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Nepal: Protect Nepalese migrants from ‘false promises’ of work abroad

Rogue Nepalese recruitment agencies are trafficking Nepalese for exploitation and forced labour in the Gulf States and Malaysia, Amnesty International said today in a new report, as it called on the Nepalese government to improve protection of its migrant workers.

False Promises: Exploitation and forced labour of Nepalese migrant workers highlights the fate of prospective migrants who take out large loans to pay recruitment fees to secure a job overseas, unaware that recruitment agencies are deceiving them about the work, pay and conditions they are signing up to.

Amnesty International interviewed nearly 150 migrant workers and found that 90 per cent had been deceived by recruitment agencies regarding their employment contract. Some had to work without rest days, in dangerous conditions, or received salaries of less than half of what was promised.

“Nepalese people seek a better life abroad but fail before they even leave home, as recruitment agents – who earn huge profits – deceive them regarding their terms of contract, which is a key element in trafficking,” said Norma Kang Muico, Amnesty International’s Researcher for Asia-Pacific Migrants’ Rights.

“By the time they find out the true nature of their work, many are already trapped, saddled with large loans from private lenders with annual interest rates of up to 60 per cent.”

Recruitment agencies charge an average NPR 100,000 (US\$1,400) for their services, three times the average annual income in Nepal.

Being burdened with large loans and no alternative way of repaying them leaves migrant workers highly vulnerable to exploitation. Amnesty International documented cases where migrants were also beaten, threatened and had their freedom of movement restricted by employers in destination countries.

Migrants facing exploitation or forced labour who sought assistance from Nepalese recruitment agencies or Nepalese government authorities received little support. Recruitment agencies even endorsed employers’ common practice of confiscating passports, which facilitates abuse.

Nepalese women face restrictions to working abroad which increase their vulnerability. Intermittent bans on domestic work and a requirement to seek family permission prior to migrating, force women to migrate through irregular channels or become ‘undocumented’.

Amnesty International interviewed migrant domestics who had worked 21 hours per day, were not allowed to leave the house and were sexually abused by their employers.

“The Government must end discriminatory practices that force women migrants underground and leave

them at greater risk of exploitation, without the protections available to regular migrants,” said Norma Kang Muico.

Nepal’s Foreign Employment Act, introduced in 2007, is supposed to provide protection for migrant workers. It requires recruitment agencies to provide migrant workers with a copy of their contract in advance and guards against excessive fees for recruitment services. It also allows for punishment of recruitment agents that fail to abide by terms of contract.

Amnesty International’s research found evidence of violations of the law by recruitment agencies, including failure to provide contracts, changing terms and conditions and overcharging for services.

But the Government of Nepal is failing to enforce the legislation, and no recruitment agency has been punished.

Migrant workers also have rights under the Act to compensation when their terms and conditions have not been met, yet few are aware of existing mechanisms for complaint and redress in Nepal.

Nearly 20 per cent of Nepal’s Gross Domestic Product (GDP) in 2010-11 came from remittances from migrants, who also provide for the needs of their own families.

Official figures show that the number of Nepalese migrating abroad has increased five-fold since 2000 and that Qatar is the largest employer of Nepalese workers, largely due to construction ahead of the World Cup in 2022.

“If the Government prioritises safe migration, this will benefit hundreds of thousands of Nepalese migrants and their families each year,” Norma Kang Muico said. “It is imperative that the Government of Nepal acts to protect its citizens abroad which can also benefit Nepal’s economy,” she said.

“The government must end impunity for rogue recruitment agencies and fully enforce the Foreign Employment Act,” she said.

Amnesty International also called on the government to do more to ensure that compensation mechanisms are accessible and effective.

“Many migrant workers are in the dark about their rights and don’t know who they can turn to for help. Nepalese authorities must ensure those working abroad and their families are properly informed about the migration process,” she said.

Background

Please click here for the full report [*False Promises: Exploitation and forced labour of Nepalese migrant workers*](#)

Between September 2010 and May 2011, Amnesty International interviewed 149 returned or prospective migrant workers and met seven recruitment agencies and numerous government officials.

Official figures show 294,094 Nepalese migrated abroad for work in 2010, compared with 55,025 in 2000. The majority go to Malaysia, Saudi Arabia, Qatar, and the UAE to work in construction, manufacturing and domestic work. True figures are thought to double this amount.

Nepal is one of the world’s least developed countries. 42 per cent of Nepal’s population of nearly 30 million people lives below the poverty line and the latest available figures for 2008 listed the unemployment rate at 46 per cent.