

# A RETELLING OF THE INDIAN MIGRANT WORKER'S PLIGHT

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At a project site in Dubai | Photo Credit: FILE PHOTO: AFP

This year, International Migrants Day (observed annually on December 18) must be seen in the backdrop of unprecedented volatility that began in 2020 as a result of the COVID-19 pandemic. Besides this infectious disease outbreak, there were events such as the Taliban takeover of Afghanistan, Russia's invasion of Ukraine, worsening poverty in the sub-Saharan region, and also climate change, resulting in large-scale migration.

According to the International Organization of Migration (IOM)'s World Migration Report 2022, there were 281 million international migrants globally in 2020, with nearly two-thirds being labour migrants. While there were 169 million labour migrants in 2019, the figure touched 164 million in 2020.

In the larger pool of migrants, South Asia's share is nearly 40%; further, the South Asia-Gulf Migratory corridor is the world's largest migrant corridor.

Long-term data on international migration show that "migration is not uniform across the world and is shaped by economic, geographic, demographic and other factors, resulting in distinct migration patterns, such as migration corridors developed over many years".

Recently, there were the cases of around 300 Indian engineers from Tamil Nadu who were trafficked to Myanmar to work for a crypto-scam and nearly 20 Indian nurses trafficked to the United Arab Emirates for fake job offers. Both groups had migrated after a desperate "post COVID-19 job hunt".

According to Kerala government data, some 1.7 million Keralites returned from abroad during the pandemic between June 2020 and June 2021; 1.5 million had suffered job losses. None of them had a proper plan to survive, and were staring at no jobs or self-employment opportunities in Kerala.

Unfortunately, despite India being the largest migrant-sending and remittance-receiving country, the welfare of Indian migrants abroad is hardly a priority for the Government and policymakers. It is a matter of serious concern that India has yet to have a tangible and comprehensive migration

policy to ensure decent living and safe movement of migrants.

India manages or governs Indians migrating abroad using the Emigration Act, 1983. In the last 40 years, migration has witnessed sea changes. However, the Indian government has been silent on the issue of updating the Act.

The authorities have still to initiate discussions for the smooth passage of a robust Emigration Bill in Parliament.

In the winter session of Parliament, a document tabled shows that around nine million Indian migrants are working in the Cooperation Council for the Arab States of the Gulf (GCC) countries. Though some of the GCC states have passed reforms to safeguard the rights of migrants and to protect them from discrimination, the situation at the grass-roots level is a different story.

The COVID-19 pandemic has exposed the existing exploitative nature of the Kafala system (a 'sponsorship system that regulates the relationship between employers and migrant workers') which has invariably resulted in the mass retrenchment of the labour force.

Presently, South Asian countries, including their civil society organisations, scholars and migrant activists are leading a 'justice for wage theft' campaign for the disbursement of the pending salary benefits and other related dues of labour.

The pandemic has resulted in unemployment, under-employment, a reduction in salaries, and, more importantly, in the non-payment of salaries, compensation and residual dues. It must be noted that rich employers in GCC nations who violate basic labour laws and refuse regular salaries and dues, are from different nationalities, including Indians.

The recurring problems that migrant labourers face are: irregular payment, poor working conditions, negation of labour rights, the absence of a proper grievance redress mechanisms, and access to a transparent judicial system. Irregular payment and non-payment of wages, and abuse at the workplace have been a long-term problem in the GCC countries. This has been exacerbated during the COVID-19 pandemic.

Countries such as the Philippines which have recorded the wage theft of their migrants are taking up the issue legally.

Attention needs to be focussed on the women migrant workforce, largely limited to GCC countries and also to the Organisation for Economic Co-operation and Development countries to some extent. Interestingly, Indian nurses and care-givers have been working in the most volatile countries such as Iraq, Syria, Libya, Yemen and Israel, and even remote Papua New Guinea.

Women workers venture to these countries using the services of recruiting agencies on account of major domestic problems. Therefore, the Government should comprehensively assess the situation of migrant women and create women-centric, rights-based policies.

Finally, the COVID-19 pandemic has rerouted global migration patterns, restructured migratory corridors, and exposed the untold vulnerabilities and miseries of international migrant labour.

The United Nations, through its non-binding resolution, "Global Compact for Safe, Orderly Migration and Regular Migration", recognises the challenges migrant labour faces across the world. In this context, the Government of India has to revisit its policies in the post-pandemic migratory scenario by engaging all stakeholders and by passing the Emigration Bill 2021.

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