

# MIGRATION

## Introduction

The right to mobility for employment is an important human right; especially where local economies offer limited livelihood alternatives. Intervention strategies should, therefore, be directed at reducing the vulnerability of migrants, not at reducing migration itself.

Migration has become a key facet of today's world. Migrants living outside of their country of birth are 191 million persons (International Migration 2006, UN Department of Economic and Social Affairs, Population Division) ([www.unpopulation.org](http://www.unpopulation.org)). Trans-border migration has always been a part of human history. What makes today's international migration different is both its unprecedented velocity of movement at so many different points around the globe and the complexity of attending factors such as states' sovereignty, universalities of human/labor rights and vested interests of different groups involved in migration processes.

There are two forms of migration; "forced migration" - fleeing from persecution and for security reasons (including internally displaced persons or refugees, victims of forced relocation for development projects, famine, natural disaster, and/or armed conflicts) and "voluntary migration" - seeking greater economic betterment. Difficulty in distinguishing between forced migrants and voluntary migrants is one of the intricacies in contemporary migration. For far too many, particularly the ones from the developing world, migration becomes a survival necessity rather than a choice.

Migration is a by-product of rapid economic and political globalization. It occurs under circumstances of poverty, unemployment, underemployment, economic and political instability, landlessness or the deterioration of the environment.

Women constitute almost half of all global migrants worldwide-95 million or 49.6 per cent. The 191 million migrants enumerated outside the country of their birth in 2005, constitute nearly 3 per cent of the world's population. While the United States received the highest number of migrants, India stood eighth in rank, according to the State of World Population 2006 report — 'A Passage to Hope: Women and International Migration,' released by the United Nations Population Fund (UNFPA). From the modern-day enslavement of trafficking victims to the exploitation of domestic workers, millions of female migrants face hazards

that testify to the lack of adequate rights protection and opportunities to migrate safely and legally.

Trafficked women are usually forced into sex work, domestic or sweatshop labour and human trafficking now constitutes the third most lucrative illicit trade after drugs and arms smuggling and nets an estimated \$ 7 billion to \$ 12 billion. An estimated 600,000 to 800,000 people are trafficked across international borders each year. Of these, 80 per cent are women and girls, according to the report.

#### India Country profile 1990-2010

Indicator	1990	1995	2000	2005
Estimated number of international migrants at mid-year	7 493 204	7 022 165	6 411 272	5 886 870
Estimated number of refugees at mid-year	111 146	242 911	175 486	150 985
Population at mid-year (thousands)	862 162	953 148	1 042 590	1 130 618
Estimated number of female migrants at mid-year	3 578 808	3 378 740	3 107 712	2 860 663
Estimated number of male migrants at mid-year	3 914 396	3 643 425	3 303 560	3 026 207
International migrants as a percentage of the population	0.9	0.7	0.6	0.5
Female migrants as percentage of all international migrants	47.8	48.1	48.5	48.6
Refugees as a percentage of international migrants	1.5	3.5	2.7	2.6
Indicator	1990-1995	1995-2000	2000-2005	2005-2010
Annual rate of change of the migrant stock (%)	-1.3	-1.8	-1.7	-1.6

Source: United Nations, Department of Economic and Social Affairs, Population Division (2009). *Trends in International Migrant Stock: The 2008 Revision* (United Nations database, POP/DB/MIG/Stock/Rev.2008).

#### Working conditions of Migrants

Migrants, the majority of them, are employed in high-risk, low-pay, and labour-intensive sectors of their host countries' economies (mining, plantation, sea food processing zones, agriculture, and domestic work). These occupations are not only characterized by their precariousness and substandard working conditions, but also are usually excluded from labour protection laws and policies. The risky workplaces compounded with a lack of labour rights protection measures render migrants more vulnerable to occupational injury. The risk of occupational injury is also increased by lack of proper training, language barriers and lack of familiarity with modern machinery. Further, the emerging problem of sub-contracting short-termed labour makes it more difficult for migrants to claim compensation when they are injured at work places. The employer's responsibility for workplace injury compensation is being transferred to the broker who sub-contracted the worker.

### **Pre-departure briefing**

Despite the fact that in some origin countries such as Pakistan and Nepal the law dictates that potential migrant workers must go through a pre-departure briefing, there is no health component requirement. Any health information delivered is usually not comprehensive and adequate. In Nepal experience has been a 15 minutes of official briefing done by authorities on the "dos and donts" in the destination countries. In both Vietnam and Cambodia, potential migrant workers are required to partake in pre-departure training, but no health information is provided. Fortunately, in both of these countries, NGOs, such as CARAM Cambodia and Mobility Research and Support Centre (CARAM Vietnam), have worked with these governments to assist in delivering information on HIV/AIDS and STIs.

In a positive move, the governments of Indonesia, Sri Lanka and the Philippines have included a health component in their pre-departure training programmes for potential migrant workers, but the training is far from ideal.

### **Vulnerability to HIV/AIDS**

Women migrants' sexual and reproductive health is often rendered vulnerable by their living and working conditions abroad. Most of these migrants are from the reproductive ages of 15-

35. The research done by one of the CARAM Asia members stated the age of first time departing migrants as one of the factors of their HIV/AIDS vulnerability. Being confined in a place where they work or being excluded from the formally protected occupations, women migrants are at the mercy of their male employers who may expect and force them to have sexual relations with them. Apart from vulnerability that women face in a state of isolation, that state also impedes them from accessing to crucial health and preventative information.

A majority of migrant workers from Tamil Nadu continue to go to the Gulf countries, Singapore and Malaysia. They are required to do dangerous, difficult and dirty jobs. The rule restricting women below 30 years to leave the country in search of domestic labour has actually increased the number of women going abroad illegally. Women from the southern districts of Tamil Nadu apparently desire to go abroad to work as domestic labour, but with this clause preventing them, they have begun to turn to agents, paying huge sums to secure travel documents and work permits. Considering that imposition of this rule has thwarted the very purpose for which it was evolved — keeping women migrants safe from abuse — and has put them in the clutches of unscrupulous agents.

Tamil Nadu should learn, from the tragic experience of many States, which have seen a large number of farmers' suicides, by leaving the small and marginal farmers to the mercies of the market forces which exposes them to risks that they cannot deal with, in the absence of any safety net. The deep crisis in agriculture which supports more than half of Tamil Nadu population, almost total stagnation in employment generation, the continuous erosion of livelihood of large sections of population and the gaps and disparities in human development, both sectoral and spatial, all necessitate that the state plays a crucial direct role in the economy.

The literacy rate of 73.5 % for the State as a whole encompasses a range of achievement from about 87.55% for Kanyakumari District, to about 61% in Dharmapuri District. Even life expectancy at birth varies from a high of 73 in Kanyakumari to a low of about 62 in Dharmapuri, Theni, Madurai, Perambalur and Villupuram.

In the Census of India migration is enumerated on two bases:

(i) Place of birth, if the place of birth is different from the place of enumeration (known as life-time migrant);

(ii) Place of residence, if the place of last residence is different from the place of enumeration (known as migrant by place of last residence). Can you imagine the proportion of migrants in the population of India. As per 2001 census, out of 1,029 million people in the country, 307 million (30 per cent) were reported as migrants by place of birth. However, this figure was 315 million (31 per cent) in case of place of last residence.

### **Indian Diaspora**

During the colonial period (period of colonisation of India by Europeans) millions of the indentured labourers were sent to Mauritius, Caribbean islands (Trinidad, Tobago and Guyana), Fiji and South Africa by the British from Uttar Pradesh and Bihar; to Reunion Island, Guadeloupe, Martinique and Surinam by the French and the Dutch and to Angola and Mozambique by the Portuguese from Goa, Daman and Diu to work as plantation workers. All such migrations were covered under the time-bound contract known as Girit Act (Indian Emigration Act). However, the living conditions of these indentured labourers were not better than slaves.

The second wave of migrants ventured out into the neighbouring countries in recent times as professionals, artisans, traders and factory workers, in search of economic opportunities to Thailand, Malaysia, Singapore, Indonesia, Brunei and African countries, etc. and the trend still continues. There was a steady outflow of India's semi-skilled and skilled labour in the wake of the oil boom in West Asia in the 1970s. There was also some outflow of entrepreneurs, store-owners, professionals and businessmen to Western Countries. Third wave of migrants comprised professionals like doctors, engineers (1960s onwards), software engineers, management consultants, financial experts, media persons (1980s onwards), and others who migrated to countries such as USA, Canada, UK, Australia, New Zealand, Germany, etc.

These professionals enjoy the distinction of being one of the most highly educated, the highest earning and prospering groups. After liberalization, in the 90s education and knowledge-based Indian emigration has made Indian Diaspora one of the most powerful diasporas in the world. In all these countries, Indian Diaspora has been playing an important role in the development of the respective countries.

Census 2001 has recorded that more than 5 million persons have migrated to India from other countries. Out of these, 96 per cent came from the neighbouring countries: Bangladesh (3.0 million) followed by Pakistan (0.9 million) and Nepal (0.5 million). Included in this are 0.16 million refugees from Tibet, Sri Lanka, Bangladesh, Pakistan, Afghanistan, Iran, and Myanmar. As far as emigration from India is concerned it is estimated that there are around 20 million people of Indian Diaspora, spread across 110 countries.

### **Causes of Migration**

People, generally are emotionally attached to their place of birth. But millions of people leave their places of birth and residence. There could be a variety of reasons. These reasons can be put into two broad categories: (i) push factors, these cause people to leave their place of residence or origin; and (ii) pull factors, which attract the people from different places.

In India people migrate from rural to urban areas mainly due to poverty, high population pressure on the land, lack of basic infrastructural facilities like health care, education, etc. Apart from these factors, natural disasters such as, flood, drought, cyclonic storms, earthquake, tsunami, wars and local conflicts also give extra push to migrate. On the other hand, there are pull factors which attract people from rural areas to cities. The most important pull factor for majority of the rural migrants to urban areas is the better opportunities, availability of regular work and relatively higher wages. Better opportunities for education, better health facilities and sources of entertainment, etc. are also quite important pull factors.

The amount of remittances sent by the internal migrants is very meager as compared to international migrants, but it plays an important role in the growth of economy of the source area. Remittances are mainly used for food, repayment of debts, treatment, marriages, children's education, agricultural inputs, construction of houses, etc.

**Migrant children:** India faces a huge challenge with "distress seasonal migration". Millions of families are being forced to leave their homes and villages for several months every year in search of livelihoods. These migrations mean that children are forced to drop out of schools, something that closes up the only available opportunity to break the vicious cycle generation after generation. At worksites migrant children are inevitably put to work. All evidence indicates that migrations are large and growing. The number of children below 14

years of age thus affected may already be in the order of 9 million. Migrant populations overwhelmingly belong to Scheduled Castes, Scheduled Tribes, and Other Backward Castes. They comprise of the landless and land poor who possess the least amount of assets, skills or education. Studies reveal that the majority of migrant labour is to be found in states like Andhra Pradesh, Rajasthan, Karnataka, Gujarat, Tamil Nadu and Maharashtra. Almost all major states appear to be affected by migration, although to varying degrees. Many industrial and agro-industrial sectors like brick-making, salt manufacture, sugar cane harvesting, stone quarrying, construction, fisheries, plantations, rice mills and so on run largely on migrant labour.

### **Insights on migration provided by CENSUS of INDIA 2001:**

- During the reporting period, 30% reported as migrants by place of birth
- During the last decade (1991-2001), the number of migrants in India (excluding J&K) rose by 32.9%, the total number of migrants by place of last residence in India (excluding J&K) grew by 34.7% during 1991-2001.
- High growth (53.6%) among interstate migrants was also observed.
- Total migrants by last residence (0-9 yrs) accounted for 98.3 million
- 43.8% moved due to marriage, 21.0% moved with their households, 14.7% migrated due to work, 6.7% moved after their birth, 3% for educational purposes, 1.2% for business and 9.7% specified other reasons.
- About 42.4 million migrants out of total 65.4 million female migrants cited marriage as the reason for migration. Among males the most important reason for migration was 'Work/Employment'. 12.3 million out of 32.8 million total male migrants migrated due to this reason.
- During the decade, out of the urban growth of 30.3 per cent, 6.6 per cent is accounted for by migration to urban areas.
- If one takes away those migrants who moved due to marriage, the total number of migrants falls from 98.3 million to 55.2 million. Total number of migrants among males and females were 32.2 million and 22.9 million respectively.
- Migration streams (during the last decade)
  - Rural to rural migration within the country: 53.3 million
  - Rural to urban migration: 20.5 million
  - Urban to rural migration: 6.2 million
  - Urban to urban migration: 14.3 million

- The total number of interstate migrants was 42.3 million and those who were born abroad account for 6.1 million. About 97% of these migrants by last residence were from the eight neighbouring countries (including Afghanistan).

### **Migration & displacement due to sea-level rise**

A one-meter sea level rise will inundate 6000 square kilometers in India, of which Mumbai, Kolkata and Chennai will be the major cities being affected. This would mean losses of billions of dollars in infrastructural, social, physical assets and capital.

125 million people are likely to migrate in the coming century of which 75 million will be from Bangladesh. The people from Bangladesh will most likely migrate to India in addition to our own 50 to 60 million people who will be displaced due to sea-level rise, shrinking water sources due to CC in the densely populated coastal regions of India.

Mumbai, Kolkata and Chennai are the mega-cities on the coast of India, on an average elevation of 2-10 metres, which is in the Low Elevation Coastal Zone (LECZ). LECZ are regions which fall under 10 metres of coastal elevation. Approximately 81,000 square kms of land fall under LECZ in India, housing a population of over 60 million. 50% of this population are in urban regions comprising approximately 31 million people.

Erratic rainfall, climate changes, water shortages and food scarcity will push the vulnerable communities of landless labourers, small farmers, into worse conditions forcing them to migrate to the cities in search of subsistence. The adaptive capacities of these communities are extremely low considering that they are already affected by negative trends of globalization.

### **Overview of migrants**

The overseas Indian community spans the globe and is present in all the continents. India has the second largest overseas community with an estimated 25 million Overseas Indians spread across over 110 countries in the world. Though they live in different countries, speak different languages, practice different faiths and are engaged in different vocations, they are bound together by the common thread of a shared culture. In every part of the world the overseas Indian community is recognized and respected for its hard work, discipline, non-

interference and for successfully integrating with the local community. Overseas Indians have transformed the economies of and have come to occupy a pride of place in the countries of destination and have added in considerable measure to knowledge and innovation.

It will take some time before the full implications of the economic crisis unravel and its impact on the overseas Indian community, on migration of Indian workers and their living and working conditions and possible return becomes manifest. It must be said, though, India is much better placed to weather this economic storm than most other countries, not least because of a sound and well regulated banking sector and strong domestic demand. It must be said of the resilience of the overseas Indians on the one hand and the emergence of India as a robust economy that the dire predictions of large numbers of expatriate workers losing jobs and returning home appear exaggerated. Indeed, if anything, the data with reference to the overseas Indian community over the last year has been positive.

Contrary to speculation of a sharp decline in remittances, India remains the highest recipient of remittances from its overseas community. India received US \$ 43.5 billion in remittances in 2008, a significant increase from the US \$ 30.8 billion received in 2007 and US \$ 25 billion in 2006 – recording significantly higher growth rates than the global average. The strengthening of the dollar in recent months has restored the remittance value of the wages of the overseas Indian workers in the Gulf. In fact since September, 2008, coinciding with the Global financial crises, remittances to India have shown an upward trend.

About 40 percent of this remittance of US \$ 43.5 billion comes from the estimated five million overseas Indian workers in the Gulf and Malaysia. While these remittances are important for the families of the migrant workers, their economic impact is marginal since remittances are in the nature of private transfers that go primarily into maintenance expenditure. Its development impact as a multiplier is therefore limited. However, the sharp increase in remittances to India in 2008 over 2007 – nearly 45 percent - is in part because of the current trust deficit in banks in other parts of the world. There may not be such a spectacular increase in 2009. But it is unlikely that remittances will drop significantly. Indeed, the downturn has accelerated the remittance flow because India is seen as a safer destination.

### **Internal migration of people**

The migrant labourers get much higher monetary wages than in their native places. But, they work for longer hours and their real wages may be lower as they have to incur higher cost of living in cities like Kochi in Kerala on food, shelter and transport. They live in shanty houses/rooms in slum like localities often on a sharing basis. A few of them live on verandas of shops. They have limited access to sanitation facilities and safe water. Their practices of waste disposal pose problems of public health and environment.

The migrant labourers' working and living conditions and habits make them suffer from a number of diseases. But their access to public services like health and education is limited. They enjoy very limited protection from labour laws. They also face problems of social integration in cities. There are reports of large number of human rights violations. With the possibility of much larger influx in view of the large scale expansion of economic activities in the State, the migrants can put heavy pressure on urban infrastructure, environment and public services. They may also pose many challenges in governance particularly of urban areas.

### **Caste discrimination**

"Dalits are excluded from work opportunities in the area of production, processing or sale of food items and services in the private and public sectors in India.' Although law prohibits the practice of 'untouchability', caste remains a dominant factor in defining the economic and social status of dalit men and women in India. "Limited access to education, training and resources, such as land or credit, further impair their (dalits) equal opportunities for access to non-caste-based occupations and decent work.

According to Centre of Indian Trade Unions, "The percentage of numbers of Scheduled Castes and Scheduled Tribes in government jobs including the public sector enterprise is below 10 per cent, while 22.5 per cent job reservation is being followed by successive governments since 1950.' Experts say that due to globalisation, followed by shrinking job opportunities in the public sector, there is mass migration of workers from the organised sector to the informal sector, where discrimination against dalits or marginalised is more acute.

The issues linked with movement of labour from traditional agriculture to low productive manufacturing and tertiary activities due to rapid emergence of few urban centres have not been the core of development debates on globalisation. A significant proportion of the Scheduled Caste

(SC) and Scheduled Tribe (ST) population in the State are economically backward and still lack access to education, proper health care and employment.

The districts Cuddalore, Nagapattinam, Villupuram, Virudhunagar, Thiruvannamalai and Ramanathapuram have a high population of scheduled castes and tribes and figure among the districts with the highest poverty ratios.

### **Proposed plans**

Our on-going campaign, advocacy efforts, and work programmes are to ensure that the right to health of migrants is becoming an integral part of migration policies and programmes:

- 'Recognize Domestic Work as Work' Campaign
- Participatory Action Research on the social cost of migration. This research is to examine the social cost and quality of life of migrant communities in countries with strong labour export policies, and provide alternatives to the current migration discourse which promotes remittances as a tool for development.
- Empowerment of migrants living with HIV-AIDS and spouses
- Removal of mandatory testing advocacy efforts
- Networking with groups that have shared goals and alliance building
- Supporting and fostering the spirit of solidarity among migrants' groups worldwide
- Engaging with other anti-globalization, social movements on issues related to globalization, trade, migration and health

- Joining the 'Rights to Redress Campaign' as well as cooperating with legal reform groups. In the absence of national law to protect domestic workers, their right to health cannot be guaranteed
- Policy advocacy including high level dialogues, sensitization of health professionals on migrants issues, and targeting regional blocs such as ASEAN to include health protection elements for migrants in their protection frameworks
- Engagement with the media