranging from rights advocacy to service provision, such as shelters and legal aid. The networks not run by migrants themselves are, among others, faith-based or administered by women rights or general human rights organizations.



A number of promising practices are emerging in South and South-West Asia, ensuring greater promotion and protection of the human rights of migrants. But gaps remain for migrants in regular as well as irregular situations.

---

## Employers

There are a limited number of initiatives aimed at employers with regard to the upholding of a rights-based approach to labour migration. One such exception to this is an initiative by the Business for Social Responsibility (BSR) aimed at promoting responsible behavior for businesses.<sup>22</sup> BSR developed a good practice guide in tune with international human rights standards that outlines issue areas from which most migrant rights violations occur, such as the practices of recruitment agencies (suggesting direct hiring in the countries of origin by circumventing the use of private agencies), contracts (the kind of information they should contain), wage withholding, housing and dormitories, food and health and the right to join trade unions (BSR 2010).

---

## Conclusions and recommendations

A number of promising practices are emerging in South and South-West Asia, ensuring greater promotion and protection of the human rights of migrants. But gaps remain for migrants in regular as well as irregular situations.

At the national level, many out-migration countries have made efforts to regularize emigration procedures, resulting in more migrants enjoying a legal status. On a bilateral level, many bilateral agreements and understandings do not systematically address human rights issues, including issues related to economic, social and cultural rights. Although recruitment agencies have become subject to greater monitoring and pre-departure training schemes subject to some improvement, there are still gaps in this regard. Some countries of origin have begun to collect data on rights abuses. However, more systematic action needs to be undertaken.

On the subregional level, it is laudable that migrants' rights have been put on the agenda of some regional consultation processes, and it is hoped that there will be concrete outcomes beyond declarations in the future. Civil society organizations should have greater access and opportunities to participate in deliberations on, and implementation of policies and programmes.

In view of the above, the following are non-exhaustive recommendations:

- All migrants, regardless of their legal status, should be able to enjoy their fundamental human rights in law and in practice.
- All countries in the subregion as well as countries of destination outside the subregion that host migrants from South and South-West Asia should be encouraged to ratify and effectively implement all core international human rights instruments, including the ICRMW. Impediments to the ratification of this important instrument must be addressed. Also necessary are capacity-building and -strengthening activities on the scope and content of international human rights standards that protect migrants, with Government officials, parliamentarians, national human rights institutions and civil society.
- Countries of origin as well as countries of destination should put in place concrete channels for remedies and redress, including ensuring greater protection of the law

<sup>22</sup> See <http://migrationlinkages.bsr.org/>

for all migrant workers. One important avenue in this respect is ensuring effective labour inspections to monitor abusive employer practices.

- National legislation as well as bilateral understandings and agreements on migration should be consistent with international human rights standards. Monitoring them and their enforcement mechanisms need to be strengthened. These instruments should also include provisions for the welfare and protection of workers.
- Destination countries should analyse temporary labour migration schemes to ensure that they are compatible with international human rights standards. Specifically, they should remove the requirements that migrants are unable to change employers, as there is a risk of human rights abuse in such arrangements.
- Domestic work should be defined as work in national labour law. All countries of destination should ratify relevant ILO conventions, including Convention N<sup>o</sup>. 189 on Decent Work for Domestic Workers.

## References

- Arundodhaya-Migrants Initiative (2005). *State of Indian Migrants* (Chennai, AMI).
- Amnesty International (2007). Gulf cooperation council: Protect domestic migrant workers from abuse, accessed from [www.amnesty.org/en/library/asset/MDE04/001/2007/en/19e4c14d-d396-11dd-a329-2f46302a8cc6/mde040012007en.pdf](http://www.amnesty.org/en/library/asset/MDE04/001/2007/en/19e4c14d-d396-11dd-a329-2f46302a8cc6/mde040012007en.pdf) on 11 August 2011.
- Bhadra, C. (2007). "International labour migration of Nepalese women: The impact of their remittances on poverty reduction", Asia-Pacific Research and Training Network on Trade Working Paper Series N°. 44, September.
- Breslin, J. and T. Jones (2009). Women's rights in the Middle East and North Africa (Qatar, Freedom House).
- Business for Social Responsibility (BSR) (2010). *Good Practice Guide: Global Migration*. Accessed from [www.bsr.org/reports/BSR\\_Good\\_Practice\\_Guide\\_Global\\_Migration.pdf](http://www.bsr.org/reports/BSR_Good_Practice_Guide_Global_Migration.pdf) on 11 August 2011.
- Buchan, J., and L. Calman (2004). *The Global Shortage of Registered Nurses: An Overview of Issues and Actions* (Geneva, International Council of Nurses).
- Dannecker, P. (2005). "Transnational migration and the transformation of gender relations: the case of Bangladeshi labour migrants", *Current Sociology*, vol. 53, N°. 4, pp. 655-674.
- Human Rights Watch (HRW) (2009). *"The Island of Happiness" – Exploitation of Migrant Workers on Saadiyat Island, Abu Dhabi* (New York, HRW).
- \_\_\_\_\_ (HRW) (2010). *Slow Reform – Protection of Migrant Domestic Workers in Asia and the Middle East* (New York, HRW).
- Go, S. (2007). "Asian labor migration: The role of bilateral labor and similar agreements", paper presented at Regional Informal Workshop on Labor Migration in Southeast Asia, Manila, September.
- International Catholic Migration Commission (ICMC) and December 18 (2007). *The UN Treaty Monitoring Bodies and Migrant Workers: a Samizdat* (Brussels, December 18).
- International Federation of Building and Wood Workers (IFBWW) (2004). "Exploitation of construction, forestry and wood workers in connection with migrant and cross border work", accessed from [www.bwint.org/pdfs/migrantworkers.pdf](http://www.bwint.org/pdfs/migrantworkers.pdf) on 22 August 2011.
- IFBWW (no date). *Migrant Workers in the Arab Gulf States* (Geneva, IFBWW).
- International Labour Organization (ILO) (no date). ILOLEX Database of International Labour Standards. Accessed from [www.ilo.org/ilolex/english/index.htm](http://www.ilo.org/ilolex/english/index.htm) on 11 August 2011.
- International Confederation of Free Trade Unions Asian and Pacific Regional Organisation (ICFTU-APRO). "The Migration Issues Concern the Trade Unions: ICFTU-APRO Background Paper", presented at ICFTU-APRO Regional Consultation on Developing a Cooperating Mechanism for Promoting and Protecting the Rights of Migrant Workers, Jakarta, March. Accessed from <http://library.fes.de/pdf-files/netzquelle/01731.pdf> on 22 March 2012.
- International Labour Organization (ILO) (no date). ILOLEX Database of International Labour Standards. Accessed from [www.ilo.org/ilolex/english/index.htm](http://www.ilo.org/ilolex/english/index.htm) on 11 August 2011.
- Khadria, B., and others (2010). *India Migration Report 2009 – Past, Present and the Future Outlook* (New Delhi, International Migration and Diaspora Studies Project).
- Khatri, S.K. (2007). *Labour Migration, Employment and Poverty Alleviation in South Asia*, updated summary of the Proceedings of the Regional Seminar, organized by SACEPS and Friedrich Ebert Foundation, Kathmandu, August.
- Ministry for Foreign Employment Promotion and Welfare (MFEPW) (2008). "National Labour Migration Policy for Sri Lanka" (Colombo, MFEPW).
- Piper, N., and R. Iredale (2003). "Identification of the obstacles to the signing and ratification of the UN Convention on the Protection of the Rights of All Migrant Workers 1990 – The Asia Pacific perspective", paper prepared for UNESCO, APMRN Working Paper N°. 14, University of Wollongong.
- Piper, N., and B. Yeoh (2005). "Introduction to special issue: Meeting the Challenges of HIV/AIDS in Southeast and East Asia", *Asia Pacific Viewpoint*, vol. 46, issue 1, pp. 1-5, April.
- Plant, R. (2008). "Temporary contract labour in the Gulf States: Perspectives from two countries of origin", paper commissioned by ILO for the Gulf Forum on Temporary Contracted Labour, Abu Dhabi, January. Accessed from [www.ilo.org/wcmsp5/groups/public/@ed\\_norm/@declaration/documents/publication/wcms\\_090662.pdf](http://www.ilo.org/wcmsp5/groups/public/@ed_norm/@declaration/documents/publication/wcms_090662.pdf) on 11 August 2011.
- Rannveig Agunias, D. (2010). *Migration's middlemen: Regulating recruitment agencies in the Philippines.- United Arab Emirates Corridor* (Washington, Migration Policy Institute).
- Siddiqui, T. (2001). *Transcending Boundaries – Labour Migration of Women from Bangladesh* (Dhaka, The University Press Limited).
- Sri Lanka Bureau of Foreign Employment (SLBFE) (2009). *Annual Statistical Report of Foreign Employment* (Koswatta, Battaramulla, SLBFE).
- United Nations (no date). United Nations Treaty Collection. Accessed from <http://treaties.un.org/Home.aspx> on 11 August 2011.
- United Nations Educational, Scientific and Cultural Organization (UNESCO) (2003). *United Nations Convention on Migrants' Rights – Information Kit* (Paris, UNESCO).
- UNIFEM (2003). "UNIFEM-CEDAW Panel on Addressing Women Migrant Workers' Concerns", (New York, UNIFEM). Accessed from [http://cedaw-seasia.org/docs/general/CEDAW\\_PANEL\\_AddrWomenMigrantWorkersConcerns.pdf](http://cedaw-seasia.org/docs/general/CEDAW_PANEL_AddrWomenMigrantWorkersConcerns.pdf) on 11 August 2011.
- Wickramasekara, P. (2004). "Rights of migrant workers in Asia: Any light at the end of the tunnel?", *International Migration Papers* N°. 75 (Geneva, ILO).
- \_\_\_\_\_ (2006). *Globalization, international labour migration and rights of migrant workers*. Accessed from [www.ilo.org/public/english/protection/migrant/download/pws\\_new\\_paper.pdf](http://www.ilo.org/public/english/protection/migrant/download/pws_new_paper.pdf) on 11 August 2011.

# Gender and international migration<sup>1</sup>

During the migration process, women migrant workers often are at a disadvantage due to gender-specific factors and have different experiences by virtue of gender stereotypes of the role of women and the division of labour between the two sexes.

This chapter aims to highlight this by mainly focusing on the specific concerns and issues of women migrant workers, especially those who are most at risk of being exploited, from the key countries of out-migration in the subregion, namely Bangladesh, India, Nepal, Pakistan and Sri Lanka. Issues related to migration and gender are different in other countries of the subregion and would require a separate detailed discussion. The chapter primarily concentrates on temporary labour migration from the subregion, which is dominated by migration to the countries of the Gulf Cooperation Council (GCC).<sup>2</sup> Specific vulnerabilities arise for women migrant workers from these countries due to the nature of the temporary labour migration regime and gender imbalances in countries of origin and destination.

<sup>1</sup> Deepa Bharathi, Programme Manager, Asia Pacific Arab States regional Programme on Empowering Women Migrant Workers, UN Women East and South East Asia, Bangkok, Thailand and Smita Mitra, Programme Associate, UN Women South Asia, New Delhi, India

<sup>2</sup> The member States of the GCC are Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and United Arab Emirates.

The gender-based hierarchies established in countries of employment are important factors that influence the incorporation of migrants into the labour market. The gender-based hierarchies that affect all women in general also handicap migrant women in particular, influencing job opportunities, work environment, and wages compared to their male counterparts (Boyd and Grieco 2003). Countries that recruit migrant workers on a temporary basis generally admit women as domestic workers, which include those specializing in childcare. Thus, many women migrants, despite their skill level or aspirations, are channeled into the domestic sector because of these pre-existing gender, cultural and legislative realities in many countries of employment.

---

**A regional perspective on migration from South and South-West Asia**

A distinctive feature of the current international migration scenario is that almost half the population movement consists of women, a sharp contrast to the relatively lower proportion of women migrants in nineteenth century migration. In this regard, however, it should be noted that the migration of women from South Asia has been lower than the international averages even though the gap has been consistently narrowing over time.

Increasing feminization<sup>3</sup> of international migration in general and from South Asia in particular has spurred new issues and poses new challenges relating to institutions, processes and outcomes associated with female migration.

Increasing remittances by women migrants have reframed the development narratives in some countries, such as Nepal and Sri Lanka. Studies have also shown the empowering aspects of women's migration for work abroad at the local and micro level in the countries of origin where subtle but important changes are taking place in the gender balance of power both within and outside the household (Bhadra 2007).

Nevertheless, women migrant workers from the subregion are more vulnerable to labour exploitation and human right abuse, mainly because they tend to be single and work in low-skilled occupations, primarily as domestic workers and service providers.

<sup>3</sup> Here the term feminization of migration is used to signify the increasing importance of women migrants as the main economic providers, or 'breadwinners' for their households, leading to specific female forms of migration, such as the commercialized migration of domestic workers and caregivers, the migration and trafficking of women for sex work and manual labour-intensive industries and organized migration of women for marriage.

---

## Patterns of women's migration

At the global level, two features distinguish the current pattern of women's labour migration. First, an overwhelming majority of international women migrant workers belong to either the low-skilled or semi-skilled category. Second, the increased intensity of population movements has played a major role in shaping the debates over ensuring justice and dignity to workers, both at the national and international levels.

Large-scale migration of women workers from South Asia has well-documented historical roots in the colonial period. Indentured migration to the plantation colonies in the nineteenth century, for instance, was governed by the strict requirement stipulated by the colonial government of a minimum of 40 women per 100 men. Most women who migrated were single, with only a minority travelling with their families. This significantly affected the character of household and community formation in the destination countries as well as the way migration was viewed in the places of origin. The exploitation of single women in the plantations triggered massive nationalist agitation against indentured migration and eventually led to its abolition in 1916. Regulation of women's migration was thus crucial both at the inception and end of migration systems of the nineteenth century (Northrup 1995, Tinker 1974).

The pattern of women's migration from South Asia underwent a change starting in the 1970s when migration and emigration of low- and semi-skilled workers from the subregion to Western Asia accelerated (Khadria 2009). The increase of oil prices in the 1970s led to a vast demand for labourers in Western Asia, including domestic workers, and this demand has continued to increase.

---

## Temporary labour migration of women from South Asia

Apart from the GCC countries, other destination countries for South Asian women have evolved in recent years, such as non-GCC countries in Western Asia, especially Jordan and Lebanon, and destinations in East and South-East Asia, namely Hong Kong, China; Malaysia, Singapore and Taiwan Province of China. Interestingly, out of 27.35 million international women migrants in Asia, 11.32 million are in Western Asia alone (UN DESA 2009).

Detailed data on migrant stock by country of origin are difficult to obtain for the GCC member States, as these countries are reluctant to publish this information. Embassies of countries of origin often provide estimates on the stock of migrants in respective destination countries, but the information is often not disaggregated by sex.

However, some countries in South Asia publish data disaggregated by sex on annual migrant outflows based on administrative records, with Sri Lanka providing the most comprehensive information in this area. Bangladesh has only recently started to publish this information while the Ministry of Overseas Indian Affairs (MOIA), the government agency that monitors migration, does not publish sex-disaggregated data.<sup>4</sup>

The majority of women migrant workers from South Asia are from Sri Lanka, with increasing numbers from Bangladesh and Nepal. Notably, Nepal and

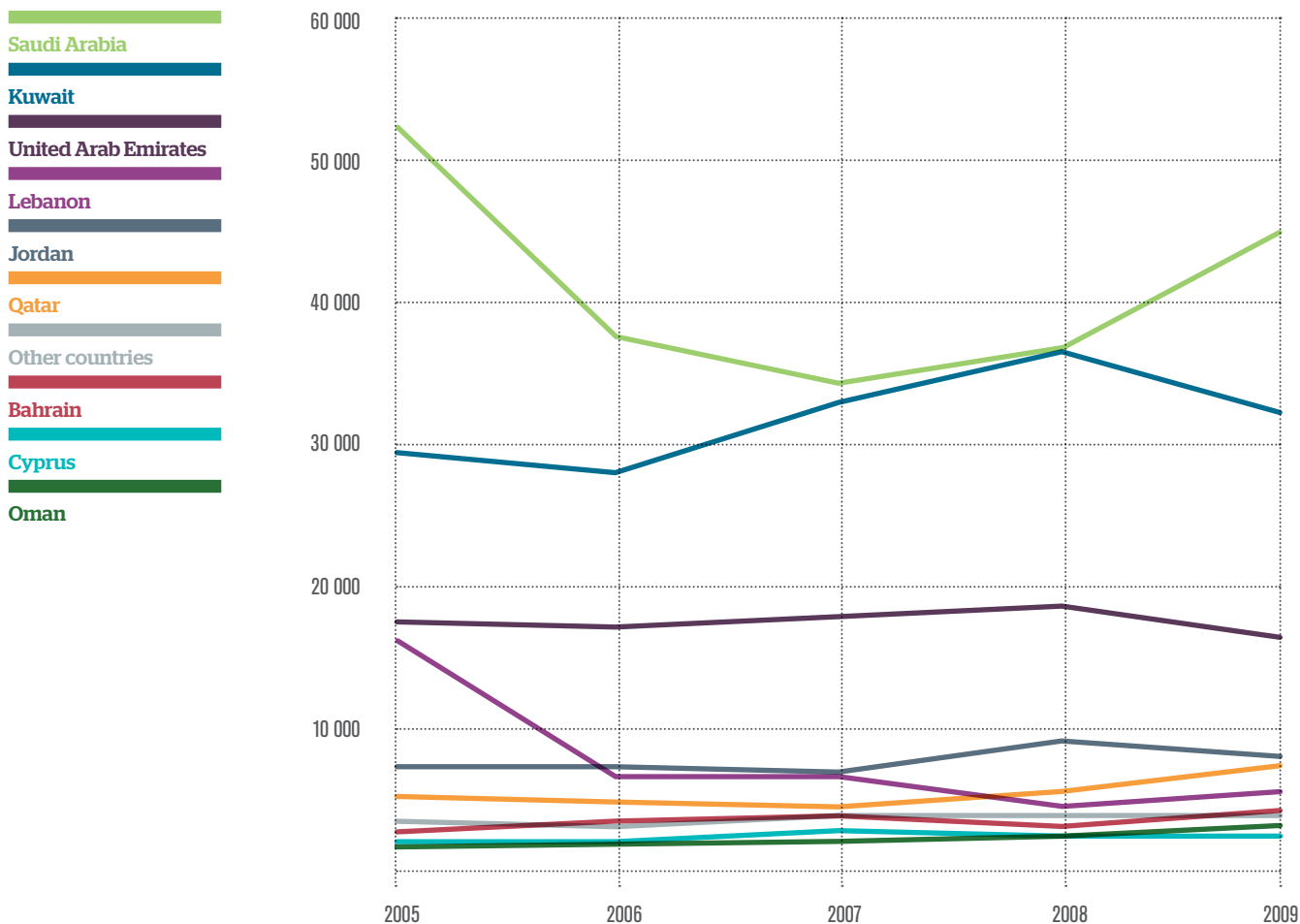
<sup>4</sup> For data on women's migration, also see the country chapters for Bangladesh, India, Nepal and Sri Lanka in this report.



Bangladesh recently lifted bans on women’s migration. Although official records are not available, it is also known that women from India also migrate mainly as domestic helpers or as nurses while the number of women migrating alone for work from Pakistan is considered to be very low.<sup>5</sup>

In recent years, the outflow of migrating women from Sri Lanka have been higher than the outflow of men.<sup>6</sup> During 2005–2009, about 120,000 Sri Lankan women left the country annually every year (figure 1), with the eight main destination countries located in Western Asia. Meanwhile, for male out-migrants, the Republic of Korea, where protection levels are higher, ranks number five in terms of receiving male migrants from Sri Lanka. The majority of Sri Lankan women migrate as domestic workers, especially to Saudi Arabia, and Kuwait. In fact, about 60 per cent of female migrants from Sri Lanka went to these two main destination countries in 2009 (SLBFE 2009).

Figure 1.  
**Female migrant worker outflows from Sri Lanka by destination country, 2005–2009**



Source: SLBFE (2009).

<sup>5</sup> See respective country chapters in this report.

<sup>6</sup> See chapter on Sri Lanka in this report.

## Demand for women migrant workers

A gender differentiated demand for labour seems to determine the migration flow of international women workers (Ghosh 2009). The majority of male migrants are engaged in production and construction. Women, on the other hand, are disproportionately engaged in the service sector in care and entertainment services. Characteristically, working conditions in the sector are likely to be more precarious than in male-dominated sectors, but employment generation is less likely to be affected by economic cycles as it is determined primarily by the labour market structure of the host countries and the countries' social and cultural practices. The demand for domestic workers in GCC countries is a prime example. As indicated in table 1, women constitute the major segment of migrant domestic workers in the GCC countries. The largest groups of migrant women domestic workers are in Saudi Arabia and Kuwait.

Table 1.  
Migrant domestic workers in GCC countries

COUNTRY	YEAR	TOTAL	WOMEN
Saudi Arabia	2009	777 254	506 950
Kuwait	2010	569 536	310 402
Oman	2009	94 592	69 256
Bahrain	2011 <sup>a</sup>	83 198	51 811
Qatar	2009	80 342	48 147

Source: Esim and Kerbage (2011).

Note: <sup>a</sup> first quarter

Several factors have triggered demand for women caregivers to the GCC countries as well as to locations in East and South East Asia. First, with improved economic positions, the hiring of domestic workers is considered a necessary comfort. Second, in several South-East Asian countries as well as some territories in East Asia, there has been a sharp increase in the women work participation rate, which has generated demand for domestic workers (Gulati 1997). At the same time, the hiring of domestic workers has become difficult either due to the shortage of local labourers or higher prices charged by them. Women labour migration from South Asia to Western Asia is essentially related to economic prosperity as the countries of Western Asia register very low women labour force participation rates. Thus, the feminization of international migration is linked to a global demand for domestic workers, reproducing the traditional gendered division of labour, in which women are relegated to lower-wage jobs (Agrawal 2006).

---

## Feminization of migration

Despite the increased presence of women in the global migration pattern, the contribution of women to the migrant labour force is an issue that has been largely overlooked or neglected in the subregion. This point will be elaborated in the following paragraphs through the contribution of women migrant workers in the form of remittances and other social aspects.

The main reasons for migration in general—lack of viable opportunities in the home country, widespread poverty, desire for a better future and a higher remuneration in the destination country—hold true for women’s migration in South Asia, though the impact of such factors varies among countries. At the same time, as will be discussed later in the chapter, factors such as the harsh realities of family life, alcoholism of the male members of the family and oppressive social systems, seem to play a crucial role in influencing a woman’s decision to migrate. Other causes for migration are natural disasters, conflicts and violence.

In the South Asian context, the feminization of migration is largely associated with the migration of women from Sri Lanka. About 80 to 90 per cent of women from Sri Lanka migrate to work as domestic workers (SLBFE 2009). The composition of women migrants provides clues on the factors that trigger migration at the micro level. In the present decade, the migration of women workers from Sri Lanka is inextricably linked with the employment of domestic workers in Western Asia. Sri Lankan women migrants are predominantly Sinhalese and Muslim; the number of Tamils is much lower. While migrants were drawn primarily from the urban areas surrounding the capital city of Colombo in the late 1970s, they now come from all over the island, including the western districts of Colombo, Kurunegala and Gampaha (Frantz 2010).

Prior to the current rise of women’s international migration, women migrants were mainly working in plantations or in free trade zones (Brochmann 1993, Kottegoda 2006) and comprised a higher workforce participation rate. The vibrant garment industry spread across Sri Lanka also boosted the number of women migrant workers as many women trained in these factories have found jobs in garment factories overseas. The increase in women migrant labour as domestic workers and as low-skilled and semi-skilled factory workers (predominantly garment factory workers) is attributed to a number of other social, economic and policy factors.

Despite liberalization, unemployment remained a major problem and the standard of living of the population further worsened with the withdrawal of the decades-long food subsidy programme in the 1979. The increased demand for workers in Western Asia gave the Government of Sri Lanka an avenue to overcome the low economic growth. In this context, it can be argued that the historical legacies of women employment outside the household also helped women from Sri Lanka to migrate in large scale (Oishi 2006).

Women’s migration from Nepal presents a different trajectory. Migration before the 1990s often meant male migration in which women accompanied their spouses, parents or relatives. Patriarchal attitudes coupled with a lack of reliable and available networks as well as money to support migrant initiatives hindered the independent movement of women migrant workers (Adhikari and others 2006). One significant development in the 1990s was the change in the political organization of the country from that of a monarchy to a democracy.

The failure of the agricultural economy and the resultant poverty after the 1990s prompted many women to go to India to search for non-farm jobs, while a few migrated to other countries (Bohra and Massey 2009).<sup>7</sup>

As in the cases of Sri Lanka and Nepal, widespread poverty, unemployment at home, and wage differences at the destination country triggered international labour migration from India to Western Asia. Academic literature on international labour migration in India is largely focused on male migration. This complements the near invisibility of women migrants in data. This seems ironic in the case of the Indian state Kerala which records high levels of labour migration of women, particularly nurses, to Western Asia. However, the experience of female labour migration in the category of low-skilled (domestic workers) and semi-skilled (health-care workers) is increasingly receiving attention (Bindhulakshmi 2010, Percot 2006). The study conducted by IOM (2010) among labour migrants from the Indian state Andhra Pradesh indicated their decision to migrate was driven by economic benefits. Studies on women's labour migration to GCC countries also indicate that their choice (particularly as nurses) was also guided by a desire to migrate to a better destination (Percot 2006).

Though female migration from Bangladesh continues to be low, there has been a gradual uptrend from the less than 1 per cent share of females in the annual labour flow that prevailed until 2000. It is ironic that the social situation that inhibits women's migration also tends to be a major factor pushing female migration. As indicated in studies by IOM and the International Research and Training Institute for the Advancement of Women (INSTRAW) (2000) and Siddiqui (2001), women who face unhappy social situations, including difficult marriages, harassment and violence, are lumped in a socially disadvantaged group and see migration primarily as a quest for independence and a means of realizing their self-worth.

While migration can be a source of economic empowerment and progress for women migrants and their families, the existing system of migration poses many challenges for women who want to benefit from migration and the potential employment opportunities. Some of the possible consequences under this system are cases of physical violence, sexual abuse, withholding of passports, restrictions on mobility and communications and even death while trying to escape (Migrant Forum in Asia 2004). Notably, migrant women who escape a exploitative work setting and bring legal action against their employers rarely succeed. The lack of access to legal services and redress systems by appropriate authorities leads them to be deported and/or lose their employment income, jeopardizing the livelihood of their families back home. As such, many women migrant workers choose to continue to work in their places of employment no matter the level of abuse and exploitation in absence of a better alternative. Despite these challenges, recent trends suggest that more women workers will go overseas in the search of better employment opportunities in the future.

<sup>7</sup> Migration from Nepal to India dates to the provision of free movement under the Indo-Nepal Treaty of Peace and Friendship of 1950 and is facilitated by the long and open border between the two countries, which allows travelling through land routes where cross-border movements often remain unrecorded.

## Gender implications of migration laws and policies

Most countries in the subregion have in place legislation to regulate the flow of migrants and to control migration. A striking aspect of the migration policy of the South Asian countries as noted by Oishi (2005) is that the policies treat men and women on different scales. Despite the increasing presence of women in migration flows, especially as workers, the migration policies in both the countries of origin and the destination countries of the South Asia-Western Asia migration corridor tend to be gender-blind. Migration policies in the subregion are often formulated with women placed at the margins, reproducing existing gender stereotypes. Women are seen as victims of all sort of violations and thus, incapable of deciding on cross-border migration. The State intervenes to protect and control women, thereby curtailing women's rights to make their own decision and earn a decent living. Kapur (2005) notes that, constructing women as "victims" delegitimizes women's movement in search of work. In addition, women are left with no option apart from depending on informal and often illegal agents, increasing the probability of women ending up in trafficked networks.

Oishi (2005) explains the relevance of the concept of 'social legitimacy' to analyse women's migration processes in South Asia. She defines social legitimacy as "a particular set of social norms that accept women's wage employment and geographical mobility and that establish an environment conducive to international women's migration". The concept not only seems to mold society's attitude towards women's migration, but also influence State policies promoting, regulating and/or controlling their mobility. Kapur (2005) narrates how the categorization of migrant women by the State into groups—such as potential victims and those outside the scope of victimization; women travelling alone and those travelling with family—often leads to impractical solutions.

Table 2.  
Conditions on the international migration of women workers

COUNTRY	CONDITION
Bangladesh	Ban on recruitment of entertainers but not on nurses, doctors and engineers.
India	Women must be at least 30 years to work as domestic workers in Western Asia or Northern Africa, with exceptions made on a case-by-case basis. Ban on recruitment of female domestic workers to Kuwait.
Nepal	Women must be at least 18. Selective ban on employment according to the country of destination.
Pakistan	Women must be at least 35 years to work abroad as domestic workers. Ban on recruitment of nurses.
Sri Lanka	Women must be at least 20 to work as domestic workers. Ban on recruitment of entertainers.

Source: Kabeer (2007).

Most countries in the subregion have placed some restrictions on the age of women migrants, destinations and occupations (see table 2). For instance, Bangladesh, India, Nepal and Pakistan have put a limit on the age of the women migrants, while Sri Lanka has a minimum age for domestic workers only.

Restrictive migration policies have reduced the possibilities for regular and legal migration for women, forcing them go through risky irregular channels. For instance, in Nepal, due to the alleged sexual abuse and death of a migrant woman worker in Western Asia, which made headlines in the Nepali media, women's migration to that subregion was banned in 1998 through a Cabinet decision; it was restored only in 2003. Later, this was revoked and a new law, the Foreign Employment Regulation (2008), was introduced. One provision in the law stipulates that international migration from the country is possible only through Kathmandu airport. However, it is estimated that 30–40 Nepali women fly to Western Asia daily through India. Nearly 20,000 to 25,000 Nepali women are believed to be working in Saudi Arabia and most of them are irregular migrants (NIDS 2009). Similarly, a study from India found that as a result of provisions such as age restrictions, women migrant workers often misquote their age in order to migrate for employment (Centre for Labour Market Studies forthcoming).

International migration is best viewed as a process that offers immense scope for social and economic mobility. However, there is a need to incorporate gender sensitivity into the migration policies in South Asian countries in which the rights of women to migrate would be recognized.

---

### **Lack of legal recognition**

Women migrant workers in Western Asia lack recognition, both socially and legally, as workers by virtue of being part of the domestic work sphere. The characterization of domestic work as private household labour leads to exclusion of domestic workers (partially or wholly) from labour legislation. In addition, gendered cultural norms and societal belief systems view domestic workers as part of the family and do not recognize domestic labour as “real work”, thus undervaluing the economic contribution by domestic workers. This, in turn, reinforces the deficient legal regimes that exclude domestic work from protections and regulations that cover other employment sectors. As a consequence, domestic workers often do not recognize themselves as workers with entitled rights and the lack of protective legislation in the destination country translates to a structural inability by women migrant workers to organize and advocate for their rights and entitlements.

---

### **Provision of information to prospective migrants**

Increasingly, formal institutions, especially government agencies, are engaged in providing requisite information to prospective migrants. For instance, the Sri Lanka Bureau of Foreign Employment (SLBFE), through its grass-roots level awareness building programmes, informs prospective migrants, families of the migrants left behind, the wider population in the locality, the police and community leaders on the prospects, problems and coping strategies related to migration. SLBFE also broadcasts customized radio programmes on migration.

In Bangladesh, very little information is disseminated by Government agencies on migration, particularly with regard to women migration. However, in recent years, the Ministry of Expatriate Welfare and Overseas Employment (MEWOE) has been regularly advertising in Bangladeshi newspapers about unlicensed recruiters and safeguards to be followed by migrants so as not to be trapped in irregular migration (Siddiqui 2008). A major part of information dissemination on the prospects and problems of migration in Bangladesh is primarily done by migrants' associations, such as the Welfare Association of Returnee Bangladeshi Employees (WARBE) and the Association for Female Migrant Workers in Bangladesh (BOMSA). WARBE has set programmes that offer general information about migration and migration processes, such as issuance of passports, medical tests for migrants, getting visas issued, recruitment agents and their fraudulent practices, the cost of migration, and the living and working conditions in the destination countries.

---

### **The *kafala* system<sup>8</sup>**

International migration to Western Asia is predominantly governed by the *kafala* or sponsorship system. Under this system, expatriate workers can only enter, work and leave the host countries with the assistance or explicit permission of their sponsor or employer, who is a local in the country.

The *kafala* system was drawn from the concept of 'guardianship' by which workers are tied to their employers with many countries not allowing workers to transfer to take jobs with other employers. In the case of migrant domestic workers who are predominantly women, this system adds greater vulnerability in that domestic workers work and live in their employer's abode. Consequently, it is difficult to scrutinize and regulate their working and living conditions.

The *kafala* system has been criticized by NGOs and human rights activists as it often results in human rights violations in its application due to irregularities in the use of the recruitment system. Other critiques of the system include controlled and limited freedom of movement—migrant workers are not free to move outside the sponsor's home and forbidden to receive visitors or have partners. Their passports are often withheld. There is minimal recourse if the domestic worker has problems with their living conditions, dietary needs or medical needs. Compounding these problems, female migrant domestic workers have little or no access to health care, support services and legal redress. Male migrant workers engaged as cleaners and drivers also face some of these rights violations. However, cultural perceptions often exacerbate the situation for females domestic workers as employers believe they are protecting them by restricting their freedom of movement.

Moreover, the conditions for employment are set according to the employer's discretion and in some cases, there is no official contract at all. For example in Bahrain, the Ministry of Labor has created a model contract, but the usage and usefulness of this standard form contract is not clear. The Ministry has further stipulated that employers are required to pay for the flight costs of their employees as a way to rectify the problem created by recruitment agencies that make loans to migrant workers creating indebtedness. However, due to

<sup>8</sup> This section is sourced from various Human Rights Watch reports, and statements from civil society.

the absence of strong enforcement mechanisms, many employers do not pick up the costs. Furthermore, the lack of a contract leads to unspecified, often multiple forms of work for undefined hours. For example women migrant workers in the domestic sector are often babysitters, kitchen helpers, house cleaners, and also work in the households of the employer's relatives doing different categories of work under one contract (Khan and Harroff-Tavel 2011).

The result of these violations creates what are described as 'illegal', 'runaway' or 'free visa' workers. Migrant women who manage to escape abusive working conditions have to continue to work outside the extremely limiting framework of the kafala system. Many of them are then arrested as illegal workers, detained, and then deported. As such, many women migrant workers are forced to remain in the abusive and exploitative working conditions of their sponsorship household because of fear of arrest and deportation.

In recent years, in response to concerns expressed by civil society about human rights abuses and violations of migrant workers stemming from the kafala system, some countries, such as Bahrain and Kuwait, have taken steps to reform this system (Khan and Harroff-Tavel 2011).

Women migrants working in abusive employer households have limited options under the kafala system in Western Asia. In fact, there are some reported cases that women who sought help from the authorities to escape abusive working conditions were returned to the employer. If the woman migrant decides to go ahead with a court case, which will carry on for an undetermined length of time with high costs, it is often not successful in providing justice to the victim.

---

## **Social costs of women's migration**

One of the major problems faced by women migrants is emotions tied to the separation from their families and children in particular, which they believe prevents them from giving proper maternal care to their child. In addition, employers of migrant workers in the domestic sector often prevent them from communicating with their families.

Furthermore, most women migrant workers and caregivers who leave their homes to care for others abroad also have their own children and elders to look after back home. Migrant women usually either pass on this responsibility to other female relatives or, with their higher foreign earnings, hire lower-income domestic workers to manage their own households. This phenomenon is known as the 'global care chain', an international system of care giving stratified by class and, often, ethnicity (Hochschild and Ehrenreich 2002).

Many domestic workers end up running two households, their employers' as well as their own, from afar. Notably, women spend 70 per cent of their unpaid time caring for family members, a contribution to the global economy that remains largely unrecognized (UNDP 2006).

Difficult working conditions and inability to participate in any social and cultural activities outside of their workplace isolates domestic workers from their new societies and prevents them from learning about their rights. Consequently, the aggregate result of concern for their families back home,



feelings of emotional deprivation and isolation have sometimes led to serious cases of mental depression and even suicide (Hochschild and Ehrenreich 2002).

Data on sexual exploitation of women domestic workers are not readily available due to difficulty in collecting information from women who have been sexually exploited. Many women are prevented from pressing charges for sexual abuse or to speak publicly about these issues because of cultural norms that fault women for any sexual transgression, even if they are not at fault. In addition, many migrant workers fear for their safety and that of their families if they do press charges for sexual exploitation and or speak openly against their employers. As a result, many cases of sexual abuse and exploitation of domestic workers go unreported and hence unrecorded. Notably, members of the UN Women South Asia Regional Office in 2010 reportedly found during a scoping study that among returnee women migrant workers in India, the number of women who were sexually exploited was staggeringly high.

There are countless reports of women migrant domestic workers being sexually harassed, molested and even raped by their employers. This can be attributed to inadequate social and legal safety nets and limited by domestic workers of their rights. The resultant vulnerability to economic and sexual exploitation, with its attendant consequences of sexually transmitted infection (STI) and HIV, are strong factors supporting the need for more services and institutional protections for women migrant workers. In some countries, women are subjected to mandatory pregnancy tests each year. If the test result is positive, employers assume no responsibility and the migrant workers are deported.

---

## Trafficking and migration

Both the supply and demand sides of the trade in human beings are fed by gendered vulnerabilities to trafficking. These vulnerabilities are the result of political, economic, and development processes that may leave some women socially and economically dependent on men. If that support from men becomes limited or withdrawn, women become dangerously susceptible to abuse. They often have no individual protection or recognition under the law, inadequate access to health care and education, poor employment prospects and little opportunity to own property or to deal with high levels of social isolation. This makes some women easy targets for harassment, violence and human trafficking. Women of ethnic minorities and other vulnerable groups are particularly exploited while women who lack economic security are easy targets if they are willing to leave their country in search of work elsewhere. As explained earlier, women who have been trafficked into domestic work are particularly vulnerable due to their work environment. Without protection, foreign domestic workers may have fewer options for seeking help when threatened or attacked by their employers.

However, the use of terminology for protection of migrant workers is very tricky, especially when it comes to women migrant workers. In some countries, the concept of protection has been used to bar women from seeking meaningful employment. A crucial distinction is often not made between protecting migrant women workers and migrant women's right of employment and choice of profession. There is, at times, a tendency to overemphasize trafficking and adequate attention may not be given to women's right to migrate. When male migrants face problems, they are seen as a labour rights violation while

the problems faced by female migrants are viewed as trafficking problems. The dichotomy that “men migrate and women are trafficked” has to be broken in the mindset of people when dealing with migration. Additionally, with regards to the migration of women, the line between migration and trafficking is blurred, especially for poor people. Poverty often pushes families to send boys and girls abroad with little knowledge where they are going or what they will be doing.

Trafficking has been viewed with increasing concern in South Asia as a subregion and by individual South Asian countries as well. Many of them already had set provisions in their laws in the colonial period which could be used to combat trafficking as in the cases of Bangladesh, India and Sri Lanka, or since the codifications of customary law as in Nepal. Many, however, felt that the provisions in general criminal codes were insufficient and sought to check trafficking by the passing of specific trafficking legislations. Due to the serious nature and the wide prevalence of trafficking for sexual exploitation in the subregion, many of these laws deal with this form of trafficking. Instead of a complete code dealing with different forms of trafficking, laws in this area are scattered across different legislations (UNODC 2011).

---

## **Migration and the empowerment of women**

In addition to financial benefits, migration provides countries of origin with opportunities to build their human, capital and social assets. Returned migrants usually bring back new skills during employment abroad through what is today recognized as beneficial transfer of know how and competencies called ‘brain gain’. A study on returning Pakistani migrant workers conducted in 1998 found that migrants who had worked abroad as mechanics, welders and machinery operators had learned how to use advanced tools, instruments and machinery and new facets on how to organize their work. Employers in the home country rated them much higher than workers without overseas employment experience (Azam 1988).

Migrants can also play an important role in their home country by strengthening political debate, enhancing the role of civil society, encouraging more formal education of non-migrants and emancipating women and minority groups in countries of origin (de Hass 2006).

The work of UN Women has shown that migration offers women a choice to work and become financially independent. It leads to a change in power relations within the family, especially when the woman migrant worker has been instrumental in lifting the family out of poverty. Women often tolerate abusive working conditions because of the significant contribution their remittances make to their families, especially for the education of children.

Migration and the resultant economic independence can contribute to the development of the individual workers as well as the community and society. However, the full potential of migration is not enjoyed by women nor are the benefits derived to the maximum effect by the country of origin and destination due to the governance issues discussed in sections above.

“Women working in the Western Asia are looked down upon by the society, but those women working in Japan; Singapore; the Republic of Korea; Hong Kong, China; the United Kingdom of Great Britain and Northern Ireland; and the United States of America are very much respected even though it is the fact that they also have to stay away from the family for a long time. So it is the society that recognizes money as an important factor for social status. ...Because of the societal practice to look down upon women working in Western Asia, their psychological and moral will power is eroding. If they are also given some social respect...it would boost their morale and able to contribute to family and society.”

---

Source: Adhikari (2006).

---

## Remittances

Remittances to the subregion have continued to increase in the past years and play an important role to the economies of several countries in the subregion, especially in Nepal, where remittances accounted for 22 per cent of the country's gross domestic product (GDP) in 2010 (World Bank 2011).<sup>9</sup> The number of women migrating for work from Nepal is trending higher, with estimates on the share of female migrants from Nepal out of total migrants from the country varying between 3.4 and 10 per cent.<sup>10</sup> However, in the absence of detailed sex-disaggregated data on migrants and sex-disaggregated remitters' information, it is hard to pinpoint women migrant workers' contributions to these remittance data.

One of the major limitations of the remittance data is the lack of any reliable information on the contribution of women in remittance flows. In fact, only few remittance-recipient countries provide national level remittances data disaggregated by contributions of male and female migrant workers (UN DESA 2009).

Through its various activities, UN Women has found that women migrant workers tend to be better managers of their resources than male migrants. They save more money from their earnings and utilize it more effectively in areas that have direct bearing on poverty reduction. This includes better financial management of the household, expenditure on food, repayment of loans, children's education, and investment in land and business. The role of women migrant workers is not simply as beneficiaries but contributors to the economies of their countries (Khatri 2007).

---

## International frameworks for the protection of women migrant workers

Two international human rights instruments frame the work of the United Nations with regards to women migrant workers, namely the Beijing Platform for Action resulting from the Fourth World Conference on Women in 1995, and the Convention on the Elimination of All Forms of Discrimination against Women. The International Convention on the Rights of All Migrant Workers and Members of Their Families of 1990 establishes a high standard

<sup>9</sup> See remittances chapter in this report.

<sup>10</sup> See Nepal chapter in this report.

of migrant rights,<sup>11</sup> more recently including even undocumented migrants in its General Comment (Macan-Marker 2003). Other international instruments which are not particularly focused on women migrant workers but cover women are International Labour Organization Conventions 97 and 143.

---

## Recommendations

Migration policies in the region should be gender-sensitive, taking into account the specific accounts of men and women.

---

### Skills training and improving standard of living

Migrants should be placed at the centre of the migration policy instead of being mere spectators to the process. Governments need to shy away from efforts to restrict the migration of women by making the process burdensome as this approach ultimately encourages irregular migration. Instead, countries of origin and host countries should work together to create a structure that facilitates safe migration and provides skill training to boost the potential of women migrants for upward mobility.

Thus, the present vicious cycle of low education and low skills, leading to low performance and lack of confidence, with disempowerment and consequent exploitation could certainly and effectively be turned around through various educational programmes targeted towards women migrant workers.

Although governments in both the source and destination countries for women migrant workers have instituted legislation and programmes to protect national workers, more stringent legislation is needed in order to protect the human rights of migrant workers from the South Asian subregion to Western Asia. In addition, civil society and community-peer programmes are needed at the grass-roots level to better inform women migrant workers of their rights, to create peer adviser communities and through education to ensure that migration work for women serves as a source of social and economic progress as opposed to a form of exploitation.

---

### Pre-departure training

A pre-departure orientation programme for migrants is recognized as one of the most effective means to address the problems encountered by migrant workers in the destination countries. It also helps migrants adapt efficiently to changing working conditions and a new socio-cultural environment. Pre-departure orientation informs the prospective migrant about the prospects and the risks involved in working abroad. These programmes are designed to lessen the vulnerability of women migrant workers abroad and to keep them informed and empowered in relation to the labour conditions abroad (IOM 2005).

International organizations and grass-roots NGOs have been working to develop safe migration and provide services to women migrants in Western Asia. One of the most effective services carried out by various organizations are pre-departure

<sup>11</sup> See [www2.ohchr.org/english/law/cmw.htm](http://www2.ohchr.org/english/law/cmw.htm).

orientations for potential women migrant workers. These orientations can take place formally at training institutes or informally through a network of returnee women migrant workers.

At the training institutes, women migrant workers are taught grooming and other skills, which boost their confidence and alter their personal interaction style with their employer. The training institutes work with women migrant workers and provide personal presentation training.

Language training is also a vital skill to be developed by women migrants and the minimum must include guidance on greetings and introductions, and comprehension of most repeated orders. A better understanding of the culture of the country of destination would make women migrant workers feel more at ease and enable her to slowly adjust to the cultural norms of her country of employment. However, trainings often fail to deal with rights and empowerment, which are essential for addressing rights violations of women migrant workers from South Asia.

---

### Better policies and laws promoting safe migration

All countries have legislation to regulate the flow of migrants and to control out-migration. A striking aspect of the emigration policy of the South Asian countries, as noted by Oishi (2005), is that the policies treat men and women differently. Migration policies in the subregions often place women at the margins, reproducing existing gender stereotypes—women as victims of all sort of violations and incapable of deciding on cross-border migration. The State intervenes to protect and control women, thereby curtailing the right to make their own decision and earn a decent living. Instead, policies should adequately take into account specific needs and vulnerabilities of women, while empowering them and protecting their rights.

---

### Contracts

Specific contracts and supporting legislations for migrant domestic workers are one step in protecting their rights. An example of such a contract is the UNIFEM (now UN Women) supported Special Unified Working Contract for Non-Jordanian Domestic Workers in Jordan in 2003. This provided an important legal framework for protecting the rights of migrant workers in Jordan. The contract is now a prerequisite for migrant workers to obtain temporary residency in Jordan, and is the basis on which a legal visa and a work permit are issued. The contract was the outcome of an MOU signed by UNIFEM and the Jordanian Ministry of Labour in 2001 aimed at developing a legally binding document to help prevent the abuse of migrant workers by employers, and to ensure that all migrant workers in Jordan are covered by a unified contract recognized by the Government. A national steering committee was created to develop the contract, which included a wide range of stakeholders working on migrant issues such as the Ministry of Planning, Ministry of Labour, Police Department, Family Protection Unit, Jordanian National Commission for Women, Jordanian Union for Women, the Embassy of Sri Lanka, the Embassy of the Philippines, the Embassy of Indonesia, Friends of Migrant Women Workers' Association and UN Women.

## References

- Adhikari, J. (2006). "Poverty, globalisation and gendered labour migration in Nepal", . Arya and A. Ro, eds., *Poverty, Gender and Migration: Women and Migration in Asia*, vol. II (New Delhi, Sage).
- Adhikari, J. and others (2006). *Nepali Women and Foreign Labour Migration* (Kathamandu, UNIFEM/NIDS).
- Agrawal, A. (2006). "From job opportunity to life strategy: Family, migration and prostitution", Anuja Agrawal, ed., *Migrant Women and Work*. (New Delhi, Sage).
- Azam, F. (1988). *Monitoring Skill Acquisition, Loss and Utilization: The Pakistan Pilot Survey* (Bangkok, ILO).
- Bhadra, C. (2007). "International labour migration of Nepalese women: The impact of their remittances on poverty reduction", Asia-Pacific Research and Training Network on Trade Working Paper Series, N°. 44, September. Accessed from [www.unescap.org/tid/artnet/pub/wp4407.pdf](http://www.unescap.org/tid/artnet/pub/wp4407.pdf) on 22 August 2011.
- Bindhulakshmi, P. (2010). "Gender mobility and state response: Indian domestic workers in the United Arab Emirates", S. Irudaya Rajan, ed., *Governance and Labour Migration: India Migration Report 2010* (New Delhi, Routledge).
- Bohra, P., and D. Massey (2009). "Processes of internal and international migration from Chitwan, Nepal", *International Migration Review*, vol. 9, Issue 3.
- Brochmann, G. (1993), *Middle East Avenue: Female Migration from Sri Lanka to the Gulf* (Boulder, Westview Press).
- Boyd, M. and E. Greico (2003). "Women and migration: Incorporating gender into international migration theory", *Migration Fundamentals*, accessed from [www.migrationinformation.org/feature/display.cfm?ID=106](http://www.migrationinformation.org/feature/display.cfm?ID=106) on 22 August 2011.
- Centre for Labour Market (forthcoming). *Migration of women workers from South Asia to the Gulf 2011* (Noida, V. V. Giri National Labour Institute).
- de Hass, H. (2006). "Engaging diasporas: How governments and development agencies can support diaspora involvement in the development of origin countries", a study for Oxfam Novib, accessed from [www.imi.ox.ac.uk/pdfs/engaging-diasporas-hein-de-haas.pdf](http://www.imi.ox.ac.uk/pdfs/engaging-diasporas-hein-de-haas.pdf) on 22 August 2011.
- Esim, S., and C. Kerbage (2011). "The situation of migrant domestic workers in Arab States: a legislative overview", accessed from [www.unescap.org/sdd/meetings/beirut-June2011/Esim-ESCWA-situation-female-workers-vulnerable-sectors.pdf](http://www.unescap.org/sdd/meetings/beirut-June2011/Esim-ESCWA-situation-female-workers-vulnerable-sectors.pdf) on 22 August 2011.
- Frantz, E. (2010). "Of maids and madams: Sri Lankan domestic workers and their employment in Jordan", Nicole Constable, ed., *Migrant Workers in Asia Distant Divides, Intimate Connections* (New York, Routledge).
- Ghosh, J. (2009). "Migration and gender empowerment: Recent trends and emerging issues", Human Development Research Paper N°. 4 (New York, UNDP Human Development Report Office).
- Gulati, L. (1997). "Asian women in international migration with special reference to domestic work and entertainment", *Economic and Political Weekly*, vol. 32, N°. 47. 22-28 November.
- Hochschild, A., and B. Ehrenreich (eds.) (2002). *Global Woman: Nannies, Maids and Sex Workers in the New Economy* (New York: Owl Books, Henry Holt and Company).
- Human Rights Watch (2008). "As if I am not human", accessed from [www.hrw.org/reports/2008/07/07/if-i-am-not-human](http://www.hrw.org/reports/2008/07/07/if-i-am-not-human) on 22 August 2011.
- International Organization for Migration (2005). *Labour Migration in Asia: Protection of Migrant Workers, Support Services and Enhancing Development Benefits* (Geneva, IOM).
- \_\_\_\_\_ (IOM) (2010). Study on irregular migration, Kadapa, Andhra Pradesh (Hyderabad, IOM).
- International Organization for Migration (IOM) and International Research and Training Institute for the Advancement of Women (INSTRAW) (2000). "Temporary labour migration of women: Case studies of Bangladesh and Sri Lanka", research paper (Geneva, IOM and INSTRAW).
- Kabeer, N. (2007). "'Footloose' female labour: Transnational migration, social protection and citizenship in the Asia Region", IDRC Working Papers on Women's Rights and Citizenship, Canada.
- Khan, A. and H. Harroff-Tavel, (2011). "The implications of the sponsorship system: challenges and opportunities", background paper, accessed from [www.unescap.org/sdd/meetings/beirut-June2011/Harroff-ILO-Implications-of-the-sponsorship-system.pdf](http://www.unescap.org/sdd/meetings/beirut-June2011/Harroff-ILO-Implications-of-the-sponsorship-system.pdf) on August 2011.
- [www.saceps.org/upload\\_file/download\\_pdf/labor%20migration%20whole%20pdf.pdf](http://www.saceps.org/upload_file/download_pdf/labor%20migration%20whole%20pdf.pdf)
- Kapur, R. (2005). "Travel Plans: Border Crossings and the Rights of Transnational Migrants", *Harvard Human Rights Journal*, Spring 18. Accessed from [www.law.harvard.edu/students/orgs/hrj/iss18/kapur.pdf](http://www.law.harvard.edu/students/orgs/hrj/iss18/kapur.pdf) on 22 March 2012.
- Khadria, B., ed., 2009. *India Migration Report 2009: Past, Present and the Future Outlook*, International Migration and Diaspora Studies Project (New Delhi, Jawaharlal Nehru University).
- Kottegoda, S. (2006). "Bringing home the money: Migration and poverty in gender politics in Sri Lanka", S. Arya and A. Roy, eds., *Poverty, Gender and Migration: Women and Migration in Asia*, vol. II (New Delhi, Sage).
- Macan-Marker, M. (2003). "Migrant workers' convention not a magic solution", *Migration Stories*. Accessed from <http://ipsnews.net/migration/stories/convention.html> on 22 August 2011.
- Migrant Forum in Asia (2004). "Women migrant workers in the UAE: Not quite in the portrait", NGO submission to the forty-fifth Session of the Committee on the Elimination of Discrimination against Women, Geneva, October. Accessed from [www2.ohchr.org/english/bodies/cedaw/docs/ngos/MigrantForumAsia\\_UAE\\_45.pdf](http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/MigrantForumAsia_UAE_45.pdf) on 22 August 2011.

- Nepal Institute of Development Studies (NIDS) (2010). *Nepal Migration Year Book 2009* (Kathmandu, NIDS).
- Northrup, D (1995). *Indentured Labour in the Age of Imperialism, 1834–1922* (Cambridge, Cambridge University Press).
- Oishi, N. (2005). *Women in Motion. Globalisation, State Policies and Labour Migration in Asia* (Stanford, Stanford University Press).
- \_\_\_\_\_ (2006). "Women in motion: Globalisation, state policies and labour migration in Asia", *Canadian Journal of Sociology Online*, March-April 2006 Stanford University Press.
- Percot, M. (2006). "Indian nurses in the Gulf: From job opportunity to life strategy", A. Agrawal, ed., *Migrant Women and Work* (New Delhi, Sage).
- Siddiqui, T. (2001). *Transcending Boundaries: Labour Migration of Women from Bangladesh* (Dhaka, University Press Limited).
- \_\_\_\_\_ (2008). "Migration and gender in Asia", study presented at the United Nations Expert Group Meeting on International Migration and Development in Asia and the Pacific, Bangkok, September. Accessed from [www.un.org/esa/population/meetings/EGM\\_Ilttmig.../P06\\_Siddiqui.pdf](http://www.un.org/esa/population/meetings/EGM_Ilttmig.../P06_Siddiqui.pdf) on 22 August 2011.
- Sri Lanka Bureau of Foreign Employment (SLBFE) (2009). *Annual Statistical Report of Foreign Employment 2009* (Colombo, SLBFE).
- Tinker, H. (1974), *A New System of Slavery: The Export of Indian Labour Overseas, 1830–1920*, Institute of Race Relations (London, Oxford University Press).
- United Nations Department of Economic and Social Affairs (UN DESA) (2009). *International migrant stock: The 2008 revision*, accessed from <http://esa.un.org/migration/> on 23 September 2011.
- United Nations Development Programme (UNDP) (2006). *Taking Gender Equality Seriously: Making Progress, Meeting New Challenges* (New York, UNDP).
- United Nations Office on Drugs and Crime (UNODC) (2011). *Legal and Policy Review—Responses to Human Trafficking in Bangladesh, India, Nepal and Sri Lanka* (New Delhi, UNODC Regional Office for South Asia).
- World Bank (2008). *Migration and Remittances Factbook 2008* (Washington, World Bank).
- \_\_\_\_\_ (2011). World Development Indicators. Accessed from <http://data.worldbank.org/indicator/SL.TLF.TOTL.IN> on 9 August 2011.

# Migration and health<sup>1</sup>

While there is a long history of research on migration and health, it has generally been narrow focusing on disease, especially communicable disease. Moreover, dominance of the 'healthy migrant' model whereby migrant populations are considered to be healthier than non-migrant populations because of the selectivity of the migration process has masked the complexity of the relationship between migration and health. However, the 2008 World Health Assembly<sup>2</sup> (WHA) and the 2010 Global Consultation on Migrant Health (Fortier 2010) have directed the attention of States towards a more holistic consideration of the diversity of migrants' vulnerability to health problems and the need for developing more migrant-sensitive health systems. This chapter focuses on the key migration health concerns and issues faced by migrants and health providers in South and South-West Asia and then considers the availability of, and accessibility to, health-care services among migrant groups.

<sup>1</sup> Graeme Hugo, ARC Australian Professorial Fellow, Professor of Geography and Director of the National Centre for Social Applications of GIS, University of Adelaide; with Jacqueline Weekers, Senior Migrant Health Officer, SPR/HAC, WHO Geneva; Amber Parkes, Regional Migration Health Associate, IOM Regional Office for Asia and the Pacific; John McGeoghan, Regional Counter Trafficking & Assisted Voluntary Return Specialist, IOM Regional Office for Asia and the Pacific; and Marta Vallejo-Mestres, HIV and AIDS Programme Specialist, UNDP Asia-Pacific Regional Centre

<sup>2</sup> The sixty-first session of the World Health Assembly was held from 19 to 24 May 2008 in Geneva. During this session, which had 2,704 participants from 190 countries, a number of public health issues were discussed and several resolutions were adopted. One of the points dealt with was public health challenges faced by governments and societies on the health of migrants and health matters associated with migration. Thus, it was in this session that the member States requested WHO to assess health aspects in migrant environments and to explore options to improve the health of migrants and from this basis, a resolution on the health of migrants was formed.



Migrants have an influence on the health of populations in both places of origin and places of destination because their health tends to differ from those of the non-migrant population at both locations. However, the relationship is more complex than this because migrants can be more vulnerable to health problems than non-migrants and they also can introduce new diseases into populations. It is this latter aspect that has disproportionately engaged the interest of researchers, especially in recent years in relation to the spread of HIV and AIDS (Herdt 1997, Haour-Knipe and Rector 1996).

Health factors alone can be the motivation for migration. In addition, migration can have significant implications for health services in destination contexts. Are migrants at greater risk of ill health because of their lack of immunity to local disease? Is their migrant status a barrier to accessing health services? In this context, the migration of health workers can also be of significance in shaping the availability of health services in places of destination as well as places of origin. These dimensions of the health-migration inter-relationship will be addressed here in the context of the South and South-West Asia subregion.

There has been a significant shift in thinking about the migration and health relationship in recent years as pointed out in the report from the Global Consultation on Migrant Health (Fortier 2010):

“Traditional approaches are often based on the principle of exclusion of migrants with certain health conditions, with the interests of the nation at the centre, using security and disease control as the primary rationales. The modern approach is based on inclusion, and focuses on reduction of inequalities and social protection in health in the context of a multi-country and multi-sectoral approach”

---

**Source: WHO and others (2010, p.10).**

In the past there has been a dominance of the healthy migrant approach which recognizes that there is strong selectivity in the migration process, which often is exacerbated by countries of destination imposing health testing as one of the barriers to entry. However, this detracts attention away from the fact that migrant health is often compromised during the migration process and, especially, with time at the destination. Moreover, an overwhelming focus on migrants as ‘spreaders of disease’ has directed attention away from other, often more significant, health-migration relationships.

## The context

### Demographic changes

The reduction in the fertility rate throughout South and South-West Asia has led to a 'demographic dividend' whereby the number of young people entering adulthood who were born during a time of higher fertility outnumbers the number of children being born, increasing the proportion of the population in the most productive (and mobile) ages of youth and young adults. Table 1 shows that the young adult population (ages 20–34) is growing more rapidly than the total population. It offers the opportunity for a demographic dividend because of the increasing proportion of the total population in the most productive age groups, but it also results in greater overall mobility because these ages are also the years of greatest personal mobility.

Table 1.  
Growth of the population aged 20–34, 1990–2030<sup>a</sup>

YEAR	POPULATION AGED 20–34			TOTAL POPULATION
	NUMBER	%	GROWTH RATE	GROWTH RATE
1990	299 492	23.9	-	-
2000	375 694	24.5	2.3	2.0
2010	462 875	25.9	2.1	1.6
2020	516 954	25.3	1.1	1.3
2030	531 755	23.6	0.3	1.0

Source: UN DESA (2010).

<sup>a</sup> Afghanistan, Bangladesh, Bhutan, India, Iran (Islamic Republic of), Maldives, Nepal, Pakistan, Sri Lanka and Turkey

### Rural-urban migration

There has been a marked redistribution of population in the subregion from rural to urban areas as both a cause and consequence of rapid social and economic change. This is evident in table 2, which shows that growth in the urban population is expected to be nine times that of the rural population between 2010 and 2030.

### International migration and globalization

The globalization and internationalization of labour markets has led to an unprecedented number of international migrants from South and South-West Asia. While people from the region have been involved in an array of types of international mobility, such as skilled migration to Organisation for Economic

Table 2.

**Change in the urban and rural population, 1990–2030**

COUNTRY	URBAN POPULATION					RURAL POPULATION				
	NUMBER			% CHANGE		NUMBER			% CHANGE	
	1990	2010	2030	1990–2010	2010–2030	1990	2010	2030	1990–2010	2010–2030
Afghanistan	2 277	6 581	16 296	189.0	147.6	10 304	22 537	34 353	118.7	52.4
Bangladesh	22 908	46 149	83 408	101.5	80.7	92 724	118 276	119 807	27.6	1.3
Bhutan	90	246	451	173.4	83.3	459	463	451	0.8	-2.4
India	220 260	364 459	590 091	65.5	61.9	641 901	850 005	894 507	32.4	5.2
Iran (Islamic Republic of)	31 958	53 120	71 767	66.2	35.1	24 775	21 958	18 169	-11.4	-17.3
Maldives	56	126	242	126.1	92.2	160	188	161	17.6	-14.4
Nepal	1 692	5 559	12 902	228.6	132.1	17 413	24 294	27 744	39.5	14.2
Pakistan	35 400	66 318	121 218	87.3	82.8	80 376	118 435	144 472	47.4	22.0
Sri Lanka	3 217	2 921	4 339	-9.2	48.6	14 073	17 489	17 855	24.3	2.1
Turkey	33 204	52 728	70 247	58.8	33.2	22 882	22 977	20 128	0.4	-12.4
<b>Total South and South-West Asia</b>	<b>351 061</b>	<b>598 207</b>	<b>970 961</b>	<b>70.4</b>	<b>62.3</b>	<b>905 067</b>	<b>1 196 622</b>	<b>1 277 646</b>	<b>32.2</b>	<b>6.8</b>

Source: United Nations (2009).

Co-operation and Development (OECD) countries, marriage migration and student migration, the increasing flows of labour migrations are of particular significance. Not only are the numbers large and increasing, but it is the form that this mobility takes which is significant from a health perspective. This is because the migrant is usually an individual migrant worker that leaves his/her family behind for a period of two years and often lives under marginal conditions in the host country. Moreover, much of the movement takes place through informal and irregular channels. Migrants with an irregular status<sup>3</sup> are estimated to comprise 15 per cent of the migrant population, and can be very vulnerable to negative impacts to their well-being and health, in particular. In cases of countries where demand for workers is high and no legal migrations systems are in place, migrants

<sup>3</sup> Migrants in an irregular situation are people who, owing to illegal entry or the expiry of his or her visa, lack legal status in a transit or host country. The term applies to migrants who infringe a country's admission rules and any other person not authorized to remain in the host country (IOM 2004).

experience high levels of risks and exploitation. Smuggling, trafficking, bonded labour and lack of respect for human and worker rights are the fate of millions of migrants, most of them from poorer countries (GFMD 2011). Having an irregular migration status amplifies the potential for abuse and exploitation because these types of migrants do not have access to judicial channels of possible relief and redress in fear of imprisonment or deportation. In addition, lack of coverage for health services can lead to excessive costs for migrants many of whom have to cover their health costs out of their own pocket. This deters many of them from accessing services, which exacerbates health conditions that could have been prevented, often at reduced costs, if services had been available.

---

## Patterns of disease

The nature of the burden of disease in terms of daily disability-adjusted life years (DALYs) has been shifting rapidly, with the proportion of communicable diseases, maternal and child health and nutrition problems decreasing and non-communicable diseases (NCDs) increasing. Figure 1 shows that in South Asia, NCDs and injuries account for 55 per cent of the disease burden. Nevertheless, it must be noted that communicable diseases still account for 46 per cent of the burden, which is higher than the global average. Hence, South Asia has a distinct health profile in that both communicable and non-communicable diseases each make up a sizeable portion of the sub-region's disease burden.

---

## Poverty

Disease patterns are influenced by, and influence, the broader human development profile of the region. Figure 1 shows that among the low- and middle-income sub-regions, South Asia has relatively low economic indicators and that its population has the lowest life expectancy with the exception of Sub-Saharan Africa. Moreover, the sub-region's expenditure on health as a percentage of GDP and the amount spent per capita is the lowest among the world's sub-regions. Hence, the availability of health services and access to health services in the total population, let alone among migrants, is low.

---

## Humanitarian crises

The high incidence of crises related to natural disasters and political conflict prevalent among many countries in South and South-West Asia influences the migration and health relationship. A survey published online by The Disaster Center shows that of the 100 natural disasters that killed the most people during the twentieth century, approximately one-third occurred in South and South-West Asia, most notably in Bangladesh and India. Natural disasters not only cause massive loss of life but they often displace huge numbers of people on both a permanent and temporary basis and this displacement can expose those moving to a number of health risks (Disaster Center no date). Particularly in South Asia, disasters often destroy houses and livelihoods, forcing the survivors into overcrowded and often unhealthy camps where there is a high risk of the spread of infectious disease.

Figure 1.

# Burden of disease as a proportion of total forgone disability-adjusted life years (DALYs) by cause, selected regions, 2004

Source: WHO (2008).

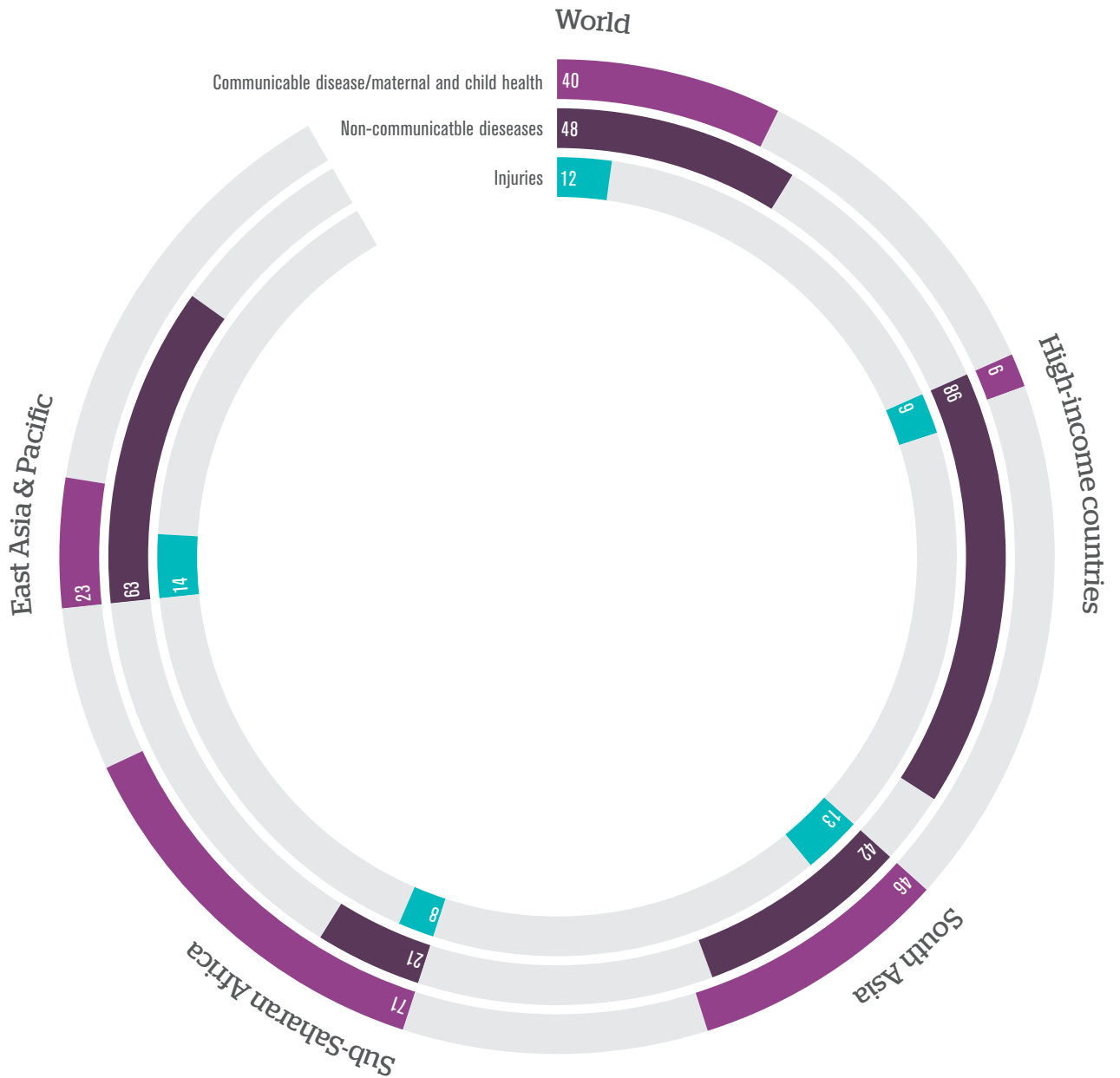


Table 3.

## Demographic, economic and health profiles for low- and middle-income regions

CATEGORY	INDICATOR	YEAR	SOUTH ASIA	SUB-SAHARAN	EAST ASIA	EUROPE AND	LATIN	WEST ASIA &
				AFRICA	AND PACIFIC	CENTRAL ASIA	AMERICA &	NORTH AFRICA
				ALL INCOME	DEVELOPING ONLY	DEVELOPING ONLY	DEVELOPING ONLY	DEVELOPING ONLY
				LEVELS				
Population	Total (millions)	2010	1 590 678 804	862 324 301	1 956 907 667	408 234 264	578 010 198	816 770 232
	Rural (%)	2009	70.2	63.1	55.0	35.6	21.0	42.4
	Over 65 years (%)	2009	4.6	3.1	7.4	10.9	6.7	4.40
	Dependency ratio (% of working-age- population)	2009	58.5	84.9	42.9	43.8	53.9	56.5
	Young	2009	50.9	78.4	32.1	27.9	43.3	48.4
	Old	2009	7.3	5.8	10.5	15.7	10.3	6.8
Economy	Gross national income per capita	2010	1 213	1 176	3 692	7 214	7 802	510
	Gross national income per capita, purchasing power parity	2010	3 208	2 126	6 624	13 200	10 951	1 247
	Annual GDP growth (%)	2010	8.8	4.8	9.6	5.6	6.2	5.9
	Labour force participation rate	2009	58.9	70.7	72.5	59.0	65.5	50.6
	% male 15 years and older	2009	81.6	80.8	80.3	68.5	79.9	75.1
	% female 15 years and older	2009	35.1	60.9	64.4	50.5	51.8	26.0
Health indicators	Infant mortality rate (per 1 000 live births)	2009	54.6	80.8	21.4	18.9	18.9	27.4
	Maternal mortality ratio (per 100 000 live births, modelled estimates)	2008	290.0	640.0	88.7	33.5	85.5	87.5
	Crude death rate (per 1 000 people)	2009	7.35	13.5	7.1	11.1	6.0	5.6
	Life expectancy at birth	2009	64.4	52.5	72.4	70.1	73.6	70.8
Health financing	Total expenditure (% GDP)	2009	1.32	2.9	2.2	4.0	3.9	2.7
	Public share of total health expenditure (%)	2009	32.9	44.2	50.4	66.0	51.7	50.7
	Total health expenditure per capita (current US\$)	2009	40.00	75.97	148.28	388.23	543.21	182.06

Source: World Bank (2011).

The onset of climate change is likely to increase the incidence of some natural disasters and some areas in South and South-West Asia are among the most vulnerable to this global phenomenon. Hugo and others (2009) lists the following as major hot spots:

- Increased flooding in major river valleys such as Pakistan.
- Reduced rainfall across major parts of India.
- Exposure of coastal areas, especially in Bangladesh, to a rise in the sea level and increased storm surge damage.

These changes, which have already been observed in the sub-region, especially in the hot spot areas, will impact migration both as an adaptation to climate change but also due to some displacement of populations. In Bangladesh, for example, table 4 summarizes current and projected environmental hazards and shows the scale of the impact—previous and anticipated.

In addition, some of the countries of the sub-region have been flashpoints of conflicts, which have generated millions of refugees and internally displaced persons (IDPs) in recent decades. The displacement process and the subsequent concentration of refugees and IDPs in camps expose these migrants to significant health risks.

Table 4.  
**Current and projected environmental hazards for Bangladesh**

#### Existing environmental hazards

Cyclones	On average, Bangladesh is prone to 1-3 moderate to severe storms annually, some travel as far as 200 kilometres inland.
Sea level rise and flood	Some 20 per cent of the total land area is inundated annually on average. This figure may increase to more than 36 per cent in cases of severe flooding.
Drought	Increasing occurrence despite the presence of abundant water resources.
River bank erosion	Recurrent in 35 of the country's highly populated subdistricts.
The country's coastal areas are increasingly becoming saline	Approximately 1.5 million hectares of coastal and offshore areas affected by salt water intrusion have already lost their agricultural productivity by about 30 per cent.

#### Predicted climate change effects

Sea level rise	The rising sea level could put more than 90 per cent of the population at risk from adverse effects, up from the current level of 65 per cent and 5 million people may be severely affected.
Coastal damage	Increasing global warming could result in coastal damage that equates to 12 per cent of the country's GDP.
Floods	Future global warming may lead to changes in precipitation. Since floods in Bangladesh are a result of intense monsoon precipitation, this may have repercussions on flooding patterns in Bangladesh including, among others, changes in the timing of the occurrence of the floods, increase in the floods' magnitude, frequency, depth, extent and duration, and subsequent changes in land-use patterns in the country. The latter may, in turn, lead to greater crop damage and food insecurity.

**Source:** Ali (1999), Lein (2000), Mirza and others (2001), Mirza (2002), Alam (2003), Nasreen and others (2006), Karim and Mimura (2008), Hugo and others (2009).

Of particular concern is the health of women and girls who are displaced by natural or man-made disasters. The limited data available on sex and gender differences with regard to vulnerability to and impact of disasters show that the health of women and girls is at disproportionate risk compared to men. This is due to (sexual) violence, lack of protection and access to reproductive health services, social and cultural beliefs, taboos and norms, particularly those that place women as a subordinate to men in terms of access to resources and decision-making power.

---

## The health of migrants

The health of migrants can be considered at various stages of the migration process. Gushulak and MacPherson (2000) and Zimmerman and others (2011) argue that each stage of the migration process—the pre-departure phase, the journey itself, arrival, adjustment at the place of destination and return to the place of origin—is associated with a particular set of health parameters and influences which impinge upon a migrant's health. These impacts can be both positive and negative. On the positive side, some migrants may have better access to health services at the place of destination than at the place of origin. For example, health services in general are more readily available in urban areas as compared to rural areas. So consequently, migrants to urban areas may be able to access those services more than they could in their origin area. On the other hand, migrants' journeys can be dangerous and expose them to injury or disease. At the place of destination, they may be exposed to new diseases to which they have no immunity, or they may adopt new behavioural practices, or living and work arrangements that place them at risk. Moreover, marginalization and discrimination at the place of destination may prevent them gaining access to health services. Migrants may also introduce new diseases to their place of origin when they return home.

In examining the relationship between migration and health it is essential to consider the differences that may exist between a migrant and the population in the host country, including culture and language, age, socio-economic status and financial circumstances. However, determining these differences is very difficult, as many migrant groups are invisible in standard data collections (Gushulak and MacPherson 2000). A key focus area has been on the healthy migrant effect which operates in many international migrations, especially those crossing international boundaries. Migration is invariably selective of young adults and of the healthier among them. Indeed, the international migration regulations of most countries exclude less healthy people and require medical testing of all intending migrants and migrant workers (Asis 2005).

However, once at the destination the 'healthy migrant effect' can be quickly compromised due to:

- substandard living conditions;
- low income, poor food;
- exposure to dangerous work situations;
- barriers to accessing health care;



- social marginalization;
- negative health effects associated with the process of migration;
- migrants adopting less healthy practices, lifestyle and diet (Jatrana and Chan 2005);
- possible exposure to health risk for those with an irregular migrant status.

---

## Forced migrants

Forced migrants, including refugees, are at particular risk of health problems (Toole and Waldman 1997). Moreover, the circumstances of the migration itself often impinge negatively on the health of the migrants and their concentration in camps immediately after their flight also can lead to deterioration in their health.

The United Nations High Commissioner for Refugees (UNHCR) and other agencies provide medical assistance to some refugees but despite these organizations' efforts, refugees may face greater health risks at the camps than in their country of origin (Adams and others 2007):

“Major causes of mortality in refugee camps include diarrhoeal diseases, measles, acute respiratory tract infections, tuberculosis and malaria.”

Many refugees and IDPs suffer human rights abuses and hardships prior to leaving their place of origin, which can further affect their physical and mental health even after they have settled in a safe destination. Most of the studies on refugee health were conducted in third country settlement destinations, such as Australia and the United States of America. Studies on the health of refugees and IDPs in South and South-West Asia are limited. However, from literature available, it is clear that many refugees suffer poorer health than the non-migrant population (Frisbie and others 2001).

Among the various studies that highlighted the specific health needs of women and adolescents in refugee camps (Norwegian Refugee Council 2005) polymenorrhea (shortened menstrual cycles), dysmenorrhoea (painful menses), and menstrual irregularity were cited as health issues. The violence experienced by this group and the associated psychological and physical stress was the most commonly cited cause for these health issues (International Initiative of Justice 2003). Studies among the refugee population in general also point to a high incidence of mental illness associated with the torture and trauma that many have suffered (Nicholson 1997). Other reported health issues in the camps are skin diseases, nutrition deficiencies, tuberculosis, kidney disease and asthma (Samaddar 2003).

---

## Women migrants

The migration of women in South and South-West Asia lends itself to special attention, from a public health as well as from a human rights perspective. A study conducted in 2004 of 677 migrant women from Bangladesh to India and Western Asia shows that the women tend to be young (under 22 years of age), and often end up engaging in sex work in their destination country, either by choice or as part of “additional duties” forced on them by their employer (Blanchet and others 2004). It highlights that among the returning Bangladeshi women migrants, knowledge of sexually transmitted infections (STIs) and HIV and AIDS is extremely low and condom usage is infrequent, while STI symptoms are high. In addition, it finds that the women rarely seek treatment for their symptoms.

While limited studies have been conducted to document the health problems experienced by these women as a result of their migration, the existing literature shows that STIs, HIV and AIDS, unwanted pregnancy and depression and addiction are some of the most significant health issues (Blanchet and others 2004).

In India, women migrants comprise 48 per cent of the international migrants (Chatterjee 2006). A large number of them are low-skilled and semi-skilled female migrants from neighbouring Bangladesh and Nepal who, as a result of their work status, take jobs mainly in unregulated sectors as domestic helpers, street sweepers and sex workers. These women face unsafe work and living conditions and lack of access to health care can pose a risk to their physical and mental health. A study by Jatrana and Sangwan (2004) examined the health experiences of migrant female workers in the construction industry in North India. It found that the health status of the women had improved after migration but that they had not yet started using modern health services for childbirth or for general health needs.

The reproductive health of female migrants and migrant workers in Asia has been an area of particular concern. Gardner and Blackburn (1996) point out that few reproductive health and family planning programmes have focused on migrants as a specific group.

Gardner and Blackburn (1996) also identify some major areas of concern regarding the reproductive health status of many migrants, refugees and IDPs:

- Safe motherhood is nearly impossible for refugees and IDPs, especially at times of emergency.
- Violence against women is widespread in refugee and IDP movements.
- Unsafe abortions are common among refugees and IDPs.

---

## Migrants in an irregular situation

Studies on migrants in an irregular situation are sparse because of the nature of irregular movements and such migrants tend to prefer to remain unnoticed or are isolated. Despite the lack of statistics and research data, there are ample reports that highlight the significant health risks associated to irregular migration. Migrants working in informal sectors, such as domestic work, are less protected by labour laws and easily end up in an irregular situation which increases their vulnerability to ill-health as a result of substandard living and dangerous working

conditions, lack of access to health and social services and exploitation and abuse (physical, sexual and emotional). These were part of the findings of a study among Asian migrant workers employed in Arab States (UNDP 2008).

In many countries, irregular migrants are subject to administrative detention over violation of immigration laws. Detention of migrants has been associated with adverse health outcomes, especially for the already vulnerable, such as children. Mental health problems, including self-harm, have been documented, particularly in cases involving prolonged detention (Silove and others 2007).

As previously mentioned, a migrant's legal status is one of the most significant factors in determining their access to health services in the destination country (Chatterjee 2006). This is particularly true for international migrants. Irregular migrants in host countries are unlikely to be provided with health care or insurance from their employers and are usually only afforded access to emergency medical care under national health care schemes. As a consequence of these two factors, combined with the risk of deportation if their status is discovered (Nygren-Krung 2003), irregular international migrants tend to seek health care or treatment in a destination country only when the disease is significantly advanced or life-threatening (Chatterjee 2006).

---

### **Temporary labour migrants**

Very few studies have focused on the health of temporary labour migrants in destination countries and despite frequent newspaper reports of deaths and accidents involving migrant workers, few systematic studies have covered this topic. Kamaladasa and others (1992) reported that the altered lifestyle Sri Lankan migrant workers experience in Western Asia placed them at greater risk of coronary heart disease. It also found a higher incidence of non-insulin dependent diabetes in migrant Sri Lankans in Western Asia while Carballo and Siem (2006) noted that migration studies commonly found a higher incidence of diabetes among migrants than non-migrants. Meanwhile, Alballa and Bambgoye (1993) indicated that road accidents and industrial accidents were a common cause of morbidity and mortality among Sri Lankan migrants in Western Asia.

---

### **Trafficked persons**

Human trafficking, especially of women and girls, is a major human rights violation. One report estimated that about 150,000 women and girls across South Asia are trafficked for sex annually (Miko and Park 2002). However, precise estimates of the number of women and girls currently being exploited within and outside of the subregion are not available and are always subject to question especially given the comparative complexity and ease with which international borders on the sub-continent can be crossed (Mehta 2003).

Gushulak and MacPherson (2000) reviewed and summarized health issues associated with trafficking. They demonstrated that despite the paucity of data, the levels of morbidity and mortality among trafficked persons are substantial throughout the migration process due to physical, sexual and psychological abuse, poor living and working conditions, social isolation, forced use of drugs and alcohol and lack of access to health and social services.

The exploitative and abusive nature of the human trafficking process poses health risks for trafficked persons. Among the health-related consequences of trafficking are reproductive health problems, psychological reactions, infectious conditions and physical trauma (IOM and others 2009).

Studies on survivors of human trafficking have documented sex workers' higher vulnerability to STIs, including HIV, and tuberculosis. Qualitative work in India indicates that the vulnerability of ex-trafficked women and girls to HIV infection is exacerbated by several mechanisms, including forced unprotected sex, mobility restrictions that preclude access to health care and other services, violence upon sex work initiation and limited autonomy (Gupta and others 2009). Sex workers who entered the industry as a result of being trafficked were more likely than other female sex workers to report various increased vulnerabilities to HIV (Jhumka and others 2011). Similarly, studies among repatriated Nepalese sex-trafficked women and girls showed high HIV rates, with those under 15 years at higher risk for infection (Silverman and others 2007).

Regarding psychological risks, studies indicate the significant impact of trafficking for sexual exploitation on general mental health. A 2008 study in Nepal found that victims of sexual exploitation tended to have more anxiety symptoms and prevalence to depression and Post Traumatic Stress Disorder (PTSD) than those subject to labour exploitation (Tsutsumi and others 2008). Female drug users with a lifetime involvement in prostitution had a significantly higher prevalence of lifetime suicidal attempts and depressive ideas than those without (Gilchrist and others 2005). Findings suggested that efforts to assist trafficked populations must pay attention to the work performed during the trafficking process and explicitly focus on mental health and psychosocial support (Tsutsumi and others 2008).

---

## **The health of those left behind**

Studies on the relationship between health and migration often focus on migrants and the communities they enter. However, it must be noted that migration can also have health-related impacts on the communities left behind by migrants. One area of particular importance in Asia is the effect on children when one or both of their parents move away to work on a temporary, but long-term, basis. The dominance of temporary international labour migration in Asia means that most migrants leave their spouse and children behind when they move away to work. The disruption of the nuclear family by this migration is a large-scale phenomenon in the region but little research has examined the health effects on those left behind.

In Sri Lanka, women make up more than a half of international labour migrants and as a result, many mothers are separated for long periods from their children (Asis and others 2004). A study of 400 households in Sri Lanka with overseas migrants found that 50 households reported that children who remained at home suffered significant problems due to the absence of their mothers. The problems most commonly cited were mental and physical health problems along with strains associated with loneliness (Hugo and Ukwatta 2010). Children with parents abroad experienced loneliness and had lower levels of school achievement than those with both parents present. In addition, their social development and psychological and emotional well-being were adversely effected. This was especially the case when it was the mother who was away.

Brockerhoff (1994) analysed demographic and health survey data on child mortality to investigate the significance of rural-urban migration and found the following:

- Before migration, children of migrant women had similar or slightly higher mortality risks than children of women who remained in the village.
- In the two-year period following their mother's migration, children of migrants faced a higher likelihood of mortality than rural and urban non-migrant children. This finding applied to both migrant children who accompanied their mothers and those that stayed behind.
- Children born after migrants had settled in an urban area, gradually experienced much better survival chances than children of rural non-migrants. They also faced lower mortality risks than children of migrants' born in rural areas before migration.

More recent studies from other sub-regions show that parental migration may also affect the emotional and psychological well-being of a child left behind (Jones and others 2004). In some instances it may also increase the likelihood of drug abuse and teenage pregnancy (AESCO 2007, United Nations General Assembly 2009).

Kuhn (2003) uses data from an ongoing longitudinal survey in Bangladesh to show that international migration of young men from villages has a positive effect on the health and survival of their parents. However, there are also cases where out-migration can have negative effects in places of origin. Roy and Nangia (2005) show in a study in rural areas of the Indian state Bihar that wives left behind by migrant men had higher levels of reproductive mortality than do the wives of non-migrant men.

---

### **Barriers to access to health services for migrants**

One of the main concerns regarding migration in the study countries relates to the neglect of human rights of migrants. Among these basic rights, access to health services is significant. The costs of modern health systems in the subregion are also a significant barrier to accessing them for the general population. For migrants, the barriers to accessing health services can be both institutional and financial. Exclusion from the formal health care system can place migrants at greater risk of illness and injury as well as exclude them from the formal medical system. The marginality of migrants means that they are often faced with the double jeopardy situation of being more likely than non-migrants to need health services, but less able to access them.

An area of particular concern with respect to denial of rights and lack of access to health services relates to temporary international labour migrants whose irregular status in the destination society can both expose them to higher risk of illness than residents and deny them access to the health services to deal with them. It has already been demonstrated that spending on health services is lower per capita in this area than any sub-region in the world. Consequently, access to health services is limited for migrant and non-migrants alike but the situation is often exacerbated for the latter.

For temporary labour migration, best practice models have helped to ensure that migrant workers have access to health services before, during, and after the migration process (Hugo 2008). In Sri Lanka, for example, migrant workers leaving under official auspices are required to contribute to a health scheme with employers. In addition, there are special programmes for departing migrants. However, for many migrants who move outside the official system, the cost of obtaining services in the destination location can be prohibitive. Cultural and linguistic barriers can also play an important role and the development of migrant-sensitive health systems is a major priority of a recently implemented World Health Organization (WHO) initiative on migrant health (Fortier 2010).

As previously mentioned, there is increasing concern about migrant women having less access to reproductive health information and services than non-migrants (Gardner and Blackburn 1996, Huntington and Guest 2002). The barriers experienced by migrants and especially refugees and IDPs in accessing these services relate to a lack of knowledge and information about how the services are organized and are able to be accessed as well as to cultural, language and financial issues. Moreover, in some cases, there may be institutional barriers to accessing services. In addition to institutional barriers, low usage of health services by migrants can be attributed to financial constraints, language barriers and not having legal status in the host location as well as cultural factors, such as traditional health beliefs.

A common theme in the studies of health of international labour migrants is the role of high costs and illegal status as barriers to accessing health services. Gaur and Saxena (2004) in a study of Indian workers in Lebanon described their plight as follows:

“Apart from being exploited by employers and agents, most unauthorized workers lived on the edge with the fear of arrest and deportation hanging over their heads. When they fell ill, either they shouldered all the medical costs or just coped with their ailments. With their lower wages and the pressure of having to pay loans, most of them could barely afford to seek health care. They were also afraid to seek medical care because they could be arrested and deported.”

Refugees and IDPs is one group that may have difficulty accessing health services. This is especially true when they are in flight, but may also be the case when they are in camps, which are often overcrowded and under resourced and may not provide adequate health services.

## Migration and HIV and AIDS

The complex relationship between migration and the spread of infectious disease is well exemplified in the case of HIV and AIDS. While South and South-West Asia has a low HIV prevalence (less than 1 per cent), it is the subregion with the second highest number of people infected with HIV after sub-Saharan Africa (UNDP and ILO 2010). Table 5 shows that India, the Islamic Republic of Iran, Pakistan and Nepal have the highest number of adults living with HIV and AIDS, respectively. However, data collection methods vary greatly between the countries in the subregion and this must be taken into account when making comparisons of HIV prevalence in the region (UNDP and ILO 2010).

Table 5.  
**Estimated number of people living with HIV, 2007-2008 (in thousands)**

COUNTRY	ADULTS 15 OR OVER LIVING WITH HIV (THOUSANDS)	ADULT HIV PREVALENCE (PERCENTAGE)
Afghanistan	-	-
Bangladesh	12	<0.01
Bhutan	<0.5	0.1
India	2300	0.3
Iran (Islamic Republic of)	85	0.2
Maldives	-	-
Nepal	68	0.5
Pakistan	94	0.1
Sri Lanka	4	-
Turkey	-	-

Source: UN DESA (2010a).

A consistent finding across Asia is the strong influence that the type of migration has on risk of HIV infection. In most countries the highest rates of infection are recorded among highly mobile groups, such as truck drivers, fishermen and itinerant workers (Chantavanich and others 2000). In Nepal, seasonal labour migrants to India accounted for 46 per cent of the estimated HIV cases reported in 2005 (UNAIDS 2008).

However, as cautioned in the report, *HIV/AIDS and Mobility in South Asia* (UNDP and ILO 2010), discussions of HIV and migration must take into account the fact that migrant workers are often subject to mandatory or routine HIV testing,

both before their departure and while abroad, and this significantly biases any comparison of HIV prevalence between migrants and the general population who in general are not routinely tested. Despite this reporting bias, the fact that significant numbers of people living with HIV become infected while working abroad clearly demonstrates that there is a gap in current measures to tackle HIV.

An Integrated Biological and Behavioural Surveillance Survey (IBBSS) conducted in 2008 of 360 male migrant workers from the Western and Mid- to Far-Western development regions of Nepal<sup>4</sup> found that they were almost four times more likely to use a female sex worker when they were in India than in Nepal (New ERA and STD/AIDS Counselling and Training Services 2008). While reported awareness of HIV was high among the male migrants, between 20 and 33 per cent had engaged in unprotected sex with a female sex worker while in India. Of further concern is the fact that spouses and female partners of migrant workers account for approximately 20 per cent of adult HIV infection in Nepal (UNAIDS 2008).

India has the highest number of people living with HIV in the region and is also the largest country of origin for migrant workers in Asia (UNAIDS 2009). However, returning migrant workers are not routinely tested for HIV and as such, no data are available for this group. Studies have, however, indicated a higher incidence of the disease among people returning from overseas (www.keralamonitor.com 2009).

There is a complex linkage between migration, the commercial sex industry and infectious disease, as explained in the Monitoring the AIDS Pandemic's (MAP) *2004 Report on Aids in Asia* which makes three crucial points on this relationship:

- "In Asia more people engage in commercial sex than in any other behaviour that carries high risk of HIV infection. Indeed most new infections in the continent are still contracted during paid sex" (MAP Network 2004, p. 4).
- "The women at highest risk are those who migrate specifically to sell sex in large cities where demand is high" (MAP Network 2004, p. 72).
- "Sex workers also move around, since their earnings tend to be better when they are new to an area and drop as they become familiar and no longer satisfy clients' preference for variety and novelty" (MAP Network, 2004 p. 72).

In addition, Hugo (2010) has pointed out that the commercial sex industry is concentrated in locations where there are large numbers of circular migrants such as cities, border crossing points, construction and mining sites, plantations, tourist destinations and transport corridors. This highlights the important nexus between migration, HIV and the commercial sex industry. Sex workers are often placed in powerless situations in which they cannot use condoms and therefore often have higher prevalence of HIV infection than the general population.

The fact that many migrants are unaware of AIDS and continue to remain so even after testing HIV positive, indicates a lack of support services and treatment for STIs, including HIV, throughout the migration cycle. The development, implementation and enforcement of a comprehensive migration policy at the

<sup>4</sup> Nepal is divided into five development regions, namely Far-Western, Mid-Western, Western, Central and Eastern.



national and regional level represent a vital first step toward effective protection of South and South-West Asian migrant workers.

As suggested in a report from the Commission on AIDS in Asia, “the future of Asia’s epidemics depends to a considerable extent on what happens to men’s incomes and their mobility outside family settings. Men who have disposable income, and who travel or migrate-to-work opportunities, provide most of the demand for commercial sex. If countries in Asia continue to experience rapid economic growth and men’s incomes continue to rise, the demand for commercial sex in the region is also likely to rise” (Commission on AIDS in Asia 2008, p. 58).

However the report also states that generalizations can be misleading because a significant number of migrants move with their partners, and are less likely to engage in HIV-related risk-taking behaviour. In addition, research from China has shown that conservative social norms survive longer among migrants than is commonly thought, such as the view that paying for sex is seen as unacceptable (Hesketh and others 2006). It is therefore not the case that all migrants are necessarily at higher risk of HIV infection (Commission on AIDS in Asia 2008).

---

### **Migration and infectious diseases**

While focus is often placed on HIV and AIDS, discussion of the link between mobility and health is not complete without mention of other infectious diseases. Tuberculosis (TB) is one of the most significant diseases among migrant populations (Hugo 2008). It is traditionally a disease of poverty and is strongly linked to social and environmental factors. Consequently, there is vast disparity in the rates of TB between populations of different social backgrounds, with migrants carrying a disproportionate burden of the disease (Hugo 2008). Conditions of overcrowding and poor nutrition, and low awareness of prevention measures contribute greatly to the transmission of TB, which is both an airborne and highly contagious disease.

TB incidence in South Asia is high—in 2008 there were a total 179 reported cases per 100,000 people (World Bank 2008). Of the 22 highest TB burden countries globally, India is ranked first while Bangladesh and Pakistan are ranked fifth and sixth, respectively (WHO 2010). In India, TB is the largest single cause of adult illness and death from a communicable disease (World Bank 2004).

The combination of trends in increasing human mobility, emerging multi-drug resistant TB and rising rates of co-infection with HIV and AIDS are raising new issues in the prevention and control of TB (Hugo 2008).

---

### **Migration and non-communicable diseases (NCDs)**

NCDs are increasing globally and can no longer be considered as only diseases of the rich. In South Asia, NCDs now account for 50 per cent of the total disease burden (Engelgau and others 2011). The determinants of NCDs are largely social and environmental, and a growing body of research points to the significant impact of migration, globalization and urbanization as the risk factors for NCDs.

As Davies and other (2011) explain, as part of the acculturation process when they move to new societies, migrants may adopt unhealthy lifestyle habits including poor diet and physical inactivity, which increase their risk for NCDs, such as

cardiovascular disease or diabetes. Indeed, one study of Indian migrants living in the United Kingdom of Great Britain and Northern Ireland has shown that increased fat intake and obesity place them at increased risk of coronary heart disease (CHD) compared to their non-migrant counterparts in India (Patel and others 2006).

Stressful working and living conditions in the destination country may also increase their use of tobacco, or promote alcohol and substance abuse (Davies and others 2011a). In a study of CHD risk factors among Indian, Pakistani and Bangladeshi migrants living in Europe, Indian men were found to be more likely to drink alcohol while abroad and Bangladeshi men were more likely to smoke. Compared to their European counterparts, the overall risk of CHD was higher among all three migrant groups (Bhopal and others 1999).

Given the increased mobility of people in and between societies with differing health and demographic profiles, NCD prevention in South Asia and in destination countries of South Asian migrants should be comprehensive and take into consideration the socio-cultural factors and impact of migration on risk factors for NCDs.

## Migration of health workers

The health sector workforce is large and diverse, and includes several highly trained groups. Health workers are of crucial importance to global health systems, which are under increasing pressure because:

- In less developed contexts, health systems are beginning from a low base and limited health human resources are hindering improvements in mortality and morbidity.
- In more developed contexts, the ageing of populations is creating an exponential demand for health workers which is not being met from internal training systems.

The countries in South and South-West Asia are influenced by both these trends since they have a below global average provision of health services yet they are also suffering a burgeoning outflow of health workers to OECD and other high-income countries. Three countries in this region, namely India, the Islamic Republic of Iran and Pakistan, are among the ten countries that have the largest numbers of doctors working abroad (World Bank 2011).

In India, despite having the world's largest emigrant source of doctors, the doctor-to-population ratio in 2006 was 60:100,000 compared with 548.9:100,000 in the United States of America (Khadria 2009). The country, which is also one of the world's major sources of emigrant nurses, had had only 79 nurses per 100,000 population in 2006 compared with 782 in the United States of America (Khadria 2009).

There is increasing global concern regarding the 'brain drain' of health professionals from this subregion as well as other low-income subregions (OECD and WHO 2010). WHO (2010) has developed a Global Code of Practice on the International Recruitment of Health Personnel and the acceptance and implementation of this is an important priority.



Globally, the emphasis on migrant-inclusive approaches to addressing the health needs of both migrants and their host communities is gaining momentum.

## Government responses

The focus of government approaches to migration and health in the ten countries highlighted in this report has largely been disease-based and frequently centred on screening to detect communicable disease. To date, a general approach to mainstreaming migrant health issues into national health policies has been lacking in the sub-region despite increasing migration flows. Migrants from the subregion to most OECD countries are required to undergo health checks before they are granted a visa, with the detection of TB and HIV being common grounds for exclusion. Similarly, migrant workers seeking to travel through official systems to Western Asia or other destinations in Asia, such as Singapore, are obliged to undergo health checks. In several countries of destination, they also have to take regular health tests and can be repatriated if they are found to have particular conditions. There is some controversy about the compulsory tests, especially those detecting infectious diseases like HIV.

However, globally, the emphasis on migrant inclusive approaches to addressing the health needs of both migrants and their host communities is gaining momentum. An important development in this regard was the adoption by the 2008 WHA of resolution 61.17 on the Health of Migrants.<sup>5</sup> This resolution, which called for WHO Member States to develop migrant inclusive health policies, promote equitable access to health care, and support social cohesion, provided a global operational framework<sup>6</sup> on how to improve the health of migrants and has received strong support from governments of the sub-region. It is recognized however, that implementing the framework will require high-level commitment and engagement from all stakeholders (WHO 2010).

At the regional level, several migration-specific dialogues have helped to identify recommended approaches to migration health that are specific to Asia and the Pacific. The Regional Dialogue on the Health Challenges of Asian Migrant Workers held in July 2010 in Bangkok, Thailand; the September 2010 Asia-Pacific Regional Preparatory Meeting for the Global Forum on Migration and Development also held in Bangkok; and the Fourth Colombo Process Ministerial Consultation on Overseas Employment and Contractual Labour for Countries of Origin in Asia held in April 2011 in Dhaka, Bangladesh, are recent key examples.

A significant outcome of the Regional Dialogue was the adoption by representatives from ministries of Labour, Health, and Foreign Affairs of a set of Joint Recommendations aimed at improving the health and well-being of migrant workers and their families. The recommendations called for recognition of the feminization of migrant flows and the significant number of migrants working in the informal sector, and of the related health vulnerabilities of these groups emphasized the central place of human rights and the need to address barriers to accessing services. Governments of participating Member States also agreed on the need for data and bilateral approaches in formulating guidelines and minimum standards to assist countries in developing viable interventions that support the health and social protection of migrants. The Joint Recommendations also provided a framework for the roundtable

<sup>5</sup> See [http://apps.who.int/gb/ebwha/pdf\\_files/A61/A61\\_R17-en.pdf](http://apps.who.int/gb/ebwha/pdf_files/A61/A61_R17-en.pdf).

<sup>6</sup> The Outline for An Operational Framework to implement the principles and priorities expressed in the 2008 WHA Resolution on the Health of Migrants was developed as a main product of the Global Consultation on the Health of Migrants - The Way Forward in Madrid, Spain from March 3 - 5, 2010. The framework is a synthesis of the inputs received from participants representing governments, non-governmental organizations, international organizations, the Red Cross and Red Crescent Movement, academics and experts, as well as professional and migrant associations from all geographical regions.

discussions on migration and health that defined the health related articles in the Bangkok Statement on Migration and Development of 31 Member States of the UNESCAP Asia-Pacific Region for the Global Forum on Migration and Development 2010 in Puerto Vallarta, Mexico.

Furthermore, the health challenges of migration were discussed as part of broader discussions on ensuring the wellbeing of migrant workers at the 2011 Colombo Process Ministerial Consultations, during which the Joint Recommendation on the Health Challenges of the Asian Migrant Workers were presented. Acknowledging the challenges to promote and protect the rights of migrant workers and their families, and improving the welfare, dignity and well-being of migrant workers, especially those of women, the 11 Member States recommended the implementation of migrant-inclusive policies to ensure equitable access to health care and services as well as occupational safety and health for migrant workers.

Important models to enhance social protection in health have emerged in some countries of origin, mainly in those that rely heavily on remittances. Such models provide pre-departure orientation, coverage for disability and health services at the country of destination through a compulsory insurance package, and examination and referral when returning home. Although such models may be limited in their scope of coverage and not applicable to those who migrate through informal channels, these efforts recognize the important contribution of migrants to development and the need to ensure the health of migrants as a human right and as part of good public health practice.

---

## Conclusion and recommendations

The complex relationship between migration and health remains poorly understood in South and South-West Asia. This chapter has demonstrated that several of these relationships are of fundamental importance to the eradication of poverty and the achievement of the Millennium Development Goals in the subregion. Mobility continues to increase in South and South-West Asia, making it even more essential that its impact on health is better understood. Monitoring variables related to migrant health is a critical aspect of improving both the health status and utilization of health services by migrants (WHO 2010). Only on the basis of such knowledge Governments can develop sound policies that can maximize not only the benefits of migration but also minimize its costs.

To date, several regional and global initiatives have been implemented that promote understanding, partnerships, programming and advocacy for policies addressing the health of migrants and mobile populations, including their host societies and left-behind families and communities. For South and South-West Asia, investments have been made in fostering partnerships, networks and multi-country frameworks through regional dialogues, meetings and ministerial consultations. Prime examples among them are the Regional Dialogue on the Health Challenges of Asian Migrant Workers, the Global Forum on Migration and Development, and the Colombo Process. Although the focus of these initiatives has largely been within the context of labour migration and economic development, they have provided an important platform to discuss the health challenges of migrant workers. Governments may utilize such approaches as potential venues to extend the discussion on migration health to other forms of migration such as irregular and forced migration. These approaches could also

serve as an effective means to promote and discuss with donors the inclusion of migrant health needs in existing regional and global funding mechanisms.

With the existing mechanisms in place, the challenge now lies in implementing these recommendations, priorities, and actions at the country level. Governments, in partnership with other stakeholders, must consider their national migration and health context and take the lead in translating these recommendations into policies and legal frameworks that spur the development of migrant-sensitive health systems. Ensuring the continuity and quality of care received by migrants throughout the migration cycle is a recognized priority in South and South-West Asia. Another area of importance in the subregion is building capacity of the health and relevant non-health service sector to address the health and social issues associated with migration. Some Governments have moved forward on this issue through the following actions:

- establishing a focal point to facilitate inter-ministerial and inter-agency coordination;
- setting standards and frameworks for development, management, monitoring and delivery of migrant-sensitive and migrant-inclusive services; and
- sensitizing relevant service providers and stakeholders.

With careful evaluation, these initiatives could provide models for other countries to replicate or to adapt in their context. Given the varying forms of migration and its importance to the present situation in South and South-West Asia, approaches to migration health also need to further promote the rights of migrants and recognize the public health principles of disease transmission, its prevention, mitigation and where possible, eradication.

## References

- Abella, M., and G. Ducanes (2009). "The effect of the global economic crisis on Asian migrant workers and governments' responses. responding to the economic crisis – coherent policies for growth, employment and decent work in Asia and Pacific", technical report for ILO Regional Office for Asia and the Pacific. Accessed from [www.ilo.org/asia/whatwedo/events/lang--en/docName--WCMS\\_101731/index.htm](http://www.ilo.org/asia/whatwedo/events/lang--en/docName--WCMS_101731/index.htm) on 22 August 2011.
- Adams, K.M., L. Gardiner and N. Assefi (2004). "Healthcare challenges from the developing world: Post-immigration refugee medicine", *BMJ*, vol. 39.
- Alam, S. (2003). "Environmentally induced migration from Bangladesh to India", *Strategic Analysis*, vol.27, issue 3, pp. 422-38, July.
- Alballa, S., and E. Bambgoye (2003). "Pattern of Adult Admissions into medical wards of King Khaled University Hospital, Riyadh, 1986-1990", *Saudi Medical Journal*, vol.14.
- Ali, A. (1999). Climate change impacts and adaptation assessment in Bangladesh, *Climate Research*, 12, pp.109-11.
- Arif, G.(2009). Recruitment of Pakistani workers for overseas employment: Mechanisms, exploitation and vulnerabilities (Geneva, International Labour Office).
- Asis, M. (2005). "The Filipinos in Sabah: Unauthorised, unwanted and unprotected", S. Jatrana, M. Toyota and B. Yeoh, eds., *Migration and Health in Asia* (London, Routledge).
- Asis, M., S. Huang and B. Yeoh (2004). "When the Light of the Home is Abroad: Unskilled Female Migration and the Filipino Family", *Singapore Journal of Tropical Geography*, vol. 25, Issue 2, July.
- Bhopal, R. and others (1999). "Heterogeneity of coronary heart disease risk factors in Indian, Pakistani, Bangladeshi, and European origin populations: cross-sectional study", *British Medical Journal*, vol. 319, pp. 215-220.
- Blanchet, T. and others, (2004). "Women, migration and health", a paper submitted to AED (Dhaka, Dristhi Research Centre).
- Brockerhoff, M. (1994). "The impact of rural-urban migration on child survival", Population Council Research Division Working Papers, N°. 61.
- Carballo, M. and F. Siem, (2006). "Migration and Diabetes: The Emerging Challenge", *Diabetes Voice*, volume 51, Issue 2.
- Chantavanich, S., A., Beesey and S. Paul (2000). *Mobility and HIV/AIDS in the Greater Mekong Subregion*, Asian Research Center for Migration (Manila, Asian Development Bank).
- Chatterjee, C.B. (2006). *Identities in Motion; Migration and Health in India* (Mumbai, The Centre for Enquiry into Health and Allied Themes).
- Commission on AIDS in Asia (2008). *Redefining AIDS in Asia: Crafting an Effective Response* (New Delhi, Oxford University Press).
- Davies, A. and others (2011). "The dynamics of health and return migration", *Policy Forum*, vol. 8, Issue 6.
- \_\_\_\_\_ (2011). "Social determinants and risk factors for non-communicable diseases (NCDs) in South Asian migrant populations in Europe", *Asia Europe Journal*, vol. 8, pp. 461-473.
- Disaster Center (no date). "The most deadly 100 natural disasters of the 20th Century", accessed from [www.disastercenter.com/disaster/TOP100K.html](http://www.disastercenter.com/disaster/TOP100K.html) on 22 August 2011.
- Engelgau, M. and others (2011). *Capitalizing on the Demographic Transition: Tackling Noncommunicable Diseases in South Asia* (Washington, World Bank).
- Frisbie, W.P., Y. Cho and R. A. Hummer (2001). "Immigration and the health of Asian and Pacific islander adults in the United States", *American Journal of Epidemiology*, vol. 153, Issue 4.
- Fernando, D., S. Kamaladasa and S. Siribaddana (1995). "High incidence diabetes Mellitus in migrant Sri Lankans working in West Asian countries", abstracts of the Annual Scientific Sessions of the *Sri Lanka Medical Association*.
- Fortier, J. P. (2010). *Migrant-sensitive health systems. Health of migrants – the way forward*, report of a global consultation (Madrid, WHO).
- Gardner, R., and R. Blackburn (1996). "People who move: New reproductive health focus", *Population Reports*, vol. XXIV, N°. 3.
- Gaur, S., and P. Saxena (2004). "Indian migrant workers in Lebanon and their access to health care", *Asian and Pacific Migration Journal*, vol. 13, issue 1.
- Gilchrist, G., L. Gruer and J. Atkinson (2005). "Comparison of drug use and psychiatric morbidity between prostitute and non-prostitute female drug users in Glasgow, Scotland", *Addictive Behaviors*, vol. 30, Issue 5, June.
- Global Forum on Migration and Development (GFMD) (2011). "Joint Reflections on Migration and Development", background paper GFMD symposium for Civil Societies and Governments, Geneva, August. Accessed from [http://graduateinstitute.ch/webdav/site/globalmigration/shared/\\_communIntersites/GS-Govt%20Symposium%20Background%20Paper.pdf](http://graduateinstitute.ch/webdav/site/globalmigration/shared/_communIntersites/GS-Govt%20Symposium%20Background%20Paper.pdf) on 22 March 2012.
- Gupta, J. and others, (2009). "HIV vulnerabilities of sex trafficked Indian women and girls", *International Journal of Gynecology and Obstetrics*, vol.107, Issue 1.
- Gushulak, B.D., and D. W. MacPherson (2000). "Health issues associated with the smuggling and trafficking of migrants", *Journal of Immigrant Health*, vol. 2, N°. 2, pp. 67-78.
- Haour-Knipe, M., and R. Rector., (1996). *Crossing Borders: Migration, Ethnicity and AIDS* (London, Taylor and Francis).
- Herdt, G., ed., (1997). *Sexual Cultures and Migration in the Era of AIDS: Anthropological and Demographic Perspectives* (Oxford, Clarendon Press).
- Hesketh, T. and others (2006). "HIV and syphilis in migrant workers in eastern China", *Sexually Transmitted Infections*, vol. 82, Issue 1, February.
- Hugo G. J. (2008). *Migration and health. Situation Report on International Migration in East and South-*

- East Asia (Bangkok, International Organization for Migration, Regional Office for Southeast Asia).
- \_\_\_\_\_ (2010). "Climate Change Induced Mobility and the Existing Migration Regime in Asia and the Pacific", J. McAdam, ed., *Climate Change and Displacement: Multidisciplinary Perspectives* (Oxford, Hart Publishing).
  - Hugo, G. J., and S. Ukwatta, (2010). "Sri Lankan Female Domestic Workers Overseas – The Impact on Their Children", *Asian and Pacific Migration Journal*, vol. 19, Issue 2.
  - Hugo, G.J. and others (2009). *Climate Change and Migration in the Asia-Pacific Region* (Manila, Asian Development Bank).
  - Huntington, D., and P. Guest, (2002). "Trafficking in persons: Concepts, intervention models and implications for reproductive health and HIV/AIDS programs", September.
  - International Initiative of Justice (2003). Threatened existence: a feminist analysis of the genocide in Gujarat, December.
  - International Organization for Migration (IOM) (2004). *International Migration Law: Glossary on Migration* (Geneva, IOM).
  - \_\_\_\_\_ (IOM) (2009). United Nations Global Initiative to Fight Trafficking (UN.GIFT), London School of Hygiene and Tropical Medicine (LSHTM). *Caring for Trafficked Persons: Guidance for Health Providers* (Geneva, IOM).
  - Jatrana, S., and A. Chan (2005). "Investigating the role of nativity on functional disability among older Adults in Singapore", S. Jatrana, M. Toyota and B. Yeoh, eds., *Migration and Health in Asia* (London, Routledge).
  - Jatrana, S., and S. Sangwan (2004). "Living on site: Health experiences of migrant female construction workers in North India", *Asian and Pacific Migration Journal*, vol. 13, Issue 1, pp. 61-88.
  - Jhumka, G. and others (2011). *HIV vulnerabilities of sex-trafficked Indian women and girls*. International Journal of gynaecology and Obstetrics, Yale School of Public Health, Yale University for Interdisciplinary Research on AIDS.
  - Jones, A., J. Sharpe and M. Segren (2004). "Children's experiences of separation from parents as a consequence of migration", *Caribbean Journal of Social Work*. Vol 3, pp. 89-109.
  - Kamaladasa, S. L., S. Nanayakkara and D. Fernando (1992). "Is the Middle East employment an additional risk factor for coronary heart disease in diabetic patients?", Abstracts of the Annual Academic Sessions, Ceylon College of Physicians.
  - Karim, M. F., and N. Mimura (2008). "Impacts of climate change and sea-level rise on cyclonic storm surge floods in Bangladesh", *Global Environmental Change*, vol. 18, issue 3, pp. 490-500.
  - Keralamonitor.com (2009). "HIV, oral sex common among Indian workers in the Gulf: Psychologist", accessed from [www.keralamonitor.com/hivoralworkers.html](http://www.keralamonitor.com/hivoralworkers.html) on 22 March 2012.
  - Khadria, B., ed., (2009). *India Migration Report 2009: Past, Present and the Future Outlook*. International Migration and Diaspora Studies Project (New Delhi, Jawaharlal Nehru University).
  - Khoudour-Castéras, D. (2007). "International Migration and development: the socioeconomic impact of remittances in Colombia", *Cepal Review* 92, August. Accessed from [www.eclac.org/publicaciones/xml/5/31995/KhoudourCasteras.pdf](http://www.eclac.org/publicaciones/xml/5/31995/KhoudourCasteras.pdf) on 22 August 2011.
  - Kuhn, R. (2003). "A longitudinal analysis of health and mortality in a migrant-sending region of Bangladesh". Accessed from <http://paa2004.princeton.edu/download.asp?submissionId=42055>.
  - Lein, H. (2000). "Hazards and 'forced' migration in Bangladesh", *Norwegian Journal of Geography*, vol.54, N°. 3, pp.122-127, 6 September.
  - Mehta, D. (2003). "The effective administration of criminal justice to tackle trafficking in human beings and smuggling of migrants in India", *Resource Series* N°. 62, prepared by Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders. Accessed from [www.unafei.or.jp/english/pdf/PDF\\_rms\\_all/no62.pdf](http://www.unafei.or.jp/english/pdf/PDF_rms_all/no62.pdf) on 22 August 2011.
  - *Migration News* (2002). South Asia. Vol. 9, N°. 7, July, Accessed from [http://migration.ucdavis.edu/mn/comments.php?id=2675\\_0\\_5\\_0](http://migration.ucdavis.edu/mn/comments.php?id=2675_0_5_0) on 22 August 2011.
  - \_\_\_\_\_ (2003). South Asia. Vol. 1 0, N°. 2, April. Accessed from [http://migration.ucdavis.edu/mn/more.php?id=59\\_0\\_3\\_0](http://migration.ucdavis.edu/mn/more.php?id=59_0_3_0) on 22 August 2011.
  - Miko, F., and G. Park (2002). "Trafficking in women and children: The U.S. and international response", Congressional Research Service report for Congress. Accessed from <http://fpc.state.gov/documents/organization/9107.pdf> on 22 August 2011.
  - Mirza, M. (2002). "Global warming and changes in the probability of occurrence of floods in Bangladesh and implications", *Global Environmental Change*, vol.12, issue 2, pp. 127-138 (July).
  - Mirza, M. and others (2001). "Are floods getting worse in the Ganges, Brahmaputra and Meghna basins?", *Environmental Hazards*, vol. 3, issue 2, pp. 37-48, June.
  - Monitoring the AIDS Pandemic (MAP) Network (2004). *AIDS in Asia: Face the Facts* (Washington, MAP).
  - Nasreen, M., K. Hossain and D. Kundu (2006). "The interrelationship between poverty, environment and sustainable development", *Bangladesh e-Journal of Sociology*, accessed from [www.bangladeshsociology.org/BEJS%203.2%20Nasreen.pdf](http://www.bangladeshsociology.org/BEJS%203.2%20Nasreen.pdf) on 22 August 2011.
  - Nicholson, B.L.(1997). "The influence of pre-emigration and post-emigration stressors on mental health: a study of Southeast Asian refugees", *Social Work Research*, vol.21, N°. 1, pp. 19-33.
  - Norwegian Refugee Council (2005). *India: Assistance to IDPs remain inadequate*. Report for Global IDP Project (Geneva, NRC).
  - Nygren-Krung, H. (2003). "International Migration, Health and Human Rights", *Health & Human Rights Publication*, Series N°. 4, December (Geneva, World Health Organization).
  - Organization for Economic Co-operation and Development (OECD) and World Health Organization (WHO) (2010). "International Migration of Health Workers", *OECD Observer* (Paris). Policy Brief, February 2010. Accessed from [www.oecd.org/dataoecd/8/1/44783473.pdf](http://www.oecd.org/dataoecd/8/1/44783473.pdf) on 22 March 2012.
  - Patel, J.V. and others (2006). "Impact of migration on coronary heart disease risk factors: Comparison of



- Gujratis in Britain and their contemporaries in villages of origin in India”, *Atherosclerosis*, vol. 185, pp. 297–306.
- Roy, A. K. and P. Nangia (2005). *Reproductive health status of wives left behind by male out-migrants: a study of rural Bihar, India*, accessed from <http://iussp2005.princeton.edu/download.aspx?submissionId=51906> on 22 August 2011.
  - Samaddar, R., ed., (2003). *Refugees and the State; Practices of Asylum and Care in India, 1947–2000* (New Delhi, Sage).
  - Silverman, J. and others (2007). “HIV prevalence and prediction of infection in sex-trafficked Nepalese girls and women”, *JAMA*, vol. 298, Issue 5, 1 August.
  - Silove, D., P. Austin and Z. Steel (2007). “No refuge from Terror: the Impact of Detention on the Mental Health of Trauma-affected Refugees Seeking Asylum in Australia”, *Transcultural Psychiatry*, vol. 44, No 3.
  - Toole, M.J., and R. J. Waldman (1997). “The Public Health Aspects of Complex Emergencies and Refugee Situations”, *Annual Review of Public Health*, vol. 18, pp. 283–312.
  - Tsutsumi, A. and others (2008). “Mental health of female survivors of human trafficking in Nepal”, *Social Science & Medicine* 8, vol. 66, issue 8, April.
  - United Nations Program on HIV/AIDS, Joint (UNAIDS) (2008). United Nations General Assembly Special Session (UNGASS) *Country Progress Report: Nepal* (New York, UNAIDS).
  - \_\_\_\_\_ (2009). *HIV and migration, country profile 2009: India*, accessed from [www.aidsdatahub.org/dmdocuments/HIV\\_and\\_Migration\\_-\\_India.pdf](http://www.aidsdatahub.org/dmdocuments/HIV_and_Migration_-_India.pdf) on 22 August 2011.
  - United Nations Development Programme (UNDP) and International Labour Organization (ILO) (2010). *HIV/AIDS and Mobility in South Asia* (Bangkok, UNDP Asia-Pacific Regional Center).
  - United Nations Department of Economic and Social Affairs (UN DESA) (2010). *World Population Prospects: The 2010 Revision*. Population Division of the Department of Economic and Social Affairs of the United Nations Secretariat. Accessed from <http://esa.un.org/unpd/wpp/index.htm>.
  - \_\_\_\_\_ (2010a). *Population and HIV/AIDS 2010*. United Nations publication, Sales No. E.10.XIII.9. Accessed from [www.un.org/esa/population/publications/population-hiv2010/population-hiv2010chart.pdf](http://www.un.org/esa/population/publications/population-hiv2010/population-hiv2010chart.pdf) on 12 August 2011.
  - United Nations Development Programme (UNDP) (2008). *HIV Vulnerabilities of Migrant Women: from Asia to the Arab states* (Colombo, UNDP Regional Centre). Accessed from [http://hdru.aprc.undp.org/resource\\_centre/pub\\_pdfs/P1105.pdf](http://hdru.aprc.undp.org/resource_centre/pub_pdfs/P1105.pdf) on 12 August 2011.
  - \_\_\_\_\_ UNDP (2010). *Human Development Report 2010: The Real Wealth of Nations: Pathways to Human Development* (New York, United Nations).
  - United Nations Population Division (2009). *World Urbanization Prospects: The 2009 Revision Population Database*. Accessed from <http://esa.un.org/wup2009/unup/index.asp?panel=1> on 6 September 2011.
  - World Bank (2004). *India Tuberculosis Control Project*. Accessed from [www.worldbank.org.in/WBSITE/EXTERNAL/COUNTRIES/SOUTHASIAEXT/INDIAEXTN/0,,contentMDK:20189356~menuPK:295615~pagePK:141137~piPK:217854~theSitePK:295584,00.html](http://www.worldbank.org.in/WBSITE/EXTERNAL/COUNTRIES/SOUTHASIAEXT/INDIAEXTN/0,,contentMDK:20189356~menuPK:295615~pagePK:141137~piPK:217854~theSitePK:295584,00.html) on 22 August 2011.
  - \_\_\_\_\_ (2008). Selected Health Indicators: South Asia, accessed from <http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/SOUTHASIAEXT/0,,contentMDK:21337662~pagePK:146736~piPK:146830~theSitePK:223547,00.html> on 01 September 2011.
  - \_\_\_\_\_ (2011). World Development Indicators. Accessed from <http://data.worldbank.org/indicator/SL.TLF.TOTL.IN> on 9 August 2011.
  - World Health Organization (WHO) (2008). *The Global Burden of Disease 2004 Update*, accessed from [www.who.int/healthinfo/global\\_burden\\_disease/GBD\\_report\\_2004update\\_full.pdf](http://www.who.int/healthinfo/global_burden_disease/GBD_report_2004update_full.pdf) on 9 August 2011.
  - \_\_\_\_\_ (2010). *Global Tuberculosis 2010*, TB Control Report (Geneva, WHO).
  - WHO, IOM and Government of Spain (2010). *Health of Migrants – The Way Forward*. Report of a Global Consultation, Madrid, March. Accessed from [www.who.int/hac/events/consultation\\_report\\_health\\_migrants\\_colour\\_web.pdf](http://www.who.int/hac/events/consultation_report_health_migrants_colour_web.pdf) on 12 August 2011.
  - Zimmerman C., L. Kiss and M. Hossain (2011). “Migration and health: a framework for 21st century policy-making”, *PLoS Med*, vol 8, issue 5, 24 May.

# Asylum seekers, refugees and stateless persons<sup>1</sup>

Mixed migratory movements continue to be a defining feature within South and South-West Asia. Some people move in search of better livelihood opportunities, while others flee persecution or conflict. The subregion also witnesses movements that are even more complex and caused by a combination of different motivations. For example, people may have some economic reasons for departing their home countries, which are triggered by underlying human rights violations or persecution. In addressing mixed movements, States have a legitimate and sovereign right to define their own migration policies and to protect their borders as a matter of national security. Every State has the sovereign power to regulate the admission and stay of non-citizens within its territory and a valid interest in resisting irregular migration, as well as combating smuggling and trafficking in persons. However, these concerns need to go hand in hand with the protection of those in need of it in accordance with humanitarian principles and international law.

<sup>1</sup> Tom Vargas, Senior Regional Protection Advisor; Laura Giammarinaro, Regional Registration Officer; Vipawan Pongtrangoon, Assistant Protection Research Officer; Robert Larsson, Regional Refugee Status Determination Officer; Amit Sen, Regional Statelessness Officer; Pajaree Suwannakarn, Protection Information Associate, UNHCR Regional Protection Hub, Bangkok, Thailand

With this in mind, the main responsibility for safeguarding the rights of refugees and stateless people lies with States. The role of the United Nations High Commission for Refugees (UNHCR) is to ensure that Governments take the necessary action to protect refugees and stateless people within their territories or seeking to enter their territories. This starts with admission and ends with the realization of durable solutions. For refugees and asylum-seekers, the key international instruments are the 1951 Convention relating to the Status of Refugees and the 1967 Protocol relating to the Status of Refugees (hereafter referred to as 1951 Convention and its 1967 Protocol). The cornerstone of protection is the fundamental principle of *non-refoulement* found in the Article 33 of the 1951 Convention, which obliges States not to return a refugee to any country where his or her life or freedom would be threatened.<sup>2</sup> Regarding statelessness, the two key international instruments the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness (hereafter referred to as 1954 Convention and the 1961 Convention), provide special measures to protect stateless people, such as the right to identity and travel documents, as well as safeguards to ensure against the threat of statelessness. Increasingly, especially in situations of large-scale influx of people in need of protection, the international community's capacity to support and assist particularly affected States, including through UNHCR, has become an important element in enhancing the protection of refugees and stateless persons.

---

## Refugees and asylum-seekers

The South and South-West Asian subregion is characterized by a weak international legal framework for protecting refugees and asylum-seekers. Afghanistan, the Islamic Republic of Iran and Turkey are the only States that have signed the 1951 Convention and its 1967 Protocol. In the case of Turkey, it limits the geographical coverage of its obligations under the 1951 Convention by providing protection to European refugees only. No other countries covered by this report have acceded to either of these international refugee instruments.

Yet, there is a generous tradition of hosting refugees. Pakistan and the Islamic Republic of Iran have been hosting and continue to host one of the largest and most protracted refugee situations in the world. More than 1.9 million registered Afghans are in Pakistan and more than one million in the Islamic Republic of Iran (UNHCR 2011). Many have been in these countries for some three decades. There is also a large number of unregistered Afghans in both these countries, and recently the Islamic Republic of Iran indicated the possibility of deporting some 1.4 million unregistered Afghans who do not possess residential permits. Currently, the average number being deported among this group ranges from 10,000 to 20,000 people per month. However, if the Islamic Republic of Iran should put into effect its plan to deport up to 50,000 unregistered Afghans per month, this could create re-integration problems for the Government of Afghanistan and would necessitate additional support from donors. India, despite not having acceded to the refugee instruments, has registered and provided protection to some 70,000 Sri Lankans and a significant number of people originating from Tibet Autonomous Region of China. Nepal has hosted 110,000 refugees from Bhutan for almost two decades, and Bangladesh has registered

<sup>2</sup> Art. 33 (1), 1951 Convention relating to the Status of Refugees, enter into force 22 April 1954 reads, "No Contracting State shall expel or return ('refouler') a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion."

and acknowledged the protection needs of some 29,000 Muslims from northern Rakhine State in Myanmar since the early 1990s.<sup>3</sup> These and other populations in this region are allowed to remain and are provided different levels of protection according to ad hoc mechanisms established in each country (UNHCR 2011a). Aside from these ad hoc arrangements, States in South and South-West Asia rely primarily on UNHCR to determine refugee status, assist refugees, and identify durable solutions for them (see table below).

Table 1.  
Number of refugees, asylum-seekers and stateless people<sup>4</sup> by country, 2009 and 2010

COUNTRY OF ASYLUM	REFUGEES		ASYLUM-SEEKERS		STATELESS PERSONS		TOTAL	
	END 2009	END 2010	END 2009	END 2010	END 2009	END 2010	END 2009	END 2010
Pakistan	1 740 711	1 900 621	2 430	2 095	-	-	1 743 141	1 902 716
Iran, Islamic Republic of	1 070 488	1 073 366	1 858	1 775	-	-	1 072 346	1 075 141
Nepal	108 461	89 808	978	938	800 000	800 000	909 439	890 746
Bangladesh	228 586	229 253	-	-	-	-	228 586	229 253
India	185 323	184 821	5 441	3 746	-	-	190 764	188 567
Turkey	10 350	10 032	5 987	6 715	2 739	780	19 076	17 527
Afghanistan	37	6 434	12	30	-	-	49	6 464
Sri Lanka	251	223	338	138	-	-	589	361
Bhutan	-	-	-	-	-	-	-	-
Maldives	-	-	-	-	-	-	-	-
<b>Total</b>	<b>3 344 207</b>	<b>3 494 558</b>	<b>17 044</b>	<b>15 437</b>	<b>802 739</b>	<b>800 780</b>	<b>4 163 990</b>	<b>4 310 775</b>

Source: UNHCR (2010).

Note: A dash indicates that value is zero, not available or not applicable.

<sup>3</sup> Muslim residents of northern Rakhine State in Myanmar are commonly referred to as 'Rohingya'.

<sup>4</sup> 'Refugees' are persons recognized as refugees under the 1951 UN Convention/1967 Protocol, the 1969 OAU Convention, in accordance with the UNHCR Statute, persons granted a complementary form of protection and those granted temporary protection. "People in refugee-like situations" is descriptive in nature and includes groups of persons who are outside their country or territory of origin and who face protection risks similar to those of refugees, but for whom refugee status has, for practical or other reasons, not been ascertained. In Bangladesh, there were 29,253 refugees and 200,000 people in refugee-like situations in 2010. "Stateless persons" refers to persons who are not considered nationals by any State under the operation of its law.

---

## Statelessness

The legal framework regarding statelessness is weak, as no country covered by this report has acceded to either the 1954 Convention or the 1961 Convention. However, several States in South and South-West Asia have taken significant steps to address and resolve statelessness within their territories through legislative reforms and other initiatives. As a result of these important measures, several protracted situations of statelessness in the subregion have been resolved in recent years.

In Sri Lanka, the Government amended national legislation governing nationality in 2003 to grant immediate citizenship to a population of Indian origin, commonly referred to as the ‘Hill Tamils’ or ‘Estate Tamils’,<sup>5</sup> who have lived in Sri Lanka since October 1964 and their descendants. Hundreds of thousands of this population benefited from this ground-breaking law. In 2009, Sri Lanka granted eligibility for nationality to members of the same population returning from India after having been displaced by Sri Lanka’s internal conflict.

The situation of the Urdu-speaking minority in Bangladesh originated primarily from the pre-partition Indian province of Bihar. It was resolved by a landmark decision by the High Court in Dhaka in 2007, which reconfirmed their status as Bangladeshi citizens.<sup>6</sup> On the basis of this decision, the Government of Bangladesh conducted widespread voter registration for this group and issued them identity cards, which allowed them to vote in the country’s general elections for the first time in December 2008. Bangladesh also amended its Citizenship Act in 2009 to allow women to convey nationality by descent to children independently and on an equivalent basis as men, a measure commended by the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) Committee in its 2011 State Party Report on Bangladesh.

In 2007, Nepal successfully completed a massive initiative to reduce statelessness in the country by distributing 2.6 million citizenship certificates to qualifying Nepalis who had previously been unable to acquire this key document due to poverty, illiteracy, geographic isolation, and other factors (UNHCR 2011a).

---

## Detention

The detention of refugees and asylum-seekers takes place throughout South and South-West Asia,<sup>7</sup> although the situation varies from country to country, as does the respective governments’ practices. In Bangladesh, unregistered Muslims from the northern Myanmar state Rakhine and registered refugees who leave their refugee camp seeking employment outside without a permit are particularly vulnerable to arrests and detention. Markedly poor detention conditions, limited

<sup>5</sup> This term was acquired in connection with the British having brought this population to Sri Lanka during the colonial period to serve as labourers on tea plantations, also known as estates. (UNHCR 2007).

<sup>6</sup> While this population has commonly been referred to as the “Biharis,” it is preferable and more accurate to describe them as an Urdu-speaking minority within Bangladesh. The term “Bihari” has sometimes been used pejoratively, as certain segments of this population did not actually originate from Bihar, but rather from the states of West Bengal, Uttar Pradesh, Madhya Pradesh, and Rajasthan.

<sup>7</sup> This section only covers countries in the subregion in which UNHCR has access to information pertaining to detention.

access by UNHCR and the non-segregation of those detained for immigration offenses from common criminals are noted (UNHCR 2011b). In India, notably, the police in New Delhi generally respect UNHCR refugee and asylum-seeker documents and do not arrest holders of these documents. However, in the past years, there have been a few reports from other parts of the country of UNHCR registered asylum-seekers and refugees being arrested and detained for offenses related primarily to immigration violations or other national law violations. In addition, limited opportunities to access detention facilities outside New Delhi hamper the Office's ability to obtain timely and accurate information about arrest and detention cases, or to intervene in this regard (UNHCR 2011c). In Sri Lanka, the authorities commonly do not arrest those holding UNHCR documents. At the end of 2010, there were no reports of refugees or asylum-seekers being detained for immigration violations in Sri Lanka (UNHCR 2011d). In Nepal, there have been instances in the past few years in which urban refugees and asylum-seekers were detained or prosecuted on immigration charges in the past years. Obtaining the release from detention of these individuals following intervention by UNHCR has proven successful (UNHCR 2011a).

---

## Natural disasters

UNHCR has become increasingly involved in responding to natural disasters since 2005 when the United Nations adopted a mechanism formulated by the Inter-Agency Standing Committee (IASC) known as the 'cluster approach'. Under this arrangement, agencies are designated to lead global clusters in eleven specific sectors to coordinate humanitarian action needed in any United Nations response; UNHCR is the lead agency of the Global Protection Cluster.

In South and South-West Asia, one of the most comprehensive responses to natural disaster undertaken by UNHCR was in July 2005 when massive flooding in Pakistan displaced an estimated 20 million Pakistanis. The Office assumed the lead role for protection cluster at the field level, and led the camp coordination and camp management cluster at national level and the shelter/non-food items cluster at provincial level. Through its seven field units established in the affected areas, UNHCR reached approximately two million people with relief items and emergency shelters. The Office has launched 16 quick impact projects to help returning communities of up to three million people rehabilitate badly damaged infrastructure (UNHCR 2011e). In addition, though to a smaller extent, UNHCR took part in the United Nations efforts to provide necessary assistance for affected people in Sri Lanka following the floods in October 2010.

---

## Country situations<sup>8</sup>

In Afghanistan, worsening security since 2007 has increasingly hampered humanitarian workers from reaching more than half the country. The security situation and associated political uncertainties have eroded public confidence in the Government's ability to implement much needed reconstruction and development plans. This has an impact on the prospects of large-scale voluntary

<sup>8</sup> Bhutan and the Maldives are not included in this section as UNHCR reports no statistics available for refugees, asylum-seekers and stateless people in either of these countries, and UNHCR has no operations there.

repatriation, especially in the case of families who have been in exile for almost three decades. With rising numbers of civilians caught up in the conflict, displacement is likely to continue, mostly towards urban areas. The stability of the country is further compromised because an estimated 20 per cent of its population is not (re)integrated into society, more than 40 per cent of about 5.6 million returnees and almost half a million internally displaced persons (IDPs). Limited livelihood opportunities and poverty also continue to drive internal and external migration movements, with Afghans moving in search of both protection and better living standards to many countries in the Asia-Pacific region. In the difficult operational environment in Afghanistan, UNHCR is actively working to bridge the gap between short-term humanitarian relief and long-term sustainable development for returnees, IDPs and local communities. This Transition Solutions Initiative, in line with the Government's National Development Strategy, will benefit from partnerships with United Nations agencies, such as United Nations Development Programme (UNDP), line ministries and operational partners to deliver holistic assistance programmes that are comprehensive and targeted; rehabilitate infrastructure; mainstream families into national development programmes, and support access to national services. Socio-economic opportunities, which enable communities to become self-reliant, will be a key component. Donor support to address irregular and seasonal migration and population movements will also be important (UNHCR 2011f).

Pakistan and the Islamic Republic of Iran host the largest and longest-staying refugee populations in the world. Some 1.9 million Afghans remain in Pakistan (UNHCR 2011e) and a further 1 million in the Islamic Republic of Iran (UNHCR 2011g). The number of registered Afghan refugees who opted for voluntary return in 2010 doubled from the previous year's total, with some 100,000 repatriated. Yet there is an overall decline in the trend of returns since 2008, which can be attributed to the following: the profile of the remaining Afghans; the deterioration in security; and the prevailing poverty in Afghanistan (UNHCR 2011f).

The Government of Pakistan completed a large UNHCR-funded project for the extension of the validity of individual identity cards for more than 1.9 million Afghans. The document enables all Afghans card holders to remain in the country until the end of 2012. A second major project forms part of the protection strategy in Pakistan. It entails a complete and in-depth verification and profiling and aims to generate a more accurate and detailed description of Afghans and Afghan communities in Pakistan by means of a comprehensive household survey. This will produce specific information about the vulnerabilities, living conditions, livelihoods, opportunities, movements and return intentions of Afghans. This baseline data will be used to address the needs and concerns of the vulnerable Afghan population in Pakistan and support those who are considering to return to Afghanistan as well as to identify relevant categories of Afghans who may be suitable to access Pakistani visa programmes. UNHCR also supports the Refugee-Affected and Hosting Areas Programme, which assists both Afghans and Pakistanis through development-related projects aimed at promoting peaceful coexistence (UNHCR 2011e).

Currently, there is no national legislation dedicated to addressing or preventing situations of statelessness in Pakistan. Stateless populations in the country are primarily comprised of individuals with links to Bangladesh. While reliable and current data are not available, various sources estimate that affected persons may number in the thousands. With the aid of a study to be completed in 2011

that will highlight the causes and extent of statelessness in Pakistan, UNHCR and the Government will work in collaboration to develop a strategy to address this issue (UNHCR 2011e). In the Islamic Republic of Iran, the authorities have conducted several registration and documentation programmes for Afghans living in Iran in the last decade. In July 2010, the Government conducted a census of undocumented Afghan nationals irregularly residing in the country as part of a comprehensive report. More than 1.5 million people were registered in this process. During 2011, the Government is undertaking a re-registration of Afghan refugees to provide registration cards, which permits their legal stay and access to basic services, such as health care and education. These cards are valid for one year, which is a longer period than the validity of previously issued cards. A small group of vulnerable or financially destitute people is granted exemption from payment of municipality taxes, which are otherwise mandatory for registered Afghan refugees residing in urban areas. Some 300,000 temporary work permits were distributed in 2009, enabling registered Afghan refugees to work legally in the country and receive benefits. However, the procedures for the re-issuance of work permits have yet to be put in place, and solutions to assist destitute Afghan refugees who cannot afford the high fees will need to be identified (UNHCR 2011g). In light of increasing economic difficulties for a high number of refugees, and in order to achieve a more predictable and sustainable stay in the country, UNHCR continues to advocate for a reduction in the multiple fees and charges that refugees need to pay to maintain their legal status in the country.

Sri Lanka faced a massive displacement and humanitarian emergency during the last months of the 26-year conflict between the Liberation Tigers of Tamil Eelam and the Government, and in the immediate aftermath following the end of the conflict in May 2009. In the following year, IDPs from government-run camps returned to their places of origin in large numbers. Of the original 270,000 people displaced at the end of the conflict, less than 18,000 remained in camps by March 2011. The overall improvement in the situation has also prompted more Sri Lankan refugees, mainly from Tamil Nadu in India, to begin returning home. In 2011, UNHCR expects an increase in the number of refugees voluntarily returning home (UNHCR 2011e).

UNHCR conducts registration and refugee status determination as well as tries to come up with solutions for a small number of urban asylum-seekers and refugees in need of protection in Sri Lanka. Although the Sri Lankan authorities commonly do not arrest and detain those holding UNHCR documents for immigration violations, the Office continues to advocate for legal safeguards to be put in place to prevent the arrests and detention of refugees and asylum-seekers (UNHCR 2011e).

With respect to statelessness in Sri Lanka, the Government has adopted several key legislative measures to redress the situation of known stateless populations and ensure more inclusive and equitable access to nationality. In 2003, Sri Lanka amended its Citizenship Act to grant women the right to convey nationality by descent to children independently, and on an equivalent basis as men. In 2008, a law was passed granting citizenship to early migrants of Chinese ethnicity and their descendants. In early 2009, the Government of Sri Lanka amended its citizenship laws to benefit more than 20,000 persons of Indian origin now living in refugee camps in India who may wish to obtain Sri Lankan citizenship but may not have been entitled to it under the previous laws. While these measures represent significant progress, several challenges remain. UNHCR is working with





the Government and relevant stakeholders in identifying and assisting remaining populations who may have fallen between the gaps in the country's legal and procedural framework and therefore continue to lack access to citizenship documents and rights. UNHCR also plans to work with the Government and development agencies to ensure inclusion of former stateless persons in their poverty reduction programmes (UNHCR 2011d).

While concerns about national security have grown in India and have an impact on access to asylum, the country continues to host to a large number of refugees. India is non-signatory to the 1951 Refugee Convention but it has nonetheless registered and provided protection to some 70,000 Sri Lankans and a significant number of people originating from Tibet Autonomous Province of China. In the absence of a national legal framework for asylum, UNHCR registers and conducts refugee status determination for asylum-seekers in New Delhi, who are primarily from Afghanistan and Myanmar. Holders of documentation provided by UNHCR, specifically Afghan and Myanmar refugees, may be able to obtain temporary residence permits from the Ministry of Home Affairs under certain conditions. Refugees and asylum-seekers without the said permits, nonetheless, continue to be protected against arrest and detention as the police in New Delhi, as noted earlier, generally respect UNHCR refugee and asylum-seeker documents. To strengthen the protection value of individual documentation, UNHCR will commence issuance of more secure asylum-seeker and refugee ID cards in June 2011. Several hundred Afghan Sikh and Hindu mandate refugees have been able to acquire Indian citizenship, and thousands of others are going through the process to obtain citizenship. Certain administrative requirements for obtaining Indian citizenship are relaxed in view of the specific circumstances of refugee applicants. These include, for example, the use of a simple affidavit as a proof of renunciation of the former nationality instead of a certificate issued by the respective embassy (UNHCR 2011d).

Although India is believed to host sizable stateless populations, accurate estimates are lacking regarding the number, distribution and characteristics of those affected. UNHCR is therefore working to identify and map stateless groups and those at risk of statelessness.

Nepal remains in transition, with frequent changes in the composition of the Government. The Constituent Assembly's term has been extended until May 2012. Some provisions of the new constitution on citizenship and fundamental rights, now being drafted, carry the risk of significantly increasing the size of the stateless population in Nepal. UNHCR continues to closely monitor the drafting of this constitution and to advocate for the adoption of constitutional provisions that ensure non-discriminatory and effective access to citizenship (UNHCR 2011a).

Despite the advances made in 2007 in the prevention of statelessness in Nepal, recent research suggests that there may be large populations of qualifying Nepalis who remain without access to citizenship certificates and associated rights. These include impoverished and marginalized groups such as vulnerable women, internally-displaced and conflict-affected persons, ethnic minorities and disadvantaged caste groups (Nepal 2011a).

In accordance with its mandate to prevent and reduce statelessness, UNHCR will continue to raise awareness of statelessness in Nepal. In particular, the Office will persist with its legal advocacy to promote the adoption of appropriate citizenship

laws and policies, consistent with international standards, especially those embraced by Nepal as a State party to human rights treaties. Furthermore, it will implement a research-targeted project to identify segments of the population that are especially at risk of being deprived of their citizenship rights, and will provide legal and administrative assistance to these communities in securing proof of nationality in the form of citizenship certificates. UNHCR will continue to engage the Government of Nepal, other concerned United Nations agencies, academics, legislators, political parties and civil society groups in these efforts.

In spite of internal discord, marked by frequent general strikes and protests, UNHCR and its partners have continued to implement what is now the largest third-country resettlement programme in the world. Some 110,000 refugees originating from Bhutan had lived in seven refugee camps in eastern Nepal for close to twenty years. They were formally registered by the Government in a census conducted in 2005 and provided Refugee Identity Cards in 2007. UNHCR and its partners initiated a large-scale resettlement programme in 2007. Since then, over 40,000 refugees have departed and the cases of another 56,000 refugees are being processed for resettlement (UNHCR 2010d).

In Kathmandu, UNHCR conducts registration and refugee status determination as well as searches for solutions under its mandate for a small number of urban asylum seekers and refugees in need of protection. Similar to other South Asian States, there is no domestic legal framework in Nepal to prevent the use of detention as a penalty for refugees and asylum-seekers entering the country without authorization or remaining in the country without a visa. There have been a few instances in which urban refugees and asylum-seekers were detained or prosecuted on immigration charges in the past few years. Obtaining the release of these individuals from detention through UNHCR interventions has, however, proved to be successful (UNHCR 2010d).

Bangladesh is host to refugees from an ethnic, linguistic and religious minority in Rakhine, a state in northern Myanmar, another protracted refugee situation. Some 29,000 registered refugees reside in two camps in the south-eastern district of Cox's Bazaar. They were issued UNHCR refugee cards in 2008 and notably, for many of them, this was the first identity document they ever held. The registered refugees represent the residual population of the 250,000 refugees who arrived in 1991, most of whom subsequently repatriated. In addition, it is estimated that another 200,000 unregistered persons of concern from Myanmar live in Bangladesh without any legal status, in the greater area of Cox's Bazar as well as in the villages outside the camps. Though positive government policies have ensured some improvements in the situation of registered refugees over the past few years, their quality of life remains very poor. Moreover, a 3 per cent annual increase in the poverty rate as well as high illiteracy and unemployment rates in the district, are contributing to increased hostility towards the refugees, affecting the unregistered population in particular. This has resulted in large settlement outside one of the official refugee camps, where the unregistered population faces serious protection problems, high rates of malnutrition and poor sanitary conditions. In addition, the unregistered people in refugee-like situations as well as registered refugees who leave the camp seeking employment outside without a permit are particularly vulnerable to arrests and detention. Markedly poor detention conditions, limited access by UNHCR and the non-segregation of those detained for immigration offences from common criminals are also noted (UNHCR 2011b).

The 2008 government-led citizenship campaign resolved the nationality issue of hundreds of thousands of persons belonging to the Urdu-speaking minority. Despite this accomplishment, the group remains a linguistic minority in need of better housing, employment opportunities and access to basic services. UNHCR is working with the Government and development agencies to ensure the inclusion of the Biharis in their programming, especially in the area of urban poverty reduction.

By virtue of its position on the crossroads between Europe, the Middle East, Asia and Africa, millions of people travel to or through Turkey for economic reasons, or to flee persecution in their home countries. Quite often, they transit through or reside in Turkey illegally. Turkey maintains a geographic reservation to the 1951 Refugee Convention. However, in accordance with the country's status as a candidate for membership of the European Union (EU), the Government has committed itself to harmonizing its legislation with that of the EU on asylum and related areas, such as migration, border management and administrative and judicial reform. This commitment is the foundation for discussions concerning the potential lifting of the geographical limitation. For the time being, however, UNHCR continues to assess the claims of non-European asylum-seekers. For these individuals, UNHCR conducts registration and refugee status determination under its mandate, and pursues durable solutions, primarily resettlement, for those found to be in need of international protection.

---

## Recommendations

- National migration management policies that are protection sensitive are needed. This would include national laws and procedures that identify people in need of international protection and do not compromise the right of asylum.
- Although the subregion hosts a large number of refugees, only three countries have ratified the Convention relating to the Status of Refugees. Governments are encouraged to accede to the 1951 Convention relating to the Status of Refugees and/or its 1967 Protocol and establish national asylum systems in their respective countries.
- To reduce the number of stateless persons in the subregion, it is important for Governments to adopt appropriate citizenship laws and policies that are consistent with international standards.
- Governments are encouraged to accede to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.
- By acceding to key conventions related to refugees and statelessness, Governments would be able to show that they comply with international standards to ensure a minimum threshold of fair treatment for these groups, which takes into account their stability and security.
- National mechanisms that meet international human rights standards need to be adopted to address situations of all children -- particularly unaccompanied and separated children; victims of people smuggling and human trafficking; as well as other individuals with specific needs.

---

## References

- United Nations High Commissioner for Refugees (UNHCR) (2007). The excluded: The strange hidden world of the stateless. In *Refugees Magazine*, Issue 147. 25 September. Accessed from [www.unhcr.org/cgi-bin/texis/vtx/search?page=search&docid=46d2e8dc2&query=refugees%20magazine](http://www.unhcr.org/cgi-bin/texis/vtx/search?page=search&docid=46d2e8dc2&query=refugees%20magazine) on 12 August 2011.
- \_\_\_\_\_ (UNHCR) (2010). *2009 Global Trends: Refugees, Asylum-seekers, Returnees, Internally Displaced and Stateless Persons*. Accessed from [www.unhcr.org/4c11f0be9.html](http://www.unhcr.org/4c11f0be9.html) on 12 August 2011.
- \_\_\_\_\_ (UNHCR) (2011). *UNHCR Global Trends 2010*. Accessed from [www.unhcr.org/4dfa11499.html](http://www.unhcr.org/4dfa11499.html) on 12 August 2011.
- \_\_\_\_\_ (UNHCR) (2011a). UNHCR country operations profile – Nepal. Accessed from [www.unhcr.org/pages/49e487856.html](http://www.unhcr.org/pages/49e487856.html) on 12 August 2011.
- \_\_\_\_\_ (UNHCR) (2011b). UNHCR country operations profile – Bangladesh. Accessed from [www.unhcr.org/pages/49e487546.html](http://www.unhcr.org/pages/49e487546.html) on 12 August 2011.
- \_\_\_\_\_ (UNHCR) (2011c). UNHCR country operations profile – India. Accessed from [www.unhcr.org/pages/49e4876d6.html](http://www.unhcr.org/pages/49e4876d6.html) on 12 August 2011.
- \_\_\_\_\_ (UNHCR) (2011d). UNHCR country operations profile – Sri Lanka. Accessed from [www.unhcr.org/pages/49e4878e6.html](http://www.unhcr.org/pages/49e4878e6.html) on 12 August 2011.
- \_\_\_\_\_ (UNHCR) (2011e). UNHCR country operations profile – Pakistan. Accessed from [www.unhcr.org/pages/49e487016.html](http://www.unhcr.org/pages/49e487016.html) on 12 August 2011.
- \_\_\_\_\_ (UNHCR) (2011f). UNHCR country operations profile – Afghanistan. Accessed from [www.unhcr.org/pages/49e486eb6.html](http://www.unhcr.org/pages/49e486eb6.html) on 12 August 2011.
- \_\_\_\_\_ (UNHCR) (2011g). UNHCR country operations profile – Islamic Republic of Iran. Accessed from [www.unhcr.org/pages/49e486f96.html](http://www.unhcr.org/pages/49e486f96.html) on 12 August 2011.
- \_\_\_\_\_ (UNHCR) (2011h). 2011 UNHCR country operations profile – Turkey. Accessed from [www.unhcr.org/pages/49e48e0fa7f.html](http://www.unhcr.org/pages/49e48e0fa7f.html) on 12 August 2011.

# Migration policies and regional cooperation<sup>1</sup>

The changing face of contemporary international migration is prompting governments in South and South-West Asia to develop strategies for migration management and responses to migration that are increasingly holistic, integrated and take into account migration trends in the subregion. International migration in South and South-West Asia is characterized by three major trends: contract labour migration to the countries of the Gulf Cooperation Council (GCC), permanent migration to Europe, Australia, North America, and South-East Asia; and cross-border and seasonal migration within the subregion (Khatri 2007).

<sup>1</sup> Yuko Hamada, Senior Regional Labour Migration/Migration and Development Specialist, International Organization for Migration

<sup>2</sup> The member States of the GCC are Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and United Arab Emirates.

Additionally, the subregion must contend with the complexities and dynamics of a migration context involving significant populations of refugees or those in a refugee-like situation, large numbers of irregular migrants and large-scale human trafficking and smuggling. Permanent migration to Europe, Australia and North America has long been a feature in the regional migration context and, despite changing economic conditions in these countries of destination, this pattern continues. Afghanistan, Bangladesh, Nepal, and Sri Lanka continue to be primarily countries of origin of migrants in the subregion while every stage of the migration cycle occurs in India, the Islamic Republic of Iran, Pakistan and Turkey, making them countries of origin and transit in addition to being countries of destination.

Issues related to the protection of migrant workers often differ by destination and the status of migrants in destination countries, which also call for different policies. The movement of workers to GCC countries remains a key feature of the subregional migration context. An estimated 9.5 million temporary contractual workers from South and South-West Asia live and work in Western Asia (Ratha and Shaw 2007, Ratha and Zhimei 2008, Asia-Pacific RCM Thematic Working Group on International Migration including Human Trafficking 2008).

Since the mid-1970s, migrants from Bangladesh, India, Pakistan, and Sri Lanka have been actively recruited to work overseas in construction, small factories, domestic services and agriculture (Khadria 2005). Most migrant workers from the subregion are low or semi-skilled labourers employed to work in GCC countries or in the manufacturing sector of Malaysia. The financial impact of this labour migration is significant. Remittances from Nepalese workers, for example, which account for 20 per cent of the Nepal gross domestic product (GDP), are the country's most important source of foreign income, even exceeding export revenue (World Development Indicators 2011).

Another important factor of the subregional migration context is the seasonal intraregional movement of people. Historically, there has been extensive cross-border mobility within the subregion, particularly for migration between India and Nepal, India and Bhutan, and Bhutan and Nepal, where country agreements have allowed citizens to cross borders without passports or visas.

---

### **Examples of national migration policies in South and South-West Asia**

Countries develop strategies to manage migration by designing migration policies that align with national priorities for the movement of people. A comprehensive policy framework for international migration that also considers the protection of migrant workers requires an explicit national policy on migration, a regulatory framework that supports the policy and sufficient capacity to implement and administer the policy.

National migration policies in the subregion generally aim to address six main themes:

- The protection and welfare of migrant workers.
- Limiting 'brain drain' by restricting outflows.
- Optimizing the benefits of organized labour migration.

- Regulating the inflow of foreign labour.
- Post-admission management of migrants.
- Measures to prevent or reduce irregular labour migration.

Most countries of South and South-West Asia have developed out-migration policies. Bangladesh, India, and Pakistan enacted legislation pertaining to out-migration in the late 1970s and early 1980s and Nepal followed suit in the early 1990s by promulgating the Labour and Employment Act (Khatri 2007).

Specifically, Bangladesh, Bhutan, India, Nepal, Pakistan and Sri Lanka have in place laws that promote international labour migration, regulate private recruitment agencies and ensure the rights of migrant workers (Naujoks 2009). Bangladesh, India, Pakistan and Sri Lanka have mechanisms to regulate private employment agencies through a registration and monitoring system. India, Nepal, Pakistan and Sri Lanka also have a system of penalties and rewards to encourage ethical recruitment.

Licensing systems in Pakistan and Sri Lanka were set up with a provision that they undergo a periodic evaluation by government. In addition, Sri Lanka has mechanisms for the payment of compensation to migrant workers based on inquiries by an authorized officer (IOM 2005).<sup>3</sup>

---

## International cooperation

Countries in the subregion face similar problems that may be addressed collectively in international communities. There is an increasing effort to facilitate collaboration on the protection of migrant workers, access to labour markets and the prevention of irregular migration between origin and destination countries. Orderly migration policies consistent with the basic rights of migrant workers are possible only through cooperation between countries of origin and host countries (Wickramasekera 2002). This international cooperation takes place at various levels: multilaterally between many countries, regionally among the countries of the South and South-West Asian subregion, bilaterally between any two countries in the subregion and unilaterally by any single country in the subregion (Khadria 2005).

---

## Forums for international dialogue

Dialogue forums are the first step toward developing governance on international migration. The essence of the dialogue approach is to provide informal settings for countries to discuss issues of migration without requiring a formal commitment. Various international bodies have initiated international forums to promote cooperation. Countries in the subregion are involved in a number of these forums including, among others:

<sup>3</sup> For more details on government initiatives related to migration see the labour migration chapter in this report.



---

## The Global Commission on International Migration

Launched by the United Nations Secretary-General and a number of countries in December 2003, the Commission produced a final report in 2005, which contained outcomes from regional hearings, including from those held in Asia and the Pacific. The adoption of a final draft resolution by the Second Committee of the United Nations General Assembly decided that in 2006 the high-level dialogue of the General Assembly would be devoted to international migration and development.<sup>4</sup>

---

## The Global Forum on Migration and Development (GFMD)

Open to all members and observers of the United Nations, this State-led process is informal, voluntary and non-binding. It was created to advance understanding and cooperation between migration and development and to foster practical and action-oriented outcomes.<sup>5</sup>

---

## The International Dialogue on Migration (IDM)

Established by the International Organization for Migration (IOM), this Dialogue organizes meetings on a regular basis for governments, inter-governmental and non-governmental organizations (NGOs) and other stakeholders to discuss migration policy issues, in order to explore and study policy issues of common interest and cooperate in addressing them.<sup>6</sup> Countries in the subregion participate in these discussions, particularly prior to global forums on migration, and regional meetings are held to prioritize and position migration issues in the subregion.

In addition, a number of regional forums on migration have been organized by international organizations in the region. For example, the United Nations Asia-Pacific RCM Thematic Working Group on International Migration including Human Trafficking organized preparatory meetings to the Global Forum on Migration and Development in 2008 and 2010, which was attended by representatives from many of the countries in the subregion. At the 2010 meeting, delegates from countries of destination and origin agreed upon the following set of recommendations to present at the Forum (United Nations Asia-Pacific RCM Thematic Working Group on International Migration including Human Trafficking 2011):

- Integrate labour migration management strategies into national development plans and poverty reduction strategies, and further develop bilateral and multilateral cooperation in the area of migration management.
- Mainstream labour, migration, population and development policies that respect international labour standards and protect the rights of all migrant workers,

<sup>4</sup> See [www.un-ngls.org/orf/international\\_migration.htm](http://www.un-ngls.org/orf/international_migration.htm).

<sup>5</sup> See [www.gfmd.org/en/process.html](http://www.gfmd.org/en/process.html).

<sup>6</sup> For more details see [www.iom.int/jahia/Jahia/policy-research/international-dialogue-migration/lang/en](http://www.iom.int/jahia/Jahia/policy-research/international-dialogue-migration/lang/en).

particularly women and children, and end the stigmatization and discrimination against migrants.

- Develop minimum standards for health services for migrants and their families, including health financial schemes, health insurance abroad and social protection in health.

Notably, these efforts to realize global governance in migration issues cannot always be deemed as being successful, and outcomes from these multilateral and global discussions do not necessarily bring immediate change at the national level.

---

## Cooperation at the regional level

The regional consultative process (RCP), a series of non-binding forums that bring together representatives of States, civil society and international organizations in the regional level to discuss migration-related issues in a cooperative manner (Klekowski von Koppenfels 2001) was introduced in the 1990s. It has three key characteristics that contribute to global migration governance:

- **Agenda setting**—establishing a common ground among States that are willing to discuss migration in a regional context. This approach aims to develop a common understanding of the different types of migration and the issues pertaining to them and consequently drawing up a common set of terms and concepts used to understand migration.
- **Consensus building through communication**—developing communication and coordination among States often to the point in which they become ingrained in the governance process and eventually lead to position convergence on a particular aspect of migration, or an issue of particular concern.
- **Introduction of changes in concrete laws, policies or practices governing how migration is managed at the national and regional level** (Hansen 2010).

RCPs have provided positive results for policy makers in participating countries. Examples of processes that are playing key roles in South and South-West Asia are the following:

- The Ministerial Consultations on Overseas Employment and Contractual Labor for Countries of Origin in Asia (Colombo Process);
- The Ministerial Consultations on Overseas Employment and Contractual Labour for Countries of Origin and Destination in Asia (Abu Dhabi Dialogue);
- The Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime (Bali Process).

The Colombo Process has been a key platform for dealing with labour migration issues. The Process, established in 2003 as a ministerial consultation of countries of origin, has 11 member States,<sup>7</sup> of which six are from South and South-West Asia, with Bangladesh serving as the chair (table 1).

<sup>7</sup> Ten Asian countries of origin of labour migrants took part in that event, namely Bangladesh, China, India, Indonesia, Nepal, Pakistan, the Philippines, Sri Lanka, Thailand and Viet Nam.

Discussions at the high-level Colombo Process consultations resulted in various trainings, regional meetings<sup>8</sup> and research opportunities. The third consultation was enhanced by the active participation of countries of destination acting as observers, namely Bahrain, Italy, Kuwait, Malaysia, Qatar, the Republic of Korea, Saudi Arabia and the United Arab Emirates.

The fourth Colombo Process consultation was held in April 2011 in Bangladesh. The outcome of this conference, the Dhaka Declaration, finalized the recommendations of the Process related to the promotion of rights, welfare and dignity of migrant workers, services and capacity building, emergency response and emerging issues and enhanced dialogue and cooperation between Colombo Process members, countries of transit and countries of destination.

Table 1.  
**Participants in the Colombo Process and Abu Dhabi Dialogue**

CATEGORY OF PARTICIPATION	NATURE OF COUNTRIES	COUNTRY
Participants	Countries of origin of labour migrants	Afghanistan, Bangladesh, China, India, Indonesia, Nepal, Pakistan, the Philippines, Sri Lanka, Thailand and Viet Nam
Participants	Host countries for labour migrants	Bahrain, Kuwait, Malaysia, Oman, Qatar, Saudi Arabia, Singapore and the United Arab Emirates
Observers	Host countries for labour migrants in Africa, Europe, East Asia and North America	France, Germany, Japan, the Republic of Korea, Mauritius, Poland and United States of America
Observers	Regional and international organizations	Arab Labor Organization, European Commission, Gulf Cooperation Council (GCC), International Labour Organization (ILO), United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) and United Nations Development Programme (UNDP)

Source: [www.colomboprocess.org](http://www.colomboprocess.org)

The Abu Dhabi Dialogue aims to encourage discussions on the development of a comprehensive and practical framework for the management of temporary contractual labour mobility in Asia. It focuses on promoting the welfare and well-being of workers, developing both origin and destination countries through labour mobility and fostering greater intergovernmental cooperation and collaboration with the active support of international and regional partners.<sup>9</sup>

<sup>8</sup> EU dialogue on Labour Migration was held in February 2011 as part of the Colombo Process initiated events.

<sup>9</sup> See [www.colomboprocess.org/index.php?option=com\\_content&view=article&id=46:abu-dhabi-dialogue&catid=9:other-rcps&Itemid=85](http://www.colomboprocess.org/index.php?option=com_content&view=article&id=46:abu-dhabi-dialogue&catid=9:other-rcps&Itemid=85).

The Abu Dhabi Dialogue is notably the first ministerial dialogue that brought together countries and host countries for labour migrants in order to enhance cooperation on contractual labour mobility and migration dialogues in the region. The countries of destination at the meeting included the GCC States and Malaysia, Singapore and Yemen.<sup>10</sup>

The outcome of the 2008 Abu Dhabi Dialogue<sup>11</sup> resulted in the establishment of the following four partnerships:<sup>12</sup>

- Partnership 1: Enhancing knowledge in the areas of labour market trends, skills profiles, temporary contractual workers and remittances policies and flows and their interplay with development in the region.
- Partnership 2: Building capacity for effectively matching labour demand and supply.
- Partnership 3: Preventing illegal recruitment practices and promoting welfare and protection measures for contractual workers supportive of their well-being and preventing them from being exploited in the origin and destination countries.
- Partnership 4: Developing a framework for a comprehensive approach to managing the entire cycle of temporary contractual mobility that fosters the mutual interests of countries of origin and destination.

The Bali Process is another ongoing RCP in Asia and the Pacific. Established in 2002, the Process aims to foster cooperation among member States in regulating irregular migration. Its specific objective is to raise awareness, encourage cooperative action and develop practical regional measures to prevent, intercept and disrupt people smuggling, trafficking of persons, and related transnational crime (Köhler 2011). The Bali Process targets law enforcement officials as compared to the Colombo Process which gathers government officials involved in labour migration.

---

## Cooperation at the subregional level

The South Asian Association for Regional Cooperation (SAARC),<sup>13</sup> a key subregional body, focuses on economic, technological, social and cultural development. Although SAARC does not have a concrete migration mechanism in its framework, its member States adopted the Convention on Preventing and Combating Trafficking of Women and Children for Prostitution in January 2002 at the Kathmandu SAARC Summit.

The Convention came into force in 2006 after it was ratified by all seven member States. Afghanistan subsequently signed the Convention in 2007. Primarily a criminal justice instrument, the Convention aims to 1) ensure that its State

<sup>10</sup> See [www.colomboprocess.org/](http://www.colomboprocess.org/).

<sup>11</sup> The second Abu Dhabi Dialogue was planned for 2010, but was postponed to 2012.

<sup>12</sup> See [www.colomboprocess.org/images/stories/abu%20dhabi%20declaration.pdf](http://www.colomboprocess.org/images/stories/abu%20dhabi%20declaration.pdf).

<sup>13</sup> It was established in 1985 with seven member States—Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan, and Sri Lanka. It was extended to eight members States in 2006 with the addition of Afghanistan.

parties criminalize and punish trafficking offences, and 2) promote subregional law enforcement cooperation to achieve this (ADB and IOM 2009).

Similar to the Association of Southeast Asian Nations (ASEAN), SAARC has raised the level of participation among the network of exclusive stakeholders in the subregion, including, among others, civil society, members of the academic community, retired government officials, policy institutes and NGOs, including human rights organizations, in dealing with migration issues. For instance, the South Asia Migration Commission organizes an international conference annually in order to contribute to institutionalizing a regional approach to migration management in the subregion.

---

## **Bilateral cooperation**

Bilateral labour mobility agreements are seen as a promising mechanism for ensuring that the potential benefits of migration accrue to both origin and destination countries as well as to migrants themselves (IOM 2010). A number of them have already been set between countries in the subregion. Most of these agreements are in the form of memoranda of understanding (MOUs), which are not legally binding.

Many countries of South and South-West Asia have also signed bilateral labour mobility agreements with countries outside the subregion. Bangladesh, India, Nepal, Pakistan, Sri Lanka, and Turkey have signed MOUs with destination countries in East Asia, Europe, South-East Asia and Western Asia, with the majority of them made with GCC countries, the area that has the largest concentration of migrant workers from South and South-West Asia. India has signed MOUs with more than 17 countries, including numerous European countries. Nepal has so far signed bilateral agreements with three destination countries, Qatar, the Republic of Korea and the United Arab Emirates, and is considering agreements with Bahrain, Israel, and Malaysia. Turkey has signed a number of bilateral labour arrangements with European countries. Following an agreement with the Federal Republic of Germany in 1961, it inked agreements with Austria, Belgium and the Netherlands in 1964, France in 1965 and with Sweden in 1967 (Hecker 2006).

Generally, bilateral labour arrangements aim to match supply with demand, promote friendly relations among States by encouraging orderly movements of labour and prevent the 'brain drain' phenomenon. In reality, the terms and conditions tend to favour the host countries because they are in a stronger position to enforce the arrangements agreed upon. The countries of origin in the subregion often struggle with political pressure from destination countries, which make it difficult to ensure protection of the migrants as set in the agreements.

As in South-East Asia, one of the challenges in a negotiating a bilateral labour arrangement for countries in the subregion is the reluctance of host countries to enter into any formal agreement that stipulates that foreign workers be subject to the same laws and regulations as nationals. Consequently, greater focus must be made in this area when negotiating these arrangements (Go 2007).

Table 2.

## Selected bilateral labour arrangements in South and South-West Asia

	Afghanistan	Bangladesh	India	Iran, Islamic Republic of	Maldives
Afghanistan			MOU on cooperation in labour-related areas	MOU on the improvement and consolidation of cooperation on labour and social affairs	
Bangladesh				Agreement on forming a joint working group on fisheries and livestock	MOU concerning placement of manpower
India	MOU on cooperation in labour-related areas				
Maldives		MOU concerning placement of manpower			

Source: IOM (no date).

### Policy challenges and promoting subregional cooperation

Migration policies in the subregion generally aim to provide legal options for labour migration, usually through MOUs. In recent years, these policies have been set in response to the emerging challenges described below:

**Protection of the basic rights of migrant workers.** Many migrants work under difficult and dangerous conditions with less than minimum salaries. The challenge is to secure decent wages and ensure the provision of basic protection and access to social and health services. To this end, countries need policies, legislation and mechanisms that provide their citizens with protection and support from abuse in the labour migration process (Go 2007).

**Improving protection mechanisms specifically for female migrants.** The number of women migrants from some countries in the subregion is rising. Women are often more vulnerable to abuse due to the nature of their jobs, such as domestic work, which tend not to be covered by labour laws in many destination countries. Consequently, countries have to put in place specific protection mechanisms, such as a monitoring system for women migrants during their employment. Nevertheless, additional measures should be taken, particularly with regard to women engaged in domestic work.



Table 3.  
**Selected bilateral labour arrangements of countries in the subregion with countries outside the subregion<sup>a</sup>**

Country	Bangladesh	India	Nepal	Pakistan	Sri Lanka
Bahrain		MOU on labour and manpower development	MOU in the areas of labour and occupational training		
Belgium		Reciprocal regulations for mutually transferred social security entitlements			
China				MOU on vocational training	
Denmark		MOU on labour mobility partnership agreement			
Jordan				Agreement on exchange of labour force	MOU on employment contracts
Republic of Korea	MOU on sending of workers to the Republic of Korea under employment permit system (EPS)		MOU on the sending of workers to the Republic of Korea under the employment permit system	MOU on the sending of workers to the Republic of Korea under the employment permit system	MOU to dispatch manpower
Kuwait	Technical cooperation agreement to generate more expatriates	MOU on labour, employment and manpower development		MOU in labour and manpower field	
Lebanon			MOU in the field of manpower		
Libya	Manpower agreement			MOU of cooperation in the field of employment	MOU on employment contracts
Malaysia	MOU on the recruitment of Bangladeshi workers	MOU on the employment of workers	MOU in fields of employment	MOU on the recruitment of Pakistani workers	MOU on the recruitment of Sri Lankan workers
Oman	Agreement on Manpower Cooperation	MOU on labour, employment, and manpower			
Qatar	Agreement on organization of manpower employment	Agreement concerning the organization of Manpower	Agreement concerning Nepalese manpower employment in Qatar	Agreement concerning the organization of Pakistani manpower employment in Qatar	MOU on employment contracts
United Arab Emirates		MOU in the field of manpower	MOU in the field of manpower	MOU in the field of manpower	MOU on employment contracts

Source: IOM (no date).

<sup>a</sup> As noted, Turkey has a number of bilateral arrangements with European countries.



**Decreasing cost of migration.** The recruitment of labour migrants in South and South-West Asia is largely facilitated by private recruitment agencies, which often charge fees excessive to the direct costs associated with the recruitment process, such as visa applications (IOM 2006). In line with the global trend to combat this problem by designing policies to regulate private recruitment agencies, many countries in the subregion have introduced licensing systems and set penalties for unethical conduct to regulate these agencies while others, such as Bangladesh, India, Pakistan and Sri Lanka, have even established public recruitment facilities and regulations to control private agencies. However, in addition to the complexities of regulating this part of the migration process, these policies face challenges due to the sheer number of these types of agencies active in the subregion.

**Mitigating social costs of migration.** Temporary labour migration is the norm in the subregion, and most of those migrating leave family members behind. Separation of families can have negative impacts on family cohesion and the well-being of children, especially in cases in which the mother has migrated. The policy challenge lies in considering the welfare of the whole family in the formulation of migration policies.

**Encouraging remittances through official channels.** Large proportions of remittances are sent to the subregion through informal channels, with the *hawala* or *hundi* systems being the most prominent. Notably, remittances transferred through these informal channels are lost as a source of foreign-income earnings to governments highly dependent on these flows. Furthermore, there are concerns that these informal channels could be used for money laundering.

**Reducing 'brain drain' and harnessing circular migration.** In many South and South-West Asian countries, highly educated, skilled and qualified persons seek opportunities abroad while simultaneously, the subregion is experiencing a shortage of skilled persons in various areas, including health and education. As a consequence, countries often adopt policies to mitigate the negative impact of the out-migration of skilled workers (IOM 2006). Another approach for dealing with the 'brain drain' would be to encourage circular migration by giving special incentives to return migrants, which allows countries of origin to harness the skills that migrants acquire while working abroad.

**Increasing preparedness in emergencies.** The sudden political crisis in Northern Africa in 2011 forced many governments to scramble to evacuate migrant workers from their countries that had been working in the subregion. As of 27 November 2011, a total of 778,981 migrants had fled violence in Libya. Among them were an estimated 35,600 Asians of which a majority of them were from South and South-West Asia. Many of those returning migrants are now unemployed and are concerned about their future. Collaborative mechanisms are essential in formulating more effective responses to emergencies of this nature.

**Increasing ratification and implementation of the International Convention on the Protection of All Migrant Workers and Their Families and other international instruments related to international migration.** As mentioned above, ratification of the Convention is very low in Asia, including South-West Asia, even though the subregion contains many key countries of origin. Ratification (and implementation) of the Convention would guarantee minimum universal human rights standards for all migrant workers. Despite the reluctance

of destination countries to ratify the Convention, migrant workers would still benefit if their country of origin affirmed it. For example, the Government of Sri Lanka increased protection of overseas migrant workers and enhanced the regulation of recruitment agencies after it ratified the Convention.

Strategic international cooperation within the subregion is required to overcome these challenges. Various migration initiatives have provided forums for discussion and a platform to propose suggestions for solutions to these issues. This has led to several positive examples of sharing of good practices and lessons learned within the subregion.

For instance, the Bangkok Statement on Migration and Development spells out 18 recommendations compiled from 31 government representatives from the Asia-Pacific region. These recommendations cover key thematic areas of international migration such as 'migration and health', 'gender and families', 'partnership for more regular and protected migration and strategies to address irregular migration' and 'linking migration and development' (Asia-Pacific RCM Thematic Working Group on International Migration including Human Trafficking 2010).

Similarly, the Dhaka Declaration is the culmination of a series of consultations at the expert level among Colombo Process member States. The Declaration includes recommendations related to promotion of rights, the welfare and dignity of migrant workers, to services and capacity building, emergency response, emerging issues and enhanced dialogue and cooperation between Colombo Process Member States, and countries of transit and destination.<sup>14</sup>

It is up to individual countries to reflect on these recommendations and include them in their own national policy, taking into account sovereign needs and issues. The ongoing success of these policies lies in the ability to take on policy recommendations and increase institutional capacity to implement and administer migration policies, and in the quality of national implementation of migration policies.

<sup>14</sup> See [www.colomboprocess.org/images/docs/dc2011/dhaka%20declaration.pdf](http://www.colomboprocess.org/images/docs/dc2011/dhaka%20declaration.pdf).

## References

- Asian Development Bank (ADB) and International Organization for Migration (IOM) (2009). *Review of the SAARC Convention and the Current Status of Implementation in Bangladesh, Final Draft, October*, accessed from [www.iom.org.bd/publications/Review%20of%20the%20SAARC%20Trafficking%20Convention%20Bangladesh.pdf](http://www.iom.org.bd/publications/Review%20of%20the%20SAARC%20Trafficking%20Convention%20Bangladesh.pdf) on 22 March 2012.
- Asia-Pacific Regional Thematic Working Group on International Migration including Human Trafficking (2010). *Bangkok Statement on Migration and Development*. Report of the Asia-Pacific regional preparatory meeting for the Global Forum on Migration and Development, Bangkok, September. Accessed from [www.unescap.org/sdd/publications/migration/bkk-state-mig-nov10.pdf](http://www.unescap.org/sdd/publications/migration/bkk-state-mig-nov10.pdf) on 22 March 2012.
- Go, S. (2007). "Asian labor migration: The role of bilateral labor and similar agreements", paper presented at Regional Informal Workshop on Labor Migration in Southeast Asia, Manila, September.
- Grange, M. (2009). "The International Convention on Migrant Workers and its relevance for the Middle East" (Brussels, December 18).
- Hansen, R. (2010). *An Assessment of Principal Regional Consultative Processes on Migration*. Migration Research Series 18 (Geneva, IOM).
- Hecker, P. (2006). *Focus Migration: Country Profile, Turkey N° 5, April*. Accessed from [http://focus-migration.hwwi.de/typo3\\_upload/groups/3/focus\\_Migration\\_Publikationen/Laenderprofile/CP\\_05\\_Turkey.pdf](http://focus-migration.hwwi.de/typo3_upload/groups/3/focus_Migration_Publikationen/Laenderprofile/CP_05_Turkey.pdf) on 22 March 2012.
- International Organization for Migration, (IOM) (2005). *Labour Migration in Asia: Protection of Migrant Workers, Support Services and Enhancing Development Benefits* (Geneva, IOM).
- \_\_\_\_\_ (2006). *Handbook on Establishing Effective Labour Migration Policies in Countries of Origin and Destination* (Geneva, IOM).
- \_\_\_\_\_ (2010). *World Migration Report 2010 - The Future of Migration: Building Capacities for Change* (Geneva, IOM).
- Khadria, B. (2005). "Migration in South and South-West Asia", paper prepared for the Global Commission on International Migration. Accessed from [www.gcim.org/attachements/RS6.pdf](http://www.gcim.org/attachements/RS6.pdf) on 12 August 2011.
- Khadria, B. and others (2010). *India Migration Report 2009 - Past, Present and the Future Outlook* (New Delhi, International Migration and Diaspora Studies Project).
- Khatri, S. K. (2007). *Labour Migration, Employment and Poverty Alleviation in South Asia*, updated summary of the Proceedings of the Regional Seminar, organized by SACEPS and Friedrich Ebert Foundation, Kathmandu, August.
- Khatri, S. K. (2007). *Labour migration, employment, and poverty alleviation in South Asia* (Washington, World Bank).
- Kirisci, K. (2003). *Turkey: a transformation from emigration to immigration*. Migration Information Source. Accessed from [www.migrationinformation.org/Feature/display.cfm?ID=176](http://www.migrationinformation.org/Feature/display.cfm?ID=176) on 22 August 2011.
- Klekowski Von Koppenfiels, A. (2001). *The Role of Regional Cooperative Processes in Managing International Migration*. IOM Research Series (Geneva, IOM).
- Köhler, J. (2011). "What government networks do in the field of migration: An analysis of selected regional consultative processes", R. Kunz, S. Lavenex, M. Panizzon, eds., *Multilayered Migration Governance: The Promise of Partnership* (London, Routledge).
- Naujoks, D. (2009). "Emigration, immigration, and diaspora relations in India", *Migration Information Source*, Migration Policy Institute. Accessed from [www.migrationinformation.org/Profiles/display.cfm?ID=745](http://www.migrationinformation.org/Profiles/display.cfm?ID=745) on 22 August 2011.
- Ratha D. and W. Shaw (2007). "South-South migration and remittances", Working Paper N°. 102 (Washington, World Bank).
- Ratha, D. and Xu Zhimei (2008). *Migration and Remittances Factbook 2008* (Washington, World Bank).
- Asia-Pacific RCM Thematic Working Group on International Migration including Human Trafficking (2008). *Situation Report on International Migration in East and South-East Asia* (Bangkok, International Organization for Migration Regional Office for Southeast Asia).
- United Nations Department of Economic and Social Affairs (UN DESA) (2010). *World Population Prospects: The 2010 Revision*. Population Division of the Department of Economic and Social Affairs of the United Nations Secretariat. Accessed from <http://esa.un.org/unpd/wpp/index.htm> on 5 September 2011.
- Wickramasekera, P. (2002). *Asian labour migration; Issues and challenges in an era of globalization*. International Migration Papers 57 (Geneva, ILO).

# Environmental migration, climate change and disaster risk reduction<sup>1</sup>

This chapter focuses on the impact of natural disasters and climate change on migration in four contiguous countries in South Asia: Bangladesh, India, Nepal and Pakistan.

The role of communities and development organizations in mitigating the impact of and facilitating adaptation to the changing environment is highlighted and several regional case studies are discussed. The chapter refers to the emerging body of knowledge on the relationship between natural disasters and climate change on migration but also recognizes areas in which knowledge levels are currently inadequate to draw definitive conclusions for the region.

<sup>1</sup> Written by Brian Kelly, Emergency and Post Crisis Advisor for Asia and the Pacific, International Organization for Migration (IOM). Special thanks to part-time research assistants Erin Anderson and David Ian Keith.

Climate change is a contentious issue. The validity of even the term as well as the science associated with it is in dispute although the near universal membership of nations to the UNFCCC convention clearly signifies the recognition of the issue. There is also no international consensus on the terminology used to describe people whose movements are connected to environmental change, whether gradual or sudden, as from natural disasters. According to the International Organization for Migration (IOM), environmental migrants are “persons or groups of persons who, for compelling reasons of sudden or progressive changes in the environment that adversely affect their lives or living conditions, are obliged to leave their habitual homes, or chose to do so, either temporarily or permanently, and who move either within their country or abroad” (IOM 2007, pp. 1-2). It is rarely possible to isolate people migrating in response to environmental factors outside of disasters. What is likely though is that environmental change will continue to compel people to move or affect those who choose to remain.

While there are no reliable figures of environmental migrants, more than 42 million people were displaced worldwide by sudden-onset natural disasters in 2010 (Yonetani 2011). The Asian Development Bank has estimated that in the Asian and Pacific region alone about 31.8 million people were displaced by climate-related disasters and extreme weather in 2010, including more than 10 million in Pakistan owing to massive flooding (ADB 2012). As population figures grow, people are also increasingly living in areas of higher vulnerability. When a disaster strikes, immediate assistance is provided by communities themselves, the government of the affected country or the international community depending on the size and scale of a disaster, the capacity within a country to respond to it, and the willingness to receive assistance. Long-term solutions for populations regularly displaced or affected by natural disasters must be developed by local communities themselves in coordination with local government and development partners.

There is an equally significant debate about the primacy of environmental change as a motivator for people to move as there is regarding terminology. While the debate over the causes, culpabilities, liabilities, and responsibilities regarding climate change continues, millions of individuals are affected yearly by natural disasters, some of which may be attributable to environmental change.

Providing protection and assistance to environmentally-displaced populations poses several challenges: determining whether the migration was forced or voluntary, temporary or permanent, and if the durable solution requires crossing an international border (Boano and others 2008). If this international border is disputed or not demarcated, greater complexities arise. Still, it is important to note that despite the focus of many potential or actual movements across international borders, the vast majority of climate change-related displacements are expected to occur within the borders of a country (IOM 2011).

Proposals to create a new legally-binding protection mechanism for environmentally-displaced populations are being discussed in different forums, but a consensus on the matter is unlikely in the near future as this is contingent upon establishing a direct causal linkage between population movement and environmental change. In practice, this will prove very

difficult to demonstrate. As Graeme Hugo has observed: “Population mobility is probably best viewed as being arranged along a continuum ranging from totally voluntary migration...to totally forced migration”, as opposed to solely residing within any one category (Hugo 1996).

In the context of Bangladesh similar complexities on the relationships between environment, climate change and migration have been noted:

“Migration is a multi-causal phenomenon: even in cases where the environment is a predominant driver of migration it is usually compounded by social, economic, political and other factors. The ‘decision’ to move or to stay is highly complex and depends on available resources, social networks and the perceived alternatives to migration. In turn, these depend, inter alia, on the individual, social and even cultural ability to cope with and adapt to climate shocks and stresses, including the particular vulnerabilities faced by women, children, the elderly, the disabled and the extreme poor. Therefore, just as the environment is only one among many factors that drive migration, migration is also only one among many possible responses to environmental change” (Walsham 2010).

While significant attention is centered on those who migrate, at least in part, due to environmental change it is important to remember that migration can only be an adaptation strategy when resources are available to migrate. Those left behind may, in fact, be the most vulnerable.

---

## **The human security perspective**

Countries often also look at the environmental migration issue from a national security perspective. While empirical evidence does not generally support the view that migrants, including environmental migrants, disproportionately exacerbate conflict and crisis, this position does resonate within some domestic constituencies. Population movements in areas with pre-existing tensions and limited resources can exacerbate scarcity but migrants are rarely the main or sole trigger for escalating conflict.

Instead of stigmatizing migrants as a source of crisis the focus should remain on the requirements to ensure human security in a particular geographic area. This would ensure that critical economic and food security, as well as health, community and political security are understood as a need for all, not just for migrant communities affected by environmental change (IOM 2009).

---

## **Climate change and potential impacts on migration**

There are at least four different ways in which changing climatic conditions can have a significant impact on population movements within South Asia. These are:

- “The intensification of natural disasters, both sudden and slow-onset, leading to increased displacement and migration;
- the adverse consequences of [...] climate change on livelihoods, public health, food security, and water availability;

- rising sea levels that make coastal areas uninhabitable;
- competition over scarce natural resources potentially leading to growing tensions and even conflict and, in turn, displacement” (Walsham 2010).

Many factors prompt migrants to move internally and across international borders, including, among them, environmental changes, such as desertification, droughts, sea level rise and disturbance of seasonal weather patterns, which can be the result of El Niño and La Niña.<sup>2</sup> In response to this, increasing numbers of countries in the subregion have taken an interest in better understanding the potential economic and social ramification of climate change with regard to development policy, emergency preparedness and response, human security and urban and land-use planning.

The critical role local communities have in managing environmental migration, both in places of origin as well as in areas of destination, must be emphasized. This chapter will look at some of the adaptation techniques adopted which seek to mitigate the impact of climate change as well as some of the support mechanisms (or lack thereof) created for environmental migrants, particularly within the context of rural to urban migration.

---

## Country analysis

The following country-level analysis examines the prevalence and impact of environmental change on four countries in the sub-region, namely Bangladesh, India, Nepal, and Pakistan. It highlights in particular the efforts of local communities working on small-scale and effective initiatives to address the consequences of environmental change. These activities are often carried out in parallel to national-level programmes to ameliorate the impacts climate change, environmental degradation and natural disasters.

---

### Bangladesh

Situated between the Himalayan mountains and the Bay of Bengal, Bangladesh is highly vulnerable to the affects of climate change. An IOM report issued in 2010 on climate change, the environment and migration in Bangladesh noted that “more than 50 million people still live in poverty in Bangladesh and many of these occupy remote and ecologically fragile parts of the country, such as flood plains and river islands (chars), or the coastal zones where cyclones are a major threat” (IOM 2010). In addition to the more slow-onset erosion of river banks leading to displacement, Bangladesh also suffers from other factors that affect the loss of livelihood and consequent displacement, such as soil erosion and drought in the north of the country and increasing levels of salinity in the south (Fatima and Sirajee 2009). Increasing population means that, while disaster preparedness may have improved in many ways, an ever growing number of people are exposed to these environmental threats (Walsham 2010).

In one Climate Change Vulnerability Index report issued in October 2010, Bangladesh was highlighted as the country that faced the greatest climate-

<sup>2</sup> El Niño, warming, and La Niña, cooling, are episodic events that affect the Pacific Ocean and, at their extreme, disrupt weather patterns globally.

associated risks to its people, ecosystems and business interests. Bangladesh was also determined to have a high risk of drought and the highest risk for flooding. To illustrate the country's vulnerability, the report cited floods that occurred in October 2010 which displaced more than 500,000 people (Bittner 2010). Reports from the World Bank have examined the course of climate change, taking into account escalating greenhouse gas emissions and rapid urbanization in Bangladesh since the 1990s. A report published in 2000 reported that the sea level was rising three millimetre per year along the coasts of Bangladesh and that by 2100 it would have risen between 15 and 95 centimetres (Chowdhury 2000).

The worst case scenario (approximately one metre rise in sea level) would flood 18 per cent of the country, increasing cyclone duration, changing farmland and fresh water sources to salt marsh, reducing rice crop production by 30 per cent, and intensifying coastal flooding. A significant portion of the population in the coastal regions (45 million people, or 28 per cent of the total population) would be affected or displaced (Chowdhury 2000). The Intergovernmental Panel on Climate Change 2007 Climate Change Assessment elaborated on earlier forecasts by predicting large decreases in rice (8 per cent) and wheat (32 per cent) production levels by 2050 due to rising temperatures and fluctuating rainfall during the monsoon season (Cruz and others 2007).

### **Impact on migration**

A significant number of people annually migrate into the capital Dhaka from the Buriganga River Valley. Though precise statistics are not available to track how much internal migration to cities is attributable to environmental effects, anecdotal evidence from migrants and research by migration experts in Dhaka suggest that climate change is a significant factor behind this migratory trend. Many people living in the informal settlements of Dhaka cite the environment as having had a negative impact on their lives, although definitive evidence which connects rural to urban migration to environmental change is lacking. The number of people living in informal settlements continues to grow in the city, more than doubling from 1.5 million in 1996 to 3.4 million in 2005, according to surveys taken by the Centre for Urban Studies (Akter 2009). Meanwhile, the metropolitan population as a whole has experienced accelerated growth, rising to 35 million in 2006, from 23.1 million in 2001, an increase of 52 per cent.

Under any circumstances, a rapid increase in the population density of urban centres places pressure on resources and consequently contributes to multiple forms of insecurity. Environmental degradation from population congestion eventually results in further relocation and displacement. This, in turn, contributes to environmental degradation in the new location, and this creates a vicious cycle, one phenomenon contributing to the other.

---

### **India**

Over the past decade alone, India's population has suffered through numerous climate-induced and weather-driven disaster events. Two separate drought incidents in July 2002 affected 300 million people by wiping out harvests in the states of Rajasthan, Uttar Pradesh, Chattisgarh and Madhya Pradesh.



Through 2009, some 94 significant floods (including storm surges and flash floods) killed 11,921 people and affected 15,892,847 others, with major losses occurring in 2002 and 2004. Extreme temperature changes (cold waves and heat waves) accounted for 4,994 deaths in 16 events (most deaths occurred in 2002). Storms (including tropical cyclones) killed 1,206 people and affected or displaced another 6,401,639. Avalanches and landslides, possibly a result of ongoing glacier melt, resulted in 491 deaths and affected 5,000 people in ten events. Flooding and temperature variations also contributed to 16 localized bacterial (including parasitic) and viral infection outbreaks that killed 1,214 people and affected 223,561 people (CRED no date a).

### **Impact on migration**

Like other countries in South Asia and throughout the world, India is also facing growing rural to urban migration. This flow is expected to significantly increase based upon current climate change modelling, which shows a negative impact on agricultural production. This, combined with the modernization of the agricultural sector, is reducing the labour force required to work on farms. The Asian Development Bank (ADB) recently stated that climate change could result in a significant reduction in both rice and wheat production, making the country a potential net importer of these products on a significant scale. The impact of this reduction would devastate certain rural economies and create great impetus for accelerated migration from rural areas. It is worthwhile to note that while the current primary reason for rural to urban migration remains socio-economic, “anecdotal evidence suggests the contribution of increasing frequency of floods and loss of agricultural lands to migration-related decisions” (ADB 2012).

---

### **Nepal**

Nepal is very vulnerable to natural disasters, with floods and landslides regularly affecting its citizens. In the last decade, 10 significant floods have occurred in the eastern and western regions of the country, accounting for 912 deaths and affecting or displacing 1,956,605 people (CRED no date b). The most recent flood, which occurred in October 2009, killed 78 people, while floods that occurred between July and September 2008 affected more than 250,000 (70,000 in the Koshi River valley) people and killed 65 persons (IOM 2009).

At the other end of the spectrum, north-western Nepal suffered through the effects of drought from late 2005 to the spring of 2006. In tandem with an April hailstorm, this severe winter weather destroyed the majority of winter and summer crops in the region, leading to food shortages that affected about 200,000 people across ten districts (Action by Churches Together International 2006). Most recent among climate-related events, a combination of winter drought, depleted water sources and heavy rainfall, leading to increased contamination of drinking water, contributed to a diarrheal epidemic in the Jajarkot district, which began in May 2009 and was responsible for killing about 200 people (Red Cross/Red Crescent 2009).

## Impact on migration

In comparison with other countries in South Asia, Nepal has been the subject of less research in relation to climate change and migration. Although comparatively small in size with a total population of approximately thirty million people, Nepal does have the unfortunate distinction of having the greatest increase, by percentage of population, of people facing multiple risks from climate change living within the countries reviewed in this paper for the period 2000–2050. For Nepal, the percentage increase in risk is 124.2 per cent, whereas India has a much lower rate at 64.3 per cent over the same period (ADB 2011). Nepal is also ranked 11th in the world for disaster-related displacement (Kollmair and Bannerjee 2011). More research is required to elucidate the definitive causative links between climate change, environmental degradation, and migration patterns (Massey and others 2007).

Studies conducted in recent years have linked labour migration to perceived environmental insecurity in terms of access to forest resources, which are affected by increased rainfall, flooding, and landslides. As an adaptation mechanism, earning opportunities have increasingly been diversified through seasonal or permanent labour migration, both internally and internationally, to cope with this insecurity (Bardsley and Hugo 2010).

---

## Pakistan

Pakistan has historically been very vulnerable to natural disasters, climate-related and otherwise. Since 2001, the country has experienced six major earthquakes, including the 2005 Kashmir earthquake (7.6 magnitude), resulting in 73,576 deaths and the displacement of 6,286,607 people. Flooding has been equally significant for its adverse impact, with 35 documented floods, including the 2010 floods (responsible for displacing 20 million people, an eighth of the total population). In the last ten years, 4,286 people have died, with another 29,780,477 affected or displaced as a result of floods. Additional disasters that are more directly climate-influenced include six storms or tropical cyclones (392 killed, 1,657,069 affected or displaced); 10 landslides and avalanches (287 killed, 16,727 affected or displaced); and four episodes of epidemic illness (54 killed, 236 affected) (CRED no date).

## Impact on migration

Pakistan is a country of both origin and destination of migrants with strong outward flows to the United States of America, Europe and Western Asia and a growing internal rural to urban migration pattern. Large diasporas reside within certain European countries, particularly the United Kingdom of Great Britain and Northern Ireland, as well as in the United States of America. There are also long-standing flows of temporary labour migrants from Pakistan to many countries in Western Asia.

A high level of internal migration is also occurring within Pakistan. Much of the flood protection infrastructure along the Indus River is severely degraded and, to the extent that climate change will initially result in higher river levels, this will lead to depopulation of rural areas solely focused on agricultural production. The vast majority of farm workers in the flood plains of Pakistan

are not landowners, resulting in less incentive for them to remain if the situation proves untenable. The combination of insecure land tenure and the impact from flooding and drought creates a push factor for rural inhabitants at the same time that access to services and livelihood opportunities pull people toward urban areas. Additionally, the modernization of the agricultural sector is also accelerating migration from rural areas.

Rural to urban migration is significant. Many internal migrants use family and extended family networks and links to help them make the transition to becoming an urban or peri-urban resident (ADB 2012). As in most major cities in the world, there are few formal structures in Karachi with the explicit mission to facilitate the orderly integration of rural migrants. Instead, the responsibility often falls on the extended family and ethnic and religious networks.

---

## International response

There has been growing recognition of the need for a global response and international cooperation on adaptation strategies to reduce vulnerability and build resilience in developing countries to meet the challenges of climate change. The Copenhagen Accord,<sup>3</sup> which endorses the continuation of the Kyoto Protocol, highlighted the importance of adaptation strategies.

Adaptation strategies not only aim to mitigate risks of possible climate-induced migration, but also include migration as a possible adaptation strategy. Although further research and debate is required to support this strategy, building resilience of countries and communities affected by a changing climate, environmental hazards and structural factors of vulnerabilities are broadly acknowledged, and was reaffirmed by the Cancun Agreements, of the sixteenth session of the Conference of the Parties (COP16) at the United Nations Climate Conference, held from 29 November until 10 December 2010 in Cancun, Mexico.<sup>4</sup>

Countries are now looking at how to convert agreements and protocols to measurable progress in locations where the consequences of climate change have been and will be the most severe. Local communities and developmental organizations have a critical role in converting these principles into action. Local governments must encourage community-level participation and push for the adoption of tested and appropriate innovations in order for change to be successful and for the number of successful interventions to grow at the required scale.

---

## Disaster risk reduction

The age-old adage “an ounce of prevention beats a pound of cure” is acutely relevant to climate change adaptation programming as well as disaster risk reduction (DRR) activities. A wide range of evidence supports the cost effectiveness of DRR activities and it is commonly stated that one dollar of

<sup>3</sup> The Copenhagen Accord, signed in 2009 is a document that delegates at the 15th session of the Conference of Parties (COP15) to the United Nations Framework Convention on Climate Change agreed to “take note of” at the final plenary on 18 December 2009. For copy of the accord see <http://unfccc.int/resource/docs/2009/cop15/eng/107.pdf>.

<sup>4</sup> See [http://unfccc.int/meetings/cop\\_16/items/5571.php](http://unfccc.int/meetings/cop_16/items/5571.php).

DRR support will prevent seven dollars in subsequent losses in the event of a natural disaster.

A challenge in this area is that resources are more easily mobilized after a disaster as opposed to prior to an event. This is due to a variety of factors including, among others, the role of the international media and the outpouring of support from individuals, governments and the private sector. Unfortunately, the scale required in a large humanitarian response means that international responses often take precedence over local knowledge and experience. Changing this reality, particularly with regard to individual and private sector engagement, may not be realistic. The goal should be to incentivize development partners that traditionally support humanitarian response to provide equally robust support to programmes related to mitigation and adaptation as to those that provide support after disasters.

There is value in locally prioritized and driven initiatives as they tend to be “locally appropriate, flexible and usually socially or environmentally responsible” (Pender 2010, p. 51). How do we categorize the mosaic of these climate-change related interventions undertaken by civil society? What measurements and tools must be established or applied in order to systemically assess impact and relative value? A growing assumption among development professionals is that numerous smaller scale interventions have a greater cumulative impact than ‘mega-projects’ but more research is required to validate this assumption.

For example, DRR programming initiated prior to the Pakistan floods in 2010 helped decrease the severity of the impact communities felt due to the flooding. Some of these communities engaged in DRR programming monitored flood levels, which gave them more time to prepare and depart. These communities “had invested in materials to help protect their homes and belongings, thereby minimizing damage, and had sound evacuation plans in place” (Refugees International 2010, p. 10).

The International Organization for Migration (IOM) also confirms this assumption in Pakistan based upon interviews conducted with community members from Jhang, Punjab who participated in a community-based DRR management pre-flood programme. One of the key points conveyed was that although a community-based response mechanism is by its very definition a loose structure made up of volunteers, the fact that its existence was known to government officials meant that coordination increased and information was more easily shared. The relatively low fatality rate for a disaster which affected 20 million people can also be partially attributed to the use of cell phones and SMS networks in Pakistan (IOM 2009a). The impact DRR had on catalyzing the recovery process requires more research.

The response to the floods in Pakistan has created an opportunity to incorporate low cost and effective DRR techniques into the reconstruction process. Simple techniques such as plastering exterior walls up to one metre or ensuring adequate roof drainage can make a difference between a home remaining after rainstorms and floods or being destroyed. The issue of ‘standing rubble’ in the floods zones of Pakistan is a significant one and is due to water eroding the mud mortar between bricks, rendering the entire house

unfit for living. Preventing this would have been inexpensive, low-tech and feasible.

Previously completed larger-scale DRR activities need to be reviewed to “take new climate-change risks into account because otherwise, mal-adaption can be the result” (Pender 2010). Seawalls created decades ago may not be the appropriate size or design to address the anticipated need. “Flood defenses [in Bangladesh] had been designed for lower levels of flooding and were then poorly maintained, so that they were inadequate for the higher flood levels of recent years, becoming counter-productive; trapping and prolonging the floods of 1999” (Stern 2006). A cost-benefit analysis of this type of ‘mega-project’ versus the smaller scale community-level interventions should be undertaken.

Each year tens of thousands of people in Bangladesh are internally displaced through riverbank erosion, particularly in the north-west region. Satellite imagery and population studies have shown that between 1982 and 1992, 730,000 people were displaced and 0.6 per cent of the country’s land was lost to river bank erosion (RMMRU 2007). Case studies of communities affected by river bank erosion suggest that people initially try to relocate themselves within their own village or neighbouring villages, but as local population pressure rises and income opportunities shrink, many are pushed to urban areas (Black and others 2008).

A study presented in 2009 of two villages in Bangladesh vulnerable to river bank erosion shows that communities developed a number of preventive strategies to combat ongoing erosion. These measures included building bamboo fences along river banks to protect cultivated land and homes and collecting sand and using sandbags to contain rising water. Unfortunately these methods were proven ineffective. As a result residents have resorted to constructing houses made of moveable materials to enable them to relocate easily. Also of note, as a result of the erosion, community land investment patterns have shifted, with more families anticipating displacement and investing in land farther away from rivers (Ilias 2010).

The Asian Development Bank (ADB) has provided funding to local non-governmental organizations (NGOs) along the Jamuna and Meghna rivers engaged in a project to implement erosion prevention programmes. According to the project description, it “aims to sustain the incomes of people in the affected areas through reliable, cost-effective, and sustainable riverbank erosion mitigation measures” (ADB 2008). In addition, a local organization with strong connections to the community is responsible for the implementation, monitoring, management, and evaluation of the resettlement action plan of the project.

Livelihood protection is an example of community-based adaptation projects. Growing in popularity, this type of intervention can only be successful when there is a comprehensive understanding of the local social, cultural and physical environment. Issues such as the nature of the environmental risk, context of the country and particular region, homogeneity of the population, distribution of wealth, and the relative flexibility of societal hierarchies must be accounted for to ensure that the intervention is designed correctly

(Adger 2003). Migration itself, especially through remittances which increase livelihood options for those who stay, is a form of adaptation for households.

As an example, an international NGO worked through local partners to increase the capacity of communities in south-west Bangladesh to adapt to the adverse effects of climate change. Communities were facing sea-level rise, increasing salinity of the soil, more extreme rainfall variability and more intense cyclones (Mitchell and Tanner 2006). It was found that these environmental issues were contributing factors to the rural to urban migration patterns increasingly common throughout the world and very visible in Bangladesh.

After a thorough vulnerability, knowledge, and behavior assessment, the livelihood diversity project resulted in 270 families growing vegetables on floating gardens in waterlogged areas. This timely assistance had an immediate impact of stabilizing the direct beneficiaries in their place of origin and a secondary impact of sharing new knowledge to the broader community (Mitchell and Tanner 2006).

If adaptation techniques are not successful, support should be made available to stabilize environmental migrants in new locations. However, it is more difficult to protect this population group due to two factors. These are the lack of formal recognition of environmental migrants and the fact that climate change-related displacement generally occurs gradually over an extended period of time, making it more difficult to identify the population movement as compared to one that occurs during a short time span.

There are a number of community-based interventions aimed at protecting migrants who have already been forced to leave their homes due to environmental change. Aside from the initial disaster relief programmes (providing immediate needs such as food, water, shelter and health care), there is a need for programmes that address the longer-term needs of these populations, such as in the areas of education, infrastructure and livelihood development.

In Bangladesh, while erosion and flooding cause land loss, sedimentation causes land to appear in new places in the form of 'char lands', midstream or coastal islands in a constant state of formation and erosion (Helen Keller Worldwide 2004). These 'char lands' often become the new homes of people displaced by environmental events in other areas. Since these parcels of land have never existed before, they have no established basic services, such as water, sanitation and education facilities and land tenure is unclear. One organization is establishing schools in the 'char lands' to try and provide educational continuity to displaced children (Island Development Association 2010). This complex project is successful because the organization understands the local context and can work within local norms.

Because of the tentative nature of life in the 'char lands', many residents find it difficult to re-establish means of food production. Some organizations have worked with local communities to provide education on 'char land relevant' agricultural strategies, hand out seeds and seedlings, promote small-scale animal husbandry and establish links between newly formed 'char communities' and previously existing agricultural extension programs (Helen Keller Worldwide 2004).

---

## Conclusions

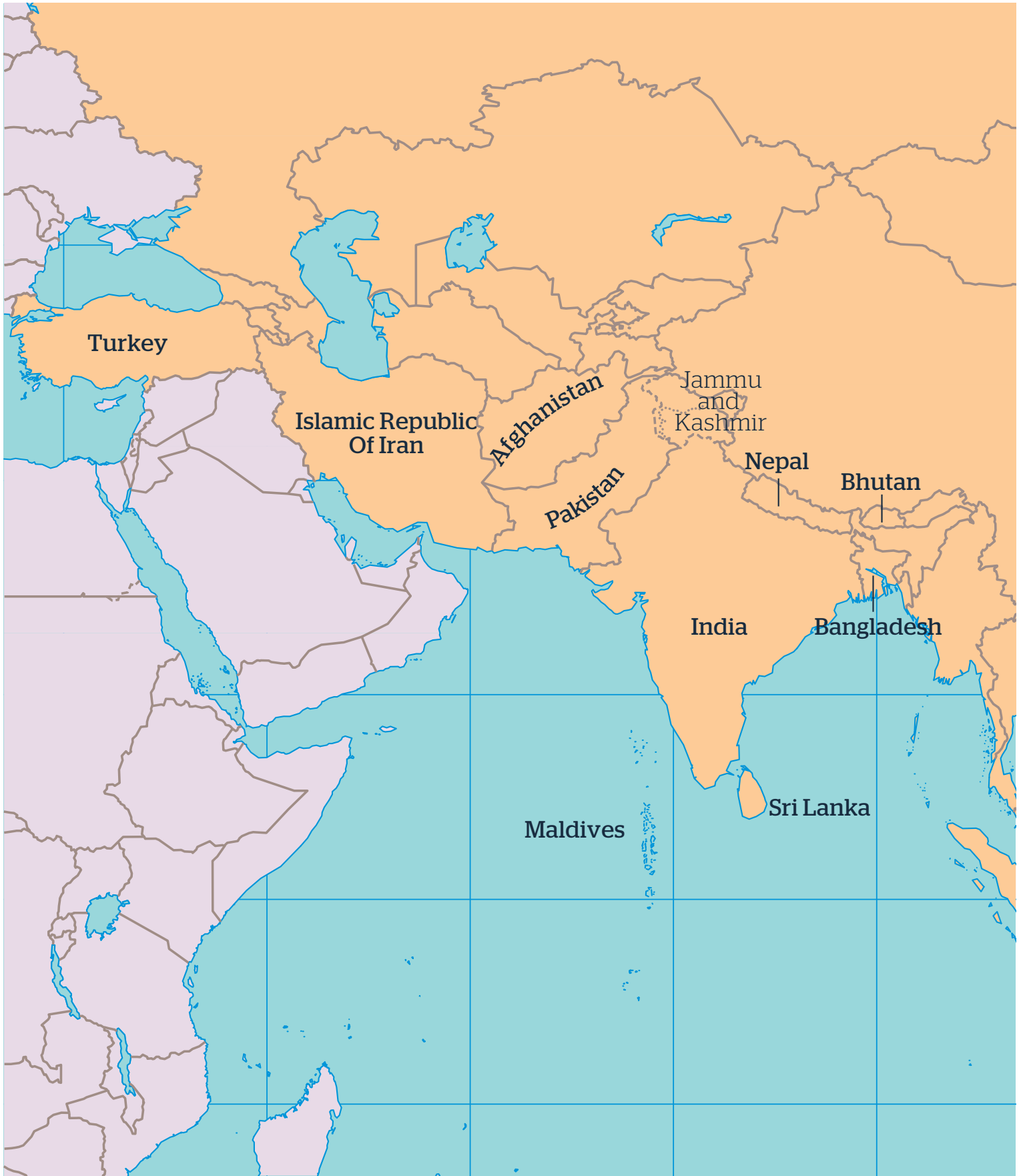
The scale of migration is expected to rise as a result of environmental change and the vulnerability of the subregion to natural hazards and disasters. Therefore, governments need coherent policies, legal and institutional frameworks as well as stronger technical and operational capacities to effectively address migration resulting from environmental change and vulnerability. Policy is not a solution in itself but instead its effectiveness must be based on how it catalyzes local communities to become more involved in addressing this critical issue which affects migrants and those who remain.

## References

- Action by Churches Together International (2006). "Nepal: winter drought and hailstorm cause hunger", accessed from [www.reliefweb.int/rw/rwb.nsf/db900sid/HVAN-6T6LXT?OpenDocument](http://www.reliefweb.int/rw/rwb.nsf/db900sid/HVAN-6T6LXT?OpenDocument) on 22 March 2012.
- Adger, W. (2003). "Social capital, collective action, and adaptation to climate change", *Economic Geography*, vol. 79, N° 4.
- Akter, T. (2009). *Migration and living conditions in urban slums: Implications for food security*. Centre for Research and Action on Development. Accessed from [www.unnayan.org/reports/Climate.Change.Urban.poverty.and.Food.Security.pdf](http://www.unnayan.org/reports/Climate.Change.Urban.poverty.and.Food.Security.pdf) on 12 August 2011.
- Asian Development Bank (ADB) (2008). *Overview of NGOs and civil society*. Civil Society Briefs, accessed from [www.adb.org/Documents/Reports/Civil-Society-Briefs/BAN/CSB-BAN.pdf](http://www.adb.org/Documents/Reports/Civil-Society-Briefs/BAN/CSB-BAN.pdf) on 12 August 2011.
- Asian Development Bank (ADB) (2008). *Jamuna Meghna River Erosion Mitigation Project* (Manila, ADB).
- Asian Development Bank (ADB) (2012). *Addressing climate change and migration in Asia and the Pacific* (Manila, ADB).
- Bardsley, D., and G. Hugo (2010). "Migration and climate change: Examining thresholds of change to guide effective adaptation decision-making", *Population and Environment*, volume 32, Nos. 2-3.
- \_\_\_\_\_ (2011). *Climate change and migration in Asia and the Pacific*. Draft edition.
- Bittner, M. (2010). "Climate change vulnerability: Country rankings", *EHS Journal*, 24 October. Accessed from <http://ehsjournal.org/http://ehsjournal.org/michael-bittner/climate-change-vulnerability-country-rankings-maplecroft/2010/> on 12 August 2011.
- Black, R. and others (2008). "Demographics and climate change: Future trends and their policy implications for migration", Working Paper T-27 (Brighton, Development Research Centre on Migration, Globalisation and Poverty).
- Boano, C., R. Zetter and T. Morris (2008). *Environmentally displaced people: Understanding the linkages between environmental change, livelihoods and forced migration*. Forced Migration Policy Briefings (Oxford, Refugee Studies Centre).
- Centre for Research on the Epidemiology of Disaster (CRED) (no date). *Pakistan country profile – natural disasters*. EM-DAT, The International Database. Accessed from [www.emdat.be/result-country-profile?disgroup=natural&country=pak&period=2001\\$2010](http://www.emdat.be/result-country-profile?disgroup=natural&country=pak&period=2001$2010) on 21 September 2011.
- \_\_\_\_\_ (CRED) (no date a). *India country profile – natural disasters*. EM-DAT, The International Database. Accessed from [www.emdat.be/result-country-profile?disgroup=natural&country=ind&period=2001\\$2010](http://www.emdat.be/result-country-profile?disgroup=natural&country=ind&period=2001$2010) on 21 September 2011.
- \_\_\_\_\_ (no date b). *Nepal country profile – natural disasters*. EM-DAT, The International Database. Accessed from [www.emdat.be/result-country-profile?disgroup=natural&country=npl&period=2001\\$2010](http://www.emdat.be/result-country-profile?disgroup=natural&country=npl&period=2001$2010) on 21 September 2011.
- Chowdhury, S. (2000). *Bangladesh: Climate change and sustainable development*. World Bank Report N°. 21104-BD (Dhaka, The World Bank Group). Accessed from [www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2001/04/13/000094946\\_01033105302920/Rendered/PDF/multi0page.pdf?pagePK=64193027&piPK=64187937&theSitePK=523679&menuPK=64187510&searchMenuPK=64187282&theSitePK=523679&entityID=000094946\\_01033105302920&searchMenuPK=64187282&theSitePK=523679](http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2001/04/13/000094946_01033105302920/Rendered/PDF/multi0page.pdf?pagePK=64193027&piPK=64187937&theSitePK=523679&menuPK=64187510&searchMenuPK=64187282&theSitePK=523679&entityID=000094946_01033105302920&searchMenuPK=64187282&theSitePK=523679) on 12 August 2011.
- Cruz, R. and others (2007). *Climate change impacts, adaptation and vulnerability*. Contribution of Working Group II to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change (Bonn, UNFCCC).
- Fatima, R., and A. Sirajee (2009). *Climate change and displacement in Bangladesh: A silent crisis?* (Dhaka, IOM Bangladesh)
- Helen Keller Worldwide (2003). *Life in the chars of Bangladesh: Improving nutrition and supporting livelihoods through homestead food production*. Nutritional Surveillance Project Bulletin N°. 14, July. Accessed from [http://pdf.usaid.gov/pdf\\_docs/PNACT449.pdf](http://pdf.usaid.gov/pdf_docs/PNACT449.pdf) on 22 March 2012.
- Hugo, G. J. (1996). "Environmental concerns and international migration", *International Migration Review*, vol. 30, Issue 1.
- International Organization for Migration (IOM) (2007). *94th Council Session Discussion Note: Migration and the Environment*. Accessed from [www.iom.int/jahia/webdav/shared/shared/mainsite/about\\_iom/en/council/94/MC\\_INF\\_288.pdf](http://www.iom.int/jahia/webdav/shared/shared/mainsite/about_iom/en/council/94/MC_INF_288.pdf) on 12 August 2011.
- \_\_\_\_\_ (2009) *Compendium of IOM's Activities in Migration, Climate Change, and the Environment* (Geneva, IOM).
- \_\_\_\_\_ (2009a) *Migration, Climate Change, and the Environment*. IOM Policy Brief, May. Accessed from [www.iom.int/jahia/webdav/shared/shared/mainsite/policy\\_and\\_research/policy\\_documents/policy\\_brief\\_envmig.pdf](http://www.iom.int/jahia/webdav/shared/shared/mainsite/policy_and_research/policy_documents/policy_brief_envmig.pdf) on 12 August 2011.
- Ilais, S. (2010). *Islamic finance: Overview and policy concerns*. Congressional Research Service. Accessed from [www.fas.org/spp/crs/misc/RS22931.pdf](http://www.fas.org/spp/crs/misc/RS22931.pdf) on 22 August 2011.
- Island Development Association (2010). *Support climate victims: Drinking water for displaced poor households*. Accessed from [www.dusbangladesh.org/support](http://www.dusbangladesh.org/support) on 22 August 2011.
- Kollmair, M. and S. Bannerjee (2011). *DR9: Drivers of migration in mountainous regions of the developing world, a review* (Kathmandu, International Centre for Integrated Mountain Development).
- Massey, D., W. Axinn and D. Ghimire (2007). *Environmental change and out-migration: Evidence from Nepal*. Research Report 07-615, Population Studies Center, July. Accessed from [www.psc.isr.umich.edu/pubs/pdf/rr07-615.pdf](http://www.psc.isr.umich.edu/pubs/pdf/rr07-615.pdf) on 12 August 2011.



- Mitchell, T., and T. Tanner (2006). *Adapting to Climate Change: Challenges and Opportunities for the Development Community*. Institute of Development Studies, Tear Fund. Accessed from [www.tearfund.org/webdocs/website/Campaigning/policy%20and%20research/Adapting%20to%20climate%20change%20discussion%20paper.pdf](http://www.tearfund.org/webdocs/website/Campaigning/policy%20and%20research/Adapting%20to%20climate%20change%20discussion%20paper.pdf) on 12 August 2011.
- Pender, J. S. (2010). "Climate change, its impacts, and possible community based responses in Bangladesh", paper for Church of Bangladesh. Second edition. Accessed from [www.changemaker.no/Documents/Kirkens%20N%C3%B8dhjelp/Publikasjoner/Temahefter/2010/NCA\\_What%20is%20Climate%20Change%20its%20impacts%20and%20possible%20Community%20based%20responses%20in%20Bangladesh.pdf](http://www.changemaker.no/Documents/Kirkens%20N%C3%B8dhjelp/Publikasjoner/Temahefter/2010/NCA_What%20is%20Climate%20Change%20its%20impacts%20and%20possible%20Community%20based%20responses%20in%20Bangladesh.pdf) on 12 August 2011.
- Red Cross Red Crescent (2009). "Nepal: Diarrhoea kills hundreds", report online, posted 30 July. Accessed from [www.groundreport.com/World/Nepal-Diarrhoea-outbreak-kills-hundreds\\_1/2904707](http://www.groundreport.com/World/Nepal-Diarrhoea-outbreak-kills-hundreds_1/2904707) on 12 August 2011.
- Refugees International (2010). *Confronting climate displacement: Learning from Pakistan's floods*. Accessed from [www.refugeesinternational.org/policy/in-depth-report/confronting-climate-displacement](http://www.refugeesinternational.org/policy/in-depth-report/confronting-climate-displacement) on 12 August 2011.
- Refugee and Migratory Movements Research Unit (2007). "Coping with riverbank erosion induced displacement", policy paper (Dhaka, RMMRU).
- Stern, N. (2006). *Report of the Stern Review: The Economics of Climate Change* (Cambridge, Cambridge University Press).
- Vaughn, B., and others (2010). *Security and environment in Pakistan*. Congressional Research Service. 3 August. Accessed from [www.fas.org/sgp/crs/row/R41358.pdf](http://www.fas.org/sgp/crs/row/R41358.pdf) on 22 March 2012.
- Walsham, M. (2010). *Assessing the Evidence: Environment, Climate Change, and Migration in Bangladesh* (Geneva, IOM). Accessed from [http://publications.iom.int/bookstore/free/environment\\_climate\\_change\\_bangladesh.pdf](http://publications.iom.int/bookstore/free/environment_climate_change_bangladesh.pdf)
- Yonetani, M. (2011). *Displacement due to natural hazard-induced disasters: Global estimates for 2009 and 2010* (Geneva, Internal Displacement Monitoring Centre).



**Map No. 3974 Rev.14** United Nations. June 2007

The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations. Dotted line represents approximately the Line of Control in Jammu and Kashmir agreed upon by India and Pakistan. The final status of Jammu and Kashmir has not yet been agreed upon by the parties.

