## Aaprabasi Mahila Kamdar Samuha (AMKAS) Nepal

# International Migrants Day 2023



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**Executive Summary:**




AMKAS Nepal organized a series of events commemorating International Migrant's Day on December 18, 2023, in collaboration with Australian Aid one of which was the Roundtable discussion held on 22nd of December 2023. The objective was to underline the importance of securing migrant rights, particularly focusing on domestic workers. A pivotal Roundtable Interaction Program discussed the prerequisites for individuals aspiring to engage in domestic work abroad, aligning with International Labor Organization (ILO) conventions and Nepal's regulations for sending workers overseas.

Key discussions revolved around ILO Convention No.189, emphasizing its clauses regarding employment terms, occupational safety, and health conditions for domestic workers. It was highlighted that 80% of global domestic workers are females, with an estimated 2.5 million in Nepal alone. The event advocated for mandatory work permits, age specifications for specific destination countries, bilateral agreements, predetermined worker rights, occupational safety measures, and life insurance for domestic workers.

**Background:**

Drawing on statistics from the Foreign Employment Department under the Ministry of Labor, Employment, and Social Security, it was revealed that over 20 million Nepalese were engaged in foreign employment across 144 countries. Discussions primarily revolved around ILO Convention No.189, a treaty addressing the rights and conditions of domestic workers globally, stressing essential elements such as work permits, age prerequisites, bilateral agreements, and workers' rights, including occupational safety measures and life insurance.

The event's innovative approach involved leveraging the Marigold flower's symbolism to launch a groundbreaking campaign advocating for the ratification of the Domestic Workers Convention,

ILO C189. The program facilitated discussions among experts and representatives from government, NGOs, media, and research, aiming to collectively address the preconditions set by the Parliamentary Committee and work towards Nepal's ratification of ILO C189.

**Marigold Campaign by AMKAS Nepal**




The Marigold Campaign initiated by AMKAS Nepal serves as a groundbreaking and symbolic movement advocating for the ratification of the Domestic Workers Convention, ILO C189. Harnessing the powerful global symbolism of the Marigold flower—a widely available yet often overlooked bloom—the campaign strives to ignite a worldwide call to action urging governments to endorse and implement this crucial international agreement.

The Marigold, revered for its connotations of honor and respect across cultures, represents a paradox—despite its ubiquitous presence, its significance often goes unnoticed. AMKAS Nepal strategically leverages this paradox to draw attention to the plight of domestic workers, particularly women, and to demand justice, equality, and empowerment for these marginalized laborers.

By associating the Marigold with a call for the ratification of ILO C189, AMKAS Nepal seeks to reshape the narrative surrounding migration and labor rights. The campaign aims to transcend borders, bringing together diverse communities, organizations, and governments under a unified banner advocating for the rights of domestic workers worldwide.

This innovative approach not only creates awareness but also emphasizes the urgency and necessity of ratifying ILO C189. It is a symbolic representation of a larger movement striving for a future where the rights of millions of domestic workers are safeguarded and upheld across the globe.

AMKAS Nepal's Marigold Campaign stands as a testament to the power of symbolism, leveraging a universally recognized flower to spark conversations, evoke empathy, and galvanize action toward a world where justice prevails and every worker is valued, respected, and protected.

**"Appreciation of Migrants Contributions and Respect for Rights"**



The gathering drew a diverse cohort of experts, government officials, NGOs, media representatives, and other stakeholders. Legal Officer for AMKAS Nepal Adv. Sadikshya Maharjan commenced the proceedings by acknowledging the esteemed guests, setting the tone for an inclusive and collaborative discussion. A poignant moment marked the initiation of discussions as she encouraged all participants to unite in singing the national anthem, symbolizing collective solidarity and commitment to the cause. Adv. Maharjan assumed the role of introducing the symposium, presenting an insightful overview of AMKAS Nepal's initiatives and endeavors in advocating for the ratification of ILO C189. Her comprehensive presentation laid the groundwork for deliberations, shedding light on the challenges and imperatives surrounding the enhancement of migrant rights and the significance of ratifying international labor conventions.

This gathering was dedicated to a comprehensive exploration of the challenges stemming from the seven pre-conditions outlined by the Parliamentary Committee back in 2020. The event attracted a diverse array of participants, including experts, government officials, NGOs, media representatives, and various stakeholders.



**Distinguished Guests:**

The event witnessed the presence of eminent figures:

- **Vice President of Network for Safe National Migration, Krishna Prasad Neupane**
- **Member of Parliament's Industry and Commerce and Labor and Consumer Committee, Rama Paudel**
- **Executive Director of Foreign Employment Board, Dr. Dwarika Prasad Upreti**
- **Deputy Secretary of the Ministry of Labor Employment and Social Security, Dumber Bahadur Sunuwar**
- **General Secretary of SARTUC, Laxman Basnet**
- **Head of Human Trafficking Investigation Bureau of Nepal Police, Senior Superintendent of Police Jeevan Shrestha**

- **South Asia Coordinator, Equidem Foundation, Rameshwor Nepal**
- **Deputy Secretary of the Ministry of Women, Children and Senior Citizens, Dr. Meena Poudel**
- **Representatives from Amnesty International, Australian Embassy, and distinguished journalist Muna Kunwar**

The core objective of the event was twofold: first, to cultivate appreciation for the contributions of migrants, and second, to advocate for their rights. Returnee women migrants shared firsthand narratives concerning their experiences in foreign employment, specifically within the realm of domestic labor. These personal accounts set the stage for a robust open debate among stakeholders and government representatives.




The proceedings commenced with ED Ms. Bijaya Rai Shrestha's comprehensive overview of the challenges and strategic imperatives related to the ratification of ILO C189. This set the tone for an insightful discussion featuring esteemed individuals from diverse sectors. The roundtable, comprising luminaries such as Member of Parliament Rama Koirala Paudel, Dr. Dwarika Prasad Upreti, Deputy Secretary of the Ministry of Labor Employment and Social Security Dambar Bahadur Sunuwar, General Secretary of SARTUC Laxman Basnet, among others, delved into critical topics, fostering robust knowledge sharing and commitment to support AMKAS Nepal's endeavors for safer, well-managed, and dignified migration practices.

The event underscored concerns within the field regarding the practicality and discriminatory nature of the parliamentary committee's prerequisites for individuals aspiring toward domestic labor opportunities. Speakers raised poignant arguments, advocating for the reconsideration and revocation of these instructions, pointing to their potential violations of international law.

Aligned with International Migrant Workers Day, AMKAS Nepal's event echoed a collective call for the fair treatment and protection of migrant rights. It served as a crucial platform for dialogue, insights, and commitments toward fostering a more equitable and respectful migration landscape.

**Key Insights and Discussions:**



*Advocating ILO C189 Ratification:*

**Member of Parliament Rama Koirala Paudel** ardently advocated for Nepal's adherence to ILO Convention 189, citing her opposition to the ban and her obligation to the citizens and the workforce.




*Challenges in Sending Domestic Workers Abroad:*

**Dr. Dwarika Prasad Upreti** highlighted discussions among Nepali ambassadors, emphasizing concerns regarding the lack of legal protections for domestic workers in several destination countries. There were reservations about sending women for domestic work in the absence of sufficient legal coverage in those nations.

*Gender-Centric Approaches:*



**Dr. Meena Paudel** stressed the necessity of gender-sensitive approaches in diplomatic interactions. "*There are many ambassadors from the Ministry of Foreign Affairs and quotas and agencies, so it has been learned from the colleagues of the Malaysian ambassador that they are demanding for Nepali women to make it easier and cheaper for them to cooperate. The same neighboring country, the Philippines, has sent to countries like Malaysia, Kuwait and Qatar to correct the convention, but Nepal has not corrected the immigration convention, so what are the ambassadors of Nepal doing….? In general, trafficking in the name of immigration will not stop until the policy on integrated labor is introduced, and*

*after the policy is increased, the ministry will implement the correct policy.*" So, she posed a poignant question, urging a rethink on whether women should endure risks akin to Sita, emphasizing peace, security, and dignity in migration and leadership.

*Urgency for Strategic Interventions:*

**Laxman Basnet** strongly underscored the impracticality of gender-based discrimination and urged the removal of bans on specific destination countries. He stressed the essentiality of support mechanisms for Nepali citizens working abroad.



*Revival of Government Resolution:*

**Deputy Secretary of the Ministry of Labor Employment and Social Security, Dambar Bahadur Sunuwar** highlighted the seven predictions for the Social Security of Nepali Migrants workers. Government is the guardian of people so it assumed that rules and regulations always on behalf workers of people. So, provision of Labour Act is Make undocumented case to documented. After that, 2080 Asoj 16 on Ministry level Meeting Decision made to send workers to the destination country according to preconditions. Government is working on activist and stakeholders raising the voice regularly on behalf of Migrant workers. But still problem remains the same therefore Government is worried and taking responsibility.

*Law Enforcement Challenges:*



**Senior Superintendent of Police Jeevan Shrestha** highlighted the surge in human trafficking cases, attributing it to inadequate resources and legal loopholes.

*Comprehensive Policy Implementation:*

**Rameshwor Nepal** advocated for a shift from the persisting ban strategy to more effective and inclusive problem-solving approaches in migration policies.



*Policy Discrepancies and Embassy Intervention:*

**Media Personnel Muna Kunwar** flagged policy contradictions and highlighted the need for comprehensive implementation of international laws. She emphasized the crucial role of embassies in intervention and basic language training for domestic workers.

**Conclusion:**

The symposium culminated in a comprehensive dialogue, reflecting the acknowledgment of complex challenges in migration policies. It highlighted the urgency for gender-sensitive policies, law enforcement support, revisiting regulations, and effective international law implementation. The event emphasized diplomatic initiatives and inclusive policies for addressing multifaceted migrant worker issues. The symposium concluded at 12:30 pm, marking a platform for enriched discourse and commitment to the welfare of migrant workers.