Migrant Workers from South Asia

A Status Report
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### Acronyms

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<tbody>
<tr>
<td>ALCS</td>
<td>Afghanistan Living Conditions Survey</td>
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<td>BDT</td>
<td>Bangladeshi Taka</td>
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<td>BLA</td>
<td>Bilateral Labour Agreement</td>
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<td>BMET</td>
<td>Bureau of Manpower Employment and Training</td>
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<td>BE&amp;OE</td>
<td>Bureau of Emigration and Overseas Employment</td>
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<td>ECR</td>
<td>Emigration Check Required</td>
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<td>G2G</td>
<td>Government to Government</td>
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<td>GCC</td>
<td>Gulf Cooperation Council</td>
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<td>GDP</td>
<td>Gross Domestic Product</td>
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<td>FEB</td>
<td>Foreign Employment Board</td>
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<td>FY</td>
<td>Fiscal Year</td>
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<td>ILO</td>
<td>International Labour Organization</td>
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<td>MoFA</td>
<td>Ministry of Foreign Affairs</td>
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<td>MoLSAMD</td>
<td>Ministry of Labour, Social Affairs, Martyrs and Disabled</td>
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<tr>
<td>MoU</td>
<td>Memorandum of Understanding</td>
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<td>OBBY</td>
<td>Pravasi Bharatiya Bima Yojana</td>
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<td>OEC</td>
<td>Overseas Employment Corporation</td>
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<td>OEP</td>
<td>Overseas Employment Promoters</td>
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<td>OPF</td>
<td>Overseas Pakistanis Foundation</td>
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<td>SDGs</td>
<td>Sustainable Development Goals</td>
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<td>SLBFE</td>
<td>Sri Lanka Bureau of Foreign Employment</td>
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<td>SLFS</td>
<td>Sri Lanka Labour Force Survey</td>
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<td>UAE</td>
<td>United Arab Emirates</td>
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1. Migration and Migrants

Introduction

Migration of people has remained a permanent and integral part of societies. It is a complex and multidimensional phenomenon, with changing forms and patterns over time. The number of migrants has been increasing across the world. In 2017, there were 258 million international migrants including refugees and migrant workers, 164 million being migrant workers. Overall, migrants of working age constituted 4.2 per cent of the world’s population aged 15 and older, while migrant workers constituted 4.7 per cent of all workers. The labour force participation of migrants in the world is higher (70.0 per cent) compared to that of non-migrants in the countries of destination (61.6 per cent). In 2017, of the total number of migrants, the share of male migrants was higher (58.4 per cent) than that of female (41.6 per cent).

Migration has remained a significant issue in the South Asian region, where the movement of people takes place both within and outside the region. A large proportion of people migrate to the Gulf Cooperation Council (GCC) countries and Malaysia. Approximately, 76 per cent (38 million) of the population from the region were living abroad, particularly in Gulf nations, Western Europe, North America and South-East Asia in 2017. In correspondence with the total population, Afghanistan had the highest number of people abroad followed by Sri Lanka (8.27 per cent), Nepal (5.93 per cent), Bhutan (5.44 per cent), Bangladesh (4.55 per cent), Pakistan (3.3 per cent), and India (1.24 per cent). The Maldives is also one of the prime destinations for international migrants. In 2016, this region received over USD 110 billion remittances, and it also the second-highest remittance-receiving region in the world. The remittance received has contributed to the improvement of the household economy and social development of migrants and their families.

Migration is recognised to be mutually beneficial for both countries of origin and destination and an important means to achieve the Sustainable Development Goals (SDGs) and inclusive development. Hence, facilitating safe, regular and responsible migration and mobility of people are at the core of the Sustainable Development Goals and the Global Compact for Safe, Orderly and Regular Migration (GCM), both of which are forums all South Asian countries are part of. In order to protect and empower migrant workers to fulfil their development potential, cooperation and collaboration between and among various stakeholders (whole-of-the-society approach) have been recognised as a prerequisite. This was also acknowledged as a priority issue during the Colombo Process. In the Abu Dhabi Dialogue meetings/consultations in October 2019, discussions were held on improving the governance of cross-border labour mobility; use of technology in managing the recruitment and deployment of workers; improvement of orientation and information programmes to workers; skill

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2 International Labour Organization 2018a.

3 International Labour Organization 2018a.


certification; and recognition and enhancement of competency standards for the domestic workers. The ministers from across the GCC and Asia also forged a consensus to establish ‘Future Skills Partnership’ between various stakeholders in sending and receiving countries. The partnership is meant to be aimed at identifying information related to the needs and demands of the labour market in the Gulf region, exploring future skill requirements in the region and training the countries to cope with the challenges faced due to new technologies and automation.

Most people migrate internationally for work. However, people also migrate for a multitude of other reasons, which could be both voluntary and involuntary (forced). The reasons for migration also vary depending on the gender of the migrant workers. Women tend to migrate for employment; family reunification; humanitarian reasons; or to evade discrimination, stigmatisation, violence and harassment, including in the labour market in their home countries. Many migrant workers, especially semi-skilled or those without skills, carry out precarious forms of work, live in difficult conditions and face exploitation and violence at work. They also face various other challenges throughout the migration process, including deception during the process of recruitment. The migration cost is often very high, and the workers lack adequate and correct information about various aspects of labour migration.

While the regulation of recruitment is weak and ineffective, there is also no or weak protection measures for the migrant workers at home and in the countries of destination. They also face problems in reintegration and rehabilitation. Consequently, these factors hinder the migrants and their families from benefiting from positive outcomes of migration; rather, they push migrant workers towards further vulnerabilities and risks. At the same time, due to the changing nature of work in the global labour market, there are also looming risks and challenges for advancing the interests and rights of migrant workers.

This paper presents the status of the global labour market and that of migrant workers from South Asia, including their population; nature of employment; recruitment practices; working conditions; wages and benefits; social security and safety nets; social costs; and access to justice, among others.

Total out-migration from South Asia

In 2018, 734,181 Bangladeshi workers migrated to different countries of the world including the GCC and Southeast Asian countries. In 2018, Saudi Arabia was the top destination for Bangladeshi workers, with 257,317 workers having migrated to the country, accounting for 35.5 per cent of the total population of Bangladeshi migrant workers, followed by 175,927 (24 per cent) to Malaysia, and 10 per cent to Qatar. In 2017, over one million Bangladeshis migrated in search of work, a sharp increase from the 758,000 in 2016, thus increasing the outflow of migrants to 33 per cent, making Bangladesh the country with the second-highest number of emigrants in the region. In 2018, the number of women leaving Bangladesh was 101,695, a 17 per cent decrease from the 121,925 in 2017. Saudi Arabia was the most popular migration destination for Bangladeshi women migrants in 2018, with 73,713 workers having migrated to the country, accounting for 72.48 per

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8 International Labour Organization 2018a.
10 Siddiqui et al. 2019.
12 Siddiqui et al. 2019.
cent of Bangladesh’s total outflow for women, followed by Oman, with 11,034 women migrants (11 per cent), and Jordan with 9,100 (9 per cent) women migrants. The United Arab Emirates (UAE), which used to be the next most sought-after migration destination after Saudi Arabia, stopped issuing visas to Bangladeshi migrant workers since 2012, citing problems of fake travel documents and forged passports being used by the migrant workers. The UAE still receives female migrants from Bangladesh for domestic work.

According to the World Bank Bilateral Migration Matrix 2017, the total stock of outmigration from the Islamic Republic of Afghanistan was 5,055,219, with 7,813 in the UAE; 435,810 in Saudi Arabia; 1,602 in Qatar; 2,908 in Kuwait; 680 in Bahrain—a cumulative of 448,813 in the GCC countries—and 507 in Malaysia. The largest number of Afghans were in Iran (2,324,884) and Pakistan (1,515,738), mostly as refugees and asylum-seekers.

According to a World Bank (2019) report, Malaysia has identified Afghans as among the 21,890 refugees and asylum-seekers from Pakistan, Yemen, Somalia, Syria, Sri Lanka, and other vulnerable countries in the Middle East and Africa [exact figures for Afghans not known]. The report adds that ‘these registered asylum seekers are not legally allowed to access the labour market, and hence mostly rely on the informal labour market for their livelihood’.

A 2012 report by the United Nations Economic and Social Commission for Asia and the Pacific and the International Organization for Migration shows that a number of Afghani migrants used Pakistan as a transit country due to difficulties in crossing the border to enter Iran directly. Similarly, Iran was used as a transit country for travelling to GCC countries, Turkey and Europe. Most of the labour migrants departing from Kabul, the capital of Afghanistan, depended on smugglers for border-crossings.

With regard to migration from India, there is an approximate 30 million Indian population overseas, with nine million of them in the GCC region. In 2017, 391,024 Indians got clearance to work abroad. In 2015, the highest number of international migrants originated from Asia, and India was the country with the largest number of emigrants. According to the World Bank data of 2017, there were 8,904,781 Indian migrants within the GCC region, with a majority of them in Qatar (658,488), followed by the UAE (3,310,419), Saudi Arabia (2,266,216), Oman (1,201,995), Kuwait (1,157,072), and

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13 Siddiqui et al. 2019.
15 Siddiqui et al. 2019.
17 World Bank n.d.a.
24 International Labour Organization 2018c.
The number of migrants has almost doubled since 2010 when the total number of Indians in the GCC region was just 4,867,931. In 2019, 143,000 Indian workers migrated to Saudi Arabia, followed by 72,000 to Kuwait, 42,000 to the UAE, 28,000 to Qatar, 26,000 to Oman, and 10,000 to Malaysia. More than 90 per cent of the Indian workers going to the GCC and Southeast Asian countries fall under the category of semi-skilled and unskilled workers.

The records of the United Nations Department of Economic and Social Affairs, show that the number of women migrating for work from India is increasing consistently, with 553,226 stock migrants in the GCC countries in 1990 to 1,957,278 in 2015. Women migrants accounted for nearly 24 per cent of the total migrant stock in India in 2015, and a majority of women migrated to the UAE (789,005), followed by Saudi Arabia (585,822) and Kuwait (313,209).

Pakistan saw an exodus of 625,203 migrants in 2019. There were 419,625 Pakistani migrants leaving the country in the fiscal year 2017/18, and 382,439 workers in 2018 alone. According to the emigration statistics of Pakistan, the GCC countries and Malaysia were the prime destinations for the Pakistani workers, with 332,713 migrants in Saudi Arabia, 211,216 migrants in the UAE, 28,391 migrants in Oman, 19,327 migrants in Qatar, 8,189 migrants in Bahrain, 126 in Kuwait, and 11,323 workers in Malaysia in 2019. In 2018, 39 per cent of the total Pakistani migrants were in the GCC region and Malaysia. Many Pakistani migrants take irregular routes for migrating overseas; as per the estimates of United Nations Office on Drugs and Crime, about 300,000 Pakistanis migrated via irregular channels in 2012.

The migration of Pakistani women is significantly lower than that of their male counterparts and accounted for only 0.4 per cent of the total migration from Pakistan between 1971 to July 2019. During that period, 40,807 Pakistani women migrated overseas, out of which 42.5 per cent went to the UAE, 35 per cent to Saudi Arabia, 5 per cent to Oman and 2 per cent to Qatar.
The majority of male migrant workers from Pakistan are mostly employed in construction, security, transport and manufacturing\textsuperscript{40} while most females are employed in domestic work.\textsuperscript{41} Some of the categories of foreign employment of Afghani workers in 2018 include:\textsuperscript{42}

- Highly-skilled/qualified professionals in international job market: engineer (4,676); teacher (2,211); doctor (1,945); pharmacist (1,346); designer (850)
- Unskilled/low-skilled expatriates: labourer (150,274); technician (11,368); mason (17,130); carpenter (11,629); electrician (12,076); agriculturist (7,596); salesman (8,225); steel-fixer (7,069); plumber (6,352); operator (5,173)
- Skilled (142,486); unskilled (157,870); semi-skilled (56,208); highly-qualified (16,105); highly-skilled (9,770)

In Sri Lanka, 8.27 per cent of the total population are migrants.\textsuperscript{43} The total number of outflow in 2017 was 212,162, of which 65.64 per cent were male migrants.\textsuperscript{44} Although Sri Lankans have obtained employment across 108 countries, almost 90 per cent of them are working in the Middle East; Qatar, Saudi Arabia, Kuwait and the United Arab Emirates recruited 79 per cent of the total Sri Lankan migrant workers in 2017.\textsuperscript{45} In 2017, the top ten receiving countries for Sri Lankan migrant workers were Qatar (56,644), followed by Saudi Arabia (37,900), Kuwait (37,420), the United Arab Emirates (UAE) (36,657), Oman (8872), the Maldives (6,279), South Korea (5,805), Jordan (3,929), Bahrain (3,002), and Israel (2,498).\textsuperscript{46} There were only 1,995 Sri Lankan workers in Malaysia in 2017.\textsuperscript{47} The newer destinations for labour migration for Sri Lankans are New Zealand, Papua New Guinea, Angola, Turkey, Fiji, Sudan, Japan, Turkey, Rumania and Uganda.\textsuperscript{48}

Among the large number of Sri Lankan migrants working abroad, 28.78 per cent are unskilled, and many are involved in domestic work.\textsuperscript{49} Kuwait and Saudi Arabia are popular destinations for female workers migrating for domestic work.\textsuperscript{50} Over 55 per cent of migrant worker departures from Sri Lanka accounted for such categories, followed by 32.5 per cent for skilled work and 3 per cent for professional-level work.\textsuperscript{51}

Likewise, Nepal is also one of the major countries in South Asia, which sends a large number of workers abroad for employment. Between the period of 2008 to 2017, the Nepal government issued over 3.5 million labour permits to workers, migrating mainly to the GCC countries and Malaysia.\textsuperscript{52}

\textsuperscript{41} BE&OE 2019; as cited in Khan 2020.
\textsuperscript{42} Bureau of Emigration and Overseas Employment 2018.
\textsuperscript{45} Sri Lanka Bureau of Foreign Employment 2017a.
\textsuperscript{47} Sri Lanka Bureau of Foreign Employment 2017b.
\textsuperscript{48} Sri Lanka Bureau of Foreign Employment 2017a.
\textsuperscript{49} Sri Lanka Bureau of Foreign Employment 2017a.
\textsuperscript{50} International Labour Organization 2019a.
\textsuperscript{51} Sri Lanka Bureau of Foreign Employment 2017a.
In the fiscal year (FY) 2017/18, 183,542 labour permits were issued for Qatar and the total labour permits (both new entry and re-entry) issued between FYs 1993/94 and 2017/18 were 1,554,110, with 1,331,842 issued to male migrants. In 2017 alone, the number of Nepali migrants in Qatar was 154,340, about 9 per cent of the total migrants from Nepal. Similarly, 137,311 labour permits were issued for Malaysia in 2017/18, and the total labour permits (both new entry and re-entry) issued between 1997/98 and 2017/18 were 1,505,486, with 1,283,747 permits issued to male migrants. In 2017, there were 209,121 Nepali migrants in Malaysia, which accounted for 7.7 per cent of the total migrant population from the country. In Malaysia, there is a high demand for Nepali workers with a military background to work as security guards. Manufacturing, construction, plantation, agriculture and service industries are some other major employment sectors for Nepali workers in Malaysia.

In the FY 2017/18, 114,941 labour permits were issued for the UAE and the total labour permits (both new entry and re-entry) issued between 1997/94 and 2017/18 were 760,420, with 617,787 permits issued to men. In 2017 alone, there were 26,595 migrants in the UAE, about 0.32 per cent of the total migrant population from Nepal; some of the popular sectors of work for Nepali migrants in the UAE include security, driving, sales, hospitality, construction and cleaning. Similarly, 108,414 labour permits were issued for Saudi Arabia in 2017/18, and the total labour permits (both new entry and re-entry) issued for Saudi Arabia between 1993/94 and 017/18 were 1,154,185, of which, 999,531 were issued to male migrants. In 2017, the number of Nepalis in Saudi Arabia was 455,905, about 3.7 per cent of the total migrant population from the country.

In the FY 2017/18, 8,454 labour permits were issued for Bahrain in the FY 2017/18, and the total labour permits (both new entry and re-entry) issued between 1993/94 and 2017/18 were 64,922, 54,576 of which were issued to male migrant workers. In 2017 alone, 3,888 Nepali migrants were working in Bahrain. Similarly, 27,149 labour permits were issued for Kuwait and the total labour permits (both new entry and re-entry) issued between 1993/94 and 2017/18 were 173,685, 118,581 of which were issued to male migrants. In 2017 alone, there were 15,514 Nepalis in Kuwait. In 2017/18, a total of 5,713 labour permits were issued for Oman and the total labour permits (both new

https://asiafoundation.org/2018/06/06/nepalese-labormigration-a-status-report/; This excludes a significant number of Nepalis who migrate to India for employment.

54 Jha 2019a.
59 Ansari, Kharel and Thapa 2019a.
63 Ansari, Sabir, Arjun Kharel, and Sudeshna Thapa 2019b.
65 Ansari, Kharel and Thapa 2019c.
entry and re-entry) issued between 1993/94 and 2017/18 were 40,954, with 34,413 issued to male migrants.66 There were 17,057 Nepalis in Oman in 2017, which accounted for 0.95 per cent of the total migrant population from the country in the same year.67

**Process and cost of recruitment**

The recruitment processes for migrant workers in Bangladesh is undertaken through Bangladesh Overseas Employment and Services Ltd, the government-owned recruitment agency, or through other private recruitment agencies approved and licensed by the government.68 Apart from the private recruitment agencies, migrant brokers or sub-agents and informal intermediaries also have a role to play while reaching out to aspiring migrants.69 Government-to-Government (G2G), implemented through Bureau of Manpower, Employment and Training (BMET), and the ‘G2G-Plus’ (or G2G+), implemented through select private recruitment agencies, are other mechanisms currently being explored for some labour destinations like Malaysia.70 BMET, which is under the Ministry of Expatriates’ Welfare and Overseas Employment, is responsible for the overall supervision of the recruitment process of migrant workers from registration to smart card issuance.71

The government of Bangladesh has set a maximum cost of recruitment for each destination country and the recruitment agencies are not permitted to charge more than the amount set by the government.72 The migration cost set by the government is Bangladeshi Taka (BDT) 160,000 for Malaysia, BDT 97,780 for Bahrain, BDT 100,780 for Oman and Qatar, BDT 165,000 for Saudi Arabia, BDT 107,780 for the UAE, BDT 106,780 for Kuwait, and BDT 102,780 for Jordan.73 In practice, however, the workers are forced to pay more than the set amount and the agents and sub-agents take about 78 per cent of the recruitment cost.74

In Nepal, labour migration to the GCC countries and Malaysia is facilitated by the recruitment agencies or arranged independently on a personal basis.75 The Foreign Employment Act (2007) and the Foreign Employment Rules (2008) are the fundamental legal instruments governing labour migration and they have set rules, for both migrants and recruitment agencies, to be followed during the process of migration. According to the Act, minors under the age of 18 are not permitted to go for foreign employment.76 Similarly, the Directives for Sending Domestic Workers for Foreign Employment (2015) prohibits women below the age of 24 from migrating to Saudi Arabia, Qatar, and

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67 Jha 2019b.
69 Rahman 2011.
73 BMET 2017, as cited in Imam and Munier 2020.
74 Barkat, Hossain and Hoque 2014.
Kuwait, UAE, Oman, Bahrain, Lebanon and Malaysia as domestic workers. In 2016, the Parliamentary Committee further imposed a complete ban on the migration of women as domestic workers for until the governments of the respective destination countries sign bilateral labour agreements (BLA) with the government of Nepal. The government also mandated two-day pre-departure orientation training for all migrant workers going for labour migration and a 30-day skill development training for women migrants going to the GCC countries and Malaysia for domestic work.

The government introduced the scheme of ‘free-visa, free-ticket’ in 2015 to regulate recruitment practices in Nepal. The scheme required migrant workers to pay a maximum of NPR 20,000 while going for employment to the GCC countries and Malaysia. Before the introduction of ‘free-visa, free-ticket,’ the workers had to pay a hefty sum of money for their migration. However, there are many loopholes in the 2015 move of the government and the workers continue to pay huge sums of money in practice.

Like most other Asian countries, private recruitment agencies facilitate the overseas migration of workers from Afghanistan. The recruitment agencies are required to be registered at the Ministry of Labour, Social Affairs, Martyrs and Disabled (MoLSAMD), the focal government agency for monitoring labour affairs. There were 18 registered agencies till 2013, of which only half were active. As per a World Bank report of 2018, the number of private recruitment agencies registered with MoLSAMD has reached 70, with many still inactive. Only about 15 were in the position to recruit prospective migrants, according to the Overseas Employment Unit (OEU) under the MoLSAMD. The report further suggested that given the short history of such private agencies in Afghanistan, and the lack of legally open migration corridors, information regarding the operational modality of such agencies is not known.

Like other South Asian labour-sending countries, labour migration in India is facilitated by informal and unregulated recruitment agencies. The recruitment agencies are required to obtain a registration certificate from Protectorate General of Emigrants before operating their business. The unregistered agents, who function at the ground level on behalf of the recruitment agencies, are the primary contact-persons for the workers willing to migrate. The report of Global Fund to End Modern Slavery shows that migrants vying for foreign employment pay somewhere between

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79 Jha 2019a.
81 Mandal 2017.
82 Wickramasekara and Baruah 2013.
84 Smith 2018.
85 Global Fund to End Modern Slavery. n.d. Understanding Exploitation: Indian and Bangladeshi Labor Migration to GCC Countries. Summary Briefing: Overseas Labour Recruitment. https://static1.squarespace.com/static/5a60c34a0abd04e55389e9af/5d4c1b96495de5b7a79a2e9ad6f/1572975511382/2186-Migration+Experience+of+Indian+and+Bangladeshi+Workers+to+GCC+Countries+6TC-DIGITAL.pdf
87 Global Fund to End Modern Slavery n.d.
USD 870 and 2200, and such amount is usually managed through loans provided by non-institutional sources at high interest rates.\textsuperscript{88} Another study shows that Indian workers pay about USD 1000-3000 as recruitment cost to work in the GCC countries.\textsuperscript{89}

Labour migration from Pakistan takes place through two channels—the Overseas Employment Corporation (OEC) and Overseas Employment Promoters (OEP). OEC is a public sector body that facilitates migration to countries like South Korea and Oman, which have signed BLAs with the Pakistani government.\textsuperscript{90} However, the OEC only sends about 1,500 to 2,000 migrant workers whereas the total outflow from the country is over 600,000.\textsuperscript{91} OEPs are private recruitment agencies, which need to get registered at and acquire a license from the Bureau of Emigration and Overseas Employment (BE&OE).\textsuperscript{92} In 2018, there were a total of 2,056 valid OEPs operating from Pakistan.\textsuperscript{93} Although prohibited by the Emigration Rules, the OEPs mobilise unlicensed agents for recruiting migrant workers from the rural and remote areas.\textsuperscript{94} Each OEP sends around 800-900 Pakistani migrants for foreign employment every year on an average.\textsuperscript{95}

The migrant workers have to pay a heavy sum of money to acquire their job overseas. A survey revealed that the cost of migration to Saudi Arabia was around USD 4,290 on an average, and the cost of migration to the UAE was around USD 2,358.\textsuperscript{96} Even though the Emigration Rules has set the service charge for facilitating migration at a maximum of Pakistan Rupees 6,000—excluding the cost for air tickets, medical exams, work permits, levies, visas, and documentation—migrant workers are paying high recruitment fee for migration in reality.\textsuperscript{97}

The workers from Sri Lanka can migrate either through registered foreign employment agencies or direct sources.\textsuperscript{98} Act No. 21 of 1985 regulates foreign employment in Sri Lanka, including the recruitment process of migrant workers.\textsuperscript{99} As per the Act, the Sri Lanka Bureau of Foreign Employment (SLBFE) is responsible for the licensing of employment agencies and data collection on migrant workers and the establishment of a Workers Welfare Fund.\textsuperscript{100} The recruitment agencies can operate only after acquiring a license from the SLBFE.\textsuperscript{101} There were 960 registered licensed foreign employment agencies in 2017, and a total of 316,334 job vacancies were issued by licensed agencies.\textsuperscript{102} The total departures for foreign employment through all the sources in 2017 were 212,162, and the total departures for foreign employment through agencies alone were 68,564, of which, 29,836 accounted for male departures and 38,728 for that of females.\textsuperscript{103}

\begin{thebibliography}{99}
\bibitem{88} Global Fund to End Modern Slavery n.d.
\bibitem{90} Hagen-Zanker et al. 2014.
\bibitem{91} Hagen-Zanker et al. 2014.
\bibitem{92} Hagen-Zanker et al. 2014.
\bibitem{93} Bureau of Emigration and Overseas Employment 2018.
\bibitem{94} World Bank 2018a.
\bibitem{95} Hagen-Zanker et al. 2014.
\bibitem{97} World Bank 2018a.
\bibitem{98} Sri Lanka Bureau of Foreign Employment 2017a.
\bibitem{100} International Labour Organization 2019a.
\bibitem{101} International Labour Organization 2019a.
\bibitem{103} Sri Lanka Bureau of Foreign Employment 2017b.
\end{thebibliography}
employment through private sources (self-basis) were 143,598, out of which, 109,435 accounted for male departures and 34,163 for that of females.104 Around 68 per cent of the migrant workers have used private sources (self-basis) to access foreign labour markets.105 There were 224 illegal recruitment activities recorded in 2017; a total of 239 cases were filed against the illegal agencies and licensed agencies that violated the law in 2017.106

The Sri Lankan Government Gazette of 1994 mandated the recruitment agencies to charge Rs 3,000 as recruitment cost where the salary did not exceed Rs 5,000; Rs 5,000 if the salary was within the range of Rs 5000 and Rs 10,000; Rs 7,500 if the salary range was within Rs 10,000 to 20,000; and Rs 10,000 if the salary exceeded Rs 20,000.107 There was amendment in the Gazette in 1995, which added two more categories for the re-registration of rehires—the agency could charge Rs 2,000 where the contract with the employer was entered into for the second time or more and the salary was less than Rs 10,000; and Rs 3,000 if the salary exceeded Rs 10,000.108 The SLBFE Amendment Act No. 56 of 2009 granted authority to the recruitment agencies to charge the actual cost in addition to the fee structure set previously.109 Despite the amendment, the recruitment agencies continue to charge exorbitant fees from the migrant workers.110 The recruitment cost of each migrant varies based on the job category, destination, work experience although specific details about the amount charged by the recruitment agencies are unknown.111

**Minimum wages/salary for workers from South Asia in GCC and Malaysia**

Minimum wages/salary is one of the major concerns for migrants going for foreign employment. Based on a review of the available literature on migration, it can be deduced that the salary paid to migrant workers vary depending on their education; skill level; sector and nature of work; bargaining ability; and gender, among others. Even though the minimum wage in the destination countries is set or there are agreements between the sending and receiving countries regarding wages, many workers face wage-related issues at work.

A report suggests that many Bangladeshi migrant workers are unskilled.112 The 2018 data of migrant workers shows that over 50 per cent of the migrant workers fall under the category of semi-skilled (16 per cent) and less skilled (39 per cent).113 Bangladeshi domestic workers working in the Middle East earn low wages. Kuwaiti government has stipulated 60 dinars (USD 200) as the minimum wage for domestic workers.114 Saudi Arabia’s annual wages for Bangladeshi workers constitute Saudi Arabian Riyal (SAR) 13,322115 for low skilled workers, SAR 15036 for entry-level masons, and

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104 Sri Lanka Bureau of Foreign Employment 2017b.
110 International Labour Organization 2013.
111 International Labour Organization 2019a.
113 Siddiqui et al. 2019.
20,049 for skilled masons.\textsuperscript{116} However, the minimum wage that was agreed on the memorandum of understanding (MOU) between the two countries was 800 Riyals, which was lower than 1200 Riyals initially proposed by the Bangladeshi government.\textsuperscript{117} Likewise, a flat minimum wage [of United Arab Emirates Dirham (AED) 550] was fixed for all the skilled, semi-skilled and unskilled Bangladeshi workers going to the UAE.\textsuperscript{118} Bangladeshis going to the UAE must receive a monthly salary of AED 600 (USD 163) if they are also provided with food, otherwise, the minimum wages should be AED 750 (USD 240).\textsuperscript{119} Whereas, the minimum monthly wage has been noted to be between 8,000-9,000 ringgit in a recent agreement between Malaysia and Bangladesh.\textsuperscript{120} Overall, it has been noted that although 57.2 per cent of the aspiring Bangladeshi migrants expected to make salaries ranging from USD 244 to USD 488 per month, in reality, 62.7 per cent of the workers earned a salary ranging from USD 61 to USD 244.\textsuperscript{121}

The minimum wages for Afghani migrant workers have not been established in all the GCC countries. The general minimum wages for workers in the various destinations with Afghani migrants are: a national minimum wage of Qatari Riyal (QAR) 750 (USD 206) for all the workers in Qatar; a national minimum wage of Omani Rial (OMR) 325 (USD 845) for workers in Oman, albeit only applicable to Omani nationals; a minimum wage of Bahraini Dinar (BD) 300 (USD 798) for Bahrain, albeit only applicable to the public sector; and a minimum wage of Kuwaiti Dinar (KD) 75 (USD 247) for Kuwait, albeit only applicable to the private sector. Currently, there are no minimum wage standards for the UAE and Saudi Arabia.\textsuperscript{122}

In Malaysia, the Minimum Wages Order (Amendment) 2018 that came into effect from 1 January 2019, has set the minimum wage at Malaysian Ringgit (RM) 1,100 per month or RM 5.29 per hour for workers paid at the hourly rate.\textsuperscript{123} However, the minimum wages might not apply to the Afghans working in the informal sector in Malaysia.

The minimum wage set by the Indian government for its migrant workers in the GCC and Malaysia is 100-300 Bahraini Dinar (USD 380-1140) for Bahrain; 100-350 KD (USD 300-1050) for Kuwait; 75-500 Omani Riyal (USD 197-1316) for Oman; 1400-3900 Qatari Riyal (USD 385-1071) for Qatar; 1500-2100 Saudi Riyal (USD 400-560) for Saudi Arabia; 800-3000 United Arab Emirates Dirham (USD 218-817) for UAE; and 900-1400 Malaysian Ringgit (USD 231-358) for Malaysia.\textsuperscript{124}

The wages of the workers heavily depend on the skills they possess and the sectors of work they are involved in. The minimum wage/salary of the Nepali migrants working in Qatar\textsuperscript{125} is 900 Qatari

\textsuperscript{116} The Research Base 2017.
\textsuperscript{119} World Bank 2018b.
\textsuperscript{121} World Bank 2018b.
\textsuperscript{125} Jha 2019a.
Riyal (QAR) in addition to a food allowance of 300 QAR for unskilled workers;\textsuperscript{126} 1100-1400 QAR in addition to a food allowance of 300 QAR for semi-skilled workers;\textsuperscript{127} 1500-3600 QAR in addition to a food allowance of 300 QAR for skilled workers;\textsuperscript{128} and 4200-11000 QAR in addition to a food allowance of 500 QAR for professionals.\textsuperscript{129} Similarly, the minimum wage for the Nepali migrant workers in Oman\textsuperscript{130} is 100 OMR in addition to a food allowance of 20 OMR for unskilled workers;\textsuperscript{131} 120-140 OMR in addition to a food allowance of 20-30 OMR for semi-skilled workers;\textsuperscript{132} 150-360 OMR in addition to a food allowance of 30 OMR for skilled workers;\textsuperscript{133} and 420-1100 OMR in addition to a food allowance of 50 OMR for professional\textsuperscript{134} workers.

In the case of Saudi Arabia,\textsuperscript{135} the minimum wage for the Nepali migrant workers is 1000 SAR in addition to a food allowance of 300 SAR and other basic allowances for unskilled workers;\textsuperscript{136} 1200-2500 SAR in addition to a food allowance of 300 SAR and other basic allowances for semi-skilled workers;\textsuperscript{137} 1200-3000 SAR in addition to a food allowance of 500 SAR and other basic allowances for skilled workers;\textsuperscript{138} and 5000-11000 SAR in addition to a food allowance of 500 SAR and other basic allowances for professional\textsuperscript{139} workers. The current minimum wage in Malaysia is RM 1,000 per month in the Peninsula, and MYR 920 in Sabah, Sarawak and Labuan.\textsuperscript{140} The Malaysian government proposed to raise this amount to RM 1,100 per month for all workers throughout Malaysia, starting 1 January 2019.\textsuperscript{141}

According to the Emigration Rules, the Pakistani Bureau of Emigration & Overseas Employment (BE&OE) is required to ensure that the wages and terms and conditions of work are ‘reasonable’ before workers migrate for work; the exact amount for minimum wage, however, is not specified.\textsuperscript{142} Research showed that the average income of the Pakistani migrant workers was USD 443, with USD 480 for Saudi Arabia and USD 387 for the UAE.\textsuperscript{143}

The SLBFE has set the minimum salary of semi-skilled and low-skilled migrant workers from Sri Lanka at USD 300.\textsuperscript{144} The budget of 2017 increased the minimum wage of all skilled and low-skilled workers leaving the country after registering with the SLBFE to USD 450 and USD 350 respectively.\textsuperscript{145}

\textsuperscript{126} Labourer, cleaner, helper, sweeper etc.
\textsuperscript{127} Mason, carpenter, cashier, waiter etc.
\textsuperscript{128} Cook, security guard, clerk, accountant etc.
\textsuperscript{129} Nurse, civil engineer, manager, surgeon etc.
\textsuperscript{130} Jha 2019b.
\textsuperscript{131} Labourer, cleaner, helper, sweeper etc.
\textsuperscript{132} Mason, carpenter, cashier, waiter etc.
\textsuperscript{133} Cook, security guard, clerk, accountant etc.
\textsuperscript{134} Nurse, civil engineer, manager, surgeon etc.
\textsuperscript{135} Gurung 2019.
\textsuperscript{136} Labourer, cleaner, helper, sweeper etc.
\textsuperscript{137} Block makers, plasterers, carpenter, mechanical helper, steel fixture, tile fixture, plumber, cook, bakers, scaffolding supervisor etc.
\textsuperscript{138} Computer operator, pharmacist, medical assistant, accountant, nurse, overseer etc.
\textsuperscript{139} Human Resource executive, computer engineer, safety engineer, electronic engineer etc.
\textsuperscript{140} Kambang and Kharel 2019.
\textsuperscript{141} Kambang and Kharel 2019.
\textsuperscript{142} World Bank 2018a.
\textsuperscript{143} International Labour Organization 2016a.
Total remittance received from GCC and Malaysia and contribution to country’s GDP

Bangladesh received USD 10.4 billion in the first eight months of 2019, about 15.1 per cent of which accounted for remittance from GCC countries and 20.9 per cent from Saudi Arabia.146 According to Bangladesh Bank, Bangladeshi migrants remitted USD 15.54 billion in 2018. The highest amount of remittance was received from Saudi Arabia (18.14 per cent), followed by the UAE (15.64 per cent), the USA (12.23 per cent), Kuwait (8.40 per cent), Malaysia (7.53 per cent) and the UK (7.10 per cent).147

The remittances received in Afghanistan in 2018 was about USD 384 million, equivalent to 1.9 per cent of the country’s Gross Domestic Product (GDP),148 out of which USD 166 million was sent from Iran, and USD 125 million was from Pakistan (see Table 1).

The total remittance received in India from the GCC countries in 2018 was USD 78,609 million, which accounted for 2.9 per cent as a share of the country’s total GDP.149 The total remittance up to October 2019 was USD 82,203 million, which accounted for 2.8 per cent as a share of the total GDP.150 (see Table 2 for the amount of remittance received in India from various GCC countries).151

Another South Asian country, Pakistan received USD 21,014 million as remittances from the migrant workers in 2018, which contributed to a 6.8 per cent share of GDP in 2018.152 Pakistan received a total of USD 16.096 billion from Pakistani migrant workers in the first nine months of the fiscal year 2019, with Saudi Arabia as the largest source of remittance at USD 3.74 billion.153 The remittances from the GCC countries accounted for 54.1 per cent of the total remittance--USD 8.69 billion.154 The remittance received during July-March of the fiscal year 2020 was USD 16,991.6 million, a 6 per cent increase from the remittance received for the same period in the fiscal year 2019.155

In Sri Lanka, the foreign employment industry ranks as the second-largest source of foreign exchange in the Sri Lankan economy. The total private remittances in 2017 were 1,091,972 million rupees.156 Migrant workers in the Middle East remitted 565,642 million (51.80 per cent). Migrant’s remittances inflow in Sri Lanka in 2018 was USD 7464 million, which represents an 8.1 per cent equivalent to the share of Gross Domestic Product (GDP) in 2018.157 In 2016, the workers’
remittances accounted for a sum of 1,091,972 million rupees, which was equivalent to 8.2 per cent of the country’s GDP.158

The migrant workers’ remittance inflow to Nepal was USD 8064 million in 2018, which represented 28 per cent share of the GDP in 2018 (see Table 3 for remittance received from the GCC countries and Malaysia in 2017).159

Ratio and causes of deaths and injuries of foreign workers in GCC and Malaysia

The data from 2005 to 2017 (till November) shows that Bangladesh received 33,112 dead bodies.160 The adverse working environment, excessive workload, poor living conditions, heart attack and stroke caused by mental stress were the causes behind 94 per cent of the deaths. Accidents, suicide and murder are also some of the major causes of deaths of the migrant workers. At least eight to ten bodies are sent to Bangladesh daily.161

In 2017, 282 Indian workers died in Qatar alone, where 31 deaths were from accidents, 237 were natural deaths and 14 were deaths from suicide.162 The data of 2018 (till 8 August) shows that there were 160 deaths in Qatar, of which 16 were from accidents, 136 were natural deaths, and eight were deaths from suicide.163 Likewise, there were 659 deaths registered in Kuwait in 2018 and 707 in 2019,164 330 cases of deaths in Bahrain in 2017 and 100 deaths in 2018.165 There were 1,525 deaths recorded in Saudi Arabia in 2017, and 1034 deaths in 2018 (till September).166

According to the data from the BE&OE, over 4,000 Pakistani migrant workers lost their lives and 606 migrants suffered from disability between 2008 and 2016.167 In 2018 alone, there were about 900 cases of deaths and 175 cases of disabilities.168 The Pakistani records show the data of complaints and not that of death or injuries, so it is difficult to give the exact numbers.

The data of Nepal through FYs 2008/09-2017/18 show that 1,323 migrant workers lost their lives in Qatar, and 202 workers were seriously ill or injured in the same period. In the FY 2017/18 alone, 123 migrant workers (122 men) lost their lives in Qatar.169 According to the data received from the Ministry of Foreign Affairs (MoFA), 159 Nepali migrants lost their lives in Qatar in 2017.170
of 517 migrant workers lost their lives in the UAE between the period of 2008/09 to 2017/18. In the FY 2017/18, 94 migrant workers lost their lives in the UAE, out of which 85 were male workers. Similarly, 1820 migrant workers lost their lives in Saudi Arabia in the decade of 2008/09 to 2017/18. Another 262 workers were seriously ill or injured in Saudi Arabia in the same period. In 2017/18, 204 male migrant workers lost their lives in Saudi Arabia. Another data available from the MoFA suggested that 437 Nepali migrants lost their lives in Saudi Arabia in 2017 and three of them lost their lives in 2018.

The records for Kuwait show that 211 migrant workers lost their lives between FY 2008/09 to 2017/18. Another 46 workers were seriously ill or injured in that period. In 2017/18, 26 migrants, of which 23 were men, lost their lives in Kuwait. According to the data available from the MoFA, 49 Nepali migrants lost their lives in Kuwait in 2017. Likewise, in Bahrain, 121 migrant workers lost their lives between FYs 2008/09 to 2017/18. Another 12 Nepali migrant workers fell seriously ill or were injured badly in the same period. In the FY 2017/18, nine male migrant workers lost their lives in Bahrain. Similarly, the data for Oman suggests that 52 migrant workers lost their lives in the decade of 2008/09 to 2017/18. There were five Nepali migrant workers seriously ill or badly injured in the same period. There were deaths of five migrant workers, of which three were male, in Oman in the FY 2017/18. The data from the MoFA suggests that seven Nepali migrants lost their lives in Oman in 2017.

Likewise, 2,408 migrant workers lost their lives in Malaysia in the decade of 2008/09 to 2017/18. Another 484 workers were seriously ill or injured in Malaysia in the same period. In total, 289 migrant workers, including four women, lost their lives in Malaysia in the FY 2017/18. According to the data from the MoFA, 287 Nepali migrants lost their lives in Malaysia in 2017 (see Table 4 for the causes of deaths of Nepali migrant workers in different destination countries along with the number of deaths of male and female migrant workers.)

The deaths of 291 Sri Lankan migrant workers were reported during 2017.

Compensation to migrants for death and injuries
The Bangladesh Labour Act 2006 ensures the right to receive compensation for workers in the cases of injuries and deaths while working in the industry/factory. Similarly, the Wage Earners’ Welfare Fund Rules 2002, Rule 6, provides allocation of money for the welfare of Bangladeshi migrant workers. Rule 7 of the 2002 Rules describes the areas in which money from the Fund can be spent for the welfare of migrant workers. The fund stipulates that every deceased Bangladeshi migrant worker receives an amount of BDT 35,000 (USD 450) for funeral expenses and an additional amount of BDT 300,000 irrespective of whether the death was natural or caused by any accident. These
facilities are provided, irrespective of the worker’s legal status in the country of employment. Similarly, scholarships are also provided for children of migrant workers who pass 5th, 8th, 10th and 12th grade with good results. Furthermore, the Welfare Branch of the Bureau of Manpower, Employment and Training (BMET) assists in the repatriation of stranded migrant workers and those who die overseas and assists families in the collection of owed salaries or remittances. In 2011, BMET assisted the heirs of 112 deceased migrant workers in collecting the compensation of about USD 200,000.

Migrant workers from Pakistan are only insured for death and disabilities and they should rely on the policy of employers in destination countries for accidents or injuries. The Overseas Pakistanis Foundation (OPF), a unit within the Ministry of Overseas Pakistanis & Human Resource Development, works for the welfare of the Pakistanis living overseas by providing financial assistance in case of death and disability. OPF provides Pakistani rupees 400,000 as compensation for death and 300,000 for disability. Migrant workers contribute an amount of Pakistani rupees 2000, which is mobilized by OPF as welfare fund. As per the data of BE&OE, Pakistani rupees 3,217 million was provided as compensation for deaths, and Pakistani rupees 195.52 million for the disability claims between 2008 to 2016. In 2018, Pakistani rupees 707 million was paid as compensation for deaths and 71.5 million for disability claims. Similarly, according to BE&OE, as of 2018, death and disability claims of Pakistani rupees 108.6 million and 9.5 million respectively are pending due to missing documents like death certificates or bank information.

The Indians migrating overseas for work have to be ensured under the Pravasi Bharatiya Bima Yojana (PBBY). The scheme, launched in 2003, is targeted at the protection of workers under the category of Emigration Check Required (ECR) and is mandatory. There are 18 countries under the ECR category, including the GCC countries and Malaysia. According to PBBY, the migrant workers have to pay a premium of Rs 275 for two years and Rs 375 for three years, to avail of an insurance coverage of one million rupees for accidental death or permanent disability. Some of the services provided by the 2017 amendment of PBBY includes medical insurance up to Rs 100,000 for injuries, sickness, ailments and diseases and up to Rs 50,000 per hospitalisation; repatriation cover for the medically unfit or for early termination of employment; medical benefits for the left behind families with hospitalization cost of up to Rs 50,000 for spouse and two children below 22 years of age; maternity expenses of up to Rs 50,000 for women migrant workers; and legal expenses of up to Rs 45,000 on litigation related to overseas employment.

186 World Bank 2018a.
188 Overseas Pakistani Foundation n.d.
190 World Bank 2018a.
192 World Bank 2018a.
194 Ministry of External Affairs n.d.
195 Ministry of External Affairs n.d.
196 Ministry of External Affairs n.d.
197 Ministry of External Affairs n.d.
In Nepal, every worker going for foreign employment is required to contribute NPR 1,500 (in case of three-year work contracts) or NPR 2,500 (for work contracts extending over 3 years) to the Foreign Employment Welfare Fund managed by the Foreign Employment Board (FEB) before their departure. If a migrant worker dies within the contract period, the FEB provides compensation of NPR 700,000 to his/her family up to one year of receiving the dead body in Nepal. Ill or injured workers receive up to NPR 700,000 upon the evaluation of their injuries and illnesses by a team of experts. The Foreign Employment Act 2007 and the Foreign Employment Rules 2008 have made insurance mandatory for workers going for foreign employment. If a migrant worker dies or falls ill or gets injured within the contract period, the FEB provides compensation of up to NPR 700,000. In case of death, serious illness or mutilation of a body part in destination countries, during the contract period, members of the migrant workers’ immediate family can claim for compensation (minimum of NPR 40,000 to maximum 1,500,000 depending on the case) upon the fulfilment of document requirements specified by FEB, within a year of receiving the dead body in Nepal.

In 2017, the SLBFE utilised Rs 78.8 million of the insurance scheme and Workers’ Welfare Fund for the repatriation of 1,966 Sri Lankan migrant workers from the destination countries, for various reasons. Similarly, in 2017, SLBFE paid Rs 139.2 million to an insurance scheme to cover 212,470 migrant workers. There are several provisions of welfare activities for the migrant workers in Sri Lanka, which include:

- The amount of return ticket and medical expenses up to Rs 25,000 (incurred post-arrival to Sri Lanka) during repatriation (due to harassment, illness, accident or injury after leaving employment and pregnancy as a result of sexual harassment by a sponsor or his family members). The heirs of deceased migrants get compensation worth Rs 400,000 (in case of deaths in the destination country). Similarly, the heirs receive a compensation worth Rs 200,000 (including medical expense incurred in Sri Lanka) if the worker dies in Sri Lanka within three months of arrival due to critical illness or accident while working abroad during the contract period. Additionally, they will also get the amount of return ticket.
- Compensation amount of up to Rs 200,000 and return ticket in case of permanent disability and an amount of Rs 100,000 and return ticket in case of partial disability of migrants, both of which must have occurred while abroad.
- Loans at low interest rate during pre-departure for the Middle East (up to Rs 50,000), housing loan (up to Rs 300,000) and self-employment loan (up to 300,000).
- Scholarship for migrant workers’ children (up to Rs 30,000)
- Housing project worth Rs 500,000 for permanently disabled migrant workers losing their earning capacity by over 65 per cent
- Child protection and child day-care centre for the children of migrant workers
- Distribution of school equipment for the children of migrant workers
- Support for needy migrants, who are not entitled to claim under insurance schemes

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198 Ansari, Kharel and Thapa 2019a.
199 Ansari, Kharel and Thapa 2019a.
Status of bilateral arrangements between origin and destination countries for migrant workers

Bangladesh signed bilateral agreements with Kuwait (in 2000) and Qatar (in 1998 and 2008) and an MoU with Iraq (2013), South Korea (in 2007), the UAE (in 2007), Oman (in 2008), Libya (in 2008), Malaysia (in 2003, 2006, and 2012), Jordan (in 2012), and the Maldives (in 2012). In 2016, Malaysia also signed an MoU with the Bangladesh government, under the Government-to-Government (G2G) Plus system to eliminate fraudulent recruitment processes.

Afghanistan signed an MoU with Qatar in 2008. Though the MoU was expected to permit the outflow of 25,000 Afghani workers to Qatar, no worker has received employment through this agreement. Afghanistan has signed an MoU with India for cooperation in labour-related areas and with Iran for the improvement and consolidation of cooperation on labour and social affairs. However, in practice, Afghanistan does not have any BLAs or MoUs currently, and neither is there any agreement with Iran or Pakistan, which are the top destinations for migration from Afghanistan. Wickramasekara and Baruah in their 2013 report explain that Afghanistan’s major challenge has been ‘to move from a refugee-oriented framework to a labour migration framework in a sustainable manner.’ In 2016, there were discussions regarding an MoU on labour migration from Afghanistan to Saudi Arabia, and a verbal agreement was reached, the signed agreement of which is still in its draft stage. Likewise, a ‘labour dispatch protocol’ had been signed with the government of Qatar, and there are dialogues ongoing with the government of Iran, Kuwait and UAE to strengthen bilateral relations between these countries.

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207 Smith 2018.


209 Smith 2018.

210 Wickramasekara and Baruah 2013, p.12.

211 Smith 2018.

India has signed an MoU with Saudi Arabia in 2014, Bahrain in 2009, Malaysia in January 2009, Oman in 2008, Kuwait in 2007, the UAE in 2006, and Qatar in 1985. The additional protocol to the agreement between India and Qatar on the regulation of the employment of Indian human resource was signed in 2007.


There are bilateral arrangements in place between Sri Lanka and various destination countries of labour migration. In 2008, Sri Lanka has signed an agreement for the regulation of Sri Lankan Manpower Employment in Qatar and an MoU with the Republic of Korea on sending of workers under the Employment Permit System. Similarly, it has signed MoUs with Jordan (2006), the UAE (2007), Libya (2008), Bahrain (2008), Italy (2011), Seychelles (2012), and Oman (2012 and 2014). Sri Lanka has also signed an MoU with Kuwait (2002), a Domestic Worker Agreement with Saudi Arabia in 2014 and model Bilateral Cooperation Agreements (signed between trade unions in Sri Lanka and trade unions in Bahrain, Jordan and Kuwait) in 2009 for the protection of the rights of migrant workers.

Similarly, an MOU was also signed between the National Human Rights Commission of Nepal and the National Human Rights Committee of Qatar in November 2015 to streamline the exchange of information relating to complaints about the protection of the rights of migrant workers.\textsuperscript{227} Nepal and Saudi Arabia have not signed a bilateral agreement. Apart from the Embassy of Nepal in Saudi Arabia, the only diaspora organisation working on behalf of Nepali migrant workers is the General Federation of Nepali Trade Unions (GEFONT) Support Group. Nepal has also not signed bilateral agreements with Kuwait and Oman, although there have been some discussions recently about a possible labour pact with Oman. The government of Nepal and Malaysia signed an MoU in October 2018.\textsuperscript{228}

\textsuperscript{227} Jha 2019a.
\textsuperscript{228} Kambang and Kharel 2019.
2. Employment and Workers

Growth rate in the country
The GDP in Bangladesh increased to 7.90 per cent in the FY 2018 with industry accounting for 12.1 per cent (10.2 per cent in 2017) and manufacturing 13.4 per cent (11 per cent in 2017). The percentage share of services went down to 6.3 per cent (6.7 per cent in 2017) while that of agriculture increased to 4.2 per cent (3 per cent in 2017). Bangladesh is among the five fastest-growing economies of the world, despite insufficient private sector investment.

Similarly, the growth rate of Afghanistan was at 2.2 per cent in 2017, where agriculture accounted for 3.8 per cent, industry for 0.4 per cent, and services for 2.5 per cent. The nominal GDP at market prices account for USD 20,192 million. There was an estimated growth of 2.9 per cent in Afghanistan’s economy in 2019.

The economic growth rate of Pakistan in 2019 was 3.3 per cent, and the expected growth for 2020 was 2.4 per cent.

Nepal expected an economic growth of 7.1 per cent in the FY 2019. In December 2019, the World Bank and the Asian Development Bank placed Nepal’s economic growth at around 6 per cent. The 15th Plan (2019/20-2023/24) has targeted an economic growth of 9.4 per cent per annum on an average and has expected to increase the per capita income from USD 1,047 to USD 1,595 in the five coming years. It has projected an economic growth of 10.3 per cent by the end of the 15th periodic plan.

Similarly, the economic growth rate of India was 6.1 per cent in 2018 and 5 per cent in 2019. It is forecasted to be 4 per cent in 2020.

The economic growth rate of Sri Lanka was 3.2 per cent in 2018 and 2.6 per cent in 2019. The growth rate is forecasted to be 2.2 per cent in 2020.

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232 World Bank 2019c.
233 Ezemenari and Joshi 2019.
235 Ezemenari and Joshi 2019.
236 Ezemenari and Joshi 2019.
Employment and unemployment statistics

Bangladesh’s labour force participation rate increased to 58.72 per cent in December 2018.243 According to the Bangladesh Bureau of Statistics (2017), of the total population of 158.5 million, about 106.1 million people belonged to the working-age population. The labour force participation rate of the population aged 15 and above stood at 58.5 per cent (59.5 million). On the contrary, an estimated 2.6 million people were unemployed, with the unemployment rate being 4.2 per cent of the labour force in 2017. Only 13.8 per cent of those employed were in formal employment, and the rest (86.2 per cent) were in informal. Only 4.6 per cent of all employed females were engaged in formal employment compared to 17.7 per cent for their male counterparts.244

The national labour force participation rate accounted for 53.9 per cent in Afghanistan in 2018, with a 80.6 labour force participation rate for male and 26.8 for female.245 Similarly, in 2018, the unemployment rate was 23.9 per cent, with 18.3 per cent for males and 41 per cent for females, and the youth unemployment rate was 30.7 per cent, with 24.3 per cent for males and 47.4 per cent for females.246

Pakistan’s total population in 2018 was 212,215,030,247 and the labour force participation rate was 51.9 per cent, with women accounting for 22.8 per cent only.248 The employment to population ratio was 48.9, with 77.2 per cent for males, and 20.9 per cent for females and the unemployment rate was 5.7 per cent, 4.9 and 8.5 per cent for males and females respectively.249

The total Labour Force Participation Rate in India in 2018 was 47.98 per cent, and that for men and women were 74.6 per cent and 20.8 respectively.250 The total unemployment rate in the fiscal year 2018 was 6.1 per cent, of which 5.3 per cent was in rural India and 7.8 per cent in urban India.251 There was a higher unemployment rate among women in urban areas (10.8 per cent) compared to men (7.1 per cent).252 The unemployment rate in rural areas was 5.5 per cent for men and 3.8 per cent for women.253

According to the Sri Lanka Labour Force Survey (SLFS) 2018, the labour force participation rate (population of 15 years and above) was 51.8 per cent, with 73 per cent for males and 33.6 per cent for females.254 Similarly, the labour force participation rate was 49.6 in urban areas and 52.3 in rural areas.255 The unemployment rate was 4.4 per cent, with 3 per cent for males and 7.1 per cent for females.

244 Rahman, Bhattacharya and Al-Hasan 2018.
252 The Economic Times 2019.
255 Department of Census and Statistics 2018.
females. As per the quarterly report of SLFS, the labour force participation rate (population 15 years and above) in the fourth quarter of 2019 was 51.9, with 72.2 for males and 34.3 per cent for females), and the labour force participation rate in urban and rural areas was 49.4 per cent and 52.4 per cent respectively.

In Nepal, the national Labour Force Participation Rate in 2017/18 was 38.5 per cent, and the male and female labour force participation rates were 53.8 per cent and 26.3 per cent respectively. Nepal has 20.7 million people of working age (15 years and older), of whom, more than 40 per cent are between the age of 15-34, and 55.6 per cent of them are females. Of the total job-seeking population of 908,000, 69.1 per cent are people aged 15 to 34. In the FY 2017/18, the unemployment rate of Nepal was 11.4 per cent, and it was higher among females (13.1 per cent) compared to that of males (10.3 per cent). The prevalence of unemployment is much higher in urban areas than in the rural, with 70.5 per cent of the total unemployed persons being urban dwellers.

Status of informal and formal employment and future of work
According to the Bangladesh Bureau of Statistics (2017), 2.6 million people were unemployed and only 13.8 per cent of those employed were in formal employment. As per the Labour Force Survey of 2010, the informal economy in Bangladesh accounts for 87 per cent of the labour force and includes wage labourers, self-employed persons, unpaid family labourers, piece-rate workers, and other hired labourers. The agricultural sector (97.9 per cent) had the highest rate of informal employment, followed by the industrial sector (90.0 per cent) and service sector (70.6 per cent). Approximately 97 per cent of all employed females in rural areas were involved in informal employment (85.9 per cent for males) compared to 90.6 per cent in the urban areas (73.6 per cent for males). At the national level, only 4.6 per cent of all employed females were engaged in formal employment compared to 17.7 per cent in case of their male counterparts.

The informal employment rate in Bangladesh in 2000 was 75.2 per cent of the labour force compared to the formal employment rate of 24.8 per cent. The number increased to 86.2 per cent for the informal and decreased to 13.8 per cent for the formal by 2015-16 (see Table 10).

Bangladesh’s major informal employment in 2015-16 was in agriculture (48.5 per cent), followed by services (30.2 per cent) and industry (21.3 per cent). People who shifted from the agricultural sector were mostly low skilled and less educated workers, and could only secure employment in the urban informal sector. People in formal employment earn between 28.1 per cent and 62.9 per cent more than those in informal employment on average.

Around 81 per cent of the Indian workers are involved in the informal sector and only 6.5
Another study shows that, in 2017-18, approximately 85 per cent of the total workforce in India were employed in the unorganised sector, and there were 90.7 per cent of informal workers (85.5 per cent in unorganised and 5.2 in the organised sector) who are employed without a formal contract or are not granted leave or benefits.²⁶⁵

The Afghanistan Living Conditions Survey (ALCS) has identified categories of employees as salaried workers in the public and private sectors. Day labourers are specified as a separate category of ‘own-account’ workers. Usually, salaried employment is indicative of formal employment, and day labourers, own-account workers and family workers are considered as engaged in vulnerable employment due to informal work arrangements, insecure nature of employment, small and irregular earnings, and low job security (for details, see Table 5 to 9).²⁶⁶ The major employment sectors in Afghanistan include agriculture (44.3 per cent); community, social and personal services (19.7 per cent); wholesale and retail trade; and restaurants and hotels (11.0 per cent).

According to the ALCS 2013-14, the data of working-age children (14-17) shows that 24 per cent were from urban areas, 54.7 per cent from rural areas and 77.3 per cent from Kuchi areas ‘were engaged in child labour or were otherwise working.’²⁶⁷ Afghanistan has a low coverage of social protection, and it does not effectively target the poorest and most vulnerable households. Only 6 per cent of all Afghan households participated in any social protection programme in 2013-14, such as food-for-work, cash-for-work, or any income-generating activity. Only 8 per cent of all poor households received any formal social protection, compared to 6 per cent coverage among the non-poor.²⁶⁸

The share of employment in the informal economy in Pakistan was 71.4 per cent where males constituted 71.5 per cent, and females constituted 70.7 per cent.²⁶⁹ According to the Pakistan Bureau of Statistics, the industry sector of Pakistan has 24 per cent contribution in total employment with 26 per cent male, and 16.6 per cent female workers. Similarly, the share of agriculture is 37.4 per cent, with 29.6 per cent male and 66.1 per cent female employees. The share of the service sector in total employment is 38.6 per cent, where the involvement of male and female workers is 44.4 and 17.3 per cent respectively. The share of wage and salaried worker is 42.9 per cent, with 46.8 per cent male and 29 per cent female workers. The share of own-account workers is 35.7 per cent, with 39.9 per cent males and 20.6 per cent females. The employment to population ratio (15 years and above) is 48.9 per cent, where the majority are males (77.2 per cent). The employment to population ratio (15-24 years) is 36.9 per cent, with 56.3 per cent males, and 17 per cent females.²⁷⁰

The SLFS of 2018 shows that about 8 million people are employed in various occupations in Sri Lanka, of which 66.1 per cent are male.²⁷¹ The highest share of the employed people are engaged in the service sector (46.6 per cent), followed by industries (27.9) and agriculture (25.5 per cent).²⁷² The contribution of the informal sector in total employment is 58.7 per cent, with 62.5 per cent for

²⁶⁵ Murthy 2019.
²⁶⁷ Central Statistics Organization 2018, p.60.
²⁷³ Department of Census and Statistics 2018.
²⁷⁴ Department of Census and Statistics 2018.
males and 51.3 per cent for females. Agriculture accounts for 88 per cent of the informal sector.\textsuperscript{273}

In Nepal, according to the Labour Force Survey 2017/18 (NLFS III) report, the informal sector accounted for 62.2 per cent (41 per cent for informal non-agriculture sector, 20.2 per cent for informal agricultural sector and 1 per cent for private households) of the total employment (7.1 million) in the country. The unemployment rate is the highest among young people aged 15 to 34 years. The report has included informal sector-related information as ‘other forms of work’ including ‘production of goods and services for final own use’ (for example, ‘subsistence food production; manufacturing of household goods, fetching of water, collection of firewood and construction of or major repairs to own dwelling’), ‘provision of services for final own use’ (for example ‘household chores, help or assistance provided to adults, elderly or disabled, looking after own of family children’) and volunteer work.\textsuperscript{274} The report highlighted that approximately 12.3 million people have been involved in the production of goods for final own use, 14.8 million people involved in the provision of services for final own use and approximately 369 thousand Nepalis were involved in volunteer work, all of whom were aged 15 years and above.

The review and analysis of the government’s policies and programmes following the adoption of the SDGs are elucidated below. The Ministry of Agriculture Development developed a collection of Nepal Agriculture Policies which includes 20 policies from the agriculture sector, including the National Agriculture Policy 2061 (2004), the Agri-Business Promotion Policy 2063 (2006), the Agriculture Biodiversity Policy 2063 (2006), the National Tea Policy 2057 (2000), the National Coffee Policy 2060 (2003), the Dairy Development Policy 2064 (2007), the National Seeds Policy 2056 (1999), the National Fertilizer Policy 2058 (2001), the Irrigation Policy 2060 (2003), the Poultry Policy 2068 (2011), the Pasture Policy 2068 (2011), the Floral Promotion Policy 2069 (2012), the National Land Use Policy 2069 (2012), the National Cooperatives Policy 2069 (2012), the Commerce Policy 2065 (2008), the Climate Change Policy 2067 (2010), the Industrial Policy 2067 (2010), the Supply Policy 2069 (2012), the Science and Technology Policy 2069 (2012), and the Biotechnology Policy 2063 (2006).\textsuperscript{275}

The National Agriculture Policy 2061 (2004) aims at achieving sustainable economic growth through a commercial agricultural system to improve food security and reduce poverty. Both small and big farmers can apply to receive government assistance to increase their productivity as well as train educated unemployed young people to involve them in agriculture employment. The Agri-business Promotion Policy 2063 (2006) was prepared in the spirit of National Agriculture Policy 2061 to emphasise agriculture production as agri-business or an enterprise to improve the living standard of the farmers from their current situation. Likewise, the Agriculture Bio-diversity Policy 2063 (2007) intends to protect, promote and utilise genetic resources for food security and to prioritise employment and income-generating activities that benefit the farming community. The Commercial Agriculture Policy 2064 (2007) plans to provide a lease of government-owned barren land to the landless and/or backward people, including kamaiyas,\textsuperscript{276} to promote the ‘one village one product’ programme of fruits, fish, herbs and livestock to generate income for underprivileged people. The National Tea Policy 2057 (2000) intends to reduce poverty by enhancing income-generating and employment opportunities with the promotion of private sector involvement in tea production, processing and trade. The National Coffee Policy 2060 also envisages reducing poverty by increasing income generating and employment opportunities with the involvement of the private sector’s in the production, processing and commercial transaction of coffee with the sustainable and systematic

\textsuperscript{273} Department of Census and Statistics 2018.
\textsuperscript{274} Central Bureau of Statistics 2019.
\textsuperscript{276} Traditional bonded labour system practiced in southern Nepal until formally abolished by the government in 2000.
utilisation of available resources and opportunities in the country. Similarly, the Trade Policy 2065 (2009) aims at minimising trade deficits as well as generating more income and employment opportunities for poverty reduction.

Although the remaining policies (i.e. National Seed Policy 2056, National Fertilizer Policy, Irrigation Policy 2060, Biotechnology Policy 2063, Dairy Development Policy 2064, and National Dairy Development Board 2048 etc.) aim at increasing agricultural production and reduction of poverty, they do not specifically incorporate an approach to reduce decent work deficits in agriculture sectors.

In addition, the Nepal Agricultural Research Council (NARC) has developed a Strategic Vision for Agricultural Research for 2011-2030 to support the national campaign on poverty alleviation, food security, export promotion and environmental sustainability through the development and utilisation of scientific knowledge, technology and skills in agriculture and natural resources.\(^{277}\) Similarly, the Agriculture Development Strategy (ADS) 2014\(^{278}\) is supported by the Asian Development Bank (ADB), International Fund for Agricultural Development (IFAD), European Union (EU), Food and Agriculture Organization (FAO), Swiss Development Corporation (SDC) and Japan International Cooperation Agency (JICA). It aims to increase economic growth and contributes to improved livelihoods and food and nutrition security and ensures farmers’ rights.

The elderly allowance is NPR 3000 per month for citizens aged 70 years and above; the allowance provided to differently abled people and single women is NPR 2000 per month. The government will also provide health insurance coverage of up to NPR 100 thousand for citizens who live below the poverty line and are of age 70 years or above.\(^{279}\) Similarly, NPR 34.80 billion has been allocated to the agriculture and livestock sector, with NPR 8.10 billion allocated to the Prime Minister Agriculture Modernization Programme, to encourage returnee migrant workers to enter into organic agriculture business. The government has also introduced grants for the purchase of agricultural products and technology and fertilisers as well as schemes for gaining self-sufficiency in dairy, fresh vegetables, and poultry.\(^{280}\)

Likewise, the budget speech of the FY 2019/20 allocated NPR 5.1 billion to the Prime Minister Employment Programme (PMEP) for the specialised employment programmes which have been listed under the Employment Service Centres (ESCs).\(^{281}\) PMEP is targeted at creating more employment opportunities in the economy and thereby reducing forced migration and foreign employment in general. The programme also promised to provide seed capital for self-employed persons and entrepreneurs. The Prime Minister Employment Programme was introduced in the FY 2018/19 in line with Article 33 of the Constitution of Nepal, which guarantees the right to employment as a fundamental right for every Nepali. The programme is also in line with the Employment Right Act 2017 aimed at ending unemployment in the country. The programme aims to create 500,000 new job opportunities in Nepal in five years in collaboration with the private and cooperative sectors at the federal, provincial and local levels. All the registered unemployed citizens should get employment opportunity for at least 100 days in a year and if the government fails to provide employment to those registered with the ESCs, the government must pay them 50 per cent of the minimum wage as unemployment allowance.\(^{282}\)


\(^{280}\) Ministry of Finance 2019.

\(^{281}\) Ministry of Finance 2019.

\(^{282}\) Ministry of Labour, Employment and Social Security. n.d. ‘Pradhanmantri rojgaar karyakram: Karyakram...
Likewise, the Nepal Health Sector Strategy 2015-2020 (NHSS), which is the primary instrument to guide the health sector, is developed based on the Health Policy 2014 and the constitutional provision to guide Nepal’s commitment towards achieving Universal Health Coverage (UHC) and achieving SDGs targets and indicators as envisaged in the national and sector plans. NHSS complements the vision and mission set forth by the National Health Policy as enshrined in the constitution of Nepal 2015 to guarantee access to basic health services as a fundamental right of every citizen in the country. The strategy adopted four principles: equitable access to health services, quality health services, health systems reform and multi-sectorial approach.

The government is committed to achieving the vision and objectives of the Health Policy as evidenced by an increase in the budget. The government has allocated NPR 68.78 billion to the health sector to provide primary health service free of cost from all local-level medical service provider institutions, including NPR 3000 travel allowance for 52,000 female volunteers, emergency medical facilities in all VDCs, upgrade of various hospitals, and to bring all citizens under health insurance. However, there are several key challenges to the health sector, also identified in the policy. First, health services had yet to reach to all citizens from all regions, strata, class and community as envisaged in the constitution. Second, the emergence of new communicable diseases and an increase in non-communicable diseases are posing a threat to public health and the productivity of citizens. Third, growing incidents of natural disasters and road accidents pose a challenge to the health sector. Similarly, unplanned urbanisation, urban lifestyle and pollution create a challenge for the government to expand health services focusing on poor and marginalised communities in urban areas. The strategies and plan revealed in the National Health Policy 2019 are ambitious as there is a long way to go in order to meet the targets. There is a lack of inter-sectoral coordination, poor management of the health workforce and a significant level of inequity in health outcomes.

Work condition and environment

As per Section 201 of the Bangladesh Labour Law 2006, the working hours should not exceed 48 hours per week (with 8 hours a day), except under exceptional circumstances where the maximum number of hours could be up to 60. Despite the restrictions stipulated in the labour law, 62 per cent of Bangladeshi workers in the readymade garment sector work at least 12 or more hours a day. The national minimum wage is set at BDT 1500, which is equivalent to USD 177 (see Table 11). The government has also specified a maximum of 5.5 working days per week. Overtime wage should be 1.5 times the normal hourly wage rate.

According to Afghanistan’s Labour Law (No. 35 of 2007), the minimum age for employment is 18, and 15 for doing light work. The average working hours is 40 per week in a year. For the youths between 15 to 18, and pregnant women, the working hour is reduced to 35 per week.
workers engaged in underground work, or work which affects health, the working hour is further reduced to 30 per week. 289

The government has set a minimum wage of Afghan Afghani 5,000 (approximately USD 70) per month. 290 The hourly overtime wage is 25 per cent more than the official working hour rate on ordinary days and 50 per cent more on weekend or holidays. 291 Extra compensation is mandatory for night workers depending on the type of work (an increment of 15 per cent on the regular wage for administrative or service employees, and an increment of 25 per cent for production employees). 292

There is a provision of break and paid leave in the Afghani labour law. The breaks are available for prayer and eating during office hours. There is a provision of public holidays (national and religious), and annual leave (recreational, sick and necessary or urgent leave). The employees can get sick leave of up to 20 days with pay and allowance in a year. Female workers are entitled to 90 days of paid maternity leave, of which, 30 days of leave can be taken before delivery. 293

The minimum wage in Pakistan is Rs 17,500 per month, which was increased by Rs 2,500 since the fiscal year 2019. 294 The labour law of Pakistan makes it mandatory to provide a formal appointment letter while hiring employers. Any worker, above the age of 18, can work for 9 hours a day and a maximum of 48 hours per week. In case of seasonal factories engaged in the production of cotton ginning; cotton or cotton jute pressing; or manufacture of coffee, indigo, rubber, sugar or tea, the maximum working hours is up to 56 hours per week. Some other benefits for the workers include: 295

- An hour of interval for rest/meal
- Reduced working hours for those involved in manufacturing, commercial and service organisations during Ramadan
- 14 days of annual leave with pay, 10 days of casual leave with pay and 16 days of sick or medical leave on half pay
- Festival holidays as declared by the federal government
- 12 weeks of maternity leave for women, with 6 weeks before and 6 weeks after delivery, with pay
- Right to form associations or unions

Pakistan has also developed a national strategy to eliminate child and bonded labour. 296

The minimum wage of the workers in Sri Lanka is Rs 10,000 per month. 297 According to the labour codes in Sri Lanka, the working hours should not exceed nine hours per day and 45 hours a week. 298

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292 Kakar Advocates LLC 2019.
Those within the age group of 14 and 16 are refrained from working for more than nine hours, and those between 16 and 18 years should not be employed for more than 10 hours a day.\footnote{Amerasinghe 2009.} Similarly, female employees cannot be employed before 6 am or after 8 pm.\footnote{Amerasinghe 2009.} There are provisions of annual leave (up to 14 days) and casual leave (up to seven days), in addition to national holidays and poya holidays.\footnote{Neelakandan & Neelakandan n.d. ‘Labour Laws.’ Accessed 10 February 2020. http://www.neelakandan.lk/Compendium%20of%20Law/Labour%20Laws.php} The employees are covered by the provident fund, where contributions are made by both the employers (12 per cent) and employees (8 per cent).\footnote{Neelakandan & Neelakandan n.d.} Female employees are entitled to paid maternity leave of 12 weeks (during the birth of first two children) and six weeks (for subsequent births).\footnote{Rödl & Partner n.d.}

There is also a provision of the Employees’ Trust Fund for the employees, which provides various services and benefits to the employees, including life insurance benefits scheme (where the heirs of the deceased member receive a maximum of Rs 100,000 or 15 times the average of the last salary); treatment for diseases like cancer, tuberculosis, liver failure, renal diseases and sepsis; permanent disability insurance scheme; financial assistance for heart surgeries (up to Rs 150,000); reimbursement of fees for intra-ocular lens (up to Rs 9,000 for each eye); hospitalisation medical scheme (up to Rs 25,000 in a year and a maximum of 50,000 during the employment period); financial assistance for kidney transplant surgeries (up to Rs 150,000); scholarship scheme for children; and housing loan scheme which provides housing loans at concessionary rates of interest.\footnote{Employees’ Trust Fund Board. n.d. ‘Non Statutory Benefits.’ Accessed 20 December 2019. http://www.etfb.lk/sub_pgs/ben_nonstatutory.html}

In India, the national minimum wage was set at Rs 176 per day in 2017.\footnote{International Labour Organization. 2018e. India wage report: Wage policies for decent work and inclusive growth. International Labour Organization. https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---sro-new_delhi/documents/publication/wcms_638305.pdf} It is not mandatory in India to provide an employment contract in writing, however, many states have made it compulsory to issue a contract paper which includes the description and title of the job, its location, date of commencement and duration, and salary and benefits, among others.\footnote{IndusLaw. n.d. Employment law overview India 2019-2020. L&E Global India. https://knowledge.leglobal.org/wp-content/uploads/sites/2/LEGlobal-Employment-Law-Overview_India_2019-2020.pdf} The maximum working hours is 48 hours per week and six days a week.\footnote{Rödl & Partner n.d.} The workers should be paid twice the ordinary rate of pay in case of overtime.\footnote{Rödl & Partner n.d.} The various state-specific-Shops and Commercial Establishments Acts (S&E Acts) have mandated that women working during night shift should be provided with security and transport facilities.\footnote{IndusLaw n.d.} The workers in India are entitled to 20 to 30 days of paid leave per year and female workers are entitled to a paid maternity leave of 26 weeks during the birth of the first two children and 12 weeks if the workers already have two surviving children.\footnote{Rödl & Partner n.d.} Additionally, both male and female employees also get 10-15 holidays, including national holidays and festivals.\footnote{Rödl & Partner n.d.} There is also a provision of provident fund for the workers, where both the employers and employees are required to contribute 12 per cent of the basic salary.\footnote{IndusLaw n.d.}
In Nepal, the monthly minimum wage of the workers is NPR 13,450 (approximately USD 120), the daily minimum wage is NPR 517 (about USD 5) and the minimum hourly salary is NPR 69 (62 cents).\textsuperscript{313} The basic working hours are eight per day, and 48 per week. An employee who has worked for at least one year is entitled to a half-day wage incremental every year.\textsuperscript{314} Employees who have worked for at least one year are entitled to one month’s basic remuneration once a year; those who have worked for less than a year are entitled to festival expenses on a proportional basis.\textsuperscript{315} In terms of gender, females, especially those who have a child under 3 years of age, work additional half-hour if the time for breastfeeding is accounted for. Every employee shall receive equal pay for the equal value of work, as mandated by the law. The Constitution of Nepal prohibit all forms of forced labour, including child labour. Employers are liable to a punishment of imprisonment for up to two years or a fine of up to 500,000 rupees or both, for engaging in forced labour. Nepal has also enforced a National Master Plan for Elimination of all Forms of Child Labour (2018–2028.) The Contribution-based Social Security Act 2017 comprises of provisions designed to improve the welfare of employees, including specific programmes for health and medical services, maternity protection, accident protection, old-age protection, dependent family protection and unemployment protection, in addition to the benefits listed below:

- Every employee can accumulate up to 90 days of annual leave and up to 45 days of sick leave, which can be cashed out at the time of discontinuance of service or at the end of each year.
- Employees who have worked for at least one year are entitled to 12 days of annual sick leave, and those who have worked for less than a year are entitled to sick leave on a proportional basis.
- All employees are entitled to one day off per week, 13 public holidays (including May Day) and one additional public holiday for women workers on International Women’s Day.
- Every worker is entitled to annual leave on the basis of one day for every 20 days worked.
- Every worker is entitled to celebrate festivals as per their culture, religion and tradition.
- In the case of death of immediate family members, each employee is entitled to 13 days of mourning leave.
- Every worker is entitled to medical insurance worth at least NPR 100,000 (about USD 895) per year and at least NPR 700,000 (about USD 6,365) in accident insurance.
- Women workers are entitled to 98 days of maternity leave, subject to some conditions. Only 60 of the 98 days, however, will be paid leave.
- Male workers are granted 15 days of paid paternity leave.

\textbf{Ratification of ILO Conventions}

Afghanistan has acceded to two international instruments on migration in 2005—the 1951 Convention relating to the Status of Refugees and 1967 Protocol relating to the Status of Refugees. With regard to the International Labour Organization (ILO) Conventions, Afghanistan has ratified a total of 19 Conventions, out of which, 17 are in force. Afghanistan has ratified five, out of eight, fundamental conventions including the Equal Remuneration Convention, 1951 (C100); the Abolition of Forced Labour Convention, 1957 (C105); the Discrimination (Employment and Occupation) Convention, 1958 (C111); the Right to Organize and Collective Bargaining Convention, 1970 (C138); the Minimum Wage Convention, 1975 (C111); the Freedom of Association Convention, 1971 (C138); and the Right to Organize and Collective Bargaining Convention, 1949 (C127).


\textsuperscript{315} Government of Nepal 2017.


\textsuperscript{317} Government of Nepal 2017.

\textsuperscript{318} United Nations Economic and Social Commission for Asia and the Pacific and International Organization for Migration 2012, p.175.

Similarly, Afghanistan has ratified one governance Convention called the Tripartite Consultation (International Labour Standards) Convention, 1976 (C144), and 13 technical conventions including the Weekly Rest (Industry) Convention, 1921 (C014); the Protection of Wages Convention, 1949 (C095); and the Rural Workers’ Organisations Convention, 1975 (C141), among others.

Similarly, Bangladesh has ratified seven out of eight fundamental International Labour Organization (ILO) Conventions, which include the Forced Labour Convention, 1930 (No. 29); the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); the Right to Organise and Collective Bargaining Convention, 1949 (No. 98); the Equal Remuneration Convention, 1951 (No. 100); the Abolition of Forced Labour Convention, 1957 (No. 105); the Discrimination (Employment and Occupation) Convention, 1958 (No. 111); and the Worst Forms of Child Labour Convention, 1999 (No. 182).

Similarly, Bangladesh has ratified two governance-related conventions including the Labour Inspection Convention, 1947 (No. 81); and the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144). Bangladesh is also party to 26 technical conventions, namely: the Hours of Work (Industry) Convention, 1919 (No. 1); the Night Work (Women) Convention, 1919 (No. 4); the Night Work of Young Persons (Industry) Convention, 1919 (No. 6); the Right of Association (Agriculture) Convention, 1921 (No. 11); the Weekly Rest (Industry) Convention, 1921 (No. 14); the Minimum Age (Trimmers and Stokers) Convention, 1921 (No. 15); and the Medical Examination of Young Persons (Sea) Convention, 1921 (No. 16).

India is a founding member of the International Labour Organization (ILO) and has been in the ILO Governing Body since 1922 as a permanent member. It has ratified 47 ILO Conventions, including six Fundamental Conventions, three Governance Conventions and 38 Technical Conventions. The Fundamental Conventions ratified by India include the Forced Labour Convention, 1930 (C029); the Equal Remuneration Convention, 1951 (C100); the Abolition of Forced Labour Convention, 1957 (C105); the Discrimination (Employment and Occupation) Convention, 1958 (C111); the Minimum Age Convention, 1973 (C138); and the Worst Forms of Child Labour Convention, 1999 (C182). Similarly, the Governance Conventions ratified include the Labour Inspection Convention, 1947 (C081); the Employment Policy Convention, 1964 (C122); and the Tripartite Consultation (International Labour Standards) Convention, 1976 (C144). Some of the Technical Conventions endorsed by India are the Hours of Work (Industry) Convention, 1919 (C001); the Minimum Age (Industry) Convention, 1919 (C005); the Weekly Rest (Industry) Convention, 1921 (C014); the Workmen’s Compensation (Occupational Diseases) Convention, 1925 (C018); the Equality of Treatment (Accident Compensation) Convention, 1925 (C019); and the Employment Service Convention, 1948 (C088), among others.

Pakistan has ratified 36 International Labour Organization (ILO) Convention in total, of which 31 are in force. All the eight fundamental conventions have been ratified, and two of the governance conventions including the Labour Inspection Convention, 1947 (C081) and the Tripartite Consultation

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323 International Labour Organization n.d.f.
324 International Labour Organization n.d.f.
325 International Labour Organization n.d.f.
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(International Labour Standards) Convention, 1976 (C144) have been ratified. Pakistan has ratified 26 technical conventions, some of which include: the Hours of Work (Industry) Convention, 1919 (C001); the Weekly Rest (Industry) Convention, 1921 (C014) and the Underground Work (Women) Convention, 1935 (C045), among others.326

Sri Lanka has ratified 43 International Labour Organization (ILO) Conventions, including all eight Fundamental Conventions, three Governance Conventions and 32 Technical Conventions.327 Apart from the Fundamental Conventions, some of the major ratifications for Sri Lanka include the Labour Inspection Convention, 1947 (C081); the Employment Policy Convention, 1964 (C122); the Tripartite Consultation (International Labour Standards) Convention, 1976 (C144); the Protection of Wages Convention, 1949 (C095); the Minimum Wage Fixing Convention, 1970 (C131), and the Workers’ Representatives Convention, 1971 (C135), among others.328

Nepal has ratified 11 out of 190 ILO conventions, including the Weekly Rest (Industry) Convention, 1921 (C014); the Forced Labour Convention, 1930 (C029); the Right to Organize and Collective Bargaining Convention, 1949 (C098); the Equal Remuneration Convention, 1951 (C100); the Abolition of Forced Labour Convention, 1957 (C105); the Discrimination (Employment and Occupation) Convention, 1958 (C111); the Minimum wage fixing Convention, 1970 (C131); the Minimum Age Convention, 1973 (C138); the Worst Forms of Child Labour Convention, 1999 (C182); and the Tripartite Consultation (International Labour Standards) Convention, 1976 (C144).329

328 International Labour Organization n.d.h.
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United Nations Economic and Social Commission for Asia and the Pacific and International Organization


Annexes
Table 1: Remittance received in Afghanistan

<table>
<thead>
<tr>
<th>Country</th>
<th>Total remittance outflow (in million USD)*</th>
<th>Remittance received by Afghanistan (in million USD)†</th>
<th>% of remittance received by Afghanistan</th>
<th>% of total remittance received by Afghanistan in 2017 (=410 million USD)‡</th>
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</thead>
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<tr>
<td>Bahrain</td>
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<td>-</td>
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Table 2: Remittance received in India

<table>
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<tr>
<th>Destination country</th>
<th>Total remittance outflow by destination countries (USD million) in 2017</th>
<th>Remittance received by India (USD million) in 2017</th>
<th>Percentage of outflow</th>
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<td>UAE</td>
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</table>

### Table 3: Remittance received by Nepal in 2017

<table>
<thead>
<tr>
<th>Destination countries</th>
<th>Remittance received by Nepal (in billion USD)</th>
<th>Remittance to Nepal as a percentage of the total outflow</th>
<th>Total remittances received by Nepal</th>
<th>Remittances as % of total remittances received by Nepal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bahrain*</td>
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<td>7.0</td>
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<td>0.25</td>
<td>2.1</td>
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<td>3.9</td>
<td>7.0</td>
<td>25.7</td>
</tr>
<tr>
<td>UAE#</td>
<td>0.84</td>
<td>2.6</td>
<td>7.0</td>
<td>12.0</td>
</tr>
<tr>
<td>Malaysia**</td>
<td>0.19</td>
<td>3.1</td>
<td>7.0</td>
<td>2.7</td>
</tr>
</tbody>
</table>

* Ansari, Kharel and Thapa 2019b.
† Ansari, Kharel and Thapa 2019c.
‡ A little over USD 4 billion has been remitted out of Oman every year since 2012 (Jha 2019b).
§ Jha 2019a.
¶ Gurung 2019.
# Ansari, Kharel and Thapa 2019a.
** Kambang and Kharel 2019.

### Table 4: Causes of deaths of Nepali migrant workers

<table>
<thead>
<tr>
<th>Causes of death</th>
<th>Bahrain*</th>
<th>Kuwait†</th>
<th>Oman‡</th>
<th>Qatar§</th>
<th>Saudi Arabia¶</th>
<th>UAE#</th>
<th>Malaysia**</th>
</tr>
</thead>
<tbody>
<tr>
<td>Natural causes death</td>
<td>-</td>
<td>2 (M)</td>
<td>1 (M)</td>
<td>17 (16M, 1F)</td>
<td>38 (M)</td>
<td>15 (14M, 1F)</td>
<td>46 (45M, 1F)</td>
</tr>
<tr>
<td>Traffic accidents</td>
<td>-</td>
<td>1 (M)</td>
<td>1 (F)</td>
<td>27 (M)</td>
<td>64 (M)</td>
<td>12 (11M, 1F)</td>
<td>14 (M)</td>
</tr>
<tr>
<td>Workplace accidents</td>
<td>1 (M)</td>
<td>1 (M)</td>
<td>-</td>
<td>17 (M)</td>
<td>8 (M)</td>
<td>25 (21M, 4F)</td>
<td>27 (M)</td>
</tr>
<tr>
<td>Cardiac arrest</td>
<td>3 (M)</td>
<td>-</td>
<td>-</td>
<td>13 (M)</td>
<td>19 (M)</td>
<td>14 (13M, 1F)</td>
<td>22 (M)</td>
</tr>
<tr>
<td>Heart attack</td>
<td>-</td>
<td>14 (12M, 2F)</td>
<td>-</td>
<td>25 (M)</td>
<td>28 (M)</td>
<td>4 (3M, 1F)</td>
<td>30 (M)</td>
</tr>
<tr>
<td>Murder</td>
<td>-</td>
<td>1 (M)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Suicide</td>
<td>1 (M)</td>
<td>1 (M)</td>
<td>2 (M)</td>
<td>13 (M)</td>
<td>24 (M)</td>
<td>12 (11M, 1F)</td>
<td>57 (55M, 2F)</td>
</tr>
<tr>
<td>Disease</td>
<td>3 (M)</td>
<td>1 (M)</td>
<td>-</td>
<td>5 (M)</td>
<td>4 (M)</td>
<td>4 (F)</td>
<td>30 (M)</td>
</tr>
<tr>
<td>Other/ unidentified causes</td>
<td>8 (M)</td>
<td>3 (2M, 1F)</td>
<td>1 (F)</td>
<td>6 (M)</td>
<td>19 (M)</td>
<td>8 (M)</td>
<td>23 (22M, 1F)</td>
</tr>
<tr>
<td>Pending investigation</td>
<td>-</td>
<td>2 (M)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>40 (M)</td>
<td></td>
</tr>
</tbody>
</table>

* Ansari, Kharel and Thapa 2019b.
† Ansari, Kharel and Thapa 2019c.
‡ A little over USD 4 billion has been remitted out of Oman every year since 2012 (Jha 2019b).
§ Jha 2019a.
¶ Gurung 2019.
# Ansari, Kharel and Thapa 2019a.
** Kambang and Kharel 2019.
Table 5: Status of employment in Afghanistan (in percentage)

<table>
<thead>
<tr>
<th>Status in employment</th>
<th>Male</th>
<th>Female</th>
<th>BS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>100.0</td>
<td>100.0</td>
<td>100.0</td>
</tr>
<tr>
<td>Employer</td>
<td>2.7</td>
<td>2.3</td>
<td>2.6</td>
</tr>
<tr>
<td>Salaried worker, private</td>
<td>8.2</td>
<td>3.1</td>
<td>7.1</td>
</tr>
<tr>
<td>Salaried worker, public</td>
<td>11.6</td>
<td>4.7</td>
<td>10.1</td>
</tr>
<tr>
<td>Own-account worker</td>
<td>45.5</td>
<td>20.7</td>
<td>40.1</td>
</tr>
<tr>
<td>Day labourer</td>
<td>19.5</td>
<td>1.9</td>
<td>15.7</td>
</tr>
<tr>
<td>Unpaid family worker</td>
<td>12.4</td>
<td>67.4</td>
<td>24.5</td>
</tr>
<tr>
<td>Of which vulnerable employment</td>
<td>77.5</td>
<td>89.9</td>
<td>80.2</td>
</tr>
</tbody>
</table>


Table 6: Employed population by age group and employment status in Afghanistan (in percentage)

<table>
<thead>
<tr>
<th>Age</th>
<th>Unpaid family worker</th>
<th>Day labourer</th>
<th>Own-account worker</th>
<th>Salaried worker, private</th>
<th>Salaried worker, public</th>
<th>Employer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>24.5</td>
<td>15.7</td>
<td>40.1</td>
<td>7.1</td>
<td>10.1</td>
<td>2.6</td>
</tr>
<tr>
<td>14-19</td>
<td>46.6</td>
<td>15.6</td>
<td>26.0</td>
<td>6.8</td>
<td>1.9</td>
<td>3.1</td>
</tr>
<tr>
<td>20-29</td>
<td>25.9</td>
<td>17.9</td>
<td>33.2</td>
<td>8.0</td>
<td>12.2</td>
<td>2.8</td>
</tr>
<tr>
<td>30-39</td>
<td>18.7</td>
<td>17.0</td>
<td>43.9</td>
<td>7.0</td>
<td>10.7</td>
<td>2.6</td>
</tr>
<tr>
<td>40-49</td>
<td>17.7</td>
<td>14.1</td>
<td>48.7</td>
<td>6.4</td>
<td>10.4</td>
<td>2.7</td>
</tr>
<tr>
<td>50-59</td>
<td>15.7</td>
<td>10.2</td>
<td>52.5</td>
<td>5.9</td>
<td>14.0</td>
<td>1.7</td>
</tr>
<tr>
<td>60-69</td>
<td>14.6</td>
<td>10.5</td>
<td>55.1</td>
<td>6.8</td>
<td>10.9</td>
<td>2.2</td>
</tr>
<tr>
<td>70-79</td>
<td>17.9</td>
<td>6.2</td>
<td>63.5</td>
<td>2.8</td>
<td>8.1</td>
<td>1.6</td>
</tr>
<tr>
<td>80+</td>
<td>6.8</td>
<td>13.4</td>
<td>70.3</td>
<td>2.2</td>
<td>7.1</td>
<td>0.3</td>
</tr>
</tbody>
</table>

Source: Central Statistics Organization 2018, p.73
### Table 7: Sector and industry of employment in Afghanistan (in percentage)

<table>
<thead>
<tr>
<th>Sector</th>
<th>% of the total</th>
<th>share of male (%)</th>
<th>share of female (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>78.0</td>
<td>78.0</td>
<td>22.0</td>
</tr>
<tr>
<td>Agriculture</td>
<td>44.3</td>
<td>67.2</td>
<td>32.8</td>
</tr>
<tr>
<td>Community, social and personal services</td>
<td>19.7</td>
<td>90.4</td>
<td>9.6</td>
</tr>
<tr>
<td>Wholesale and retail trade and restaurants and hotels</td>
<td>11.0</td>
<td>98.2</td>
<td>1.8</td>
</tr>
<tr>
<td>Construction</td>
<td>9.8</td>
<td>99.1</td>
<td>0.9</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>8.1</td>
<td>35.6</td>
<td>64.4</td>
</tr>
<tr>
<td>Transport, storage, communication and information</td>
<td>5.8</td>
<td>99.8</td>
<td>0.2</td>
</tr>
<tr>
<td>Financing, insurance, real estate and business services</td>
<td>1.0</td>
<td>95.6</td>
<td>4.4</td>
</tr>
<tr>
<td>Mining and quarrying</td>
<td>0.2</td>
<td>99.1</td>
<td>0.9</td>
</tr>
<tr>
<td>Electricity, gas and water</td>
<td>0.1</td>
<td>100.0</td>
<td>0.0</td>
</tr>
</tbody>
</table>

Source: Central Statistics Organization 2018, p.77-78.

### Table 8: Mean and median weekly working hours of employed population in Afghanistan

#### (Mean)

<table>
<thead>
<tr>
<th>Residence</th>
<th>Male (Mean)</th>
<th>Female (Mean)</th>
<th>Total (Mean)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>42.5</td>
<td>21.2</td>
<td>37.8</td>
</tr>
<tr>
<td>Urban</td>
<td>50.0</td>
<td>24.9</td>
<td>46.3</td>
</tr>
<tr>
<td>Rural</td>
<td>39.9</td>
<td>20.3</td>
<td>35.4</td>
</tr>
<tr>
<td>Kuchi</td>
<td>42.3</td>
<td>22.1</td>
<td>35.6</td>
</tr>
</tbody>
</table>

#### (Median)

<table>
<thead>
<tr>
<th>Residence</th>
<th>Male (Median)</th>
<th>Female (Median)</th>
<th>Total (Median)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>42</td>
<td>18</td>
<td>36</td>
</tr>
<tr>
<td>Urban</td>
<td>48</td>
<td>21</td>
<td>48</td>
</tr>
<tr>
<td>Rural</td>
<td>42</td>
<td>15</td>
<td>35</td>
</tr>
<tr>
<td>Kuchi</td>
<td>42</td>
<td>21</td>
<td>30</td>
</tr>
</tbody>
</table>


### Table 9: Labour force by sex and decent work status in Afghanistan (in percentage)

<table>
<thead>
<tr>
<th>Decent work status</th>
<th>Male (%)</th>
<th>Female (%)</th>
<th>Total (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unemployed</td>
<td>18.3</td>
<td>41.0</td>
<td>23.9</td>
</tr>
<tr>
<td>Underemployed</td>
<td>16.1</td>
<td>14.1</td>
<td>15.6</td>
</tr>
<tr>
<td>Vulnerable employment</td>
<td>49.0</td>
<td>39.4</td>
<td>46.6</td>
</tr>
<tr>
<td>Over-qualified</td>
<td>1.6</td>
<td>0.3</td>
<td>1.3</td>
</tr>
<tr>
<td>Decent work, matching education</td>
<td>6.9</td>
<td>2.3</td>
<td>5.8</td>
</tr>
<tr>
<td>Decent work, under-qualified</td>
<td>8.1</td>
<td>2.9</td>
<td>6.8</td>
</tr>
</tbody>
</table>

### Table 10: Share of female and male employment at rural, urban and national level in Bangladesh

<table>
<thead>
<tr>
<th></th>
<th>Rural</th>
<th>Urban</th>
<th>National</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>M (in %)</td>
<td>F (in %)</td>
<td>Total (in %)</td>
</tr>
<tr>
<td>Formal</td>
<td>91.2</td>
<td>8.8</td>
<td>100</td>
</tr>
<tr>
<td>Informal</td>
<td>66.3</td>
<td>33.7</td>
<td>100</td>
</tr>
</tbody>
</table>

Note: Numbers are in millions.

### Table 11: Minimum wage in Bangladesh

<table>
<thead>
<tr>
<th>Bangladesh</th>
<th>BDT per day</th>
<th>BDT per month</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bangladesh - National Minimum Wage</td>
<td>-</td>
<td>1,500.00</td>
</tr>
<tr>
<td>Minimum wage with effect from Dec 01, 2013 Minimum Wages - last checked - Dec 01, 2018</td>
<td>-</td>
<td>8,000.00</td>
</tr>
<tr>
<td>Dhaka - Ready Made Garment - All workers</td>
<td>248.17</td>
<td>-</td>
</tr>
<tr>
<td>Minimum wage with effect from Dec 01, 2018 Minimum Wages - last checked - Jan 22, 2018</td>
<td>176.25</td>
<td>-</td>
</tr>
<tr>
<td>Dhaka - Cotton Textile Industry - Skilled workers</td>
<td>247.50</td>
<td>-</td>
</tr>
<tr>
<td>Minimum wage with effect from Dec 01, 2013 Minimum Wages - last checked - Dec 01, 2018</td>
<td>165.33</td>
<td>-</td>
</tr>
<tr>
<td>Dhaka - Jute Textile Industry - Skilled workers</td>
<td>350.00</td>
<td>-</td>
</tr>
<tr>
<td>Minimum wage with effect from Dec 01, 2013 Minimum Wages - last checked - Dec 01, 2018</td>
<td>232.00</td>
<td>-</td>
</tr>
<tr>
<td>Dhaka - Jute Textile Industry Unskilled workers</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Minimum wage with effect from Dec 01, 2013 Minimum Wages - last checked - Dec 01, 2018</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Dhaka - Engineering Industry - Skilled workers</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Minimum wage with effect from Dec 01, 2013 Minimum Wages - last checked - Dec 01, 2018</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Dhaka - Engineering Industry - Unskilled workers</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>
