



Migrant Workers and Challenges to their Human Rights in South Asia

**Aparajita, Assistant Professor,
Department of Political Science,
G.J.College, Patliputra University, Patna, Bihar.**

About the Author- This paper has been written by Aparajita. She is an Assistant Professor G.J.College, Patliputra University, Patna, Bihar. Her areas of interest are South Asia, migration, human rights, trade, anti-dumping, WTO and its Dispute Settlement Mechanism. The author is available at email id aparajita21dec@gmail.com and on phone number 9650368231.

Abstract

International Labour migrants have become one of the important key features of the process of globalisation. Around the world, there are millions of people who have left their home in search of employment and migrated to foreign lands. This affects the economic and social life of both the labour sending and labour receiving countries. Migrant workers by sending remittances contribute in the foreign exchange earning of the country and in the growth of their GDP. They act as the engine of growth for developing countries and reduce unemployment in the countries to which they belong. However, these advantages come at the cost of exploitation of migrant workers who faces discrimination and exploitation at the work place in labour receiving countries. Though, Human Rights are the basic and natural rights which are inherent in any individual without any discrimination on the basis of race, religion, culture, language and any other status, there are several threats to the human rights of the migrant workers.

Against this backdrop, the paper introduces to the migrant workers and their difficult living conditions in South Asia focusing on their varied challenges and human rights violation in the foreign land. The paper endeavors to look into SAARC as a platform in promoting or facilitating the issues of migration especially in South Asian region. The paper also evaluates the role of state and NGOs in protecting the human rights of these migrant workers by studying some of the cases in the specified region.



Introduction

Migrant workers are those migrants who have migrated for work or for other economic reasons. The significant number of migrant workers is sent out by the South Asian countries. The large amount of remittances is sent by the migrant workers of South Asia which adds to the economic development of the countries and improves its GDP. Migration is seen as a mechanism to reduce unemployment, poverty and the source of foreign exchange earnings (Grant 2005). The migrant workers of South Asia are divided into two categories. The first category includes those who are qualified professionally like engineers, doctors and academicians who migrated to more developed industrialised countries and permanently settled there in the year 1950s and 1960s. The second category includes migrant workers who are unskilled or semi-skilled and they migrate on the short term basis. However, there has been increase in the second group migrant workers since 1970s when there was increase in the oil price and large amount was spent in developing infrastructure by oil producing countries. This group is mainly found in Libya, Oman, Qatar, Saudi Arabia, United Arab Emirates, Kuwait and Iran. This group further extended to the industrialized countries of South East Asia and East Asia. The total number of worker migration reached up to 2 million in 2008 mainly from India, Nepal, Bangladesh and Sri Lanka (AHN 2005). In the year 2009, it was found that 80 per cent of the migrant workers of South Asia worked for the countries of Middle East like Qatar, UAE, Oman and Saudi Arabia. The trend even continues till the current time. Though, the globalization has increased the migration of workers in search for better living conditions to different countries, it has also brought several violations of their human rights. The paper is divided into different sections in which the reasons for migration of workers has been explored, the threat to the human rights of these migrants have been scrutinized and evaluated through the experiences of several workers of this particular region and finally the important role that SAARC can play for protecting and securing migrant workers of South Asia has been examined.



Rationale of the study

South Asia is a region which consists of both developing and developed countries. The large number of workers migrates from and within this region due to poverty, unemployment, opportunities and higher wages in the country of destination. The study would be a contribution for the individuals and the society as a whole in order to find the loopholes in the current policies and situations of the migrant workers and would provide an idea for the protection of their rights in the countries where they go for earning the livelihood. It can be seen that they benefit the countries, the country to which they belong by sending remittances to their families which is helpful in improving GDP of the country and developing its economic development and the country to which they migrate where they provide work force at cheap rate. Therefore, it becomes important for governments of both the countries to look after these migrant workers. The study would help the academicians to focus on the role of SAARC which can act as a platform for improving the situations of the migrant workers of South Asia.

Objectives of the Study

The paper would be written keeping several objectives in mind like: 1) to find out the impact of globalisation on the migrant workers of South Asia. 2) To evaluate the reasons for migration in South Asia. 3) To analyse the threat to the human rights of migrant workers of South Asia. 5) Finally, to recommend suggestions in order to protect the human rights of migrant workers of not only South Asia but the world. Here, emphasis would be given to the importance of SAARC which can play an important role.

Methodology

The case studies of the migrant workers was done in order to understand the situation of workers in South Asian countries which includes their personal experiences, challenges, reason for migration, distress and living life as migrant worker. The deductive method has been used by studying the particular situation of the migrant workers of South Asia and then concluding it keeping it to the world as a whole. Both descriptive and analytical tools have been used in order



to understand the situation of the migrant workers. The methods include primary sources, secondary sources, case studies and the comparative study of the South Asian countries. The secondary sources include the books, articles and literatures related to this study. The sample size would include several countries of South Asia like India, Pakistan, Bangladesh, Nepal, Bhutan, Sri Lanka and Afghanistan.

Reasons for Migration in South Asian Countries

The need for employment: The South Asian countries comprise of developing countries India, Pakistan and Sri Lanka and the Least Developed Countries Nepal, Bangladesh, Bhutan and Afghanistan. There are large portion of population which is unemployed. The migration provides a way out for the unemployed people. The Census of India demonstrates that the migration related to unemployment increased from 19.85million in 1991 to 28.9 million in 2001 (Sharma et al 2012). Similarly, in Bangladesh employment was found to be the reason for migration for the migrants of both rural and urban areas according to Bangladesh Bureau of Statistics, 2011(Sharma et al 2012). In Sri Lanka and Nepal, 20.4 and 3.17 internal migration was due to unemployment.¹Likewise, for the other countries of South Asia, the search for employment was the main reason for migration. There were about 47,000 Pakistanis who went to different countries in search of employment in the year 2002.

Economic opportunities: The migration is considered as an important strategy for livelihood for world's poorest countries. The opportunities for employment and the expectation of higher wages was an important reason for migration from Nepal and Bangladesh to India. The economic opportunity in India was an important factor which attracted migrants (Samuels et al 2012).

The need for remittances: The economy of South Asia is mainly based on remittances. The significant number of migrant workers is sent from these countries which becomes a source of economic development and helps in improving the GDP of these countries. A study was

¹ This was the information which was provided in Census which came out in 2011.



conducted it was found that more than 90 percent of the migrants of Nepal migrated for remittances. (Samuels et al 2012). The ILO has stated, “Migrant workers send remittances to their home countries of US\$ 73 billion per year, usually from relatively modest earnings. Migrant worker remittances represent the second biggest international monetary trade flow, exceeded only by petroleum exports. For many countries, remittances represent greater sources of foreign exchange than foreign direct investment or foreign trade” (ILO 2010).

The desire for Social Protection: Social protection is defined by the World Bank in three components that is Social network, social services and labour market conditions. Social service include “health care benefits, long term social security benefits like old-age and disability benefits, and short term benefits like social assistance, maternity, and unemployment benefits, family allowances as well as public housing and education” (Avato et al 2009). Therefore, migration happens from South Asian countries to the more developed countries where the migrants feel socially secure and protected.

To Escape from Persecution, Armed Conflict and Caste Based Discrimination: There are numbers of cases when migrants have no choice. There are situations like environmental degradation and armed conflicts where the migrants are forced out of their own homeland. The examples of such migration are the migrants from Afghanistan to Pakistan and from Myanmar to Thailand where it takes place because of armed conflicts and the containment of ethnic groups. It takes place in order to escape caste based discrimination (Vishwanathan et al 2004). Even in Nepal, large number of people migrates to escape caste based discrimination with dalits being highest in number (ILO 2005).

A study was conducted in Tangail and Chittagong district of Bangladesh in which it was found that people migrated at high propensity where every second household had one member who worked overseas (Siddiqui and Abrar 2003).



Threats to the Human Rights of the Migrant Workers of South Asia

There are several legal frameworks of the South Asian countries on migration. In Bangladesh, there is Emigration Ordinance which was formed in 1982 which replaced the Immigration Act of 1922. In Nepal, there was amendment to the Foreign Employment Act of 1985 which was amended in 1999. Similarly, in India there was the Emigration Act of 1983 which replaced the legislation of 1922 which was formed during the British rule. In India, there is Central Manpower Export Promotion Council. In 1979, The Emigration Ordinance and Rules were propagated in Pakistan. In Sri Lanka, there was amendment of Foreign Employment Act of 1985 in the year 1994. There is National Employment Policy of 1985 in Sri Lanka which deals with migration issue and encourages employment in other countries.

There are several ILO conventions related to migration that is Migration for Employment Convention No.97 (1949), Migration Workers Supplementary Convention No. 143 (1975) and UN International Convention on Protection of Rights of All Migrant Workers and Members of their Families. Bangladesh and Sri Lanka have ratified all the conventions whereas Nepal, India and Pakistan have not ratified the ILO Conventions. This demonstrates that there is a long way to go in order to protect the human rights of the migrant workers of South Asia as all countries of South Asia have even not ratified the ILO Conventions. Despite of all these conventions there are several threats to the human rights of the South Asian migrants at several stages of their lives. Few of them are discussed below.

Threats during the Recruitment Process: Various agencies are involved when migrant workers of the South Asian countries are recruited like several ministries, agencies of government and local and international recruiting agents such as Bangladesh Association of International Recruiting Agencies (BAIRA)² in Bangladesh and Protector General of Emigrants

² BAIRA is a recruiting agency in Bangladesh which was formed in 1984 and it has 700 agencies as its members.



in India.³ Some of the recruiting agencies of migrant workers acts as smugglers and have names such as China's Snakeheads and America's coyotes.

The new trend has been seen in the recent years that the employers have stopped paying commissions to the recruiting agencies. Subsequently, the expenditures are charged to the migrant workers. Amit Thapa, a migrant worker of Nepal said that his first two to six months' salaries were kept by the recruiting agencies and he had nothing left to send back to his family.⁴ The migrant workers from Bangladesh and Nepal spend 95000 taka and 60000 to 70000 NRs in the process of migration (Behra 2011). Therefore, it can be seen that large amount of their salaries goes to the recruitment agencies which either they borrow from somewhere or give through their own savings. This is a kind of exploitation as they have to suffer mentally and financially. In addition to this, the fraudulent practices are carried out by recruiting agencies which lead to violation of the human rights of the migrant workers. The legal restrictions on the female migrants and the high cost of recruitment lead to undocumented and illegal migrants. The huge labour force and large unemployment rate in South Asia has led to criminal markets which bring the irregular workers to the Gulf (Ezeilo 2012).

A study on the Nepali migrants were conducted and it was found that half of the migrant workers are not received at the airport and they are left without food and water for many days as they fail to communicate due to language constraints which shows the miscommunication between the employers and recruiting agencies (Asia Foundation 2013).

Migrant workers are Sold and Trafficked: The irregular⁵ migrant workers especially women are smuggled and sold by the employers in the migrant receiving countries. It was found that

³ Protector General of Emigrants is a recruiting agent of India with 4200 recruiting agents and 50 per cent of them are active at the present stage.

⁴ Amit Thapa is a migrant worker of Nepal working in India as security guard since 2000.

⁵ Irregular Migrants are those migrants who lack legal status in the host country which is due to the expiry of visa or undocumented entry. These are also called undocumented migrant, illegal, clandestine or migrants in irregular situation.



women of South Asian countries are the main victim of trafficking in GCC countries who are produced by “recruitment agents in the guise of domestic helpers and then used as prostitutes” (Shah 2009). The trafficking of child labour also takes place (Ezeilo 2012). The six Gulf countries were blacklisted by the US State Department because of human trafficking in the year 2008 (Economic Times 2008; Shah 2009).

Documents retained by Employers: The travel documents are retained by the employers so that the migrant workers are not able to change their jobs. Subsequently, if this is the case then the migrant workers are left with no other places to work and they have to work at the same place even if they are exploited and harassed (Kumar 2012).

Illegal Migrants: The illegal migrants are more exposed to exploitation than the legal migrants. There are about 800,000 illegal migrants which enters European Union. The illegal migrants are vulnerable and they are not allowed any legal recourse in the migrant receiving countries. There are reportedly about 1,000 Nepalese in different countries that were put in jail every year (Gurung 2004). In order to protect the female workers, Nepal has adopted a measure that has banned the women less than 30 years of age from working in the gulf countries but this has led to large number of illegal migrants.

Harassment: Several forms of harassment and exploitations are faced by the migrant workers at their work place. In Sri Lanka from 1999-2002, 1407 migrant workers have faced harassment at the work place.

Unpaid Wages: They do not get their wages on time. The migrant workers especially female domestic workers work for more than the time that was decided, nearly 15 to 18 hours and they are not even paid extra by the employers (Asia Foundation 2013).

Bad Working Conditions: The migrant workers face bad working and living conditions which results into accidents or deaths. There is lack of medical facilities for them which sometimes



lead to their death on the duty.⁶ In the period, 1999-2002, 108 deaths of the migrant workers were reported in Sri Lanka. The Department of Labour in Nepal reported that 96 migrant workers of Nepal died during 1985 to 2005 in the country of their work. Out of which 39 deaths were reported in Qatar, 4 in Malaysia and 53 in Saudi Arabia (Gurung 2004).

Campaign against Terrorism: There has been concern related to the violation of human rights of migrant workers in the Middle East. The campaign against terrorism worldwide has influenced the discrimination and mistreatment of the migrant workers. The female migrants are tortured and sexually harassed. There has been spread of HIV/AIDS in the Far East region of Nepal who are reportedly return migrants of India.⁷ The situations of the migrants are so poor in the Gulf countries that suicide becomes the only option left for them. It was reported in the GCC countries, “not a day goes by in these countries without suicide story being reported by media outlets” (Khalaf 2013).

Threats in GCC countries: The migrant workers of Nepal migrate to GCC countries in large numbers for better future. These migrant workers lack the knowledge and proper understanding of rules and regulations that govern migration in these countries. These workers are governed through Kafala System and they are not protected under labour laws of these countries. The Kafala system is a type of sponsorship system in which complete control of the mobility and visa status of the migrants are given to the sponsors. Subsequently, it leads to the system of forced labour. These workers fail to enjoy their rights and freedom and become “invisible working class” in these countries. The regulation of the working situations of the “invisible working” class becomes very difficult (Bajracharya and Sijapati 2012). The Asia Foundation conducted a research in which it was found that the female migrants went through several forms of

⁶ A study was conducted in Bangladesh in which the interviews of 100 migrant workers were taken and it was found that it was only 44 migrants who got medical checkup regularly.

⁷ These refer to the movement of those person who after spending one year in another country returns to their country of origin or habitual residence.



exploitation in the country of destination like getting scolded by the manager, being sexually exploited by the employers or even getting threats of being killed in the process (Asia Foundation 2013). A document from the Amnesty International demonstrated that the Nepali migrants who went to Malaysia and Gulf countries were subjected to longer working hours, lower wages and confiscation of their passports. They were even locked up, denied food and even beaten up if they failed to follow their employers' command. The migrants who participated in this research of Amnesty International said that they had been betrayed by the recruiting agencies on few aspects in their employment tenure like working hours, resting hours, payment for overtime and types of job which was offered.

Threat to their Education: As the migrant workers are in continuous mobility, it becomes difficult for their children to be admitted to one school for longer period. They may also be on roads for several days without school until their parents find job. There are several cases in which children are not sent to the schools and they are considered as helping hand for their families which affects their future and Right to Education. A study was conducted in Bangladesh and the migrant workers were unwilling to send their children to schools and instead wanted them to work for the livings.

Threat to the Life: The jobs are sometimes threatening to the lives of the migrants. The migrants of Sri Lanka said that in the agricultural areas of their country of destination, they were asked to spray the fields with pesticides before the trees could be planted which could be dangerous to their lives. It could also lead to urinating due to hydration and heat strokes in the day time. An investigation was conducted by the Guardian newspaper in September 2013 and it was found that 44 Nepalese migrant workers had died due to accidents at work place or heart failure.

Rizana Nafeek, a Sri Lankan worker was executed by Saudi Arabia after she was convicted of the death of a 4 month old child of her employer. Nafeek was 17 years old and was not given any legal assistance or translator during her trial and arrest. Nafeek's case demonstrates the plight of



migrant workers in GCC countries and several constraints that migrants face in dealing with the justice system in the country of destination.

Impact of Embargo on Qatar: The embargo by Arabs on Qatar has brought about difficulties among the migrant workers working there on the infrastructure project for the 2022 world cup that is going to be held in Qatar. UAE, Saudi Arabia, Egypt and Bahrain have restricted its trade with Qatar in the pretext that it was promoting terrorism which has forced Qatar to bring its material from Iran and Turkey via Oman. This has affected the lives of migrant workers as the prices of commodities have increased because the land borders with Saudi Arabia have been blocked. This has indebted the migrant workers from Nepal and India who earns 800 rial that is \$219.78 per month in Qatar. According to Human Rights Watch Report, there are Qatari firms in Saudi Arabia in which the South Asian migrants are left stranded without any food after the employers who were from Qatar fled to Doha. The workers of India in hotels in Doha were asked to take extended unpaid leave and were told to return to their countries after the imposition of embargo which affected the occupancy. According to a hotel manager in Doha, “Our rooms were filled with Saudis on weekends but they don’t come to Qatar any more. We can’t have workers cleaning empty rooms (Hindustan Times 2017). Mustafa Qadri, Gulf Labourer Researcher said, “The impact could reverberate to South Asia, the Phillipines and East Africa where migrant families depend heavily on remittances.” Raji is a Bangladeshi crane operator said that there would be delay in the payment of his salary next month as told by his manager as the company was running out of steel which was imported from UAE earlier.

The semi-skilled and unskilled migrant workers are not aware of the labour laws of the countries’ where they work. This increases chance of their exploitation and curtailment of human rights.

It becomes important to see the role of trade unions in different countries of South Asia. In Bangladesh, the measures are yet to be taken in favour of migrant workers by the trade unions. It is only with few labour receiving countries that the trade union has proper contacts. The trade unions of Nepal have started arranging migrant workers. In Pakistan, there is no policies and



supportive mechanism available on migrant workers by trade unions and it has no networking with the labour receiving countries. In India, no policies are adopted on migrant workers. The migrant workers in India participated on several activities which were organized by ILO, WFTU or ICFTU. In Sri Lanka, Migration Service Centre operates and trade unions of Sri Lanka have recognised that the female domestic workers are important force of labour. Subsequently, it becomes important to recognise the ways which can be helpful in protecting human rights of the South Asian migrant workers.

SAARC: An Effective Mechanism

The South Asian Association for Regional Cooperation (SAARC) was formed in 1985. The aim of the SAARC was to promote regional cooperation among the member countries of South Asia Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka. Afghanistan became its member on 3 April, 2007 and became its eighth member. However, since the very beginning SAARC has failed to play important roles because of several issues. The rivalry between India and Pakistan and lack of guiding force among member countries towards regionalism have been hindrance to the effective functioning of the SAARC. It has failed to achieve its objective of promoting regional cooperation and solidarity among member countries. There is a human rights crisis among the migrant workers of South Asia. The SAARC has not been able to formulate any policies or charters for such migrant workers at the regional level. However, despite all its failures SAARC can play an effective role with certain modification and adaptation in its working. Therefore, it becomes important to analyse how SAARC as a regional cooperation can play an important role in protecting the human rights of the migrant workers of South Asia. It becomes very interesting to see how successful it becomes.

There have been several conventions in SAARC on different issues like women and children trafficking, narcotics, food security and child welfare but there is no specific convention which focuses on human rights of the people of South Asia including migrant workers.

There should be regional mechanism for the South Asian countries for protecting the human rights in this region. This should function independently but in coherent with International



Human Rights conventions. There are various examples of regional mechanisms in the world like the Inter- American System, the African System and the European Human Rights Monitoring Mechanism. Subsequently, SAARC should have bodies like courts or commissions for human rights. These bodies should have broad mandates so that they can monitor human rights. They should have the power to receive reports from the countries of South Asia on the violations of human rights in any form. There should be an effective human rights mechanism which would ensure the protection of migrant workers.

A letter was written to SAARC by the Human Rights Watch⁸ in the year 2013 in order to draw its attention to the exploitation of the migrant workers of South Asia in the GCC.⁹ The Human Rights Watch has asked SAARC to initiate mechanism for regional protection so that members can raise their voice in line with International Labour and Human Rights Conventions.

Human Rights Watch advises SAARC that it should foster increased cooperation among the member states on international labour migration and develop certain standards for them with the countries that receive labour. It should also adopt reforms and also influence the GCC countries in making reforms related to migrant workers which should be based on the standards of International Human Rights, ILO Conventions on migrant workers and the Dhaka Principles for Migration with dignity.

The reforms should include several provisions like it should respect the rights of migrant workers to join trade union and respect the rights of collective bargaining in accordance with ILO Convention number 87¹⁰ and 98.¹¹ The reform should include the monitoring and regulation of

⁸ Human Rights Watch is an independent organization which is dedicated to promoting and protecting human rights in more than 90 countries.

⁹ The Gulf Cooperation Council countries include Saudi Arabia, Qatar, Bahrain, Oman, United Arab Emirates and Kuwait.

¹⁰ ILO Convention number 87 talks about the freedom of Association and Protection of the Rights to Organise of the workers.

¹¹ ILO Convention 98 is on the Right to Organise and Collective Bargaining of the workers.



the recruiting agencies. It should ratify and implement International Labour treaties and finally there should be cooperation and collaboration among labour sending countries, labour receiving countries which should be done in consultations with civil society, organizations related to migrant workers and social partners on labour migration policy.

The SAARC countries should in order to protect its nationals should influence GCC countries on several issues related to migrant workers. First, they should not exclude the domestic and the migrant workers from their national labour laws and they should ensure that the contracts and other practices are done in accordance with the ILO Convention number 189.¹² The GCC should practice the principle of non discrimination and should treat migrant workers equally. The SAARC should ensure that GCC countries would reform Kafala Sponsorship System which would help workers in changing jobs or returning to their country without the consent of the employers and should take the power away from the employers of cancelling the visas of the workers. They should ensure safe and healthy working and living conditions for the workers like they should get their regular payment, their passport should not be confiscated. The number and training of labour inspectors should be increased. In these countries there should be effective judicial remedies and grievance mechanism which should be accessible and efficient for the migrant workers. These countries should enforce national anti-trafficking laws so that the employers and the recruiting agencies involved in the process of forced labour are persecuted (HRW 2013).

The initiative of SAARC Regional Protection would be helpful in enhancing the living and the working condition of the migrant workers in the sectors which are low paid in India, Bangladesh, Nepal, Pakistan and Sri Lanka who face several infringements of human rights and International Labour Standards in the GCC countries.

Brad Adams, the Director of Asia in Human Rights Watch said, “The Gulf Countries should recognize the crucial role foreign workers play in their economies and take measures to ensure

¹² These ILO Convention talk about the contracts, recruitment and other practices related to the migrant workers.



that their rights are fully respected.” In addition to this he said, “South Asian Governments should join forces to press for reforms to end the terrible abuses against migrant workers that have gone on for far too long.”

The SAARC Countries should promote dialogues among themselves on the issues of migrant workers of South Asia. The SAARC should be a platform where the problems of migrant workers of South Asia should be discussed. The key priorities should be identified on different areas like national regulatory frame workers should be strengthened, the cooperation with migrant receiving countries and private sector should be strengthened. For example ASEAN had adopted ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers which works for the welfare and interest of migrant workers. Similarly, SAARC should adopt such consensus on migrant workers.

The dialogue among the SAARC members is not only the solution but there should be proper policy framework regarding this. For example a project was conducted in Kathmandu from September 17-22, 2013 known as South Asian Regional Capacity Building Program. The focus was on the recruitment agencies and on the responsibilities and roles of labour. It also brought together the participants from the governments and civil society. There should be proper formation, execution and implementation of the policies related to the protection of migrant workers.

Conclusion

The human rights of migrant workers are continuously at threat in this globalised world. As discussed, they face several problems in their day to day life in their own homeland as well as in the migrant receiver countries. Though, there are trade unions, International Institutions to look after the problems of migrant workers but these have not been able to play an effective role due to several circumstances. South Asia comprises of countries that face large scale unemployment and poverty which leads to large scale out migration from these countries to several countries in search of better opportunities, employment and healthy livelihood for their family. As a consequence, these migrants have to face several problems leading to threat to their lives in the



countries where they migrate. It becomes important for the government of the concerned country, trade unions, International Organisations, Civil Society and Regional and global forum to coordinate and work for securing and protecting the migrant workers of South Asia.

Consequently, SAARC provides a forum or platform which can play an important role in protecting the rights of the migrant workers. The SAARC provides a platform where countries should put aside their problems which are mainly political and should work in resolving the common problem that the citizens of the South Asian countries face. The problem of migrant workers is one of the problems that are prevalent in all the countries of not only of South Asia but also of the world. Therefore, the government of these countries should come forward and have effective dialogue and programme of action for dealing with this grave issue of migrant workers. A new ray of hope could be seen in the 18th SAARC summit which was held in Kathmandu in the year 2014 and it was concluded with the SAARC declaration. The declaration recognised the issue of labour migration and that the collective action is needed in order to deal with the issue. According to Article 21, the countries of South Asia have agreed to collaborate on the issue of labour migration. In the summit the SAARC leaders also called for action against the trafficking of women and children. This is an achievement for the countries of South Asia and it becomes important to keep the fingers crossed in order to see how far the dialogue goes in protecting the rights of the migrant workers of South Asia.

References:

AHN, Pong –Sul(2005), “Prospects and Challenges of Out Migration from South Asia and its Neighbouring Countries”, *Labour and Development*:11(1).

Avato, J.et al(2009), “Definitions, Good Practices and Global Estimates on the Status of Social Protection for International Migrants,” *World Bank Social Protection Discussion Paper*.

Bajracharya, R. and Sijapati, B (2012), “The Kafala System and its Implications for Nepali Domestic Workers”, CESLAM Policy Brief no. 1, [online web], Accessed 10 October 2017,



http://www.ceslam.org/docs/publicationManagement/Kafala_Nepali_Domestic_Workers_Female_Migration_Eng.pdf.

Behra, S. (2011), "Trans-border Identities: A Study on the Impact of Bangladeshi and Nepali Migration to India", *ICRIER Policy Series*, No.1

Economic Times, 2008, "Gulf States Condemns US Human Trafficking Report", The Economic Times, [online web], Accessed 20 November 2017, http://articles.economictimes.indiatimes.com/2008-06-10/news/28387483_1_human-trafficking-gcc-states-policy-towards-gcc-countries.

Ezeilo, J.N (2012), "Commending UAE Efforts against Human Trafficking, UN Expert Urges More to Help Victims" *UN News Service Section* [online web], Accessed 21 December 2017, <http://www.un.org/apps/news/story.asp/html/story.asp?NewsID=41800&Cr=human+trafficking&Cr1=#.U0VkuFcvkxg>

Grant, Stefanie (2005), *International Migrants and Human Rights*, Geneva: Global Commission on International Migration.

Gurung, Ganesh (2004), "An Overview Paper on Overseas Employment Nepal", *International Labour Office in Nepal*.

International Labour Office (2010), *International Labour Migration: A Right Based Approach*, Geneva: International Labour Office [online web], Accessed 2 January 2017, <http://migration.ilo.org/en/resources/papers/international-labour-migration-a-rightbased-approach>.

Khalaf, A. (2013), "Poverty, Poor Conditions Drive Gulf Migrant Workers to Suicide". Al Monitor, [online web], Accessed 21 November 2017, <http://www.almonitor.com/pulse/en/culture/2013/09/migrant-workers-gulf-suicide.html>.

Kumar, Naresh (2012), "Recent Trend and Pattern of Indian Emigration to Gulf Countries: A Diaspora Perspective", *Central University of Gujarat*.



Samuels et. al (2012), *Stories of Harassment, Violence and Discrimination: Migrant Experiences between India, Nepal and Bangladesh*, London: Overseas Development Institute.

Shah, Nasra M. (2009), *The Management of Irregular Migration and Its Consequences for Development: Gulf Cooperation Council*, Bangkok: ILO, Regional Office for Asia and the Pacific.

Sharma et. al (2015), *Migration in South Asia: A Review*, New Delhi: The Population Council

Siddiqui, T and Abrar, C.R.(2003), "Migrant Worker Remittances and Micro Finance in Bangladesh", *International Labour Office*, Working Paper No. 38.

"South Asia Migrant Workers, Including Indians, Bear the Brunt of Qatar Blockade", the Hindustan Times, India, 15 August, 2017.

"South Asia: Protect Migrant Workers to Gulf Countries", the Human Rights Watch", New York, 18 December 2013.

The Asia Foundation (2013), *Labour Migration Trends and Patterns: Bangladesh, India and Nepal 2013*, November.

Vishwanathan, M.et al (2004), "Community Based Participatory Research (CBPR): Assessing the Evidence", *Agency for Healthcare Research and Quality*, 99(4).