

Study on
**LABOUR MIGRATION FROM SAARC COUNTRIES:
REALITY AND DYNAMICS**

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SECTION I INTRODUCTION

Importance of International Migration

In recent years, international migration has been receiving major attention of policy makers both at national and international levels. Responding to the rapidly transforming globalizing world, the nature, type, volume and direction of flows of international migrants have also marked significant changes. All these have thrown new challenges to the stakeholders, migrants themselves, the source, destination and transit communities and countries; and the civil society institutions including the trade unions.

It is true that globalization process has both been a cause and an effect of exponential growth in productive capacities and led to a more integrated and interdependent world. It is also equally true that the process has led to uneven growth and distribution. While the globalization process has facilitated movements of capital, goods, services and information in a significant way, movement of labour, a factor over which many developing countries of the South enjoy comparative advantage, continues to remain highly restricted.

There has also been a growing appreciation of economic, social and cultural impacts of international migration. While migration has increasingly become a livelihood option for many, there has also been an increased recognition that appropriate policy measures are to be in place to reduce the negative consequences and increase the gains from migration.

International Migration: the South Asian Context

As a region, South Asia has also been an active participant in the international labour market. In the pre-1947 era, migration from the region to a large extent was shaped by colonial ties with Britain. The oil price hike of the 1970s created a large demand of labour of all types: professional, skilled and unskilled; and South Asia became an important source region. The burgeoning economies of East Asia in the subsequent decades also became important destination points for migrants from the region.

Migration has become an important livelihood strategy for many in South Asia. It has a critical role in the poverty reduction strategies and impinges upon diverse sections of the people in many ways. Judicious policy intervention can help maximize benefits and minimize the harmful effects. Policy interventions may be most effective when it takes into account the perspectives of the migrants themselves, rather than are imposed from above. While migration has become an important policy issue for sending and receiving countries, more and more

civil society institutions such as research institutes, migrant support groups, media and trade unions have also become important stakeholders.

Focus and Rationale of the Study

This paper focuses on migration experiences of workers from various South Asian countries, the region that hosts half of the world's poor. All are essentially countries of emigration. The short-term contract workers, serving in the Gulf and the East Asian countries will comprise the core of the study.

The next section (Section II) discusses individual country socio-economic scenarios. This will include among other issues, size of population, population growth rate, poverty indicators, literacy rate and other socio-economic matters in the context of the Millennium Development Goals (MGDs). Such information would help comprehend the overall contexts of migration from the region.

Section III deals with characteristics and patterns of migration flows from each country (number, destination, skill and gender composition). The flow of remittances constitutes an important segment of the chapter.

The fourth section is concerned with national legal regimes that govern the migration process of each of the South Asian countries. Essentially the chapter focuses on national legislations, rules and administrative orders that affect emigrant workers, while leaving the country and upon return. The functions and roles of administrative machinery and official support structures that are in place in these countries are discussed. The gender dimension of labour migration also constitutes an important area of investigation.

The civil society institutions are yet to become actively involved in labour migration processes in these countries. Section V discusses the general absence of the NGOs in migrant issues and argues for effective engagement of the trade unions.

Section VI draws conclusions from various country experiences. It also offers recommendations for promoting legal and safe migration.

Methodology

The study essentially draws on information generated through various studies sponsored by the governments in the region and international agencies such as the United Nations Development Programme (UNDP), International Labour Office (ILO), and International Organisation for Migration (IOM). Migration related research and reports of national institutions of various South Asian countries have also constituted an important source of information.

SECTION II COUNTRY SOCIO-ECONOMIC PROFILES

Although there may be a host of social, economic and personal factors that contribute to migration decisions, for many Individuals/households it is a part of the strategy to stave off poverty and diversify income. It is in this context that country socio-economic scenarios are presented below.

If one takes into account of the position of South Asian countries in Human Development Index prepared by UNDP in 2005, one notices that these countries all rank between 96 and 139. The region hosts about one half of the world's poor. Although there are specific examples of success of significant drop in rates in child and women's mortality, girl child education, spread of coverage in immunization of children, safe drinking water and hygienic sanitation, there are also major gaps in many other sectors.

In order to understand the socio-economic reality of the region this section provides a brief overview of some economic and social indicators that will help comprehend the context of migration from the region.

Table 1
Human development index

| HDI Rank | Human development index (HDI) value 2003 | Life expectancy at birth (years) 2003 | GDP per capita (PPP US\$) 2003 | GDP index |
|----------------|--|---------------------------------------|--------------------------------|-----------|
| 139 Bangladesh | 0.520 | 62.8 | 1770 | 0.48 |
| 134 Bhutan | 0.536 | 62.9 | 1969 | 0.50 |
| 127 India | 0.602 | 63.3 | 2892 | 0.56 |
| 96 Maldives | 0.745 | 66.6 | - | 0.65 |
| 136 Nepal | 0.526 | 61.6 | 1420 | 0.44 |
| 135 Pakistan | 0.527 | 63.0 | 2097 | 0.51 |
| 93 Sri Lanka | 0.751 | 74.0 | 3778 | 0.61 |
| South Asia | 0.628 | 63.4 | 2897 | 0.67 |
| World | 0.741 | 67.1 | 8229 | 0.75 |

The above table gives an overview of the HDI ranking of the countries concerned. With the rank of 93 and 95 respectively, Sri Lanka and Maldives fare way better than rest of the South Asian countries. Despite its phenomenal advancement in science and technology and success in attracting foreign direct investment India still ranks 127, followed closely by Bhutan (134), Pakistan (135), Nepal (136) and Bangladesh (139).

Sri Lanka and Maldives average HDI value was above the world average of .741. The performances of Bhutan, Pakistan, Nepal and Bangladesh in this regard have been extremely poor.

With regard to life expectancy at birth South Asians live almost 3.7 years less than the world average. With 74 years of life expectancy it is Sri Lanka that is well above the world average of 67.1 years.

The GDP per capita for South Asians is only 35 percent of the world average. Nepal, Bhutan and Bangladesh fair quite poorly in this regard as well.

Table 2
Human development index trends

| HDI Rank | 1975 | 1985 | 1995 | 2003 |
|------------|-------|-------|-------|-------|
| Bangladesh | 0.345 | 0.389 | 0.452 | 0.520 |
| Bhutan | - | - | - | 0.536 |
| India | 0.412 | 0.476 | 0.546 | 0.602 |
| Maldives | - | - | - | 0.745 |
| Nepal | 0.296 | 0.376 | 0.466 | 0.526 |
| Pakistan | 0.363 | 0.419 | 0.492 | 0.527 |
| Sri Lanka | 0.607 | 0.681 | 0.727 | 0.751 |

One may of course note that over the years there has been marked improvement in HDI index in respective country frames. While Bangladesh advanced from .345 in 1975 to .520, India also made an advance from .412 to .602. The achievements of Nepal and Pakistan have also been impressive.

Table 3
Human and income poverty: developing countries

| HDI Rank | Human poverty index (HPI-1) Rank | MDG Children under weight for age † (% under age 5) 1995–2003 | MDG Population below income poverty line (%) | | |
|------------|-------------------------------------|---|--|---------------------|---------------------------------|
| | | | \$1 a day 1990–2003 | \$2 a day 1990–2003 | national poverty line 1990–2002 |
| Bangladesh | 86 | 48 | 36.0 | 82.8 | 49.8 |
| Bhutan | - | 19 | - | - | - |
| India | 58 | 47 | 34.7 | 79.9 | 28.6 |
| Maldives | 37 | 30 | - | - | - |
| Nepal | 74 | 48 | 37.7 | 82.5 | 42.0 |
| Pakistan | 68 | 38 | 13.4 | 65.6 | 32.6 |
| Sri Lanka | 42 | 29 | 7.6 | 50.7 | 25.0 |

With regard to human poverty index as well barring Maldives and Sri Lanka that rank at 37 and 42 respectively, all other countries perform rather disappointingly. The income of more than 82 percent of the people of Bangladesh and Nepal is below two dollars a day with India lagging closely behind with about 80 percent of its population. With about 50 percent in Bangladesh and 42 percent in Nepal the number of people below the national poverty line is staggeringly high.

Table 4
Demographic trends

| HDI Rank | Total population (millions) | | | Annual population growth rate (%) | | Urban population (% of total) a | | | Population under age 15 (% of total) | | Population ages 65 and above (% of total) | |
|------------|-----------------------------|--------|--------|-----------------------------------|---------|---------------------------------|------|------|--------------------------------------|------|---|------|
| | 1975 | 2003 | 2015 | 1975-2003 | 2003-15 | 1975 | 2003 | 2015 | 2003 | 2015 | 2003 | 2015 |
| Bangladesh | 73.2 | 136.6 | 168.2 | 2.2 | 1.7 | 9.9 | 24.3 | 29.6 | 36.3 | 31.4 | 2.8 | 4.2 |
| Bhutan | 1.2 | 2.1 | 2.7 | 2.1 | 2.2 | 3.5 | 8.5 | 12.6 | 39.5 | 34.7 | 3.6 | 5.1 |
| India | 620.7 | 1070.8 | 1260.4 | 1.9 | 1.4 | 21.3 | 28.3 | 32.2 | 32.9 | 28.0 | 4.1 | 6.2 |
| Maldives | 0.1 | 0.3 | 0.4 | 2.9 | 2.4 | 18.1 | 28.8 | 35.2 | 42.0 | 35.7 | 2.7 | 3.3 |
| Nepal | 13.5 | 26.1 | 32.7 | 2.3 | 1.9 | 5.0 | 15.0 | 20.5 | 39.9 | 33.9 | 2.9 | 4.2 |
| Pakistan | 68.3 | 151.8 | 193.4 | 2.9 | 2.0 | 26.4 | 34.1 | 39.5 | 39.5 | 34.1 | 3.0 | 4.2 |
| Sri Lanka | 14.0 | 20.4 | 22.3 | 1.3 | 0.7 | 22.0 | 21.1 | 22.5 | 24.8 | 21.4 | 5.8 | 9.3 |

A look at demographic trends is quite pertinent while discussing migration. There has been significant rise in the growth of population in most of the countries. It has been estimated that Bangladesh's current population of 136.6 million of 2003 is likely to reach 168.2 million in 2015. Likewise, India will be home of 1260 million people by the same year.

It is Sri Lanka that has been able to bring down its population growth rate below 1 percent, all other South Asian countries have quite high growth rate. Compared to annual growth rate of 2.2 in 1975-2003, the projected rate for Bangladesh is 1.7 percent. There has been a sharp rise in urbanization process as well. 24.3 percent of Bangladeshis, 32.2 percent of Indians and 34.1 percent of Pakistanis now live in urban areas. Obviously, internal migration contributes in a major way to this urbanization process.

Table 5
Commitment to health: resources, access and services

| HDI Rank | Health expenditure | | | MDG one-year-olds fully immunized | | MDG Births attended by skilled health personnel | Physicians (per 100,000 people) |
|------------|---------------------------------|----------------------------------|--|---|-----------------------------------|---|--|
| | Public (% of GDP) 2002 | Private (% of GDP) 2002 | Per capita (PPP US\$) 2002 | Against tuberculosis (%) 2003 | Against Measles (%) 2003 | (%) 1995-2003 | 1990-2004 |
| Bangladesh | 0.8 | 2.3 | 54 | 95 | 77 | 14 | 23 |
| Bhutan | 4.1 | 0.4 | 76 | 93 | 88 | 24 | 5 |
| India | 1.3 | 4.8 | 96 | 81 | 67 | 43 | 51 |
| Maldives | 5.1 | 0.7 | 307 | 98 | 96 | 70 | 78 |
| Nepal | 1.4 | 3.8 | 64 | 91 | 75 | 11 | 5 |
| Pakistan | 1.1 | 2.1 | 62 | 82 | 61 | 23 | 66 |
| Sri Lanka | 1.8 | 1.9 | 131 | 99 | 99 | 97 | 43 |
| South Asia | - | - | - | 83 | 68 | 38 | - |
| World | - | - | - | 85 | 77 | 62 | - |

Health is an important sector for human resource development. The above figures provide a general idea about the state of the health of people of the region. It is also reflective of the government's commitment to this sector. The sector attracted only 0.8 percent of the GDP in Bangladesh. 1.1 percent in Pakistan and 1.3 percent in India. Although success in vaccination against tuberculosis may be considered as satisfactory, such drive against the measles need quite a bit of improvement. The gap in experience in birth attended by skilled personnel is quite pronounced between the countries. While Sri Lanka has been able to provide that service to 97 percent population, the figure for Nepal and Bangladesh is paltry; 11 and 14 percent respectively. Bhutan and Nepal are lagging behind immensely with only 5 physicians per 100,000 population.

Table 6

Water, sanitation and nutritional status

| HDI Rank | MDG Population with sustainable access to improved sanitation (%) | | MDG Population with sustainable access to an improved water source (%) | | MDG Population undernourished (% of total) | | MDG Children under weight for age (% under age 5) |
|------------|---|------|--|------|---|------|---|
| | 1990 | 2002 | 1990 | 2002 | 1990/92 | 2003 | 1995-2003 |
| Bangladesh | 23 | 48 | 71 | 75 | 35 | 30 | 48 |
| Bhutan | - | 70 | - | 62 | - | - | 19 |
| India | 12 | 30 | 68 | 86 | 25 | 21 | 47 |
| Maldives | - | 58 | 99 | 84 | - | - | 30 |
| Nepal | 12 | 27 | 69 | 84 | 20 | 17 | 48 |
| Pakistan | 38 | 54 | 83 | 90 | 24 | 20 | 38 |
| Sri Lanka | 70 | 91 | 68 | 78 | 28 | 22 | 29 |
| South Asia | 20 | 37 | 71 | 86 | 25 | 21 | - |
| World | 43 | 58 | 75 | 83 | - | - | - |

The above table shows access to water, sanitation and nutrition. Between 1990 and 2002 significant progress has been made in some of the countries in providing access to sanitation. However, quite a large percentage of population is still deprived of sanitation facilities in most of these countries. Access to sustainable water was already at a higher level and some improvements were made in this regard as well. One also notices a drop in population of undernourished children between in a gap over ten years. Even then, about a fifth of the children still remain undernourished in the region. With figures 48 (Bangladesh and Nepal) and 47 (India) the percentage of underweight children below of the age of 5 also figure quite badly.

Table 7

Survival: progress and setbacks

| HDI Rank | Life expectancy at birth (years) | | MDG Infant mortality rate (per 1,000 live births) | | MDG Under-five mortality rate (per 1,000 live births) | |
|------------|--|---------|---|------|--|------|
| | 1970-75 | 2000-05 | 1970 | 2003 | 1970 | 2003 |
| Bangladesh | 45.2 | 62.6 | 145 | 46 | 239 | 69 |
| Bhutan | 41.5 | 62.7 | 156 | 70 | 267 | 85 |
| India | 50.3 | 63.1 | 127 | 63 | 202 | 87 |
| Maldives | 51.4 | 66.3 | 157 | 55 | 255 | 72 |
| Nepal | 44.0 | 61.4 | 165 | 61 | 250 | 82 |
| Pakistan | 51.9 | 62.9 | 120 | 81 | 181 | 103 |
| Sri Lanka | 63.1 | 73.9 | 65 | 13 | 100 | 15 |
| South Asia | 50.1 | 63.2 | 130 | 66 | 206 | 91 |
| World | 59.9 | 67.0 | 96 | 54 | 147 | 80 |

Although South Asia is still lagging behind the world average on all the indicators stated above, achievements have been made with regard to life expectancy at birth, infant mortality rate and under five mortality rates. In Sri Lanka the average life expectancy at birth has been advanced from 63.1 years in 1970-75 to 73.9 years in 2000-2005. In all other countries progress has been made in this sub-sector. Likewise, achievements are also not negligible in reducing the infant mortality and mortality of under five rates between the years 1970 to 2003.

Table 8
Commitment to education: public spending

| HDI Rank | Public expenditure on education | | | |
|------------|---------------------------------|---------|--------------------------------------|---------|
| | As % of GDP | | As % of total government expenditure | |
| | 1990 | 2000-02 | 1990 | 2000-02 |
| Bangladesh | 1.5 | 2.4 | 10.3 | 15.5 |
| Bhutan | - | 5.2 | - | 12.9 |
| India | 3.7 | 4.1 | 12.2 | 12.7 |
| Maldives | 3.8 | - | 10.0 | - |
| Nepal | 2.0 | 3.4 | 8.5 | 14.9 |
| Pakistan | 2.6 | 1.8 | 7.4 | 7.8 |
| Sri Lanka | 2.7 | - | 8.1 | - |

Between 1990 and 2002-2 apart from Pakistan, expenditure in education sector as percentage to GDP has increased in other South Asian states. Of the large economies, India expends a high 4.1 percent of its GDP to the sector. As percentage to total government expenditure the figure 15.5 percent is the highest in Bangladesh.

Table 9
Literacy and enrolment

| HDI Rank | MDG Youth literacy rate (% ages 15-24) | | MDG Net primary enrolment ratio (%) | | MDG Children reaching grade 5 (% of grade student) | |
|------------|--|------|-------------------------------------|---------|--|---------|
| | 1990 | 2003 | 1990/91 | 2002/03 | 1990/91 | 2001/02 |
| | Bangladesh | 42.0 | 49.7 | 71 | 84 | - |
| Bhutan | - | - | - | - | - | 91 |
| India | 64.3 | 76.4 | - | 87 | - | 84 |
| Maldives | 98.1 | 99.2 | 87 | 92 | - | - |
| Nepal | 46.6 | 70.1 | 81 | 71 | - | 65 |
| Pakistan | 47.4 | 64.5 | 35 | 59 | - | - |
| Sri Lanka | 95.1 | 95.6 | 90 | - | 94 | 98 |
| South Asia | 61.7 | 72.2 | - | - | - | - |
| World | - | - | - | - | - | - |

In 2003 it is only Bangladesh that is lagging behind in reaching the South Asian average of 72.2 percent of youth being literate. The figure is quite impressive for Sri Lanka and Maldives and also for India, Nepal and Pakistan. Bangladesh also lacks behind significantly in children reaching grade 5 category from other South Asian countries. In general there has been rise in net primary enrolment in all the South Asian countries in the reporting period.

Table 10
Technology: diffusion and creation

| HDI Rank | MDG Telephone mainlines (per 1000 people) | | MDG Cellular Subscriber (per 1000 people) | | MDG Inter users (per 1000 people) | |
|------------|---|------|---|------|-----------------------------------|------|
| | 1990 | 2003 | 1990 | 2003 | 1990 | 2003 |
| Bangladesh | 2 | 5 | 0 | 10 | 0 | 2 |
| Bhutan | 4 | 34 | 0 | 11 | 0 | 20 |
| India | 6 | 46 | 0 | 25 | 0 | 17 |
| Maldives | 29 | - | 0 | - | 0 | - |
| Nepal | 3 | 16 | 0 | 2 | 0 | - |
| Pakistan | 8 | 27 | (.) | 18 | 0 | - |
| Sri Lanka | 7 | 49 | (.) | 73 | 0 | 13 |
| South Asia | 7 | 47 | (.) | 24 | 0 | 18 |
| World | 81 | 184 | 1 | 226 | 1 | 120 |

Connectivity has increasingly become an important in measuring quality of life in this globalised world. The above figure informs that South Asia is significantly lagging behind in all three indicators: mainline telephone, cellular telephone and internet use. In the thirteen year reporting period there was massive improvement in India with regard to providing mainline telephones. It rose from 4 per thousand to a staggering 46. Likewise, Sri Lanka also registered a major advance form 7 to 49 per thousand. With an increasing from 2 to 5 in the reporting period, Bangladesh's performance in this sector has been abysmal.

Like in other parts of the world cellular telephone has transformed the connectively scenario in South Asia as well. This has been a thriving sector, attracting foreign investment in a major way. In this field as well Sri Lanka with 73 connections per thousand people, followed by India with 24 connections and Pakistan with 18.

It is interesting to note that with 20 connections per thousand people Bhutan tops the list of internet usage. She is followed by India and Sri Lanka.

Table 11
Economic performance

| HDI Rank | GDP | | GDP per capita | | GDP per capita Annual growth rate (%) | |
|------------|--------------------------|---------------------------------|----------------|------------------|---|---------------|
| | US\$ billions 2003 | PPP US\$ billions 2003 | US\$ 2003 | PPP US\$ 2003 | 1975-2003 | 1990- 2003 |
| Bangladesh | 51.9 | 244.4 | 376 | 1770 | 1.9 | 3.1 |
| Bhutan | 0.7 | - | 797 | - | 4.0 | 3.6 |
| India | 600.6 | 3078.2 | 564 | 2892 | 3.3 | 4.0 |
| Maldives | 0.7 | - | 2441 | - | - | 4.7 |
| Nepal | 5.9 | 35.0 | 237 | 1420 | 2.1 | 2.2 |
| Pakistan | 82.3 | 311.3 | 555 | 2097 | 2.5 | 1.1 |
| Sri Lanka | 18.2 | 72.7 | 948 | 3778 | 3.4 | 3.3 |
| South Asia | 902.2 | 4235.9 | 617 | 2897 | 2.6 | 3.5 |
| World | 36058.3 | 51150.6 | 5801 | 8229 | 1.4 | 1.4 |

India has the largest economy in the region with a US\$500.6 billion GDP. With \$82.3 billion and \$51.9 she is followed by Pakistan and Bangladesh respectively. Of the large economies of the region during the period 1990-2003 the average growth rate of GDP was the highest in India that stood at 4 percent. However, if compared to the average of 1975-2003 major progress has been made by Bangladesh in this regard.

Table 12
Inequality in income or consumption

| HDI Rank | Survey year | MDG Share of income or consumption (%) | | | |
|------------|-------------|--|----------------|----------------|----------------|
| | | Poorest 10% | Poorest 20% | Richest 20% | Richest 10% |
| Bangladesh | 2000 | 3.9 | 9.0 | 41.3 | 26.7 |
| Bhutan | - | - | - | - | - |
| India | 1999 | 3.9 | 8.9 | 43.3 | 28.5 |
| Maldives | - | - | - | - | - |
| Nepal | 1995 | 3.2 | 7.6 | 44.8 | 29.8 |
| Pakistan | 1998 | 3.7 | 8.8 | 42.3 | 28.3 |
| Sri Lanka | 1999 | 3.4 | 8.3 | 42.2 | 27.8 |

It is generally acknowledged that among other factors migration to a large extent is determined by the desire to improve one's livelihood. That may range from staving off poverty to seek better living standard. The issue of poverty is intrinsically linked to share of income and consumption. It is in this regard that South Asia performs quite poorly. While the poorest 10 percent of the

populations had their share between 3.2 to 3.9 percent, the richest 10 percent's share varied between 27 to 30 percent. The figures only reflect the skewed nature of income and consumption distribution among the South Asian countries. It is perhaps this data more than any other that can explain the increasing propensity for the South Asians to migrate.

Table 13
Gender-related development index

| HDI Rank | Gender related development index (GDI) | | Life expectancy at birth (years) | | Adult literacy rate (% ages 15 and above) | | Combined gross enrolment ratio for primary, secondary and tertiary schools (%) | |
|------------|--|-------|----------------------------------|------|---|------|--|---------|
| | Rank | Value | 2003 | 2003 | 2003 | 2003 | 2002/03 | 2002/03 |
| | Rank | Value | Female | Male | Female | Male | Female | Male |
| Bangladesh | 105 | 0.514 | 63.7 | 62.1 | 31.4 | 50.3 | 54 | 52 |
| Bhutan | - | - | 64.2 | 61.7 | - | - | 14 | 16 |
| India | 98 | 0.586 | 65.0 | 61.8 | 47.8 | 73.4 | 56 | 64 |
| Maldives | - | - | 66.1 | 67.1 | 97.2 | 97.3 | 75 | 74 |
| Nepal | 106 | 0.511 | 62.0 | 61.2 | 34.9 | 62.7 | 55 | 66 |
| Pakistan | 107 | 0.508 | 63.2 | 62.8 | 35.2 | 61.7 | 31 | 43 |
| Sri Lanka | 66 | 0.747 | 76.8 | 71.5 | 88.6 | 92.2 | 69 | 67 |

The above table shows gender related development indicators. It informs that apart from Maldives life expectancy level for females in other countries is higher than their male counterparts. With regard to adult literacy for ages 15 and above male domination is pronounced. While Sri Lanka and Maldives have been able largely successful in striking a balance; Bangladesh, India, Nepal and Pakistan have a long to go to achieve parity in this regard. In the matter of gross enrollment for all schools Bangladesh and Maldives have made favourable progress for women.

Section Conclusion

The above tables and information give us a fairly comprehensive idea about the socio-economic reality of various South Asian countries. They dealt with a whole range of issues pertaining to human development index as developed by the UNDP. They also attempted to focus positive progresses achieved in the targets set in the Millennium Development Goals by the countries concerned.

The table suggested that the region is likely to have a significant growth in population over the next few decades. That will create pressure on the states to cater not for only their basic human needs but also create opportunities for employment. If the present trends are anything to go by meeting those challenges will be formidable tasks. It is in this context, one is bound to

acknowledge migration as a livelihood option, at least for some. The global labour market has increasingly become tilted to professional and skilled migrants. It is in this context one is concerned with the low level of investment in social sector in these countries.

SECTION III MIGRATION DYNAMICS

This section of the report focuses on characteristics and patterns of migration flows from most South Asian countries. This will include a brief historical evolution of migration patterns, number and gender division of migrants, their skill composition and countries of destination. The flow of remittances constitutes an important segment of the chapter. The socio-economic impacts of migration are also highlighted.

HISTORICAL BACKGROUND

Bangladesh

It was the British merchant navy that provided opportunity to Bangladeshis to go beyond the seas and explore new lands. Some decided to be stowaways and settle down overseas and are regarded to the pioneer emigrants from the territory that now comprises Bangladesh today. Although they were spread across United States, Singapore, Malaysia, Brunei and Indonesia, it was in the United Kingdom cities of London, Liverpool and Bristol that bulk of them got settled. In the late 1950s and early 1960s the British government pursued the policy of recruiting foreign workers through social networks of the existing migrants. Most who migrated through this process from Bangladesh hailed from the northern district of Sylhet. Bangladesh also became a sender of various categories of workers following the demand created in the Gulf states through the oil price hike and subsequently in East Asian countries.

India

A large number of Indians have moved to various parts of the world in the last two centuries. The indentured labour programme of the colonial British rulers that began in 1824, took Indians to a diverse range of countries from Fiji in the Pacific to Suriname in Latin America. The indentured worker scheme was introduced to fill the vacuum created due to abolition of slavery. In addition, Indian workers also went to Malaysia, Sri Lanka and Myanmar to work in sugar and rubber plantations. Under a separate scheme, known as 'free' or 'passage' emigration, migration of white-collar workers took place to East and South Africa. It was in the late 19th and 20th centuries that migration to advanced industrial societies in Europe and North America took place.

Nepal

Much of the earlier migration from Nepal was triggered off by excessive taxation, exploitative agrarian relations and political instability. It was after 1816 that Nepali people began to be employed in the British army and created a niche for them. The two successive world wars led to enlistment of 243,000 and 160,000 Nepali nationals in the British army (Bolt, 1967). After Nepal's independence the Gorkhas continued to serve in the Nepal army, albeit in small numbers. In addition, they were also employed in the Indian army. In 2003, 48,000 Nepalis

were in active service in the Indian army, while another 150,000 were pensioners (Himal,2003:23).

Low level of industrialization, with fewer opportunities for off farm economic activities, for the Nepalis out migration increasingly became a sought after option. The process for such out migration continued in the 1960s and 1970s, but it was only after democratic movement of 1990 that it became relatively easy for the Nepali people to obtain travel documents. The immediate proximity of India as a neighbour makes it the major destination for migrants. The Friendship Treaty between India and Nepal facilitated such movement. The increased flow of information through liberalisation of the media and the growth of private agencies also facilitated movement of people. Between 1997 and 2003, short term contract migration to the Gulf increased by almost five times (Gurung and Adhikari). Over time, new countries were being added to the list of destination countries that include: Malaysia, Israel, Jordan, Republic of Korea and Japan.

A new wave of migration from Nepal began when political turmoil began in 1995. The subsequent spread of the Maoist revolution in various parts of Nepal further enhanced the processes of internal displacement as well as international migration.

Pakistan

Out migration of workers from Pakistan began in the 1960s mainly to western countries, especially the United Kingdom. The 1970s, particularly the latter part of the period, had witnessed substantial increase in the flow of migrants to the Gulf region.

Sri Lanka

Like other South Asian countries it was in the 1960s that academics and other professionals migrated to the west as well as East and West Africa. Along with demand for qualified labour from the destination countries, a weak domestic economy and change in the national language policy in which English was no longer the medium instruction, contributed to the departure of the professionals. (Dyas and Jayasundere, 2004). However, their overall number was relatively low to have an impact on the economy.

The assumption of power by the United National Party government in 1977 led to the growth of the private sector and facilitated the growth of market mechanism. These factors along with a surge in demand for labour from the petro-dollar rich Gulf countries, greatly contributed to the sharp rise in migration of labour. By the 1980s, growing economies of East Asia also attracted Sri Lankan labour.

MAGNITUDE AND TREND

Nepal

There is a wide variation in estimates of Nepali migrant stock overseas. The 2001 Census figure suggests 762,000 Nepalis were 'absentee population'. As

working in India is not considered foreign employment, the actual stock of Nepalis working abroad therefore stood at 173,000 persons. This figure is not in consonance with the figure 250,000 that has been worked out by other government sources.

The Ministry of Labour of Nepal estimates that in May 2004 an overwhelming majority of the Nepali migrants lived in the Gulf states of Saudi Arabia, Qatar and UAE. Of the East Asian countries Malaysia hosted more than 50,000. Of course, it is increasingly becoming the most important destination country for Nepali labour.

Table 14
Distribution of Nepali Workers

| Country | Number |
|-------------------|---------|
| Saudi Arabia | 77,686 |
| Malaysia | 52,581 |
| Qatar | 48,869 |
| UAE | 23,321 |
| Republic of Korea | 3,040 |
| Bahrain | 2,929 |
| Kuwait | 2,821 |
| Hong Kong | 1,639 |
| Others | 1,956 |
| Total | 214,839 |

Source: Ministry of Labour, Nepal cited in Gurung and Adhikari 2004

It is estimated that in the last few years on average about 50,000 Nepali migrate each year.

An independent study, conducted by the Nepal Institute of Development Studies of Kathmandu, estimates that in 2003 about 700,000 people were working in foreign countries (Gurung and Adhikari, 2004). The country wise breakdown of the figure is given below:

Table 15
Number of Nepali people Working Abroad (excluding India) in 2002

| Region | Male | Female | Total |
|------------------|--------------------|--------------------|--------------------|
| Asia | 612888 (93.14) | 23148 (67.09) | 640147 (91.84) |
| Gulf | 461854 (69.76) | 3650 (10.58) | 465504 (66.79) |
| East, South East | 150620 (22.75) | 19498 (56.51) | 170503 (24.46) |
| Others | 4140 (0.63) | - | 4140 (0.59) |
| Australia | 8000 (1.21) | 2000 (5.80) | 10000 (1.43) |
| Europe | 29582 (4.47) | 6256 (18.13) | 35838 (5.14) |
| Africa | 580 (0.09) | - | 580 (0.08) |
| North America | 7300 (1.10) | 3100 (8.98) | 10400 (1.49) |
| Total | 662076 (100.00) | 34,504 (100.00) | 696965 (100.00) |

Source: *NIDS* Unpublished report submitted to *UNIFEM*, Katmandu.

The above table also highlights the gender dimension of migration. It informs that of the total migrants only 5 percent are women. It is also interesting to note for more than 50 percent of the female migrants East and Southeast Asia constitute the destination regions, followed by Europe. This has been in sharp contrast with the experiences of male migrants.

Pakistan

Between 1971 and 2003 a total of 3.3 million migrant workers left Pakistan on overseas employment. Out migration to the Gulf and East Asia fluctuated widely at different times. While in the period 1978 to 1983, on an average, 113,100 workers emigrated from the country, the figure dropped to a little more than 62,000 in 1986. In 2002, 147,422 workers left the country for overseas employment. The government of Pakistan set the target of sending 150,000 workers for 2003-4.

The table below indicates that the private sector has a major role in facilitating out migration in Pakistan. Of the total 3.3 million 68.07 percent was processed by the private agencies, while another 31.2 percent was undertaken through individual initiative. Less than 1 percent of the cases were facilitated by the public sector.

Table 16
Channels of Migration

| Channel | Number | Percentage |
|-------------------|-----------|------------|
| Public Sector | 23,196 | 0.72 |
| Private Sector | 2,251,324 | 68.07 |
| On Own Initiative | 1,032,402 | 31.21 |
| Total | 3,306,922 | 100 |

Databank of Bureau of Overseas Employment

A change in profile of migrant workers has been noted. Shah states that while in 1978-83, about 42 percent of migrant labour was comprised of unskilled persons. However, over the last few years “the migration pattern has slightly tilted toward skilled categories i.e., technicians, agriculturalists, electricians, steel fixers, mechanics and sale workers etc.” (Shah, 2004: 131).

Table 17
Distribution of Annual Labour Outflows of Pakistani Workers for Overseas Temporary/Contract Employment by Country of Destination: 1971-2002

| Year | Saudi Arabia | U.A.E | Oman | Qatar | Kuwait | Bahrain | Iraq | Others | Total |
|-------|--------------|--------|-------|-------|--------|---------|-------|--------|--------|
| 1971 | 937 | 529 | 1215 | 174 | 39 | 478 | 0 | 162 | 3534 |
| 1975 | 1338 | 7255 | 6651 | 1750 | 109 | 2271 | 502 | 3201 | 23077 |
| 1980 | 80124 | 16639 | 7839 | 1294 | 4388 | 2113 | 7821 | 9629 | 129847 |
| 1985 | 53870 | 16503 | 8938 | 2239 | 2067 | 2881 | 856 | 1107 | 88461 |
| 1990 | 79435 | 20083 | 8364 | 1367 | 1338 | 2516 | 2076 | 341 | 115520 |
| 1995 | 77373 | 28681 | 9334 | 632 | 3898 | 1424 | 10 | 1268 | 122620 |
| 2000 | 67991 | 27726 | 4500 | 3404 | 127 | 926 | 0 | 5462 | 110136 |
| 2002 | 72598 | 20751 | 70 | 249 | 2110 | 858 | 0 | 2917 | 99553 |
| Total | 433666 | 138167 | 46911 | 11109 | 14076 | 13467 | 11265 | 24087 | 692748 |

Source: Labour and Manpower Division, Pakistan

From the above table one notes that in the period from 1971 to 2003 the number of migrants from Pakistan rose from a mere 3534 to 99553. In fact in 1995 it rose to as high as 122620. Saudi Arabia continues to be a favoured destination, followed by the United Arab Emirates. The cumulative figure suggests that about 58 percent of the total emigrant stock of Pakistan work in Saudi Arabia.

Sri Lanka

Sri Lanka’s migrant labour force has been officially estimated to be slightly more than 2 million in 2003. Like other South Asian countries there are discrepancies in data even among those generated by government sources. The actual number of migrant stock overseas is generally estimated to be quite larger as many might have secured employment prior to the establishment of formalising procedures and others might have gone through irregular channels (Dias and Jayasundere, 2004, 156).

Table 18:

Distribution of Annual Labour Outflows of Sri Lankan Workers for Overseas Temporary / Contract Employment by Country of Destination (1998 – 2003)

| Country | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 |
|--------------|----------------|----------------|----------------|----------------|----------------|----------------|
| Saudi Arabia | 59,397 | 63,583 | 61,359 | 66,685 | 71,495 | 73,340 |
| UAE | 21,883 | 30,159 | 32,815 | 28,291 | 32,879 | 33,992 |
| Kuwait | 28,834 | 33,684 | 33,633 | 35,100 | 41,832 | 43,332 |
| Qatar | 12,576 | 11,539 | 12,137 | 14,053 | 20,741 | 21,241 |
| Lebanon | 13,646 | 6,865 | 13,195 | 15,435 | 12,692 | 12,692 |
| Total | 136,336 | 145,830 | 153,139 | 159,564 | 179,639 | 184,597 |

Source: Informational Technology Division –SLBFE

The above table lists five most important destination countries of Sri Lankan migrants. As like other South Asian countries Saudi Arabia constitutes the most important destination. This is followed by Kuwait, UAE, Qatar and Lebanon respectively. The Sri Lankan experience is marked by two important distinctions. Unlike other South Asian countries the presence of Sri Lankan workers in East Asian countries is negligible. Their presence in Lebanon is also notable.

Table 19:

Total number of people officially migrated yearly by sex (1986 – 2002*)

| Year | Male | | Female | | Total |
|-------|--------|------------|---------|------------|---------|
| | No: | Percentage | No: | Percentage | |
| 1986 | 11,023 | 67.0 | 5,433 | 33.0 | 16,556 |
| 1990 | 15,377 | 36.0 | 27,248 | 64.0 | 42,725 |
| 1995 | 46,021 | 27.0 | 126,468 | 73.0 | 172,589 |
| 2000 | 59,793 | 32.8 | 122,395 | 67.2 | 182,288 |
| 2001 | 59,807 | 32.5 | 124,200 | 67.5 | 184,107 |
| 2002* | 70,726 | 34.7 | 132,984 | 65.28 | 203,810 |

*Provisional

Source: Research Division –SLBFE

Information Technology Division –SLBFE

The preceding table provides gender distribution of Sri Lankan workforce overseas. It is interesting to note that initially male migrants constituted about two-thirds of the workforce. However, with the beginning of the 1990s there has

been steady rise in female composition. In 1995 it peaked at 73 percent. In 2003 the share of the female labour force was 65.3 percent.

The massive feminization of the Sri Lankan migrant labour force may be explained by the following table. It informs that housemaids constitute by far the overwhelming majority of the workforce. While clerical and mid level workers presence was relatively low, there was visible presence of both skilled and unskilled categories.

Table 20:
The Skill Composition of the Labour Outflows (1996 – 2002*)

| Year | Provisional Level | Middle Level | Clerical & Related | Skilled | Unskilled | Housemaid | Total |
|-------|-------------------|--------------|--------------------|---------|-----------|-----------|---------|
| 1996 | 599 | 1,944 | 3,371 | 24,254 | 21,929 | 110,479 | 162,576 |
| 1997 | 573 | 1635 | 3,579 | 24,502 | 20,565 | 99,429 | 150,283 |
| 1998 | 695 | 2,823 | 4,896 | 31,749 | 34,304 | 85,349 | 159,816 |
| 1999 | 1,253 | 3,161 | 6,210 | 37,277 | 43,603 | 88,066 | 179,735 |
| 2000 | 935 | 3,781 | 5,825 | 36,475 | 35,759 | 99,413 | 182,188 |
| 2001 | 1,218 | 3,776 | 6,015 | 36,818 | 33,385 | 102,850 | 184,007 |
| 2002* | 1,459 | 4,555 | 7,239 | 45,468 | 36,475 | 108,514 | 203,710 |

*Provisional

Source: Information Technology Division – SLBFE

Bangladesh

The total number of Bangladeshis working abroad as short- term migrants from 1976 to July 2003 was more than 3.8 million. It indicates a yearly average flow (1991-2002) of around 226,000. Although there was a steady increase in the flow of migration since 1976, a somewhat erratic trend is noticeable in recent years. The increase in costs of migration through formal channels, competition from new labour sending countries like Nepal, Vietnam and Cambodia and adoption of indegenisation policies in some countries may help explain this phenomenon.

Table 21:

Distribution of Annual Labour Outflows of Bangladeshi Workers for Overseas Temporary/Contract Employment by Country of Destination: 1976-2004 (Jan-July)

| Year | K.S.A | Kuwait | U.A.E | Qatar | Iraq | Libya | Bahrain | Oman | Malaysia | Korea | S.Pore | Brunei | Jordan | Total |
|--------------------|--------|--------|--------|-------|-------|-------|---------|-------|----------|-------|--------|--------|--------|---------|
| 1976 | 217 | 643 | 1989 | 1221 | 587 | 173 | 335 | 113 | | | | | | 5278 |
| 1980 | 8695 | 3687 | 4847 | 1455 | 1927 | 2976 | 1351 | 4745 | 3 | | 385 | | | 30071 |
| 1985 | 37133 | 7384 | 8336 | 4751 | 5051 | 1514 | 2965 | 9218 | | | 792 | | | 77144 |
| 1990 | 57486 | 5957 | 8307 | 7672 | 2700 | 471 | 4563 | 13980 | 1385 | | 776 | | | 103297 |
| 1995 | 84009 | 17492 | 14686 | 71 | | 1106 | 3004 | 20949 | 35174 | 3315 | 3762 | 2659 | | 186227 |
| 2000 | 144618 | 594 | 34034 | 1433 | | 1010 | 4637 | 5258 | 17237 | 990 | 11095 | 1420 | | 222326 |
| 2001 | 137248 | 5341 | 16252 | 223 | | 450 | 4371 | 4561 | 4921 | 1561 | 9615 | 2958 | | 187501 |
| 2002 | 163269 | 15769 | 25462 | 552 | | 1574 | 5421 | 3854 | 85 | 28 | 6856 | 154 | | 223024 |
| 2003 | 162131 | 26722 | 37346 | 94 | | 2855 | 7482 | 4029 | 28 | 3771 | 5304 | 980 | | 250742 |
| 2004 (Jan-July) | 93,822 | 23,506 | 24,108 | 795 | | 442 | 4,965 | 2,458 | 126 | 212 | 3,434 | 1,082 | | 154,950 |
| Total | 888628 | 107095 | 175367 | 18267 | 10265 | 12571 | 39094 | 69165 | 58959 | 9877 | 42019 | 9253 | | 1440560 |

Source: BMET 2004 <http://www.bmet.org.bd>

Bangladesh sends contract workers mostly to the Middle Eastern and South-East Asian countries. Saudi Arabia, the United Arab Emirates, Kuwait, Qatar, Oman, Iraq, Libya, Bahrain, Iran, Malaysia, South Korea, Singapore, Hong Kong and Brunei are some of the major countries of destination for Bangladeshi migrant workers, with Saudi Arabia alone accounting for nearly half of the total number. Malaysia used to be the second largest employer of Bangladeshi workers till the financial crisis of 1997.

Table 22:

The Skill composition of the labour outflows 1976 – 2004 (Jan-June)

| Year | Worker's Category | | | | |
|----------------|-------------------|---------|--------------|------------|-----------|
| | Professional | Skilled | Semi-skilled | Un-skilled | Total |
| 1976 | 568 | 1,775 | 543 | 3,201 | 6,087 |
| 1980 | 1,983 | 12,209 | 2,343 | 13,538 | 30,073 |
| 1985 | 2,568 | 28,225 | 7,823 | 39,078 | 77,694 |
| 1990 | 6,004 | 35,613 | 20,792 | 41,405 | 103,814 |
| 1995 | 6,352 | 59,907 | 32,055 | 89,229 | 187,543 |
| 2000 | 10,669 | 99,606 | 26,461 | 85,950 | 222,686 |
| 2003 | 15,862 | 74,530 | 29,236 | 134,562 | 254,190 |
| 2004(Jan-June) | 8,858 | 38,260 | 13,743 | 72,201 | 133,062 |
| Total | 52864 | 350,125 | 132996 | 479,164 | 1,015,149 |

Source: BMET 2004 (<http://www.bmet.org.bd>)

Note: 150000 Bangladeshi workers legalised in Malaysia during 1997

The above table informs that Bangladesh sends all types of migrants. The BMET has classified migrant workers to Middle East and South East Asia into four

categories: professional, skilled, semi-skilled and unskilled. Doctors, engineers, teachers and nurses fall in the first category. Manufacturing or garments workers, drivers, computer operators and electricians are considered as skilled workers, while tailors and mason as semi-skilled. Housemaids, agricultural labourers, hotel boys and menial labourers (cleaners, cart loaders, carton pickers) are considered unskilled workers. The table indicates that the proportion of skilled and unskilled is relatively higher than professional and semi-skilled categories. The cumulative figures indicate that professionals constitute only 4.52 percent of the total overseas workforce and semi-skilled 16.32. In comparison the skilled workers and unskilled workers form 31.64 and 47.52 percent respectively.

TABLE 23:
Skill Composition of Female Workers (1991 to August, 1999)

| Profession | Doctor | Nurse | Teacher | Factory worker | Garments worker | House-maid | Cleaner/Labour | Total |
|--------------|-----------|------------|----------|----------------|-----------------|-------------|----------------|--------------|
| Saudi Arab | 49 | 485 | 2 | | 3 | 373 | 13 | 945 |
| Kuwait | | 14 | | | | 2212 | 1364 | 3590 |
| UAE | | 8 | | | 694 | 1344 | 83 | 2129 |
| Malaysia | | 137 | | 4817 | | 217 | | 5171 |
| Bahrain | | 29 | | | 161 | 717 | 53 | 960 |
| Oman | | 18 | | | 76 | 110 | 15 | 219 |
| Brunei | | | | | | 21 | | 21 |
| Qatar | | | 4 | | | 37 | 13 | 54 |
| Mauritius | | | | 145 | | 13 | | 158 |
| Korea | | | | 6 | | | | 6 |
| Lebanon | | | | | | 6 | 47 | 53 |
| Singapore | | | | | | 56 | | 56 |
| Others | | | | | | 81 | 15 | 98 |
| Total | 49 | 693 | 6 | 4968 | 1171 | 4970 | 1603 | 13460 |

Source: Tasnim Jahan, 'Female Migration of Bangladesh: Latest Development', *Udbastu*, Issue 28, Dhaka: RMMRU, 2004.

BMET data shows that Bangladeshi migrant workers are predominantly men. Of the 2,754,693 persons who migrated overseas for employment between 1991 and 2003, only 17512 or less than 1% were women. These figures do not represent the actual migration scenario of women since their migration often remains undocumented. Almost all women in the unskilled and semi skilled categories migrate unofficially primarily because of the ban on migration of unskilled women.

India

The Ministry of Labour of the Government of India provides facts and figures of annual labour outflows of Indian workers for overseas temporary employment. One cannot find any clear discernable pattern of flow. Although there was a

sharp rise in the total issue of clearances from 143,565 in 1990 to 415,334; the figure dropped to 243,182 in 2000, before recovering to 323,973 in 2003.

Table 24:

Distribution of Annual Labour Outflows of Indian Workers for Overseas Temporary/Contract Employment by Country of Destination: 1990-2002.

| Country | Bahrain | Kuwait | Oman | Saudi Arabia | UAE | Others | Total |
|---------|---------|--------|-------|--------------|-------|--------|--------|
| Year | | | | | | | |
| 1990 | 6782 | 1077 | 34267 | 79473 | 11962 | 10004 | 143565 |
| 1995 | 11235 | 14439 | 22338 | 256782 | 79674 | 30866 | 415334 |
| 2000 | 15909 | 31082 | 15155 | 58722 | 55099 | 61402 | 237369 |
| 2002 | 20807 | 4859 | 41209 | 99453 | 95034 | 62611 | 323973 |

Source: Ministry of Labour, Government of India

Note: The above figures relate to the number of Indian workers who obtained emigration clearance from the Protector General of Emigrants.

The preceding table informs that Saudi Arabia is the most important destination of Indian workers. In 2002 the Kingdom accounted for almost a million of clearances for work. That was 30.72 percent of the total clearances issued. It may be noted in 1997 as many as 214,420 workers went to Saudi Arabia. In 2002 Oman and Bahrain were the next two important destinations.

Sahai and Chand (2004) note that no official data are released on the occupational or gender break-up migrants from India. They state that "migration is largely a male-dominated phenomenon, except in the case of a few professions, such as maids, teachers and nurses".

Srivastava and Sasikumar (2003) cite a government of India's Labour Department release that documents the skill composition of a few selected years.

Table 25:

The Skill composition of the labour outflows to the middle-east (1984 – 1986)

| Year | Unskilled | Skilled | Professional | High-skilled | Others | Total |
|-------|-----------|---------|--------------|--------------|--------|---------|
| 1984 | 88,575 | 86,014 | 7,477 | 6,495 | 17,361 | 205,922 |
| 1985 | 55,710 | 86,037 | 5,753 | 7,378 | 8,157 | 163,035 |
| 1986 | 45,577 | 53,432 | 7,351 | 5,958 | 1,331 | 113,649 |
| Total | 189,862 | 225,483 | 20,581 | 19,831 | 26,849 | 482,606 |

Source: Ministry of Labour, Government of India

The above table notes that of the 482,606 persons who had migrated in three years from 1984 to 1986 about 47 percent was constituted by skilled migrants. That was followed by unskilled migrants who formed about 40 percent of the total.

REMITTANCES

Remittances of migrant workers have become important sources of foreign exchange for developing countries and South Asian countries are no exception. The following table will indicate that there has been a general trend in the growth of remittances over time. Its share has risen from mere US\$48.1 billion to US\$80 billions in 2002. The share of South Asia had also registered a marked increase; from 4.81 percent of the developing countries total in 1995 to 10.77 percent in 2001, before dipping to 8 percent in the following year. Maimbo and Ratha (2005) inform that officially recorded remittance flows to developing countries exceeded US\$125 billion in 2004, making them the second largest source of development finance after foreign direct investment. They further contend that as “the development community continues the search for additional resources to finance the Millennium Development Goals, remittances- pro-poor and cyclically stable, compared to other capital flows – appear to be a promising source”.¹

Table 26

Workers' remittances received by South Asian countries, 1995-2002 (billions of dollars)

| Year | 1995 | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 |
|---|-------------|-------------|-------------|-------------|-------------|-------------|--------------|-------------|
| Developing Countries | 48.1 | 52.6 | 62.7 | 59.5 | 64.6 | 64.5 | 72.3 | 80.0 |
| South Asia | 10.0 | 12.3 | 14.6 | 13.3 | 15.1 | 13.5 | 14.9 | 16.0 |
| Bangladesh | 1.2 | 1.3 | 1.5 | 1.6 | 1.8 | 2.0 | 2.1 | - |
| India | 6.2 | 8.8 | 10.3 | 9.5 | 11.1 | 9.2 | 10.0 | - |
| Pakistan | 1.7 | 1.3 | 1.7 | 1.2 | 1.0 | 1.1 | 1.5 | - |
| Sri Lanka | 0.8 | 0.8 | 0.9 | 1.0 | 1.1 | 1.2 | 1.1 | - |
| South Asia's share of developing countries total in %) | 4.81 | 6.47 | 9.15 | 7.91 | 9.75 | 8.70 | 10.77 | 8 |

Source: Developed from World Bank, Global Development Finance 2003 (Washington, DC, 2003) p.198

The above figures indicate flows of resources through the official channels. A large segment of remittances also flow through the unofficial channels popularly known as *hawala* or *hundi*. It is difficult to quantify the figures through unofficial channels because of the clandestine nature of the movement.

¹ Maimbo and Ratha, 2005, p2

As competition intensifies for foreign investment and overseas development assistance, the remittances of migrants are increasingly gaining in importance. Remittances are considered to be larger and more stable than foreign direct investment and in some cases, larger even than official development aid. Remittances have also played a critical role in the local economic development and poverty reduction strategies; they lead to greater investment in education and health by recipient households and also to infrastructure development and investment.

Experts contend that with increased mobility of people in response to globalization, remittances are expected to show a steady increase in the foreseeable future. Realizing the potentials of remittances governments in the South Asian region have become more proactive so facilitate the flow of remittances.

Section Conclusion

This section has dealt with a wide migration experiences of the countries of the region. It noted that the countries of the region have a fair degree of commonality in their migration experiences. It was the oil price hike of the 1970s that provided a major impetus for these countries to send labour. Saudi Arabia is the most important destination country for migrants, followed by other Gulf countries. Subsequently, economic development of the East Asian economies made them the new destinations. The lack of participation of the Sri Lankan labour force in this sector is noticeable. The stock of migrants has been generally mixed, with more participation of the skilled and unskilled than professionals and semi-skilled.

The section also highlighted the general increase in the volume of remittances overtime. It noted that remittances flow generate multiplier effects, especially in South Asian countries that are marked by high unemployment.

SECTION IV NATIONAL LEGAL AND ADMINISTRATIVE FRAMEWORKS

This chapter focuses on national legislations, rules and administrative orders that affect emigrant workers, while leaving the country and upon return. The functions and roles of administrative machinery and official support structures that are in place in these countries are discussed

In order to diversify sources of foreign exchange earning most governments in South Asia either actively or passively promotes labour migration. Remittances of the migrants have become mainstay for some economies. There exist legal and administrative structures dealing with labour migration sector in these countries in some form or the other. However, there is yet to emerge structures that are geared to redress the problems of migrant workers.

In **Bangladesh** the Emigration Ordinance of 1982 is the key legislative framework. The Ordinance was an improvement of the Emigration Act of 1922. The Ordinance makes it compulsory for migrants to secure a letter of appointment or work permit from a foreign employer. A person selected through a recruiting agency recognized by the government is also eligible to migrate. (Section 7/3).

The Ordinance (Section 8/1) allows government to restrict or ban certain categories of persons of a particular occupation, profession, vocation or qualification. It also empowers the government to issue licenses to private recruiting agencies (Sec. 10). Section 14/1 also empowers the government to cancel and suspend such licenses for improper conduct, violation of the law or prescribed Code of Conduct. Penalties for breach of the law are also provided. The agencies were required to charge their clientele within prescribed limits. (Sec 23).

The government has also issues Orders, Directive and Circulars to make the law effective from time to time. These addressed the issue of Procedure for granting of license to recruiting agency, minimum salary for Bangladeshi migrant workers for employment abroad and rescheduling of salary structure for foreign workers. In December 2002 the government framed three rules to supplement the 1982 Ordinance. Those include: Emigration Rules, Rules for Conduct and Licensing Recruiting Agencies and Rules for Wage Earners' Welfare Fund.

Besides the government has also set up a Wage Earners' Welfare Fund in 1990 with subscriptions from the migrant workers, interest earned from deposit of licenses of recruiting agencies and a certain percentage on the fees collected through Bangladeshi missions abroad.

The Ministry of Expatriates' Welfare and Overseas Employment is the new ministry that deal with labour migration issues. The Bureau of Manpower Employment and Training (BMET) is the responsible agency of the ministry that regulates the recruiting agencies and issue clearance to migrants.

In **India** the Emigration Act of 1983 is the most important law pertaining to labour migration. The Act covers any citizen of India “who intends to emigrate, or emigrates or has emigrated”, but does not include family members and those persons who have be resident abroad for more than three years. The Act essentially focuses on short term contract workers and exclude the while collar workers and professionals. It, however, includes nurses, secretarial and hospitality staff. The modes of recognition and removal of a recruiting agent is detailed in the Act. The agent by law is required to put in a deposit of certain amount.

Initially the Act was designed to perform regulatory framework. But under an amendment it was mandated to take up promotional role. Taking into consideration of the changing needs of the times exploration of labour market and training and counseling were made parts of government’s responsibility.

The 1983 Act re-designated the Controller General of Emigrants to Protector-General of Emigrants and transferred his office from the Ministry of External Affairs to Ministry of Labour. The Protector General is assigned the task of issuing clearance to migrants.

In **Nepal** the principal legislative framework is the Foreign Employment Act, enacted in 1985. The act has provisions for authorizing foreign employment and licensing of recruitment. The Act lays downs procedures for selection of workers, validates the contract documents and issues final approval. It was provides restrictions on migration of women and children without the consent of their guardians. The Act obliges the licensee recruiting agents to protect the interest of workers and orient them with the culture, tradition and labour laws of the land where they are sent. It also provides penal provisions for violation of the Act. It obliges the government to appoint labour attaches in countries that host more than 500 workers.

There is no separate agency dealing with foreign workers in Nepal. The Naitonal Labour Policy of 1999 recognised the lacuna and called for amendment of the Foreign Employment Act. It also stresses the appointment of labour attaches and forming of an advisory committee with participation of concerned ministries. The Policy recognized the need for sending skilled workers abroad and include the private sector in training activities.

Pakistan set up the Bureau of Emigraiton and Overseas Employment in 1972 to regulate the process of sending of labour. The Bureau opened its office as Protector of Emigrants in major cities of the country. Persons wishing to migrate

abroad on employment are required to be registered with the Bureau and secure a clearance from the Bureau. The Protector offices keep record of employment contract of each person and are responsible for implementation of job contracts.

Another agency, Overseas Employment Corporation (OEC) was set up in 1976 to regulate the sector. It was assigned the task of exploring employment opportunities abroad to act as the official recruiting agency. Primarily it was to cater to the needs of the public sector workforce of labour receiving countries. In March 1979 another organization, the Pakistanis Overseas Foundation, was established. OPF was aimed to further the welfare of Pakistanis working abroad.

In **Sri Lanka** the Sri Lanka Bureau of Foreign Employment Act of 1985, and its subsequent amendment of 1994 is the most important legislation that guide the migrant workers. The Act provides for the establishment of SLBFE and sets out its functions and powers. Under the act, the agency is mandated to issue licenses to employment agencies and collation of data on migrant workers. The Act deals with setting of standards for and negotiate contracts of employment; entering into agreement with foreign authorities and formalize recruitment agreements; formulating and implementing a model contract for employment to ensure fair wages and standard of employment; examining authenticity of employment related documentation issued outside Sri Lanka; and providing assistance to Sri Lankans going abroad for employment. The Act lays down stringent penalties for breach of government rules.

Section Conclusion

From the above discussion one finds that there is a degree of similarity in the national legal framework pertaining to migrant workers. In most countries the existing legislation were framed after repealing the 1922 Emigration Act. In most cases the laws were framed in the 1970s and 1980s in response to growing demand for short term contract labour from the Gulf states and east Asian countries. In most instances the laws are regulatory in nature and are exclusively custom made to regulate the recruitment industry. In some instances necessary rules to supplement the laws have not yet been made, in others they were framed after a long gap. The changed international labour environment calls for reappraisal of the national laws and make them more sensitive to the rights of migrant labour.

SECTION V CIVIL SOCIETY INSTITUTIONS

This section deals with the civil society organization such as the trade unions and migrant support groups. While the private sector is principally guided by profit motive, it has very little interest in the welfare of migrants. There have been many instances of violation of migrant rights by the employers and individual agencies, but one does not find any meaningful engagement of the private sector in addressing those problems or disciplining the truant members engaged and being an accomplice in such activity. Over the years, as recruitment industry got involved to facilitate migration of large number of workers, their power grew. In many states they command a fair degree of leverage on the political and administrative processes directly or indirectly, along with having their representation in the parliament.

In the South Asian context the non-government sector's involvement with the migrant workers have also been rather limited. There has been very little engagement of NGOs with migration issue in Pakistan, India, Bangladesh and Nepal. NGO movement in this part of the world to a large extent is guided by external funding. The disinterest of the donors in migrant issues, perhaps has been the most important determining factor in NGO reticence to deal with the issue. It is in this context one sees the potential of engagement of the trade unions in labour migration issue. One may however note that apart from Sri Lanka the trade unions' own engagement with labour migration issue has been rather limited.

Trade unions in **Bangladesh** are yet to take any measures in support of migrant workers. None of the major unions have provisions in their manifestoes and action plans that deal with the issue of migrant workers. To the best of the author's knowledge they also do not render any services to the migrants. However, during cases of abuse of Bangladesh workers abroad, some unions have demanded government's intervention to bring back those stranded and called for punishment of the perpetrators. In country as well, the fraudulent practices of recruiting and travel agencies have also incurred the condemnation of the unions. (For a discussion on the issue see Siddiqui, Abrar and Malik, 1999)

Ahn (2004) notes that In India the apex trade union bodies such as Indian National Trade Union Congress, Bharatiya Mazdoor Sangh, Hind Mazdoor Sabha, All India Trade Union Congress and the Centre for Indian Trade Unions do not have clearly charted plans of action with regard to migrant workers. There is also little evidence that international migrants, both out and in bound, evince their interest. Analysts also note lack of interest to commission studies and research on migrant issues. However, the lack of interest of trade unions to an

extent is compensated when they join their international affiliates in action programmes that support migrants.

It is in this regard the **Sri Lankan** trade unions are exceptions. The National Workers' Congress, National Congress of Women, the Jathika Sewaka Sangamaya, the Lanka Jathika Estate Workers Union and All Ceylon Federation of Free Trade Unions (ACFFTU) – all are engaged in providing services to the migrants and their families, either before departure or training upon return. Some organizations such as the ACFFTU and Migrant Service Centre provide information dissemination services and training to female migrants. Other organizations were engaged in obtaining compensation for Kuwait returnee migrants.

In **Nepal** the General Confederation of Trade Unions has a migration Unit and has taken up the issue of organizing Nepali migrants in the destination countries by forming support groups. Other unions such as the Nepalese Trade Union Congress and the Democratic Confederation of Nepalese Trade Unions have indicated their interest on the issue.

Like in other South Asian countries trade unions in **Pakistan** also do not have any meaningful engagement with migrants' issue. Some seminars and workshops have been organised by unions such as the All Pakistan Federation of Trade Unions that called for ratification of the ILO conventions.

Section Conclusion

There has been a general reticence on the part of the NGOs to be involved in migrants rights issue. This reticence may be linked to the disinterest of the donors to labour migration issue. In view of the fact that migrants face a whole series of problems at every stage of migration process, there is a need for involvement of the trade unions on migrants' issue.

So far, the mainstream trade union movements in South Asia have not considered migrant workers as one of their own constituencies. This lack of interest in the migrant issue by the union movement is reflected in the absence of any major programmes for this segment of the workforce, that has been described as ILO as the most vulnerable. The Sri Lankan trade unions and migrant support groups have set important examples in upholding the rights of the migrants.

SECTION VI RECOMMENDATIONS

1. The 1990 UN Convention for the Protection of Migrant Workers and Members of Their Family is the most comprehensive legal instruments that takes care of the rights of the migrants. But except for Sri Lanka no other South Asian countries have ratified this Convention. Remittances from the migrants are an important source of foreign exchange for these countries. It is in this context that the protection of rights of migrant workers is to be viewed and in order to effectively protect the rights of migrant workers the 1990 UN Convention should be acceded to by all South Asian states.

Civil society institutions can play a major role in creating public opinion in favour of signing this Convention. Consultations, workshops, articles in newspapers, documentaries in the television can help generating more positive attitude towards the migrants and create pressure on the Government to sign the Convention.

2. National Migration Policies are to be framed by all South Asian countries. Such policy should cover the needs of the migrant workers of this region. The policies should be based on the fact that migrant workers are not economic agents but are social entities. Their right to live with their families, right to have leisure, social protection-all these should reflect in the national policy for the migrants. As major migrant sending countries South Asian countries should try to evolve a common policy to help their own migrants in the labour receiving countries. States, private sector organisations and other stakeholders can jointly work for preparing the national policy. Regional collaboration will be greatly beneficial in this regard.

3. There should a regional collaboration in devising a model contract with inputs from the government and civil society organizations. The model contract should incorporate a minimum wage, living and work conditions stipulated. An agreement with employers should be based on the model contract.

4. More research work should be done for a better understanding of the notion of irregular migration. In many instances there is a lack of recognition of the labour needs in the receiving countries that paves the way for irregular migration. Governments should take initiatives to make the migration process realistic, cost efficient and transparent. All the necessary information should be available to the migrants. At the same time, migrants should have access to legal assistance. In disseminating information local leaders, grassroots NGO workers, bank officials, human rights activists, journalists can work together.

5. Remittances play a vital role in the economic development processes of almost all South Asian countries. In order to facilitate flow of remittances financial infrastructures in concerned countries need to be strengthened and fiscal incentives are to be developed that are in tune with the needs of migrants and the migrant households.

6. Governments should also take necessary steps to recognize the reality of increased feminisation of international migration. Instead of enacting laws that restrict the movement of women, adequate information should be made available so that they can make an informed choice. Consular services in the foreign missions should also be geared to address the problems of the women migrants.

7. The recruitment agencies play a very crucial role in the migration process. The governments should monitor the role and activities of these agencies. Laws that are in place for monitoring these agencies and penalizing them should be updated so that they are operationalised. There should be a Code of Conduct for the recruiting agencies.

8. The South Asian countries have national laws regarding the migrant workers. But in most cases the laws are unable to address the problems that are faced by the migrants in the present world. Therefore, these national laws should be amended to meet the challenges of the new global context.

9. Recognising the contribution of migrants to national economies the governments in the region should make more investment in this sector. Such investment may be made through establishing training centres, training of trainers and organizing information campaigns. Governments may also consider setting up special funds or banks to finance migration especially those from the disadvantaged sections.

10. To facilitate the reintegration of the migrants governments should devise appropriate schemes. More information on investment and business opportunities and support schemes should be made available to the migrants.

11. The foreign missions abroad can play an important role by extending support to the migrants by facilitating legal counseling. On a pilot basis welfare assistance and shelter homes for the migrants may be set up in a few destination countries. Necessary information on receiving countries should be made available in the missions so that migrants may have access to these information.

12. The Trade Unions must incorporate the agenda of migrant rights in their over all agenda. Expert bodies and civil society organisations may organise consultation meetings with the trade unions to familiarize them with issues relating to migrant workers particularly exploitation in the sending countries and as well as violation of human and labour rights in the receiving countries. They

should strengthen their capacity by establishing a regional network, so that they can have a more important role in protecting the migrants' rights.

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