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Making Migrants Visible in Post-MDG Debates

Susan Thieme ^{1,*} and Anita Ghimire ²

¹ Department of Geography, University of Zurich, Winterthurerstrasse 190, 8057 Zurich, Switzerland

² Department of Development Studies, Kathmandu University, Lalitpur, Kathmandu, Hattiban, P. B. No. 6250, Nepal

* Author to whom correspondence should be addressed; E-Mail: susan.thieme@geo.uzh.ch; Tel.: +41-44-635-5147; Fax: +41-44-635-6844.

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Abstract: While it is still a matter of global dialogue whether and how migration will feature in the post-2015 framework, remittance-dependent countries like Nepal clearly back migration in their post-Millennium Development Goal (MDG) discussions. We argue that a broader concept of mobility has to be integrated into those debates. This understanding would go beyond remittance-intense migration to include the increasing diversity of migration patterns and related commodification services, the close linkages between internal and international mobility, and the unequal access to and benefits of mobility, all of which calls for a more fundamental human rights perspective to be integrated into post-MDG-debates.

Keywords: post-MDG debate; migration; mobility; development; Nepal

1. Introduction

The Millennium Development Goals (MDGs) Framework to meet the needs of the world's poorest is going to expire in 2015, and discussions on what will follow are at their height [1]. Although migration was not included in the original MDG Framework, various direct and indirect linkages between migration and MDGs had become widely acknowledged in recent years [2]. More than 214 million people worldwide live outside their country of origin, many of them as labor migrants who make significant contributions to the economies of both their receiving (host) and sending (home) countries [3]. This has resulted in widespread recognition of the advantages of international migration,

along with growing debate about its risks and challenges and a call for caution so as not to overemphasize the positive links between migration and development [4,5].

Migration has been explicitly identified as an underrepresented topic and is seen as integral part of some of the major challenges discussed in the post-2015 debates [1]. Those migration and development policy debates stand alongside such “buzzwords” [6] in the development field as how to generate inclusive growth and employment for a growing population, moving “beyond aid” and creating international policies that enable countries to foster sustainable development through trade, migration and improved financial systems. There is also the idea of working towards better global partnerships—addressing the various migration stakeholders at various levels and across borders [1].

More skeptical voices worry that, despite references to migration in the United Nations System Task Team report on the post-2015 agenda [7], labor migration is unlikely to be on the top of the development agenda. The topic of migration is often contentious and negotiation frameworks are tight, while immigration policies in the North and now the South have become increasingly restricted, seriously affecting migrants’ rights and their working and living conditions. Therefore, a rights-based agenda for migrants ties in well with the general request that any post-2015 development path has to be based on human rights [8].

Nepal, one of the world’s top 10 remittance-receiving countries as a percentage of GDP (22%) [9], exemplifies ongoing debates about the integration of migration in post-MDG debates, and we wish to take this country as an example.

Despite severe political crisis, Nepal managed to achieve several of its Millennium Development Goals for economic and social prosperity during the conflict period. Next to other governmental and non-governmental interventions, academics, and practitioners in Nepal also attribute these improvements to migration and remittances. Like other countries, Nepal included the MDGs in their pre-existing Poverty Reduction Strategy Papers (PRSPs) without fully adapting them to national or regional needs [10,11]. While the inclusion of local and regional needs into the concrete terminology of MDGs remains subject to skepticism, a closer look at migration in Nepal shows that policymakers and, increasingly, international donors have started to pick up on this topic.

In their assessment of the achievements of the MDGs, the Nepal Planning Commission and United Nations Development Programme (UNDP) [12] identified a lack of employment opportunities and a shortage of human and financial resources as major constraints for Nepal’s development. They similarly acknowledged that migration for foreign employment and education purposes, and the resulting social and financial remittances, were a current mainstay for Nepal and the need to put migration forward in any post-MDG debate [12,13]. Creating employment in the country requires multidimensional efforts. However, encouraging investment of remittances and knowledge and skills of migrants in the productive sector in Nepal and demand-based training for foreign employment are some of the additional steps that the government of Nepal will take to accelerate MDG progress up to 2015 and beyond [14].

At the same time, migrants’ associations and Non Governmental Organisations (NGOs) have already been pushing hard to force migration onto the policy agenda. There have been some significant achievements in terms of policy and programs, but the many controversies and remaining gaps illustrate the future policy challenges. Using the example of Nepal, we highlight characteristic challenges facing remittance-dependent countries. We will conclude that migration must form part of

any post-MDG debate but must first be understood more broadly, i.e. in terms of mobility; and second, any discussion about migration and development also has to take human rights into consideration. This understanding would go beyond remittance-intense migration to include the increasing diversity of migration patterns and related commodification of services, the close linkages between internal and international mobility, and the unequal access to and benefits of mobility. We will do that by, firstly, providing more conceptual background on the migration, development and human rights debate, and, secondly, shifting to Nepal and highlighting different dimensions and inequalities of mobility such as: (1) migration and remittances characteristics and inequalities in access to and benefit from migration; (2) internal mobility; (3) the role of brokers and the commodification of migration; and (4) the political representation of migrants, both international and national, as well as the gendered dimension of Nepal's migration policy. Finally, we shall present the road ahead and come up with suggestions for aspects to be included in the post-MDG debate in Nepal, particularly from a human rights perspective.

The paper is a reflection based on both authors' long-standing and ongoing research into various dimensions of mobility in Nepal, including labor migration and student mobility [15,16], internal displacement [17,18], and collaborative work on the annual Nepal Migration Yearbook [19,20].

2. Migration, Development and Human Rights

The formulation of global and national targets in the MDG debate masked inequalities. Therefore, discussions on a post-2015 framework highlight that any sustainable development path has to be based on the general right to development, human rights and social inclusion (including decent work and gender equality), as well as convergence, where all regions and countries have the right to prosper [21].

In the more specific "migration and development" debates, critical voices argue along similar lines. Inequalities in migration realities and the context of neoliberal globalisation have been substantially downplayed [22] by disregarding the root causes of migration, as well as the human and labor rights of migrants and the social costs of migration, while migration contributes to both the receiving country and the country of origin [23].

This "unequal development" is described by an increase in social inequalities in terms of unequal concentration of capital and power and increasing disparities including reduced access to production and employment, declining working and living conditions and segmentation of social security systems within and between countries and regions ([23], p. 435).

These growing inequalities lead to an increasing "forced" element in migration, although this does not qualify as "forced migration" under the official United Nations High Commissioner for Refugees (UNHCR) definition. Officially labeled as voluntary and free, in reality it is unequal development and structural conditions that foster migration. Migration is fueled by violence, conflict, and catastrophe, but also by dispossession, exclusion, and unemployment. Subsumed into the category of "economic migrants", it is assumed that they travel freely and are socially mobile, whereas in reality they are subject to extreme vulnerability and exposed to exploitation [23]. It is, therefore, crucial that human rights become an integral component of the migration and development discourse. A human rights perspective would include the protection of basic rights for migrants and their families, the right to freedom of movement, but essentially also the general right to development along with the right not to migrate ([23], pp. 437–438). We propose to take account of the human rights dimension in any future

discussion on the role of migration in the post-MDG framework. In the following sections we shed some light on existing inequalities in the migration process, starting with the question on who has access to which migration and its benefits.

3. Inequalities in Access to Migration and its Benefits

Poverty, unemployment, declining natural resources, and political instability are major reasons why international labor migration has become an increasingly important source of income for Nepal. Next to political and economic instability, migration has been also a “rite of passage” being particularly for young men central to their transition into adulthood [24,25], as well as a door-opener to formal and informal education and gaining the experience that is central to further mobility [26]. International migration from Nepal has increased steadily in recent decades, and officially 7.5% of the total population of 28 million are now absentees. A total of 13% of these absentees are women [27]. While neighboring India was long the top destination, migrant destinations have diversified. A total of 41% of all Nepalese migrants still worked and lived in India in 2011, but the Gulf countries now host 38% of all Nepalese migrants, while 12% are in Malaysia, and another 9% in other countries [19]. These “other” countries include Nepali nurses working in the United Kingdom, the USA, New Zealand, and Australia (in 2008 those made up about 30% of all nurses working in Nepal) [28] and an increasing, but still very much under-researched, group of students (62,391 Nepali students were studying abroad in 2011), many of them also sending remittances back home [29].

The latest MDG Progress Report 2010 [30] and the Nepal Living Standard Survey [27] confirmed significant progress towards the achievement of MDG 1 (eradication of extreme poverty and hunger) by 2015, with the poverty rate falling to 25% for 2010/11 from 31% in 2003/4 and 42% in 1995/96 [10,27].

However, the MDG Progress Report also highlights a significant variation in poverty by geographic region, with the high mountains and the western hills showing a higher percentage of poverty and slower fall than the *Terai* (lowland) and eastern parts of the country [10]. Although migration and remittances are certainly not the only factor influencing poverty decline, a detailed look at migrant’s destinations provides some possible correlations.

In 2011, the official total amount of remittances was recorded as US\$ 3.5 billion, or 22% of Gross National Product [31], although it is estimated that 35% of remittances go unrecorded [20]. At the household level, this means that 56% of families in Nepal receive remittances, which make up 31% of their household income [27]. Although 41% of the population works in India, only 11% of the remittances stem from India, with 26% originating from the Gulf countries (especially Saudi Arabia and Qatar), 8% from Malaysia, 35% from other countries, and 20% from internal migration [31,32].

Varies studies indicate that the migrant workers going to India are mostly from the mountains and hills, and particularly the western part of Nepal. Despite the overall contribution of remittances to poverty reduction, there are indications that the beneficiaries of remittances tend to be families located in urban areas and generally central and eastern regions of Nepal with members working as migrants in countries other than India. Similarly, well-off families benefit the most from remittances [24,32,33]. Although far fewer remittances originate from India than from other countries, the mobility established between Nepal and India over generations remains the mainstay for many, especially in the western

region of the country. In rural households with little cash income, even small transfers of cash can be highly valuable to reduce the risks of seasonality, harvest failure, and food shortage. One must also consider aspects other than financial returns, such as sending goods. Having family members in India makes it easy to gain access to medical treatment and schooling in India, and migrants cover these costs rather than sending money to Nepal [34].

Therefore, international migration must also be seen as a highly selective and non-egalitarian process in Nepal, deeply entrenched in social networks through friends and family or brokers and the availability of information and seed capital. People with more seed capital and greater access to information are more likely to go to destinations with higher earnings, which often results in higher remittances. Consequently, it is not the poorest that benefit the most from migration.

Furthermore, migration often has positive and negative aspects at the same time. For example, even when the economic status of non-migrating family members does improve, the cognitive and emotional dimensions are far more context-specific and can range for non-migrating women for example from gaining more autonomy and power to living under even stricter control by their parents-in-law in the absence of the husbands [35–37]. There is also widespread criticism of labor conditions that verge on exploitation in many jobs. Excessive workloads, the denial of sufficient rest and holiday, inadequate payment, food and shelter, segregation in labor camps, and serious restrictions on communication with family members, as well as verbal and even physical abuse, have been recorded for various labor arrangements from nearby India [15] to more distant Gulf countries [24,38,39]. Furthermore, they lack knowledge about job opportunities outside Nepal, and recruiting procedures are often manipulated by brokers and employers. Many migrants must also cope with unsafe and inadequate means of remittance transfer.

This high remittance dependency not only induces changes in household structures [27,31]; it also calls for a new conceptualisation of the rural economy. The 2001 population census revealed for the first time that more people lived in the plains (*Terai*) than in the hills and mountains of Nepal [40]. Interestingly, this internal population shift only led to limited urbanization: Nepal's annual urbanization growth rate of 3.4% in 2002 [41] was one of the lowest in South Asia. Nevertheless, such "ruralness" is still often equated with agriculture. Despite suggestions by scholars to revise the relevance of agriculture, policymakers and researchers have long focused overly on agriculture while ignoring the relevance of remittances and their social and economic impacts beyond financial flows [25,42–44].

Finally, in public discourse, Nepal is widely known as a labor-sending country. However, Nepal is also a receiving country. The recent census shows that there are 120,891 Indians, 15,447 Bangladeshi, and 2,572 Chinese citizens in Nepal [27], without taking into account regular but undocumented marriage migration across the open border, not only from Nepal to India, but also from India to Nepal. In addition to this, Nepal also hosts Bhutanese, Tibetan, and Somali refugees [27]. In addition, Nepal is increasingly becoming a popular meeting and transit hub in the region due to strict migration policies between India, Sri Lanka, and Pakistan, while citizens of all those countries can easily immigrate to Nepal [45].

4. Internal Mobility: A Blind Spot on the Development Agenda

As in most countries worldwide [46], most mobility is in-country, mainly rural to urban or urban to urban, but also from rural to rural areas (e.g., highland-to-lowland migration).

Overall, with increasing malaria control in the plains of Nepal (1971), internal migration from the hills to the plains increased by 41% from 1991 to 2001 [41,47]. Internal migration rates are higher for women than for men; marriage migration accounts for 23% of total inter-district mobility among women alone [46]. Furthermore, the categories of internal migration and displacement are often deeply intertwined with internal and international migration.

During the last 12 years, much internal mobility was associated with displacement driven by the Maoist conflict and smaller subsequent conflicts, with 270,000 people internally displaced at the height of the Maoist conflict [48]. A further 5,000 people were displaced from Eastern Nepal by the *Madhesh* conflict, which started in the eastern *Terai* (plains) after the Maoist conflict. However, in both cases these figures underestimate the actual extent of displacement. For example, the figures do not cover people who went to India, as well as those who deliberately chose not to be categorized as displaced since there is a social stigma attached to being called a displaced (“*bistapit*”) person. In addition, there was no system for registering as displaced in the case of the *Madhesh* conflict [49]. Despite efforts by the government to help people to return to their place of origin after conflict, there has not been much permanent return because, by the time the 10-year Maoist conflict ended, in 2006, people had already established multi-local livelihoods between their place of origin and new host communities, and so they were reluctant to return permanently. Besides, there were ongoing disputes in people’s home villages over ownership of the land and property confiscated by the Maoist. Similar disputes have affected people from the hill regions, who found themselves displaced to the *Terai* due to the *Madhesh* conflict [17,49].

The categories of national and international migrant as well as labor migrant and conflict-induced refugee became blurred. Inter-linkages between internal and international migration, as well as complex return-characteristic where people would rather situate their future prospects in better-developed urban or peri-urban areas, became typical of most mobile people. While internal migration might be the only way for the poorest to find an income source, for better-off people internal migration is often linked to their own international migration and sometimes that of former generations, such as parents or grandparents [50].

Migration therefore often develops into multi-local livelihoods connecting places within and often outside Nepal. People will derive the income necessary to sustain or establish the new home in the plains of Nepal by working or having a family member working abroad, still they might have responsibilities and/or emotional attachments (e.g. through land or relatives) to their place of origin in the hills. International and internal migrants alike not only sustain their non-migrating family members through remittances, but also provide networks of access to medical care and education in better-developed urban and peri-urban areas, as well as jobs for subsequent migrants. This is how they maintain their transnational and national rural-urban linkages [34].

5. Commodification of Migration: The Role of Recruitment Agencies

The “economics of migration” [51,52] go far beyond remittances and institutions managing remittance transfer. In general, there is an increasing commodification of mobility-related services such as information, application forms, and visa or travel arrangements. Those services have been taken up by a growing number of private companies specialized in placing Nepali workers abroad, particularly in other countries than neighboring India [24,43]. Popularly known as “manpower agencies”, they are officially regulated by the government of Nepal and are required to register. The 769 registered agencies (as of March, 2013) do have a major stake in the migration process and recruited 69% of Nepali workers in 2011/2012, excluding migrants going to India [19].

The second group involved in the recruiting process are middlemen (or brokers). They are the crucial link between (potential) migrants and manpower agencies. Known locally as agents, who send people abroad, a large majority of them are not registered. They are unregulated and work on an individual, unregistered and entirely independent basis in local communities [53]. At present, Nepal’s migration-related norms such as the Foreign Employment Act only control the recruiting agencies and registered agents and have not reached these middlemen. Current policies even discourage middlemen from registering, since there is a provision that these agencies have to bear full legal responsibility if anything irregular happens to the person abroad [53].

It is not only increasing service provision to labor migrants, educational consultants also play an active role in international student mobility. In Nepal, for example, 205 consultancies are currently registered under the umbrella of the Educational Consultancy Association of Nepal. In 2010/11, 11,912 young adults officially went abroad for higher education purposes [29]. These brokers are important gatekeepers to educational institutions outside Nepal, especially for “first-time students”. They facilitate the whole information, application and admission procedure and provide assistance for preparatory examinations, such as language tests. Given increasing student mobility and the growing number of educational consultancies, relatively little is known about the critical role of those intermediaries and how they operate. In many cases, the boundaries between education and work have become increasingly blurred. For example, in response to changes in visa requirements for Western countries (such as the UK), professionals have become “international education” brokers [28].

6. Political Representation of Mobile People

In a context of high international and internal mobility, questions of political representation and participation are becoming ever more complex. Such processes of differentiation, inequality, and potential exclusion not only call for an analysis of power as the direct assertion of will, but also an examination of “agenda-setting power” and political representation [54].

Over the last years the number of associations and Non Governmental Organization related to migration has been growing [55]. Considering both international and internal migration, we provide some examples of political representation and how migrants practice their Nepali citizenship in Nepal and abroad.

6.1. Diaspora, International Migration and Citizenship

International migrants are often deprived of political participation in their new host country, but they might also face obstacles to retaining transnational ties and practicing their citizenship in their home country.

In Nepal, there is no provision in the constitution so far for migrants to participate directly in political affairs such as taking part in elections from their country of destination. While Nepali migrant associations in neighboring India have been active for a very long time [15] an increasing number of Nepalis in countries other than India have organized themselves in recent years. At the moment, the Non-Residential Nepalese (NRN) association is the main actor in negotiating with the government of Nepal for the political representation of Nepalis abroad. Anybody who has stayed outside Nepal for 182 days can become a member of the NRN by paying a membership fee. They currently have co-ordination councils in 60 countries. For the time being, members are mainly high- and semi-skilled migrants, but membership is increasing and broadening in terms of professional and socio-economic spread. If NRN members are politically active, they also represent and manage overseas branches of Nepali political parties and arrange events such as visits of political representatives and political debates. At the moment, the NRN's discussions with Nepal's government focus on the possibility of introducing double citizenship for Nepalis, which is not possible at the moment.

The diaspora organization also marks its presence through other activities. For example, they have donated trolleys with their logo to Kathmandu international airport, funded a homestay for elderly and established a public building called "*kriyaputri bhawan*", where Hindus can stay during family funeral ceremonies. Those activities very much represent their active negotiation for social and political space in their home country of Nepal.

6.2. Political Representation of Internal Migrants

Generally Nepalis are allowed to move freely within their country without many bureaucratic obstacles—a right that is not automatically granted in all countries of the world (e.g., on Kyrgyzstan [56]). Those who have migrated voluntarily can register for elections in their place of destination—but only if they own land at that destination. If people do not own land, they have to return to their place of origin to cast their vote. In addition, each political party has their district representatives and a contact forum in the capital Kathmandu (e.g., Ilam Samparka Manch for Ilam district) that initiates frequent interactions, discussions and social events, such as picnics for people who have moved from their district to Kathmandu.

The situation was different for persons who were forcibly displaced during the Maoist conflict. People displaced by the Maoist and other conflict victims formed the Maoist Victim Association in order to assert their demands. They organized regular protests and demonstrations to demand security, livelihood options and compensation for the loss of their livelihoods, property and in many cases also their family members. The leaders of the Maoist Victim Association were very prominent in Kathmandu and some of them are now represented in the Local Peace Committee (LPC) and other organizations working with victims of the conflict. However, like other internal migrants, internally displaced persons (IDPs) can now move freely to and from their place of origin and exercise their

political rights by participating in elections or engaging in political activities in their home districts through membership of political institutions. However, despite the importance of political rights, most of the Maoist Victim Association's demands concerned basic livelihoods rather than political participation. The first priority was health and education, especially for children and teenagers, followed by access to employment. The freedom to exercise political rights had lower priority at the time [57,58]. Nevertheless, it should be highlighted that the people displaced by the Maoist armed conflict (1996–2006) could not take part in the Constitutional Election that followed the 2006 peace agreement. However, they are now free to move to their village of origin.

6.3. *International Migration—Safe Migration*

Migration has become a concern for Nepal's government but the focus is clearly on labor migration to countries responsible for the bulk of remittances such as the Gulf countries, Malaysia, Japan and Korea. Nepal's government took various steps to address migration issues. The agenda included the creation of a Department of Foreign Employment under the Ministry of Transport and Labour Management and the establishment of the Foreign Employment Promotion Board within this department, as well as the establishment of the Foreign Employment Tribunal (*Nyayadhikaran*). In addition, Migration Resource Centers offer information and pre-departure training courses to aspiring migrants. Labor Attachés were appointed in major destinations for Nepali workers, and labor agreements were signed with the main destinations to better protect workers' rights, to negotiate minimum wages and to allow rescue and relief operations for Nepali migrant workers encountering difficult circumstances.

Despite these efforts, Nepal is struggling to develop a holistic national migration policy. Nepal's Foreign Employment Act (2007) and Foreign Employment Regulation (2008) focus entirely on the protection and safety of migrants in their destination. As such, they do not cover the barriers migrants face before going abroad. Nepal recently drafted the National Foreign Employment Policy 2011. The National Planning Commission and the Ministry of Labour and Employment commissioned organizations like the International Organization for Migration (IOM) to review previous acts and regulations and develop an action plan for labor migration. Nevertheless, the Nepal National Interim Plan [59] and the National Youth Policy of Nepal [60] reveal that the government of Nepal views migration as a short-term benefit but aims to focus on employment creation in Nepal in the long run, in the hope of preventing large numbers of labor migrants.

6.4. *Role of Non-Governmental Organizations (NGOs)*

Local NGOs have been a major driver in bringing the topic of migration to the public and pushing the government to take action. For example, the Pravasi Nepali Co-ordination Committee (PNCC) is a very active committee that lobbies with the government of Nepal as well as migrants and human right organization abroad for rights and protection of migrant workers, safe migration and rescue initiatives, resources and counseling for migrants, and networking of migrants in the Gulf and Malaysia. In addition to this, it also works towards reintegration of migrants to their home community. Another NGO, the People's Forum for Human Rights, also publishes and provides regular information about legal issues related to migration. Similarly, the Asian Human Rights and Cultural Development Forum

(AHRCDF) works with the diaspora and on safer migration. One Nepali NGO has been very successful in establishing a radio program (Pourakhi) to better disseminate information to migrants and potential migrants about the dangers and opportunities of migration. A further example is that NGOs have been doing increasing national and regional lobbying to make the voices of migrants heard, most prominently through CARAM (Coordination of Action Research on AIDS and Mobility) Asia and the Migrant Forum Asia. Both networks are alliances of NGOs working on migration in different countries, and selected Nepali NGOs are a part of them. However, the perception of inter-linkages between foreign employment and development is mixed. For example, CARAM Asia is critical about overemphasizing the link between migration and development, seeing it as potentially turning migrants into a commodity for development purposes. On the other hand, the Migrant Forum Asia has a positive stance of migration and development. In their view, migration has brought employment for the 400,000 Nepali youths entering the labour market every year that would otherwise be difficult to absorb, since Nepal offers very few employment opportunities. Similarly, international donors, such as the Swiss Agency for Development Cooperation (SDC) and HELVETAS Swiss Inter-cooperation, have started to take up migration—particularly safe migration and pre-departure training. Similarly, the German Agency for Development Cooperation (GIZ) has worked on promoting student returnees to use their knowledge and skills in Nepal. Despite these initiatives, international donors are a long way from placing migration at the top of the agenda in their practical work.

6.5. Safety and Gender in Migration

NGOs and networks like CARAM Asia have been particularly critical of Nepal's gendered migration policy. In terms of governance, the major policies (Foreign Employment Policy, 2011, Foreign Employment Act, 2007, Foreign Employment Regulation, 2008) demonstrate no sexual discrimination when it comes to sending Nepalis abroad for employment. In practice however, Nepal's migration policy considers mobility by men and women in very different ways. Officially, only 13% of Nepal's migrants are women. However, Gurung *et al.* [52] have shown that women account for as much as 30% of the total of migrant workers going abroad, and 66% of these were employed as domestic workers. Various studies emphasize the wide spectrum of experiences of women working as domestic workers. These experiences range from risks of exploitation in often informal and exclusively private spaces to potential income and independence from patriarchal family and community settings and personal advancement through exposure to other environments and economic independence [61].

The Nepalese government looked in particular at the risks of women being exploited and restricted women's international mobility for domestic work with the intention of protecting women from different forms of physical and psychological abuse. This is due to the growing number of cases of women being abused while employed in domestic work in other countries. Restrictions ranging from outright bans to discriminatory limitations in various ways were imposed, lifted and re-imposed many times. At present, there is a ban on women under 30 leaving to work in informal sectors that are not covered by host countries' labor laws. This was on the recommendation of the Gulf countries themselves and in line with other South Asian countries like Sri Lanka, the Philippines, and Indonesia. However, organizations working on female migration often argue that such restrictions have in fact

increased women's vulnerability and denied them the right of mobility. They are of the opinion that the recent and widespread confusion about the legality of women's migration has not stopped the flow of women, but instead forced women to choose even riskier paths to employment abroad. Curtailing women's mobility is not only discriminatory but has also been counterproductive in combating trafficking [52].

The latest data on worker recruitment also hints that women take greater risks than men. Recruitment is strongly gendered. Proportionately more women migrant workers (70%) go out on "individual" visas than men (30%). "Individual" visas indicate that the worker has arranged the visa by himself or herself through personal invitation, unauthorized and unregistered brokers and that it is a tourist visa or overstay, whereas an "institutional" source indicates recruitment agencies. Despite criticism and the risks of unprofessional manpower agencies - which sometimes also operate informally - overall they are still considered to be a safer option than individually arranged visas [19]. One of the reasons why women use official recruitment less can be traced back to the legal restrictions on movement. Furthermore, women often experience much less encouragement to go abroad. They lack information and support to prepare properly as a result, hesitate to choose the official recruitment procedure and would contact the unregistered brokers instead. In addition to this, recruiting agencies do not openly send women for domestic work. This is because the recruiting agencies have to bear the liability if anything happens to the women at destination or if she is not given the job that was promised in the agreement and/or returns to Nepal. There is no liability if women go via informal channels. Thus, it is more lucrative for the recruitment agencies to hire brokers through which they send the women.

7. Conclusion and Road Ahead

While it is still a matter of global debate whether and how migration will feature in the post-2015 framework, remittance-dependent countries like Nepal clearly back migration in their post-MDG debates. Though migration is not seen as a long-term and sustainable solution to addressing unemployment in Nepal, the government envisions using the financial remittances, knowledge, and skills of migrants to create employment and foster development in the country. Similarly, they will support demand-based training for foreign employment at the time being.

Despite national particularities, we argue that Nepal presents various characteristics typical of other remittance-dependent countries. There are similar concerns about the sustainability of remittances for families and the country, protection of migrants including their human rights, and interlinkages between internal and international migration, as well as the commodification of migration.

Based on the example of Nepal, we strongly argue that, as MDGs impact on people's mobility and *vice versa*, a broader concept of mobility has to be built into the post-MDG debate. In this context, conceptions of mobility should move beyond selective international labor migration to all kinds of movement internally as well as international as well as broader issues of mobility such as recruitment, transport and communication, and would inevitably place strong emphasis on protection of migrants and "equal opportunities" for mobility, regardless of gender, socio-economic status and ethnicity.

Mobility is deeply entrenched in global politics and economics and requires global, regional, and bilateral cooperation by all actors, such as governments, the private sector (including employers and

facilitators, such as recruiting agencies), migrants themselves and their families, and migrants' associations, NGOs, international donors, and the research community. Therefore, a post-2015 agenda requires enhanced cooperation and coherence between the aforementioned actors across borders and at various levels. These global interdependencies are best addressed through what in the recent MDGs has been labeled as global partnerships [1].

Linking migration with the more fundamental demand for human rights, we suggest the following four rights [23] and related points to be included in any post-2015 framework. We suggest this as a road ahead:

(1). *The right to development* would include the well-being and basic needs of all people, along with their individual opportunities to develop and participate in decision-making processes. This would also imply creating decent and fulfilling employment opportunities in the current migrant's destinations as well as in Nepal. In Nepal these would go hand in hand with investment in productive sectors such as industry, commerce, transport, communication and agriculture. Although remittances are assumed to play a role in those development efforts in Nepal, they certainly cannot replace investments and efforts by the government and private sector and foreign direct investment.

Nevertheless, the right to development should be decoupled from unsustainable patterns of consumption and production, since costs such as environmental changes once again disproportionately affect the most vulnerable groups and might also lead into even more forced migration.

(2). *The right to choose not to migrate*: This right to immobility is closely linked to point 1. the right to development, and involves creating the right conditions in Nepal so that people do not feel forced to migrate and can stay where they want to. Movement (including choice of destination) should be available to all, but it should be a free choice and not forced in any way, be it for political, social or economic reasons.

(3). An inclusive and sustainable approach would include *the right to freedom of movement* within and across countries, independent from gender, ethnicity, or socio-economic status – a right that remains a privilege for very few people worldwide. Nevertheless, from a Nepalese perspective this would include finding other ways to address protection concerns but removing bans and conditions on migration for their citizens (e.g., the age-specific ban on women's migration for domestic work). For internal displacement this would imply that those internally displaced persons who choose not to return should be allowed to participate in the political process from the places where they currently reside.

(4). *Basic rights of migrants and their families*

The human rights of all migrants in sending, receiving and transition countries should be guaranteed, including access to decent employment, public services, and security. This could translate into more concrete actions, such as:

Policies and actions should *take account of the different stages of migration separately*: life in the home country, pre-departure preparations, travelling to and working and living in the host country, and permanent or temporary return.

Access to information: Although this has already improved, major efforts are still needed to provide (potential) migrants with better, more reliable and up-to-date information about policies and procedures through, e.g., information and resource centers such as one-stop services, hotlines, radio programs, and text messaging systems.

Pre-departure training can help to maximize the benefits of migration while abroad and upon return. Such training may address professional skills and working rights and include economic literacy programs about income, saving, spending, borrowing, banking, and sending remittances. It should also provide space for discussion about the possible negative aspects and social costs of migration and encourage participation by other family members.

Further measures would include *reducing the costs of mobility*, such as passports and visas, providing efficient and cost-effective remittance transfer services through banks and other providers, creating remittance investment centers, offering loans for new ventures by migrants, and providing entrepreneurship courses or job-matching and re-integration services for interested returnees. There is not only a gender dimension to saving and investment behavior and entrepreneurship; they also often depend on the life stage of migrants or their family members and this should be taken into consideration so as to increase migrants' economic influence.

Welfare and human rights: The government of Nepal should integrate dimensions of human rights in its development vision such as post-MDG debates. The government and recruiting agencies have to establish measures to regulate recruitment and employment contracts, for example by developing a code of conduct and best practice, making employers at the destination jointly liable with recruitment agencies, installing placement fee ceilings and minimum working wages, requiring the destination government to create trust funds for migrants, and offering support through diplomatic missions to monitor a migrant's workplace.

Protection of rights while abroad: All governments should repeal migration policies that violate human rights (safety, labour standards, decent work, international protection instruments), and all states should ratify and implement all relevant international human rights and international migration instruments. Nepal must opt for multilateral measures to protect rights and it must also involve host, transit and destination countries, as measures to protect the rights of migrants are difficult to enforce without the support from destination countries. Furthermore, governments should ensure skills accreditation or standardization, provide legal appeal procedures and counseling and rehabilitation of returnees.

Integrating the "absent" population: At present, a large proportion of the population that represents their country's future plays no part in training, capacity-building and rebuilding schemes in their home countries. However, as migrants often invest and have a major stake in decision-making processes and responsibilities in their households, policymakers and program officers should reflect this when they design programs and funding schemes, and returning migrants should be integrated into, and potentially attracted by, existing programs.

Lastly, there is a need to *improve the fundamental data* (both quantitative and qualitative) for migration- and development-related topics. This could be done through better data collection and management and as well as encouraging research on migration and exchanges between research and practice, and creating research units in destination countries of Nepalese workers.

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Conflict of Interest

The authors declare no conflict of interest.

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