

# **LABOUR MIGRATION TRENDS AND PATTERNS:** **Bangladesh, India, and Nepal 2013**



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The Foundation would like to acknowledge the following research organizations for their contribution in the completion of this research report.

## **Refugee and Migratory Movements Research Unit (RMMRU), Bangladesh**

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### **First Edition**

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# Foreword

The Asia Foundation has worked on issues related to promoting safe labour migration for the last decade. While much of our work focused on addressing labour migration from an economic governance lens, in the past few years we have focused on addressing issues related to the rights of migrant workers and the challenges related to labour exploitation in the context of both regular and irregular labour migration. The Asia Foundation is also working towards addressing the links between labour migration and human trafficking under a larger framework of governance and human security.

This regional study commissioned by The Asia Foundation entitled “Labour Migration: Trends and Patterns” examines the patterns and process of labour migration by Nepali and Bangladeshi migrant workers using formal and informal channels for migration primarily to Gulf countries. The study provides insights into the dimensions of both regular and irregular labour migration and reviews the links, if any, with labour exploitation and human trafficking; and examines factors promoting undocumented migration that leads to increased vulnerability. The study examines the challenges posed to safe labour migration along the regional migration corridor of Bangladesh, India, and Nepal. It also highlights some salient features that threaten safe mobility of people between and through these three countries.

This study has been strengthened through consultation with government and civil society stakeholders from Bangladesh, Nepal, and India at a workshop co-hosted by The Asia Foundation and the Center for Development Studies (CDS) in Trivandrum, Kerala, India.

We thank colleagues from Refugee and Migratory Movements Research Unit (RMMRU), Bangladesh; Center for Research on Environment Health and Population Activities (CREHPA), Nepal; and Centre for Operations Research and Training (CORT), India for undertaking the primary and secondary data collection and analysis. We extend our special thanks to Dr. Abrar Chowdhury, Chairperson and Head of International Relations at RMMRU for his role as the lead analyst and coordinator of this study. We would also like to extend our appreciation to Dr. Meena Poudel for her valuable contribution to the research design of the study, to John H. Rieger for editing the document, and The Asia Foundation’s Bangladesh and India offices for logistical support. Nandita Baruah and Shareen Tuladhar from The Asia Foundation’s Nepal office oversaw all technical and operational aspects of the study; their able stewardship is gratefully acknowledged.

We hope that the study will help better understand the trends and practices of labour migration, and that the recommendations will provide a reference for government and non-government stakeholders at regional and national levels to strengthen accountability systems for informed and empowered labour migration.

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# Table of Contents

Introduction	1
<b>SECTION I</b>	
Background of Interviewees	5
<b>SECTION II</b>	
Decision-Making Process and Journey	8
<b>SECTION III</b>	
Employment and Income in the Destination Country	21
<b>SECTION IV</b>	
Problems Faced Abroad	31
<b>SECTION V</b>	
Perceptions of Safe Labour Migration	37
<b>SECTION VI</b>	
Cross-Border Irregular Migration	39
<b>SECTION VII</b>	
Policy Recommendations for Labour Migration	53
ANNEX	62
REFERENCES	64

# Acronyms & Abbreviations

BAIRA	Bangladesh Association of International Recruiting Agencies
BDR	Bangladesh Rifles
BDT	Bangladeshi Takka
BMET	Bureau of Manpower, Employment and Training
BOMSA	Bangladeshi Ovhibashi Mohila Sramik Association
BSF	Border Security Force CORT
CDS	Center for Development Studies
CESLAM	Center for the study of Labor & Mobility
CORT	Center for Operations Research and Training
CREHPA	Center for Research on Environment Health and Population Activities
DAO	District Administration Office
DOFE	Department of Foreign Employment
EWOE	Expatriates' Welfare and Overseas Employment
FEPB	Foreign Employment Promotion Board
FGD	Focus Group Discussion
FY	Financial Year
GCC	Gulf Cooperation Council
GDP	Gross Domestic Product
GoB	Government of Bangladesh
IIPS	International Institute for Population Sciences
ILO	International Labour Organization
IMDT	Illegal Migration Determination by Tribunal
IME	International Money Express
INGO	International Non-Governmental Organization
IOM	International Organization for Migration
IPC	Indian Penal Code
LA	Labour Attaché
MoLE	Ministry of Labour and Employment
MRP	Machine-Readable Passport
NGO	Non-Governmental Organization
NPR	Nepali Rupee
PDOT	Pre-Departure Orientation Training
PNCC	Pravasi Nepal Coordination Centre
RMMRU	Refugee and Migratory Movement Research Unit
SAARC	South Asian Association for Regional Cooperation
SDC	Swiss Development Cooperation
SSC	Staff Selection Committee
TAF	The Asia Foundation
TIA	Tribhuvan International Airport
TISS	Tata Institute of Social Sciences
TTC	Technical Training Centre
UAE	United Arab Emirates
UN	United Nations
USD	US Dollar
WARBE	Welfare Association for the Rights of Bangladeshi Emigrants

# Tables

- Table 1.1: Age Distribution of Nepali and Bangladeshi Labour Migrants
- Table 1.2: Educational Level of Nepali and Bangladeshi Labour Migrants
- Table 1.3: Marital Status of Nepali and Bangladeshi Labour Migrants
- Table 1.4: Family Size of Nepali and Bangladeshi Labour Migrants
- Table 1.5: Primary Earner in the Households of Nepali and Bangladeshi Migrants
- Table 1.6: Current Occupation of Nepali and Bangladeshi Aspirant Migrants
- Table 2.1: Factors Contributing to the Decision to Migrate
- Table 2.2: Destination Country
- Table 2.3: Work Chosen by Bangladeshi and Nepali Aspirant Migrants
- Table 2.4: Decision-Making Process
- Table 2.5: Returnee Migrants — Making Contact with the Person Who Helped Processing Documents
- Table 2.6: Aspirant Migrants — Making Contact with the Person Who Helped Processing Documents
- Table 2.7: The Person Helping to Arrange Travel Documents
- Table 2.8: Family Reaction to the Decision to Migrate
- Table 2.9: Total Cost of Migration
- Table 2.10: Source of Funds
- Table 3.1: Information about Salary Available to Nepali Migrants
- Table 3.2: Monthly Income of Bangladeshi Migrants in Destination Country
- Table 3.3: Living Expenses Estimated by Nepali Aspirant Migrants
- Table 3.4: Monthly Cost of Living of Bangladeshi Migrants in Destination Country
- Table 3.5: Monthly Savings Estimated by Nepali Aspirant Migrants
- Table 3.6: Monthly Savings of Bangladeshi Migrants in Destination Countries
- Table 3.7: Stay Required for Repayment of Migration Loan
- Table 3.8: Channels of Remittance Chosen by Nepali Aspirants
- Table 3.9: Channels of Remittance Chosen by Bangladeshi Migrants
- Table 3.10: Information of Job Conditions- Nepali Returnee Migrants
- Table 3.11: Bangladeshi Returnees Receiving Written Documents
- Table 3.12: Contract Cross Verification
- Table 3.13: Language of the Job Contract
- Table 3.14: Bank Account Opened by Bangladeshi Returnee Migrants
- Table 4.1: Workplace Problems Reported by Nepali Returnees
- Table 4.2: Access of Migrants to Nepali Mission Abroad
- Table 4.3: Reasons for Not Filing Complaints at the Nepali Mission Abroad
- Table 6.1: Border Crossings Used by Nepali Labour Migrants to Transit through India
- Table 6.2: Risks Involved in Using an Informal Channels of Migration
- Table 6.3: Occupation of Cross-Border Migrants in India
- Table 6.4: Primary Factors Contributing to Irregular Cross-Border Migration
- Table 6.5: Contact with Intermediaries- (*Dalals*)
- Table 6.6: Monthly Income in India
- Table 6.7: Cost of Living in India
- Table 6.8: Monthly Savings in India

# Executive Summary

The growing occurrence and significance of labour migration from Bangladesh and Nepal has become an important area of interest in policy research. However, little attention has been given to understand and study the inadequacies in policy that support cross border movements within irregular migration. In this context, this study has attempted to understand the gaps and challenges of existing policies and practices that influence regular and irregular labour migration processes from the source country perspective of Bangladesh and Nepal. This study also attempts to shed light on the informal intermediaries who play a vital yet unrecognized role in the migration process.

The primary subjects (respondents) of the study comprised of Nepali and Bangladeshi migrant workers who were in the process of arranging the necessary travel documents for labour migration (aspiring migrants) those who have returned home from labour destination countries (returnee foreign migrants), Nepali migrants who are in transit in India to go abroad, and Bangladeshi labour migration into India. The secondary study subjects included national experts, government and non-governmental stakeholders, embassy personnel, recruitment agencies, and individual agents.

The study found that the most productive years of a labour migrant's life is spent in the destination countries as relatively younger people, from both countries (Bangladesh and Nepal), tend to migrate for jobs abroad. Moreover, migrants are not as illiterate as perceived because more than 40 percent of the respondents had at least a secondary school certificate. Additionally, a large proportion of interviewees were unemployed in their home country.

The decision-making process to migrate is multidimensional and complex. The respondents were migrating due to a combination of structural and situational realities including economic and non-economic factors. However, an overwhelming majority in both countries cited economic gains as the most important factor. Economic factors included attainment of financial solvency, low income and savings, poverty alleviation, unemployment at home, clearing debt and low business profits. Non-economic factors included adverse social and/or political conditions at home, perceived favorable conditions abroad, inducement by agents, family and friends, escaping gender-based violence, likelihood of getting addicted to drugs, political instability, and illness or sudden death of a principal family member.

There was a strong preference for low skilled jobs as the migrants did not have specific skills prior to migration. Most of the migrants were found to have worked or were looking for low skilled jobs as construction workers, manufacturing employees, restaurant employees, cleaners, care givers, and domestic workers. Only a minority of Nepalis and Bangladeshis were looking for work that required skills.

Numerous instances of abuse and exploitation during the migration process in the host countries were illustrated in the study. The heavy dependence on intermediaries (*dalals*) in every stage of the migration process as well as their illegal status and lack of skills and information make

migrants highly vulnerable to exploitation, abuse, and human trafficking. In most cases, migrants were entirely dependent on intermediaries thus giving the intermediaries strong control over the migrants throughout the migration process. Intermediaries facilitated decision-making, procured travel documents, fulfilled legal obligations and organized the travel process. Only 8 percent of Nepali aspirant migrants procured necessary migration documents on their own. Intermediaries are individuals present in the community and are generally referred to migrants by family and friends. Despite, the presence of licensed recruitment agencies that can facilitate larger recruitment contracts (mostly in major cities); aspiring migrants still use the services of individual intermediaries or *dalals* to facilitate migration. Unlike recruitment agencies, intermediaries are not registered and often represent more than one company, and in some case have been found to represent over 10 companies.

The study revealed that Nepali migrants pay much less for migration in comparison to the Bangladeshi migrants. Furthermore, high financial costs and high interest rates invariably lead to large debts even if migrants work abroad. Migrants in both countries have little access to secure loans from formal financial institutions to facilitate their migration. Hence, they are compelled to secure loans from informal channels with staggering interest rates levied on them, placing them in a highly risky situation where they are required to earn all the invested money to repay the loan in full as well as the ensure savings within the duration of employment. Many migrants had the firm belief that it was impossible to predict income since, in their eyes, luck or faith played an important role in migration. This puts them in a highly vulnerable and risky situation because they are obligated to earn money to repay the loans and raise necessary funds as savings from their families back home within the pre-decided span of their stay in the destination country. The study revealed the importance of having a bank account to maintain control over a migrant's own remittance and savings.

Vast gaps in knowledge of employment details such as job conditions including salary, contract obligations, rules and regulations of the host country, and benefits were noted as serious problems. For instance, many had not received any written contracts noting a mutually agreed upon monthly salary, and were instead relying on the verbal promises made by intermediaries. A large number of aspirant migrants had no idea about the living expenses in the country of destination and the amount of money they would be able to save.

Migration to a new country poses multifaceted challenges. After migration, a person has to go through cultural adaptation where language barriers have to be overcome and homesickness coped with. Furthermore, a significant number of migrant workers are subject to mistreatment from their employers involving delayed salary payments, long hours, restriction on mobility, breached contracts, no medical treatment, physical and sexual exploitation, and sub-par working conditions.

The tendency for migrants to seek assistance from their country missions/embassies for legal redress was very low. Most were unaware of the missions' presence in the destination country or on how to reach them. Those who were aware did not have a clear idea about the role of missions. The inability to resolve problems by the diplomatic missions were also reflected as the general response of the embassy staff was to confiscate documents, and limited role in facilitating repatriation or addressing the grievances.

The study dealt with two forms of irregular movement: Nepali workers going to the destination countries using India as a transit country and Bangladeshi workers moving to India through irregular channels.

A large majority of Nepali migrants use irregular channels through India to migrate abroad. The decision is usually driven by the ease of movement, low cost of migration, lack of information on legal/illegal migration, the influence of agents, and to avoid the lengthy and cumbersome procedures prevailing in Nepali laws and policies. The majority of Nepali migrants who travelled through India were women due to discriminatory measures and policies in female migration such as imposing age-restriction policies regarding migration to the Gulf countries by the Government of Nepal.

Amongst Bangladeshi migrants, India was the preferred destination primarily due to the low cost of migration. Migrants can avoid securing a plethora of documents including issuance of passports if they migrate to India. In most cases, those who secured employment through the intermediaries got paid through the intermediaries, after a deduction of 10-20 percent. There was little scope for the migrants to come out of the intermediary's control because it would mean losing protection in India. Migrants in irregular conditions had difficulty accessing health care services and freedom of movement was restricted for fear or apprehension by law enforcement agencies.

In sharp contrast to the India-Nepal cross border issue, the cross-border population movement from Bangladesh to India is a highly political contentious issue. For Bangladeshis, India is a destination country for employment to overcome extreme poverty, avoid unemployment at home, and to secure financial solvency.

Even though labour migration is a significant contributing sector in the economy of Nepal and Bangladesh, there are challenges and gaps in the labour migration process that put the migrants at risk of exploitation and abuse. Lack of a legal framework that ensures safe migration processes and ineffective monitoring and control by the governments contribute to labour exploitation, abuse, and in some cases human trafficking. Based on the conclusion, the study makes recommendations in the areas of ensuring procedural and structural support, recognition of cross-border movement as an integrated labour market issues, bringing informal intermediaries under legal cover, and developing a common platform of effective collaboration amongst labour sending countries.

# INTRODUCTION

## Context

Economic globalization has internationalized labour markets substantially (ILO, 1999). It has been argued that this has had a profound effect as a macro factor on international labour migration, which has grown considerably in recent years. At present, most countries of the world are affected by international labour mobility, as either receiving, sending or transit countries. According to the United Nations, an estimated 175 million people are currently living outside their country of origin (Abela, 2003). While migration has enabled a large amount of people to obtain productive, self-actualizing and creative employment, it has also failed to provide work of an acceptable standard for many others.

The out-migration from labour sending countries such as Nepal and Bangladesh can be linked to the development processes which are an outcome of the economic growth and increased post-migration capabilities such as remittances, skills, networks, and experiences. The result of success in migration, in part, can lead to how the migration experience can bring about change in the social, economic, and political spheres of the migrant's life. However, this is limited to the successful migration cycle which adheres to the definition of right based approach and income generation (Siddiqui & Farah, 2011). Given the significant absence of institutional and policy coherence in labour sending countries like Bangladesh and Nepal, the management of labour migration has become a complex and difficult undertaking. Both globalization and local factors fueled with inadequate policies and lack of a rights-based approach have hampered the safety and protection of migrant rights.

Short-term labour migration is the most common form of population movement from both Bangladesh and Nepal. Since the 1990s, policy research on short-term labour migration from these countries has gained momentum. Although various aspects of temporary labour migration have been covered by those studies, very few of them have dealt with the decision-making process of those who migrate from a country in search of work.

It is in this context that the present study has tried to understand the gaps and challenges to policies and practices that influence labour migration and cross-border movements through the irregular channels from Bangladesh and Nepal. The study also attempts to better understand the insights of the informal intermediaries, or *dalals*, who play a vital role in the both irregular and regular migration process.

## Objectives

The study has the following objectives:

- To understand how individuals arrive at migration decisions, to what extent those decisions reflect individual aspirations, and what kind of role the household plays in the decision-making process.

- To understand and analyze whether men and women face similar or different social, legal and economic conditions in making migration decisions.
- To find and comprehend the links between the various agents/agencies operating in both regular and irregular channels.
- To study the dynamics and modus operandi of informal channels of migration.
- To assess the popular perception and level of awareness of safe labour migration practices.
- To review and recommend good practices on both policy and operational aspects for improved welfare and protection of migrant workers.

## Research Methodology

The study employed quantitative and qualitative research tools and techniques for the purpose of collecting the data for the research from July 2012 to January 2013. The quantitative methods used were structured questionnaires for the migrants in Nepal and Bangladesh. The qualitative methods included semi-structured interviews with stakeholders, FGDs, and field observations. Secondary data analysis in the form of media tracking and other desk reviews was also undertaken. The *primary sample groups* of the study were Nepali and Bangladeshi migrant workers who were either-

- Aspirant foreign labour migrants*: individuals who were in the process of arranging necessary travel documents for labour migration both from Nepal and Bangladesh
- Returnee foreign labour migrants*: individuals who have returned home from labour destination countries both from Nepal and Bangladesh
- Transit foreign labour migrants*: Nepali migrants in transit to foreign destinations for jobs abroad via India
- Cross-border migrants*: Bangladesh migrants who aspire to go to India for work

*Note*: The transit labour migrants from Nepal were interviewed in India due to the 1950 Indo-Nepal Treaty which allows free movement of citizens from India and Nepal between the two countries (Thapliyal, 2012). The Bangladesh foreign labour migrants were not interviewed in India as Bangladesh and India border share 2,429 mile closed border to prevent illegal immigration.

*Secondary sample study group* included (a) various national level experts, stakeholders, concerned UN officials and embassy personnel, and (b) recruitment agencies and individual agents/brokers.

## Assessing the respondents

Initially a *pilot study group* was conducted in Nepal and India border towns to explore the dynamics of labour migration among Nepali workers traveling to Gulf countries and to ascertain the feasibility and applicability of the strategies outlined in the study framework. This pilot phase involved informal meetings with civil society organizations, government officials, and recruitment agencies in Nepal and Bangladesh, as well as observational visits at border locations in Bhairahawa-Sunauli (Nepal), Gorakhpur (India) and labour sending districts such

as Nepalgunj, Sindhupalchok and Dolakha in Nepal. The pilot study focused on identifying the numerous stakeholders, modus operandi, travel route, issues related to irregular migration and the presence of migrants.

Based on the findings of the pilot study an overall standard research framework was developed to guide the field research implementation in the three individual countries. The findings of the pilot study were used as reference and resource to determine the research design, questionnaire, sample size, and geographic site coverage.

## Method of data collection

An overarching standard research framework was developed by The Asia Foundation and lead resource person for all the three countries to guide the individual qualitative and quantitative questionnaires developed by the local research institutions. The framework allowed the flexibility of inserting the local context of related issues that could lead to migration through irregular channels.

Field data was collected by three local research institutions – CREHPA, CORT and RMMRU in Nepal, India, and Bangladesh respectively. RMMRU, as the lead research organization for this study synthesized the individual research study to give it a regional perspective. The analysis and completion of the research study was undertaken by The Asia Foundation and Dr. Abrar Chowdhury, Chairman of the Department of International Relations and Coordinator of RMMRU at University of Dhaka.

## Sample size

Sample Population	Country		
	Nepal	Bangladesh	India
<b>Type of Migrant Workers</b>			
Aspirant migrants	101	100 <sup>1</sup>	
Returnee migrants	50	100 <sup>2</sup>	
Transit migrants			59 Nepalis
Cross border migrants (to India)		50	
<b>Stakeholders</b>			
Government	8 <sup>3</sup>	8 <sup>4</sup>	
NGOs	4		6
Other*	30 <sup>5</sup>		12 <sup>6</sup>

<sup>1</sup> 25 respondents from each of four districts: Dhaka, Tangail, Comilla & Satkhira

<sup>2</sup> 25 respondents from each of four districts: Dhaka, Tangail, Comilla & Satkhira

<sup>3</sup> Government bodies (DAOs, DoFE, Board), Ministry of Labour and Employment

<sup>4</sup> MEWOE, Ministry of Home Affairs, Immigration Police, BMET, WARBE, BOMSA and BAIRA officials

<sup>5</sup> 17 Recruitment agencies (5 in Sunsari district, 12 in Kathmandu), 4 individual agents, 6 national level stakeholders (UN agencies, INGOs, journalists, ex-ambassador), 3 network and professional associations

<sup>6</sup> 2 Recruitment agencies, 2 lawyers, 2 researchers, 2 diplomatic/local leaders and 3 agents/ex-agents/reporters/key informants

## Geographic location

Country	District coverage
Nepal	Pyuthan, Sindhupalchowk, Morang, Sunsari, Rupendehi, and Banke
Bangladesh	Dhaka (Keraniganj & Narayanganj), Tangail (Sadar Upozila/sub district), Comilla (Dadkandi Upozila), and Satkhira (Debhata Upozila)
Nepal- India Border	Sunauli to Gorakhpur
India	Jainagart to Muzzafarpur Delhi and Mumbai

## Functional Definitions

*Foreign Labour Migrant:* a person who is/has been or will be engaged in a remunerated activity in a country where he or she is not a national. (This study does not include Nepali migrant workers working in India.)

*Aspirant Foreign Labour Migrant:* a person who is preparing to go a foreign country (Gulf countries or Malaysia, excluding India) for employment for the first time and fulfills at least two of the following conditions:

- (i) Has already decided the destination country and the job he or she will perform there.
- (ii) Has already begun negotiations with a recruitment agency or broker for his or her travel.
- (iii) Has completed most of the necessary documents and procedures for labour migration.
- (iv) Has already made partial payment to the recruitment agency or broker for his or her travel.
- (v) Currently is receiving job related training at government recognized training institutions for labour migrants.

*Returnee Foreign Labour Migrant:* a person who has worked in Gulf countries or Malaysia and has returned to Nepal or Bangladesh in the last 2-3 years, under any of the following circumstances:

- (i) Has come home after completing the contract.
- (ii) Has come home on annual leave, but will return to the same country and job.
- (iii) Has come home without completing the contract (e.g., was deported or left because the job agreement was not fulfilled).

*Transit Foreign Labour Migrant:* any Nepali migrant worker traveling through India with the intention of traveling to another specific labour destination country for the purpose of job opportunities.

*Cross-border Labour Migrant:* any Bangladeshi migrant worker with the intention to work in India

## SECTION I

# BACKGROUND OF INTERVIEWEES

### Age of Respondents

Table 1.1 presents the age distribution of migrants surveyed, showing that relatively younger people tend to migrate. More than half of the respondents in both the countries (Nepal 57.4 percent and Bangladesh 60 percent) are under 25 years of age. The table also shows that the propensity to migrate diminishes as people get older. In both countries, returnee labour migrants are predominantly in their mid-twenties to mid-thirties, roughly 54.9 percent in Nepal and 58 percent and in Bangladesh.

Table 1.1: Age distribution of Nepali and Bangladeshi Labour Migrants

Years	Aspirant (%)	Returnee (%)
<b>Nepal</b>		
15-20	12.9	-
21-25	44.5	19.6
26-30	16.8	29.4
31-35	14.9	25.5
36-40	10.9	17.6
41+	-	7.8
<b>Total</b>	<b>100</b>	<b>100</b>
<b>Bangladesh</b>		
15-20	16.0	5.0
21-25	44.0	10.0
26-30	23.0	35.0
31-35	08.0	23.0
36-40	05.0	15.0
41+	04.0	12.0
<b>Total</b>	<b>100</b>	<b>100</b>

### Education Level

Table 1.2 shows the education level of migrants surveyed, indicating a slight difference between the two countries. The largest proportion of Nepali migrants had completed either primary or lower secondary education, while the largest proportion of Bangladeshi migrants had completed secondary level or above. This finding stands in sharp contrast to the general perception that most labour migrants are poorly educated or illiterate.

Table 1.2: Education Level of Nepali and Bangladeshi Labour Migrants

Status	Nepal		Bangladesh	
	Aspirant (%)	Returnee (%)	Aspirant (%)	Returnee (%)
Illiterate / no formal education	21.7	25.5	11.0	18.0
Primary and lower secondary	51.5	49.0	31.0	28.0
Secondary and above	26.8	25.5	58.0	54.0
<b>Total</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>

## Marital Status

Table 1.3 details the marital status of labour migrants showing a divergence between Nepal and Bangladesh. In Bangladesh, 62 percent of aspirant migrants reported being unmarried, compared to 46.5 percent in Nepal. In both countries, a higher proportion of returnee migrants than aspirant migrants reported being married, as many labour migrants prefer to defer marriage until they have returned from abroad.

Table 1.3: Marital Status of Nepali and Bangladeshi Labour Migrants

Status	Nepal		Bangladesh	
	Aspirant (%)	Returnee (%)	Aspirant (%)	Returnee (%)
Unmarried	46.5	25.5	62.0	21.0
Married	48.5	70.6	38.0	79.0
Separated/divorced	05.0	3.9	-	-
<b>Total</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>

## Family Size

Table 1.4 conveys the family size of respondent households. About 65 percent of all migrant households surveyed in both Nepal and Bangladesh reported that their family size was six members or less (63.6 percent and 68 percent respectively).

Table 1.4: Family Size of Nepali and Bangladeshi Labour Migrants

Family members	Nepal		Family members	Bangladesh	
	Aspirant (%)	Returnee (%)		Aspirant (%)	Returnee (%)
Up to 3	25.7	39.2	Up to 3	10.0	17.0
4-6	34.7	27.5	4-6	60.0	50.0
7-9	18.8	17.6	7-9	21.0	23.0
Above 10	20.8	15.7	Above 10	9.0	10.0
<b>Total</b>	<b>100</b>	<b>100</b>	<b>Total</b>	<b>100</b>	<b>100</b>

## Primary Earner in Nepali and Bangladeshi Migrant Households

In most cases, significant number of respondents themselves was found to be the primary earners in their households, followed by parents or parents-in-law and siblings.

Table 1.5: Primary Earner in the Households of Nepali and Bangladeshi Migrants

Earning Person	Nepal		Bangladesh	
	Aspirant (%)	Returnee (%)	Aspirant (%)	Returnee (%)
Parents/Parents-in-law	50.5	29.4	44.0	27.0
Self	21.8	41.2	31.0	63.0
Spouse	16.8	17.6	-	-
Sibling	10.9	7.9	19.0	9.0
Others	-	3.9	6.0	1.0
<b>Total</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>

## Current Occupation of Aspirant Migrants

Table 1.6: Current Occupation of Nepali and Bangladeshi Aspirant Migrants

Current Occupation	Nepali Aspirants		Bangladeshi Aspirants	
	No.	%	No.	%
Unemployed	50	49.5	31	31.0
Business enterprise	6	5.9	22	22.0
Service	9	8.9	1	1.0
Agriculture/farming	15	14.9	16	16.0
Skilled labour	11	10.9	9	9.0
Unskilled labour	8	7.9	13	13.0
Others (student, barber, boatman, teacher, housewife, honey collector, carpenter, etc.)	2	2.0	8	8.0
<b>Total</b>	<b>101</b>	<b>100</b>	<b>100</b>	<b>100</b>

Aspirant migrants were asked about their current occupation. As seen in table 1.6, the largest number reported that they were unemployed, almost 50 percent in Nepal and 31 percent in Bangladesh. Of the other aspirant Nepali migrants, 14.9 percent were engaged in farming and about 8.9 percent worked in the service sector. In Bangladesh, 22 percent were engaged in some form of business enterprise, mostly petty trading, and 16 percent worked in agriculture. About 13 percent of Bangladeshi and 7.9 percent of Nepali aspirant migrants were unskilled labourers.

## Conclusion

This section explores the diversity of the foreign labour migrants sample size for the purpose of this research. It is evident that most of the people below the age of 30 years travel aboard for job opportunity. The diverse social, economic and educational clusters including the age, family size and current occupations of the respondents and the principle earners in their households were explored in this chapter. The variance in the education level between the two countries was not too different and it indicated that the general believe that labour migrants are illiterate or semi-literate is not an accurate assumption. The data also indicates that majority of the aspiring migrants in both the country are unemployed or in low-end employment and majority of them are economically dependent on their family members. However, in most cases the returnee migrant has taken this role as the primary income earner after his/her migration experience. The following sections of the report will detail the decision-making process and the mechanisms leading to migration.

## SECTION II

# DECISION-MAKING PROCESS AND JOURNEY

The decision to become a labour migrant is a complex and multidimensional process. Many factors influence this decision-making process. This section attempts to identify the factors that contribute to an individual's decision to migrate and its process. It also attempts to track the migrant's journey from home to destination.

### **Factors Contributing to the Decision to Migrate**

Respondents were asked about the factors that contributed to their decision to migrate for jobs abroad. The question was open-ended and provoked a wide range of responses. These responses have been broadly categorized under two headings: economic and non-economic factors. The economic factors have been further divided into two sub-categories, economic uplift and human development outcomes as the multiplier effect to the economic growth (Prasai, 2009)

As shown in Table 2.1, the two sets of variables within the economic factors draw close linkages that the financial changes deliver in a migrant's life, in many cases providing better opportunities and standard of living for the migrants and his/her family members, as the most important factor for decision-making. Almost 90 percent of Nepali and 84 percent of Bangladeshi aspirant migrants pointed to factors in this category. They included the wish to attain financial solvency, reduce/ overcome debts, desire to improve income, and savings, the desire to escape poverty and unemployment at home, the desire to get out of debt, and low profit in their business.

The other factor, as outcome of the economic uplift leads to social and economic changes, thus providing access to resources such as health, education, security, economic opportunities and other aspects that lead to the well-being of the migrant and his/her family members. A significant number of Nepali aspirant migrants (72 percent) viewed this as an instrumental factor for the decision making. Some of the factors identified were higher income, the ability to support their family, greater ability to save and better futures for their children. Thus, it can be summarized that in terms of economic factors, migrants were driven by a desire to improve their standard of living and gain greater economic independence. This was not only an individual, but family aspiration in terms of specific improvement in the quality of life as indicated by access to economic security, education, and other resources.

It can be observed that non-economic factors such as adverse conditions at home, favorable conditions abroad, demonstration effects, inducement by an agent, family or friends; escaping an abusive spouse, and illness or sudden death of a principal member of family have a significant impact upon migration decisions. This was particularly true for women within the context of patriarchal traditions, as they feel that they can achieve independence and economic empowerment by leaving the existing unfavorable situation to pursue what they perceive to be, good job opportunities abroad and greater independence abroad. However, given the process of migration that they choose and the limited access to other resources/information required for

the safe migration makes the reality often different from their expectation. As seen in the findings in the research below, the female migrants are more vulnerable to labour and sexual exploitation and trafficking since many are heavily dependent on the agents who channel them through the irregular route (India) to migrate.

More than 50 percent of Nepali returnee migrants stated that favorable conditions abroad figured prominently in their migration decision. The presence of a spouse or relatives in the destination country and the assurance of secure employment and wages were important elements in this category. Among other factors, easy availability of a visa or a visa sent by relatives and the affordability of migration to the destination country were cited as other favorable factors. Inducement to migrate by an agent, family or friends was also an important factor, as was the demonstration effect, the effect of witnessing the successful migration of other people in the community.

Table 2.1: Factors Contributing to the Decision to Migrate

Factors	Bangladesh		Nepal	
	Aspirant (%)	Returnee (%)	Aspirant (%)	Returnee (%)
<b>Economic Factors</b>				
<b>Economic Uplift</b>	<b>84</b>	<b>77</b>	<b>89</b>	<b>65</b>
Attain financial solvency	44	60	-	-
Low income and savings	11	8	59	57
Poor economic conditions	9	4	10	-
Unemployed at home	15	5	18	8
Higher income	3	7	45	14
Others*	5	-	1	-
<b>Better Opportunities</b> (better support for family, greater ability to save, security, education and better quality of life )	<b>12</b>	<b>15</b>	<b>72</b>	<b>14</b>
<b>Non-Economic Factors</b>				
<b>Adverse Condition at Home</b> (e.g., domestic problems, political instability, drug problems, illness or death)	<b>3</b>	<b>1</b>	<b>-</b>	<b>6</b>
<b>Favorable Conditions Abroad</b>	<b>1</b>	<b>-</b>	<b>13</b>	<b>53</b>
Spouse/relatives in the destination country	-	-	9	22
Others**	1	-	4	32
<b>Demonstration Effect</b>	<b>-</b>	<b>1</b>	<b>1</b>	<b>8</b>
<b>Inducement by Agent, Family or Friends</b>	<b>-</b>	<b>3</b>	<b>5</b>	<b>23</b>
<b>Other***</b>	<b>-</b>	<b>3</b>	<b>9</b>	<b>10</b>

Note: Multiple responses were solicited in Nepal and thus the cumulative percentage is higher than 100.

\* Need to clear debts, low profit in current business

\*\* Easy availability of a visa, visa sent by relatives, cheaper than other countries, assurance of secure employment and wages

\*\*\* Escape criminal conviction, unable to complete studies, desire to see the world

## Choice of Destination

As shown in Table 2.2, there was quite a bit of variation in the choice of destination country reported by Nepali and Bangladeshi migrants. Kuwait was the most favored destination for Nepali aspirant migrants, with more than 41.6 percent of them planning to go to that country. For Bangladeshi migrants, the favorite destination was Malaysia (28 percent), followed by the UAE (17 percent) and Singapore (15 percent). However, Saudi Arabia was the most common destination country of returnee migrants in Bangladesh (36 percent), and the second most common destination country of returnee migrants in Nepal (23.5 percent), exceeded only by Qatar (29 percent).

Table 2.2 shows that the Gulf states overall are the most favored destinations of migrants from both these countries which is consistent to the overall migration population trend of the countries. Saudi Arabia, Kuwait, UAE and Qatar were the favored destination of almost two thirds (65 percent) of respondents. The table further shows a more even distribution of destination countries for Bangladeshi migrants than for Nepali migrants. This can be attributed to the longer history of short-term migration from Bangladesh than from Nepal.

Table 2.2: Destination Country

Country of Destination	Nepal		Bangladesh	
	Aspirant (%)	Returnee (%)	Aspirant (%)	Returnee (%)
Saudi Arabia	11.9	23.5	12.0	36.0
UAE	15.8	7.8	17.4	18.7
Malaysia	14.9	15.7	28.0	9.0
Singapore	-	-	14.8	-
Qatar	13.9	29.4	2.7	4.0
Kuwait	41.6	13.7	13.0	9.3
Other*	1.9	9.8	47.2	23.0
<b>Total</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>

Other includes \* Libya, Oman, Bahrain, Lebanon, Italy, Turkey, Pakistan, Mauritius, Brunei, Spain, South Africa, Lebanon, Hong Kong, Cyprus and Yemen

## Choice of Work

As shown in Table 2.3, the preference for low skilled jobs formed the largest group for the aspiring migrants. Only 9.9 percent of Nepalis and 27 percent of Bangladeshis were looking for work that required skills, including driving, electrical work, manufacturing and painting. Almost 44 percent of Nepali aspirant migrants were targeting domestic work, while more than 17 percent of their Bangladeshi counterparts were targeting work in the construction sector. Upon further investigation, it was noted that most of the Bangladeshi aspirant migrants who were looking for jobs in the construction sector had no specialized skills in any of the construction trades such as electrician, plumber, glass worker, fitter, turner and binder. Even though as illustrated in the study above that the migrants had some level of formal education, the educational qualifications did not align to the skills and experience to be absorbed in the formal skilled or semi-skilled jobs sectors in the international labour market, thus, significantly contributing to a migrant's choice

of work and the destination countries that they end up going to which also defines the migration decision-making process.

The migration decisions and its process are influenced by the economic and political context of the country of origin where the roles are greatly defined by the social positions, access to resources, and gender classification of the labour market in the country. As illustrated in the study, where, in Nepal almost all of the women aspiring migrants (N= 51) and returnee migrants (N=26) found jobs or are looking for jobs in a gender-associated roles as housemaids and care givers. Coupled with lack of skills, the women migrants' choice of work is often limited to jobs in the informal sector as house maid or care givers within the destination country that have vulnerable working conditions which put women at risk of exploitation and human trafficking.

Table 2.3: Work Chosen by Bangladeshi and Nepali Aspirant Migrants

Type of Job	Nepali Aspirant		Bangladeshi Aspirant	
	No.	%	No.	%
Low skilled (helper, cleaner, gardener, waiter, guard, salesman)	40	39.6	26	34.7
Skilled (driver, electrician, garment worker, painter, machine operator)	10	9.9	21	28.0
Semi-skilled (cook, wood worker)	07	6.9	2	2.7
Domestic worker	44	43.6	3	4.0
Construction worker	-	-	13	17.3
Service	-	-	4	5.3
Business	-	-	1	13.0
Not aware	-	-	5	6.7
<b>Total</b>	<b>101</b>	<b>100</b>	<b>75</b>	<b>100</b>

## Role of the Individual in the Decision to Migrate

Table 2.4: Decision Making Process

Person	Nepali Returnee		Bangladeshi Returnee	
	No.	%	No.	%
Self	45	88.3	60	60
Husband	3	5.9	-	-
Head of family	-	-	9	9
Jointly	-	-	21	21
Family members	3	5.8	7	7
Outside family members	-	-	3	3
<b>Total</b>	<b>51</b>	<b>100</b>	<b>100</b>	<b>100</b>

The migration decision-making process was an important consideration of the study. As shown in Table 2.4, in both countries, a large majority of respondents stated that they themselves made the decision (88.3 and 60 percent in Nepal and Bangladesh respectively). This suggests that migration decisions are heavily influenced by individual aspirations. However, a fair percentage of Bangladeshi respondents also reported having made a participative decision with their family members.

## Contacts with Intermediaries

Initial contact with the intermediaries by returnee migrants and aspiring migrants showed that many of these contacts were established through social relations. The intermediaries are usually a part of the migrants' community who invest on social relations to fulfill their self interest. The intermediaries are friends, family, community members, and other returnee migrants who build trust with the potential migrants and guide them on the process. Table 2.5 below indicates that more than 60 percent of Bangladeshi returnee migrants stated that they met the person through friends. Almost 30 percent of returnee respondents of both countries reported that they personally knew the person from earlier. This clearly implies that there is a significant communal influence upon migration decisions. It is interesting to note that in only small percentage (10.9) of migrants in Nepal made contacts with labour migration agencies through newspaper advertisements. Thus, it is evident that the start of migration for most people is initiated through the extra legal channel – the intermediaries, who connect them to the recruitment agencies or individuals that can further their process.

Table 2.5: Returnee Migrants — Making Contact with the Person  
Who Helped Processing Documents

How was the Person Contacted	Nepali Returnee		Bangladeshi Returnee	
	No.	%	No.	%
Already a personal acquaintance	15	32.6	30	30.0
Through neighbors	10	21.7	-	-
Through family/relatives	8	17.4	-	-
Through friends	8	17.4	64	64.0
Advertisement	5	10.9	-	-
Other	-	-	6	60.0
<b>Total</b>	<b>46</b>	<b>100</b>	<b>100</b>	<b>100</b>

When questioned about the aspirant migrants' relationship with the intermediary agent (Table 2.6), 34.7 percent of Nepali migrants stated that they personally knew the intermediary, far more than in Bangladesh (7 percent). In the latter case, family and relatives were the most important sources through which the facilitator was contacted (40 percent), and a neighbor was the next most important source (17 percent). In Nepal, family and relatives were the second most important sources (27.8 percent), and friends were next (22 percent). This further confirms the point that people find it easier and more accessible to initiate the migration process through the informal channels via friends, family or acquaintances rather than contacting authorized or licensed agencies directly through more official channels. Due to the access and interaction with the intermediary agents, the respondents tend to trust the agents more than the recruitment agencies and other formal mechanisms set up by the government.

Table 2.6: Aspirant Migrants — Making Contact with the Person  
Who Helped Processing Documents

How was the Person Contacted	Nepali Aspirant		Bangladeshi Aspirant	
	No.	%	No.	%
Already a personal acquaintance	25	34.7	5	6.7
Through family/relatives	20	27.8	30	40.0
Through friends	16	22.2	7	9.3
Suggested by friends working abroad	1	14.0	5	6.7
Through a neighbor	-	-	13	22.7
Recruiting agents/training centers	-	-	3	4.0
NA	10	13.9	12	16.0
<b>Total</b>	<b>72</b>	<b>100</b>	<b>75</b>	<b>100</b>

To gain insight into the journey that migrants undertake, it was important to know how they procured the necessary travel documents. One can see from Table 2.7 that just a handful of aspirant migrants in Nepal, 6.9 percent, took their own initiative. Most relied on brokers or intermediaries. 59.4 percent of aspirant and 72.5 percent of returnee Nepali migrants went to a brokers. Manpower or recruitment agencies were the next most commonly pursued route, processing the documents of 18.8 percent of aspirant and 17.6 percent of returnee Nepali migrants. A small percent were facilitated by their parents, spouses, siblings, relatives, neighbors, and friends. This depicts how the migration process is heavily influenced by brokers and recruitment agencies. The migrants have very little control over the process once they initiate the contact with the intermediary agents/brokers, leaving them vulnerable to exploitation as they often have little knowledge of these processes; and giving the intermediary agent/ broker greater control of the situation.

Table 2.7: The Person Helping to Arrange Travel Documents

Source	Nepali Aspirant		Nepali Returnee	
	No.	%	No.	%
Broker/agent	60	59.4	37	72.5
Manpower	19	18.8	9	17.6
Relatives	5	5.0	3	5.9
Relatives working in that country	-	-	2	3.9
Brother	4	4.0	-	-
Husband	3	3.0	-	-
Friends	2	2.0	1	2.0
Neighbor	1	1.0	-	-
Self (no one)	7	6.9	-	-
<b>Total</b>	<b>101</b>	<b>100</b>	<b>51</b>	<b>100</b>

## Family's Reaction

Respondents were asked about the role that their respective families played in their migration process (Table 2.8). Over 58.4 percent of aspirant migrants and 62.7 percent of returnee migrants in Nepal stated that they received financial support from their families. Even though the decision to migrate was based on an individual choice, the data illustrates a vital role of the family members to support the migrants' overseas work. Migrants reported other forms of support from their families, neighbors and friends, including encouragement to migrate and sending a work permit from overseas in some cases. Therefore, a better understanding of the support systems can be assessed through various forms of help provided by the family members to the migrants. Though

one third of returnee migrants stated that they did not receive any help from their families; the role and support of family remained critical to large number of migrants as illustrated in Table 2.8.

Table 2.8: Family Reaction to the Decision of Migration

Reaction of Family	Nepali Aspirant (%)	Nepali Returnee (%)
Financial help	58.4	62.7
Suggestion to go abroad	41.6	-
Suggestion and encouragement from friends to migrate	16.8	-
No support from family or family objected	6.9	33.3
Visa sent by family member from abroad	5.9	-
Financial help from my husband	4.0	-
Neither support nor objection from family/no reaction	4.0	3.9
Friends supported the process and arrangement of documents	2.0	-
Suggestions from the parents of maternal home	2.0	-
Visa sent by husband from the same country	1.0	-

Note: There is no total row at the bottom of the table because of multiple responses.

Similarly, in Bangladesh, the household also plays a vital role in migration decisions and processes. Respondent migrants reported that in almost all instances they received all forms of support from their family and extended family, including financial help, help identifying a reliable agent, guidance from relatives working abroad, etc.

### Cost of Migration

Table 2.9 provides the cost of migration for labour migrants going overseas. The figures show that Nepali migrants had to pay much less than their Bangladeshi counterparts. Of the 51 migrants interviewed in Nepal, eleven paid less than NPR 15,000 (\$169) as cost towards facilitating the migration. 38 of the 51 migrants paid less than NPR 85,000 (\$956). Only a quarter of those interviewed paid more than that amount. In sharp contrast to the Nepali migrants, Bangladeshi migrants had to pay substantial amounts for their migration. There are many reasons for this high migration cost in Bangladesh. Among others, massive demand for overseas employment and the existence of several tiers of intermediaries in the recruitment chain are the principal ones. Only 23 of the 75 persons interviewed paid less than BDT 100,000 (\$1220), and more than half of the respondents had to pay BDT 100,001 to 300,000 (\$1220 to \$3660). Six respondents had to pay BDT 300,000 to BDT 500,000 (\$3660 to \$6100).

Table 2.9: Total Cost of Migration

Cost	Nepali Returnee		Bangladeshi Returnee	
	No.	%	No.	%
< NPR 15,000 (\$169)	11	21.6		
NPR 15,000 to 34,999 (\$169 to \$394 )	12	23.5		
NPR 35,000 to 84,999 (\$394 to \$956)	15	29.4		
NPR 85,000 + (\$956)	13	25.5		
<b>Total</b>	<b>51</b>	<b>100</b>		
< BDT 100,000 (\$1220)			23	30.6
BDT 100,001 to 200,000 (\$1220 to \$2440)			28	37.3
BDT 200,001 to 300,000 (\$2440 to 3660)			18	24.0
BDT 300,001 to 400,000 (\$3660 to 4880)			4	5.3
BDT 400,001 to 500,000 (\$4880 to 6100)			2	2.7
<b>Total</b>			<b>75</b>	<b>100</b>

\*July 15, 2012 exchange rate of \$1=NPR 88.9 and \$1=BDT 81.9

### Cost of Obtaining a Passport

The respondents were asked about the cost of their passports. Over 49 percent of Nepali aspirants reported that they had spent NPR 5,000 (\$56) for a passport which is the official cost of obtaining a passport in Nepal and 47.5 percent said they had spent more than that amount. The remaining 3 percent did not know the cost because all their travel documents, including passports, had been arranged by an agent or recruitment agencies. Comparatively in Bangladesh, slightly more than half (55 percent) of the respondents reported that they spent less than BDT 3,000 (\$37) (Department of Immigration and Passport, Government of People's Republic of Bangladesh, n.d.).<sup>7</sup> The study illustrates that 27 percent said that they spent BDT 3,001 to BDT 5,000 (\$37 to \$61). The rest spent more than BDT 5000 (\$61). In one reported instance, the person spent BDT 8,000 (\$98). One respondent said that in urgent cases of obtaining passports, police demanded at least BDT 1,000 (\$12) at the time of verification. In some cases, respondents who paid extra to a *dalal* did not have to visit the passport office in person. In other cases, a *dalal* took extra money to obtain forged documents or birth certificates from the Union Parishad chairman to allow underage individuals to seek overseas employment.

### Cost of Medical Checkup and Airfare

To obtain a work visa, a medical checkup is required. 69 percent of Nepali aspirant migrants paid more than NPR 2,000 (\$22) for this checkup, while 6.9 percent paid NPR 2,000 (\$22) or less.<sup>8</sup> Over 23 percent of aspirant migrants could not give any information about the amount paid for the checkup.

In Bangladesh, these checkups are done at the diagnostic centers. In most cases, concerned embassies have a list of diagnostic centers approved to administer these checkups. About 64

<sup>7</sup> As per the notification of the Home Ministry, the fee for hand-written passport was BDT 1000 and the for Machine Readable Passport (MRP) was BDT 3000. <www.dip.gov.bd>

<sup>8</sup> Nepal Health Professional Association has levied Rs 2,625 (includes 5% tax) in 2012 for mandatory health check-up from the listed health clinic

percent of migrants reported that the checkup had cost them less than BDT 3,000 (\$37). In 7 percent of cases, the reported cost ranged from BDT 3,001 to BDT 8,000 (\$37 to \$98). In about 30 percent of cases, a *dalal* had arranged for the medical checkup. The migrants who had paid a lump sum to the *dalal* to facilitate their migration had no knowledge of the checkup cost.

Surprisingly, 91 percent of Nepali aspirants could not provide information about their airfare. This may be due to the fact that migrants work out a 'full package of services' with the recruiting agencies or the *dalals*. Under such deal the latter is responsible to arrange visa, airfare, medical costs and other expenses. The study illustrates 7 percent paid NPR 25,000 to NPR 35,000 (\$281 to \$394) or more. Likewise, in Bangladesh the *dalals* arranged the airfare for 60 percent of migrants, who, therefore, had no idea about the cost. About 33 percent of migrants paid less than BDT 40,000 (\$488) in airfare to their destinations.

### **Pre-Departure Trainings**

In Nepal as a pre-requisite stated by the Government of Nepal for all migrants planning to go abroad requires to obtain pre-departure orientation training for 11 hours for men and 13.5 hours for women from a government approved institution at a standardized rate (Foreign Employment Promotion Board, Government of Nepal, 2013). More than 50 percent of the Nepali aspiring migrants did not know the breakdown of the pre-departure training cost as it either was facilitated by the agents as the part of the 'migration package' where in most cases, the migrants would either not attend the trainings or sit in the class for an hour or two for the certificate.

Similarly, none of the 51 Returnee Nepali migrants interviewed received any pre-departure orientation trainings. While most migrants felt that it was necessary to seek information about the country of destination before leaving, at the time of departure none of the migrants tried to obtain information on pre-departure trainings of any kind.

Through an executive order on 11 April 2008 the Expatriates' Welfare and Overseas Employment (EWOE) Ministry of Bangladesh made pre-departure briefing mandatory for outgoing migrant workers. The issuance of emigration clearance was made contingent attendance of pre-departure orientation. Officials of BMET and Ministries of Foreign Affairs and EWOE conduct the BMET pre-departure trainings. In 2012 out of almost 607,798 workers who went abroad only 18,000 (2.96 percent) attended the pre-departure briefing (Islam, 2013).

### **Source of Funds and Settlement of Loans**

In both countries, returnee migrants were asked about the source of the funds that financed their migration. As shown in Table 2.10, 68.6 percent of Nepali returnees reported that they had borrowed money from neighbors, relatives, and family members. One fifth of returnees reported that they had covered their own expenses. Just 10 percent of returnees took a bank loan or other local formal financing intuitions.

In Bangladesh, by contrast, 45 percent of returnee migrants reported that they had covered their own costs. Again, relatives and neighbors were also important sources of funds. Table 2.10 also indicates that formal loans for labour migration are fairly rare. Just 10 percent of returnee

migrants in Nepal and 4 percent in Bangladesh reported obtaining formal loans from financial institutions or NGOs. 14 percent of Bangladeshi migrants said they had sold land or other property to get money for migration. Despite the differences in terms of the most popular source of funds, in both countries, formal loans were the least pursued option. This completes the picture of migration processes facilitated by the unregulated intermediary/broker system and further compounded by financial support accessed through the informal sector which remains outside the purview of the government mechanism. This clearly indicates that migrants have little direct interaction with official procedures due to heavy involvement of irregular intermediaries in every stage.

Table 2.10: Source of Funds

Source	Nepali Returnee		Bangladeshi Returnee	
	No.	%	No.	%
Village neighbor	12	23.5		
Relatives	12	23.5		
Self	11	21.6		
Family members	6	11.8		
Agent	5	9.8		
Bank/ local finance	5	9.8		
<b>Total</b>	<b>51</b>	<b>100</b>		
Self			45	45.0
Selling land & property			14	14.0
Family members			12	12.0
Relatives			10	10.0
Neighbor/friends			10	10.0
Partial loan			5	5.0
NGO/financial institution			4	4.0
<b>Total</b>			<b>100</b>	<b>100</b>

A follow-up question was asked how labour migrants repaid their loans. In Nepal, 85 percent of aspirant migrants and 45 percent of returnee migrants said that they would pay in monthly installments; while 5 percent of aspirant and 10 percent of returnee migrants said they would pay in biannual installments. In the study, 10 percent of aspirant and 18 percent of returnee migrants stated that they would pay their creditors annually. In other instances, a single payment was required or payments were to be deducted from salary.

In Bangladesh, family members, relatives and friends of migrants provided most of the loans, thus terms of repayment were left flexible. However, 81 percent of Bangladeshi returnee migrants reported that they had made their final payments before their departure for the destination country. This pattern seems to be unique to Bangladeshi. Essentially, between the time when the migration process is being organized and when the migrant actually departs, there was a significant lag period during which time the migrant used his regular/ ongoing source of income to repay the loan in this time. Thus, the objective for taking the loan has more to do with the procedure of making up-front payment to get the migration process started, and they did not possess that level of financial liquidity needed to pay immediately. However they could earn back the money for the payment over a period of approximately 6 months and thus could pay back the loan before departing. Only 15 percent of Bangladeshi migrants said they cleared their debt

sometime after they began working abroad and the remaining 4 percent reported that they were still in the middle of clearing their debts.

## **Securing Help**

Intermediaries are a major influencing factor in migration processes through both official and unofficial channels, because they facilitate a majority of migration processes. Returnee migrants were asked if they knew the person or the location of residence of the person who helped them process their migration documents. In the study, 33 percent of Nepali returnee migrants reported that they knew the agent or the recruitment agency before they began processing their cases. Moreover, 22 percent stated that the agent was a resident of their village. In the remaining 45 percent of cases, relatives or friends had helped them with their migration documents.

The study illustrates that 35 percent of Bangladeshi returnee migrants reported that the intermediaries lived in their own village and 33 percent said that they lived in another village in the same district. Almost one fourth percent of the respondents secured the help of intermediaries based in the capital city, Dhaka. A few did not know where the person lived. In other cases, relatives or friends helped them process their documents.

Aspirant migrants in Bangladesh were not aware of the location of intermediaries. Many of these respondents were still in the early stages of decision-making and some were getting their passports on their own. Others were waiting for information from the government about working in Malaysia, a new market that was about to open under a government-to-government agreement. In a few cases, aspirants were waiting for their visas from overseas and did not believe they would need a local agent. However, in a few instances, the research team suspected that respondents had been in touch with intermediaries but were not comfortable divulging the details for fear of unforeseen consequences.

In Nepal, 36 percent of aspirant migrants used an intermediary from their own village. 35 percent of aspirant migrants used intermediaries based at the central level in Kathmandu and 11 percent of aspirant migrants used intermediaries living in other districts. In other instances, migrants did not know the location of the intermediaries, or relatives facilitated their migration.

## **Occupation of Intermediary**

Bangladeshi returnee migrants often reported that their relatives had processed their documents on their behalf. In the study, 69 percent said they were aware that the intermediary who was facilitating their cases was working for an agency. Additionally, 14 percent said their understanding was that the intermediary was working independently, while another 12 percent said they did not know if they worked for an agency. In Nepal almost half had no idea if the intermediary they were dealing with worked for an agency. While almost one-third reported that their agents were working for registered recruiting agencies, 5.6 percent were confident that their agent did not work for any agency. The remaining cases were not handled by intermediaries, but by siblings, relatives or friends of migrants.

Responses were mixed to the query whether the intermediary had any job or occupation other than facilitating migration. 46.7 percent of Bangladeshi returnee migrants stated that, as far as they knew, facilitating migration was their intermediary's only job, while 41.3 percent said they were aware of other professional activities of the *dalal*. The study showed that 12 percent did not know whether they had other jobs. More than half of aspirant Nepali migrants (53 percent) reported that they were unaware if their agent had any other job than facilitating migration. While 11 percent asserted that their intermediaries had no other profession, 23 percent said their agents had other occupations, including business, farming and teaching. The remaining 13 percent did not use intermediaries.

## Conclusion

The process of decision-making is dependent on two broad economic and non-economic factors that eventually lead to the improvement in the quality of life for the migrants and his/her family members. While the economic uplift mainly considers factors such as expansion of income sources and improved financial conditions at home, the development indicator, as a direct outcome of increased income leads to better quality of life due to access to better opportunities and resources in a migrant's life. The non-economic factors such as domestic violence, adverse conditions within the family, and exploitation were noted as significant contributing factors for decision-making.

Even with a significant level of education amongst the respondents interviewed, many cited unskilled jobs such as their first preference. Upon further investigation, the research found that the educational backgrounds attained by the migrants are not geared to address skills demand in the international labour market of the destination countries. The choice of job selection for specifically women highlighted various factors such as lack of skills, pre-existing social roles, access to opportunities as well as high demand in the 'care economy' especially in private homes as drivers of decision-making.

Though the decision to migrate in both the countries was an individual decision triggered by the economic and non-economic factors, the research illustrates a vital role of the family members and community members for prior consultations, support system during the migration process, significant source of information, and contacts to facilitate the initial process. The reliance of informal social networks within the migrants' community often connects them to the intermediaries within their community. The aspiring migrants in both the countries consider the information based on the family members and friends' advices and/or past experiences a more desirable help than other sources.

The centralized operations of the recruitment agencies and limited access of the government mechanisms and systems to promote safe migration in the villages have led to the migrants starting their migration journey through extra-legal channels- the unregistered intermediaries, who then connect them to recruitment agencies for further process. Unlike recruitment agencies, intermediaries are not registered and often represent more than one company, and in some case have been found to represent over 10 companies. It seems alarming that knowing the location

and official occupation of intermediaries doesn't appear to be a priority for both past and present migrants. Perhaps this references the trust that people have for agents because they are local and part of the migrants' community. This trust has been referenced by migrants in interviews and conversely, the lack of trust they have for the government. The proliferation of agents, who function outside the legal mechanisms leads to limited access to information by the migrants, non-compliance of government requirements, illegal activities, high cost and time consuming which compounds their vulnerability in the migration process.

The cost of migration was noted to be relatively higher in Bangladesh than Nepal. The expenses required for migration were met from various informal sources such as selling of assets, family members, and friends. Limited access to loans from formal financial institutions to support the migration process and excessive arbitrary interest rates levied on the migrant workers as a part of recruitment process increases the indebtedness of migrants which makes them vulnerable to exploitation and forced labour. Given the lag time between the start of the application process and final migration, the migrants are under pressure to earn the money within the limited period of their job placement. Additionally, in situations where the migrants are not able to secure work within a considerable employment time period they end up in mounted debts; making it difficult for the migrants to refuse lucrative but exploitative jobs in the destination countries.

## SECTION III

# EMPLOYMENT AND INCOME IN THE DESTINATION COUNTRY

In spite of the risks and difficulties involved, international labour migration often contributes to sustainable livelihood. It has long been an important strategy for many in Nepal and Bangladesh, where short-term labour migration is a common form of movement. International labour migration from these countries is still largely a privately organized affair in which individuals make use of their own personal networks or make arrangements through a variety of private or government-registered recruitment agencies (Amnesty International, 2011). In this section, we attempt to understand the pattern of employment and income dynamics of migrants in destination countries by considering monthly salary, cost of living, savings, channels of remittance, and the duration of stay needed to make up the cost of migration.

### Employment Information

The study illustrates that 52 percent of Nepali aspirant migrants reported that they had not received any information about the prospective employer in the destination country before migration. Of the respondents who had prior knowledge, only 4 percent were effectively able to make inquiries about the prospective employer, whereas the rest did not cross verify at all. In most cases, there is deliberate ambiguity in communication between the recruitment agency or agent and the aspirant migrant that prevents the migrant from informing himself about the job he/she may eventually agree to perform. Some migrants have reported that they did not dare to ask the agent about the prospective employer or the details of the job for fear of jeopardizing their migration process. A few, however, expressed confidence that they could find a suitable job once they had arrived in the destination country. This is a key issue throughout the migration process as, in most cases, aspirant migrants are left in the dark about their employment conditions, often until just hours before their departure when they are handed their contract at the airport (Amnesty International, 2011). Many Bangladeshi aspirant migrants were waiting for their relatives or friends to send their visa. They had no idea about the work that they would be engaged in the destination country. Another group was keen to go to Malaysia under Government-to-Government arrangement as it would be much cheaper compared to going through the recruiters. They were also not sure employment opportunities they were likely to secure. A third group was under the impression that the *dalals* would provide them with 'free visas' that will allow them to work under any employer in the destination country.

### Monthly Income

In the study, significant numbers of (86.1 percent) Nepali aspirant migrants reported that their agents had informed them about their prospective monthly salary, while 13.9 percent of aspirants said they received no such information from their agents. On the other hand, 96.1 percent of

Nepali returnees reported that they were informed about their prospective salary before departure while just 4 percent of returnees said they received no prospective salary information.

Table 3.1: Information about Salary Available to Nepali Migrants

Received Information on Monthly Salary	Nepali Aspirant		Nepali Returnee	
	No.	%	No.	%
Yes	87	86.1	49	96.1
No	14	13.9	2	3.9
<b>Total</b>	<b>101</b>	<b>100</b>	<b>51</b>	<b>100</b>

The corresponding table for Bangladeshi aspirants did not generate information as a large section interviewees was waiting for the Malaysian market to open and had no idea about the salary it entailed. The segment that was waiting for their relatives from the Gulf states to send them visa was also not sure about the amount. The rest of Bangladeshi aspirants reported that they did not receive any written contracts or documents mentioning their monthly salary. In most cases, they relied on the *dalals'* promises and the reports of returning migrants. However, salary structure varied from one destination country to another, and according to the type of work.

Table 3.2 shows the range of salaries anticipated by aspirant migrants and reported by returnee migrants in Bangladesh. Over 68 percent of aspirants anticipated a monthly gross salary between BDT 15,000 (\$183) and BDT 40,000 (\$488). Some aspirants claimed that all living expenses would be borne by their employer and thus their entire salary would remain with them. Aspirants migrating to European countries expressed the view that both salaries and the cost of living in Europe were excessively high.

Although 57.2 percent of the aspiring Bangladeshi migrants expected to make salaries ranging from \$244 to \$488 per month, the reality was starkly different with only 20.1 percent making the amount. Instead, 62.7 percent of the workers actually earn a salary ranging from \$61 to \$244 while only 14.6 percent actually expected to earn in those low ranges. This indicates huge gaps in the salary expectation versus earned income among Bangladeshi workers. Since the aspiring migrants largely trust the intermediaries to facilitate their migration process without asking for any written documents or hesitate in asking specific questions related to the employment contract, the intermediaries use this to their advantage to create high expectations and give misinformation about the employment benefits.

Some returnee migrants reported of not sending any remittance as they were victims of irregular migration, and were therefore not able to secure legitimate employment in the destination countries. Two returnees reported that their employers had never paid them directly; rather, they were paid by *dalals*, who kept a portion of the salary paid by the employer. One returnee reported that they had to guard the money in their living quarters against theft until the money was sent home to families.

Table 3.2: Monthly Income of Bangladeshi Migrants in Destination Country

Monthly Income	Bangladeshi Aspirant		Bangladeshi Returnee	
	No.	%	No.	%
BDT 5,000 to 20,000 (\$61 to 244)	11	14.7	47	62.7
BDT 20,001 to 40,000 (\$244 to 488)	43	57.3	15	20.1
BDT 40,001 to 50,000 (\$488 to 610)	7	9.3	7	9.2
BDT 50,001+ (\$610+)	7	9.3	3	4.0
Not informed	7	9.3	N/A	N/A
No salary received	N/A	N/A	3.0	4.0
<b>Total</b>	<b>75</b>	<b>100</b>	<b>75</b>	<b>100</b>

\*July 15, 2012 exchange rate of \$1=BDT 81.96

## Cost of Living

Nepali returnee migrants were asked about their living expenses in the destination country, but the aspirant migrants were also asked about the cost of living that they anticipated in the destination country. As shown in Table 3.3, the aspirant migrants' view on cost of living was skewed as the 33.7 percent has no idea about the cost of living in the destination country; whereas 22.8 percent thought it would cost USD \$58 per month and the rest expected the living expenses to be borne by the employer.

Table 3.3: Living Expenses Estimated by Nepali Aspirant Migrants

Living Expenses	Male		Female		Total	
	No.	%	No.	%	No.	%
Less than NPR 2,000 (\$22)	2	4.0	12	23.5	14	13.9
NPR 2,000 to 2,999 (\$22 to 34)	5	10.0	7	13.7	12	11.8
NPR 3,000 to 4,999 (\$34 to 56)	13	26.0	4	7.8	17	16.8
NPR 5,000+ (\$56+)	16	32.0	7	13.7	23	22.8
Don't know	14	28.0	20	39.2	34	33.7
Zero (paid by employer)	-	-	1	2.0	1	1.0
<b>Total</b>					<b>101</b>	<b>100</b>

\*July 15, 2012 exchange rate of \$1=NPR 88.9

Likewise, Bangladeshi aspirants surveyed also had very little knowledge of the actual cost of living in destination countries, and they replied on the basis of what they had heard from returnees in their own family and locality. As shown in Table 3.4, 25.3 percent of Bangladeshi aspirants believed that their cost of living in the host country would exceed BDT 10,000 (\$112). Most of this group expressed expectations of high salaries and a comfortable standard of living. Some aspirants said that their cost of living would be higher than in Bangladesh because of the higher standard of living in the destination country. 14 aspirants (18.7 percent) said they had no idea of the cost of living in the destination country, and 9 aspirants (12 percent) expressed the firm belief that all their living costs would be borne by the employer. They reported that they had talked with their relatives and friends in the destination country and had been assured of it. In other cases, *dalals* had assured them that their cost of living would be zero. One aspirant stated that it would cost him less than BDT 4,000 per month to live in the destination country: he had heard and believed that all living expenses would be borne by the employer, but he believed he might need some money for traveling and dining out.

Bangladeshi returnees surveyed about their cost of living were able to report actual figures. Table 3.4 shows that 41.3 percent of returnees had to spend nearly BDT 4,000 per month for living expenses, including food, shelter and medicine.

Table 3.4: Monthly Cost of Living of Bangladeshi Migrants in Destination Country

Monthly Living Cost	Bangladeshi Aspirants		Bangladeshi Returnees	
	No.	%	No.	%
BDT 2,000 to 4,000 (\$24 to 49)	1	1.3	31	41.3
BDT 4,001 to 6,000 (\$49 to 73)	10	13.3	18	24.0
BDT 6,001 to 8,000 (\$73 to 98)	8	10.7	5	6.7
BDT 8,001 to 10,000 (\$98 to 122)	14	18.7	5	6.7
BDT 10,0001+ (\$122+)	19	25.3	7	9.3
Zero (paid by employer)	9	12.0	9	12.0
Not informed	14	18.7	N/A	N/A
<b>Total</b>	<b>75</b>	<b>100</b>	<b>75</b>	<b>100</b>

\*July 15, 2012 exchange rate of \$1=NPR 88.9 and \$1=BDT 81.9

Although responses varied according to the destination country, hours worked and types of employment, many returnees reported that they usually worked all day and slept at night, and had little spare time to spend money. The aspiring migrants expect the living cost to be higher in the destination countries, as this may be a result of the high expectation on the living standard generated by the agents. In reality, as shown in the data above, the actual living standard by the returnee employees noted to be at a much lower rate. However, the low cost of living reported by the returnee employees can be attributed to the poor living conditions at the labour camps/sites in the destination countries due to poor condition of basic facilities such as air conditioners, electricity, water, other basic amenities and overcrowded living areas. For instance, one returnee from Saudi Arabia reported living in a room crowded with as many as 20 workers and with such poor ventilation that he could not sleep soundly for a single night because of the humidity. Two returnees reported that they had to pay their employer a lump sum for room and board, but then never were given proper shelter. As a result, they were forced to sleep on the rooftop of their factory at night, along with nearly a hundred fellow workers. One reported that a co-worker had died falling from the roof while sleeping. Many returnees reported difficulty adjusting to the food. Therefore, the low living costs indicated by the migrants are a result of the low living standard which make them vulnerable to exploitation and hazardous living standard.

## Monthly Savings

Table 3.5 shows that 31.7 percent of Nepali aspirants had no idea what monthly savings they could expect in the destination country. Over 22 percent believed they would be able to save NPR 15,000 to NPR 19,999 per month (\$169 to \$225). Just 8 percent of female aspirants believed they would be unable to save more than NPR 13,000 per month (\$146) in the destination country.

Table 3.5: Monthly Savings Estimated by Nepali Aspirant Migrants

Monthly Savings	Male		Female		Total	
	N	%	N	%	N	%
Less than NPR 13,000 (\$146)	13	26.0	4	7.8	17	16.8
NPR 13,000 to 14,999 (\$146 to 169)	3	6.0	8	15.7	11	10.9
NPR 15,000 to 19,999 (\$169 to 225)	9	18.0	14	27.5	23	22.8
NPR 20,000+ (\$225)	12	24.0	6	11.8	18	17.8
Don't know	13	26.0	19	37.2	32	31.7
<b>Total</b>	<b>50</b>	<b>100</b>	<b>51</b>	<b>100</b>	<b>101</b>	<b>100</b>

\*July 15, 2012 exchange rate of \$1=NPR 88.9

Table 3.6 shows that 24 percent of Bangladeshi aspirants surveyed were migrating with a dream of saving BDT 15,001 to BDT 20,000 per month (\$183 to \$244). Most of them believed that it would not cost them a single penny to live in the destination country and that they would be able to save their entire salary. Over 13 percent of aspirants had no clear idea about savings. *Dalals* and relatives were their only sources of information. Others argued that no one could reliably predict their salary and gross income in the destination country. They had seen many migrants from their own localities come back with empty hands. Migrating abroad was a risky and unpredictable venture to them. Given the gap of accurate information of financial management for the recruitment cycle, the aspiring migrants were under the assumption of arbitrary savings during their employment period in the destination countries.

Table 3.6: Monthly Savings of Bangladeshi Migrants in Destination Countries

Monthly Savings	Bangladeshi Aspirants		Bangladeshi Returnees	
	No.	%	No.	%
BDT 1 to 5,000 (\$.01 to 61)	-	-	17	17.0
BDT 5,001 to 10,000 (\$61 to 122)	2	2.7	26	26.0
BDT 10,001 to 15,000 (\$122 to 183)	11	14.7	25	25.0
BDT 15,001 to 20,000 (\$183 to 244)	18	24.0	12	12.0
BDT 20,0001 to 25,000 (\$244 to 305)	10	13.3	1	1.0
BDT 25,001 to 30,000 (\$305 to 366)	13	17.3	6	6.0
BDT 30,001 and above (\$366+)	11	14.7	8	8.0
Not informed	10	13.3	N/A	N/A
No savings	N/A	N/A	5	5.0
<b>Total</b>	<b>75</b>	<b>100</b>	<b>100</b>	<b>100</b>

\*July 15, 2012 exchange rate of \$1=BDT 81.9

## Repayment of the cost of migration

Almost all, 84.2 percent of Nepali aspirants planned to obtain loans for their migration, but they had no clear idea of the time it would take to repay them. This data shows that aspirant migrants in the process of arranging to migrate were poorly informed about their prospective jobs, and that most had no clear sense of their potential savings in the destination country.

Table 3.7 shows that 31.7 percent of Bangladeshi aspirant migrants believed they would have to work for 12 to 18 months in the destination country to repay their loans. Only one aspirant thought that he could repay his loan in 6 months or less. About 8 percent of aspirants had no idea how long it would take to repay their loans. They expressed the firm belief that it was impossible to make reliable predictions about one's prospective income or employer, since luck had an important role in labour migration.

On the other hand, some 54.7 percent of Bangladeshi returnees reported that they had repaid their loans in 18 months or less. They said their employers had paid employees regularly, including overtime, and asserted that migrants who work for reputable employers and do not change jobs should be able to repay their loans in a short time. However, 18.7 percent of Bangladeshi returnees reported that they had to return home before they could repay their loans. Some of them were irregular migrants, and some had been forced to escape from their workplaces before completing their contracts. Two had been paid nothing at all for nearly four months of work.

Table 3.7: Stay Required for Repayment of Migration Loan

Duration	Bangladeshi Aspirants		Bangladeshi Returnees	
	No.	%	No.	%
1 to 6 months	1	1.3	15	20.0
6 to 12 months	2	2.7	14	18.7
12 to 18 months	23	30.7	12	16.0
18 to 24 months	10	13.3	7	9.3
24 to 30 months	21	28.0	5	6.7
30 to 36 months	8	10.7	2	2.7
36 months or more	4	5.3	6	8.0
Could not make up the cost	N/A	N/A	14	18.7
Not informed	6	8.0	N/A	N/A
<b>Total</b>	<b>75</b>	<b>100</b>	<b>75</b>	<b>100</b>

### Channels for Sending Remittances

Table 3.8 shows the channels for remittance chosen by Nepali aspirants.<sup>9</sup> Over 53 percent of aspirants had chosen IME/Western Union Money Transfer. 39.6 percent had not yet decided. Only 6.9 percent of aspirants had planned to send remittances through a local bank account in the destination country. The fact that almost 40 percent of aspirant Nepali migrants were still undecided about the channel of sending remittances calls for public awareness measures about the importance of transferring remittances through the formal channel. This is because of the country's massive dependence on remittances that constitutes 25 percent of the country's GDP in 2012-13 (Shrestha, 2013).

<sup>9</sup> Note that the Nepali returnee migrants were not asked how they sent remittances.

Table 3.8: Channels for Remittance Chosen by Nepali Aspirants

Channels	Male		Female		Total	
	No.	%	No.	%	No.	%
IME/ Western Union Money Transfer	32	64.0	22	43.1	54	53.5
Have not decided	16	32.0	24	47.1	40	39.6
Open a new bank account and deposit there	2	4.0	5	9.8	7	6.9
<b>Total</b>	<b>50</b>	<b>100</b>	<b>51</b>	<b>100</b>	<b>101</b>	<b>100</b>

Table 3.9 shows that Bangladeshi migrants chose a wide variety of channels for sending remittances. An overwhelming majority of aspirant migrants (86.7 percent) said they would use official channels to send money. Most of them had very little experience with banks, but convenient location of government commercial bank branches and the rapid spread of private bank branches in rural areas have allowed them to consider using a bank account. Many aspirants said that they planned to open a bank account after their visas were confirmed. A substantial number reported that grassroots NGOs working in their areas had counseled them on the importance of opening an account before migration. Only a few aspirants had basic knowledge of IME/Western Union, which was chosen by just 9.4 percent. Some aspirants with family members abroad that said they received remittances via Western Union, and so were acquainted with this channel.

Bangladeshi returnee migrants also chose a variety of channels for sending remittances to their families. Some may have used more than one channel. A majority, 64 percent, had sent money through banks. Those who remitted money through official channels usually employed crossed checks and drafts or bank-to-bank transfers. 12.1 percent remitted money through informal channels such as *hundi* or middlemen. Some preferred the *hundi* method as a quick way to send money without the burden of formal documentation and verification of check processing. Some respondents said the time factor was an important consideration in sending remittances. Over 9 percent of returnees sent money through other sources such as close relatives, friends and others, and 1.3 percent delivered their remittances in person, either on holidays or at the end of the contract period.

Table 3.9: Channels of Remittance Chosen by Bangladeshi Migrants

Channel of Remittance	Aspirants		Returnees	
	No.	%	No.	%
Through others	-	-	7	9.3
IME/Western Union	7	9.	6	8.0
Self carrying	-	-	1	1.3
Local/foreign bank	65	86.7	48	64.0
<i>Hundi</i>	1	1.3	9	12.0
Could not send money	N/A	N/A	4	5.4
Not informed	1	1.3	-	-
Other	1	1.4	-	-
<b>Total</b>	<b>75</b>	<b>100</b>	<b>75</b>	<b>100</b>

## Information about Working Conditions

Inadequate information about job conditions in the destination country has been a major problem for some migrants. The gender disaggregation data of the study as illustrated in Table 3.10 shows that the 80% of the men were well informed about their job conditions whereas only 36% of the Nepali women were informed about the job conditions. This clearly indicates that the women who usually end up working in the informal caregiver sector as housemaid and care givers in private house are not given prior information about their job. Migrant domestic workers in the destination countries are therefore more likely to face precarious working condition including inadequate salary, lack of social security and protection against abuses and exploitation.

Table 3.10: Information of Job Conditions -Nepali Returnee Migrants

Answer	Male		Female		Total	
	No.	%	No.	%	No.	%
Yes	20	80.0	9	34.6	29	56.9
No	5	20.0	17	65.4	22	43.1
<b>Total</b>	<b>25</b>	<b>100</b>	<b>26</b>	<b>100</b>	<b>51</b>	<b>100</b>

Additionally, 23 percent of Bangladeshi respondents felt their agents or *dalals* had not properly advised them about working conditions. In cases where migrants received written documents, this usually occurred at the final stage of their departure, on the departure date or even at the airport. So, effectively, none of the respondents had any reliable information about their prospective working conditions.

## Written Documents

Nepali returnee migrants were not asked whether they had received written contracts or documents, but Bangladeshi respondents reported that job information was usually given orally. More than 61.3 percent reported that no written documents had been provided to them explaining terms and conditions of their prospective jobs.

Table 3.11: Bangladeshi Returnees Receiving Written Documents

Answer	No.	%
Yes	29	38.7
No	46	61.3
<b>Total</b>	<b>75</b>	<b>100</b>

Bangladeshi migrants had the opportunity to get their contracts checked in just over 10 percent of cases (Table 3.13).

Table 3.12: Contract Cross Verification

Answer	No.	%
No contract was given	46	61.3
Yes	8	11.7
No	21	28.0
<b>Total</b>	<b>75</b>	<b>100</b>

In many cases where Bangladesh migrants were fortunate enough to receive a written contract, the migrants were not able to read the contract as it was not in their native language (Table 3.14). In 14 cases it was in English, in 2 cases in Arabic and in the remaining 6 cases it was both in English and Arabic.

Table 3.13: Language of the Job Contract

Answer	No.	%
No contract was given	46	61.3
English	14	18.7
Arabic	2	2.7
Both English & Arabic	6	8.0
Bangla & English	3	4.0
Not sure	4	5.3
<b>Total</b>	<b>75</b>	<b>100</b>

### Bank Account and Remittance

Having a bank account is essential for migrants to retain control over their own savings and remittances. Yet a staggering 68 percent of Bangladeshi returnee migrants reported that they did not have a bank account in their own name when they went abroad (Table 3.15). The 32 percent who reported opening an account before their departure were asked in a follow-up question who their nominees were. More than half reported that their parents were their nominees and about a fifth had nominated their spouses. Other nominees were siblings or close relatives.

Table 3.14: Bank Account Opened by Bangladeshi Returnee Migrants

Answer	No.	%
Yes	24	32.0
No	51	68.0
<b>Total</b>	<b>75</b>	<b>100</b>

### Conclusion

The discussion makes it clear that foreign labour migrants have varied experiences of income, cost of living, ability to save and loan repayment. The earnings of any individual migrant are affected by various factors, including job skills, type of job, destination country, etc. The monetary compensation anticipated by the aspiring migrants was seen to be much higher than what the returnee migrants had actually received during their employment period. Additionally, the skewed perception on the cost of living would impact the migrant's ability to save and raise the necessary funds required to provide financial assistance to the family back home as well as repay the loan while abroad. This also points out to the high instances of indebtedness even at the end of the employment period. Additionally, given the limited alternative economic livelihood options to raise the necessary funds in one's own country to ensure economic upliftment and repay the previous debts, the migrants (even the ones faced with exploitation and hardship in the previous migration experience) are compelled to re-migrate.

Limited access to the formal financial institutions during the prior and post-migration experiences makes the cost of migration very high as the migrants have to rely on informal channels to firstly

fund their migration at staggering interest rates as well as have no or limited options to utilize remittance receipts in productive sector. Therefore, heavy dependence on informal channels to route the remittance limits the migrant's ability to make better use of their earnings and maintain control over the migrants' own remittance and savings.

It was also seen that most migrants were willing to make the journey without any reliable or adequate information on the exact nature of the job and their employer or company they would be working for; the amount of money they would be able to earn and save; and the living conditions in destination country. Most migrants firmly believed that labour migration to another country would prove to be better than living conditions at home. The desire understandable was to improve their economic conditions.

## SECTION IV

# PROBLEMS FACED ABROAD

In this section, the study looks specifically at the challenges and problems faced by Bangladeshi and Nepali labour migrants in the destination country.

Any person migrating to a new country faces multiple challenges, from cultural adaptation and language barriers to homesickness and loneliness. Along with these general challenges, foreign labour migrants often face unacceptable treatment from their employers. For instance, some labour migrants are paid below their contract wage. They may be forced to work long hours and denied regular time off. Contract substitution is a common problem faced by foreign labour migrants, or contracts may be terminated in ways that enable the employers to break their contractual obligations. Some labour migrants have reported that their employers physically tortured them. The following section surveys the problems reported by returnee migrants in their destination countries.

### Reception at the Airport

Some Bangladeshi returnee migrants stated that no representative of the contractor or employer was there at the airport of the destination country to receive them or pick them up. Others said they were left waiting at the airport for 24 hours or more without food or water and unable to overcome the language barrier. Some returnees were deceived by the employer's *dalal*. Rashed Mia, for example, went to Yemen in a group of 36 migrants to take a job as a cleaner. One of his companions fled from the airport and the rest of the team was locked up as punishment. Later the intermediaries took them to a remote house in the desert. Another returnee, Monir Hossain of Comilla, told how his flight had been delayed by almost a day. No one received him at the airport for two days. Abdus Salam of Tangail went to Kuwait to be a driver. He was not received by anyone for 5 hours. At last a cleaner from the airport took him to his employer. Two Bangladeshi respondents reported that, instead of a proper vehicle, they were taken from the airport in an ice-cream van along with several dozen other migrants.

Almost half of returnee Nepali respondents stated that they did not encounter any problems on arrival. However, 21 of 51 said that their employers did not receive them at the airport. They did not perceive this to be a problem, and instead it indicated that the expectation of the Nepali migrants have been guided by the agents/ individuals in the host country that dictate the process.

### Major Problems in the Destination Country

Nepali returnee migrants were asked about problems encountered during their period of employment in the destination country. More than 69 percent of returnee migrants described problems related to language, food, contract substitution, irregular salary, unfriendly relationship with the employer, etc.

Table 4.1 shows the range of problems reported by Nepali returnee migrants. More than 25.5 percent had to go home because their employers had violated their contract. Others reported that they were not paid on time, and some were forced to work for excessive periods against their wishes. A few reported that they never got a raise, even though they had served their employers for a long time. The gender disaggregation clearly indicates severe forms of exploitation amongst women migrants more than men. Higher percent of women migrants faced sexual exploitation, threats, harassment, long and continuous working hours, non-payment of salaries, and no access to telephone than their male counterparts.

In the following section, the common problems endured by Bangladeshi and Nepali migrants are discussed.

Table 4.1: Workplace Problems Reported by Nepali Returnees

Problem	Male		Female		Total	
	No.	%	No.	%	No.	%
Had to return home because the work was not as agreed	8	32.0	5	19.2	13	25.5
Language problem	4	16.0	4	15.4	8	15.7
Battered/scolded by the owner or manager	1	4.0	5	19.2	6	11.8
Salary not paid on time	4	16.0	2	7.7	6	11.8
Food problems	3	12.0	2	7.7	5	9.8
No access to a telephone	-	-	3	11.5	3	5.9
Forced to work for 24 hours	-	-	3	11.5	3	5.9
Forced to stay longer than agreed	2	8.0	-	-	2	3.9
No raise in salary, even after serving for a long time	2	8.0	-	-	2	3.9
Denied medical treatment after an accident	1	4.0	-	-	1	2.0
Trouble adapting to local climate	1	4.0	-	-	1	2.0
Agent took away my salary	-	-	1	3.8	1	2.0
Sexual harassment by owner or agent in destination country	-	-	1	3.8	1	2.0
Owner threatened to kill me	-	-	1	3.8	1	2.0
My possessions were stolen	-	-	1	3.8	1	2.0

Note: Total percentage exceeds 100 due to multiple responses

## Health Problems

Almost all the returnees in both the countries said they suffered from health problems. Sometimes these problems took a serious turn and the migrants had to come home. Jaundice, peptic ulcers, chronic fever, severe pain and temporary insanity were among the physical and mental conditions reported by those surveyed. In a few instances, the companies concerned provided adequate care, particularly in cases of industrial accidents. In one instance, an employee working in a dyeing factory in Mauritius suffered an accident with a rolling machine and lost two fingers on his left hand. His company bore all the costs of treatment and allowed a modest period of leave for him to recover.

## Working Hours

Labour migrants in general experienced long working hours. The accounts of a hundred interviewees from Bangladesh revealed that they generally had to work longer hours than were specified in their labour contract in less organized sectors. Almost all the factory workers stated that their official workday was limited to eight to ten hours, but that often they were required to work longer hours. There were provisions for payment of overtime, but overtime was not always paid.

The most vulnerable group with regard to working hours was female domestic workers. They had to work 15 to 18 hours a day. Their workload increased tremendously during the month of Ramadan as the adults of the household did not go to bed before taking *sehris* (early morning meals). Firoza of Dhaka reported that she had to wake up in the early hours of the morning to attend to the children and elders. Two female domestics reported that they worked more than 18 hours a day in Lebanon and Dubai.

## Breach of Contract

Only a few returnees had seen any written contract. On the basis of promises made by *dalals* or recruiting agencies, they had expected everything to fall into place. Many returnee labour migrants stated that their employers breached their contracts in many ways: not paying the return airfare due at the end of the contract period, not paying overtime and not granting annual leave. But the incidence of paying wages lower than promised was an especially pervasive problem. Some returnees said they had communicated with their employers but were advised to talk with their recruiting agencies back home. In most cases, recruiting agencies and *dalals* had persuaded them with false promises of high salaries. The *dalals* assured them that their salary would gradually increase. One returnee reported that he had worked for a company for 6 years without a raise in salary.

## Employers

Incidence of exploitation by employers was reported by returnee migrants. Though these were not numerous, it does indicate the nature of exploitation that a labour migrant can face and the limited scope for redress in such cases. Lutfar Rahman of Comilla district in Bangladesh worked in a shipyard in Singapore. The company started firing its employees without any prior notice and without paying unpaid salaries. At times the employers even used other men to snatch his savings, intimidating him to return home. A Bangladeshi migrant of Comilla reported that his room had no electricity and was subject to severe heat. A female migrant from Dhaka named Rabeya who worked as a housemaid in Egypt reported that the owner did not give her food regularly and tortured her. Some masons working in a nearby construction site rescued her and she was admitted to a local hospital. Another returnee reported that he and other Bangladeshi labour migrants were called “the beasts” in the local language of Saudi Arabia. As shown in Table 4.3, 28.6 percent of Nepali migrants did not perceive their problems to be serious. This indicates an acceptance of certain hardships as part of migration process, even though it may be an exploitative situation. Many returnee respondents did state that they did not have any problems at all. On the contrary, they had a very positive work experience and received regular payment

of their salary. In addition, the respondents illustrated that existence of sponsorship practices or the Kafala systems in the destination countries for employees working in the household sector further adds to the vulnerability to the exploitation as the sponsor or the employer has complete control over the mobility of the employee, cannot transfer employment without the approval of the employer and cannot leave the destination country with receiving 'exit visa' from the sponsor (Sijapati & Bajracharya, 2012).

### Access to Mission Abroad

Even though 35 Nepali returnee migrants faced problems, 19 migrants decided not to take any action. Of the rest 16, 6 registered complaints with their agency in Nepal, 3 with the agent in the country of destination and 2 with the Nepali embassy. When asked why others did not seek help from diplomatic missions, most replied that they were not aware about where to file the complaint and preference to reach out to the other social support mechanisms. This indicates a low awareness of the formal government mechanism provided by the government of labour-sending countries as well as lack of trust and effectiveness to ensure rights of the migrant workers.

Table 4.2: Access of Migrants to Nepali Mission Abroad by returnee migrants

Did you file any complaint at the Nepali Embassy?	Male		Female		Total	
	No.	%	No.	%	No.	%
Yes	1	12.5	1	12.5	2	12.5
No	7	87.5	7	87.5	14	87.5
<b>Total</b>	<b>8</b>	<b>100</b>	<b>8</b>	<b>100</b>	<b>16</b>	<b>100</b>
<b>If yes, what was the outcome?</b>						
Didn't get any support/assistance	1	100	-	-	1	50.0
Was able to return home (Nepal)	-	-	1	100	1	50.0
<b>Total</b>	<b>1</b>	<b>100</b>	<b>1</b>	<b>100</b>	<b>2</b>	<b>100</b>

This study also found that none of the migrants facing problems abroad had used a hotline. As shown in Table 4.3, 42.9 percent of migrants who had not filed complaints with their mission said that they had no idea about how to do so, and 28.6 percent perceived their problems as not serious.

Table 4.3: Reasons for Not Filing Complaints at the Nepali Mission Abroad

Reasons	Male		Female		Total	
	No.	%	No.	%	No.	%
Didn't know how to file a complaint	1	14.3	5	71.4	6	42.9
Problem was not serious	2	28.6	2	28.6	4	28.6
Had already filed a complaint at the labour court	2	28.6	-	-	2	14.3
Embassy doesn't help persons there illegally	1	14.3	-	-	1	7.0
Agent/manpower agreed to solve the problem	1	14.3	-	-	1	7.1
<b>Total</b>	<b>7</b>	<b>100</b>	<b>7</b>	<b>100</b>	<b>14</b>	<b>100</b>

Bangladeshi missions have an important role in protecting the interests of Bangladeshi labour migrants abroad. Of the hundred returnee migrants surveyed, only 13 stated that they had to seek embassy assistance at some point in their stay, and only three of those received some form of help from the embassy. In general, many labour migrants did not know about the existence of Bangladeshi missions in their country of employment. Those who were aware did not have a clear idea about the role of missions in protecting workers' interests.

Most of the labour migrants did not think of approaching the Bangladeshi missions for help when they faced problems. The problems that labour migrants took up with the mission were those of contract substitution, non-payment of salary and harassment by police. Another common problem regarded the issuance or renewal of passports.

A number of interviewees said that when they reported loss of documents to the Bangladesh mission, the staff of the mission did not acknowledge them as Bangladeshis. The general attitude of the embassy staff was to send aggrieved labour migrants back to Bangladesh rather than attempt to redress their grievances. The insensitivity of mission staff was particularly obvious in cases of labour migrants in Saudi Arabia.

A number of interviewees made corruption allegations against the mission staff. It was alleged by some labour migrants who worked in Malaysia and Dubai that the embassy staff solicited bribes from them using *dalals* as intermediaries. Moreover, it was alleged that some of the mission staff were extremely insensitive to labour migrants. Some returnees who had worked in Saudi Arabia alleged that many small companies had recruited Bangladeshi workers and systematically exploited them. Despite worker reports of extreme exploitation, no help was forthcoming from the Bangladeshi mission. Instead, it appeared that companies in Saudi Arabia that exploited Bangladeshi labour migrants were doing so in collusion with the Bangladeshi mission staff.

The research evidently illustrated that there were no institutional mechanism put into place by the host countries (Nepal and Bangladesh) to ensure the protection of migrant rights in the destination countries. While the national laws and policy framework have provisions that address the migrant needs at the destination countries, the implementation of the services provided by the diplomatic missions is largely arbitrary and depends of the staff posted in the mission. Lack of knowledge on the presence of the diplomatic mission and its functions was also illustrated in the research, which proves as an impediment for migrants to seek redress and services if faced with problems and exploitation at the destination countries.

## **Conclusion**

This section explored the vulnerabilities and exploitation faced by the labour migrants in the destination country. The challenges and problems ranged from contractual issues, living conditions, to the behavior of the employers. The challenges for the migrants in the destination countries start as soon as they arrive at the airport as many reported that they had to spend days in the airport as they were not received or given clear instruction by the contractors and/ or employees. The problems faced by migrants in the destination countries ranged from contract violation, non-payment of salary, long working hours, and poor working condition. The study

illustrated serious forms of exploitation such as abuse, threats, limited communication, and longer and heavy work in the destination countries. As most of the migrants had made the journey based on the promises made by the agents and had not seen the actual contract, many migrants were faced with situations of breach of contract in terms of the jobs, salary and other benefits. The poor and harsh living conditions coupled with difficult and risky working conditions, lack of information, and lack of medical health support also led to several health problems of the migrants. In some cases, the migrants returned home prior to the completion of the contract due to health reasons or occupation hazard in the workplace.

In spite of the challenges and problems faced by the migrants in the destination countries, low tendency to seek assistance from the diplomatic missions in the destination countries were also observed by the migrants due to lack of knowledge, trust and effectiveness to enhance access to justice. Thereafter, lack of information about the role of diplomatic missions amongst the migrant workers also limited the effectiveness of the missions to address the gaps and challenges of the migrants. Therefore, it is evident that no adequate institutional mechanism is in place to provide services to labour migrants who face exploitation or abuse in the destination country.

## SECTION V

# PERCEPTIONS OF SAFE LABOUR MIGRATION

“Safe migration” has become a catchphrase in international labour migration governance. There are many risks and safety issues associated with international labour migration. Many returnee respondents in both Nepal and Bangladesh reported that they had not received any formal training before leaving their home country, with the result that unanticipated difficulties rendered their journey abroad a failure or of limited value. A few aspirant migrants, on the other hand, did display some knowledge of safe labour migration practices. This section discusses the level of awareness and perceptions of safe labour migration practices among different categories of study subjects covered by the present study.

### **Knowledge and Awareness of Labour Migration**

By the term “safe migration,” most Bangladeshi migrants meant finding a “good company” to work for at a “good salary.” A substantial proportion of aspirant migrants said that “recruitment by the government” rather than by a recruitment agency was the key to safe labour migration. Interestingly, all the Bangladeshi respondents expressed the belief that as long as an agency was involved in the recruitment process, it was impossible to make the process safe. Some returnee migrants defined safe labour migration as “completing the whole process without an intermediary.” But some returnee migrants who had arranged their journeys through irregular channels said safe labour migration required “safety” provided by both the intermediary at home and the employer in the destination country. Since many of the aspirants surveyed were right on the verge of departure, they often expressed their current doubts and anxieties instead of expressing their knowledge of safe labour migration. This group defined safe labour migration as “reception at the airport by the proper authority” and “getting the job promised by the agency or intermediary.” A large proportion of respondents could not give a satisfactory account of safe labour migration.

In the case of Nepali returnee migrants, their knowledge and awareness of fundamental indicators of safe labour migration were very poor. More than 35 percent of returnee migrants defined safe labour migration as “getting work in a good company,” 27.5 percent defined it as “taking proper training” and another 27.5 percent were completely unaware of such indicators. Less than half (41.6 percent) of Nepali aspirant migrants indicated that they had no ideas about safe labour migration. Around one fifth described safe labour migration as “understanding everything necessary for the migration process,” 16 percent said safe labour migration meant “learning the language and taking skills training before departure” and 11 percent said it meant “getting the job promised in the agreement.”

### **Source of knowledge**

All the respondents were asked a follow-up question inquiring how they learned about safe labour migration. Most of the Bangladeshi returnee migrants replied that they had learned about safe labour migration from their own experiences. Only a small proportion of returnee migrants, who were planning to migrate again to the country where they had worked before, had nuanced

knowledge about the safe migration in both the host and destination countries.

They mentioned migration resource centers, NGOs, awareness campaigns and their own experiences as their sources of knowledge. On the other hand, very few aspirant migrants could identify any sources of knowledge on safe labour migration. Quite a few said they had learned about safe labour migration from their relatives and friends working abroad. However, many respondents pointed to television as the source of information about safe migration. In areas where local NGOs are actively conducting awareness programs at the grassroots level, respondents were found to be more focused on the risks and hazards of labour migration than on the procedures needed to avoid them.

In the study, more than one fourth (27 percent) of Nepali returnee migrants said they could learn about safe labour migration by themselves. About 41 percent said they had learned about safe labour migration from their relatives and friends, and 32 percent said they could learn about safe labour migration from NGOs. Among Nepali aspirant migrants, some 66 percent reported that they had learned about safe labour migration from their relatives and friends. The rest cited various sources such as television, NGOs, manpower agents, advertisements, etc.

### **Knowledge of Risks in the Destination Country**

In Bangladesh, respondents had mixed reactions to the possible risks and hazards in the destination country. Many returnee migrants claimed that the only risks in the destination country were contract substitution or an expiring work permit. A few returnees asserted that a migrant who could secure a good job with a good owner faced no risks in the destination country. Others identified a variety of risks such as irregular salary, theft, lost passport, expired *iqama* (a long-term visa required in Saudi Arabia), etc. A few workers mentioned the risk of workplace accidents and injuries. In Nepal, more than half of aspirant migrants focused on the risk of “mismatch of job with agreement,” and a substantial proportion of them mentioned “difficulty coping with the culture” and “mistreatment by the owner.”

### **Risks of Using Informal Channels of Migration**

When asked about the risks of informal channels of migration, a majority of Nepali returnee migrants mentioned human trafficking, the possibility of being cheated, the risk of getting fake documents, the chance one might never reach the destination country, etc.

### **Conclusion**

Although it was often difficult to get clear responses to questions about safe labour migration, the perception was largely based on the pre-departure process of migration and specifics obligation of the contractual agreement. Low percent of migrants were able to express and link human rights and other vulnerable factors associated that could lead to exploitation and violation of rights. The NGOs and mass media can play an effective role in disseminating information about safe migration; however the migrants also relied on sources from individuals who had prior migration experiences, friends and family. Lack of formal pre-departure orientation and training prior to the departure also contributes to workers’ vulnerability at the destination countries.

## SECTION VI

# CROSS-BORDER IRREGULAR MIGRATION

Given the increasingly restrictive immigration policies of destination countries as well as migration restriction imposed by the host countries, not everyone going abroad for short-term employment enters those states legally. Undocumented migration by foreign nationals who have not met the legal conditions of entry established by both the host and destination country is on the rise (Bloom & Noor, 1995).<sup>10</sup> In the past, these undocumented workers were commonly referred to as “illegal migrants,” but the consensus has grown among those who study labour migration that, while a person’s entry may be illegal, the person himself cannot be appropriately called illegal. In 1999, the International Organization for Migration (IOM) introduced the terms “regular migrants” and “irregular migrants” for documented and undocumented workers respectively (International Organization for Migration, 1999).<sup>11</sup> Irregular or undocumented migrants, then, are those who have not been authorized by the destination country to enter, stay and obtain employment or have not complied with the rules and regulation of the host country for migration for foreign employment. Irregular migrants often work under the most unfavorable terms and are at high risk of labour, physical, and sexual exploitation and human trafficking (Thimothy & Sasikumar, 2012).

### Context of Cross-Border Migration

India shares a border with Bangladesh, Nepal, Bhutan, Myanmar, China and Pakistan. As the most developed nation in South Asian, India has become a destination for immigrants from neighbouring countries. According to a report by the UN Department of Economic and Social Affairs, India was projected to rank ninth in the number of international migrants in 2010 (5,436,012), and to account for 2.5 percent of all international migrants (UN Department of Economic and Social Affairs, Population Division, 2009). India has a 4,097 km border with Bangladesh along West Bengal, Assam, Meghalaya and Tripura. Of this, only around 1,500 km is fenced, leaving most of the border porous to migration.

Among all population flows into India, the flow from Bangladesh has received much recent attention. Bangladeshi migrants are concentrated in West Bengal and Assam, where geographical, socio-cultural, racial and linguistic linkages, coupled with easy access to the border, have induced the people of Bangladesh to move towards India, especially to the states immediately bordering Bangladesh. Bangladeshi migrants to India are mainly labour migrants.

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<sup>10</sup> Philip Martin (1996) and Bloom and Noor (1995) argue that destination countries allow far fewer documented workers to enter than actual demand would support. Sometimes this is done deliberately, because undocumented workers tend to keep wages low and can be easily sent home when their services are no longer required.

<sup>11</sup> In April 1999, the IOM organized an international symposium in Bangkok entitled “Towards Regional Co-Operation on Irregular and Undocumented Migration.” At the symposium, twenty-one participating countries agreed to adopt the term “irregular migrants” in place of “illegal migrants”.

A few studies of Nepali and Bangladeshi workers in India found that seasonal or temporary workers were earning more than they could in their countries of origin. Needless to say, the amount of income in India depended on their education and gender and the nature of the employment. A survey by Adhikari found that 40 percent of Nepali earned IRS 1,000 to 2,000 a month. Those working in restaurants and small or medium enterprises earned IRS 2,000 to 3,000 a month.

The Nepal-India Treaty of 1950 which allowed open border between the two countries has benefited the nationals of both the country in matter of residence, ownership of property, participation in trade, and commerce, and mobility. While the 1850 kilometer long Nepal-India border has economically benefited both the countries and share the socio-cultural similarities, both the countries face challenges arising from the porous India-Nepal border (Thapliyal, 2012). It has been a major challenge to curb illegal activities along the border such as incidents of human trafficking and transportation for labour and sexual exploitation.

This section considers two forms of irregular migration: Bangladeshis moving to India through irregular channels, and Nepali migrant workers going to the Gulf States and other destination countries using India as a transit country.

### **Transit Migration Through India**

All Nepali migrants are required to comply with the norms and procedures prescribed by the Foreign Employment Act 2007 and Foreign Employment Rules 2008 in Nepal as specified for foreign labour migration. Those who do not complete all the documents and/ or leave for jobs abroad via the Tribhuvan International Airport (TIA) unless prior permission has been received from the government qualify as undocumented migrant worker.

Major Indian cities such as Mumbai, Delhi, Bangalore and Chennai, as well as Dhaka in Bangladesh, were identified by the stakeholders as unofficial routes for sending Nepali labour migrants to destination countries. Among them, Mumbai is the most frequently used route. Of 15 female labour returnees who had traveled through India to the destination country, 11 had passed through Mumbai.

Labour migrants who have limited choice, access to resources and information are most likely to use an unofficial channel of labour migration. Due to the lack of economic opportunities and unemployment, the aspirant migrants are willing to take the risk to optimize any opportunity, as they perceive, that is offered, often by unscrupulous agents. Desperation, ignorance and the lack of public information were the key reasons for irregular migration cited by stakeholders. Women, especially single women and victims of domestic violence who lack the support system, are also often driven to irregular migration. The process of irregular migration for female migrant labour is further abetted by age restrictive policies imposed on female migrants in Nepal and Bangladesh. As female migrant labour mostly target domestic work or caregiver services, the age restrictive bans on these sectors force them to take the irregular route.

## Routes Used by Transit Labour Migrants

In this study, the transit labour migrants using India as a transit route were found to have traveled from areas throughout the five regions of Nepal, including Banke, Bardiya, Parsa, Rupandehi, Gulmi, Jhapa, Kailali, Kanchanpur, Kathmandu, Morang, Nawalparasi, Palpa, Pyuthan, Surkhet, Tanahu, etc. They traveled to Mumbai and Delhi by train and bus. Table 6.1 shows the border crossings used by these Nepali migrants to reach the train or bus that would take them to the departure city for their international flight.

Table 6.1: Border Crossings Used by Nepali Labour Migrants to Transit Through India

Region	Nepal-India Border Crossings
Eastern Border	Kakarbhitta (Nepal) to Panitanki-New Japaiguri (Siliguri, West Bengal) <i>Trains from New Jalpaiguri connect major cities of India.</i>
	Biratnagar (Nepal) to Jogbani-Katihar (Bihar) <i>Trains from Katihar connect major cities in India.</i>
Central Border	Birgunj (Nepal) to Raxual-Muzffarpur (Bihar) <i>Muzzafarpur is a major junction connecting east-west and south bound trains.</i>
Western Border	Bhairahawa (Nepal) to Sunauli-Gorakhpur <i>Direct bus to Delhi via major cities in Uttar Pradesh State available from Sunauli.</i> <i>Trains from Gorakhpur connect to Delhi, Mumbai, Bangalore, and other major cities.</i>
Midwestern Border	Nepalgunj (Nepal) to Rupadiya-Baraich-Lucknow <i>Buses available from Gaurifanta to Lucknow via Baraich.</i> <i>Trains from Baraich and Lucknow connect Mumbai, Delhi and other major cities.</i>
Far Western Border	Dhangadi (Nepal) to Gaurifanta-Baraich-Lucknow <i>Direct buses to Delhi and train connections available from Baraich.</i> Mahendranagar-Gaddachowki (Nepal) to Banbasa-Tanakpur-Nainital-Haridwar (Uttarakhand State, India) <i>Direct bus connections to Delhi and trains to other Indian cities.</i>

Of the 59 transit Nepali migrants in India who were interviewed, 74% (N =44) were women. Clearly, this indicates a higher percentage of women using the irregular channels through India to go to the destination. In addition to the transit migration, of 26 female returnee migrants interviewed, 15 were irregular migrants who had travelled through India to reach their destination countries. The remaining 11 women had used the Tribhuvan International Airport (TIA). All 15 had migrated to countries of the Gulf Cooperation Council (GCC) in 2010 or earlier, before new restrictions on female labour migrants were imposed. Their destination countries were Saudi Arabia (7), Kuwait (6) and Oman (2), and all but one were employed as housemaids.

## **Characteristics of Transit Migrants**

There were no conspicuous differences amongst the demographic characteristics of the transit migrants in comparison to the Nepali aspiring migrants as 90% of the respondents were below the age of 30 years. About 57 percent had studied up to high secondary level education. However, more men had higher education than women. Similar the other migrants, 74% of the respondents did not have any prior work experience before migrating abroad for work.

## **Documentation**

Only a little more than 50 percent of the transit migrants surveyed said they possessed Nepali passports obtained in Nepal. The passports obtained in Nepal ranged from 2 days old, to 1 to 9 months old, to 7 years old. Some had arranged their passport themselves, while others had relied on an agent or family member (husband, father, aunt or brother) and were waiting for the passports while living in India.

In addition, all the transit migrants did not have the complete set of documents including the permission from the government to fly from an airport other than the Tribhuvan International Airport. However, the transit migrants had various other documents 78 percent had a health certificate, 73 percent had a visa, and 56 percent had an airline ticket. Just 6 males and 2 females said they had a pre-departure orientation training certificate.

## **Reasons for Using India for Transit**

Until 2010, the Government of Nepal forbade Nepali women to seek employment in the informal sector such as domestic work in GCC countries. Labour migration was permitted only in the formal sector for Nepali women. However despite restrictions on women to work as housemaids or helpers, Nepali women continued to go to GCC countries to work in these sectors using the irregular channel. These women were heavily dependent upon informal channels such as unlicensed agents or brokers and traveling through India to GCC countries. In 2010, the government revoked the ban and data showed that the number of female migrant workers in GCC countries soared after the ban was lifted. Analysis of statistical records maintained by Department of Foreign Employment found a threefold increase in Nepali female labour migrants employed in GCC countries between FY 2008-2009 and FY 2011-2012. Kuwait (12,495) and UAE (4,523) were the two primary destination countries for Nepali women in FY 2011-2012, absorbing nearly 90 percent of all registered female labour migrants in the GCC.

However, despite these statistics which indicate that there is a demand for female labour migrants in the domestic work sector in Gulf countries, and women seek these avenues as a way for improving their livelihood options, the government in Nepal reinstated the age restrictive ban for women in the domestic work sector in 2012.

The government policy banning women from working aboard had increased irregular migration. Of the 15 female returnee migrants surveyed, 7 said that they used India for transit because of restrictions on migration from Nepal. Few of them said that the India route was quick, easy and cheap. Lengthy and cumbersome Nepali migration laws and policies were the main reason for choosing an informal channel of migration.

Thus the reasons cited by the transit migrants for using the irregular route via India to migration also resonated with the returnee migrants who were to avoid the cumbersome and restrictive migration policies and processes that restrict the mobility of migrants. The financial cost of migration and shorter time frame was also cited as factors for opting the irregular channel.

## Operation of Informal Channels

As the migration process in Nepal at large has legal, bureaucratic and financial barrier, particularly for unskilled migrants it has led to high reliance on the intermediaries. In the study 69 percent of the migrants' process was facilitated by the intermediaries.

A chain of individuals who work in a organized network to facilitate travel of the migrants from Nepal to India were cited by the respondents. Most of the migrants traveled to India with the assistance other individuals or intermediaries throughout the journey. As one key informant stated, "The migration process through India is easy if it is a Nepali women. There is a chain of agents who work in network in a systematic way to accompany the migrant's travel to India. Then there are individuals to receive them at the airport, arrange the logistics and documents, and facilitate travel for them. There are very small agents as well as the big agents." It is believed that Nepali nationals collude with alliances in highly organized secret networks to facilitate labour migration through informal channels such as recruitment agencies and individual agents. Nowadays, however, returnee migrants and relatives of labour migrants are also getting involved as intermediaries (The Himalayan Times, n.d.).<sup>12</sup>

Over the last ten years, the character of irregular labour migration has changed, as networks that once used highly recognized border areas have moved their operations to small, innocuous border points. As one key informant stated, "Due to the strenuous efforts of NGOs to control human trafficking at the border posts, small border points are being used these days instead of well known border areas. The points of embarkation for going aboard have also been changed." Another female returnee migrant stated, "Before migrating to Qatar, I attempted to go to Saudi Arabia through India, but when my team, headed by my agent, tried to cross the border at Sunauli, we were sent back by Maiti Nepal [the women's advocacy organization]. Later I flew from Tribhuvan International Airport to Qatar."

## Difficulties and Challenges Encountered in Transit

Interviews with the stakeholders and a review of print media coverage make it clear that irregular foreign labour migration is full of risks. Many Nepali irregular labour migrants have been stranded, exploited and even trafficked in the transit country. A majority spent 7 to 45 days in India preparing documents such as medical reports, tickets and visas. One female returnee labour migrant said that her agent, who assisted her in obtaining a passport in India, had cost her even more time.

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<sup>12</sup> Bhim (name changed), Morang (Nepal), an agent from a recruitment agency, was handed over to the Area Police Office, Itahari, by the kin of a Nepali women who was sent to Saudi Arabia through Mumbai with the promise of a job but was actually stranded there. Under police interrogation, he said, "I send Nepali women to the Gulf with the help of my brothers and my wife who live in Mumbai." (Source: *The Himalayan Times*, 8 March, 2012)

The vulnerability of the transit migrants increases as they are required to stay for a long period of time in the outskirts of the cities like Mumbai and Delhi, with no protection and safety nets, in hope of acquiring the necessary documents and visa to fly to the destination countries.

As one stakeholder said, “Because their status in the transit place is undocumented and illegal, migrants are compelled to depend fully on the agent, who take advantage of them.” Sexual exploitation, false documents and not getting the promised job were other common risks mentioned by stakeholders in using informal channels of migration.

During an interview, one female returnee migrant, with tears in her eyes, gave this account. “As instructed by the agent, I, Chadrakala Rai (28) from Sunsari, along with other friends, began my journey from Kakarvitta-Siliguri to Mumbai by train. On the way, a man sexually abused me. It was a devastating situation for me [at a time] when I was compelled to spend a month in Mumbai waiting for a visa and other documents. Only after staying for that long period in a hotel in Mumbai did I get the opportunity to board a flight for Kuwait.” In addition to the exploitation, the migrants are also booked in the jail under the India Penal Code Section for various crimes such as using as genuine a forged document or electronic record (IPC 471), forgery of valuable security (IPC 465), criminal breach of trust (IPC 406), etc.

Table 6.2: Risks Involved in Using an Informal Channels of Migration

Risks	Civil society (N=4)	National Stakeholders (N=6)	Network and Professional Associations (N=3)
Being cheated	1		1
Sexual exploitation	2	3	
Not getting paid	1		
Being trafficked in the transit or the destination country	2	4	2
Being stateless and at risk of exploitation in the transit country	1		
Having no chance of rescue because of undocumented, illegal status	2	2	All
Imprisonment in transit country while waiting for visa		1	
Death		1	1
Receiving false documents or not getting job as promised		2	1

Note: Total exceeds 13 due to multiple responses

Agents often take advantage of ignorant and powerless migrants. As a 36-year-old female returnee migrant from Belbari-Morang recounted, “I started my journey for Oman with my agent arranging my travel via Mumbai. He suggested that such a route through India would be cheaper, and it would be easy to get a visa. After a 3-day journey by train, crossing the border at Kakarvitta-Siliguri, we reached Mumbai. I was forced to spend 19 days in Mumbai obtaining documents including a visa, bearing all the expenses. I was confused, totally depressed and in a

dilemma — whether to return home or to spend a few more days in Mumbai in hope of getting my visa. On the one hand, I was running out of money. On the other hand, I couldn't go home, as I had already left my family in the hope of earning good money. The most distressing moment for me was when I realized I had been cheated by the agent whom I had blindly trusted. I was told that I would get NPR 12,000 in salary, but my agreement was breached and I was paid only NPR 8,000 per month. I asked many times, and each time my employer told me that some amount of money was subtracted to pay the commission to my Agent.”

## CROSS-BORDER IRREGULAR MIGRANTS FROM BANGLADESH TO INDIA

In sharp contrast to India-Nepal cross-border movement, the cross-border population movement from Bangladesh to India is a highly contentious and politically potent issue. There has been very little research on the subject. Irregular migration has been an important national security issue in India. Bangladeshi cross-border migrants have often been labeled “infiltrators from the East,” and their presence is seen as “demographic invasion” by certain some the political media groups.

### Decision-Making Process

Most of the Bangladeshi aspirant migrants surveyed reported they were going to cross the nearby border based on promises given by a *dalal*. Of 25 aspirant migrants, 13 were going to India to work as unskilled labourers. 2 female aspirants stated that they would work as domestics. Several of the respondents were construction workers. 2 returnees were engaged in smuggling in the border areas. They reported that they had been forced to quit the business by recent changes in border security.

Table 6.3: Occupation of Cross-Border Migrants in India

Occupation	Aspirant		Returnee	
	No.	%	No.	%
Labour work	14	56.0	13	52.0
Domestic	2	8.0	-	-
Agricultural worker	1	4.0	2	8.0
Construction worker	2	8.0	5	20.0
Garment worker	1	4.0	-	-
Painter	1	4.0	2	8.0
Machine operator	1	4.0	-	-
Smuggler	-	-	2	8.0
Honey collector	1	4.0	1	4.0
Not informed	2	8.0	-	-
<b>Total</b>	<b>25</b>	<b>100</b>	<b>25</b>	<b>100</b>

### Factors Contributing to the Decision to Migrate

In the decision to migrate, extreme poverty is the most important determinant. Unemployment at home and the hope of achieving financial solvency were the two most important factors cited by Bangladeshi aspirant migrants who were planning to go to India. For returnee migrants, achieving

financial solvency and moving out of poverty were the two most important reasons for crossing the border. Other factors identified were low wages and unemployment at home.

Respondents also mentioned some secondary factors in their decision to migrate. A few mentioned that the adverse effects of environmental degradation on agriculture had reduced job opportunities at home, and induced them to cross the nearby border to India in search of work. The low cost of irregular migration was sometimes itself an inducement to migrate, and many respondents chose irregular migration to avail themselves of higher potential wages in India.

While India is a preferred destination mainly because of the low cost of migration, respondents also mentioned the hassle of securing passports and a plethora of other documents for other countries, with no guarantee that after going through proper channels and completing all the official requirements, their migration would be successful. The chances of a successful migration to India, they felt, were higher. Being closer to home was seen as an added advantage. They felt they could come and go from India almost anytime they wanted. The low cost of migration could be recouped in less than a week, they reported, whereas it might take years to recover the cost of migration to Malaysia, Singapore or the Gulf States, where even after making sometimes huge expenditures, migrants could not always be sure of a job.

Table 6.4: Primary Factors Contributing to Cross-Border Irregular Migration

Primary Factors Contributing to Cross-Border Migration	Aspirants		Returnees	
	No.	%	No.	%
Want to achieve financial solvency, earn money	7	28.0	8	32.0
Want to repay a loan	-	-	1	4.0
Low wages in Bangladesh	-	-	3	12.0
Low income in Bangladesh	1	4.0	-	-
High income in abroad	4	16.0	2	8.0
Want to eradicate family poverty	3	12.0	4	16.0
To pull other family members in abroad	1	4.0	-	-
Unemployment in Bangladesh	7	28.0	2	8.0
Inspired by family example (e.g., of courage, of high earnings)	1	4.0	-	-
No need of visa/passport	1	4.0	1	4.0
Business abroad		-	1	4.0
Inexpensive compared to other countries		-	1	4.0
Formal channel does not allow long stays to work		-	1	4.0
Physical problem (obesity)		-	1	4.0
<b>Total</b>	<b>25</b>	<b>100</b>	<b>25</b>	<b>100</b>

Respondents said that at home they got a wage of BDT 150 per day but had to arrange their own food. “Two small *tilapias* cost me BDT 50 to 60. What else can we buy with the rest of the money?” one respondent asked. Even those lucky enough to earn double that amount found it difficult to make ends meet. The cost of living in Bangladesh is very high, whereas in many parts of India it is quite affordable. All essential costs can be covered by INR 1,500 to INR 2,000 per month. One migrant said, “We could even afford to have grapes if we liked.”

Inability to repay loans from NGOs was found to be another reason for migration to India. Where fieldwork was conducted in the Debhata area, as many as 22 NGOs operated micro-finance

programmes. One respondent took a loan of BDT 70,000 that he could not pay back. He has to go to India to earn money to pay off his loan.

Hatcheries producing *galda* and *bagda* shrimp had thrived in this region, but respondents said that tighter border security under Bharatiya Navshakti Party had cut off the supply of Indian fry (newly hatched juvenile shrimp). Shrimp farmers substituted Thai and Burmese fry, but their quality was poor and fish mortality was high. Many farmers lost their capital, and the industry was badly affected. Many were forced to migrate to India.

### Contact with Intermediaries (*Dalals*)

When asked how they contacted a *dalal*, about a quarter of Bangladeshi aspirant migrants said they were confident they could complete the formalities of labour migration by themselves and did not need a *dalal*. 28 percent said the *dalal* was their neighbour. Others reported that they had found a *dalal* through friends or relatives working in India. Among returnee migrants, 32 percent said the *dalal* was their neighbour and 20 percent said they did not need a *dalal*. Others said they met the *dalal* through friends or relatives working abroad. 4 returnees reported that they knew the *dalal* before starting the process.

Table 6.5: Contact with Intermediaries (Dalal)

Contact with <i>Dalal</i>	Aspirants		Returnees	
	No.	%	No.	%
Already known to me	1	4.0	4	16.0
Through friends	3	12.0	4	16.0
Through family or relatives	4	16.0	3	12.0
Through friends or relatives working abroad	2	8.0	1	4.0
<i>Dalal</i> was a neighbour	7	28.0	8	32.0
Still have not discussed it with anyone	2	8.0	N/A	N/A
No need of <i>dalal</i>	6	24.0	5	20.0
<b>Total</b>	<b>25</b>	<b>100</b>	<b>25</b>	<b>100</b>

### Cost of Migration

The cost of migration to India was quite low — BDT 3,000 to BDT 5,000 for most aspirant migrants surveyed — though the cost had gone up recently due to stricter border security. About one third of returnee migrants reported spending less than BDT 1,000 to migrate, and about a quarter spent less than BDT 500. Another 40 percent reported spending BDT 1,001 to BDT 3,000. The rest spent BDT 3,001 to BDT 5,000.

A major inducement to migrate was the low cost of a *dalal* — BDT 3,000 to BDT 5,000. Usually, a payment of BDT 3,000 was split equally among Bangladesh Rifles (BDR), Border Security Force (BSF) and the *dalal*. Payment was made on the spot at the border; BDT 1,000 was collected per head. BDR would take them to “no man’s land;” then the *dalal* would pay BSF. The money was paid to the appointed intermediaries. One *dalal* reported that transfers and postings of high officials in the Indian border guard had a direct bearing on the flow and pattern of irregular migration. The function of the *dalal* is to make travel arrangements, help migrants cross the border, secure

employment and provide them with food and shelter in India. Charges sometimes amounted to BDT 5,000 as indicated by the respondents.

## Migration Through Informal Channel

For unskilled workers there is no legal channel to go to work in India. “If I go legally, I can only get a visa for three months, whereas with no papers I can stay as long as I want if I am not apprehended,” stated one respondent. There is a general perception that merit-based employment will control such illegal activities along the border area. “Even a clerical post would require a bribe of BDT 3.5 lakh [BDT 350,000] said another respondent.” There is virtually no opportunity for permanent employment. One family had to foot a bill of BDT 1,800 for an Staff Selection Commission (SSC) examination. They could not afford it. The family got hold of a *dalal* and sent one family member to India for about BDT 3,000. The family member earned Indian INR 20,000 in two months during the harvest.

## The Journey

Migrants go to India in two ways. In most cases, they are supported by a *dalal* and travel in groups of 10 to 15 persons guided by the *dalal* or his representative. Earlier *dalals* generally took people by boat to cross the border. *Dalals* arrange border crossings through Bhomra Land Port, which has been recently opened. If migrants’ movements are facilitated by a *dalal*, then generally no problem is encountered.

Those who do not use a *dalal* generally cross the border at night after monitoring it for a while to learn the patterns of border patrol activity. 2:00 to 3:00 am is a good time to cross because border guards are generally relaxed. In most cases, they cross the river or through the jungle because it costs nothing, whereas land crossings would cost them money. Some individuals swim across the river.

Sometimes a residence near the border is chosen as the first shelter immediately after crossing. The first leg of the journey usually takes the travelers to Shialdah or Howrah stations in Kolkata. Howrah is perceived to be the most crucial phase of their journey because of the presence of law enforcement agents on the lookout for irregular migrants.

Some migrants get absorbed in and around Kolkata. Others are then handed over to another *dalal* and move on to Mumbai, Pune, Gujrat and Tamil Nadu. Local agents either accompany them to their next destination or purchase them a ticket and food for the journey. Migrants are instructed to keep quiet as much as possible to conceal their identity.

Some migrants travel independently of a *dalal*. They feel that going to India is no problem, as they have been crossing the border since childhood to attend *jatra* (theatre) performances and watch football tournaments in the 24 Paraganas district. They first cross the border by boat and walk about one and a half kilometers to the Bashirhat train station. From there they go to Howrah station. Sometimes they are received at the train stations or bus stops and given shelter and food. Respondents said that relatives or neighbours who were already working there advised them by phone where to go and whom to contact when they arrive in India.

## The Journey within India

Respondents reported that fast trains are expensive and their conductors are likely to demand identity documents, so they normally take local trains, which take longer but are generally safer for them.

Respondents said that they sometimes faced problems during the journey on the train as the people often take advantage of the illegal status of irregular labour migrants, harassing them, demanding or even seizing their money, and threatening to inform the police. The return journey is more hazardous because migrants on the way home are often carrying large sums.

*Dalals* advise irregular migrants not to speak a word if they are caught on the train. The moment they are caught they should show their valid ticket and the conductor will generally be satisfied.

## Gender Issues

In one case, a woman wanted to escape from a husband who tortured her. On her own, she had contracted a *dalal* and was negotiating a journey to India to improve her luck. Women are generally aware of the misadventures that can befall them in India, such as being sold as prostitutes or sold in bars. The owner of a bar determines the real price of a woman after observing her physical attributes and appearance, and a woman of average beauty can be sold for BDT 70,000 to BDT 100,000 (\$854 to \$1220). Respondents reported that female migrants are particularly vulnerable to gang-rape by the border guards. One respondent reported a case of a female migrant who was separated from the male members of her group. Later they heard that she had been gang-raped and murdered by the border guards on the Indian side.

## Income

Table 6.6: Monthly Income in India

Monthly Income	No.	%
BDT 5,000 to BDT 10,000 (\$61 to (\$122)	11	44.0
BDT 10,001 to BDT 15,000 (\$122 to 183)	7	28.0
BDT 15,001 to BDT 20,000 (\$183 to 244)	4	16.0
BDT 20,001 to BDT 25,000 (\$244 to 305)	1	4.0
BDT 35,001 to BDT 40,000 (\$427 to \$488)	1	4.0
BDT 40,001 to BDT 45,000 (\$488 to \$549)	1	4.0
<b>Total</b>	<b>25</b>	<b>100</b>

Depending on the nature of the work, respondents reported wages of INR 300 to INR 450 per day (INR 500 to 600 with overtime). Some migrants said that they were paid about 30 percent less than their Indian counterparts for the same type of work. 44 percent of returnee migrants reported that their monthly income ranged from BDT 5,000 to BDT 10,000. An equal percentage earned BDT 10,001 to BDT 20,000, and a handful earned more than BDT 20,000.

The table illustrates that the salary earned by migrants in India is consistent to the salaries of the migrants who are overseas. Even with the lower cost of living in India, the saving as indicated by the returnee migrants are not very high as compared with the saving made by overseas migrants. This indicates that the illegal status of the Bangladeshi migrants versus the legal status of Bangladeshi migrants working overseas is heavily dependent on the availability of the funds to pay for procurement of official documents such as passport and agent fees for facilitating the migration process.

### Cost of Living

Almost 70 percent of Bangladeshi returnees from India reported that it cost them from BDT 2,000 to BDT 4,000 (\$24 to \$49) per month to pay for food and shelter. Another 28 percent paid from BDT 4,001 to BDT 6,000 (\$49 to \$73). In just one instance, a migrant reported incurring living costs of more than BDT 6,000 per month.

Table 6.7: Cost of Living in India

Monthly Cost of Living	No.	%
BDT 2,000 to BDT 4,000 (\$24 to \$49)	17	68.0
BDT 4,001 to BDT 6,000 (\$49 to \$73)	7	28.0
BDT 8,001 to BDT 10,000 (\$89 to \$122)	1	4.0
<b>Total</b>	<b>25</b>	<b>100</b>

### Monthly Savings

40 percent of returnees said they were able to save BDT 5,001 to BDT 10,000 per month in India, while 24 percent reported saving BDT 5,000 or less. 20 percent could save BDT 10,001 to BDT 15,000 per month and 16 percent saved BDT 15,001 or more.

Table 6.8: Monthly Savings in India

Monthly Savings	No.	Valid %
BDT 1 to BDT 5,000 (\$0.01 to \$61)	6	24.0
BDT 5,001 to BDT 10,000 (\$61 to (\$122)	10	40.0
BDT 10,001 to BDT 15,000 (\$122 to \$183)	5	20.0
BDT 15,001 to BDT 20,000 (\$183 to \$244)	2	8.0
BDT 20,001 and above (\$244)	2	8.0
<b>Total</b>	<b>25</b>	<b>100</b>

## Contractors' Control Over Migrants

In most cases, those who secured employment through a *dalal* got paid through the *dalal*, who typically retained 10 to 20 percent of their wages. Migrants did not appear to mind that the *dalals* were extracting such amounts. They believed it was a charge they were paying for their shelter (though in reality, the employer was providing their shelter). There was little chance for migrants to escape the *dalal's* control because that would mean losing the protection the *dalal* provided. Workers were identified by their *dalals* and typically could not change to a different one. A new *dalal* would not provide them with a job, because of the strong mutual agreement among the *dalals* not to poach each other's clients.

Sometimes irregular migrants were forced to provide free labour to law enforcement agencies. In one instance, police apprehended four migrants at a construction site. The police wanted them to do some menial work. When the migrants told the contractor about the matter, the contractor agreed to let go of them. The police made them clean their premises, cut the grass on the parade ground, treated them well, gave them a meal and returned them to their contractor. When asked why they did not seek the services of a *dalal*, the independent migrants replied that they did not want someone else taking any of their hard earned money when they could manage by themselves. Many of the migrants felt that there was some sympathy for them in the community where they worked.

## Problems faced in illegal migration for work

Almost all respondents claimed that they did not face any severe problems in India. Ethnic similarities allowed them various privileges in India. Only a few respondents reported encountering some problems in India, such as the following:

*Health service* The respondent migrants felt that health service in India was unaffordable to them. Malaria is common among migrants. Many migrant construction workers have died in industrial accidents due to poor health and safety arrangements.

*Lack of freedom of movement* There was a general understanding that they would not travel far from their work sites or places of residence. Freedom of movement was restricted.

*Insecurity* Keeping money was a major source of insecurity for migrants. Lack of regular status precluded them from opening bank accounts, and there were a few reports of theft from the residence quarters of migrants. As a result, wages were generally sent home the day they were paid.

*Treatment by locals and police* There was a mixed reaction among migrants to their treatment by the locals. Many said the locals looked down on them and on some occasions had reported them to the police. Others said they had received support and protection from the local population. In one instance, an old lady provided shelter to a migrant, who was being chased by Indian border guards, by locking him up in her storeroom. Migrants who are apprehended by police are subjected to severe beatings. These beating can be a terrifying experience. "One who has been beaten by Indian police will never think of crossing the border again," reported one migrant.

## Conclusion

This section examined the irregular migration of Bangladeshi and Nepali workers to and through India. The process of migration is highly complicated and reflects the access to various resources and information in terms of gender and other indicators within the society. The problem of irregular migration starts right from the recruitment stage whereby the various economic, social-political factors play a vital role in the migration process. The research also illustrated costs, restrictions, access to information and resources, and burdensome procedures associated with foreign labour migration through regular channel as principal factors that led Nepali migrants to use India as a transit state for irregular migration.

The study examined the evidence from a gender dimension which indicated that irregular migration is particularly significant among women in Nepal. Many Nepali migrants aspiring to secure jobs abroad rely on personalized intermediaries, who facilitate falsification of various documents at different stages in order to avoid various troublesome and restrictive processes such as the ban on female migrants. Such policies compounded with lack of monitoring mechanisms give rise to irregularities and increase the use of irregular channels that result in abuses at stages of migration. This, compounded with lack of policies that protect the migrants' rights in destination countries specifically in the informal sector leads the women migrants in vulnerable condition and at risk of all forms of exploitation and human trafficking. For instance, severe form of exploitation amongst female migrants was indicated in the study.

Bangladeshi migrants' chose India because it was cheaper and easier to migrate to India than going to another country to earn better wages/income than at home. This section also examined the decision-making process in foreign labour migration, the dynamics of movement into and within India, the opportunities available in India as well as the vulnerabilities faced there by irregular migrants, and the crucial role that intermediaries play. Operational linkages of recruitment agencies working through the extra-legal channels with other national and international agencies that facilitate irregular migration were also explored.

The following section offers policy recommendations in relation to labour migration, cross-border and transit migration and its nexus to human trafficking and exploitation.

## SECTION VII

# POLICY RECOMMENDATIONS FOR LABOUR MIGRATION

### General Recommendations:

#### **Ensuring procedural and structural support**

There is a growing recognition that if migration takes place under conditions of safety and dignity then it accrues benefit to the migrants as well as source and host areas. It is therefore necessary that countries of the region go beyond viewing migrants as sources for harnessing of remittances and acknowledge their positive contribution. The government should provide procedural and structural support for improved governance of this sector from socio-economic and political cost and gains of labour migration in relation to the country's overall development.

#### **Effective regulation of recruiting agencies**

In all three countries the recruiting agencies have become an important stakeholder in labour migration. However, in many instances migrants become victims of fraud and irregularities committed by the agencies. The government institutions and regulations cannot always provide appropriate redress to the victims of irregularities committed by the agencies. There is a strong case for reviewing the existing laws, regulations and institutional framework to effectively regulate the recruiting agencies within the larger framework of governance and human security in all three countries. An important element of such change would be to ensure that proactive measures are taken by the government against recruiting agencies promoting illegal practices and irregularities in the migration process.

#### **Bringing informal intermediaries under legal cover**

The informal intermediaries or the *dalals* play a critical role in the labour migration process in all three countries, Bangladesh, India, and Nepal. However, the authorities do not acknowledge the reality of dependence of both recruiters and the migrants on the *dalals* and the existing laws do not recognize the key role that they play. Given the significant role that the informal intermediaries play in this regard, it is only proper that they are brought under the legal cover to ensure accountability and transparency of the sector.

#### **Recognition of cross-border movement as an integrated labour market issues**

There is a strong case for South Asian countries to acknowledge that cross border movement of people as a labour market issue. The government should take effective measures to safeguard the movement of the people in the migrant corridor within the South Asia region which provides labour mobility for employment opportunities. Low skilled migrants move through irregular channels due of lack of opportunity to migrate through formal channels. Countries of the region should consider revising their immigration and emigration policies, and devise pragmatic policies to address the issue of irregular movements that do not jeopardize human security of migrants.

### **Awareness campaign against movement through irregular channels**

Movement of migrants through irregular channels and their irregular status make them vulnerable to malpractice and ill-treatment of unscrupulous employers and recruiters. Awareness campaigns at various levels are to be launched so that aspirant migrants are made aware of the ill-effects of movement through irregular channels. The government of labour-sending countries should draw linkages with various existing development programs and plans to reach out to the migrant communities in the pre-decision stage of the migration cycle so that the government can influence and promote safe migration at the initial phase of the migration cycle.

### **Migrant-friendly policy environment**

Amidst the growing significance of foreign labour migration, the international and national policy instruments and agreements are important tools to ensure protection and promotion of migrant workers' rights. Therefore, the government's policies and regulations should be geared towards migrant-friendly policies throughout the migration cycle. Gender-friendly policies targeted to the vulnerable population should be introduced.

### **Making government agencies transparent**

The state institutions are often unwilling to share information about government policies and actions on labour migration. The lack of transparency impedes policy advocacy work for securing rights of migrants as well as conducting of research. The governments of the region should create conditions for sharing of data and information with civil society organizations and academia. At the same time, if such facilitation is not forthcoming, then academics and activists may resort to the Right to Information Act to secure information.

### **Developing common platform of labour-sending countries**

The South Asian countries often face common problems in sending their workers to the Gulf and Southeast Asian countries. There is an urgent need for dialogue among labour-sending countries to develop common strategy vis-à-vis the labour-receiving countries. The Colombo Process may be strengthened to increase their collective bargaining capacity, and SAARC as a forum may be given the task to develop a joint strategy in this regard.

### **Highlighting the negative effects of the *kafala* system**

The South Asian countries may consider highlighting the negative effects of the *kafala* system on labour migrants in various multilateral for including the UN High Level Dialogue and the Global Forum on Migration and Development.

### **Facilitation of collaborative research**

Given the commonality of issues that affect their migrant populations, the South Asian countries should encourage collaborative research to objectively analyze the labour market realities of the region and the problems that migrants encounter in the destination countries. Such collaborative research is likely to contribute to informed policy-making.

### **Develop the institutional capacity of the diplomatic mission**

The enlargement of the role of the diplomatic missions and Labour Attachés (LAs) is very critical to effectively monitor the rights violation and working conditions of the migrants in the destination countries, provide redress for cases of violation, and also play proactive roles in monitoring the acts

of recruitment within the destination countries. Prospects and challenges of the Labour Attachés and mission have to be analyzed and addressed by the governments of the host country to ensure that missions are able to fulfill the responsibilities in protecting the migrants' rights.

### **Working with the migrant diaspora in the destination countries and returnee migrants**

Given that the aspiring migrants rely heavily on the informal social networks to inform them of safe migration process, there is a need to work with the migrant diaspora in the destination countries as well as returnee migrants to sensitize and build capacity to be the advocates for safe migration within the migrant communities and also be the point of contact for referrals to service providers if faced with exploitative situation. The interventions need to consider the migrant diaspora as a critical mass to not only raise awareness but also act as the support systems within the destination countries for migrants who face exploitation and trafficking.

### **Recognition of labour migration irregularities that lead to exploitation and human trafficking under the purview of the governance and human security**

An expanded discourse is required to look at labour migration not only on solely protecting the economic remittance but also within the broader framework of security, rights, and governance. While it is every person's economic right to migrate for better livelihood and improved social needs, the line between migration and trafficking becomes very thin when the government cannot safeguard people's security as they are moving due to weak governance systems. Therefore, larger understanding of labour migration within the political-economic environment of any country is critical. Therefore, it is crucial to review the policy and procedural impediments such as irregularities and foreign employment related malpractices and mechanisms both in the source and destination countries under the larger purview of governance and human security. This requires a more rights-based legal framework, and better application of jurisprudence within the legal system taking into account international protocols and conventions which have been signed by different countries.

## **Specific Recommendations:**

### **Nepal and Bangladesh**

#### **Issue 1: The low level of education and ignorance about safe labour migration practices have placed aspirant foreign job seekers at great risk of exploitation**

**Recommendation:** Greater awareness among youth about safe labour migration practices is essential. Various methods such as billboards, radio and television jingles and advertisements in the print media should be utilized to reach a broader mass of people. Messages promoting safe labour migration should be incorporated into secondary school curricula and the government's grass-roots intervention programmes. Citizens should be encouraged to form Migrant Rights Protection Committees at the union level to monitor the registration and activities of brokers/agents and provide counseling to aspirant and returnee migrants in collaboration with local community-based organizations/youth clubs.

## **Issue 2: Poor attendance in pre-departure orientation training (PDOT)**

**Recommendation:** Government should ensure that each foreign job seeker personally attends the mandatory PDOT. Opening branch offices at the district level and engaging civil society organizations to provide such trainings would reduce the pressure on central government training centres. In addition, the government should intensify monitoring of pre-departure training institutes and penalize those recruitment agencies and agents who issue spurious PDOT certificates.

## **Issue 3: Non-transparent and unaccountable recruitment practices**

**Recommendation:** The government should take active measure to make recruitment agencies more transparent and accountable to their clients. They should ensure that all clients are fully informed about the nature of the job, salary and other benefits, and are provided with a written contract in a language they understand. The government should put in place a system under which recruitment agencies and agents agree to furnish a copy of every document or paper submitted/received by them, including the receipt of payment made to the recruitment agencies and agents by the clients. Each migrant worker must be informed about the benefits of obtaining the labour permit (stamp) in person from the concerned government department.

## **Issue 4: Little opportunity for migrants to secure loans from formal sources to finance their migration**

**Recommendation:** In order to curb the dependence on informal sources of loans to finance migration, the government should develop a policy for providing low-interest loans to foreign labour migrants through commercial banks. For instance, an assessment of the performance of the Probashi Kallyan Bank (Migrants' Welfare Bank) of Bangladesh could provide a starting point for developing this policy.

## **Issue 5: The preponderance of low-skilled migrants increases their vulnerability**

**Recommendation:** The government should ensure that aspirant migrant workers have an opportunity for training in skills that are in demand in the destination countries. The curricula of the government Technical Training Centres (TTCs) need to be redesigned to provide training in trades that are in demand abroad. The government should facilitate private-public partnerships so that the private sector and NGOs are encouraged to offer technical training courses in trades that are in demand. Businesses should be encouraged to sponsor scholarships so that migrants in difficult economic circumstances can receive training. The TTCs should be encouraged to seek accreditation from internationally recognized training authorities.

## **Issue 6: Little opportunity to seek redress for contracts and rights violations**

**Recommendation:** The government should put in place a mechanism by which migrant workers can register complaints when their contracts and rights are violated. The website of the Bureau of Manpower Employment and Training of Bangladesh can serve as an example in this regard. This mechanism should ensure that migrants can register a complaint and track its progress without having to personally visit the government office or incur additional costs. Emigration laws need

to be revised so that migrants can file civil or criminal complaints in any court of law against recruiters, employers or their agents.

### **Issue 7: Poor services from national missions in destination countries**

**Recommendation:** There is a strong case for upgrading the services available to labour migrants by the national missions of Nepal and Bangladesh in the destination countries. An adequate number of Labour Attachés (LAs) should be posted to countries with a substantial number of labour migrants. The LAs should receive appropriate training in the rights and obligations of migrants under the laws of the destination countries. Better coordination between LAs and the rest of the mission is also of immense importance. Welfare officers and legal officers should be appointed by the LA to effectively serve the migrant work force.

### **Issue 8: Lack of coordination among South Asian missions in destination countries**

**Recommendation:** The nations of South Asia should enhance cooperation to collectively address the problems faced by their migrant work forces. They may consider having a joint body to formulate policies and standards ensuring safety for all labour migrants and protection of labour rights including the right to redress of grievances. Issues that are difficult to pursue at the individual state level can be taken up at the Colombo Process and Abu Dhabi Dialogue regional consultations and also at international forums such as the Global Forum on Migration and Development and the UN High Level Dialogue. Abolishing the *kafala* system existing in many GCC countries should be a top priority for advocacy.

### **Issue 9: Absence of bilateral and multilateral agreements**

**Recommendation:** Bangladesh and Nepal should enter into bilateral/multilateral agreements with all destination countries that receive substantial numbers of their workers. This will ensure that labour migrants can exercise their rights under national and international human rights laws, file complaints and receive justice or compensation. Measures should be adopted to reduce the vulnerability of migrant workers, increase high wages and improve working conditions, security and protection.

### **Issue 10: Lack of engagement of civil society**

**Recommendation:** Civil society organizations should play a more proactive role at the grass-root level in educating everyone, particularly women and girls, about the risks of using informal channels of migration and the exploitation of female domestics in certain countries where there are no protective laws or policies for female labour migrants.

### **Issue 11: Reconsideration of the minimum age for Nepali women migrants**

**Recommendation:** The government should reconsider its decision to prohibit Nepali women under 30 from working as domestics in GCC countries. Instead, the government should explore better ways to make foreign employment for women safe and secure. It is also important to leverage the skills of Nepali women workers so that they can move into more respectable jobs at home and abroad.

# CROSS-BORDER AND TRANSIT MIGRANTS

## INDIA, BANGLADESH AND NEPAL

### Issue 1: Lack of credible and objective assessment of cross-border migration

**Recommendation:** While some findings are available on the impact of cross-border or regional migration on individual migrants or their households, there is an urgent need for more reliable and detailed data. Effects on local communities and economies have been little studied. Studies of the national economy lump together all types of migration, so it is difficult to understand the effect of cross-border labour migration in particular. Because irregular migrants suffer from special vulnerabilities beyond those faced by regular migrants, a comparative assessment of national policies and legal regimes on cross-border and regional movement is needed. There is also a gap in our understanding of how migrants may be viewed as threats in the destination country and how this affects their personal security. A review of the literature reveals that states are often stereotyped as origin or destination countries, but labour migration also runs the other way. There is a major gap in the research on the effect of such flows.

## INDIA

### Issue 2: Viewing irregular, cross-border migration through a national security lens distorts policy responses to conditions on the ground

**Recommendation:** The Government of India should adopt a humane attitude towards irregular, cross-border migrants. Instead of securitizing the issue through border fences and laws like Illegal Migration Determination by Tribunal (IMDT), the government should recognize the realities of cross-border migration, including the demand for cheap labour in the manufacturing sector and for seasonal labour during the harvest. Such a realistic approach will include (a) updating the National Register of Citizens and issuing national identity cards to all bonafide citizens of the country, (b) adopting uniform policies such as a temporary work program that would establish the rights and obligations of cross-border migrants and ensure their security, and (c) negotiating a bilateral migration agreement to better manage Bangladesh-India migration. Both sides must cooperate in the enforcement of migration laws.

## BANGLADESH

### Issue 3: Lack of acknowledgement of irregular, cross-border movement to India

**Recommendation:** The lack of formal acknowledgement of cross-border, irregular migration flows between Bangladesh and India greatly hinders the formation of appropriate programs and policies to protect the rights and entitlements of mobile populations who face significant vulnerabilities in the destination country. Lack of acknowledgement and legal status contribute to their lack of power to negotiate or bargain, either individually or collectively, for basic rights and services. As a first step, there should be formal government acknowledgement of the existence of

Bangladeshi labour migrant populations to India. The Government of Bangladesh (GOB) should also consider revising its Emigration Ordinance, 1982, which currently punishes undocumented emigrants with a fine and up to one year of imprisonment.

#### **Issue 4: Long delay in repatriation of apprehended migrants**

**Recommendation:** Undocumented Bangladeshis in India face the constant threat of a lengthy and uncertain deportation process. There is a need for advocacy with the authorities in India to clarify and shorten the deportation process. The Deputy High Commission and District Intelligence Board (Bangladesh) and the Ministry of External Affairs (India) could coordinate efforts to identify the migrant's place of origin for a smoother deportation to Bangladesh.

### **NEPAL**

#### **Issue 5: Lack of credible information at the grassroots contributes to aspirant migrants becoming victims of unscrupulous agents who promote transit migration through India**

**Recommendation:** The government of Nepal should organize massive awareness campaigns against irregular migration through India. It should mobilize the media and NGOs to be effective partners in organizing such campaigns. The pitfalls of transit migration and the vulnerabilities of migrants moving through that channel should be highlighted in the campaigns.

#### **Issue 6: Lack of support for transit migration victims in India**

**Recommendation:** Nepali civil society organizations should join with their Indian counterparts to provide legal aid and seek redress for the victims of transit migration. Perpetrators of fraud and exploitation should be prosecuted. The respective governments should be lobbied to further collaborate with each other to reduce the incidence of transit migration.

## **ADDRESSING ISSUES RELATED TO LABOUR MIGRATION AND ITS LINKS TO HUMAN TRAFFICKING**

### **BANGLADESH, INDIA, AND NEPAL**

#### **Issue 1: Despite being acknowledged as a regional problem, there are major policy gaps in regional cooperation on addressing labour migration and its links to human trafficking**

##### **Recommendations:**

- (a) Lack of bilateral consensus on case management and mutual legal assistance, absence of a mechanism to expedite victim support, and multiple mandatory coordination points are preventing victims of trafficking from getting support, and allowing the perpetrators

to escape justice. There is a need to develop a model bilateral agreement based on the experiences of the migrants that focus on the responsibilities of the individual countries at the origin, transit and destination stages to advocate for a non-exploitative protective framework for migrant labour workers.

- (b) It is imperative to develop comprehensive laws and their effective implementation to ensure rescue and identification of trafficking survivors within the rights-based framework.

## **Issue 2: Lack of regional collaboration amongst labour-sending countries to protect the rights of migrants**

### ***Recommendations:***

- (a) Strong demand should be made for developing a common South Asian regional platform or mechanism that can facilitate collective dialogue and advocacy for an exploitation-free labour movement between countries of origin and destination, and to create safer and vigilant corridor for labour movement through South Asia and in the destination countries. The platform should promote regional discourse to advocate safe labour mobility to maximize the use of labour force for economic development.
- (b) The South Asia platform or mechanism will work toward creating linkages with different labour sending countries to create advocacy materials and knowledge products through regional and national empirical research studies. The studies will be used as advocacy tools to link labour migration to larger governance and human security framework.
- (c) Along with capacity-building for law enforcement and border security forces, efforts should be made to develop regional framework based on SAARC Conventions, and forums such as the Abu Dhabi Dialogue and the Colombo Process, bilateral agreements and harmonization of national laws to strengthen cross-border cooperation, and joint monitoring to identify, rescue and recover the survivors of labour exploitation and human trafficking within the rights-based framework.
- (d) Steps should be taken for regional collaboration amongst the governments and civil society actors of the labour sending countries to work together to promote stronger collaboration and push for better protection and promotion of migrant workers' rights, and address the cases of human trafficking by addressing both the supply and demand sides of the problem.

### **Issue 3: Lack of regional empirical based research studies to inform interventions for safe and empowered labour migration**

#### ***Recommendations:***

- (a) There is a need to develop a more expansive evidence-based study with a multi-lateral framework at both labour-sending and destination countries under the instruction of a prominent structural mechanism to bring the research outcomes to the notice of the labour-sending and labour-receiving governments through direct and indirect advocacy. The areas of empirical research studies identified are:
  - i. Qualitative analysis of returnee migrants profile case studies in Bangladesh, Nepal, and India to document the best practices as well as level of exploitation, dimension of trafficking within labour migration, scope of exploitation and link it to the systematic challenges of governance and security.
  - ii. Human, social, and financial cost and gains from labour migration, and the socio-economic and political cost of migration on the country's overall development.
- (b) There is also a need to define the institutional and technical support needed to strengthen the Office of Labour Attachés and diplomatic missions in the destination countries to support the rights of migrant labour workers.

# ANNEX

Annex: List of stakeholders as key informants

## **Bangladesh**

Bangladesh Association of International Recruiting Agencies  
Bangladeshi Ovhibashi Mohila Sramik Association  
Bureau of Manpower, Employment and Training  
Immigration Police  
Ministry of Expatriates' Welfare and Overseas Employment  
Ministry of Home Affairs  
Welfare Association for the Rights of Bangladeshi Emigrants Development Foundation

## **India**

ACE Employment, Mumbai  
Action Research Centre  
Asma International, Mumbai  
Bilaya Gam Samaj Saloni Border  
Embassy of Nepal, New Delhi  
International Institute for Population Sciences  
Manav Sewa Trust, Uttar Pradesh  
Ministry of Overseas Indian Affairs  
Nav Jeevan Mahila Kendra  
Recruitment Agency, Delhi  
Rescue Foundation, Maharashtra  
Rescue Foundation, Mumbai  
Rescue Foundation, New Delhi  
Sanyukt Nepali Sangh, Mumbai  
Tata Institute of Social Sciences

## **Nepal**

ABC Nepal

Center for the Study of Labor and Mobility

Department of Foreign Employment

Foreign Employment Promotion Board

Former Ambassador to Qatar

International Organisation for Migration

Journalist for Kantipur Qatar

Ministry of Labour and Employment

National Institute of Development Studies

National Network for Safe Migration

Nepal Foreign Employment Association

Pourakhi Nepal

Pravasi Nepal Coordination Center

Swiss Development Cooperation

UN Women

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