

BASELINE STUDY ON CROSS-BORDER MIGRATION

2022



Government of Nepal
Ministry of Health and Population



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This publication was made possible through the support provided by the IOM Development Fund, under the terms of the Mapping of Migrant Vulnerabilities and Support Services in Nepal project.

This report was drafted with support from Anweshan Private Limited.

Publisher: International Organization for Migration
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This publication was issued without formal editing by IOM.

Cover photo: Rani ground crossing point (GCP) in Morang, Province 1; one of the selected GCPs for the baseline survey. © Anweshan Pvt. Ltd. 2022.

International Organization for Migration (IOM), 2023. *Baseline Study on Cross-border Migration*. IOM, Kathmandu.

ISBN 978-92-9268-533-1 (PDF)

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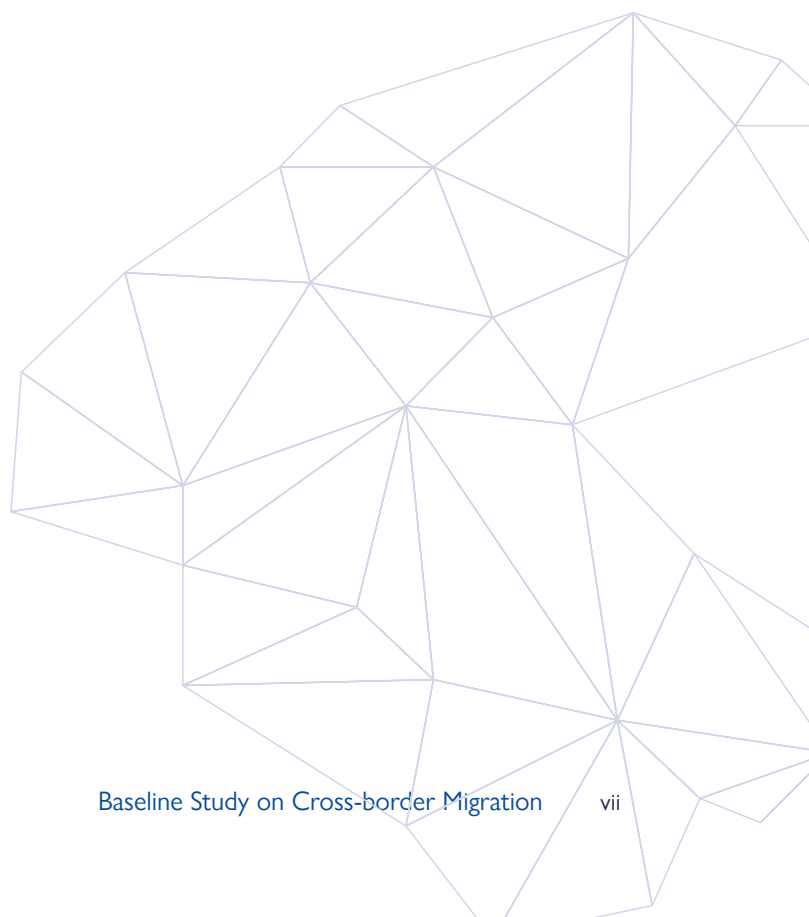
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ACRONYMS

AIDS	Acquired immunodeficiency syndrome
AMR	Antimicrobial resistance
APF	Armed Police Force
ASEAN	Association of Southeast Asian Nations
BMIS	Border Management Information System
CBS	Central Bureau of Statistics
CESLAM	Center for the Study of Labour and Mobility
CI	Confidence interval
DoFE	Department of Foreign Employment
FEB	Foreign Employment Board
FDI	Foreign direct investment
GBV	Gender-based violence
GCC	Gulf Cooperation Council
GCP	Ground crossing point
GDP	Gross domestic product
GEFONT	General Federation of Nepalese Trade Unions
GiZ	German Society for International Cooperation
HH	Household
HIV	Human immunodeficiency virus
HTTCA	Human Trafficking and Transportation (Control) Act
ILO	International Labour Organization
IOM	International Organization for Migration
MDR	Multidrug resistant
MoFA	Ministry of Foreign Affairs
MoHA	Ministry of Home Affairs
MoHP	Ministry of Health and Population
MoLESS	Ministry of Labour, Employment and Social Security
MoLTM	Ministry of Labour and Transport Management
MoU	Memorandum of Understanding
MPB	Marwadi/Punjabi/Bengali
NCD	Non-communicable disease
NGO	Non-governmental organization
NHRC	National Human Rights Commission

NLSS	Nepal Living Standards Survey
NPR	Nepalese rupee
NRN	Non-resident Nepali
PDOT	Pre-departure orientation training
PoE	Point of entry
SAARC	South Asian Association for Regional Cooperation
SAFTA	South Asian Free Trade Agreement
SAPTA	South Asian Preferential Trading Agreement
SSB	Sahastra Seema Bal
STD	Sexually transmitted disease
STIs	Sexually transmitted infections
TB	Tuberculosis
USD	United States dollar
WOREC	Women's Rehabilitation Center





Key findings from baseline study on cross-border migration between Nepal and India

- The largest number of returnee migrant respondents (approximately 43%) were between 15 to 29 years, whereas the largest number of outgoing migrant respondents (about 40%) were between 30 to 44 years. The 60 - plus age group was the lowest in both categories.
- Sex-wise, overall, the number of male respondents was higher at 68.2 per cent than that of female respondents at 31.8 per cent.
- From the selected sample and the points of entry (PoEs), the highest proportion (35%) of outgoing migrant respondents travelling through the ground crossing points were from Province 1, followed by Sudurpaschim (27%). Similarly, among the returnee migrant respondents, the highest were from Sudurpaschim (33%), followed by Province 1 (28%).
- The most significant number (50%) of returnee and outgoing respondents were from the Brahmin/Chettri ethnicity.
- Over 78 per cent of respondents were categorized as married (both men and women), followed by single/never married at approximately 20 per cent. Among the married migrants, 64 per cent of respondents reported having two to four children and almost 23 per cent had one child. Only about 6 per cent reported having more than four children.
- Sixteen per cent of the respondents were illiterate. Among the returnee and outgoing respondents, a large number (34%) had completed secondary school up to Secondary Education Examination (SEE), followed by 23% primary level (up to Grade 5) and over 19 per cent had passed the higher secondary level (up to Grade 12).
- Some 99.5% of the respondents spoke the Nepali language, followed by 77 per cent that spoke fluent Hindi.
- Out of 779 respondents, a majority (over 48%) stated that agriculture was the major source of income in their households, followed by remittance (over 40%).
- Out of a total of 1,275 respondents, approximately 42 per cent reported being employed full-time (over 36 hours per week).
- Nearly 18 per cent of the returnee migrant respondents reported that migrants from their hometowns usually travelled to India during the month of Mangsir (November/December) and the majority of the outgoing respondents (45%) also stated that Mangsir was when most migrants they knew travelled to India.

- Forty-two per cent of the returnee respondents were involved as service or sales workers, whereas only 3.2 per cent of the outgoing respondents reported being involved in the same sector. Of the 779 respondents, the highest proportion were working as service and sales workers (38%) and minority of 3.2 per cent were involved as technicians and associate professional jobs. Similarly, only slightly over 4 per cent reported being engaged in the armed forces.
- Over 85 per cent of returnee respondents and about 92 per cent of outgoing respondents had travelled multiple times to India for work throughout their migration cycle.
- Almost 37 per cent of the respondents reported that they are not staying over in India, and this could mean they are travelling for short-term work.
- Sixty per cent of the respondents had been travelling to the same destination in India over the years. The remaining 40 per cent – returnee and outgoing – did not go to the same place in India.
- Seventy-four per cent reported that they did not use formal remittance channels. Around 26 per cent did use such services.
- More than 98 per cent of respondents had always taken legal routes to cross the border and 91 per cent had never filled out any paperwork at the border.
- The likelihood of being employed – whether part-time or full-time was higher among respondents aged 30 to 44 years and 45 to 59 years, compared to those aged between 15 to 29 years. Men are five times more likely to get employed than women.
- Respondents from Lumbini (odds ratio (OR): 1.78; 95% confidence interval (CI): 1.13 – 2.80), Karnali (OR: 6.54; 95% CI: 3.24 – 13.17) and Sudurpaschim (OR: 3.00; 95% CI: 2.06 – 4.36) provinces had higher odds of securing employment compared to those from Province 1.
- Respondents above the age of 60 years were less likely to have full-time jobs (OR: 0.18; 95% CI: 0.08 – 0.45) and comparatively, women had greater chances of securing full-time jobs (OR: 6.80; 95% CI: 4.72 – 9.79).
- There is a positive correlation between monthly income and full-time employment. Compared to respondents that had monthly incomes of under NPR 10,000,¹ the possibility of working full-time was almost four times higher among respondents earning NPR 30,001 – 40,000 monthly (OR: 3.76; 95% CI: 1.84 – 7.67), and more than six times among respondents that earned over NPR 40,000 a month (OR: 6.28; 95% CI: 3.02 – 13.07). This implies that higher the earning, the longer the employment period among the respondents.

¹ Average conversion rate of USD 1 = NPR 120 (based on December 2021 Oanda) www.oanda.com/currency-converter/en/.



The highest number of returnee migrant respondents

approximately
43%

were among the 15 to 29 years age group, whereas the highest number of outgoing migrant respondents

about
40%

were between the 30 to 44 years age group. The 60 plus group was the lowest in both the categories.



Sex-wise, overall, male were higher at

68.2%



female at

31.8%

The highest number

35%

of outgoing migrant respondents travelling through ground crossing points were from Province I, followed by Sudurpaschim

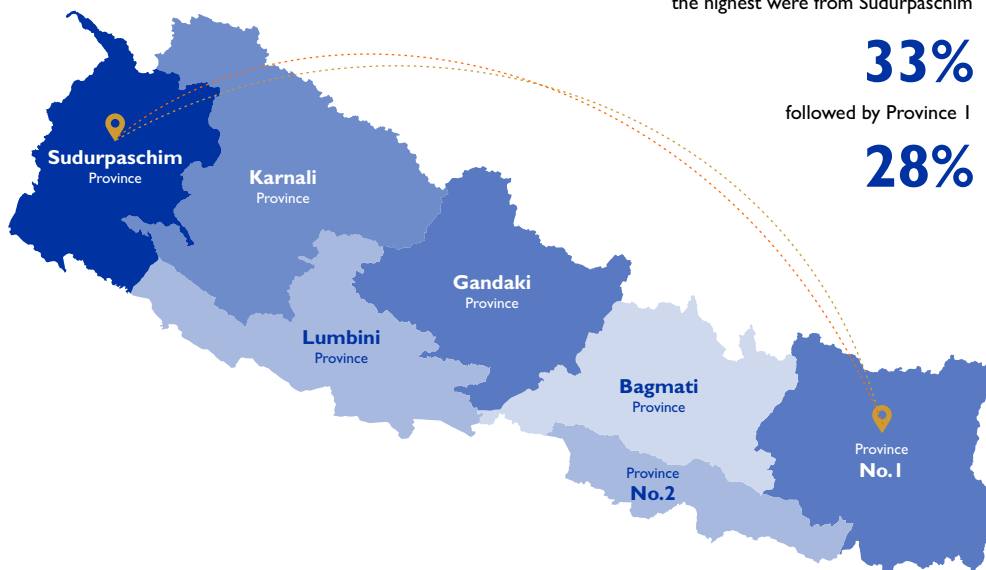
27%

Similarly, among the returnee migrant respondents, the highest were from Sudurpaschim

33%

followed by Province I

28%



Source: Ministry of Land Management, Cooperatives and Poverty Alleviation, Survey Department, Government of Nepal. 2021.

Note: This map is for illustration purposes only. The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the International Organization for Migration.



The most significant number

50%

of returnee and outgoing respondents were from the Brahmin/Chettri ethnicity.

99.5%
of the respondents spoke the Nepali language, followed by
77%
that spoke fluent Hindi.



Only about

16%

of the respondents were illiterate. Among the returnee and outgoing respondents, a large number had completed secondary school (upto SEE)

34%

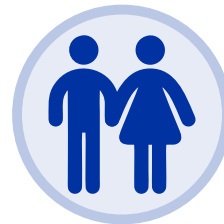
followed by the primary level (upto Grade 5)

23%

and over

19%

had passed the higher secondary level (upto Grade 12)



Over

78%

were married (both men and women), followed by single/never married at approximately

20%

Among the married migrants,

64%

respondents reported to have two to four children, and almost

23%

had one child. Only about 6 per cent reported having more than four children.



Out of

779

respondents, a majority

Over

48%

stated that agriculture was the major source of income in their households, followed by remittance

Over

40%



Out of a total of

1275

respondents, approximately

42%

reported being employed full-time

Over

36

Hours per week



Nearly

18%

of the returnee migrant respondents reported that migrants from their hometowns usually travelled to India during the month of Mangsir (November–December) and majority of the outgoing respondents

45%

also stated that Mangsir was when most migrants they knew, travelled to India.



42%

of the returnee respondents were involved as service or sales workers, whereas only

32%

of the outgoing respondents reported to being involved in the same sector. Of the

779

respondents, the highest were working as service and sales workers

38%

and minority

3.2%

were involved in technicians and associate professional jobs. Similarly, only slightly over

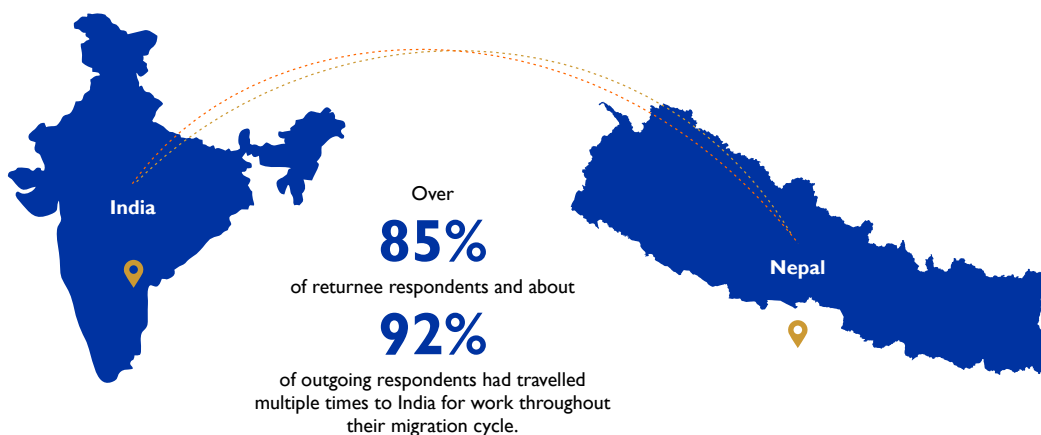
4%

reported being engaged in the armed forces.

Almost

37%

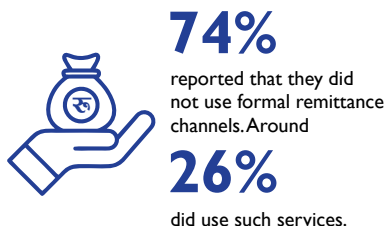
of the respondents reported that they are not staying over in India, and this could mean they are travelling for short-term work.



Source for Nepal map: Ministry of Land Management, Cooperatives and Poverty Alleviation, Survey Department. Government of Nepal. 2021.

Source for India map: surveyofindia.gov.in, 2020.

Note: These maps are for illustration purposes only. The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the International Organization for Migration.



Sixty per cent of the respondents had been travelling to the same destination in India over the years. The remaining 40% – returnee and outgoing – did not go to the same place in India.



More than **98%** of respondents had always taken legal route to cross the border and **91%** had never filled out any paperwork at the border.



The likelihood of being employed—whether part-time or full-time was higher among respondents aged **30 to 44** years and **45 to 59** years, compared to those aged between **15 to 29** years. Men are five times more likely to get employed compared to women.

Respondents from **Lumbini** (Odds Ratio (OR): 1.78; 95% Confidence Interval (CI): 1.13-2.80), **Karnali** (OR: 6.54; 95% CI: 3.24-13.17) and **Sudurpaschim** (OR: 3.00; 95% CI: 2.06-4.36) provinces had higher odds of securing employment compared to those from **Province 1**.

Respondents above the age of **60** years were less likely to have full-time jobs (OR: 0.18; 95% CI: 0.08-0.45) and with regards to gender; women had greater chances of securing full-time jobs (OR: 6.80; 95%CI: 4.72-9.79).

There is a positive correlation between monthly income and full-time employment. Compared to respondents that had monthly incomes of under

NPR* 10,000

the possibility of working full-time was almost four times higher among respondents earning

NPR 30,001-40,000

monthly (OR:3.76; 95% CI:1.84-7.67), and more than six times among respondents that earned over NPR 40,000 a month (OR:6.28; 95% CI:3.02-13.07).

* Average conversion rate of USD 1 = NPR 120 (based on December 2021 Oanda) www.oanda.com/currency-converter/en/?from=USD&to=NPR&amount=1.



1.

INTRODUCTION



1. INTRODUCTION

The cross-border mobility of Nepalese nationals is a long-standing phenomenon that transcends political boundaries. India has been a priority destination for the Nepalese for centuries, with Nepal sharing a border of about 1,850 km with five Indian states: Uttarakhand, Uttar Pradesh, Bihar, West Bengal, and Sikkim.² On 13 July 1950, Nepal and India signed the Treaty of Peace and Friendship, which provides a legal ground for nationals of both countries to cross the border and still exercise many rights.³

The treaty addresses “socioeconomic variables” for citizens of Nepal and India.⁴ Article 6 relates to open inter-participation in “industrial and economic development” in each other’s countries and Article 7 refers to the “right of residence, property ownership and even easy movement” for citizens of both countries. While these clauses protect Nepalese interests, Nepal also agreed to give first preference to the Government of India or Indian nationals in development projects related to natural resources.⁵ The provision was favourable for Nepal as the Nepalese could enter India looking for better employment opportunities.⁶

Though the Treaty of Peace and Friendship legally paved the way to share an open international border, thereby easing cross-country mobility, there were a few prior agreements including the Sugauli Treaty of 1816 that had made it formally possible for the Nepalese to enrol in the Indian labour force, mainly the army. The recruitment of the Nepalese in the Indian army began steadily after the Anglo-Nepalese War (1814 – 1816), during which the valour of the Gorkhas had become noticeable.⁷

Along with increased recruitment in the armed services, there were other major factors for the Nepalese migrating to India, such as India’s commercialization of farming and industrialization and “state policies and agrarian changes” along with externalities including rainfall shocks and conflicts in Nepal.⁸ India remains a low-investment and low-return destination, which provides seasonal work opportunities for the Nepalese.⁹

Historically, the migration of the Nepalese to India began with enrolment in the armed services and later expanded to many informal sectors. The Nepalese also work in the formal sector and hold senior-level positions; however, they remain an exception. Various reasons account for the choice of India as a labour migrating destination. Districts connected to

2 Embassy of India, 2020.

3 Ministry of External Affairs, Government of India, 1950.

4 Thapliyal, 2012.

5 Ibid.

6 Thapliyal, 1999.

7 Ibid.

8 Thieme, 2005.

9 Shrestha, 2017.

transit points provide easy access to move in for “low-cost, informal seasonal work.”¹⁰ There is also cultural affinity between the two countries, including in language.

A few statistics, mainly the censuses of India and Nepal, suggest that there are over 700,000 Nepalese residing in India. According to the Nepalese National Census of 2011, India had 722,255 Nepalese migrants. The Census of India 2011 states that 810,158 (533,369 females and 276,789 males) people stated that their place of birth was Nepal. Similarly, 778,224 people (523,616 females and 254,608 males) reported Nepal as their place of last residence. India remains the top destination for Nepalese women migrant workers, although in recent years, the Middle-East has become the primary destination for male migrant workers.¹¹

Remittance flows from migrant workers in India accounted for more than USD 1 billion in 2017/18, but little is known of their working and living conditions, identity and protection needs.¹² Data show that the mean amount of remittance received from India was around NPR 30,000 per year and the percentage of total remittances received by Nepalese households from India declined to 11.3 per cent in 2010/11 from 23.2 per cent in 2003/04.¹³

Even though the porous Nepal-India border has benefited Nepalese and Indian citizens with employment opportunities and trade, it has also created challenges including increased cases of human trafficking. Available statistics show that 5,000 – 8,000 persons are trafficked across borders annually although the figure might be higher.¹⁴ The open border has led to increased trafficking cases of Nepalese women and girls in the labour market.¹⁵ India is one of the receiving countries for Nepalese migrants including women migrants who may fall prey to traffickers making it a cross-cutting border issue and adding to irregular migration.¹⁶

A significant number of Nepalese migrate to India. This number, however, goes unrecorded because documentation and labour approvals are not required to travel to India and movement can take place through various channels.¹⁷ Likewise, Indian nationals do not require visas to enter Nepal and many who migrate are undocumented since Nepal’s Immigration Act of 1992 which regulates the “prohibition and restriction of entry into Nepal,” has its limitations when it comes to Indian citizens due to the Treaty of Peace and Friendship.¹⁸ The open international border means that people from both countries are free to move without legal documentation or follow administrative processes. A study showed that around 45 per cent of the ground crossing points relied on screening headcounts and none had proper systems in place to provide accurate data on the flow of migrants.¹⁹ Furthermore, border areas have “floating populations” who cross over temporarily. This has led to major challenges in accurately measuring migrant numbers, with data being based on presumption. As a result, there is “not enough dedicated research on the subject and there is enough reason to treat with caution any number that is proffered as to the population of the migrant labourers on either side of the border.”²⁰

10 International Organization for Migration (IOM), 2020a.

11 Sharma et al., 2014.

12 Ibid.

13 Nepal Living Standards Survey 2010/11, Central Bureau of Statistics (CBS), Government of Nepal.

14 Datta:34, 2011.

15 Ibid.:41.

16 Ibid.:13.

17 IOM, 2020a.

18 Sharma and Thapa, 2013.

19 IOM, 2021.

20 Sharma et al., 2014.

Nonetheless, this does not mean that there are no comparable data on the volume of Nepalese travelling to India, either for the short-term or for the long-term. The censuses of both Nepal and India present a comparable figure to understand the migration process. Similarly, multiple national-level studies – including the Nepal Demographic and Health Survey, Migration in Nepal: A Country Profile (2019), Nepal Living Standards Survey, Nepal Demographic and Health Survey and Population Mobility Mapping along with other geography, occupation, or health vulnerability specific studies can provide a better understanding of this process.

When the world saw an emergence of COVID-19, both India and Nepal were quick to issue stringent public-health measures including lockdowns to contain the spread of the novel coronavirus. This, however, deeply affected the lives of Nepalese migrants in India. While it is evident from many sources that hundreds of thousands of migrants were affected due to imposition of lockdowns, the number seems to vary.²¹ An article cites the number of migrant workers who returned to Nepal during the lockdown to be 27,000²² whereas others cite the number as nearly 400,000 Nepalese workers who returned from India within three months of the COVID-19 lockdown and more than 83,000 Nepalese crossed the Trinagar Transit point in Kailali from various parts of India.^{23, 24} A study report by the National Planning Commission in 2020 also cites an estimate number of 366,153 Nepalese (50 per cent of whom are believed to be short-term migrants returning to Nepal from India) through almost two dozen ground crossing points between the period from 22 March to 15 July 2020.²⁵

A few of these studies, which includes the Population Mobility Mapping, were conducted following the global outbreak of COVID-19.²⁶ These were done with the notion that a better understanding of human mobility is crucial to prevent, detect and respond to health threats, including communicable diseases. The findings from these reports helped local levels understand the mobility pattern and congregation sites and plan for the preparedness of COVID-19 or other future outbreaks.

The COVID-19 pandemic changed the dynamics of the population with a large influx of returnees from within and outside the country. From a health-system aspect, the large-scale human mobility could result in the spread of communicable diseases and other health threats to vulnerable populations. From a social and economic perspective, their successful reintegration into society remains a major challenge.

All these issues still boil down to a single parameter: the lack of uniform data on cross-border migration for understanding their migration dynamics. This absence of uniform data and evidence creates challenges in the formulation of plans and policies aimed specifically for the migrant population. The Nepal Labour Migration Report 2020 also states that “migration to India needs to be better understood including volume, employment characteristics, remittance behaviour, common vulnerabilities faced by migrant workers by facilitating recordkeeping of India-bound migrant workers at the local level.”²⁷

21 Budhair, 2021.

22 Ibid.

23 *Nepali Times*, 2020.

24 Rastriya Samachar Samiti (RSS), 2020.

25 National Planning Commission (NPC), Government of Nepal, 2020b.

26 IOM, 2021.

27 IOM, 2020a.

This baseline study, therefore, tries to look into multiple available datasets and also relies on primary data to give a broader picture on the mobility pattern and dynamics of Nepalese migrating to India.

1.1 Rationale of the study

Multiple studies and analytical works recommend the strengthening of migration data. The Migration Profile of Nepal suggests the development of a robust migration data management system.²⁸ It notes that the gap in evidence on migration has impacted the formulation of laws and policies aimed at migrants. Additionally, multiple studies produced by IOM Nepal recommend the development of a migration data system that accurately captures the mobility of Nepalese migrants to India.²⁹

Hence, this study aims to conduct a thorough review of the existing literature to better understand the dynamics of cross-border mobility.

1.2 Study objective

The main objective of this baseline study is to compile all available information on cross-border migration. It then aims to analyse gaps in available data and statistics on migration and provide recommendations to promote evidence-based migration policies. The specific objectives of this study are to:

- Provide an overview of cross-border migration;
- Review all existing statistics, reports, literature, studies and policies on Nepal to India migration;
- Explore second sources and literature and analyse the existing migration trends to and from India through land borders and to identify gaps and opportunities for refinement;
- Explore changes in migration practices before (1990s and 2000s) and during the COVID-19 pandemic;
- Analyse gaps in available data and statistics on migration and provide ways forward as recommendations to promote evidence-based migration policies;
- Identify the demographics of migrants: sex, age, caste/ethnicity, skill sets, education, protection vulnerabilities, health concerns/issues, economic situations and income opportunities;
- Identify migration patterns and trends, source and target locations, major seasons (months and specific location per season if any) and reasons for migration and migration routes and major border crossing points.

²⁸ IOM, 2019b.

²⁹ Ibid.



2

METHODOLOGY



2. METHODOLOGY

2.1 Study design

For this study, an exploratory research design was applied through a mixed method approach. Both quantitative and qualitative data were collected from the study sites and primary and secondary sources of data were analysed. For the quantitative survey, primary data were collected among travellers at different ground crossing points (GCPs) through Kobo Collect, a data collection application. Apart from this, data made available by the Epidemiology and Disease Control Division from the Information Management Unit, the Health Management Information System of the Ministry of Health and Population were also analysed. A desk review was carried out, as well as review of existing statistics, reports, literature, studies and policies.

2.2 Study sites

From among the 20 GCPs across Province 1, Madhesh, Lumbini and Sudurpaschim provinces designated by the Embassy of Nepal in India as major trade points with India, the study selected six GCPs. For geographical inclusiveness, they were picked randomly – the RAND function was run in Microsoft Excel to generate random GCPs from the list. Two GCPs each from among the three provinces (Province 1, Lumbini and Sudurpaschim) with the highest in- /out-flow of migrants³⁰ were selected for the study. The chosen GCPs are given in Table 1.

Ground crossings points/district	Province
Kakarbhitta GCP, Jhapa	Province 1
Rani GCP, Morang	Province 1
Belahiya GCP, Rupandehi	Lumbini
Jamunaha GCP, Banke	Lumbini
Gaurifanta GCP, Kailali	Sudurpaschim
Gaddachauki GCP, Kanchanpur	Sudurpaschim

Source: Field work, 2021.

³⁰ IOM, 2021.

2.3 Sampling technique

2.3.1 Quantitative survey

Demographic details of migrant workers, data on protection and vulnerabilities, statistics on health concerns and issues of Nepalese migrants travelling through ground crossing points are insufficient or unavailable at GCPs and at the national level. Therefore, primary quantitative data were collected from the study sites to identify these details, along with migration patterns and trends, source and destination locations and major seasons and reasons for migration.

Systematic random samplings at intervals of $k = 4$ were carried out for both returnee migrant respondents and outgoing migrants at the GCPs. Every fourth returnee respondent and outgoing migrant traversing through the study site for any purpose were considered eligible if they fit the criteria for the study.

Processed information received from security agencies, such as the Nepal Police and the Armed Police Force, were also analysed. Likewise, data recorded in the IMU portal of the Health Management Information System at the Department of Health Services were also analysed to understand the flow of migrants. The Ministry of Health and Population and the Ministry of Home Affairs were also contacted to extract available data.

2.4 Study population and sample size

2.4.1 Quantitative study

Quantitative data were used to assess the demographics of the migrants: sex, age, caste/ethnicity, skill set, education, protection vulnerabilities, health concerns/issues, economic situation and income opportunities. Data on reasons for migration, source and destination locations and seasons of migration were also collected through primary and secondary quantitative data. For primary data collection, the required sample size was 1,271, where every fourth migrant (returnee and outgoing from/to crossing points) were interviewed. In the end, 1,275 respondents were interviewed during the collection process.

Assumptions:

The margin of error = 5%

The confidence level (α) = 95%

Population size = sample size calculated based on infinite population assumptions

Repose distribution (P) = 50% (assuming estimate unknown prevalence)

Expected sample size = 385*3 strata (provinces)

Non-response rate = 10%

Technical validation:

$$n = \frac{Z^2 \alpha / 2 P (1 - p) N}{\delta^2 (N - 1) + Z_{\alpha/2}^2 p (1 - p)}$$

2.5 Sample selection criteria

Respondents for the face-to-face interviews for the quantitative survey were selected by considering the criteria below:

For quantitative study respondents:

- every fourth individual crossing (either returnee or outgoing to/from crossing points) the border;
- any sex and above the age of 18.

2.6 Research tools and instruments

The structured questionnaire for the quantitative survey was designed and developed and face-to-face interviews were conducted using guidelines for the quantitative survey.

The assessment tool, which was designed in the Kobo Collect application, included both closed- and open-ended questions, with a few multiple-response questions. The application's inbuilt skip logic was maintained to minimize the probability of entry errors. The tool provided the instructions to be followed during the interview process so that consistency between interviews could be maintained and reliability of the findings could be increased. The geolocations of the GCPs were also recorded. No personal details of the respondents were recorded into the system. The designed tool was pretested through mock entries and after multiple discussions and follow-up virtual meetings, was finalized with 32 sets of questions.

Theme-based questionnaire and interview guidelines were developed for the study. The major components of the tool were:

- a) Demographic details
- b) Family background
- c) Employment status
- d) Migration-related information
- e) Season of migration
- f) Reason of migration
- g) Trend of migration
- h) Services at ground crossing points.

2.7 Triangulation

In general, triangulation enhances the validity and reliability of a study. The process for this study had several investigators using different methodologies from multiple data sources – including investigator, method and data triangulation – to ensure a more balanced perspective on the migration situation. Moreover, the value of the findings was increased by corroborating data generated through different sources and verifying interpretation across multiple investigators. The findings elucidated through the application of mixed methods were triangulated to generate this comprehensive report.

2.8 Data collection methods

Primary and secondary data collection and analysis were carried out together during the study process. To be more specific, retrieval of data from the Health Management Information System database preceded primary data collection. The gathered data helped in depicting the existing migration scenario and the primary data collection plan was managed accordingly.

2.8.1 Primary data collection

The study had a total of 12 field researchers, among whom eight were hired locally from the respective study areas. They were chosen on the basis of their awareness of the local language, dialects, social norms and their capability to correspond and coordinate with the delegates at ground crossings even during the pandemic. The data collection took place between 20 to 23 February 2022. All GCPs were assessed simultaneously.

After a one-day virtual training, which took place on 18 February 2022, the researchers were delegated to the field to conduct face-to-face structured interviews. Prior to the interviews, verbal and written consent were taken from the respondents. Leading up to the field visits, formal letters from the Ministry of Health and Population were sent to the respective GCPs for coordination and support. The respondents were informed about the anonymity and confidentiality of information that the study would provide. The expected time duration required for an interview was also explained to the respondents. In addition, they were informed about the possible limitations of the study and were assured that their queries would be responded to before the interview proceeded.

Furthermore, consent of the respondents was taken prior to capturing their photographs.

2.8.2 Secondary data collection

Both online-based external and on-site internal desk reviews were carried out for the study. Various search engines (Google, Google Scholar, PubMed) were modulated to look for relevant information on Nepal-India migration. All existing statistics, reports, literature, studies, national-level reforms and policies on migration in general and, more specifically, documents related to Nepal-India migration from the past till the present were reviewed. Different government departments and non-governmental agencies working directly or indirectly in labour migration, migrant workers' health and security were contacted. Review documents included national-level reports on migration and the migrant population, such as demographic health surveys, census reports, the Nepal Living Standards Survey, Nepal Labour Migration Report, Nepal Labour Force Survey and the Foreign Employment Management Information System. Some of the documents have been presented in Table 2.

TABLE 2: Objective matrix and documents to review

Objectives	Review documents/sources
To provide an overview of migration between Nepal and India	Existing plans, policies and Acts of the Government of Nepal: <ul style="list-style-type: none"> • Foreign Employment Policy • Foreign Employment Rules • Foreign Employment Act • Immigration Rules • Labour Act and Rules • Human Trafficking and Transportation (Control) Act • Nepal Immigration Act, Regulation and Procedure • Non-resident Nepalese Act and Rules • Local Self-governance Act and Rules • Nepal Employment Policy National Youth Council reports Migration policy and reforms Local Governance Act Treaties, convention, conference paper of Nepal-India Migration
To review all existing statistics, reports, literature, studies and policies on Nepal to India migration	<ul style="list-style-type: none"> • Internet sources, including peer reviewed articles • Technical reports • Census and Nepal Living Standards Survey (NLSS) analysis • Department of Foreign Employment (DoFE); Ministry of Labour, Employment and Social Security (MoLESS); and Foreign Employment Board (FEB) reports • Policy documents • IOM reports • Books on migration and border issues, among others
To explore secondary sources, available literature and analyse existing migration trends to and from India through land borders and to identify gaps and opportunities for refinement	<ul style="list-style-type: none"> • Internet sources, including peer reviewed articles • Technical reports • Census and NLSS analysis • Coordination for data and report with the Armed Police Force • IOM reports
To explore changes in migration practices before (1990s and 2000s) and during the COVID-19 pandemic	<ul style="list-style-type: none"> • Journal reports • Articles • Documented conference papers, treaties, conventions • Foreign Employment Act and Rules • Taskforce on migration study • Migration profiles

Objectives	Review documents/sources
<p>To analyse gaps in available data and statistics on migration and way forward as a recommendation to promote evidence-based migration policymaking</p>	<ul style="list-style-type: none"> • Data from the Ministry of Education/No Objection Certificate • Data from Nepal Diplomatic Mission • Demographic Health Survey • Census report • NLSS • Nepal Labour Force Survey • Local Governance Act 2017 • Foreign Employment Information Management System • Administrative database maintained by the FEB • On-site migration-related data
<p>To identify migrant demographics: gender, age, caste/ethnicity, skills set, education, protection vulnerabilities, health concerns/ issues, economic situation and income opportunities</p>	<ul style="list-style-type: none"> • Primary data (qualitative and quantitative) • Data from non-governmental organizations, including Maiti Nepal and others • Data from the Ministry of Education/ No Objection Certificate • Data from the Ministry of Home Affairs (MoHA) • Administrative database maintained by the FEB
<p>To identify patterns and trends of migration, source and destination locations, major seasons (months and specific location per season, if any) and reasons for migration, major border crossing points and routes for migration</p>	<ul style="list-style-type: none"> • Primary data (qualitative and quantitative) • Ministry of Health and Population (MoHP), Ministry of Foreign Affairs (MoFA), Provincial Planning Commission • Population Mobility Mapping reports • Articles related to migration and migrant workers

TABLE 3: Desk review methods and techniques

Desk review	Methods	Technique
Online-based external desk review	<ul style="list-style-type: none"> To search for migration-specific information and research papers: Google, Google Scholar, Bielefeld Academic Search Engine, Connecting Repositories, Semantic Scholar, Microsoft Academics, RefSeek and Educational Research and Information Center. 	<ul style="list-style-type: none"> Boolean and logical characters, along with wildcards, were used to generate time-specific migration-related data.
Online-based internal desk review	<ul style="list-style-type: none"> Various online portals of the government database were used to extract migration-related national and local level data. Municipal and provincial profiles were reviewed for migration-specific data at the local level. Data from the Foreign Employment Information Management System. 	<ul style="list-style-type: none"> The DoFE, FEB, MoHP, MoFA and Nepal Diplomatic Mission were consulted for data.
On-site internal desk review	<ul style="list-style-type: none"> Record files, registers, site-specific survey data and head count registry portal (when available) were referred to from each of the study sites. Inflow/outflow of migrants at each study site were observed during the study process. 	<ul style="list-style-type: none"> The sites selected for the study were consulted formally for data review and analysis. Formal letters from the MoHP, MoHA and DoFE were issued for the process.

2.9 Data collection quality

To ensure the collection of high-quality data, skilled researchers with sound knowledge on quantitative study were selected from the areas where the GCPs are located. This was done to bolster communication and interaction between researchers and delegates at ground crossings. The enumerators were trained on 18 February 2022, before the study commenced. The training schedule was designed to better acquaint them with the purpose of the study and the technicalities to be followed during the survey. The session covered the following aspects:

- Rapport-building with respondents;
- Creating a comfortable environment for the respondents in terms of time, place and convenience;
- Avoiding use of technical terms and jargon;
- Avoiding ambiguous, multiple and leading questions;
- Operational definitions for the study;
- Summarizing information provided by respondents for the assurance of common understanding in the tools.

2.10 Data quality assurance mechanism

The highest standard of quality in data was maintained by a monitoring team led by MoHP, who provided regular guidance, support and feedback during the entire process of fieldwork, respondent selection and coordination. A detailed work plan and monitoring strategy set prior to the survey was strictly adhered to throughout the study. The enumerators were regularly followed-up for updates on the collection of study data. Real-time data monitoring was performed during the data collection period and daily debriefings took place with researchers and supervisors.

2.11 Data processing and analysis

2.11.1 Desk review data

Exploring the reviewed secondary data helped in analysing the existing migration trends to and from India through land borders. It also supported in identifying gaps and opportunities for refinement. Moreover, the information gathered from the desk reviews guided in exploring changes in migration practices before and during the COVID-19 pandemic.

iii

A. Development of thematic areas and guidelines

The desk reviews were based on the thematic area proposed for the study. The literature search for the online-based and on-site external and internal desk reviews revolved around the finalized themes. The themes proposed for the desk review were:

- i. Migration history, including analysis of treaties and conventions
- ii. Review of migration policy to India and others
- iii. Migration practices
 - a. In the 1990s and 2000s
 - b. During pre-COVID-19 and COVID-19 situation
- iv. Migrants and economic analysis
- v. Migration trends and patterns
 - a. Demographic details
 - b. Origin, provinces, district and municipality
 - c. Destination
 - d. Occupational categorization as per international standards
 - e. Skill sets acquired by migrants
 - f. Employment opportunities
 - g. Reasons for migration
 - h. Seasonal variation in migration
- vi. Vulnerabilities faced by migrants
 - a. Health and safety
 - b. Border/political issues
 - c. Human trafficking
- vii. Gender aspects of migration

B. Dataset identification and extracted literature

Datasets and literature retrieved from online portals and on-site internal desk reviews were thoroughly reviewed. Statistical data, policy papers and other research papers extracted online were segregated according to year. Literature tracking as per the data year was helpful in tracing the history and changes in migration practices before and during the COVID-19 pandemic.

Demographic details of the migrants and existing migration trends to and from India through land borders, helped in identifying gaps in available data and provided the way forward as a recommendation to promote evidence-based migration policymaking. The extracted data sets and reviewed literature were identified and segregated based on the following sections:

- i. Year of data publication and extraction
- ii. Statistics on migration
- iii. Demographic details of migrants
- iv. Current trends and magnitude of labour migration
- v. Socioeconomic status and employment opportunities for migrants
- vi. Migration history
- vii. Migration policy to India and others
- viii. Changes in migration practice from the 1990s and 2000s
- ix. Health vulnerabilities of migrants
- x. Diaspora, student migrants
- xi. Seasonal migrants and long-term migrants
- xii. Location from and location to for migration – major seasons, region, reasons for migration, services available to migrants
- xiii. Gender aspects of migration
- xiv. COVID-19 and its impact on ongoing migration trends

C. Evaluation of dataset and literature search

The segregated literature and extracted dataset provided the study with the latest migration-related information, statistics and gaps, along with possible opportunities for refinement. Therefore, preliminary analysis of available information was carried out based on the following research questions before the data were categorized thematically.

- What are the available statistics on migration?
- On what political basis is the open border migration to and from India made possible? National level treaties? Conventions?
- What is known about the current trend in migration practices?
- From the 1990s to the 2020s, where have we reached in migration trends and practices?
- What changes have been observed in migration patterns pre- and post-COVID-19?
- What could be the emerging themes and opportunities in migration and migration practices?

2.11.2 Quantitative data

Data of the 1,275 respondents were uploaded into the server. At the end of the survey, they were extracted into separate Excel files, and verified through

cross-checking with researchers for any outliers identified in the dataset. The complete dataset – of the 1,275 respondents extracted in .xlsx format with 117 variable columns – was thoroughly cleaned and meticulously reviewed. The data entered for each individual were logically evaluated and finalized as Excel data sets. They were then uploaded into the Statistical Package for the Social Sciences for further analysis.

Descriptive statistics were generated and multivariate analysis was performed for the variable of concern. In addition, the odds ratio was calculated, and statistical modelling was carried out.

2.12 Data management

2.12.1 For quantitative data

Quantitative data, collected through Kobo Collect, were directly uploaded into the server after the completion and verification of data gathered at GCPs. Real-time data monitoring took place throughout the data collection period. Each interview was given a unique identification name. The saved file was then sent and uploaded after re-verification of details recorded into the system. Only data experts had access to the server; to maintain data quality and reliability, any inconsistent and ambiguous data were immediately corrected after re-consultations with the enumerators.

2.12.2 Desk review data

Secondary data generated from the desk research were filed and managed in folders – this was done to track and backtrack all existing policy papers, journals, acts and regulations on migration history and trends and other migration-related issues among migrants to India. The documents extracted from online systems and free government portals were then critically analysed and reviewed. The Ministry of Health and Population, Foreign Employment Board, Department of Foreign Affairs, and Ministry of Education, Science and Technology were also corresponded with during the data extraction process.

2.13 Ethical considerations

The enumerators introduced themselves to the respondents and provided a brief overview of the study project and its objectives. Verbal as well as written consent was taken and obtained before the interview. The respondents were informed about the duration of the survey. If a respondent rescheduled the interview, a follow-up interview was conducted at the appointed time.

The ethical norms of obtaining informed consent verbally, anonymizing respondents and maintaining the confidentiality of the collected data and the methods of storing, assessing and reporting as outlined in IOM's data protection manual were strictly adhered to during this study.³¹ Moreover, data from the field were organized following IOM's strict safety management plan. In addition, data were transferred in sealed envelopes and their anonymity was maintained.

³¹ IOM, 2010.

2.14 Limitations

Qualitative tools including focus group discussions in selected GCPs could not be conducted due to the COVID-19 pandemic. Additionally, there were some COVID-19 transmission safety concerns when gathering and interviewing respondents.

- Qualitative tools including focus group discussions in selected GCPs could not be conducted due to the COVID-19 pandemic. Additionally, there were some COVID-19 transmission safety concerns when gathering and interviewing respondents.
- Due to election preparations in India, the border at Gaurifanta point of entry remained closed for two days. This majorly affected the data collection plan.
- The proportion of immigrants and emigrants could not be matched due to borders being closed for elections in India.
- The quantitative survey is likely to have social desirability bias. Some of the questions regarding mobility, income and working status might have pressurized respondents to conform to what they perceive to be socially desirable.
- Literature and statistics regarding Nepal-India migration were limited.
- There was limited access to data related to Indian migrants.
- There was a lack of updated migration data. In most cases, the numbers and data were not uniform and required further analysis.
- The qualitative plan of the study was compromised due to the pandemic-induced working conditions where heavy reliance was given to virtual platforms.
- Conducting a baseline study this extensive in a limited time was also a challenge.



3

LITERATURE REVIEW



3. LITERATURE REVIEW

3.1 Brief migration history of Nepal

Historically, Nepal has witnessed three distinct waves of internal migration.³² The first took place during the unification of Nepal, which began in 1743 and continued until the early 18th century. The second occurred in the mid-1950s with the implementation of a State-sponsored resettlement programme and the third with the advent of democracy in 1951 and the planned socioeconomic transformation of the country. In the past, internal migration was primarily directed eastwards, along the hill corridor. Until the 1950s, the Terai area had a high prevalence of malaria,³³ but the middle of that decade saw the disease being controlled in the lowlands, after which migration towards the south majorly increased.³⁴ In terms of cross-border migration, the establishment of industries in the Terai in the 1930s provided employment opportunities to migrants from North India, while Nepalese migrants found opportunities in lower-skilled jobs in India.³⁵

Migration to India can mostly be traced back to the Sugauli Treaty of 1816, when the Nepalese were recruited in the British Indian Army.³⁶ The treaty helped lay the foundation for Nepal-India relations.³⁷ Over 200,000 of the country's male youth were recruited during the First World War.³⁸ After 1942, during the Second World War, Nepalese also settled in Myanmar and Thailand.³⁹ Many migrants also travelled to other parts of Asia, the Middle-East, Europe and North America, but India remained the most popular choice.⁴⁰

In 1950, Nepal and India signed the Treaty of Peace and Friendship.⁴¹ Article 7 of the Treaty encouraged immigration, providing "reciprocal rights to the nationals of India and Nepal in the matter of residence, ownership of property, participation in trade and commerce, movement and other similar privileges".⁴² Ultimately, this formalized free movement of people across the border of both countries,⁴³ with the open border bringing the two countries socially, culturally and economically closer.⁴⁴ The open border meant

32 NPC, Government of Nepal, 2020b.

33 Ministry of Health and Population (MoHP), Government of Nepal, 2011.

34 Gautam, 2008.

35 Subedi, 1991.

36 Ibid.

37 Subedi, 2008.

38 CBS and United Nations Fund for Population (UNFPA), 2014.

39 Ibid.

40 MoHP, Government of Nepal, 2011.

41 Karki, 2015.

42 IOM, 2019b.

43 Kunwar, 2020.

44 Manhas and Sharma, 2014.

that if an open or regulated system is endorsed by one country, the same system should be implemented by the other on the basis of reciprocity through mutual understanding, good neighbourly relations, religious sentiment, the same topography, social similarities and family relationship.⁴⁵ The signing of this Treaty is one of the major factors for Nepalese migrating to India in search of employment.⁴⁶

In 1951, after the installation of democracy in Nepal, a large number of people politically exiled in India and apprehensive of persecution by the Rana regime returned to Nepal.⁴⁷ Decades later, the Maoist Insurgency caused hundreds of thousands to cross-border for work and to escape from conflict.⁴⁸

In Nepal, foreign labour migration has become a common approach to improve living standards. From the mid-1980s onwards, Nepalese began to increasingly migrate to the Gulf Cooperation Council (GCC) and Malaysia for work.⁴⁹ Many also migrated to countries like Australia, Japan, the Republic of Korea and the United States of America, for better employment opportunities.⁵⁰ Some also cross the border and head to destinations like Europe, the United States and the GCC as smuggled migrants.⁵¹ Overall, the trend of migration in Nepal can be categorized as internal migration, migration to India and migration to countries other than India, referred to in Nepal as “foreign employment”.⁵²

A total of 3,210,848 Nepalese were residing in destination countries and top five major destination countries were India, Malaysia, Qatar, Saudi Arabia and the United Arab Emirates which comprises of over 70 per cent of Nepalese migrants abroad. An indirect estimate available via nationally represented surveys conducted by the Central Bureau of Statistics (CBS) such as the Nepal Labour Force Survey (NLFS) 2017/18 reports the number of Nepalese migrants in India alone to be 976,625.⁵³

Absentee population rate

Census reports are the main data resource on migration. Migration data were first collected in the censuses of 1920 and 1930.⁵⁴ The 2011 census recorded households with absent populations – the population away or absent from their places of birth or other places due to employment, study or business purposes.⁵⁵ In the 2011 census, 1,921,494 persons were reported to be “absent,” as in not residing in Nepal,⁵⁶ out of which almost 88 per cent were male. And the number of absentee populations according to the preliminary report of 2021 census was 2,169,478 people, out of which little over 81 per cent were male.⁵⁷

45 Kumar, 2013.

46 IOM, 2019b.

47 Subba, 2002.

48 Dhungana, 2006.

49 NPC, Government of Nepal, 2020b.

50 IOM, 2019b.

51 United Nations Office on Drugs and Crime (UNODC), 2018.

52 IOM, 2019b.

53 NPC, Government of Nepal, 2020b.

54 Ibid.

55 CBS, 2011a.

56 IOM, 2019b.

57 Preliminary census report, CBS, 2021.

TABLE 4: Population absent from households to India, by sex, Nepal, 1981 – 2011

Year	Total absent population	India					
		Total		Male		Female	
		No.	%	No.	%	No.	%
1981	402 977	375 196	93.1	307 946	82.1	67 290	17.9
1991	658 290	587 243	89.2	492 079	83.8	95 164	16.2
2001	762 181	589 050	77.3	520 500	88.4	68 550	11.6
2011	1 921 494	722 255	37.6	605 869	83.9	116 362	16.1

Source: CBS, 2002. CBS and United Nations Fund for Population (UNFPA), 2014.

According to the 2011 census, the absentee population percentage to India decreased to 37.6 per cent in 2011 from 77 per cent in 2001, although the actual number had increased to more than 700,000 in 2011 from almost 600,000 in 2001. The decrease in percentage was because of the outmigration of Nepalese to the GCC and Malaysia for work, particularly in the construction and service sectors.⁵⁸ A growing number of low-skilled and semi-skilled Nepalese youth continue to go abroad in search of work.

3.2 The impact of COVID-19 on Nepalese migrants in India

On 24 March 2020, following the confirmation of the second COVID-19 case in the country, the Government of Nepal announced a nationwide lockdown. Domestic and international travel was halted to curb the spread of the SARS-CoV-2 virus. A day later, India also imposed a nationwide lockdown.⁵⁹

The pandemic and the subsequent lockdowns led to thousands of job losses, mostly in the informal sector. Nepal saw a significant influx of returnee migrants from GCPs as they reported being unemployed, unpaid and at the mercy of employers.⁶⁰

Keeping track of the exact number of returnees was a challenge due to the porous Nepal-India border. COVID-19 Crisis Management Center data indicate that 39,541 Nepalese were repatriated from India during the pandemic via Tribhuvan International Airport, but the actual number could be much higher.⁶¹ About 366,153 Nepalese arrived through almost two dozen GCPs from India between 22 March 2020 and 15 July 2020, many of whom were seasonal migrants.⁶² According to MoHA, 700,000 migrants were reported to have returned home from India during the lockdown, with thousands stranded at the Nepal-India border.⁶³ Data from research conducted in 20 points of entries showed that the highest distribution of migrants crossing the border were aged 21 – 25, followed by the 26 – 30 group. The same data also showed that the greatest number of migrants were from Sudurpaschim Province.⁶⁴

58 IOM, 2019b.

59 *The New York Times*, 2020.

60 Dan Church Aid (DCA), 2020.

61 Prasain, *The Kathmandu Post*, 2021.

62 NPC, Government of Nepal, 2020b.

63 IOM, 2020a.

64 *Ibid.*

In 2020, a study was conducted among 3,000 migrant workers who were purposely selected so that 501 were current workers, 1,999 were returnee migrants and 500 were aspiring migrants. While only 6 per cent of the current migrants were in India during the survey, more than 50 per cent of the returnee migrants had come back from India, indicating the arrival of a significant number of seasonal migrants during the first wave of COVID-19.⁶⁵ Although the nationwide lockdowns made returning difficult for Nepalese workers, the porous border aided in the undocumented and unscreened inflow of Nepalese nationals.⁶⁶

India's proximity and the economic opportunities it provides make it one of the first choices for migration from Nepal, particularly for people from Karnali and Sudurpaschim provinces.⁶⁷ The Government of Nepal keeps records of international migration through data collected at the international airport and the labour permit approvals issued by the Department of Foreign Employment. However, since migration to India does not require labour permits, keeping track of Nepalese working in India has been difficult; this issue also extends to data regarding migration patterns from Nepal to India. Nepalese labour migrants frequently chose India as a route to travel to third countries without labour permit documentation. It was only until recently in 2019 when the Government of Nepal issued a mandate stating that Nepalese nationals travelling via India to third country destinations should produce a No Objection Certificate at the Indian airports which are issued by the Nepalese Embassy in New Delhi.⁶⁸ The number of people that migrate to India via air is nowhere close to the actual migration status between the two countries.

In this scenario, one way to estimate the number of Nepalese migrant workers in India is by counting returnees. According to the Nepal Labour Migration Report 2020, there were around 756,000 returnee migrant workers in Nepal in 2017/18. Among them, 96.2 per cent were male. The same study also reported that 26 per cent of the total workers had returned from India. This illustrates that India is still one of the major destinations for Nepalese migrant workers. A study by the Center for the Study of Labour and Mobility (CESLAM) also cites the unofficial count of Nepalese in India ranging from 1.4 million to 3 million.⁶⁹ Many have been working as labourers in the agriculture and construction sectors, as security guards, in factories and as cooks and helpers in hotels and restaurants; some have also been working in the formal sector. But the most significant aspect of migration between Nepal and India is seasonal migration. People, mostly males, from rural areas go to work in India during the off-season farming period in Nepal and return for the planting season. Around 800,000 Nepalese migrate to India every year for seasonal work.⁷⁰ This phenomenon is particularly prevalent in Nepal's far-west.

When the pandemic began to affect India and Nepal, it also impacted the pattern of migration. In Nepal, an extraordinary level of reverse migration was observed as migrant workers rushed home from their host countries. A study was conducted among 1,572 returnees in Sudurpaschim Province's Kanchanpur, Kailali, Doti and Achham districts to identify the impact of COVID-19 on migrant workers. A majority (98.2%) of the respondents had returned from India and only 1.8 per cent from the GCC States.⁷¹

65 Ibid.

66 DCA, 2020.

67 NPC, Government of Nepal, 2020b.

68 IOM, 2019b.

69 Ibid.

70 Ibid.

71 DCA, 2020.

India was one of the countries hardest hit by the pandemic. As cases in India increased dramatically, the influx of people from India to Nepal also rose. There were 11,377 COVID-19 patients who had returned from India to Nepal, representing 90 per cent of infected people in Nepal during the time of the survey in 2020.⁷²

After the nationwide lockdowns were announced in the two countries, many migrants were compelled to walk hundreds of kilometers to return to Nepal. A study found that around 98.7 per cent of the returnees had lost their livelihoods. Approximately 12 per cent of the returnees were found to lack adequate stocks of food. After coming back to Nepal, their survival depended on income from crop production and livestock rearing, which were severely impacted by the pandemic.⁷³

Another survey found that as many as 72,133 migrants from 209 municipalities requested assistance during the pandemic because they had either lost their jobs or were on unpaid leave. While over half (56%) faced financial issues, COVID-19-related stigma and discrimination was also commonly reported (44%).⁷⁴ According to the survey, migrant workers from all provinces reported “some degree of stigma and discrimination” in their societies. India as a transit country increased the risks of human trafficking. Many Nepalese working in India work in the informal sector and are exposed to exploitation.⁷⁵

Another major consequence of this reverse migration was border towns becoming COVID-19 hotspots. Historically, border towns have had a high prevalence of communicable diseases. For instance, the human immunodeficiency virus (HIV) prevalence rate among returnee migrants from India is as high as 2.2 per cent.⁷⁶ Despite the ubiquity of such issues, the Nepalese and Indian governments have yet to establish strategic and coordinated plans and actions.

3.3 Migration laws, policies and institutions that govern cross-border migration in Nepal

Foreign labour migration in Nepal is governed by national, regional, bilateral and international policy instruments and understandings. The Immigration Act, 1992 and the subsequent Immigration Rules (1994) are the main regulating frameworks for managing immigration in Nepal.⁷⁷ The Immigration Act presents the basic provisions on entry, stay and exit and provides authority to the government to regulate these matters.⁷⁸

72 Ibid.

73 Ibid.

74 Ibid.

75 IOM, 2019b.

76 Ibid.

77 IOM, 2018.

78 IOM, 2019b.

TABLE 5: Timeline of key events on migration management and foreign employment governance in Nepal

Year	Description
1950	Indo-Nepalese Treaty of Peace and Friendship
1985	Enactment of the first law on foreign employment: Foreign Employment Act
1992	First amendment of the Foreign Employment Act
1998	Second amendment of the Foreign Employment Act
1999	Enactment of Foreign Employment Rules
2003	Nepal becomes a member of the Colombo Process, a regional consultative forum for the management of foreign employment and contractual labour
2007	Enactment of new law: Foreign Employment Act
2008	<ul style="list-style-type: none"> • Establishment of the Foreign Employment Promotion Board • Establishment of the Department of Foreign Employment, the responsibility of which was until then overseen by the Department of Labour and Employment Promotion in the then Ministry of Labour and Transport Management • Enactment of Foreign Employment Rules
2010	Establishment of Foreign Employment Tribunal
2011	First amendment of Foreign Employment Rules
2012	Announcement of the first Foreign Employment Policy
2015	<ul style="list-style-type: none"> • Development of five-year National Strategic Action Plan on Foreign Employment • First Amendment of Foreign Employment Act
2016	First South Asian Association for Regional Cooperation (SAARC) level regional consultation on labour migration held by the Government of Nepal together with the SAARC Secretariat
2017–2021	Nepal becomes the Chair of the Colombo Process
2020	Champion country of Global Compact for Safe, Orderly and Regular Migration

Source: Ministry of Labour and Migration 2015/2016–2016/2017, Government of Nepal.

3.4 Existing policies, rules, acts

TABLE 6: National instruments guiding Nepal’s foreign labour migration

Foreign Employment Acts	Other National Instruments
Foreign Employment Act 1985	Labour Act 1992
Foreign Employment Act 1992 (First Amendment)	Trade Union Act 1992 ⁷⁹
	Children Act 1992
Foreign Employment Act 1998 (Second Amendment)	Children Act 1992
Foreign Employment Rules 1999	National Labour Policy 1999 ⁸⁰
Foreign Employment Act 2007	Immigration Act 1992
Foreign Employment Policy 2012	Child Labour Act 2000
National Youth Policy 2015	
National Employment Policy 2016	
Foreign Employment Rules (Fifth Amendment) 2019	Labour and Employment Policy 2005
	The Interim Constitution 2007 AD
National Health Policy 2014 and 2019	Nepal Citizenship Act 2006 ⁸¹
	The Interim Constitution 2007
	Human Trafficking and Transportation (Control) Act 2007
	Non-resident Nepali Act 2008
	Constitution of Nepal 2015
	Passports Act 2019 ⁸²

Source: Sijapati and Limbu, 2012.

TABLE 7: Organizational framework at the national level

Stakeholders	Responsibilities
Ministry of Labour, Employment and Social Security (MoLESS)	MoLESS is an apex body with the responsibility of formulating guidelines, policies and laws for the regulation and management of foreign labour migration. Under MoLESS, the Department of Foreign Employment has responsibilities of management, regulation, monitoring and coordination of foreign labour migration.
Ministry of Health and Population (MoHP)	MoHP is responsible for overall policy formulation, planning, organization and coordination of the health sector at national, province, district and community levels. It also has an important role in migration policy, planning, programming and implementation. ⁸³

⁷⁹ Government of Nepal, Nepal Law Commission, Trade Union Act, 1992.

⁸⁰ Rimal and Upadhyaya, 1999.

⁸¹ Government of Nepal, Nepal Law Commission, Nepal Citizenship Rules, 2006a.

⁸² Government of Nepal, Nepal Law Commission, Nepal Passports Act, 1967.

⁸³ MoHP, Government of Nepal, n.d.

Stakeholders	Responsibilities
Ministry of Home Affairs (MoHA)	MoHA primarily focuses on immigration, internal security and peace policy, policy, law, criteria, plan implementation and regulation, international borders, border security, border administration and security of international borders and many more. ⁸⁴
Department of Immigration (DoI)	DoI is the principal authority to execute and implement the immigration laws of Nepal. It is assigned with the responsibility of monitoring, controlling and regulating entry, exit and stay of foreign nationals in Nepal. ⁸⁵
Ministry of Education, Science and Technology (MoEST)	MoEST is responsible for overall development of education in the country. This Ministry is responsible for formulating educational policies and plans and managing and implementing them across the country through the institutions under it. It also provides No Objection Letters to students. ⁸⁶
Ministry of Foreign Affairs (MoFA)	The Ministry of Foreign Affairs is responsible for formulating and implementing Nepal's foreign policy. MoFA also protects and promotes national interest of Nepal while maintaining relations with other countries and organisations. Within the overall framework of foreign policy, it effectively conducts diplomacy to promote rights and interests of Nepalese nationals living abroad. ⁸⁷
Foreign Employment Board Secretariat	Chaired by the Minister of Labour, Employment and Social Security and consisting of 23 members from different ministries, Nepal Rastra Bank, civil society and the private sector, the Board focuses on promotional activities for foreign employment and ensures social protection and welfare of workers, including managing the Foreign Employment Welfare Fund and conducting pre-departure orientation and skill training.
Foreign Employment Tribunal	A semi-judicial body chaired by a judge of Nepal's Appellate Court, an officer of the Labour Court and a judicial services officer. Its jurisdiction covers cases regarding licenses for recruitment agencies and ensures the recruitment agencies operate lawfully.
Labour Attachés	Labour attachés are appointed in destination countries where at least 5,000 Nepalese migrant workers are based and a female labour attaché is appointed in destination countries where at least 1,000 women migrant workers are based. Attachés assist in disputes with employers, assist or rescue Nepalese workers in distress and provide information on the job market and conditions in the destination country.

Source: Kunwar, 2020 and IOM, 2019b.

84 Ministry of Industry, Commerce and Supplies (MoICS), Government of Nepal, 2018.

85 Department of Immigration (DoI), Government of Nepal, n.d.

86 Ministry of Education, Science and Technology (MoEST), Government of Nepal, n.d.

87 Ministry of Foreign Affairs, Government of Nepal, n.d.

TABLE 8: Bilateral instruments regulating Nepal's labour migration

Bilateral Instruments with	Date of signature	Type of instrument
India	31 July 1950	Treaty
Qatar	21 April 2005	Labour Agreement
United Arab Emirates	3 July, 2007 and later. 14 June 2019 ⁸⁸	Memorandum of Understanding (MoU)
Republic of Korea	23 July 2007	MoU
Bahrain	29 April 2008	MoU
Japan	2009, 2019	Letter of Exchange, Memorandum of Cooperation
Israel	2015	Joint Pilot Programme
Jordan	2017	General Agreement
Malaysia	2018	MoU
Mauritius	2019	MoU

Source: Sijapati and Limbu, 2012 and IOM, 2019b.

TABLE 9: Major international conventions ratified by Nepal

International convention	Date of ratification/ accession (a)
Universal Declaration of Human Rights, 1948	Non-binding
International Convention on the Elimination of All Forms of Racial Discrimination, 1966	1971
ILO Convention 111 - Discrimination (Employment and Occupation), 1958	1974
ILO Convention 131 - Minimum Wage Fixing, 1970	1974
ILO Convention 100 - Equal Remuneration, 1951	1976
ILO Convention 14 - Weekly Rest (Industry), 1921	1986
Convention on the Rights of the Child, 1989	1990
Convention on the Elimination of All Forms of Discrimination against Women, 1979	1991
International Covenant on Economic, Social and Cultural Rights, 1966	1991

88 Embassy of Nepal, n.d.

International convention	Date of ratification/ accession (a)
International Covenant on Civil and Political Rights, 1966	1991
ILO Convention 144 - Tripartite Consultation (International Labour Standards), 1976	1995
ILO Convention 98 - Right to Organize and Collective Bargaining, 1949	1996
ILO Convention 138 - Minimum Age, 1973	1997
Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, 1949	2002
ILO Convention 182 - Worst Forms of Child Labour, 1999	2002
ILO Convention 29 - Forced Labour, 1930	2002
ILO Convention 105 - Abolition of Forced Labour, 1957	2007
ILO Convention 169 - Indigenous and Tribal Peoples, 1989	2007
Palermo Protocol - Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children	2020

Source: Sijapati and Limbu, 2012:96; Embassy of Nepal, n.d.

The Immigration Act, 1992:

Article 3(1) of the Act states the provisions related to the entry, stay and departure of foreigners.

1. No foreigner shall be entitled to enter and stay in Nepal without holding a passport and a visa.
2. The category, fees and other provisions relating to visas shall be as prescribed.
3. A foreigner intending to trek to the prescribed area of Nepal must obtain a visa and a permit as prescribed.
4. Fees for trekking and other provisions relating thereto shall be as prescribed.
5. The point of entry into Nepal and departure by a foreigner shall be as prescribed.
6. The provisions relating to departure from Nepal or entry into Nepal and departure of a citizen of Nepal shall be as prescribed (CESLAM, 1992).⁸⁹

The Department of Immigration is guided by legal frameworks laid down by the Immigration Act, 1992; Immigration Regulation, 1994 and Immigration Procedure, 2009. Its functions include issuing visas, trekking permits, detaining and investigating violations or breach of immigration laws of the country and filing of lawsuits in the courts. As per Paragraph 2, 2.2 of the Immigration Procedure, 2009, the functions of the department are to:

- Provide necessary Nepalese visa to foreigners, make necessary arrangements to make them available;

⁸⁹ Government of Nepal, Nepal Law Commission, 2017.

- Extend the previous visa on demand for extension as per the law;
- Certify arrival/departure record if requested by Nepalese or foreigners;
- Provide trekking permits to foreigners in restricted trekking areas;
- Cancel trekking permits or visas;
- Monitor, manage and control the presence of foreigners in Nepal;
- Manage the arrival and departure of Nepalese citizens into/from Nepal;
- Investigate and prosecute immigration offenses, including using fake passports or fake visas, re-entering Nepal during the deportation period and smuggling people illegally and dismissing cases in accordance with the law;
- File a case as required or keep the missile in custody by ensuring the authenticity of the person and his/her documents (in case of a person who has been deported or denied entry);
- Deport a foreigner who has already served a sentence on a charge or who has acted in violation of the Immigration Act and rules;
- Keep up-to-date records of deported foreigners;
- Investigate and prosecute the other functions against the Immigration Act, 1992.⁹⁰

Nepal Immigration Rules, 1994:

Rule 15 of schedule 5 of the Nepal Immigration Rules, 1994, states the points of entry and departure for foreigners required to obtain visas to enter. These include:

- a) Kakarvitta, Jhapa
- b) Tribhuvan International Airport, Kathmandu
- c) Kodari, Sindhupalchowk
- d) Birgunj, Parsa
- e) Belahiya, (Sunauli) Rupandehi
- f) Jamunah, Nepalgunj, Banke
- g) Mohana, Dhangadhi, Kailali
- h) Gadda Chauki, Mahendranagar, Kanchanpur

Rule 30 states the provision on facility of single or multiple entry:

- While issuing a visa pursuant to these Rules, the facility of single entry and multiple entry may also be granted.
- The facility granted pursuant to sub-rule (1) shall remain valid only until the entry validity period of the visa, in the case of a visa issued by the mission and until the validity period of the visa issued by the Office or Department.⁹¹

Foreign Employment Act (Second Amendment) 1998:

The Foreign Employment Act, 1985 identified the number of countries to which Nepalese were encouraged to migrate for employment. After its enactment, Nepalese started to migrate beyond India, particularly to the GCC countries.⁹² The first amendment to the Act was in 1992. The first amendment to the Foreign employment Act was made mainly for better management of foreign employment as well as to have control over it. It prohibited the transfer of ownership and liability of the licensed agency, provided for selected workers to be sent for foreign employment within four months of the date of selection and in cases where the company failed to do so, have them pay back the amount received from the workers along with an interest (18% per annum) within 15 days.⁹³ The second amendment

⁹⁰ Department of Immigration, Government of Nepal, n.d.

⁹¹ Government of Nepal, Nepal Law Commission, 1994.

⁹² Shrestha, n.d.

⁹³ Ministry of Labour and Transport Management (MoLTM), Government of Nepal, 1992.

to the Act was made in 1998 which mainly introduced certain flexibilities to make foreign employment businesses more accessible and convenient.⁹⁴

National Employment Policy, 2006:

The Policy was formulated to ensure effectiveness and harmony in Nepal's bid to achieve its overall development goals. The main objectives of this policy include:

- To provide all citizens with productive and output-oriented work opportunities by strengthening the national economy and harmonizing diverse sectoral policies towards employment generation with this policy.
- To improve the quality of employment by gradually transforming informal employment into formal employment.
- To appropriately manage migrant and immigrant workers.
- To accord priority to the creation of employment opportunities targeted at the youth.

The National Employment Policy also aims to address the current policymaking scenario in relation to employment that will help to improve the policymaking process and enhance effectiveness of its implementation.⁹⁵

Foreign Employment Act, 2007:

This Act mandated the creation of institutions designed to ensure the welfare of Nepalese foreign employment workers before departure and at the destination. These include:

- i. the Foreign Employment Welfare Fund, managed by the Foreign Employment Promotion Board
- ii. the Department of Foreign Employment
- iii. the Foreign Employment Tribunal.⁹⁶

Non-Resident Nepali Act, 2008:

This Act defines “Non-Resident Nepali” (NRN) as a foreign citizen of Nepalese origin who himself/herself or whose father, mother, grandfather, or grandmother was a citizen of Nepal at a time and has subsequently acquired the citizenship of any other foreign country other than a member country of SAARC. The NRN Act also permits them to invest and do business in Nepal.⁹⁷

Foreign Employment Rules, 2008:

The 1999 Foreign Employment Rules detailed provisions regarding the issuing and renewal of licenses. The Rules specified that the contract had to mention all the necessary details, including the position of the employee and details of work to be done, remuneration, details about probation period, compensation in case of injury, disability or death, arrangement to bring back the dead body of the worker, procedure for settling disputes between the employee and the employer, and arrangements about leave and insurance.⁹⁸ The Foreign Employment Rules, 2008, has the following provisions:

- It has clarified the process of a merger among licensed recruitment agencies.
- It has specified the process for the renewal of labour approval through the corresponding diplomatic missions.

94 MoLTM, Government of Nepal, 1998.

95 Government of Nepal, Nepal Law Commission, 2006b.

96 Bossavie and Denisoya, 2018.

97 Dahal, 2021.

98 Ministry of Labour, Government of Nepal, 1999.

- It includes provisions on forwarding grievances/complaints by the diplomatic mission to the Department of Foreign Employment (DoFE) for further action.
- A Foreign Employment Business Fund has been established that is funded by 25 per cent of the interest of the escrow amount deposited in commercial banks by the DoFE to be used for capacity development and welfare functions of licensed recruitment agencies or related research activities.
- Similarly, welfare benefits can also be claimed at the local level by the migrant worker or his/her nominated beneficiary, without requiring them to travel to the capital.⁹⁹

Foreign Employment Policy (2012)

This Policy aims to “ensure safe, organized, dignified and reliable foreign employment to help reduce poverty along with sustainable economic and social development through economic and non-economic benefits of foreign employment.” It has been formulated to give direction to the effective management of foreign employment and seeks to overcome the shortcomings of the prevailing Acts and Rules. This policy attempts to incorporate the provisions of various international conventions. The policy lists out seven broad goals:

- To identify and promote employment opportunities in the labour market;
- To develop a competitive skilled workforce to maximize the benefits of foreign employment;
- To ensure that each step of the foreign employment process is simple, transparent, reliable, organized and safe;
- To address concerns of female migrant workers and ensure their rights throughout the migration cycle;
- To ensure good governance in the management of labour migration;
- To mobilize local, national and international resources for foreign employment management and promote collaborative efforts via sectoral partnerships;
- To mobilize remittances for human development and in productive sectors.¹⁰⁰

This policy has resulted in the creation of directives and manuals aimed at improving the foreign employment process and protecting the rights of foreign employment workers. These include Standard on the Enlisting Process of the Health Examination (2013), Directive on the Procedure on Individual Labour Permits (2013), Manual on Registration and Renewal of Orientation Training Institutions (2014), Manual on Extending Objective Assistance to Skill Trained Human Resources (2014) and Directive on Sending Domestic Helpers for Foreign Employment (2015).^{101, 102}

The Labour Act, 2017:

The Labour Act of 1992 aimed to protect the rights and interests of workers and provides several facilities and safety measures at the workplace. According to this Act, every enterprise must classify the job of the workers and employees according to the nature of the work. Provisions of the Act also help to design pay and other incentives for workers and employees explicitly based on the nature of work.¹⁰³

99 Ministry of Labour, Employment and Social Security (MoLESS), Government of Nepal, 2020a.

100 Ibid.

101 Bossavie and Denisoya, 2018.

102 Government of Nepal, 2012.

103 Adhikari et al., 2011.

The most recent amendment to the Labour Act of 1992 is the Labour Act, 2017. It was made for the amendment and consolidation of the laws relating to rights, interests and benefits of labours.^{104, 105} The Labour Act, 2017, Article 22 of Chapter 6, deals with “provisions relating to work permit” and states the restrictions on employment of foreigners:

- No employer shall employ any foreign citizen as a labourer without obtaining the work permit from the Department.
- Notwithstanding anything contained in sub-section (1), the employer may employ a foreign labourer subject to this Section, if the skilled labourer that he/she needs cannot be supplied from among Nepalese citizens.
- Prior to employing foreign labour pursuant to sub-section (2), the employer shall publish an advertisement in a national daily newspaper to acquire the required skilled labour from among the Nepalese citizens.¹⁰⁶

Local Governance Operation Act, 2017:

This Act mandates multiple roles and responsibilities of local governments concerning foreign employment. These responsibilities can be broadly categorized into three groups: data collection, information and training and integration of returnee migrants.¹⁰⁷

TABLE 10: Foreign employment related responsibilities of local governance

Data	Information and training	Returnee integration
Records collection and information management of domestic and foreign labourer at the local level	Management and operation of employment information centers	Social reunification of returnee migrant workers
Information and data collection and management of labour force in foreign employment and safe migration practices	Financial literacy and skills training for the labour force going for foreign employment	Use of knowledge, skills and entrepreneurship gained during foreign employment
Other activities related to recordkeeping of unemployment population.		

Source: Local Government Operation Act, 2017.

104 Ibid.

105 Government of Nepal, Nepal Law Commission, 2017.

106 Ibid.

107 MoLESS, Government of Nepal, 2020a.

Provisions on women migrant workers

TABLE 11: Provisions adopted by the Government of Nepal on women migrant workers

Date	Provision adopted
Up to 1985	No restrictions on the movement of women migrant workers.
1985 – 1998	With the adoption of the Foreign Employment Law (1985), women are required to obtain consent of a “guardian” (parent, husband or other relative) to travel abroad for employment.
16 May 1997	A decision is adopted to permit women to work in certain organized sectors abroad.
5 March 1998	A ban on international labour migration for women is introduced.
16 November 2000	The ban was lifted with the condition that women must obtain a guarantee for her security from the Nepalese mission in the destination countries. This provision was not applicable in the Gulf Cooperation Countries (GCC), which meant women could not lawfully seek work in the region.
21 January 2003	The provision requiring a guarantee for security from the Mission is extended to the GCC.
27 March 2003	Additional conditions are imposed on women migrants, such as obtaining re-approval from the Government after temporarily visiting Nepal.
8 May 2003	A requirement for women migrants to obtain approval from the local government and family members before departing for foreign employment is introduced.
31 May 2005	Migration for foreign employment to Malaysia for women migrants is opened in the organized sector.
17 January 2007	The various restrictions in place are lifted to permit female workers to migrate for foreign employment in the organized sector.
5 September 2007	All additional conditions for female migration (i.e. age, working conditions in the destination, etc.) are withdrawn.
5 September 2008	Women migrant workers are permitted to work in the GCC and Malaysia except for domestic work.
January – May 2009	Female domestic workers are no longer permitted to go to Lebanon.
December 2010	The Government allows women to go to Saudi Arabia, Kuwait, the United Arab Emirates and Qatar for work and new protection measures are put in place.
October 2011	The ban on women migrant workers going to work in the domestic sector in the GCC is lifted and Nepal aims to send about 150,000 female workers to the region.
9 August 2012	Women under the age of 30 years are barred from migrating as domestic workers to Saudi Arabia, Qatar, Kuwait and the United Arab Emirates.

Date	Provision adopted
July 2014	Nepal imposes a temporary ban on sending housemaids citing the need for stronger “regulation to protect them from widespread abuse and exploitation”, except for those who have already obtained a permit.
April 2015	Women migrant workers under the age of 25 years are prohibited from migrating to the GCC as domestic workers and new protection measures are put in place.
13 May 2016	Women migrant workers above the age of 24 years are permitted to migrate for domestic work to the GCC and Malaysia with the assistance of selected recruitment agencies on the basis of a separate labour agreement with the host countries.
August 2017	Women (domestic) migrant workers are once again prohibited from working in the domestic sector in the GCC, following a parliamentary committee field visit report.
2022	The Ministry of Labour, Employment and Social Security decides to reapprove the labour permits for women migrants.

Source: Pyakurel, 2018:53; IOM, 2019b.

3.5 Migration to India: remittance and its effect on the Nepalese economy

Rise in remittances

Remittances are one of the most important sources of income for individuals in low- and developing-income countries like Nepal, frequently surpassing direct investment and international development aid. According to the World Bank, remittances made up 28 per cent of Nepal’s gross domestic product (GDP) in 2018, ranking the country fifth among remittance recipients worldwide.¹⁰⁸ In the fiscal year 2019/20, Nepal received global remittance amounting to NPR 875 billion, which translated into a remittance to GDP ratio of 23.23 per cent.¹⁰⁹

Nepalese migrant workers remitted NPR 961.05 billion in the fiscal year 2020/21, which concluded in mid-July, a record high amount of money transferred to the country since Nepalese began working abroad more than two decades ago.¹¹⁰ The rise in remittance income in the past decade has boosted Nepal’s foreign exchange reserve as well as put the country’s overall balance of payment in surplus. The gross foreign exchange reserve reached USD 11.65 billion in mid-July 2020, which has increased by 0.9 per cent to 11.75 billion in mid-July of 2021.¹¹¹

Remittances from India

Nepal is a remittance-based economy because of its high dependence on remittance inflows which account for around a quarter of the GDP. Every year, Nepal receives a sizeable sum of money from India in the form of remittance and pension. Remittance from India has increased the imports of daily consumable goods and has helped in raising the living standards of Nepalese households.

108 Adhikari, 2021.

109 Byanjankar, R. and M. Sakha, 2021.

110 Ibid.

111 Ibid.

In the fiscal year 2021/22, it has caused the country's imports to be largely financed by remittance income, along with consumption tax, most value added tax and customs duties on imported goods.¹¹² Some 14.2 per cent of remittance sent by Nepalese migrants come from India, making it one of the most popular destinations for Nepalese aspiring to work outside the country.¹¹³

In 1995/96, Nepal received 32.9 per cent of its total remittances from India, amounting to roughly NPR 4.2 billion. The number fell to 23.2 per cent, or roughly NPR 10.7 billion, in 2003/04; in 2010/11, the remittance from India to GDP ratio declined to 11.3 per cent, totalling approximately NPR 29.1 billion.¹¹⁴ For the year of 2020, Nepal received total remittance of USD 8.8 billion whereas remittance inflows increased 8.2 per cent to USD 8.15 billion.¹¹⁵

Mode of remittances

The percentage of remittances from India through official channels is just USD 1.5 billion of Nepal's overall remittance of USD 8.8 billion, but the real remittance from the nation through informal channels is rather large.¹¹⁶ According to the Nepal Living Standards Survey 2010/11, only around 8.5 per cent of migrants to India preferred to send money through official sources (financial institutions), while about two per cent were inclined to transfer funds via *hundi*, and around 30 per cent chose to send money through friends and family (informal sources).

Consumption pattern of Indian remittances

Remittance received from India has a different consumption pattern in Nepalese households compared to that from the rest of the world – 85 per cent of the remittances from India are used for daily expenditure. After consumption, approximately 5 per cent of the total remittance from India is used for debt repayment and 2 per cent on capital formation.¹¹⁷ Capital formation, in fact, denotes a critical part of economic progress. This entails manufacturing and growing capital goods such as machinery, tools, factories, structures, raw materials, fuel and so on, which will be utilized to produce additional commodities, hence reducing imports, and boosting exports.¹¹⁸

India: choice of new generation Nepalese migrants

The 1950 Treaty of Peace and Friendship between the two nations grants national treatment to citizens of one country in the other's country and has strengthened the Nepal-India relationship. Almost two-thirds of all cross-border migrants make independent choices to travel to India for employment and about a third are influenced by their parents and spouses.¹¹⁹

The involvement of ancestors in cross-border migration has played a key role in the migration of new generations to India. Permanent, temporary, or seasonal migration are all options for Nepalese to migrate to India. Nepalese have been prompted to migrate to India's cities and industrial areas due to several reasons: poverty, unemployment, harsh effects of climate

112 United Nations International Children's Emergency Fund (UNICEF), 2021.

113 Nepal Rastra Bank (NRB), 2020.

114 CBS, 2002, 2004, 2009, 2011b.

115 Jha, 2020.

116 Ibid.

117 CBS, 2011b.

118 Acharya, 2019.

119 Kunwar, 2018.

change, conflict, insecurity, political instability,^{120, 121} marital issues, familial tensions¹²² and high expectations of young people.¹²³ Migration is frequently the consequence of a mix of push factors such as violence, poverty and natural disasters, as well as pull factors such as work opportunities.¹²⁴

Effect of emigration to India

As the emigration of Nepalese workers have increased over the decade, remittance inflow has captured attention in the Nepalese macroeconomic environment. In the economic sector, the perceived negative effects of emigration to India are increased trade deficit; artificial price hikes of customer goods such as land and housing; increased reliance on remittances; inadequate use of available natural resources such as land cultivation; and investment in unproductive sectors.¹²⁵

According to neoclassical growth models, emigration reduces overall production while increasing per capita income in exporting nations, accelerating convergence. This is also consistent with the expectations of factor-trade models.¹²⁶ Emigration of highly trained people may reduce the stock of human capital as well as the rate of return on capital and labour.¹²⁷

The exodus of young and talented workers has lowered private sector activity, weakened external competitiveness and increased social spending in comparison to the GDP. Outflow of skilled workers can cause brain drain, lowering productivity¹²⁸ and remittances can decrease labour supply by raising reservation wages.¹²⁹ Since India has an unaccounted number of Nepalese migrants and the pattern of migration to India is gradually increasing, all the emigration effects on the Nepalese economy holds true.

Trade agreements

On one hand India is Nepal's largest export market and on the other hand, for Nepal, India is the largest source of imports, the largest investor in foreign capital stock, and one of the greatest international assistance providers. Since Nepal is a landlocked nation bordered by India on three sides, India offers Nepal transit facility through its territory to reach seaports for commerce with the rest of the globe. The flow of products through the border between India and Nepal is controlled by three major legal instruments:

i. Bilateral Trade Treaty

The Bilateral Trade Treaty signed in 1971 (and updated in 1991, 1993, 1996, 2002 and 2009) governs trade between the two nations, under which India and Nepal grant tariff and other tax discounts on primary and manufactured items imported from each other's territory.

120 Schwilch et al., 2017.

121 Dhital et al., 2015.

122 Limbu, 2016.

123 Thapa et al., 2019.

124 Castelli and Sulis, 2017.

125 Kunwar, 2015.

126 Ohlin and Heckscher, 1991.

127 Haque and Kim, 1995.

128 Burns and Mohapatra, 2008.

129 Amuedo-Dorantes and Pozo, 2006.

ii. *South Asian Preferential Trade Agreement*

The South Asian Preferential Trading Agreement (SAPTA) was a SAARC project to increase commerce between South Asian countries through preferential treatment.¹³⁰ Following the end of its first round of discussions, the agreement went into effect in December 1995. It had four rounds of discussions based on the “request and offer” technique. The margin of preference dictated the tariff concessions. Using this method, each subsequent round tried to expand the number of items covered and deepen tariff discounts. Tariff concessions were traded for around 5,000 items at the conclusion of the fourth round of talks.

iii. *South Asian Free Trade Agreement*

The South Asian Free Trade Agreement (SAFTA), which superseded SAPTA, was signed in 2004 and entered into force in 2006. It aspires to strengthen trade and economic cooperation among member nations by fostering fair competition and removing barriers to cross-border commerce. During the last review period, SAFTA members steadily reduced tariffs to 0 – 5 per cent on all tariff lines except the sensitive lists in accordance with the Agreement’s trade liberalization policy. The sixth SAFTA Council meeting in 2012 took the initiative to lower the number of items on sensitive lists by 20 per cent; Nepal had already met the relevant objective by 2014.

Similarly, at the 16th Summit in 2010, the SAARC Agreement on Trade in Services (SATIS) was signed and it entered into force in 2012. SATIS recognizes the regional economic potential of service trade and is committed to increasing intraregional investment and trade liberalization.¹³¹

As a successor to SAPTA, SAFTA was revived to reach a higher level of integration of trade in the region, by recognizing the varying levels of development of its members. Under SAFTA, India and Nepal also make concessions for one another. Nepal is set to give zero per cent tariff on all products under the SAFTA agreement, with the exception of 1,062 items on the sensitive list. Nepal, on the other hand, has yet to complete its tariff liberalization and now provides zero tax on a limited range of commodities.¹³² As a result, India is yet to get zero-tariff entry into Nepal on all commodities other than those on the sensitive list.¹³³

Nepal-India trade pattern

Since 2002/03, India has enjoyed a trade surplus with Nepal and it has grown over time. The average trade balance ratio climbed from 40 per cent in 2002/03 to 90 per cent in 2009/10 to 76 per cent in 2010/11 to 2018/19, demonstrating India’s growing trade surplus (Table 9).

Petroleum oil and bituminous mineral oils, light oils, milled rice, motorcycle components, semi-finished iron or non-alloy steel, cement clinkers and pharmaceuticals were among India’s top exports to Nepal in 2018/19 (Table 10). Refined palm oil, flavoured water, cardamom, plastic pieces, tea, textiles, and other commodities were among India’s top imports from Nepal in 2018/19 (Table 11).

130 SAARC, 1993a.

131 Ministry of Industry, Commerce and Supplies (MoICS), Government of Nepal, 2018.

132 SAARC, 1993b.

133 Taneja et al., 2020.

In 2020, Nepal exported USD 611 million to India. The main products that Nepal exported to India are soybean oil (USD 198 million), nutmeg, mace and cardamoms (USD 47.1 million) and palm oil (USD 44.9 million). During the last 25 years the exports of Nepal to India have increased at an annualized rate of 11 per cent, from USD 45.3 million in 1995 to USD 611 million in 2020.¹³⁴

In 2020, India exported USD 5.85 billion to Nepal. The main products that India exported to Nepal were refined petroleum (USD 814 million), semi-finished iron (USD 388 million) and rice (USD 329 million). During the last 25 years, the exports of India to Nepal have increased at an annualized rate of 15.5 per cent, from USD 159 million in 1995 to USD 5.85 billion in 2020.¹³⁵

TABLE 12: India's trade with Nepal (USD million)

Year	Export to Nepal	Import from Nepal	Total trade	Trade balance	Trade balance ratio (%)
2002–2003	350	282	632	69	11
2003–2004	669	286	955	383	40
2004–2005	743	346	1 089	397	36
2005–2006	860	380	1 240	480	39
2006–2007	927	306	1 233	621	50
2007–2008	1 507	629	2 136	879	41
2008–2009	1 570	496	2 066	1 074	52
2009–2010	1 533	453	1 986	1 081	54
2010–2011	2 168	513	2 682	1 655	62
2011–2012	2 722	550	3 272	2 172	66
2012–2013	3 089	543	3 632	2 546	70
2013–2014	3 592	530	4 122	3 062	74
2014–2015	4 559	640	5 199	3 919	75
2015–2016	3 930	471	4 401	3 460	79
2016–2017	5 454	445	5 899	5 009	85
2017–2018	5 518	414	5 932	5 104	86
2018–2019	7 766	508	8 274	7 258	88

Source: Directorate General of Foreign Trade, Ministry of Commerce, Government of India, n.d.

134 The Observatory of Economic Complexity (OEC), 2020.

135 Ibid.

TABLE 13: India's top 10 exports to Nepal in 2018 – 2019

Commodity	Value in USD Million
Other petroleum oils and oils obtained from bituminous minerals, etc.	1 166
Other products containing by weight < 0.25% of carbon	532
Light oils and preparations	286
Other in gaseous state	253
Semi/wholly milled rice w/n polished/glazed	221
Motorcycle, etc. with reciprocating internal combustion piston engine of cylinder capacity > 50 cc to 250 cc	182
Flat rolled products in coils of a thickness of < 3 mm	142
Bars and rods, hot rolled of iron/non-alloy steel	141
Cement clinkers	134
Other medicine put up for retail sale	132

Source: Directorate General of Foreign Trade, Ministry of Commerce and Industry, Government of India, n.d.

TABLE 14: India's top 10 imports from Nepal in 2018 – 2019

Commodity	Values in USD Million
Refined palm oil and its fractions	45
Other sweetened flavoured water	43
Cardamom: neither crushed nor ground	32
Other articles of plastics	31
Other black tea and other partly fermented tea:	29
Unbleached woven fabrics of jute/other textile-based fibres	25
Sacks and bags for packing, made of jute or of heading no. 5303	22
Wire of iron/non-alloy steel, plated/coated with zinc	21
Corrugated products, otherwise plated or coated with zinc	19
Resin and resin acids	15

Source: Directorate General of Foreign Trade, Ministry of Commerce and Industry, Government of India, n.d.

India's FDI in Nepal

During the 1970s and 1980s, when overall foreign direct investment (FDI) flows to Nepal were negligible or even negative, India was among the sole investors, averaging USD 0.5 million per year. India's investments increased dramatically in the 1990s, although overall flows remained minimal, averaging USD 8.3 million per year from 1990 to 2000. Indian FDI dropped between 2000 and 2009, but more than tripled after 2010. Total FDI into Nepal climbed from USD 19.1 million per year between 2001 and 2010 to roughly USD 92 million per year between 2011 and 2018.¹³⁶

India has been the most significant source of FDI stock in Nepal, accounting for about 30 per cent of the total FDI stock. According to the Reserve Bank of India, Nepal received a total of USD 116.2 million in FDI from India between 2007/08 and 2018/19 (Table 12). In terms of FDI origin, Nepal has received FDI from 39 countries as of 2016.¹³⁷

Nepal received foreign investment from 52 different economies as of mid-July 2020. In terms of total FDI stock, India ranks top position with NPR 62.45 billion followed by China (NPR 30.97 billion), Saint Kitts and Nevis (NPR 15.27 billion), Ireland (NPR 12.93 billion), and Singapore (NPR 12.43 billion). In terms of paid-up capital, India ranked top position with NPR 35.56 billion.¹³⁸

More than 96 per cent of India's FDI stock is concentrated in three major sectors. The investment predominantly ranges from manufacturing, hydropower sector to banks and financial institutions. In terms of paid-up capital, the investment in electricity, gas and water (primarily hydropower sector) remains the highest.¹³⁹

TABLE 15: India's cumulative FDI in Nepal (values in USD million)

Years	FDI Value
July 2007 – 2008	4.07
2008 – 2009	4.70
2009 – 2010	6.39
2010 – 2011	9.08
2011 – 2012	14.38
2012 – 2013	17.46
2013 – 2014	9.76
2014 – 2015	2.37
2015 – 2016	5.38
2016 – 2017	3.08
2017 – 2018	20.92
2018 – 2019	18.6

Source: Overseas Investment Data, Reserve Bank of India, n.d.

¹³⁶ United Nations Conference on Trade and Development (UNCTAD), 2019.

¹³⁷ NRB, 2018.

¹³⁸ NRB, 2021.

¹³⁹ NRB, 2020.

Until recently, the flow of Indian FDI into Nepal was strongly influenced by a bilateral trade agreement that encouraged various Indian businesses to establish a commercial presence in Nepal to capitalize on the investment-trade nexus. Geographic closeness, as well as similar historical and cultural links, have also facilitated the flow of international investment.¹⁴⁰ Cheap labour costs, as well as the growing liberalization of Nepal's trade and economic policies, have resulted in a low tariff rate structure, which has benefited Indian enterprises.¹⁴¹

Major Indian investment firms in Nepal

Nepal also benefits from the 150 Indian ventures that have established themselves in the country. These enterprises account for more than 30 per cent of the country's total allowed foreign direct investment. These companies provide major contributions to Nepal's manufacturing, banking, insurance, education, telecommunications, electricity and tourist industries. Hindustan Unilever, Videsh Sanchar Nigam Limited, State Bank of India, Punjab National Bank, Bhushan Group, Life Insurance Corporation of India, Manipal Group, Asian Paints, Grandhi Mallikarjuna Rao India, Container Corporation of India Limited, Infrastructure Leasing and Financial Services, Dabur India, MIT Group Holdings, Nupur International, Tata Power, Patel Engineering and Transworld Group are some of the major Indian investment firms in Nepal.¹⁴²

India's development assistance to Nepal

India's development support to Nepal in all connectivity projects such as roads, airports, and India's development support to Nepal in all connectivity projects such as roads, airports and communication is critical. In the 2019-20 "Aid to Nepal" budget, India allocated NPR 18.9 billion towards Nepal's economic growth.¹⁴³ Every year, Nepal receives such support from India.

As early as 1956, India built Nepal's first highway, the Tribhuvan Rajpath, which connected Kathmandu to Birgunj via the country's most challenging steep highland areas. India has built over 75 per cent of the East-West Highway, which connects one end of the nation to the other across the Terai area.

The Koshi Barrage, which is crucial for irrigating land in Nepal and India, also serves as the only bridge connecting Nepal's entire eastern area with the rest of the nation. Other critical Indian initiatives, such as the Gandaki Irrigation Project, the Devighat Hydropower Project and the B.P. Koirala Institute of Health Sciences in Dharan, are extremely beneficial to Nepal.¹⁴⁴

140 Taneja et al., 2019.

141 Jha, 2010.

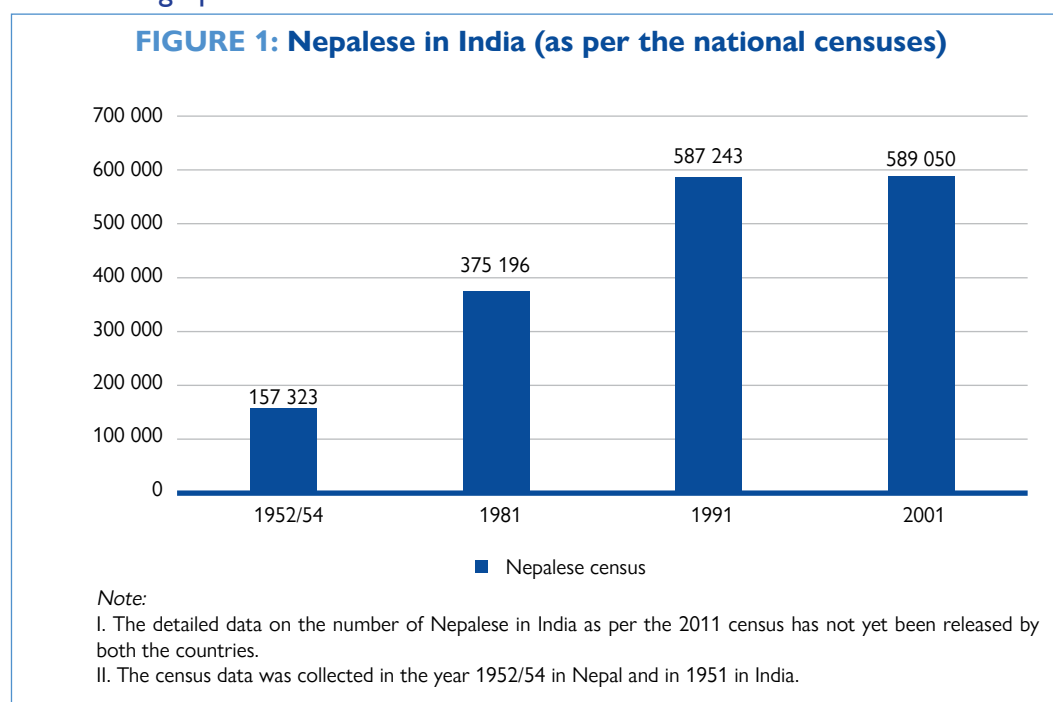
142 Ministry of External Affairs, Government of India, 2014.

143 Embassy of India, 2020.

144 Pulipaka et al., 2018.

3.6 Nepalese migration to India: trends and patterns

3.6.1 Demographic details



The major source of socioeconomic and demographic information in Nepal is the National Population and Housing Census conducted by the CBS. In 2001, the censuses of Nepal and India shows the count of Nepalese in India as 589,050 and 596,696 respectively.¹⁴⁵ While the census data is not the most updated, the exact number of Nepalese migrants' population in India remains undocumented.

An empirical study on the status of Nepalese migrants in the Delhi-National Capital Region area also compiled a rough estimate from different sources in the table below according to which the highest number estimate is around 2.8 million by General Federation of Nepalese Trade Unions (GEFONT), 1998.¹⁴⁶

TABLE 16: Number of Nepalese migrants in India

Source	Year	Nepalese migrants in India
GEFONT	1998	2.8 million
Kaushik	2004	2.5 million
Seddon, Adhikari and Gurung	2002	1.3 million
CBS (Nepal)	2001	589 050
Adhikari and Gurung	2009	0.2 million (In Delhi only)

Source: Bashyal, 2022.

¹⁴⁵ Sharma and Thapa, 2013.

¹⁴⁶ Bashyal, 2020.

TABLE 17: Data with the mention of Nepal in Indian census 2011

Population classified by place of birth and sex-2011												
State	District	Area name	Birth place	Place of enumeration								
				Total			Rural			Urban		
				Persons	Males	Females	Persons	Males	Females	Persons	Males	Females
00	000	India	Nepal	810 158	276 89	533 369	507 104	111 664	395 440	303 054	165 125	137 929

Last residence	Place of enumeration	Total migrants		
Country	Total/ Rural / Urban	Persons	Males	Females
Nepal	Total	778 224	254 608	523 616
Nepal	Rural	495 031	100 251	394 780
Nepal	Urban	283 193	154 357	128 836

Duration of residence in place					
Less than 1 year			1 – 4 years		
Persons	Males	Females	Persons	Males	Females
52 990	33 228	19 762	135 548	56 124	79 424
30 434	19 274	11 160	73 032	20 904	52 128
22 556	13 954	8 602	62 516	35 220	27 296

5 – 9 years			10 – 19 years		
Persons	Males	Females	Persons	Males	Females
115 125	38 938	76 187	179 678	48 594	131 084
67 724	13 118	54 606	116 438	15 377	101 061
47 401	25 820	21 581	63 240	33 217	30 023

20+ years			Duration not stated		
Persons	Males	Females	Persons	Males	Females
240 229	56 924	183 305	54 654	20 800	33 854
173 501	21 473	152 028	33 902	10 105	23 797
66 728	35 451	31 277	20 752	10 695	10 057

Source: Indian census 2011.

3.6.2 Age distribution

As per the Nepal Living Standards Survey (NLSS), the majority of international migrants from Nepal are between the ages of 15 and 29, comprising more than 50 per cent of the total migrant population.¹⁴⁷ Another study reported 20 – 40 years as the age of large number of migrants in India and found similar statistics in the case of migrants in India as well. Of the total respondents, over half were in the 20 to 40 age group and more than 70 per cent had come to India between the ages of 10 to 20.¹⁴⁸ The youngest age group was found to be 15 and mostly working as low-skilled labour in hotels and restaurants.

TABLE 18: Population absent from households by country of destination

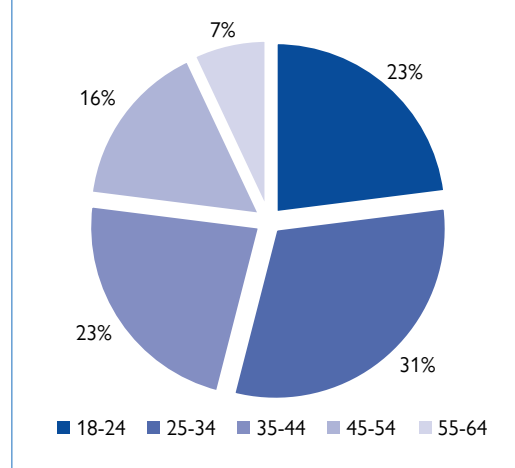
Age group	Total number	India		Other countries	
		Number	%	Number	%
All Ages	1 921 494	722 255	37.60	1 199 239	62.40
0 – 14	1 21 148	105 006	86.70	16 142	13.30
15 – 24	867 496	362 118	41.70	505 378	58.30
25 – 34	605 888	139 104	23.00	466 784	77.00
35 – 44	227 356	63 087	27.70	164 269	72.30
45 – 54	49 617	26 249	52.90	23 368	47.10
55 – 64	11 636	8 544	73.40	3 092	26.60
65+	3 670	2 282	62.20	1 388	37.80
Not Stated	34 683	15 865	45.70	18 818	54.30

Source: CBS, 2011a. CBS and United Nations Fund for Population (UNFPA), 2014.

The largest absentee population was from the 15 to 24 age group. Among all ages, 37.6 per cent or over 700,000 of the respondents were in India, the most common destination. Half of the absentee population (50%) living in India was from the 15 to 24 age group. In 2011, an overwhelming majority (93.6%) of the foreign-born population in Nepal was born in India and over 80 per cent were in the age group of 15 – 59.¹⁴⁹

The Nepal Labour Migration Report 2020 showed the highest percentage (31%) of the returnee population from India were between the ages of 25 and 35.¹⁵⁰

FIGURE 2: Returnee population by age from India



Source: NLFS 2017/18.

147 International Labour Organization (ILO), 2015a.

148 CBS and UNFPA, 2014.

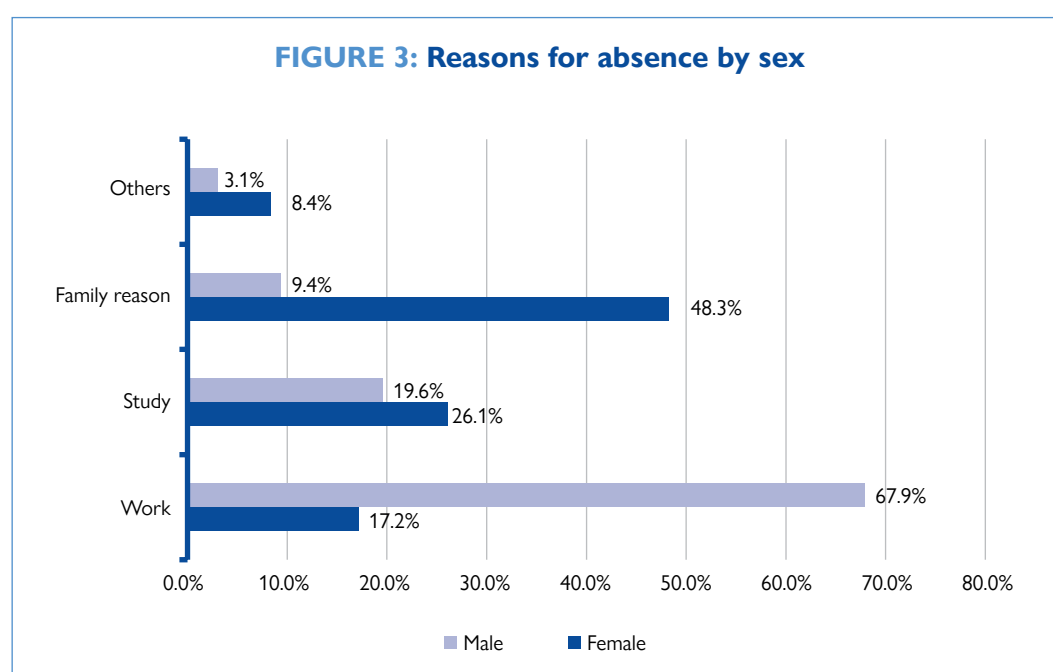
149 Ibid.

150 Ibid.

3.6.3 Sex distribution

The preliminary report of Nepal's 2021 census showed that more than two million (2,169,478) citizens were abroad, of which 81.3 per cent were male and 18.7 female. Compared to the census of 2011, the number of absentee women had increased by 71 per cent. This report, however, does not distinguish the population in terms of international countries these absentee population are currently based.¹⁵¹

The proportion of female labour migrant workers was significantly low compared to their male counterparts, accounting around 5 per cent in the last decade and only 8.5 per cent in 2018/19.¹⁵² In 2011, the distribution of the male migrant population going to India was around 36 per cent, whereas the female population was 49 per cent. India occupied 37.6 per cent of all migrant destinations. The Nepal Living Standards Survey 2010/11 survey showed that almost 70 per cent of males migrated for employment, whereas about 48 per cent females did so due to family reasons, including marriage.¹⁵³ This indicates that, generally, men leave their homes to earn while women migrate due to family ties.



Source: Nepal Living Standards Survey 2010/11, CBS.

3.6.4 Socioeconomic background

Economic status greatly determines the destination of migrants¹⁵⁴ – poorer families are likely to choose India, while those better off seek to go to the GCC or other countries.

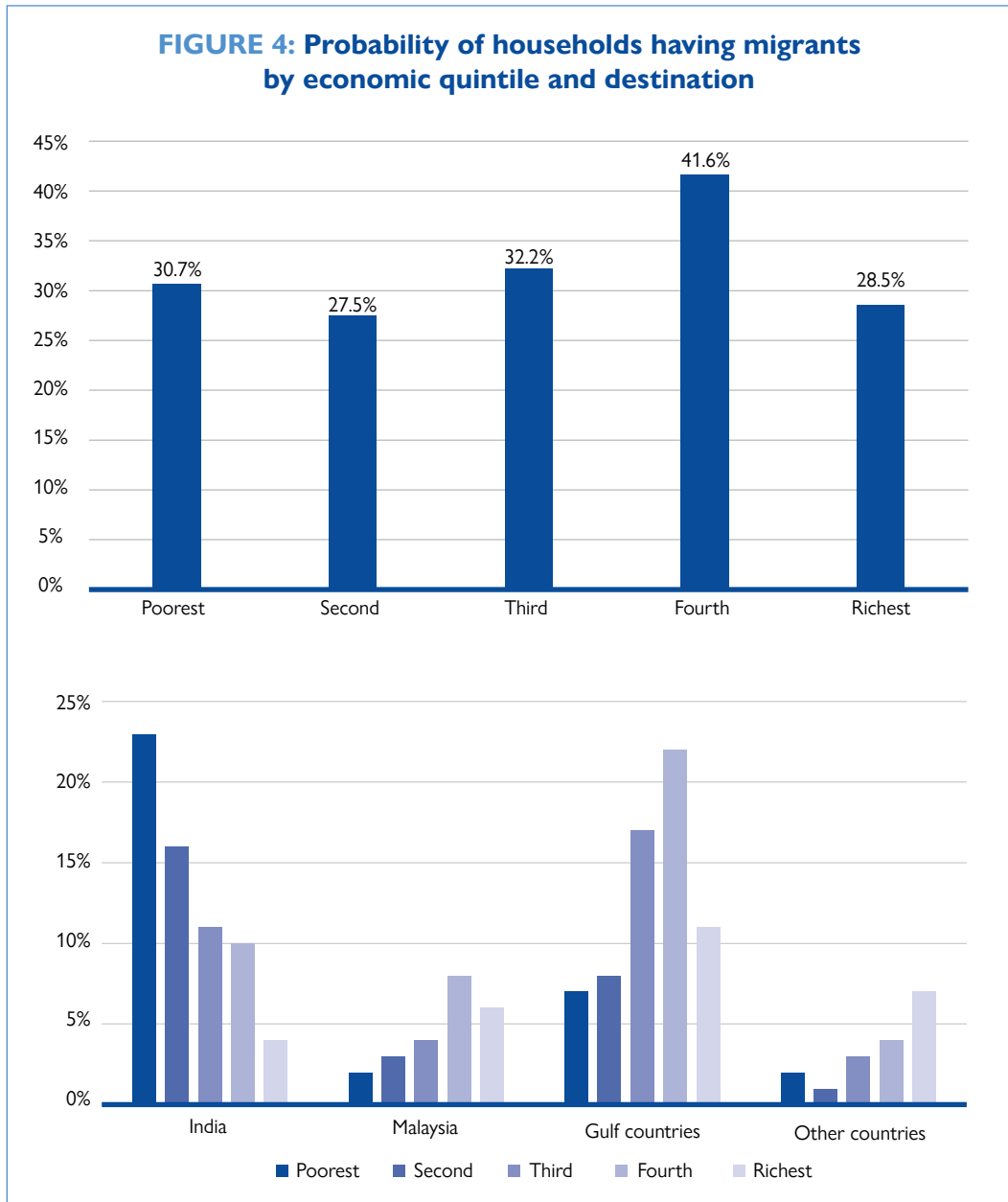
151 CBS, 2021.

152 MoLESS, Government of Nepal, 2020b.

153 CBS, 2011b.

154 World Bank, 2016.

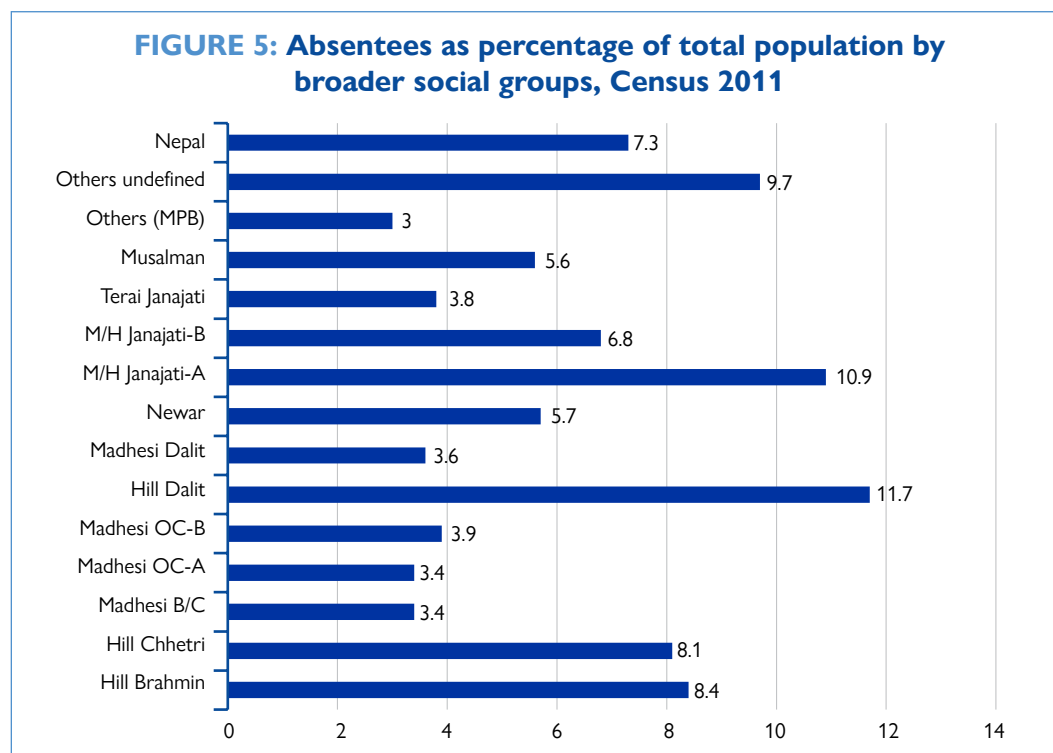
In the Nepalese context, households from the fourth quintile have the highest probability of having a migrant worker. Since the economic standing of the household shares a strong relationship with the migration destination, due to high recruitment fees, travel costs and other expenses associated with migrating to other countries, the probability of having a migrant in India is much higher as one can simply walk cross the border with significantly less money.¹⁵⁵



Source: Results from the Nepal Migration Survey (NMS) 2009 as illustrated in World Bank, 2016.

155 ILO, 2015a.

3.6.5 Social groups



Source: CBS and UNFPA, 2014.

Hill Dalits have the highest percentage of out-migrants at 11.7 per cent, followed by Mountain/ Hill Janajatis (literacy 66+%) at 10.9 per cent and others/undefined at 9.7 per cent. The national average is 7.3 per cent; Hill Brahmin and Chhetris have higher out-migration than the national average. Marwadi/Punjabi/Bengali (MPB) have the lowest percentage of out-migrants at only 3 per cent, followed by Madhesi Brahmin/Chhetri and Madhesi OC (other castes)-A (literacy 50+%) at 3.4 per cent each. The low percentage of out-migration may indicate that these groups are less exposed to migration, whereas higher percentage may mean more exposure to migration for work.¹⁵⁶

TABLE 19: Probability of households with migrants in India

Caste/Ethnicity	Households with at least one migrant abroad (%)	India (%)
Brahman/Chhetri	33.10	13.60
Madhesi Middle Caste	30.60	15.10
Hill Dalit	39.40	27.60
Tarai Dalit	24.00	8.20
Newar	20.90	5.40
Hill Janajati	34.50	9.10
Tarai Janajati	22.00	8.00
Muslim/other minorities	44.10	10.80

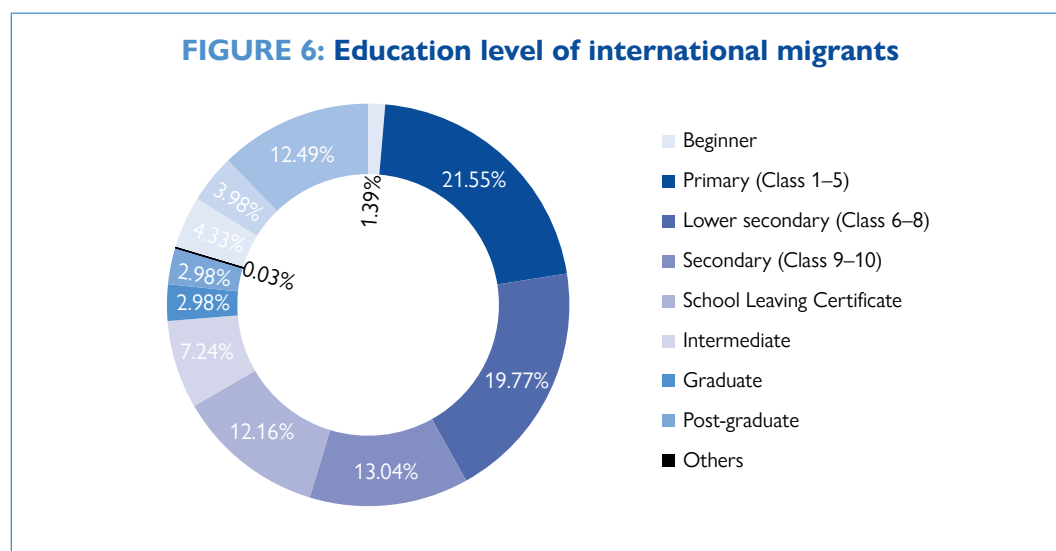
Source: Nepal Migration Survey 2009 as illustrated in World Bank, 2016.

¹⁵⁶ CBS and UNFPA, 2014.

Marginalized groups such as Muslims and other minorities, along with Hill Dalits, show the highest probability of having a labour migrant in their households.¹⁵⁷ Migrating to India for work requires cheaper investment than going to the Gulf or Malaysia, which may be the reason why a large percentage of Dalits, 40.9 per cent of whom live under the poverty line, end up in India.¹⁵⁸

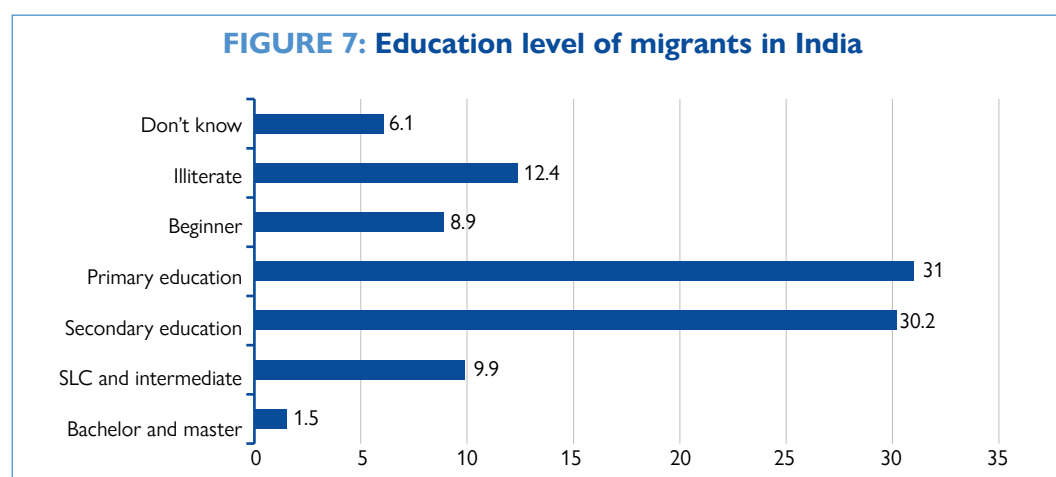
3.6.6 Education level

A field survey of 300 Nepalese migrants in Delhi recorded 70 per cent literacy, higher than Nepal's literacy average of 67 per cent.¹⁵⁹



Source: German Agency for International Cooperation (GIZ) and ILO, 2015.

Among international migrants, only 3 per cent had completed their graduate and post-graduate studies. The maximum had at least finished primary education. Most migrants going to India had primary or lower education.¹⁶⁰



Source: Calculations based on National Living Standards Survey 2010/11 datasets. CBS, 2011a.

157 GIZ and ILO, 2015.

158 Ibid.

159 CBS, 2011a.

160 GIZ and ILO, 2015.

3.6.7 Origin, provinces, district and municipality

According to the Nepalese census 2021 preliminary report, the top districts with highest absentee population are as shown in Table 20.

TABLE 20: Top 10 districts with highest absentee population

District	Absentee population (Preliminary)			Per cent
	Total	Men	Women	
Jhapa	89 441	71 211	18 230	4.12
Morang	74 944	62 368	12 576	3.45
Sunsari	61 737	51 248	10 489	2.85
Dhanusha	71 306	69 420	1 886	3.29
Kathmandu	142 405	91 022	51 383	6.56
Chitwan	64 462	49 757	14 705	2.97
Kaski	65 260	49 328	15 932	3.01
Rupandehi	77 979	65 051	12 928	3.59
Kailali	110 651	78 536	32 115	5.1
Kanchanpur	66 078	50 862	15 216	3.05

Source: 2021 Preliminary census report, CBS.

TABLE 21: Major areas of origin of absent population (including India)

10 districts having most absentee households (HH)	No. of total HH	HH having migrants	% of total HH	10 districts having most absentee population	Total population	Migrant population	% of the total population
Gulmi	64 887	35 131	54.10	Gulmi	280 160	58 561	20.90
Arghakhanchi	46 826	25 266	54.00	Syangja	289 148	50 476	17.50
Pyuthan	47 716	24 124	50.60	Kaski	492 098	57 305	11.60
Syangja	68 856	34 207	49.70	Nawalparasi	643 508	65 335	10.20
Baglung	61 482	29 133	47.40	Jhapa	812 650	80 625	9.90
Palpa	59 260	27 010	45.60	Kailali	775 709	62 644	8.10
Tanahu	78 286	34 119	43.60	Dhanusa	754 777	60 400	8.00
Parbat	35 698	15 422	43.20	Morang	965 370	70 462	7.30
Myagdi	27 727	11 439	41.30	Rupandehi	880 196	62 904	7.10
Rolpa	43 735	17 047	39.00	Kathmandu	1 744 240	99 805	5.70

Source: CBS, 2011a. CBS and UNFPA, 2014.

Gulmi in Lumbini Province topped the absentee population list. In relation to India, many respondents from Karnali and Sudurpaschim provinces reported India as their last destination (73.4% and 90.3% respectively). This could be due to seasonal labour migration, especially during the farming off-season in Nepal.¹⁶¹

According to the 2011 census, Lumbini and Sudurpaschim were the main origin provinces for migrants to India.¹⁶²

3.6.8 Destination

As specified by a World Bank (2011) study, households with poor financial backgrounds were likely to migrate to India, given its proximity and low travel cost. Similarly, Terai and Hill Dalits were found to migrate to India and the GCC, suggesting differences caused by socioeconomic factors.¹⁶³

As per the 2011 census, around 38 per cent of Nepal's absent population had migrated to India; among them, a vast majority (83%) were male. However, the actual data are unavailable because of the informal movement across the open Nepal-India border people living near the border regularly cross over on a daily or weekly basis, while others are seasonal or short and long-term migrants. Additionally, due to the government's ban on young Nepalese women from obtaining labour permits for certain countries, India has become a transit point for travelling illegally to Europe, the GCC and the United States. In the same way, expensive and lengthy procedures for travelling to third countries and displacement due to armed conflicts and disasters, has also led to migrant smuggling via the open border.¹⁶⁴

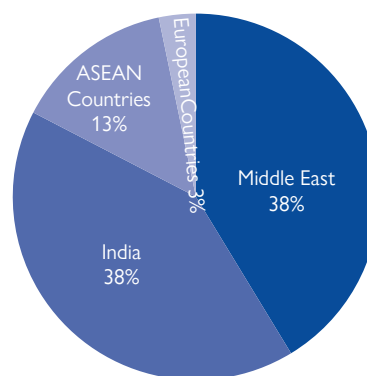
A great number of Nepalese migrants also prefer the Association of Southeast Asian Nations (ASEAN) member States, Malaysia in particular.¹⁶⁵

TABLE 22: Distribution of emigrants to India by province

Provinces	Number of emigrants to India
Madhesh	33 722
Bagmati	48 173
Lumbini	219 050
Province 1	61 346
Sudurpaschim	206 673
Gandaki	105 077
Karnali	48 214
Total	722 255

Source: IOM, 2019b.

FIGURE 8: Destination countries of absentee population



Source: CBS, 2011a. CBS and UNFPA, 2014.

161 Ibid.

162 IOM, 2019b.

163 World Bank, 2016.

164 UNODC, 2018.

165 Kunwar, 2018

3.7 Skills, occupation and employment opportunities in India

India is the primary destination for Nepalese migrants since it serves as a low-cost, low-return destination and has cultural, geographical and ethno-linguistic similarities.

Nepalese migrants to India were usually found to be involved in manufacturing (12%) and hotel/catering (21%), followed by the agricultural sector (12%).¹⁶⁶ Most were low-skilled and worked as domestic help, guards/watchmen, drivers, porters, among others.¹⁶⁷

According to the Nepal Migration Survey 2009, female migrants in India were found to be involved in the following sectors in Table 23.¹⁶⁸

A study of the returnee population from India found that more than half of the respondents were involved in elementary occupations, followed by service and sales.¹⁶⁹

As per the Department of Foreign Employment, a large proportion of unskilled migrants leave the country for foreign employment compared to professional migrants. In 2012, around 80 per cent low skilled and 15 per cent skilled migrants went abroad.

Nepal observed large number of reverse migrations following the pandemic. Of approximately 756,000 returnee labour migrants in Nepal, 26.4 per cent reported India as their last migration destination. Over 73 per cent and 90 per cent of the returnees from India were from Karnali and Sudurpaschim provinces respectively.¹⁷⁰ Migrants who returned from India (86%) were found to be employed in the informal sector whereas the returnees from other countries have lowest proportion of employment in the informal sector at 31.2 per cent.¹⁷¹

TABLE 23: Percentage distribution of employees in various sectors

Sectors	Percentage (%)
Education	21
Manufacturing	17
Trade	11
Hotel catering (including domestic work)	15
Others	36

Source: World Bank, 2016.

TABLE 24: Categories of occupation and percentage distribution

Occupation	Percentage
Technicians and associate professionals	2.3
Clerical support workers	0.2
Service and sales workers	24.2
Skilled agricultural, forestry and fishery workers	2.7
Craft and related trade workers	10
Plant and machine operators, assemblers	2.1
Elementary occupations	57.2
Other occupation	1.3

Source: CBS, 2018.

¹⁶⁶ World Bank, 2016.

¹⁶⁷ Bhattra, 2007.

¹⁶⁸ World Bank, 2016.

¹⁶⁹ CBS, 2018.

¹⁷⁰ NPC, Government of Nepal, 2020b.

¹⁷¹ Ibid.: 31.

3.8 Reasons for migration

As maintained in the 2011 Nepal Demographic and Health Survey, men mostly migrated to India for employment, as well as due to family influence and study purposes. On the other hand, female mobility took place due to marriage, family dependency, or studies rather than work-related migration. Among returnees from India, the main cited reasons were family (24.9%), followed by completion of temporary work (23.5%).

TABLE 25: Distribution of absent population – reasons for absence by destination, 2011

Reasons of absence	Male			Female		
	All countries	India	Other	All countries	India	Other
2011**						
Employment, of which	86.8	85.7	76.8	44.8	32.2	33.1
Agriculture	-	-	-	-	-	-
Private job	75.5	75.3	67.8	39.6	28.9	27.8
Institutional job	10.8	9.4	13.1	10	2.2	4.5
Business	0.6	0	0	1.1	1.1	0.9
Study	4.6	3.6	12.3	7.4	7.4	50.9
Marriage	-	-	-	-	-	-
Others	4.6	6.8	3.5	35	54.1	12.2
All reasons	100	100	100	100	100	100

Source: CBS, 2004. CBS, 2011a.

Social networking plays a vital role in determining the destiny and flow of migrants. For new migrants, knowing someone in a foreign country facilitates the movement process. Networking provides migrants companionship and emotional, mental and financial support. A 2011 study from Kanchanpur district found that around 60 per cent migrants from Nepal to India were accompanied by friends, relatives and family members. The sources of information for cross-border migrants are primarily friends (40%) followed by family members (26.5%).¹⁷²

Similarly, Nepalese migrant population migrate to India for various reasons depending on the duration of their stay. Some of the many reasons are seasonal work, long-term work, pilgrimage, education, business, tourism and medical treatment. The further classification is categorized in Table 26.

TABLE 26: Types of Nepalese migrant population who migrate to India

Types of temporary Nepalese migrants to India (less than six months)	Nepalese usual residents in India (living at least six months or more)
Seasonal workers	Migrant workers
Pilgrims	Dependent
Tourists	Students
Patients (medical treatment)	
Visitors for specific purposes	
Businessman for business trip	
Others (short-term visitors)	

Source: National Planning Commission, 2020.

¹⁷² Kunwar, 2018.

TABLE 27: Underlying factors in seasonal migration

	In-migration		Out-migration	
	Increasing	Decreasing	Increasing	Decreasing
Push factors	<ul style="list-style-type: none"> • Land fragmentation at home • Lack of employment opportunities • Low wages at home • Security situation • Escaping winter (for those living in high altitudes) 	<ul style="list-style-type: none"> • Better opportunities at home or elsewhere 	<ul style="list-style-type: none"> • Lack of employment opportunities • Population increases • Low local wages • Security situation • Low land productivity • Lack of land • Falling farm prices • Natural disasters • Price inflation • Falling-behind in development programmes 	<ul style="list-style-type: none"> • Better opportunities at home • Better educational standards • Agricultural commercialization
Pull factors	<ul style="list-style-type: none"> • Local labour scarcity • Increasing agricultural opportunities • Indian labour more attractive • Local labour more expensive • New all-weather road • Concerns about land reform • Steadily increasing value of non-timber forest products • Increasing non-agricultural work 	<ul style="list-style-type: none"> • Lower wages in respondent's district • Decline in jute production • Agricultural work lacks attraction • Uncertainty about getting work 	<ul style="list-style-type: none"> • High wages elsewhere • Better opportunities in India • Non-agricultural employment opportunities • Improved dissemination of information • Labour becoming more skilled • Greater certainty of work • Business opportunities • Agricultural employment opportunities 	<ul style="list-style-type: none"> • Labour Rehabilitation Act

Source: Gill, 2003.

3.9 Seasonal variations in migration

Traditionally, seasonal migration patterns have been dominated by agriculture. During the off-season from January to June, Nepalese from the hills and the Terai leave for India to work and return for the planting and harvesting season.¹⁷³ Communities in the eastern and central regions of Nepal have the highest rate of seasonal migration – due to the problem of climate change and lack of farm work during winter.¹⁷⁴ Indeed, climate change has started to play a major role in seasonal migration as it has led to decreased rain and snow and increased drought. In Jumla, in the far-west of Nepal, young people have been forced to seasonally migrate to India because of decreased production and changing weather patterns.¹⁷⁵

Seasonal migration to India has also resulted in pressing health issues. A study conducted in Nepal's far-west showed that seasonal labour migration to India was one of the factors contributing to the HIV epidemic in the region. In 2015, about 7,000 HIV-infected individuals returning from India were from the far-west, while there were about 12,000 labour migrants living with HIV in India.¹⁷⁶

3.10 Student and diaspora migration

The Nepalese diaspora in India is old and well-established. The two countries, as they share similar cultural and religious beliefs, are actively connected and the cross-border movements for migration, trade and commerce, marriages and education have strengthened to create a Nepalese diaspora in India.¹⁷⁷

The Nepalese diaspora increased in India after the Anglo-Nepalese War of 1814 – 16, when people from the Magar, Gurung, Tamang, Rai and Limbu communities were recruited by the British establishment to fill different needs. In the past, Nepalese were mostly inclined towards working in the armed forces, security services and agriculture.¹⁷⁸ The settlement of retired Gorkhali soldiers in India paved the way for people from poor and agricultural backgrounds to follow suit. By 1941, Darjeeling in West Bengal constituted two-thirds of Nepali speakers, who were mainly attracted to the area due to work opportunities in its tea gardens. The second wave of migration that started from the 1950s also lured Nepalese from the far-west to migrate to India seasonally for labour work.¹⁷⁹

Nepal's Maoist insurgency, which lasted from 1996 to 2008, pushed thousands to migrate out of country. In this case, migrants from urban areas were six times higher than those from rural areas, indicating that the response to the conflict was higher in economically sound households/families.¹⁸⁰ After 2001, an estimated 350,000 to 400,000 Nepalese were displaced because of the conflict, many of whom left for India. A record from December 2004 pointed that 200 Nepalese crossed the Nepal – India border every hour.¹⁸¹

Nepali speakers in India are estimated to be over six million, spread across every state, living in urban and rural areas, and working in every sector. According to the 2011 National Census of India, there was a significant number of Nepali speakers in the north-eastern Indian

173 MoLESS, Government of Nepal, 2020b.

174 Gautam, 2017.

175 Chapagain and Gentle, 2015.

176 Vaidhya and Wu, 2011.

177 Kirti, 2021.

178 Subba, 2002.

179 Gellner, 2014.

180 Shrestha, 2017.

181 Bhattraai, 2007.

States: 500,000 in Assam; 380,000 in Sikkim; 64,000 in Manipur, and 54,000 in Meghalaya. In fact, more than 60 per cent of Sikkim's population speak the Nepali language. According to the Indian Census of 2011, a total of 2,926,168 people spoke Nepali language as their mother tongue in India.¹⁸² India also has thousands of second-generation Nepalese migrants who identify as Indian citizens. They are considered resettled migrants who visit Nepal once every few years as they do not have family to support.¹⁸³

India is also a favoured destination for education. In 2018/19, it was ranked the fourth (2,059 students) most popular destination for Nepalese students. The 2011 census showed that India had 21,670 male and 8,612 female students from Nepal.¹⁸⁴

3.11 Health and safety of migrant workers

Health is a basic human right and an essential component of sustainable development. Migration is considered a social determinant of health because mobility impacts the social, mental and physical well-being of those on the move. Migration-related health risks are widely recognized in the present context. In line with the 2030 Sustainable Development Agenda, data at the nexus of migration and health are critically important to monitor the Agenda's progress, including specific progress on the health-related goals and targets to ensure that "no one is left behind" irrespective of their migration status.¹⁸⁵ Moreover, the Sustainable Development Goals (SDGs) include several targets (4b, 5.2, 8.7, 8.8, 10.7, 10c, 16.2, 17.18) that mention migration within non-health goals and recognize migration's wider scope in ensuring sustainable development.¹⁸⁶

The National Health Policy 2019 emphasizes the need to manage urbanization and internal and external migration, along with the resolution of public-health challenges associated with it.¹⁸⁷ Considering the health impacts of cross-border migration in the host and destination country, the International Health Regulations (2005) have been adopted by Nepal. The IHR is the only international legal framework for points of entry, existing as an agreement between 196 countries to work together to enhance global security through a multi-sectoral approach and consists of a broad range of stakeholders centred on public-health and border management.¹⁸⁸ There are differences in the disease profiles and health risk factors between Nepalese migrants and host population, exacerbated by the inequalities in the access/uptake of preventive interventions and treatment outcomes based on migration.

Both countries also share similar cultural and religious practices with no restrictions on the movement of citizens from either side of the border. Labour migration significantly contributes to sociocultural and economic development of both origin and destination countries. Relevant information on cross-border migrants to India is extremely sparse though some evidence on working and living conditions, lifestyles, health and well-being of Nepalese migrants in other countries are available. As per the National Labour Force Survey, an estimated 587,646 Nepalese migrants live in India, with most working in the service sector.¹⁸⁹ Many are engaged in seasonal work and the informal sector, with minimal protection of labour rights and higher risk of exploitation, which negatively impacts the

182 Census of India, 2011.

183 Shrestha, 2017.

184 IOM, 2019b.

185 Paudyal et al., 2020.

186 Regmi et al., 2019.

187 Department of Health Services (DoHS), 2019.

188 World Health Organization (WHO), 2008.

189 IOM, 2020a.

physical and mental health of migrants.¹⁹⁰ Additionally, these vulnerable migrants have limited access to health information and services both within India and in Nepal, exposing them to higher risks of vulnerabilities and ill health.

3.11.1 Health problems among migrant workers

Migrant workers experience specific vulnerabilities and face a range of health risks while working abroad. These particularly include sexual abuse and violence, exposure to hazardous chemical and pesticides resulting in illnesses, discrimination, poor working and living conditions, limited access to health-care services and health problems relating to spread of infectious communicable diseases such as HIV, TB and malaria.^{191, 192} In addition, migrant workers are at a greater risk of workplace accidents, injuries and heat stress. Reproductive, mental and social health are to be considered while discussing health and vulnerabilities of migrant workers.¹⁹³ However, there is little evidence related to the health and vulnerabilities of cross-border migrants specifically in India.

a. Exploitation, abuse and violence

Migrant workers, especially women labourers and domestic workers in private households, are most vulnerable to abuse and exploitation. Such mistreatment is not just limited to physical violence, but also takes the form of psychological abuse, including insults, threats and belittlement combined with demands for over exploitation at work.¹⁹⁴ ILO's estimate on forced labour stated that human trafficking can be regarded as forced labour as it subsumes human trafficking for labour and sexual exploitation.

A survey of health problems among Nepalese women returnee migrants found that they had faced abuse (37%), torture or maltreatment (31%) and physical harm (11%) at the workplace and had a clinical prevalence of oral lesions (4.6%). Additionally, 3 per cent of the reported workplace abuse had led to pregnancy.¹⁹⁵ Based on data gathered from 155 countries to assess the scope of human trafficking in persons, victims and prosecutions, the most common form of human trafficking (79%) was reported to be sexual exploitation, predominantly among women and girls.¹⁹⁶ A cross-national study made evident that victims of exploitation face multiple instances of abuse, coerced use of drugs and alcohol, physical and sexual assault, psychological abuse, restriction of movement and social isolation, economic exploitation and abusive working and living conditions. Victims reported extensive psychological, physical, and sexual violence, in combination with limited access to health and social services and diminished resources, with consequent impact on their mental and physical health and well-being.¹⁹⁷

Besides domestic services, employment in the entertainment sector and sex-related enterprises also subjected women to violence.¹⁹⁸

190 Regmi et al., 2019.

191 Simkhada et al., 2017.

192 Paudyal et al., 2020.

193 Hansen and Donohoe, 2003.

194 ILO, 2016.

195 Simkhada et al., 2018.

196 UNODC, 2014.

197 Miller et al., 2007.

198 Shah and Menon, 1997.

b. Migration and disease patterns

Migration is an important social factor that contributes to the spread of communicable and infectious diseases such as HIV and other sexually transmitted infections (STIs). The National Center for AIDS and STD Control identified mobile population, particularly labour migrants to India, as one of the groups most vulnerable to HIV infection. The recent report of 2017 states that 9.3 per cent of all total HIV positive patients in Nepal were migrant workers, 2,602 of which were male and 252 females and 6.3 per cent of all the HIV-positive patients were spouses and partners of migrant workers.¹⁹⁹ Additionally, the Joint United Nations Programme on HIV/AIDS included male labour migrants from developing countries and their wives as an “at-risk population” since this group is disproportionately infected with HIV compared to the general population. Many male labour migrants from western, mid and far-western Nepal migrate to Indian states such as Maharashtra and Andhra Pradesh with almost 25 per cent of HIV infected female sex workers. And some of the Nepalese labourers are reported to frequently engage the services of sex workers in India, increasing the risk of HIV transmission. More than 50 per cent of the households in the far-west have at least one man working in India on a seasonal basis.²⁰⁰ Links between migration and multi-partnered sexual networking has been demonstrated through several studies, which have made evident that men contract HIV through sexual intercourse with HIV-positive women while they are away and then transmit it to their wives or regular partners when they return home.^{201, 202} The National HIV Report showed that 17.5 per cent of HIV cases in the country were migrants or spouse/partners of migrants, imposing them into the higher risk sub group of HIV infection than the general population, as per the National HIV Strategic Plan 2016 – 2021.²⁰³ The Government of Nepal’s annual health report estimates that more than a quarter (29.5%) of adult HIV cases are attributed to labour migrants.²⁰⁴

The high prevalence of HIV and syphilis among male returnee migrants and non-migrants have been mentioned in the study, “Migrants’ risky sexual behaviours in India and at home in far western Nepal.” It reports that migrants commonly had multiple sex partners and used condoms infrequently both in India and at home, thereby exposing them to HIV and other STIs.²⁰⁵ In addition to HIV and STIs, migrant workers are frequently reported to be at increased risk of contracting a variety of viral, bacterial, fungal and parasitic infections. Migrants are reported as approximately six times more likely to have tuberculosis. Likewise, their parasitic infection rates are 11 to 59 times higher than the general population. Untreated parasitic conditions lead to anaemia and malnutrition, exposing them to a double burden of disease.²⁰⁶ Negative health outcomes are reportedly higher among migrants than in the general population, as they deal with injuries, physical violence, heart disease, emotional and mental health, tuberculosis, hepatitis B, urinary tract infection, schistosomiasis, malaria, suicides, unwanted pregnancy and STIs including HIV/AIDS.^{207, 208}

199 IOM, 2019a.

200 Thapa et al., 2017.

201 Poudel et al., 2004.

202 MoHP National Center for AIDS and STD Control, Government of Nepal, 2015a.

203 Regmi et al., 2019.

204 Ibid.

205 Miller et al., 2007.

206 IOM, 2020a.

207 IOM, 2015.

208 Vignier and Bouchaud, 2018.

TB continues to be a major health issue in South Asia and migrants are vulnerable to the disease. This can be ascribed to not only their low socioeconomic status and poor working and living conditions, but also to mobility which makes it difficult to access diagnosis, treatment and compliance with short-course directly observed treatment, which is the strategy used to reduce TB cases.²⁰⁹ Tuberculosis as an endemic disease imposes a higher health burden than epidemic diseases and it is reported that the rate of tuberculosis infection is 10 times higher among migrants than in the majority population.^{210, 211} According to a study conducted in Nepal among India bound migrants, roughly 1.7 per cent of the migrants self-reported having TB at some point during their stay.²¹² With the increase in human mobility, emerging multidrug-resistant TB and rising rates of co-infection with HIV and AIDS are raising new issues in TB control and prevention.²¹³

A systematic review conducted among Nepalese migrant workers in the GCC reported that migrants had a higher proportion of infectious disease cases than the general population. A 2015 IOM study reported that Nepalese migrant workers suffered from: toxoplasmosis (46.2 per cent in Malaysia), TB (7% in Saudi Arabia and 11% in Qatar), TB meningitis (37.5% in Qatar), diarrheal bacterial infection (26.6 per cent in Qatar), protozoan ova/cyst (13.7%), helminths (6.2%) and hook worm (4.3% in Qatar), hepatitis E (74% in Qatar), lymphatic filariasis (2.9% in Malaysia), parasitic infection (13% in Malaysia) and symptoms of food-borne illness (18.4% in Malaysia).²¹⁴

During travel, migrants are also vulnerable to vector-borne illnesses like scabies, malaria and dengue. Mosquito-borne diseases like malaria and dengue were the most commonly self-reported health problems that the migrants suffered while working in India.²¹⁵ Cutaneous lesions resulting from scabies infestation might lead to bacterial superinfections and associated complications. Additionally, food and water-borne infections should be considered endemic diseases among migrant groups.²¹⁶

With the growing trend of migration and changing epidemiological pattern of diseases, non-communicable diseases (NCDs) have risen disproportionately in low- and lower-middle income countries. Migrants primarily emigrate from countries with increased NCD rates, thus predisposing them to conditions with increased exposure and vulnerabilities to NCD risk factors during the migration process.^{217, 218} Evidence suggests that the burden of NCDs, especially diabetes and hypertension, has surged in the Indian subcontinent, with people being diagnosed at an earlier age (< 45 years) compared to developed countries.²¹⁹ Between 2008 and 2019, 7,476 Nepalese migrants died working abroad; besides natural deaths, 18 per cent of the deaths were reported due to cardiac arrest, 14 per cent due to traffic accident, 12 per cent because of suicide and 8 per cent due to workplace accident.^{220, 221}

209 Regmi et al., 2019.

210 Ibid.

211 Ibid.

212 IOM, 2019a.

213 United Nations Economic and Social Commission for Asia and the Pacific (UN-ESCAP), n.d.

214 Paudyal et al., 2020.

215 IOM, 2019a.

216 Castelli and Sulis, 2017.

217 IOM, 2018.

218 Al-Hatimy et al., 2022.

219 Steffen et al., 2008.

220 Mishra et al., 2019.

221 Ibid.

Moreover, studies report that migrant workers are exposed to varieties of carcinogens, including pesticides, solvents, oils, fumes, ultraviolet rays, along with chronic sun exposure and biological agents. This has made them susceptible to different cancers, chemical and pesticide poisoning, severe acute intoxication, or permanent neurological deficiency.²²² It is hypothesized that stress, lack of access to medical supplies, poor chronic disease management, duration of residency, pre-existing risk factors, occupational stressors and unhealthy lifestyle practices and food habits at destination and host countries are the potential contributors to the occurrence and worsening of NCDs in migrants.^{223, 224}

c. Workplace hazards and consequences

The International Labour Organization (ILO) reported that an estimated 317 million occupational injuries took place every year around the globe, while more than 2.34 million occupational deaths were due to injury and diseases. Occupational and fatal occupational injuries are estimated to account for an economic loss of 4 per cent of the global gross domestic product per year.²²⁵ Nepalese migrant workers are mainly temporary and often employed in construction, manufacturing and farming and often at high temperatures.^{226, 227, 228} It is reported that Nepalese migrant workers consistently work for longer hours without or with limited weekly/annual leave, lacking safety measures and safety training, without medical treatment and facing maltreatment by employers. Mental stress due to high workload are some of the key work-related problems they face in India.^{229, 230, 231} Migrants are more likely to suffer from occupational injuries and disability as compared to native workers. This is because they are more involved in heavy manual labour with greater exposure to toxic agents and lack protective clothing and other equipment.²³² A significant number of Nepalese migrant workers die abroad every year due to unexplained causes, while a large number return home with debilitating injuries and both mental and physical illnesses.^{233, 234}

In addition to poor working environments, the other leading causes of workplace accidents and injuries are absence of safety measures and equipment, inappropriate operating procedures, inadequate hazard awareness and insufficient use of personal protective equipment. Most of the reported deaths are due to work-related hazards, road accidents and frustration leading to suicide.^{235, 236} Adhikari et al., reported that around 17 per cent of migrant workers had experienced work-related accidents. Migrant workers also tended not to register with doctors, which also contributed to health risks at the workplace. Furthermore, a study indicated that older migrants (40+ years) were four times more likely to have workplace-related accidents. Another study reported that 27.9 per cent of migrant workers had experienced occupational injuries: 52 per cent had fallen from heights, 20 per cent had been injured by heavy falling

222 IOM, 2020b.

223 Castelli and Sulis, 2017.

224 Saleh et al., 2021.

225 ILO, n.d.

226 Paudyal et al., 2020.

227 Adhikari et al., 2017.

228 Joshi et al., 2011.

229 Paudyal et al., 2020.

230 Saleh et al., 2021.

231 Regmi et al., 2019.

232 Saleh et al., 2021.

233 Paudyal et al., 2020.

234 Saleh et al., 2021.

235 Mishra et al., 2019.

236 Adhikary et al., 2019.

objects, 17 per cent had motor vehicle accident injuries, 5 per cent had machinery injuries and the remaining 5 per cent had other work-related injuries. Overall, the non-fatal occupational injury rate was 37.34 per 100,000 workers, whereas the fatal injury rate was 1.58 per 100,000 of the occupational injuries. Similarly, fatal occupational injuries were evident mostly among Indians (20%), Nepalese (19%) and Bangladeshis (8%). Trauma was indicated as one of four occupational injuries; Nepalese and Indian workers constituted 29 per cent and 18 per cent of all major trauma cases.²³⁷

Nepalese migrant workers were found to be the third-most unfit population to work, with: 1.6 per cent due to the presence of infectious diseases and 5.3 per cent due to non-communicable disease.²³⁸ A retrospective analysis of Government of Nepal data from 2009 – 2017 has a record of 1,345 deaths, of which 12 per cent constituted of workplace accidents and 10 per cent of road traffic accidents.²³⁹ In addition to these risks and health impacts, studies also report several issues faced by workers, including lack of workplace safety, long working hours resulting in dehydration, heat stroke, and injuries and accident-related issues resulting in life-long disability.²⁴⁰

d. Maternal reproductive and child health

Reproductive health encompasses abortion, contraception, pregnancy, fertility, adolescent and male reproduction, safe motherhood, reproductive rights, family planning, sexual health, HIV/AIDS and sexually transmitted diseases. These are intertwined with the broader issue of maternal and child health and are interdependent.²⁴¹ The effects of migration on women's health are varied and have had both positive and negative impacts. Women's use of reproductive and maternal health services and modern contraceptives, antenatal care visits and place of delivery are influenced by their migration status. The resulting health effect of migration is also determined by the condition of migration, extent of integration into the host society, social status of woman in the host country and pre-existing health status of women in the host country.^{242, 243}

Health-care needs and expectations, particularly the reproductive health needs of female migrants, are often overlooked. Studies related to the maternal and reproductive health of migrant women and girls have been minimal (only 13%), although almost half (48%) of international migrants are female. These few studies indicate that female migrant workers may face sexual abuse, exploitation, slavery, violence and lack of access to reproductive health-care services. Moreover, pregnancy for migrant women is associated with numerous risks to the mother and the foetus. Migrant mothers are more likely to suffer from pregnancy complications, preterm delivery and post-partum depression compared to women from the general population.²⁴⁴ Additionally, studies report that even when women do not migrate, their health status is affected by migration as they are directly linked to their partners who travel.²⁴⁵

Increased risk of spontaneous abortion, premature delivery, foetal malformation and growth retardation and abnormal postnatal development are associated with prolonged

237 Al-Thani et al., 2015.

238 Alswaidi et al., 2013.

239 Pradhan et al., 2019.

240 Joshi et al., 2011.

241 Georgiadis, 2008.

242 Wilson et al., 2017.

243 Georgiadis, 2008.

244 Sweileh et al., 2018.

245 Adanu and Johnson, 2009.

standing and bending, overexertion, dehydration, poor nutrition and exposure to chemicals and pesticides during the working process abroad. This was made evident in studies related to women and reproductive health. A review of childbearing and women's mental health studies reported psychiatric disorders during pregnancy and post-partum.²⁴⁶ Perinatal health outcomes and nutrition, including breastfeeding, are cited as major areas of concern. The infant mortality rate among children born to migrants has been estimated to be twice the national average. Moreover, infants born to migrants are reported to be of lower birthweight and shorter gestational age and experience higher perinatal and postnatal mortality than those born to non-migrants. Likewise, studies report that initiation and continuation of breastfeeding practices among migrant women is decreasing, resulting in increased nutritional problems in children.^{247, 248, 249, 250} Furthermore, the lack of support by health professionals in receiving countries and the absence of culture sensitive and language-specific education programmes to encourage breastfeeding among young migrating mothers has contributed to the reduction in prevalence and duration of breastfeeding.²⁵¹

Studies show that migrants are more likely to engage in risky sexual behaviour. This predisposes them to poor sexual and reproductive health outcomes and makes women more vulnerable to sexual violence. Poor reproductive health outcomes such as unintended pregnancy, unsafe abortion and STIs – are more critical in developing countries, resulting in higher morbidity and mortality rates.²⁵² Additionally, sexual violence may be higher among migrant women due to double vulnerability – that of being both a migrant and a woman.

e. Social and mental health

Migrant workers face numerous factors that impact their physical and mental health and are at higher risk of developing adverse mental health conditions in comparison to non-migrant workers. They are exposed to multiple stress factors: job uncertainty, poverty, social and geographical isolation, intense work pressure, poor working and living conditions, intergenerational conflict, separation from family, lack of recreation and health safety concerns. Studies report that their mental health issues are exacerbated by the absence of privacy in congested rooms, adverse living and working conditions, language barriers and long and heavy work without or with limited leave.^{253, 254} Post-migration, experiences such as exploitation, lack of legal and social protection, broken social networks, poor health conditions and experience of discrimination and social stigma may also lead to mental illness. This increases if migration has occurred through informal channels or without proper documentation. Cross-border migration to India has also been marked with risk of psychological morbidity due to irregularities in migration and lack of legal and social protection measures.²⁵⁵ Study respondents from Doti and Surkhet districts and factory workers had higher psychological morbidity as per the cross-border study conducted among the Nepalese migrants to India.²⁵⁶

246 Wilson et al., 2017.

247 IOM, 2020b.

248 Gagnon et al., 2002.

249 Georgiadis, 2008.

250 Carballo et al., 1998.

251 Sweileh et al., 2018.

252 Sznajder et al., 2020.

253 Ibid.

254 Devkota et al., 2021.

255 Dhungana et al., 2019.

256 IOM, 2019a.

A study conducted among female migrant workers in the Middle-East and Malaysia reported several mental-health issues.²⁵⁷ At least 8.7 per cent had been dealing with mental-health problems.²⁵⁸ Likewise, four of 13 studies related to migration and mental health have reported that prevalence of anxiety and depression among migrants in low and middle-income countries range from 3 per cent to 51 per cent, whereas the prevalence rate was 21 per cent outside the South Asian region.²⁵⁹ Furthermore, a study conducted in six districts of Nepal among 751 respondents that had worked for at least six months in India showed a high rate of psychological morbidity among Dalits and Janajati migrants from the Terai region. The high rate can be possibly attributed to persistent poverty in the region, along with low literacy, income and life expectancy. Moreover, the study reported that Nepalese Dalits are more likely to be exposed to health, family, financial and political stress than individuals of other ethnic groups, thereby contributing to their susceptibility to depression and anxiety.²⁶⁰

Migration also affects family members left behind, especially women and children as they face social isolation, abuse and harassment, breakdown of relationships among family members and community and social stigma. Families of migrant workers are twice more likely to suffer from depression and anxiety than that of the general population of Nepal.²⁶¹ However, it is to be noted that the burden of self-reported psychological morbidity was more significant and associated with age, gender, ethnicity and income.^{262, 263, 264}

In addition, the manifestation of stress in the destination country induces increased use of tobacco, or promotes alcohol, substance abuse, domestic violence and psychiatric illness. Migrants in communities of single men have been noted to have heavier drinking patterns than those living with families, predisposing them to the risk factor of NCDs and other disease conditions.^{265, 266}

f. Migration and multidrug resistant bacteria

Antimicrobial resistance (AMR)-exacerbated infectious illnesses are becoming a growing problem, with multidrug resistant (MDR) pathogens and novel resistance mechanisms appearing and spreading globally.²⁶⁷ The spread of drug-resistant micro-organisms has been greatly aided by globalization and human mobility. Infectious disorders aggravated by AMR are of particular concern among migrants, as MDR strains are linked to novel resistance mechanisms that are forming and spreading all over the world.²⁶⁸ Human and animal migration has played a role in the transmission of contagious illnesses throughout history, with the COVID-19 pandemic being a significant example.²⁶⁹ Short-term foreign travellers have one of the most consistent relationships with AMR, as documented in observational cohort studies.²⁷⁰

257 Wilson et al., 2017.

258 ILO, 2016.

259 Meyer et al., 2017.

260 Sznajder et al., 2020.

261 Mahat et al., 2020.

262 ILO, 2016.

263 Sznajder et al., 2020.

264 Lindert et al., 2009.

265 IOM, 2020a.

266 UNESCAP: 22, n.d.

267 Shlaes and Bradford, 2018.

268 de Smalen, 2017.

269 Kraemer et al., 2020.

270 Desai et al., 2022.

Antibiotic usage has surged in low-resource nations, resulting in an alarming rise in the incidence of MDR microorganisms.²⁷¹ It is no surprise that migrants are at a higher risk of being colonized by resistant microbes and thus contracting sickness. Tuberculosis, for example, is an endemic illness that has a significantly greater public-health impact than pandemic diseases.²⁷² Although research suggests that refugees and asylum seekers are at a higher risk of MDR-TB infection and poorer outcomes, there is insufficient evidence regarding the issue.²⁷³ In many high-income nations, the majority of MDR-TB patients are foreign-born.²⁷⁴ Likewise, the rise in worldwide resistance in *S. typhi* and *S. paratyphi* has been widely documented and it is now being seen in isolates from travellers returning to high-income nations after visiting low and middle-income countries.²⁷⁵ MDR typhoid is described as an illness caused by *Salmonella typhi* that is resistant to early first-line antibiotics, such as chloramphenicol, trimethoprim-sulfamethoxazole and ampicillin. Patients with a history of overseas travel had higher rates of quinolone and macrolide resistance than those that had not travelled internationally (61 vs 14% for quinolones and 4 vs 1% for macrolides, respectively).²⁷⁶

Antimicrobial resistance has expanded from low- and middle-income countries to high-income countries because of globalization and increased international travel. Future study should concentrate on measures to minimize the spread of these organisms, such as the best way to manage traveller's diarrhoea and detecting and lowering high-risk behaviours while travelling.

g. Mobility and pandemic diseases

Migration plays a vital role in determining the prevalence of infectious diseases at a given place giving rise to outbreaks, epidemics and pandemics. Historically, the most reliable measures taken to prevent transmission of infectious diseases have been to halt physical contact and cease inter and intra-country movement. The flu epidemic of 1889 spread around the world due to the movement of people, killing one million in Russia alone. The Spanish Flu took the lives of numerous Nepalese soldiers who had taken part in the First World War. The Asian Flu in 1957 did not affect Nepal since the country was not open to outsiders at that time. On the other hand, AIDS has greatly affected Nepal, especially in the western region and is said to have been transmitted by Nepalese migrants from India.²⁷⁷

More recently, COVID-19 was first seen in Wuhan, China and spread to other provinces as people travelled for the Lunar New Year. The disease was transmitted across the world in the same manner.²⁷⁸ While Nepal's first case of COVID-19 was found in a student from Wuhan, cases rose because of the influx of Nepalese migrants from India who travelled across the porous Nepal-India border. In the second wave, new cases rose to more than thousands daily and with increasing deaths since lockdowns were not initially imposed, as in the first wave.²⁷⁹

271 Laxminarayan et al., 2016.

272 Medley and Vassall, 2017.

273 Hargreaves et al., 2017.

274 Lönnroth et al., 2017.

275 Azmatullah et al., 2015.

276 Ashkenazi et al., 2003.

277 Pokharel, 2020.

278 Song et al., 2020.

279 Joshi et al., 2021.

Restrictions in cross-border movement and travel significantly decreased new cases in every country, including Nepal. Lockdown and quarantine measures prevented the transmission of the virus and bought time to gain in-depth knowledge regarding the disease, along with the development of vaccines and medicines.

3.11.2 Impaired access to health-care services

The rapid growth in population movement has significant public-health implications and the health sector must respond appropriately to ensure that vulnerable people have access to health-care.

Despite the fact that WHO's Constitution of 1948 and international human-rights norms exist to protect migrant health, many still lack access to health-care and financial security.²⁸⁰ Migrants' access to health-care is affected and unequally distributed by a series of formal (health system of the destination country, legal aspects) and informal barriers (language barriers, sociocultural factors).²⁸¹ Existing evidence from different countries highlight the difficulties migrants face in accessing health services, which could be due to various reasons, such as the lack of health insurance coverage or insufficient knowledge of rights and structures.^{282, 283, 284} Access to health insurance that provides coverage for medical and hospital care is a major determinant of health-care access and reduction of morbidity and mortality.^{285, 286} Nepalese migrants to the GCC and their family members typically do not have insurance coverage. Regular migrants are only insured for workplace accidents and they find it hard to access health services for other issues.²⁸⁷ The lower rate of health-care access among migrants can be explained in part by their greater employment in low-wage jobs, in which insurance coverage is either unavailable or unaffordable.²⁸⁸

Costs for health-care services are often expensive for migrants and it becomes even steeper when they must deposit certain amounts to receive health services. Nepalese migrants face difficulties in obtaining health treatments due to a lack of adequate certification, as well as informal barriers such as difficulty speaking with medical personnel, discrimination, delayed treatment and lack of amenities at government hospitals. However, a positive feature of migrant experiences includes comparatively decent quality of care in the government hospitals of the destination countries.²⁸⁹ High cost, language barriers and lack of information were the mostly cited barriers. In the context of India, financial problems, discrimination faced as migrants, lack of Aadhaar card (12-digit numbers are issued to Indian nationals after completing the authority-mandated verification process), delayed treatment, communication problem and unfamiliarity with locations were reported as the existing barriers among Nepalese migrants to India.²⁹⁰

280 WHO, n.d.

281 Norredam et al., 2007.

282 Biswas et al., 2011.

283 Jensen et al., 2011.

284 Agudelo-Suárez et al., 2012.

285 Berchet, 2013.

286 Sommers et al., 2015.

287 Regmi et al., 2019.

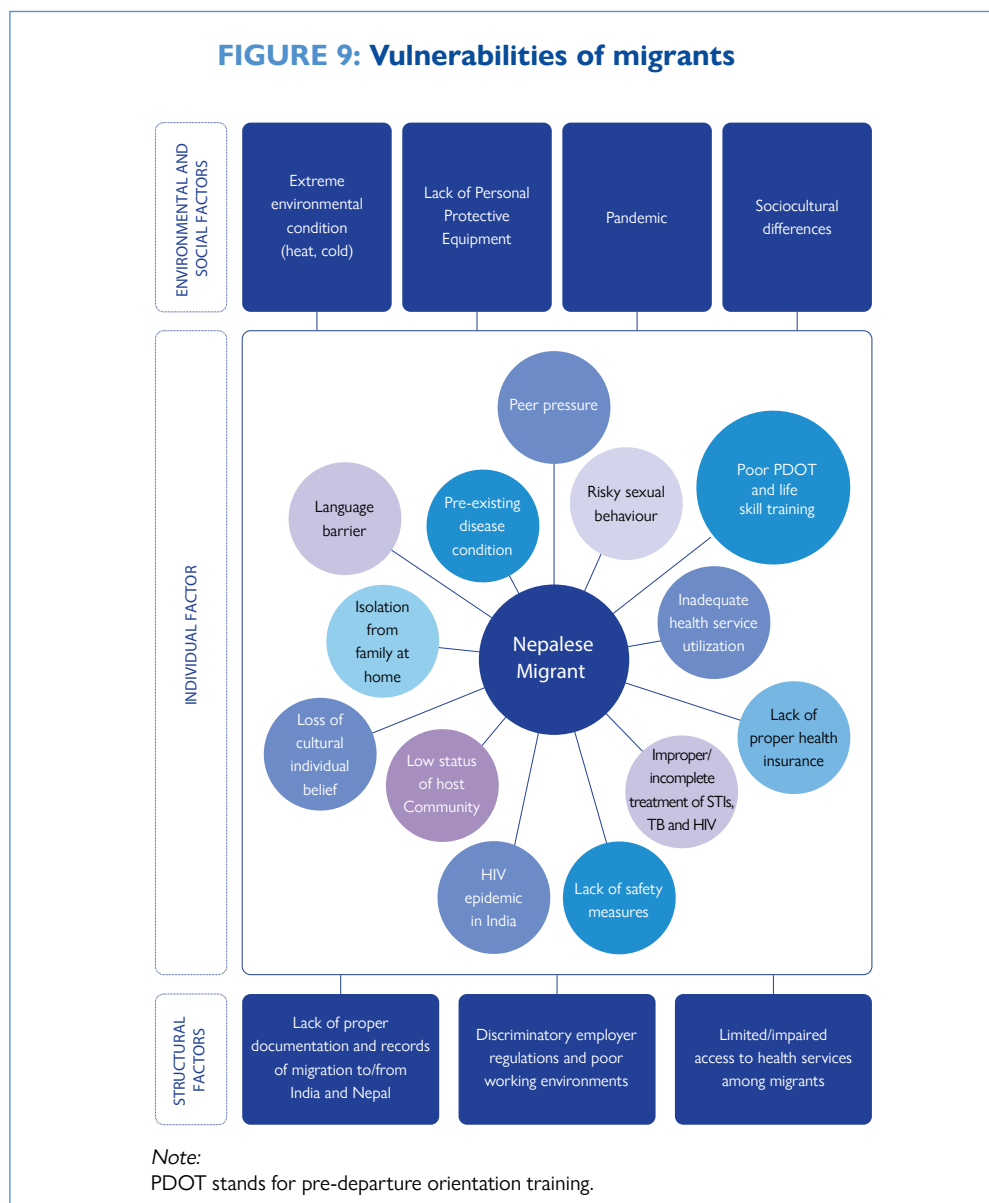
288 Ku and Waidmann, 2003.

289 Regmi et al., 2019.

290 IOM, 2019b.

One of the most important determinants of migrants' access to health services in a country is their legal status. Every migrant must have unrestricted access to a welcoming environment and, where necessary, high-quality health treatment, regardless of sex, age, religion, nationality or race.²⁹¹ However, migrants may also avoid seeking care out of fear of being arrested or deported, or because they believe they are “undeserving.”²⁹² Discrimination and extortion by authorities, such as police or immigration officials, adds to migrants' stress and makes them less likely to seek care.²⁹³ Many migrants, particularly those that are irregular, do not have access to healthcare, including mental health services. Even when individuals have a legal right, they may be unable to exercise it due to abovementioned obstacles.²⁹⁴

3.11.3 Vulnerabilities of migrants



Source: Joshi et al., 2011; Regmi et al., 2019; Adhikari et al., 2018; Paudyal et al., 2020; Simkhada et al., 2017.

291 WHO, n.d.

292 Willen, 2012.

293 Harrigan et al., 2017.

294 Simkhada et al., 2017.

3.12 Cross-border human trafficking challenges

Human trafficking continues to plague countries across the world. Women, men and children of all ages and backgrounds are found to be trafficked for commercial sexual exploitation, forced labour, or extraction of human organs in various parts of the world. According to the United Nations Office on Drugs and Crime, human trafficking is the “the recruitment, transportation, transfer, harbouring or receipt of people through force, fraud or deception, with the aim of exploiting them for profit.”²⁹⁵ Under Part 3: Fundamental rights and duties, Article 29, of the Constitution of Nepal, 2015, every citizen has “the right against exploitation,” “no one shall be subjected to trafficking, nor shall one be held in slavery or servitude,” and “no one shall be forced to work against his or her will.”²⁹⁶ Yet, Nepalese citizens are lured to cross-border instances to several regions of the world such as the Middle-East, Asia and sub-Saharan Africa. Recruitment agencies and consultancies exploit Nepalese workers, deceiving them with lucrative offers, salaries and facilities, whereas they suffer exploitative living and working conditions abroad. There have been several cases of enforced labour throughout Malaysia and the Gulf Cooperation Council (GCC) States, and Nepalese women and girl children are reported to be trafficked as dancers, actors and house maids, among others.²⁹⁷

Starting from the slavery systems of *Kamara Kamari* and *Badhuwa*, the purpose and the modus operandi of human trafficking has been changing according to the social, political and economic scenario and structure.²⁹⁸ The migration of Nepalese to India dates to the 19th century, when men migrated to Lahore in northern Punjab (now in Pakistan) to enlist as soldiers. This resulted in the increasing number of Nepalese settlements in India. The Nepalese population in India grew further with the development of tea estates in the north-eastern part of India (Assam and Darjeeling).

The trafficking of Nepalese girls and women for sexual exploitation began as early as the Rana regime, between 1846 and 1951. After their reign came to an end, the Rana class could no longer support the hundreds of girls and women who worked as servants. Traders involved in recruiting girls to palaces then started establishing connections with brothels in Indian cities.²⁹⁹ By the 1960s, the trafficking of girls to Indian brothels was fully established and increased tremendously in the 1980s. An estimated 140,000 to 200,000 Nepalese girls were associated with the sex trade in India and half of Nepal’s female sex workers worked previously in Mumbai.³⁰⁰ The number of women and girls trafficked from Nepal to India has been estimated to be roughly between 5,000 to 8,000 each year, but the numbers could be even higher.³⁰¹

Large proportion of trafficking occurs across the Nepal-India border.³⁰² The rise in sexual exploitation of Nepalese girls and women occur in various destinations like India, the Middle-East, other Asian countries and GCC States.³⁰³

295 United Nations, n.d.

296 Government of Nepal, 2015b.

297 Nepal Police, 2019.

298 Ibid.

299 Terre des hommes, 2003.

300 Sangroula, 2001.

301 Terre des hommes, 2003.

302 Patkar and Patkar, 2017.

303 U.S Department of State, 2021.

3.12.1 Trafficking in persons

Sex and labour traffickers take advantage of the open border to transport men, women and children to India and other countries.³⁰⁴ Historically many young girls, children and women in vulnerable situations are trafficked to exploit them into sex trafficking and brothels in India or even in circuses.³⁰⁵ Along with sex trafficking, labour trafficking of both adult and child victims is still a large concern for Nepal as approximately 12,000 children are trafficked each year in Nepal.³⁰⁶ Even within Nepal, trafficked children and adults have been forced into the adult entertainment sector including dance bars, massage parlours and restaurants, or into bonded labour in carpet factories or brick kilns, stone-breaking industry, agriculture and domestic work.³⁰⁷ Majority of young men are recruited in factories, mines and construction sites as well. Many children are also used by traffickers to transport drugs across the border.³⁰⁸ The security agencies of both countries jointly work to combat human trafficking.^{309, 310}

Nepal Police records from 2018/19 showed the number of registered trafficking cases ranged from 10 to 53 per month; the figure could be higher if unregistered cases are considered.³¹¹ In the early 1990s, between 5,000 and 7,000 girls and women were annually estimated to have been trafficked to brothels in India. Research by ILO's International Programme on the Elimination of Child Labour in 2001 put the yearly figure at 12,000 and identified that 37 of Nepal's 75 districts were affected. Until the 1990s, brokers visited districts such as Sindhupalchowk and Nuwakot, which were close to Kathmandu and thus more approachable by roads, targeting girls and women from the poorest communities with false marriage and employment offers. Later, with more districts being accessible by road, traffickers reached all parts of the country and diverse social groups.³¹² The scope of the problem is still difficult to gauge due to the clandestine and illegal nature of the crime, coupled with the lack of reliable data.

A 2005 study conducted on trafficked Nepalese girls and women in Mumbai and Kolkata found that a majority had been below the age of 18 when they had been trafficked. It concluded that Nepalese girls and women were more vulnerable to trafficking due to male-dominated societies, gender-based violence, illiteracy, poverty, lack of empowerment and absence of skills.³¹³

Wars, conflicts and natural disasters increase vulnerability to trafficking. A 15 per cent rise in vulnerability to human trafficking was reported after the 2015 Nepal earthquake³¹⁴. The Sahastra Seema Bal (SSB) Indian Border Force reported an upsurge in trafficking from 33 in 2014 to 336 in 2015 and 501 in 2016.³¹⁵ There is a lack of scientific data regarding the actual number of trafficked persons and their origins and destination. Among 366 cases of trafficking from 2013 to 2015, 94 per cent were

304 Ibid.

305 NHRC, 2018b.

306 United Nations Institute for Training and Research (UNITAR), n.d.

307 U.S Department of State, 2021.

308 Ibid.

309 Ibid.

310 Ibid.

311 Nepal Police, 2019.

312 The New Humanitarian, 2010.

313 Terre des hommes, 2005.

314 National Human Rights Commission/NHRC, 2016.

315 Kiss et al., 2019.

female and around half were below the age of 18.^{316, 317} Nepal's NHRC report showed 78 per cent of trafficked victims were women and girls and 25 per cent of them were children (NHRC, 2018b).

In 2013, 108 children were rescued at the Nepal-India border, while 607 such victims were rescued in 2017. Since 2013, the trafficking of girls has increased by 500 per cent.³¹⁸ The trafficking modus operandi, based on the Nepal Police data from 2016/17 – 2018/19, were: use of medical drugs, fake marriages, threats, deception, employment, travel, and others.

Between 2019 and 2021, 393 women were rescued from being trafficked to India from the Belahiya border in Rupandehi district.³¹⁹

3.12.2 Migration and border security

India's SSB and Nepal's Armed Police Force (APF) guard the Nepal-India border. However, there are no proper procedures to intercept victims or suspected traffickers. Nepal-India border, despite being guarded by the SSB mandated by the Government of India and the APF deployed by the Government of Nepal, remains exploited by traffickers on both sides of the borders.³²⁰ Nepal shares its border with the Indian states of Bihar, Uttarakhand, Uttar Pradesh, West Bengal, and Sikkim. The border areas of Bihar, Uttar Pradesh and West Bengal remain most vulnerable to cross-border human trafficking from Nepal and these districts serve as a transit or destination for Nepalese nationals.³²¹

Trafficking most commonly takes place in the areas bordering Bihar, Uttar Pradesh, and West Bengal, and most Nepalese are trafficked to Mumbai in Maharashtra and Kolkata in West Bengal.³²²

3.12.3 Organizations

The NHRC was established in 2000 for the protection, promotion and effective enforcement of human-rights in Nepal under the Human Right Commission Act 1997. The NHRC has been working against trafficking since its inception.

To counter trafficking, multiple organizations collaborate with local non-governmental organizations (NGOs) and provide special training to the police, border guards, prosecutors, judges, legislative drafters and NGO staff. KI Nepal, Biswas Nepal, Maiti Nepal, Shakti Samuha, Chhori, Kumudini, HimRights, Change Nepal, are some of the many NGOs that help victims of human-trafficking. Shakti Samuha is the first organization to have been established and run by human-trafficking survivors. Other organizations like the Women's Rehabilitation Center (WOREC) Nepal, Agroforestry, Basic Health, and Cooperative Nepal, Child Workers in Nepal, Nawa Jyoti Kendra and Istri Shakti have also been active in the field.

316 Ibid.:5.

317 NHRC, 2018b.

318 Chauhan, 2018.

319 RSS, 2020.

320 UNODC, 2017.

321 Ibid.

322 Ibid.

Since 10 June 2018, the Anti-Human Trafficking Bureau of Nepal Police has been conducting a systematic investigation of human trafficking crimes and all types of labour trafficking in organized and interdisciplinary ways³²³. In February 2019, the department rescued 147 men and 32 women from Manipur and 23 women from Mizoram, both of which are north-east Indian states that border Myanmar.^{324, 325, 326} The Ministry of Women, Children and Senior Citizens is also responsible for formulation, implementation, coordination, collaboration, monitoring of trafficking policies and programmes in Nepal. It also established the Human Trafficking and Trafficking Control Branch under the Women Empowerment Division to focus on issues of human trafficking and transportation.³²⁷

Maiti Nepal has so far intercepted over 40,000 girls/women and convicted over 1,600 traffickers since 1993.³²⁸ Apart from prevention strategies, NGOs also operates transit homes for rescued victims in the Nepal-India border. Some of them also ensure social justice for trafficking victims and empowers them through various programmes.

3.12.4 Plans and policies

The Human Trafficking and Transportation Control Act (HTTCA), 2007 and its Rules 2008 is one specific law on combating human trafficking. The HTTCA is more victim-centric and has various provisions for victim witness protection.

Section 4 (1) of the Act states that:

Human trafficking is committed if any of following acts is committed:

- a. “to sell or purchase a person for any purpose,
- b. to use someone into prostitution, with or without any benefit,
- c. to extract human organ except otherwise determined by law,
- d. to go for in prostitution.”

Similarly, section 4 (2) includes following acts under the offence of transportation:

- a) to take a person out of the country for the purposes of buying and selling,
- b) to take anyone from his/her home, place of residence or from a person by any means such as enticement, inducement, misinformation, forgery, tricks, coercion, abduction, hostage, allurements, influence, threat, abuse of power and by means of inducement, fear, threat or coercion to the guardian or custodian and keep him/her into ones' custody or take to any place within Nepal or abroad or handover him/her to somebody else for the purpose of prostitution and exploitation.

The HTTCA includes forced labour and other forms of exploitation, along with sexual exploitation. It provides for the following: authentication of statements of victims so that they need not appear in the court thereafter, separate lawyers for victims, security and confidentiality, in-camera hearings, compensation and rehabilitation and translators/interpreters.³²⁹ Legal provisions according to this act allows punishment of 20 years in prison and a fine of 200,000 for human trafficking and smuggling.

323 Nepal Police, 2019.

324 Portel, *The Kathmandu Post*, 2019.

325 Nepal Police, 2019.

326 Portel, *The Kathmandu Post*, 2019.

327 IOM, 2019b.

328 Sapkota, 2022.

329 Thapa, 2015.

Some other acts along with HTTCA for combating human trafficking are listed below.

- Immigration Act, 1992
- Child Labour (Prohibition and Regulation) Act, 2000
- Foreign Employment Act, 2007
- Organized Crime Prevention Act, 2014
- Mutual Legal Assistance Act, 2014
- Extradition Act, 2014
- Country Criminal Code, 2017
- Labour Act, 2018
- Children Act, 2018.

Following initiatives are also taken by the Government of Nepal at the legislative and policy levels regarding anti-trafficking intervention programmes.

- The National Legal Code (Muluki Ain), 1963, Article 3 prohibits the sale or purchase of any human and separating a minor under the age of 16 from their guardian to cross the border is considered a crime. The Part IV, Chapter 14 prohibits sexual exploitation and assault and molestation of a girl child under the age of 16, with or without her consent, as a crime.
- In 2002, the Government of Nepal signed the SAARC Convention on Prevention and Combating Trafficking in Women and Children.
- The 2002 Bonded Labour (Prohibition) Act criminalized bonded labour and the Child Labour Act criminalized forced child labour.
- In May 2018, the government allocated funding to create the Anti-TIP Bureau, mandated by the HTTCA to investigate all trafficking crimes.
- On 16 June 2020, Nepal's ratification of the Palermo Protocol and necessary amendments in laws in line with the Protocol.³³⁰
- A national committee to combat human-trafficking was established with representatives from the Ministry of Home Affairs, the Ministry of Labour and Transport, the Ministry of Foreign Affairs, the Office of the Attorney General, the Nepal Police, civil society and survivors of human trafficking.
- Continued operation and funding of local anti-trafficking committees and district anti-trafficking committees by government.^{331, 332, 333}
- The Nepal Police Women's Cell and the Central Investigation Bureau investigate human trafficking cases.
- The Ministry of Women, Children and Senior Citizens trained law enforcement and civil society on trafficking trends and emergency victim protection.

Despite increasing efforts to increase its anti-trafficking capacity, Nepal remains in Tier 2 as per the US Trafficking in Persons Report of 2020 and does not fully meet the minimum standards to eliminate trafficking. The government laws do not criminalize all forms of labour and sex trafficking such as lack of identification and protection of male trafficking victims and transnational labour trafficking victims.³³⁴

Even though the government provides standard anti-trafficking training to labour, immigration, judicial, law enforcement and foreign employment officials, investigations

330 Forum for Women and Legal Development (FWLD), n.d.

331 Joshi, 2010.

332 Ibid.

333 U.S. Department of State, 2021.

334 Ibid.

are not victim-centred and lack interactive investigation techniques and skills. While the Government of Nepal has acknowledged that the problem of human trafficking exists, it has failed to address the underlying causes of the issue: rural and urban poverty, caste and gender discrimination, debt servitude, domestic sexual abuse and unguided urban growth. The government has neither taken serious action nor has made concrete plans, policies or strategies to protect its citizens from being trafficked.³³⁵

The Government of Nepal and the Government of India need to regulate the Nepal-India border to prevent the cross-border trafficking.

3.13 Women migrant workers and their movement through the ground crossing points

Nepalese society is predominantly patriarchal and the resulting gender disparity has limited women in various ways, including in education and access to equal opportunities. But, over the decades, Nepalese women, like men, have been forced to migrate for work due to increasing poverty, limited employment opportunities, deteriorating agricultural productivity and armed conflicts.³³⁶ India is the main destination country for Nepalese women, particularly those from Karnali and Sudurpaschim provinces.

Labour migration can be empowering for women through improved agency and access to resources and skills. Women contribute to gendered low-skilled sectors, such as domestic work and manufacturing and as caregivers.^{337, 338, 339} A 2012 study showed that the number of women migrant workers had significantly increased; as much as 13 per cent of the absentee population was composed of women.³⁴⁰ Previously, migration was perceived as a male movement, with women either being left behind or following their men as dependents. However, the number of low-skilled women migrating through irregular, undocumented, or clandestine routes has risen and an estimated 2.5 million Nepalese women now work outside the country.^{341, 342}

In 2011, the number of Nepalese women migrants was about 12 per cent, while the same figure for India was 23.6 per cent. In 2014/15, more than 21,000 women emigrated for work via formal channels.³⁴³ These statistics, though, may not represent actual numbers since migration also occurs through sporadic channels, and labour permits are not required for mobility between Nepal and India.³⁴⁴

While literature on the feminization of migration has been increasing, scholarly and policy reports are often gender-biased.³⁴⁵ Thus far, studies have shown that women migrate to India mainly due to economic reasons.³⁴⁶ The failure of countries to fulfil economic, social and political human-rights play a key role in pushing women to migrate.³⁴⁷ Migration also opens a broader scope of prospects for women in terms of job opportunities and helps them

335 Terre des hommes, 2003.

336 Bhattarai, 2006.

337 Piper, 2003

338 Timothy and Sasikumar, 2012.

339 United Nations, 2006.

340 Gioli et al., 2018.

341 Shah, 2009.

342 Women's Rehabilitation Center (WOREC) Nepal, 2012.

343 MoLESS, Government of Nepal, 2020b.

344 Sapkota, 2020.

345 Gioli et al., 2018.

346 United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), 2021.

347 MoLESS, Government of Nepal, 2020b.

escape from traditionally rooted discrimination, gender-based violence and inequality when it comes to recognition of women's work, apart from giving them an option to experience new freedom. Divorced, widowed, or separated women find solace in migration, leaving behind repressive societal traditions and stigmas.³⁴⁸

There is also negative perception in sections of Nepalese society towards women who migrate to other countries for work – for instance, migration to India is prone to be associated with prostitution and sexually transmitted diseases. Women migrant workers are also victims of structural stigma, stigma by association, and self-stigma.³⁴⁹ To add to matters, in many cases, if unmarried women migrants are pregnant when returning to Nepal, they face hostility and boycott from their families, regardless of the reason or their work background. According to Arya and Roy (2006), women migrant who have stayed alone in India tend to not return to their original villages and this stigma extends to those working in GCC countries.

Nonetheless, women are commonly being seen as increasingly dependable migrants, remitting a larger portion of their earnings, staying in contact as often as possible and retaining the trust of their associates and families.³⁵⁰ However, although studies have shown that female migration leads to better health among family members at home, numerous studies have also discovered that growing female labour migration has a solid negative effect on children who are left behind.³⁵¹

Previously, women who left Nepal did so mainly due to cross-border marriages, to join family, or to work in India.³⁵² In patriarchal societies, it is customary for woman to live with their spouses' family. Cross-border marriages are common, especially in the Nepal-India border areas and, historically, female migration from Nepal was linked to cross-border marriages in India.³⁵³ The open border with India, particularly for those who live adjacent to the border, has very little bearing on their everyday lives as they continue to shop, attend school, get their amenities from India and vice-versa.³⁵⁴ Approximately 550,000 Nepalese from the Madhesi community have spouses from across the border in India.³⁵⁵

With thousands of girls and women pursuing foreign employment due to the lack of adequate income generation opportunities within the country³⁵⁶, many married and unmarried women, largely illiterate, are choosing to travel irregularly. Frequently, they are tricked by agents and stranded in India. In July 2020, 21 girls were rescued from the Indian state of Manipur and repatriated to Nepal.³⁵⁷ A 2011 study of Nepalese migrant workers documented the cases of women who were taken to India with promises of jobs in the Middle-East but instead were forced into prostitution in India.³⁵⁸ Many are trafficked to brothels in Mumbai and New Delhi while others fall prey to illegal organ removal in India.^{359, 360} Data gathered on caste and ethnicity by the NHRC (2019) showed that 49 per cent of trafficked women survivors are indigenous women and girls, followed by Dalits at 15 per cent.³⁶¹ This can be attributed to their increased vulnerability in the social, political and economic spheres.

348 Maharjan, 2022.

349 Shrestha et al., 2020.

350 MoLESS, Government of Nepal, 2020b.

351 United Nations Children's Fund, 2008.

352 ILO, 2015b.

353 Maharjan, 2022.

354 Lal, 2018.

355 Ibid.

356 Neupane, 2022.

357 Ibid.

358 Amnesty International Limited, 2011.

359 Moura, 2021.

360 Devkota et al., 2021.

361 Ibid.

Many women also travel to other destination countries by crossing the Nepal-India border.³⁶² For instance, in response to reports of female domestic worker abuse in GCC countries, in August 2012, the Government of Nepal banned women under 30 from migrating to Middle-East countries for domestic work. However, many women circumvented the ban by travelling via Indian airports.³⁶³ A 2012 study of migrant workers in South Asia also confirmed that major cities in India were used as exit points for irregular Nepalese migrants.³⁶⁴

At present, the COVID-19 pandemic, which began in early 2020, has emerged as a major problem for migrant workers, who have low social protection. The situation is even worse for women migrants working primarily in less regulated or informal sectors. A 2020 IOM survey on migration found that undocumented women migrant workers were the most affected during the pandemic. They were pushed further into debt and poverty through dwindling employment opportunities and travel restrictions.³⁶⁵ As high as 41 per cent of women migrant workers said they do not receive regular salaries as compared to 29.7 per cent of their male counterparts.³⁶⁶

The ongoing pandemic has led to a surge in unemployment and will likely provide many more desperate potential targets for human traffickers.³⁶⁷ A recent study on the impact of COVID-19 on migrant workers in Sudurpaschim Province found that the lives of women had changed significantly after the pandemic – 77 per cent women said they had increased work burden mainly in terms of preparing and managing food for their families and taking care of their children and livestock. Furthermore, 57.5 per cent agreed that the risk of gender-based violence (GBV) had increased and the only sources of awareness-raising GBV information they received were through radio/TV (50%), social media (39%) and NGO/ community-based organization programmes (11%).³⁶⁸ During the onset of COVID-19, gender-responsive holding centers and quarantine facilities should have been established as they would have better suited the needs of female migrant workers travelling to and from India.

362 MoLESS, Government of Nepal, 2020b.

363 Ibid.

364 ILO, 2015a.

365 UN-Women, 2021.

366 IOM, 2020a.

367 Ibid.

368 DCA, 2020.



4

PRIMARY DATA FINDINGS



4. PRIMARY DATA FINDINGS

4.1 Findings of quantitative survey

Table 28 illustrates the gender and age categories of respondents travelling to and from India. The highest number of inflowing respondents (approximately 43%) was among the 15 to 29 group, whereas the highest outflowing (about 40%) was between the ages of 30 and 44. The 60 plus group was the lowest in both inflowing and outflowing. Sex-wise, overall, men were higher at 68 per cent and women were 31.8 per cent.

Table 28: Demographic details of the respondents (age, sex)

Age category	Returnee		Outgoing		Total	
	N	%	n	%	n	%
15–29	289	42.94	217	36.0	506	39.7
30–44	255	37.89	239	39.7	494	38.7
45–59	107	15.90	115	19.1	222	17.4
60+	22	3.27	31	5.1	53	4.2
Total	673	100.0	602	100.0	1 275	100.0
Sex						
Men	486	72.21	383	63.6	869	68.2
Women	187	27.79	219	36.4	406	31.8
Total	673	100.0	602	100.0	1 275	100.0

Source: Primary data collection, December 2021.

Table 29 shows the origin province, ethnicity, marital status with number of children, literacy levels and frequently spoken languages.

As illustrated, highest number (35%) of respondents going to India were from Province 1, followed by Sudurpaschim (27%). Similarly, among the returnee migrant respondents, the highest were from Sudurpaschim (33%), followed by Province 1 (28%).

The most significant number (50%) of returnees and outgoing respondents to India were from the Brahmin/Chettri ethnicity. Among the returnee migrant respondents, over 21 per cent belonged to the Dalit community and over 16 per cent from Janjati groups. For the outgoing respondents, around 21 per cent were Janjati and almost 13 per cent belonged to the Terai/Madhese other castes. However, the ethnic groups were not geographically categorized. The ethnic group that travelled the least were Muslims at only 1 per cent.

Regarding the marital status of respondents, over 78 per cent were married (both men and women), followed by single/never married at approximately 20 per cent. Divorced, separated and widowed respondents were all below 1 per cent. Over 64 per cent respondents

reported to have two to four children and almost 23 per cent had one child. Only about six per cent reported having more than four children.

Similarly, Table 29 also shows the literacy status of the population on the move. Only about 16 per cent of the respondents were illiterate. Among both returnee and outgoing migrant respondents, a large number had completed secondary school i.e. up to Secondary Education Examination (34%), followed by the primary level i.e. up to Grade 5 (23%) and over 19 per cent had passed the higher secondary level i.e. up to Grade 12. However, only about 7 per cent had completed bachelor's level and 2 per cent had completed master's degrees.

Almost all the respondents spoke the Nepali language, followed by 77 per cent that spoke fluent Hindi. Many could speak two to three languages and Maithali was spoken by over 10 per cent of the respondents. Over 14 per cent spoke various other languages, like English, Doteli and Newari, among others. Very few spoke Awadhi, Bhojpuri and Tharu.

Table 29: Demographic details (province, ethnicity/caste, marital status, number of children among married couples, education and language)

Province	Returnee		Outgoing		Total	
	n	%	N	%	n	%
Province 1	190	28.2	208	34.6	398	31.2
Madhesh	15	2.2	8	1.3	23	1.8
Bagmati	38	5.6	22	3.7	60	4.7
Gandaki	31	4.6	33	5.5	64	5.0
Lumbini	94	14.0	102	16.9	196	15.4
Karnali	85	12.6	65	10.8	150	11.8
Sudurpaschim	220	32.7	164	27.3	384	30.1
Total	673	100.0	602	100.0	1 275	100.0
Ethnicity/Caste						
Brahmin/Chhetri	333	49.5	300	49.8	633	49.6
Terai/Madhese other castes	59	8.8	77	12.8	136	10.7
Dalit	145	21.5	69	11.5	214	16.8
Newar	15	2.2	11	1.8	26	2.0
Janjati	111	16.5	126	20.9	237	18.6
Muslim	7	1.0	5	0.8	12	0.9
Others	3	0.4	14	2.3	17	1.3
Total	673	100.0	602	100.0	1 275	100.0
Marital status						
Single/Never married	146	21.7	121	20.1	267	20.9
Married	525	78.0	474	78.7	999	78.4
Divorced	0	0.0	1	0.2	1	0.1
Separated	0	0.0	1	0.2	1	0.1
Widowed	2	0.3	5	0.8	7	0.5
Total	673	100.0	602	100.0	1 275	100.0

Province	Returnee		Outgoing		Total	
	n	%	N	%	n	%
No. of children among ever married						
None	35	6.6	29	6.0	64	6.4
One	135	25.6	98	20.4	233	23.1
2 – 4	328	62.2	321	66.7	649	64.4
>4	29	5.5	33	6.9	62	6.2
Total ever married	527	100	481	100	1 008	100
Education status						
Never went to school	118	17.5	83	13.8	201	15.8
Primary	122	18.1	167	27.7	289	22.7
Secondary	232	34.5	199	33.1	431	33.8
Higher secondary	139	20.7	105	17.4	244	19.1
Bachelor's degree	53	7.9	34	5.6	87	6.8
Master's degree	9	1.3	14	2.3	23	1.8
Total	673	100.0	602	100.0	1 275	100.0
Frequently spoken language*						
Nepali	670	99.6	598	99.3	1 268	99.5
Hindi	470	69.8	512	85.0	982	77.0
Maithali	71	10.6	62	10.3	133	10.4
Awadhi	0	0.0	1	0.2	1	0.1
Bhojpuri	2	0.3	2	0.3	4	0.3
Tharu	7	1.0	15	2.5	22	1.7
Others	109	16.2	71	11.8	180	14.1
Total	673		602		1 275	

*Multiple responses.

Source: Primary data collection, December 2021.

Table 30 illustrates the monthly household income with sources, employment status, types of employment and regions in India where the respondents have worked.

Over 35 per cent of the respondents had monthly household incomes of more than NPR 10,000, followed by 27 per cent with over NPR 20,000. Only 15 per cent had incomes that exceeded NPR 40,000. The households also had multiple income sources. Out of 779 respondents, a majority (over 48%) stated that agriculture was the major source of income in their households, followed by remittance (over 40%). Almost 14 per cent were involved in business, whereas around 37 per cent were also engaged in the service sector.

The table also depicts the employment status of people crossing the borders. Out of a total of 1,275 respondents, approximately 42 per cent reported being employed full-time (over 36 hours per week), 16 per cent were employed for 16 to 35 hours per week and around 18 per cent reported being employed for one to 15 hours per week. Over 20 per cent of the respondents said they were not in the labour force, meaning they were not looking for

work at the time of the study, while about 18 per cent were unemployed and looking for work. Very few (1%) of the respondents were retired.

Forty-two per cent of the returnee respondents from India were involved as service or sales workers, whereas about 32 per cent of those going to India were also involved in the same sector. Of the 779 respondents, the highest were working as service and sales workers (38%), followed by elementary occupations (25%) and skilled agricultural, forestry, and fishery workers (24%). A minority (3 – 4%) were involved in high professional jobs, such as managers, technicians, among others. Similarly, only slightly over 4 per cent reported being engaged in the armed forces.

Most respondents (45%) were travelling to/from North India, among whom 35 per cent were coming and slightly over 56 per cent going to North India. The second highest number (24%) of returnee respondents was from West India, while for outgoing respondents, it was East India with almost 17 per cent.

Table 30: Demographic details (employment)

Monthly household income	Returnee		Outgoing		Total	
	n	%	n	%	N	%
<10,000 NPR	41	6.1	41	6.8	82	6.4
10,001 – 20,000 NPR	275	40.9	174	28.9	449	35.2
20,001 – 30,000 NPR	183	27.2	163	27.1	346	27.1
30,001 – 40,000 NPR	88	13.1	115	19.1	203	15.9
> 40,000 NPR	86	12.8	109	18.1	195	15.3
Total	673	100	602	100	1 275	100
Other source of income*						
Remittance	343	51.0	168	27.9	511	40.1
Agriculture	328	48.7	288	47.8	616	48.3
Business	96	14.3	80	13.3	176	13.8
Service	190	28.2	275	45.7	465	36.5
Others	12	1.8	45	7.5	57	4.5
Total	673		602		1 275	
Employment status						
Looking for work/unemployed	145	21.5	78	13.0	223	17.5
Employed (1 – 15 hours per week)	22	3.3	21	3.5	43	3.4
Employed (16 – 35 hours per week)	121	18.0	83	13.8	204	16.0
Employed (36+ hours per week)	281	41.8	251	41.7	532	41.7
Not in labour force	96	14.3	161	26.7	257	20.2
Retired	8	1.2	8	1.3	16	1.3
Total	673		602		1 275	

Monthly household income	Returnee		Outgoing		Total	
	n	%	n	%	N	%
Type of work done among currently employed*						
Managers/professionals	24	5.7	11	3.1	35	4.5
Technician/associate professionals	19	4.5	6	1.7	25	3.2
Clerical support workers	69	16.3	54	15.2	123	15.8
Service/sales workers	178	42.1	112	31.5	290	37.2
Skilled agricultural, forestry and fishery workers	146	34.5	43	12.1	189	24.3
Craft and related trade workers	16	3.8	12	3.4	28	3.6
Plant and machine operators, and assemblers	44	10.4	11	3.1	55	7.1
Elementary occupations	72	17.0	120	33.7	192	24.6
Armed forces	4	0.9	28	7.9	32	4.1
Others	3	0.7	2	0.6	5	0.6
Total currently employed	423		356		779	
Workplace in India						
North India	148	35.0	200	56.2	348	44.7
East India	69	16.3	60	16.9	129	16.6
West India	101	23.9	41	11.5	142	18.2
South India	24	5.7	17	4.8	41	5.3
Central India	43	10.2	10	2.8	53	6.8
Northwest India	3	0.7	9	2.5	12	1.5
Others	35	8.3	19	5.3	54	6.9
Total currently employed	423	100.0	356	100.0	779	100.0

*Multiple responses.

Source: Primary data collection, December 2021.

Over 30 per cent of the returnee respondents and approximately 37 per cent of those outgoing, reported knowing other migrant workers from their hometowns (Table 31). Collectively, this resulted in a total of over 33 per cent.

According to the returnee respondents, a majority (50%) of the migrants from their hometowns were working in West India, while only around 2 per cent were in India's northwest.

The data for outgoing respondents was similar; the majority (46%) were reported to be working in West India and around 2 per cent in the northwest.

Nearly 18 per cent of the returnee respondents reported that migrants from their hometowns usually travelled to India during the month of Mangsir (November/December), whereas almost 14 per cent chose Baisakh (April/May). Most of the outgoing respondents (45%) also stated that Mangsir was when most migrants they knew went to India. Additionally, 28 per cent reported Baisakh as the usual month.

In terms of reasons why migrants from their hometowns chose to work in India, slightly over 63 per cent of the returnee respondents stated that it was due to better job prospects. Roughly 2 per cent referred to geographical access as another reason.

In the case of outgoing respondents, approximately 75 per cent attributed it to the variety of jobs in India, while 0.5 per cent reported the Indian Army to be another reason.

Table 31: Travelling details of the respondents (I)

Know other migrants from hometown?	Returnee		Outgoing		Total	
	n	%	n	%	n	%
Yes	203	30.2	220	36.5	423	33.2
No	470	69.8	382	63.5	852	66.8
Total	673	100	602	100	1 275	100
If yes, where do they work?						
North India	39	19.2	39	17.7	179	42.3
East India	22	10.8	22	10.0	30	7.1
West India	101	49.8	101	45.9	150	35.5
South India	22	10.8	22	10.0	26	6.1
Central India	15	7.4	15	6.8	27	6.4
Northwest India	3	1.5	3	1.4	7	1.7
Others	1	0.5	1	0.5	4	0.9
Total	203	100.0	220	100.0	423	100.0
Usual time for visiting India*						
<i>Baisakh</i> (April/May)	28	13.8	61	27.7	89	21.0
<i>Jestha</i> (May/June)	11	5.4	11	5.0	22	5.2
<i>Asar</i> (June/July)	12	5.9	3	1.4	15	3.5
<i>Shrawan</i> (July/August)	16	7.9	4	1.8	20	4.7
<i>Bhadra</i> (August/September)	5	2.5	5	2.3	10	2.4
<i>Ashoj</i> (September/October)	7	3.4	3	1.4	10	2.4
<i>Kartik</i> (October/November)	5	2.5	11	5.0	16	3.8
<i>Mangsir</i> (November/December)	36	17.7	98	44.5	134	31.7
<i>Poush</i> (December/January)	12	5.9	22	10.0	34	8.0
<i>Magh</i> (January/February)	4	2.0	4	1.8	8	1.9
<i>Falgun</i> (February/March)	9	4.4	49	22.3	58	13.7
<i>Chaitra</i> (March/April)	9	4.4	58	26.4	67	15.8
Don't know	92	45.3	37	16.8	129	30.5
Total	203	100.0	220	100.0	423	100.0

Know other migrants from hometown?	Returnee		Outgoing		Total	
	n	%	n	%	n	%
Reason for travelling to India*						
More pay	108	53.2	141	64.1	249	58.9
Variety of jobs	67	33.0	164	74.5	231	54.6
Better health facilities	13	6.4	97	44.1	110	26.0
Better job prospects	128	63.1	78	35.5	206	48.7
Low cost for migration	5	2.5	9	4.1	14	3.3
Indian Army	0	0.0	1	0.5	1	0.2
Easy geographical access	3	1.5	7	3.2	10	2.4
Don't know	6	3.0	1	0.5	7	1.7
Total	203	100.0	220	100.0	423	100.0

*Multiple responses.

Source: Primary data collection, December 2021.

Approximately 19 per cent of the returnee respondents stated that they were travelling back to Nepal after working in India for the first time, while a majority (slightly more than 85%) reported to have travelled multiple times (Table 32). Additionally, in the case of outgoing respondents, only 8 per cent were travelling to India for work for the first time; a vast percentage (91.9%) had done so multiple times. Hence, around 15 per cent of the respondents were reported to be on their first travel to/from India for work.

Among the returnee respondents that had travelled multiple times, a large percentage (approximately 58%) had done so two to five times. Only slightly over 41 per cent reported travelling more than five times. In the case of outgoing respondents, approximately 24 per cent had travelled between two to five times, while slightly over 74 per cent reported to have travelled more than five times. A total of 1.4 per cent said they did not know the number of times they had travelled to India for work.

When asked about their age when they first went to India officially for work, approximately 80 per cent of the returnee respondents reported being between 15 to 25 years. Only a few (1%) stated that they had been under the age of 10. Approximately 17 per cent reported the ages of 10 to 15 years and the remaining 3 per cent said they had been above 25 when they first went to India for work.

In the case of outgoing respondents, slightly over 76 per cent reported to have been aged between 15 to 25. Over 3 per cent stated that they been under the age of 10. Among the remaining outgoing respondents, over 13 per cent responded that they had been between 10 and 15 years and approximately 5 per cent said they had been over 25 years old.

Table 32: Travelling details of the respondents (II)

	Returnee		Outgoing		Total	
	n	%	n	%	n	%
First time travelling to/from India for work						
Yes	65	19.5	19	8.1	84	14.8
No	269	80.5	215	91.9	484	85.2
Total	334	100	234	100	568	100
Number of times they had gone to India for work						
2 – 5 times	155	57.6	51	23.7	206	42.6
>5 times	111	41.3	160	74.4	171	56.0
Don't know	3	1.1	4	1.9	7	1.4
Total	269	100.0	215	100.0	484	100.0
Age when they first went to India officially for work?						
<10 years	2	0.7	7	3.3	9	1.9
10 – 15 years	45	16.7	29	13.5	74	15.3
15 – 25 years	214	79.6	164	76.3	378	78.1
>25 years	8	3.0	10	4.7	18	3.7
Total	269	100.0	215	100.0	484	100.0

Source: Primary data collection, December 2021.

Table 33 shows that a large percentage (31%) of the returnee respondents reported that they had no plans of staying in India and 22 per cent stated that they were planning to stay for less than six months. Eighteen per cent of the respondents stated that they would be staying for more than a year. A majority (43%) of the outgoing respondents also did not have intentions of staying in India; only 3 per cent stated that they had plans to stay for more than a year.

Nearly half of the returnee respondents reported that they had crossed the border for work, while a minority (0.1%) had done so for transit to other countries. Regarding the outgoing respondents, almost 39 per cent, the majority, said that they had crossed the border for work. They were followed by around 30 per cent that had done so for shopping. In this case too, a minority (0.2%) had crossed the border for transit to other countries.

Table 33: Duration and reasons for stay in India

Plans to stay in India	Returnee		Outgoing		Total	
	N	%	n	%	n	%
Not staying	208	30.9	257	42.7	465	36.5
Less than 15 days	71	10.5	61	10.1	132	10.4
Less than a month	14	2.1	21	3.5	35	2.7
Less than 6 months	148	22.0	90	15.0	238	18.7
6 months – 1 year	118	17.5	129	21.4	247	19.4
More than a year	112	16.6	18	3.0	130	10.2
Uncertain	2	0.3	26	4.3	28	2.2
Total	673	100.0	602	100.0	1 275	100.0

Plans to stay in India	Returnee		Outgoing		Total	
	N	%	n	%	n	%
Reason for crossing the border						
Work	334	49.6	234	38.9	568	44.5
Transit to other countries	1	0.1	1	0.2	2	0.2
Education	9	1.3	18	3.0	27	2.1
Medical treatment	51	7.6	50	8.3	101	7.9
Shopping	118	17.5	183	30.4	301	23.6
Business purposes	8	1.2	14	2.3	22	1.7
Tourism	21	3.1	15	2.5	36	2.8
Meeting friends and family	121	18.0	82	13.6	203	15.9
Others	10	1.5	5	0.8	15	1.2
Total	673	100.0	602	100.0	1 275	100.0

Source: Primary data collection, December 2021.

A total of 568 respondents had crossed the border for work, among whom 334 were returnee respondents and 234 outgoing respondents. The majority (59%) of the returnee respondents reported earning NPR 10,001 to 20,000 per month, while approximately only around 2 per cent earned less than NPR 5,000 (Table 34). Outgoing respondents earned monthly wages ranging from less than NPR 5,000 to more than NPR 20,000. Approximately 39 per cent received monthly salaries of NPR 10,001 to 20,000, whereas around 5 per cent earned below NPR 5,000.

Among the majority, around half of the overall respondents reported earning monthly wages ranging from NPR 10,001 to 20,000; slightly more than 28 per cent earned more than NPR 20,000; around 19 per cent earned NPR 5,001 to 10,000; and 3 per cent received less than NPR 5,000.

A larger part (60%) of the respondents had been going to the same destination in India. The remaining 40 per cent – returnee migrant respondents and outgoing migrant respondents – did not go to the same place in India.

Table 34: Monthly wages and percentage of visit to the same place in India

Monthly wages	Returnee		Outgoing		Total	
	n	%	n	%	n	%
<5 000 NPR	5	1.5	12	5.1	17	3.0
5 001 – 10 000 NPR	56	16.8	49	20.9	105	18.5
10 001 – 20 000 NPR	196	58.7	90	38.5	286	50.4
More than 20 000 NPR	77	23.1	83	35.5	160	28.2
Total	334	100.0	234	100.0	568	100.0
Always gone to the same place in India						
Yes	225	67.4	113	48.3	338	59.5
No	109	32.6	121	51.7	230	40.5
Total	334	100.0	234	100.0	568	100.0

Source: Primary data collection, December 2021.

Among all respondents, around 52 per cent had opened a bank account. And, out of all returnee migrant respondents and outgoing migrant respondents, more than 47 per cent did not have a bank account.

Many Nepalese working in India send money home through remittance services. However, most of the respondents (74%) reported that they did not use such facilities. Altogether, around 26 per cent did use remittance services.

Table 35: Use of bank and remittance channels

Bank account	Returnee		Outgoing		Total	
	n	%	n	%	n	%
Yes	351	52.2	316	52.5	667	52.3
No	322	47.8	286	47.5	608	47.7
Total	673	100.0	602	100.0	1 275	100.0
Use remittance channels to send money back home						
Yes	169	25.1	159	26.4	328	25.7
No	504	74.9	443	73.6	947	74.3
Total	673	100.0	602	100.0	1 275	100.0

Source: Primary data collection, December 2021.

Some people traversing between Nepal and India tend to cross from routes other than the legal border points. 1.5 per cent of the returnee migrant respondents had taken another route to cross the border, but a majority (98.5%) had not done so. An even lesser number (0.7%) of the outgoing respondents had used alternative paths, while around 99 per cent had never taken any other pathway. Overall, less than 2 per cent of the total respondents had crossed the border between India and Nepal through other routes.

With regards to paperwork at the border, most (91%) had never filled out any document at the ground crossing points (GCPs), either while going to India or returning to Nepal. However, around 8 per cent of the total respondents, who were all respondents coming to Nepal, had filled out some sort of paperwork at the entry point. In a similar manner, apart from a few (0.3%, n=4), almost all the respondents had never paid money at the GCPs.

Many GCPs have established health screening services near the border after the COVID-19 pandemic. About 70 per cent of the returnee migrant respondents and 33 per cent of the outgoing respondents, reported finding health screening and other services at the border. Thus, more than half of the total respondents reported that GCPs provided health screening and other services. On the other hand, approximately 24 per cent of the returnee migrant respondents and 67 per cent of those outgoing, reported that GCPs did not have such facilities. A minority (4%) were unaware of such services at border points.

Table 36: Details on ground crossing points (GCPs)

	Returnee		Outgoing		Total	
	n	%	n	%	n	%
Ever taken any other route to cross the border?						
Yes	15	2.2	4	0.7	19	1.5
No	658	97.8	598	99.3	1 256	98.5
Total	673	100.0	602	100.0	1 275	100.0
Filled out any paperwork at the GCP?						
Yes	108	16.0	0	0.0	108	8.5
No	559	83.1	601	99.8	1 160	91.0
Don't know	6	0.9	1	0.2	7	0.5
Total	673	100.0	602	100.0	1 275	100.0
Paid any money at the GCP?						
Yes	4	0.6	0	0.0	4	0.3
No	669	99.4	598	99.3	1 267	99.4
Don't know	0	0.0	4	0.7	4	0.3
Total	673	100.0	602	100.0	1 275	100.0
Do GCPs provide health screening or other services?						
Yes	468	69.5	199	33.1	667	52.3
No	161	23.9	401	66.6	562	44.1
Don't know	44	6.5	2	0.3	46	3.6
Total	673	100.0	602	100.0	1 275	100.0

Source: Primary data collection, December 2021.

The Table 37 depicts the factors associated with employment statuses of migrants, either working part-time or full-time, employed for less than 35 hours per week (part-time) and more than 35 hours per week (full-time).

The study revealed that the likelihood of employment – whether part-time or full-time – was higher among respondents aged 30 to 44 and 45 to 59, compared to those aged between 15 to 29 years. Sex-wise, employment was higher among males (OR: 5.96; 95% CI: 4.33 – 8.20). In addition, respondents from Lumbini (OR: 1.78; 95% CI: 1.13 – 2.80), Karnali (OR: 6.54; 95% CI: 3.24 – 13.17) and Sudurpaschim (OR: 3.00; 95% CI: 2.06 – 4.36) provinces had higher odds of securing employment compared to those from Province 1. There was no significant association between employment and ethnicity, monthly income and having other migrant acquaintances from their hometowns.

Regarding part-time employment, the likeliness of getting part-time jobs was highest among respondents aged 30 to 44 (OR: 1.72; 95% CI: 1.19 – 2.47) and 45 to 59 (OR: 1.61; 95% CI: 1.01 – 2.55). Comparing the provinces, respondents from Madhesh (OR: 3.50; 95% CI: 1.19 – 10.30) and Sudurpaschim (OR: 3.10; 95% CI: 2.06 – 4.66) were more likely to have

part-time jobs. Additionally, an inverse dose-response relationship was observed between respondents' monthly incomes and their part-time jobs. There was no association between part-time employment and gender and ethnicity of the respondents.

In the case of full-time employment, age was observed as the significant predictor: respondents above the age of 60 were less likely to have full-time jobs (OR: 0.18; 95% CI: 0.08 – 0.45). With regards to sex, females had greater odds of securing full-time jobs (OR: 6.80; 95% CI: 4.72 – 9.79). Moreover, respondents from Lumbini (OR: 1.91; 95% CI: 1.22 – 3.00) and Karnali (OR: 7.65; 95% CI: 4.29 – 13.63) provinces had higher chances of full-time employment compared to those from Province 1. By ethnicity, the probability of getting full-time jobs was observed to be lower among Terai/Madhese other castes compared to Brahmins and Chhetris (OR: 0.47; 95% CI: 0.28 – 0.80). The study also noted a positive correlation between monthly income and full-time employment. Compared to respondents that had monthly incomes of under NPR 10,000, the possibility of working full-time was almost four times higher among respondents earning NPR 30,001 – 4, 000 monthly (OR: 3.76; 95% CI:1.84 – 7.67), and more than six times among respondents that earned over NPR 40,000 a month (OR: 6.28; 95% CI: 3.02 – 13.07). The prospect of securing full-time jobs was significantly higher if migrants were acquainted with others from their hometowns.

Table 37: Factors associated with securing employment (part-time or full-time), employed for less than 35 hours per week (part-time) and more than 35 hours per week (full-time)

	Any employment (part-time or full-time)			Employed <35 hrs per week (part-time)			Employed >35 hrs per week (full-time)		
	OR	P	95%CI	OR	P	95%CI	OR	P	95%CI
Age category									
15 – 29 years (Ref.)									
30 – 44 years	2.15	<0.01	1.55 – 2.97	1.72	<0.01	1.19 – 2.47	1.37	0.06	0.99 – 1.89
45 – 59 years	2.00	<0.01	1.31 – 3.05	1.61	0.04	1.01 – 2.55	1.34	0.16	0.89 – 2.02
60+	0.22	<0.01	0.10 – 0.45	0.70	0.43	0.29 – 1.69	0.18	<0.01	0.08 – 0.45
Sex:									
Women (Ref.)									
Men	5.96	<0.01	4.33 – 8.20	1.22	0.25	0.87 – 1.73	6.80	<0.01	4.72 – 9.79
Province									
Province 1 (Ref.)									
Madhesh	1.16	0.77	0.42 – 3.24	3.50	0.02	1.19 – 10.30	0.33	0.11	0.08 – 1.28
Bagmati	1.32	0.40	0.69 – 2.51	1.57	0.26	0.72 – 3.46	0.97	0.93	0.50 – 1.89
Gandaki	1.10	0.78	0.58 – 2.08	1.38	0.46	0.58 – 3.27	0.85	0.63	0.44 – 1.63
Lumbini	1.78	0.01	1.13 – 2.80	0.85	0.55	0.49 – 1.47	1.91	0.01	1.22 – 3.00
Karnali	6.54	<0.01	3.24 – 13.17	0.39	0.01	0.19 – 0.76	7.65	<0.01	4.29 – 13.63
Sudurpaschim	3.00	<0.01	2.06 – 4.36	3.10	<0.01	2.06 – 4.66	1.22	0.33	0.82 – 1.81

	Any employment (part-time or full-time)			Employed <35 hrs per week (part-time)			Employed >35 hrs per week (full-time)		
Ethnicity									
Brahmin/ Chhetri (Ref.)									
Terai/Madhesei other castes	0.65	0.06	0.41 – 1.02	1.19	0.50	0.72 – 1.95	0.47	0.01	0.28 – 0.80
Dalit	1.27	0.26	0.84 – 1.92	0.99	0.96	0.65 – 1.52	1.31	0.16	0.90 – 1.90
Newar	0.57	0.23	0.23 – 1.41	1.15	0.80	0.39 – 3.43	0.44	0.12	0.15 – 1.25
Janjati	1.00	0.99	0.68 – 1.45	0.99	0.98	0.65 – 1.52	1.05	0.81	0.72 – 1.53
Muslim	1.11	0.88	0.29 – 4.30	1.97	0.35	0.48 – 8.01	0.65	0.57	0.15 – 2.80
Education status									
Illiterate (Ref.)									
Primary level	1.27	0.34	0.78 – 2.09	1.66	0.04	1.03 – 2.66	0.73	0.19	0.46 – 1.17
Secondary level	0.66	0.08	0.42 – 1.06	1.26	0.34	0.78 – 2.03	0.51	0.01	0.32 – 0.81
Higher sec level	0.34	<0.01	0.20 – 0.57	0.70	0.24	0.38 – 1.28	0.37	<0.01	0.22 – 0.64
Bachelor's degree	0.50	0.06	0.25 – 1.02	0.89	0.81	0.36 – 2.20	0.50	0.05	0.24 – 1.01
Master's degree	0.47	0.15	0.16 – 1.33	1.76	0.38	0.50 – 6.20	0.33	0.05	0.11 – 0.98
Monthly income (NPR)									
<10,000 (Ref.)									
10,001 – 20,000	1.08	0.81	0.59 – 1.95	0.60	0.07	0.34 – 1.05	1.79	0.07	0.95 – 3.40
20,001 – 30,000	0.72	0.29	0.39 – 1.32	0.41	<0.01	0.22 – 0.74	1.72	0.11	0.88 – 3.35
30,001 – 40,000	1.06	0.87	0.55 – 2.03	0.23	<0.01	0.11 – 0.46	3.76	<0.01	1.84 – 7.67
> 40,000	1.65	0.14	0.85 – 3.23	0.21	<0.01	0.10 – 0.44	6.28	<0.01	3.02 – 13.07
Acquainted with other migrants from hometown									
Yes (Ref.)									
No	1.16	0.38	0.84 – 1.60	2.87	<0.01	1.95 – 4.22	0.52	<0.01	0.38 – 0.71

Source: Primary data collection, December 2021.



5

CONCLUSION



5. CONCLUSION

The Nepal-India migration is primarily dominated by people migrating for work. Due to the porous border that the two nations share, Nepalese migrants have been able to easily move across India, which provides numerous employment and income-generating opportunities. Since the nature of migration from Nepal to India is deeply rooted in citizens' cultural, religious and economic needs, the Government of Nepal should be careful and alert in protecting the Nepalese in India via proper regulations and policies.

Migration between Nepal and India began in the 1800s, when the British Indian Army started recruiting Nepalese youth. Today, although the Nepalese continue to enlist in the Indian Army, a great number work in the public and private informal sectors, such as retail, manufacturing, construction and service or sales. For Nepalese migrant workers going to India, migration can be short-term or long-term, seasonal, or even on a daily or weekly basis. Although more than 700,000 Nepalese are reported to be working in India, the census data does not consider those working seasonally or for short-term (less than six months). Therefore, it has been difficult to quantify the number of Nepalese migrants to India. There is, thus, a dire need to address this issue.

While many studies have acknowledged the lack of research and records regarding migrants working in India, the COVID-19 pandemic has brought further attention to this matter. Migrant and daily wage workers have been exceedingly impacted by the pandemic. Following the lockdowns implemented by governments of both countries to stop the spread of the corona virus, Nepalese migrants came back from India in thousands. Upon return, they faced discrimination and stigma. If the Government of Nepal taken this opportunity to document migrant information – such as their destinations, work details, average salary/wages and their problems – the country could have improved its pandemic preparedness and response.

In Nepal, remittance is one of the major contributors to the GDP – it has increased household income and reduced poverty. However, not all remittances from India come through formal and legal sources, as many prefer to use informal channels. Still, the Government of Nepal is yet to increase access to formal financial services for migrants living in India. The formulation of effective and efficient public policies and mechanisms is necessary to encourage them to channel their remittances into productive sectors of Nepal's economy.

The provision of the open border between Nepal and India has resulted in numerous benefits but led to several challenges as well. The rise of illegal activities like crimes, smuggling and human trafficking cannot be overlooked. The scale and characteristics of the frequent and undocumented cross-border migration to India is largely unknown. This lack of data has made it difficult for the Government of Nepal to effectively harness the benefits into its development plans and to address and minimize the risks.

The Government of Nepal should also undertake interventions to empower migrants through information, vocational education, financial support and skill training, among others. This sector of labour migration to India needs careful dedicated review and research to quantify the significant number of Nepalese migration to and from India.

Monitoring cross-border migration to lobby for the safety and protection of the rights of Nepalese migrants will require tremendous efforts from the government. This will also call for great caution as any obstruction to the free movement across borders will impact thousands of migrants and their families. Furthermore, it is crucial to ensure better jobs, salary and working conditions, without any stigma or discrimination. Additionally, identifying the major factors associated with migration – such as ethnicity, economic status, education/training, age, sex, marital status, occupation and household assets – could contribute to the Government of Nepal's plans and policies.



6

RECOMMENDATIONS



6. RECOMMENDATIONS

Bridging the data gap

There is a significant gap in the available data related to the mobility patterns of Nepalese citizens to India. The fragmented datasets make it hard to comprehend the scale of attention that this mobility deserves. This information — available either with the Ministry of Health and Population, Ministry of Home Affairs and Ministry of Federal Affairs and General Administration, among others, largely remains unused or is inaccessible to researchers, academics, practitioners and policymakers. The Population Division of the MoHP and the International Organization for Migration should work together to bridge this gap for the migrant population. These institutions can initiate monthly publications of the aggregate data, where they could include information on the population demographics of travellers, their destinations, stay duration and statistics related to crimes, including human trafficking and drug trafficking.

A need for a comprehensive study on mobility

This baseline study was analysed through secondary data and data analysis from a small-scale primary survey. During this process, a significant finding was the clear need for a comprehensive study to understand the mobility with India. This can be done by placing trained researchers in ground crossing points (GCPs) for a few months to collect data of migrants to India. The researchers can also pilot and test border management software, including the Border Management Information System (BMIS).

Digitizing data capture at GCPs

The BMIS could be the perfect tool to digitize data already recorded by a few agencies, such as the Nepal Police and the Armed Police Force. The introduction of the BMIS would help to accurately record passenger movements and “contribute significantly to the collection and processing of reliable and timely statistical migration data.”³⁶⁹ Additionally, developing an inbuilt system linked to the BMIS would be more helpful than planning and designing human-rights protection measures through the optimum utilization of resources within and across borders.

Prioritization of evidence-informed planning

The federal, provincial and local governments need to prioritize evidence-informed planning for the GCPs. For instance, authorities can focus their attention and resources on a certain GCP if the available statistics show it to be a major trafficking point. In addition, the government can use these statistics to prioritize further infrastructure development at the GCPs.

³⁶⁹ NA Ibrahim, 2017.



ANNEX



Baseline survey for Nepalese migration to India

The Ministry of Health and Population (MoHP), the International Organization for Migration (IOM), Nepal and Anweshan Research Pvt. Ltd. are conducting a study titled “Baseline survey for cross-border migration”. We request you to participate in this survey. During the interview, we will provide you with options for some questions, while some questions will require your own responses. This interview will take about 15 minutes. We shall strictly maintain the confidentiality of all the information we gather. The collected data will be anonymized, evaluated and reported in a way that makes it impossible to identify you personally. Your participation in this study is voluntary.

Do you agree?

Yes ___ No ___

In that case, let us start the interview. If you object, the interview will end.

Name of the PoE: _____

Location of the PoE: _____

Date of the interview: _____

Name of the researcher: _____

S.N.	Questions	Options	Code. No.	
1.	Are you _____ from/ to India?	Coming	1	
		Going	2	
2.	Which province are you originally from?	Province no. 1	1	
		Madhesh Province	2	
		Bagmati Province	3	
		Gandaki Province	4	
		Lumbini Province	5	
		Karnali Province	6	
		Sudurpaschim Province	7	
3.	Which district are you from?	_____		
4.	Which category indicates your age?	0 – 14 years old	1	
		15 – 29 years old	2	
		30 – 44 years old	3	
		45 – 59 years old	4	
		60+	5	

S.N.	Questions	Options	Code. No.	
5.	Which category of gender do you belong to?	Women	1	
		Men	2	
		Others	3	
6.	Which ethnicity do you belong to?	Brahmin/Chhetri	1	
		Tarai/Madhesi/other castes	2	
		Dalit	3	
		Newar	4	
		Janajati	5	
		Muslim	6	
		Others	7	
7.	Which languages do you speak fluently? (You may choose more than one.)	Nepali	1	
		Hindi	2	
		Maithili	3	
		Awadhi	4	
		Bhojpuri	5	
		Tharu	6	
		Others (specify) _____	997	
8.	What is your marital status?	None	1	If 5, go to Question No. 9.
		1	2	
		2 – 4	3	
		More than 4	4	
		Single/never married	5	
8.1	How many children do you have?	None	1	
		1	2	
		2 – 4	3	
		More than 4	4	
9.	What is the highest level of school you have completed?	Illiterate	1	
		Primary level	2	
		Secondary level	3	
		Higher secondary level	4	
		Bachelor's degree	5	
		Master's degree	6	

S.N.	Questions	Options	Code. No.	
10.	What is your total monthly household income? (NPR)	NPR 0 – 10 000	1	Household income means the total income of the family – could be multiple sources of income in the family
		NPR 10 001 – 20 000	2	
		NPR 20 001 – 30 000	3	
		NPR 30 001 – 40 000	4	
11.	What are the different sources of income in the family? (You may choose more than one.)	Migrant workers	1	
		Agriculture	2	
		Business	3	
		Service	4	
		Others (specify)	5	
12.	What is your current employment status?	Looking for work/ unemployed	1	If 1, 5 or 6 skip to 15
		Employed (1 – 15 hours per week)	2	
		Employed (16 – 35 hours per week)	3	
		Employed (36+ hours per week)	4	
		Not in labour force	5	
		Retired	6	
13.	What kind of work do you do? (You may choose more than one.)	Managers and professionals	1	
			2	
		Technicians and associate professionals	2	
		Clerical support workers	3	
		Service and sales workers	4	
		Skilled agricultural, forestry and fishery workers	5	
		Craft and related trade workers	6	
		Plant and machine operators and assemblers	7	
		Elementary occupations	8	
		Armed forces	9	
	Others (Specify)	997		

S.N.	Questions	Options	Code. No.	
14.	Which places have you been/ are you going to in India for work?	North India	1	
		East India	2	
		West India	3	
		South India	4	
		Central India	5	
		Northwest India	6	
		Others (specify) _____	997	
15.	Do you know any migrants from your hometown who go to India for work?	Yes	997	If 2, go to question No. 19.
		No	2	
15.1	If yes, where do they go to work?	North India	1	Others may include name of villages or cities and in case of not being able to categorize.
		East India	2	
		West India	3	
		South India	4	
		Central India	5	
		Northwest India	6	
		Others (specify) _____	997	
16.	In which time of the year do they usually visit? (Multiple choice)	<i>Baisakh</i> (April/May)	1	
		<i>Jestha</i> (May/June)	2	
		<i>Asar</i> (June/July)	3	
		<i>Shrawn</i> (July/August)	4	
		<i>Bhadra</i> (August/September)	5	
		<i>Ashoj</i> (September/October)	6	
		<i>Kartik</i> (October/November)	7	
		<i>Mangsir</i> (November/December)	8	
		<i>Poush</i> (December/January)	9	
		<i>Magh</i> (January/February)	10	
		<i>Falgun</i> (February/March)	11	
		<i>Chaitra</i> (March/ April)	12	
		I don't know	998	

S.N.	Questions	Options	Code. No.	
17.	What work do they do in those months?	_____		
18.	Why do you think you/they travel to India for work? (You may choose more than one option.)	More pay	1	
		Availability of wide range and variety of jobs	2	
			2	
		Better facilities (health, education, etc.)	3	
		Better job prospects	4	
		Low cost for migration	5	
		Enrolled in Indian Army	6	
		Easy geographical access	7	
		I don't know	998	
19.	How long are you planning to stay over there?	Not staying over	1	
		Less than 15 days	2	
		Less than a month	3	
		Less than 6 months	4	
		6 months – 1 year	5	
		More than a year	6	
		Uncertain	7	
20.	What is the reason for crossing this PoE of border?	For work	1	If other than 1 go to question No. 26.
		For transit to other countries	2	
		Education/study	3	
		Medical treatment	4	
		Shopping (clothes/grocery)	5	
		Business purposes	6	
		Tourism	7	
		Meeting friends and family	8	
		Others (specify)	997	
21.	Is this your first time travelling to/from India for work?	Yes	1	If 1, skip to question no. 24.
		No	2	

S.N.	Questions	Options	Code. No.	
22.	How many times have you gone to India for work?	2 – 5 times	1	
		More than 5 times	2	
		I don't know	3	
23.	At what age did you first go to India, officially for work?	Less than 10 years old	1	
		10 – 15 years old	2	
		15 – 25 years old	3	
		More than 25	4	
24.	What is your monthly wage? (NPR)	NPR 0 – 5 000	1	
		NPR 5 001 – 10 000	2	
		NPR 10 001 – 20 000	3	
		More than NPR 20 000	4	
25.	Have you always gone to same place in India to work?	Yes	1	
		No	2	
26.	Do you have a bank account in India?	Yes	1	
		No	2	
27.	Do you use the remittance services to send money back home?	Yes	1	
		No	2	
28.	Have you ever taken any other route to cross the border?	Yes	1	
		No	2	
28.1	If yes, which one?	_____		
29.	Do you have to fill out any paperwork at PoE?	Yes	1	
		No	2	
		I don't know	3	
29.1	If yes, what sort of paperwork you have to fill?	_____		
30.	Do you have to pay any money at PoE?	Yes	1	
		No	2	
		I don't know	3	
30.1	If yes, how much money do you pay?	_____		
31.	Do PoEs provide any health screening or any other services?	Yes	1	
		No	2	
		I don't know	3	
32.	Any suggestions for PoEs?	_____		

RESEARCH TEAM

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This baseline report was developed with a technical working group (TWG), led by the Ministry of Health and Population (MoHP) and the International Organization for Migration (IOM) and implemented by Anweshan Pvt. Ltd.

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