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COVID-19 and Migration for Work in South Asia: Private Sector Responsibilities

UNICEF REGIONAL OFFICE FOR SOUTH ASIA

Acknowledgements

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Cover photo: UNICEF/UN0392552/Kolari

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Suggested citation: UNICEF Regional Office for South Asia, ‘COVID-19 and Migration for Work in South Asia: Private Sector Responsibilities’, UNICEF, Kathmandu, March 2021.

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Key terms

Child Any human being under 18 years old, as defined by UNICEF, in accordance with the Convention on the Rights of the Child, article 1.

Children on the move Children moving voluntarily or involuntarily, within or between countries, with or without their parents or other primary caregivers; though this movement might offer positive opportunities, it can also increase their risks for economic or sexual exploitation, abuse, neglect and violence.¹ In this paper, the definition of ‘children on the move’ includes those who migrate with their parents; independent child migrants; and children affected by migration, such as those left behind in a community of origin by their caretakers who have migrated.²

Country of origin The country of nationality or the former habitual home of a person or group of people who have migrated abroad, regardless of whether they move regularly or irregularly.³

Host country A country that receives migrant workers from another country and employs these workers through regular or irregular channels.

Independent child migrants Children who migrate internally or across national borders without their parents or other adult caregiver. The terms ‘independent child migrants’ and ‘unaccompanied children’ are used interchangeably in this report. Globally, most of these children work in agriculture, domestic work and the urban informal economy; they are frequently subject to working in hazardous conditions and particularly vulnerable to exploitation, deception, coercion and violence.⁴

Internal migrant worker Migrant workers who move within their home country, often on a temporary or seasonal basis. In many cases, they come from rural areas to seek work in urban settings, largely engaging in temporary, unskilled work that offers low wages and little job security, leading to significant economic vulnerability.⁵ Moreover, they pose a unique challenge to governments because they typically enter the workforce informally, and little accurate information about these workers is available.

Labour migration Movement of persons for the purpose of employment within one country or across international borders.⁶

Labour recruiter Any public employment service, private employment agency, intermediary or subagent that offers labour recruitment and placement services, regardless of whether for profit or not-for-profit, or operating within or outside legal and regulatory frameworks.⁷

Migrant worker A person who is to be engaged, is engaged or has been engaged in a paid activity in a country of which he or she is not a national (citizen).⁸ While highly skilled and educated workers may secure well-paying employment outside their home country, this report focuses on low-wage migrants, especially those working in the informal sector.

Private sector The for-profit part of an economy that is operated by individuals or companies and is not under direct government control.

Remittance service provider Any person or institution providing a service through which remittance transfers can be made as a business, such as banks or global money transfer operators.

Executive summary

The impacts of COVID-19 in South Asia have heightened and further exposed the vulnerability of migrant workers. These workers and their families are frequently overlooked in the pandemic response – and children are too often ignored in the discourse on migrant workers. Businesses and governments are responsible for protecting all workers from human rights abuses. When this is not done, previous achievements and future development are put in peril.

COVID-19 and Migration for Work in South Asia: Private Sector Responsibilities was developed to:

- Describe and analyse the impact of COVID-19 on South Asian migrant workers and their families;
- Provide a child rights perspective to the discourse on labour migration; and
- Offer recommendations for the private sector to support migrant workers impacted by the pandemic, as South Asia looks to rebuild socially and economically.

The discussion and recommendations in this report are based on a wide range of authoritative sources, accessed and investigated from May 2020–January 2021. While a rich array of details is provided in the full report, this summary highlights key issues and recommended solutions.

The precarious situation for ‘children on the move’

The effects of labour migration on children are vast. In the pandemic’s wake, they can be devastating. In most of South Asia, internal migration, especially from rural areas to the cities, and external migration, for work across borders and overseas, are widespread realities for millions of people – including children.

Some ‘children on the move’ migrate with their families, often traversing routes that are beyond the reach of basic social services and leading to settlements with no access to education, health care or WASH (Water, Sanitation and Hygiene) facilities. Others are left behind when their parents migrate for work, with older children often taking on adult roles to support their families. Children also migrate independently,

as they seek to escape youth unemployment, want to help support their family’s survival, or hope to gain education and skills. While most ‘unaccompanied’ child migration occurs within their home country, children also cross borders, often without documentation and thus highly vulnerable to trafficking and forced labour.

Many of South Asia’s internal migrant workers are children engaged in labour in the informal sector, where enterprises frequently operate without regulation, the prevalence of child labour is well documented, and children are exposed to higher risks for dangerous working conditions and other abuse. Economic shocks increase employment in the informal sector, as noted in an ILO-UNICEF report on the COVID-19 crisis: “Threats to children’s rights from an enlarged informal sector should therefore not be underestimated. Greater informal employment coupled with economic hardship could push many children out of school and into the labour market.”¹

Conditions during the COVID-19 pandemic have brought the prevalence and predicaments of migrant children in child labour into stark attention and have left these children in increasingly vulnerable circumstances. In India, for example, although the Child and Adolescent Labour (Prohibition and Regulation) Act banned the employment of anyone under age 14 in 1986, it also permitted children to support family businesses outside of school hours. Employers have exploited this provision, hiring migrant children in urban centres. During lockdowns, some child workers were sent home by their employers with fake identity documents and no access to protective services.²

Migrant workers and their families are frequently overlooked in the pandemic response – and children are too often ignored in the discourse on migrant workers.

Impacts of job losses and remittance downturns on children's well-being

Remittances play an integral role in the economies of low- and middle-income countries (LMICs) around the world: They alleviate poverty, improve nutrition, and are linked to higher spending on education and reduced child labour in lower-income households.^[1] Remittances to LMICs have outpaced official development assistance since the mid-1990s, and in 2019, their value became larger than foreign direct investment, a milestone for monitoring resource flows.^[2]

For children, the positive impacts of remittances from parents who have migrated include reducing child labour and improving child health, particularly among girls, as well as helping to close the gender gap in education by increasing girls' school attendance and lowering their dropout rates.^[3] These advances reflect the fact that poor households tend to invest remittances in better health and education for their children.^[4]

Many businesses in destination countries or cities stopped operations, particularly in the tourism, hospitality, construction and garment sectors, which employ millions of migrant workers. Consequently, South Asia's migrant workers are facing job losses, reduced work hours, withholding of wages and forced unpaid leave. UNICEF studies in Sri Lanka and Bangladesh found that 30 per cent of families had lost all their income in early May 2020, and the number of South Asian children living in poverty could increase to more than 360 million within six months.^[5]

Migrant children are among the world's most vulnerable populations, and their families are often most at risk of losing their jobs during economic downturns. Even as the pandemic's economic

impacts widen global inequalities and jolt vulnerable populations disproportionately, migrant workers and their children are less likely to be considered in economic recovery strategies and funding, which primarily benefit those who labour in the formal sector.^[6]

[1] Inman, Phillip, 'World Bank Warns of Collapse in Money Sent Home by Migrant Workers', The Guardian, 22 April 2020, <www.theguardian.com/global-development/2020/apr/22/world-bank-warns-of-collapse-in-money-sent-home-by-migrant-workers>. **[2]** World Bank, 'COVID-19 Crisis Through a Migration Lens', Migration and Development Brief 32, World Bank, Washington, D.C., April 2020, p. 7. **[3]** van de Glind, Hans, 'Migration and Child Labour', Working Paper, International Labour Organization, Geneva, September 2010, p. 10. **[4]** UNICEF Office of Global Insight and Policy, 'Deep Dive: COVID and remittances,' United Nations Children's Fund, New York, May 2020, pp. 1, 3. **[5]** Ingram, Simon, 'Lives Upended: How COVID-19 threatens the futures of 600 million South Asian children', UNICEF Regional Office for South Asia, June 2020, p. 8. **[6]** You, Danzhen, et al., 'Migrant and Displaced Children in the Age of COVID-19: How the pandemic is impacting them and what can we do to help', *Immigration Policy Practice*, vol. X, no. 2, April–June 2020, pp. 32–39.



The international framework of key human rights documents

Government and the private sector have distinct yet interlinked responsibilities to uphold human rights. These are reflected in the United Nations Guiding Principles on Business and Human Rights (2011),³ the Dhaka Principles for Migration with Dignity (2017),⁴ and the New York Declaration for Refugees and Migrants (2016).⁵ As a follow-up to the New York Declaration in 2018, the Global Compact for Safe, Orderly and Regular Migration⁶ called on all stakeholders, including migrants, local communities, civil society, parliamentarians, trade unions and national human rights institutions, as well as the private sector, to cooperate on improving migration governance. The Compact explicitly supports the best interests of the child and recognizes that children are central in migration management at all points – before departure, while migrating, on arrival and when returning.

As established in the **Convention on the Rights of the Child**, governments must respect and ensure that all children enjoy their rights, without discrimination and regardless of their national, ethnic or social origin, property, birth or any other status, or that of their parents.⁷ The Optional Protocol to the Convention on the sale of children, child prostitution and child pornography states that eliminating these rights violations will require a holistic approach that addresses contributing factors such as poverty, economic disparities, gender discrimination, lack of education, urban-rural migration and child trafficking.⁸

Businesses have a clear responsibility to ensure they do not harm the rights of children on the move, and they are encouraged to act on this duty as an opportunity to provide support for these children. The **Children's Rights and Business Principles**⁹ emphasize the responsibility of corporations to respect and support child rights in the workplace, marketplace, community and environment, in conjunction with the government duty to protect and safeguard these rights. Principle 2 calls for the elimination of child labour throughout all business activities and relationships. Principle 3 encourages the corporate commitment to provide decent working conditions that support workers, both women and men, in their roles as parents or caregivers, and calls on businesses to support migrant and seasonal workers with distance parenting.

Despite this range of relevant international standards to protect migrant workers and their families, this guidance has been poorly applied at the national level, a situation that is increasingly visible during the pandemic. National regulations that are in place are not often publicized or enforced and, in some cases, they are being rolled back.

International migration and the Gulf Cooperation Council (GCC) countries

Almost half of all international migrants from South Asia work in the GCC countries (Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates), where low-paid migrant workers have often been subjected to exploitation^[1] and precarious circumstances were compounded by the pandemic response. In Qatar, migrant workers from Nepal were forcefully and illegally deported in March 2020 under the pretence of COVID-19 testing, after being detained with inadequate food or water in overcrowded quarters.^[2] Migrant workers who had jobs were sometimes employed without social distancing or other health measures. By the end of April, foreign or 'guest' workers represented the majority of coronavirus cases in the GCC.^[3]

Women domestic migrant workers were already particularly vulnerable to labour violations including restricted movement, excessive working hours, no days off, delayed or withheld wages and, in some cases, physical abuse.^[4] In the wake of COVID-19 many of them were not allowed to leave the premises at any time,^[5] while other domestic workers were effectively thrown out of the homes where they had been working and living.

When South Asian governments announced lockdowns and border closures, many migrant workers were stranded in destination countries, frequently with no source of income. Though governments in the GCC countries provided ample financial support to businesses to maintain workers' salaries, foreign workers were excluded from these programmes. As of May 2020, only Qatar's \$824 million wage-allocation budget included migrant workers' salaries.^[6]

South Asian countries, meanwhile, struggled to prepare for reintegrating hundreds of thousands of migrant workers. By mid-May, nearly 500,000 migrant workers from just the state of Kerala, India, were registered to leave the Gulf and come home, along with tens of thousands from other countries in the region.^[7] Governments in South Asia did not immediately set up strategies to assist migrant workers, which can be partly attributed to the socio-economic status of these workers, who are typically among the least politically powerful groups in their home countries.^[8]

[1] Hubbard, Ben, and Louise Donovan, 'Laid Off and Locked Up: Virus traps domestic workers in Arab states', New York Times, Beirut, Updated 19 November 2020, <www.nytimes.com/2020/07/06/world/middleeast/coronavirus-saudi-domestic-workers-maids-arab.html>. [2] Budhathoki, Arun, 'Middle East Autocrats Target South Asian Workers: Hundreds of Nepalis and others have been deported under cover of the pandemic', Foreign Policy, Washington, D.C., 23 April 2020, <<https://foreignpolicy.com/2020/04/23/middle-east-autocrats-south-asian-workers-nepal-qatar-coronavirus>>. [3] Castelier, Sebastian, 'Coronavirus Exposes the Epic Moral Failure of Gulf States', Opinion, Haaretz Daily Newspaper Ltd., 30 July 2020, <www.haaretz.com/middle-east-news/.premium-how-coronavirus-exposed-gulf-states-moral-failure-1.9029629>. [4] Choudhary, Neha, and Sandhya Sitoula, 'Impact of COVID-19 on Nepali Migrant Workers: Protecting Nepali migrant workers during the health and economic crisis,' International Labour Organization, 10 June 2020, p. 5. [5] Hubbard, Ben, and Louise Donovan, 'Laid Off and Locked Up', New York Times, Beirut, Updated 19 November 2020, <www.nytimes.com/2020/07/06/world/middleeast/coronavirus-saudi-domestic-workers-maids-arab.html>. [6] Eapen, Nikhil, 'Indian Evacuation Begins but Many Can't Pay Fare', Article 14, 6 May 2020, <www.article-14.com/post/as-indian-evacuation-begins-thousands-can-t-pay-ticket-fare>. [7] Banerji, Annie, Jose Devasia and Sharma Gopal, 'South Asia Scrambles to Bring Home Crisis-Hit Migrant Workers', Thomson Reuters Foundation, New Delhi/Kochi/Kathmandu, 19 May 2020, <www.reuters.com/article/us-health-coronavirus-sasia-migrants-idUSKBN22V1KZ>. [8] Budhathoki, Arun, 'Middle East Autocrats Target South Asian Workers', Foreign Policy, Washington, D.C., 23 April 2020, <<https://foreignpolicy.com/2020/04/23/middle-east-autocrats-south-asian-workers-nepal-qatar-coronavirus>>.

Looking to the future: Recommendations

The current migrant crisis is a wakeup call to South Asia. For the businesses that motivate and mobilize workers' migration – and reap the benefits of that labour – the pandemic is a clarion signal to ensure that operations throughout their supply chains, and whether in the formal or informal sector, take migrant workers' rights into account. For governments, it demands strategies and action to address migrant workers' immediate needs during reintegration and to be better prepared for the imminent shifts in demand for labour and decreases in remittance flows. In the long term, countries will need to find more sustainable means of supporting their economies.

Many vital responses offer opportunities for the public and private sector to work in partnership to rectify the current gaps and to secure a better future for all workers and their families. Based on evidence outlined in the full report, our recommendations for the COVID-19 context and beyond are summarized here, beginning with the primary actions to take on employment, recruitment and remittance services.

Employment • **All employers** should apply best practices during the pandemic and engage in post-crisis recovery without capitalizing on relaxed labour laws or child labour – while ensuring that a legal minimum wage is paid across the value chain, and that labourers receive timely payment for all work. Employers can also:

- Implement/sustain family-friendly workplace policies, including paid parental and sick leave as essential for formal employment settings and adapted to workers in the informal sector.
- Conduct due diligence mapping across supply chains to understand how migrant workers have been affected by the pandemic and to ensure their participation in recovery planning.
- On their own or in cooperation with providers and/or government, employers can work to develop ways to provide a social safety net system of insurance, including medical and/or life insurance.

Recruitment • **Labour recruiters** should regularly provide accurate information to migrant workers placed outside their home country, including information for parents on how to support their children on the move before, during and after migration. Recruiters can also advocate to employers that workers receive full wages paid on time, overall protection in the workplace, and healthy living quarters. **Labour-sending and host governments** should strengthen labour laws, which often fail to articulate the responsibilities of labour recruitment agencies and employers in providing safeguards against human rights abuses.¹⁰ **South Asian**

governments should ensure that children are not exploited as a result of a crisis, as they continue to bring their national laws on labour recruitment into alignment with international standards.

Remittances • Reducing transaction costs is a first step for **remittance service providers**, aiming to reach the 3 per cent target of Sustainable Development Goal 10, and to promote “faster, cheaper and safer transfers of migrant remittances in both source and recipient countries.”¹¹ Remittance service providers, employers and governments can work together to create awareness of digital payment platforms and make remitting income more accessible to all migrant workers.

Lockdowns, a reduction in remittances, and lack of work for returning migrants in their home communities are already causing great hardship for migrant workers and their families. Basic services will need to be bolstered by private sector employers in all locations where they operate, and by government, through legislation and budgets aimed to secure equitable access to services in labour-sending and receiving countries. The COVID-19 crisis closed schools in 188 countries, disrupting education for more than 1.7 billion children, young people and their families and leading to unknown outcomes for their long-term prospects.¹² Children cannot continue to bear the devastating effects of education interrupted.¹³ Our recommendations feature ways to support health care, nutrition, WASH and education to the direct benefit of children as well as all migrant workers.

Basic services • Migrant workers and their families in transit camps, labour settlements and quarantine facilities need to have safe and healthy accommodations, including child-friendly shelter, nutritious food and WASH facilities. Housing should allow for physical distancing during the pandemic and provide room for a healthier environment after the pandemic. Other recommendations for government include:

- Provide access to health-care services for all migrant workers and their families in host countries. All people in the territory or under the jurisdiction of a government, regardless of their nationality or migration status, have an equal right to health care.¹⁴
- Implement national portable ration cards to allow flexibility in access to food for internal migrant workers and their families, regardless of the location within their home country. Such a policy empowers beneficiaries, prevents corruption and reduces wrongful exclusion.

- Engage with business, in support of access to education for children on the move, to foster innovation and provide the tools, devices and internet connectivity that remote learning requires. As the pandemic recovery unfolds, all levels of government, the private sector and civil society should cooperate to promote proven models of in-person learning among children on the move, along with the safe reopening of schools.

Social protection that provides income security to all workers will remain a significant challenge during the pandemic. As recovery proceeds, it will be increasingly important to have adequate safety nets in place. Recommendations to protect the most vulnerable workers and their families are outlined here.

Social protection • Migrant workers, who suffer widespread discrimination as a result of current responses to COVID-19, should be included in national emergency response plans and be provided social protection without discrimination. The private sector can advocate in both host and origin countries for migrant workers to receive social protection and wage protection regardless of their legal status. Other recommendations for government include:

- Promote public-private collaboration to monitor the movement of migrant workers and their families, gather accurate data, and update their records. Not only will this help with contact tracing for COVID-19, but it also plays an important role in tracking children’s progress in education and protecting children in child labour.
- Extend government stimulus plans in South Asia and social protection measures to support informal and self-employed workers, many of whom are migrant workers. In addition, the private sector should allocate some of the high proportion of stimulus funding received to ensure social protection through business supply chains.
- Social protection policies should consider the long-term economic implications of the COVID-19 pandemic, aiming to strengthen regular social protection and mitigate impacts of future shocks on livelihoods. This entails expanding current programmes and implementing new initiatives to provide a minimum level of protection to all workers and their families.
- Use the pandemic response and recovery initiatives as an opportunity to overhaul justice systems to protect migrant workers, and document claims and grievances of all repatriated migrant workers. Countries of origin should work with host



1.

Introduction: The international foundation for child rights in the context of migration



While COVID-19 has heightened and further exposed the vulnerability of migrant workers, these workers and their families have frequently been overlooked in the global pandemic response. **This document aims to amend this gap and sets out to:**

- Describe and analyse the impact of COVID-19 on South Asian migrant workers and their families;
- Provide a child rights perspective to the discourse on labour migration; and
- Offer recommendations for the private sector to support migrant workers impacted by the pandemic, as South Asia looks to rebuild socially and economically.

1.1 Children must not be ignored in the discourse on migrant workers

As established in the **Convention on the Rights of the Child**, governments must respect and ensure that all children enjoy their rights, without discrimination and regardless of their national, ethnic or social origin, property, birth or any other status, or that of their parents.⁹ In addition, the Optional Protocol to the Convention on the sale of children, child prostitution and child pornography states that eliminating these rights violations “will be facilitated by adopting a holistic approach, addressing the contributing factors, including underdevelopment, poverty, economic disparities, inequitable socio-economic structure, dysfunctioning families, lack of education, urban-rural migration, gender discrimination [and] trafficking of children.”¹⁰

Unaccompanied children migrate for a wide variety of reasons, from escaping youth unemployment in their home area to supporting their family’s survival or hoping to gain education and skills.

The impacts of labour migration on children are vast. Some children face the challenge of being left behind when their parents migrate for work while others are migrant workers themselves. South Asia is primarily a region of origin for international migrant workers, with many migrating within the region to neighbouring countries.¹¹ Internal migration, especially from rural to urban areas, is widespread. As labour migration is highly prevalent in South Asia, ‘children on the move’ are a primary concern, and this paper will discuss three interrelated categories:

- Children who migrate with their parents;
- Independent child migrants; and
- Children who are left behind when their parents have migrated.

Unaccompanied children migrate for a wide variety of reasons, from escaping youth unemployment in their home area to supporting their family’s survival or hoping to gain education and skills. Although international independent migration by children is often highlighted, particularly in the context of trafficking, global evidence indicates that the large majority of children who migrate without their families are internal migrants. The child migrants who do cross international borders are usually undocumented, and thus highly vulnerable.¹²

Labour migration is clearly a means to increase the household income of workers’ families and help alleviate poverty. But it can also affect families’ well-being and quality of life by heightening vulnerabilities to violence and exploitation and/or limiting migrants’ access to essential services such as health care and education.¹³ Even prior to employment, these workers face excessive recruitment fees and are often provided with misleading information about both the job and the migration process. When their employment begins, migrant workers are generally isolated, may have little knowledge of the local language and culture, and are frequently housed in unsafe



accommodations.¹⁴ Many of these workers do not have the option to terminate their contract, especially when it is tied to their migration status.

Business, of course, motivates and mobilizes workers' migration, and companies reap the benefits, ranging from cheap labour to ingenious entrepreneurship.¹⁵ In all cases, a business that employs migrant workers has the responsibility to prevent and mitigate rights abuses it may cause or contribute to, including impacts across the value chain. The next section outlines the key documents related to the private sector's role in upholding the human rights of migrant workers.

Labour migration is a means to increase the household income of workers' families. But it can also affect families' well-being and quality of life by heightening vulnerabilities or limiting migrants' access to essential services such as health care and education.



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1.2 A framework of key human rights documents

The private sector plays many roles when engaging with migrant workers, including creating jobs, providing goods and services to workers, or buying and/or consuming goods and services produced by migrant workers. Businesses engage in lobbying to influence migration policies and legislation, shaping how migration and mobility are governed. They also provide governments with services related to migration governance and, in some cases, act on behalf of government.¹⁶

Numerous international agreements emphasize the corporate responsibility to protect the human rights of migrants and, particularly, the rights of children on the move. However, the impacts of government policy responses to the COVID-19 pandemic on migrant workers and their families reveal that multiple stakeholders, including the private sector, have failed to comply fully with human rights instruments.

Government is a key stakeholder in the relationship between business and human rights, as reflected in the **United Nations Guiding Principles on Business and Human Rights**, endorsed by the Human Rights Council in 2011.¹⁷ The Guiding Principles outline the state (government) duty to protect human rights and the corporate responsibility to respect human rights. This responsibility applies to all businesses, regardless of their sector, size or structure, in relation to their own operations and those of their commercial partners. Respect for human rights should be reflected in every company's operational policies and procedures and embedded throughout the enterprise. (See *Box 1, at right.*) The role of government includes enforcing laws, policies and legislation to ensure that businesses fulfil these responsibilities.

Box 1. Universal expectations for business: The United Nations Guiding Principles

Principle 11: Business enterprises should respect human rights. This means that they should avoid infringing on the human rights of others and should address adverse human rights impacts with which they are involved.

Principle 12: The responsibility of business enterprises to respect human rights refers to internationally recognized human rights – understood, at a minimum, as those expressed in the International Bill of Human Rights and the principles concerning fundamental rights set out in the International Labour Organization's Declaration on Fundamental Principles and Rights at Work.

Principle 13: The responsibility to respect human rights requires that business enterprises: (a) Avoid causing or contributing to adverse human rights impacts through their own activities, and address such impacts when they occur; (b) Seek to prevent or mitigate adverse human rights impacts that are directly linked to their operations, products or services by their business relationships, even if they have not contributed to those impacts.

Principle 14: The responsibility of business enterprises to respect human rights applies to all enterprises regardless of their size, sector, operational context, ownership and structure. Nevertheless, the scale and complexity of the means through which enterprises meet that responsibility may vary according to these factors and with the severity of the enterprise's adverse human rights impacts.

Source: OHCHR, 'Guiding Principles on Business and Human Rights', 2011, pp. 13, 14, 15.



In support of the United Nations Guiding Principles, the **Dhaka Principles for Migration with Dignity** were launched in 2011 by the Institute for Human Rights and Business, with support from business, government, trade unions and civil society. These principles aim to enhance respect for the rights of migrant workers across the entire process – from recruitment, to overseas employment and return to their home country – and are designed to be applied in all sectors, in any country.¹⁸

The **New York Declaration for Refugees and Migrants** outlines a proposal to create a ‘global compact for safe, orderly and regular migration’ and underscores the private sector’s importance as part of a comprehensive response to migration. This includes the commitment to fight “xenophobia, racism and discrimination in our societies against refugees and migrants [and] take measures to improve their integration and inclusion, as appropriate, and with particular reference to access to education, health care, justice and language training.”¹⁹

Businesses have a clear responsibility to ensure that their practices do not harm the rights of children on the move, and they are further encouraged to act on this duty as an opportunity to provide support for these children. The **Children’s Rights and Business Principles**, launched in 2012, emphasize the responsibility of corporations to respect and support child rights in the workplace, the marketplace, the community and the environment, in conjunction with the government duty to protect and safeguard these rights. Principle 2 calls for the elimination of child labour throughout all business activities and relationships. Principle 3 covers the corporate responsibility to respect the rights of children who have reached the minimum age for work. The second part of this principle encourages the corporate commitment to provide decent working conditions that also support workers, both women and men, in their roles as parents or caregivers – and specifically calls on all businesses to support migrant and seasonal workers with distance parenting.²⁰

In 2018, the **Global Compact for Safe, Orderly and Regular Migration**, a follow-up to the New York Declaration, called on all stakeholders, including migrants, diasporas, local communities, civil society, academia, parliamentarians, trade unions and national human rights institutions, as well as the private sector, to cooperate on improving migration governance. In a marked advancement from previous international documents, which have often treated children as tangential or do not mention them at all, the Compact is explicitly ‘child-sensitive’ – and sets specific objectives, commitments and actions promoting the best interests of the child, including unaccompanied and separated children.²¹ Recognizing that children are central in migration management, most of the objectives mention necessary actions directed to reach children in different stages of migration: before departure, while migrating or in transit, on arrival, and when returning.





2.

Labour and migration in South Asia



Both internal migration within a country and external migration for work across national borders are prevalent realities in most countries of South Asia. **Section 2** highlights the impacts on children and the devastating effects facing all migrant workers in the region as a result of the pandemic.

2.1 Child labour and internal migration

Child labour denies the rights guaranteed in the Convention on the Rights of the Child, harms children’s physical, mental, social and moral development, and reinforces the cycle of poverty across generations. As stated in the ‘Roadmap for Achieving the Elimination of the Worst Forms of Child Labour’ issued in 2010, “Governments should consider ways to address the potential vulnerability of children to, in particular, the worst forms of child labour, in the context of migratory flows.”²³

In some cases, migratory routes put workers and their families beyond reach of basic social services and minimum acceptable living standards. During production season, for example, families working at the brick kilns in Bangladesh live in refugee-camp style settlements with no access to education, health care or adequate WASH facilities. Because their parents’ income is based on ‘payment per productivity’, children may become engaged in this hazardous work to help increase the family’s income.

While some children migrate independently for work, other migrant children are vulnerable to being forced to join the labour force. In the ready-made garment industry in Bangladesh, for example, garment workers’ children are at a high risk of child labour due to poverty, low wages for adult workers, lack of social protection and lack of access to education.²⁴

Child labour denies the rights guaranteed in the Convention on the Rights of the Child, harms children’s physical, mental, social and moral development, and reinforces the cycle of poverty across generations.

Many of South Asia’s internal migrant workers are children engaged in labour in the informal sector, where many enterprises operate without oversight, inspection or regulation. These operations expose children to increased risks of many types of abuse and to very dangerous working conditions, e.g., the cutting, burning and welding required in metal fabrication. Children in these establishments rely entirely on non-governmental organizations to offer child protection, possible

removal from child labour, and reintegration into education and other systems that can support their development and well-being.

As noted in a recent ILO-UNICEF report on the COVID-19 crisis, economic shocks increase the growth of employment in the informal sector, where the prevalence of child labour is well-documented – and “threats to children’s rights from an enlarged informal sector should therefore not be underestimated. Greater informal employment coupled with economic hardship could push many children out of school and into the labour market.”²⁵

Financial strains on households can shift expectations onto children to contribute financially, particularly when school closures keep children at home. As labour migrants return home without income, and the household’s capacities to cover expenses are drastically reduced, school fees might not



be paid and children may be forced into exploitative jobs to support their family. Moreover, businesses whose revenue has been hit by the pandemic have been known to deliberately recruit children to cut costs and boost their earnings.²⁶ Between April and September 2020, for example, the non-governmental organization Bachpan Bachao Andolan rescued an unprecedented 1,200 children in India who were being illegally trafficked to work at factories and farms.²⁷

As noted in a recent ILO-UNICEF report on the COVID-19 crisis, “Threats to children’s rights from an enlarged informal sector should ... not be underestimated. Greater informal employment coupled with economic hardship could push many children out of school and into the labour market.”

Internal migrant workers, who receive little or no support from government systems, have been a focal point of previous pandemic responses. During the SARS crisis in China, although no epidemiological association between migrant workers and the spread of the virus had been established, they bore the brunt of economic disruption caused by anti-SARs mass-mobilization strategies due to their disadvantaged position in the job market and society.²⁸ Similar trends have appeared during the COVID-19 pandemic, as countries in South Asia experienced mass movements

of migrant workers from urban centres back to their villages. Due to containment policies and lack of transportation or government support, other workers who lost their jobs – sometimes without receiving any severance pay – were unable to return home. Before the lockdowns most workers were likely to have sent most of their wages home, leaving them with little money to support themselves while unemployed.²⁹ Their options were to walk and they were often left without access to money, basic amenities and food.

Conditions in the current pandemic have brought the prevalence and predicaments of migrant children in child labour into stark attention and have left these children in increasingly vulnerable circumstances. In India, for example, although the Child and Adolescent Labour (Prohibition and Regulation) Act banned the employment of anyone under age 14 in 1986, it also permitted children to support family businesses outside of school hours. Employers have exploited this provision, hiring migrant children in urban centres. With the implementation of lockdowns, some child workers were sent home by their employers with fake identity documents – and no access to protective services.³⁰

Conditions in the current pandemic have brought the prevalence of migrant children in child labour into stark attention and have left these children in increasingly vulnerable circumstances.



UNICEF/UNI339380/Singh



Box 2. Effects of the COVID-19 lockdown in India

Government of India statistics indicate that internal migrants accounted for around 20 per cent of the country's workforce in 2017,^[1] a number that currently equals 100 million people, according to the United Nations.^[2] Without formal work contracts, migrant workers earn little more than subsistence wages and do not have social security to protect their incomes in the case of layoffs.

India's nationwide lockdown in response to COVID-19 began on March 25 and lasted for two months, resulting in daily-wage earners losing their jobs and having no way to sustain their livelihoods. The crisis forced a massive reverse migration, from urban centres to rural communities, as workers flocked to railway and bus stations, desperately trying to get back to their home states and ignoring health precautions as well as lockdown rules.^[3] In just a few days, 50,000 to 60,000 migrants moved from urban centres back to their homes in rural areas.^[4]

When transportation services were shut down, workers and their families often travelled by foot. Numerous deaths of children were recorded, such as the 12-year-old farmworker who was on a 100 kilometre trek from her workplace in April; many children had been subjected to child trafficking and were at a high risk of further exploitation.^[5]

Food insecurity is a severe issue for migrant workers and their families. Post-lockdown, a majority of migrant families were returning to arid regions of the country, where land that is suitable for agriculture is unavailable, particularly during the summer.^[6] Combined with rising food prices and increased demand for food, the lack of arable land has made nutritional insecurity a significant issue for rural families. Among the migrant workers who remained in cities, many of them could not access government-provided food because their identity documents have an out-of-state address.^[7] This forced more migrant workers to travel back home to access food, increasing the health risks faced by migrants, including potential spread of the virus.

In India, providing food security through ration cards has been highlighted as a post-COVID policy that should be implemented nationally as soon as possible. As of March 2020, only 18 of India's 28 states had established 'portable' food ration cards that could be used anywhere within the state, and a cluster of 12 states had implemented inter-state cards that allowed holders to access rations anywhere in those states. During the lockdown, however, feeding centres were

deluged by those in need, and migrants were often left out of free ration schemes established by local governments.^[8]

In addition, the relaxation of labour laws during 2020, with the intention of helping businesses recover from the pandemic, may also lead to exploitation of the most vulnerable workers, including children. Such changes can have broad impacts, over a number of years – for example, the Uttar Pradesh Temporary Exemption from Certain Labour Laws Ordinance suspended 35 out of 38 labour laws in the state for three years;^[9] some requirements in India's factories for cleanliness, ventilation, overcrowding, drinking water, latrines and urinals have been suspended, despite their importance to protecting health;^[10] and there have been cases of factories firing their employees to hire new employees under the new laws, which allow for 12-hour working days.^[11] There is great concern that such ordinances reverse well-established workplace protections and will cause more severe outbreaks of COVID-19 among migrant workers.

[1] Sanghera, Tish, 'Hungry, Desperate: India virus controls trap its migrant workers', Al Jazeera Media Network, 2 April 2020, <www.aljazeera.com/ajimpact/hungry-desperate-india-virus-controls-trap-migrant-workers-200402031123631.html>, accessed 21 December 2020. **[2]** UN News, 'India Must Follow Supreme Court Orders to Protect 100 Million Migrant Workers: UN rights experts', United Nations, 4 June 2020, <<https://news.un.org/en/story/2020/06/1065662>>, accessed 21 December 2020. **[3]** Choudhari, Ranjana, 'COVID 19 Pandemic: Mental health challenges of internal migrant workers of India', Asian Journal of Psychiatry, vol. 54, article 102254, 18 June 2020, p. 1. **[4]** World Bank, 'COVID-19 Crisis Through a Migration Lens', Migration and Development Brief 32, World Bank, Washington, D.C., April 2020, p. 27. **[5]** Al Jazeera Media Network, 'Lockdown Reveals India's Rampant Child Labour as Kids Stream Home', Al Jazeera, 5 June 2020. **[6]** Ravindranath, Divya, and Umi Daniel, 'Understanding the Implications of the COVID-19 Lockdown on Migrant Workers' Children', The Wire, 5 May 2020, <<https://thewire.in/rights/covid-19-lockdown-migrant-workers-children-implications>>, accessed 21 December 2020. **[7]** Sanghera, Tish, 'Hungry, Desperate', Al Jazeera Media Network, 2 April 2020, <www.aljazeera.com/ajimpact/hungry-desperate-india-virus-controls-trap-migrant-workers-200402031123631.html>. **[8]** Choudhury, Prithwiraj, et al., 'Food Security and Human Mobility During the Covid-19 Lockdown', Working Paper 20-113, Harvard Business School, Boston, 2020, pp. 5, 6–7, 34, <www.hbs.edu/faculty/Publication%20Files/20-113_161beda2-929b-417a-80fa-3844506b7c19.pdf>, accessed 1 January 2021. **[9]** Daigavane, Winy, and Pavan Belmannu, 'Impact of the Global Pandemic on Indian Labor Laws', Jurist, 20 May 2020, <www.jurist.org/commentary/2020/05/daigavane-belmannu-labor-law-suspensions-india>, accessed 21 December 2020. **[10]** Katju, Arundhati, 'Changes Proposed to Labour Laws Are Unconstitutional', The Indian Express, 19 May 2020, <<https://indianexpress.com/article/opinion/columns/migrant-crisis-relaxation-in-labour-laws-india-trade-union-coronavirus-arundhati-katju-6416305>>, accessed 21 December 2020. **[11]** Bhatt, Adil, 'Suspension of Indian Labor Laws to Hurt Low-Income Workers', The Diplomat, 23 June 2020, <<https://thediplomat.com/2020/06/suspension-of-indian-labor-laws-to-hurt-low-income-workers>>.



2.2 International migration and the Gulf Cooperation Council countries

Overarching conditions: Prior to the onset of COVID-19, cross-border migration between South Asian countries was robust, with well-travelled migration corridors including Nepal to India, Bangladesh to India, and Afghanistan to Pakistan.³¹ In some cases, children join their parents by migrating through unauthorized channels, particularly when moving between countries with shared land borders.³² While movement between South Asia's countries accounts for a large portion of the region's international migrants, millions of workers also emigrate to other regions – especially to the Middle East.³³ As of May 2020, around 40 million South Asians were working overseas, primarily in oil-rich Gulf countries.³⁴

Almost half of all international migrants from South Asia work in the Gulf Cooperation Council (GCC) countries – Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates – in oil, construction and related sectors. The outbreak of COVID-19, combined with the price of oil per barrel falling by half during the first four months of 2020, has sharply reduced migrants' income.³⁵ But even before the pandemic, these workers were known as a highly vulnerable group whose rights were not upheld.

For many low-skilled workers, the process of gaining employment in GCC countries is a challenge. Prospective migrant workers are commonly required to pay employers and subagents as well as recruitment, placement and outsourcing agencies in the origin country and their destinations, putting them in debt before they begin earning. Major countries of origin in Asia might have several thousand recruiting agencies, including both licensed and unlicensed agencies.³⁶ In violation of international human rights standards, recruitment charges are driven up by “a complex and opaque web of intermediaries” that may be involved in visa trading, collusion between brokers and kickback payments.³⁷

There has been a push by organizations against human trafficking to regulate labour recruitment agencies through legislation, such as in the Indian state of Chhattisgarh's 2014 regulations on private placement agencies.³⁸ Some countries, including the United Arab Emirates, have made concerted efforts to curb unscrupulous recruitment practices and to reinforce that it is the employer's responsibility – not the worker's – to pay recruitment fees.³⁹ However, even when legislation and other protections are in place. As a result, human rights violations continue to be commonplace in the process of gaining employment. *(On the human rights impacts of illegal recruitment fees, see Box 3, on the next page.)*

Migrant labour in the GCC is regulated through the Kafala sponsorship system, in which a worker's status is legally bound to an individual employer or sponsor. This system grants employers “immense control and unchecked leverage” over their employees – who often have no recourse for non-payment of wages, unsafe conditions or exploitative working hours. Although some reforms have been enacted, they are generally not comprehensive enough to overcome the structural barriers to securing migrant workers' rights, even among the significant number of long-term and second-generation workers.⁴⁰

Impacts of the pandemic: During an economic crisis, migrant workers tend to be more vulnerable to a loss of employment and wages in their host country than native-born workers,⁴¹ and their precarious circumstance were compounded by the COVID-19 response. In February and early-March 2020, when fears of the pandemic spread, hundreds of thousands of workers returned to their hometowns. However, most international migrant workers were prevented from leaving after governments in South Asia announced border closures and lockdowns. Some of these workers were able to maintain their jobs abroad, while others were fired or took unpaid leave, with little to no savings.⁴² Many workers were also afraid to leave in case their visas would not be renewed when they want to return.⁴³



In the construction sector in some countries, those who kept their jobs continued to work without social distancing and other health measures. By the end of April, foreign or 'guest' workers represented the majority of coronavirus cases in the GCC.⁴⁴

Box 3. The ILO on impacts of abusive recruitment practices

Recruitment abuses are one of the main ways that forced labour and human trafficking become part of business supply chains, particularly through illegal recruitment fees and associated costs. Therefore, the ILO underscores that promoting fair recruitment practices in both internal and international migration is a critical priority.

As addressed in the Global Compact for Safe, Orderly and Regular Migration, laws and regulations to help ensure that workers and those seeking jobs are not subject to recruitment-related exploitation are vital measures to end trafficking and labour.

National regulations, however, are inconsistent in their approach to recruitment fees and commonly cover only the recruiters that operate in the 'upper end' of the labour supply chain. This means that subcontractors and intermediaries can act on behalf of recruiters outside of a government's regulatory authority.

Source: International Labour Organization, et al., *Ending Child Labour, Forced Labour and Human Trafficking in Global Supply Chains*, ILO, Organisation for Economic Co-operation and Development, International Organization for Migration and United Nations Children's Fund, 2019, p. 41, <https://publications.iom.int/system/files/pdf/ending_child_labour_en.pdf>, accessed 23 December 2020.

Migrant domestic workers in the Arab states (including the GCC countries) – where families employ millions of low-paid workers from Asia and Africa – have long been subjected to exploitation.⁴⁵ The conditions for South Asian domestic workers include restricted movement, excessive working hours, no days off, delayed or withheld wages and, in some cases, physical abuse.⁴⁶ The pandemic has intensified these labour rights violations.

Women domestic workers are especially vulnerable in the wake of COVID-19 because many of them are not allowed to leave the premises at any time. As families were required to stay home, the workers' tasks increased.⁴⁷ Other domestic workers found themselves effectively thrown out of the homes they had worked in and had to seek support from their country's consular mission.

As asserted in global guidance for governments by the Office of the United Nations High Commissioner for Human Rights, in April 2020: "Everyone, including all migrants regardless of their migration status, must be taken into account as an integral part of any effective public health and recovery response to COVID-19. Including migrants in the response to this crisis is the only effective way to protect not only migrants' rights, but also to avoid fuelling xenophobia and endangering the health of society as a whole." This guidance identified a full range of issues that should be addressed, including: access to health facilities, goods and services; quality of life in camps or unsafe conditions; the right to decent work and social protection; and deprivation of liberty in detention camps.⁴⁸ The response, however, has often fallen short.

Migrant women domestic workers are especially vulnerable under the pandemic-induced circumstances. Many of them are not allowed to leave the premises at any time, while others have been thrown out of the homes they had worked in.



Though governments of GCC countries provided financial support to businesses to maintain workers' salaries, foreign workers were excluded from these programmes. As of May 2020, only Qatar's \$824 million wage-allocation budget included migrant workers' salaries.⁴⁹ Considering that the private sector received ample government support, it has a responsibility to fairly compensate all workers, regardless of immigration status.

Some GCC countries deported migrant workers without recourse to appeal. In Qatar, migrant workers from Nepal were forcefully and illegally deported in March under the pretence of COVID-19 testing, after being detained with inadequate food or water in overcrowded quarters.⁵⁰ South Asian countries struggled to prepare for reintegrating hundreds of thousands of migrant workers who would need to be housed in quarantine centres on return, and were likely to need long-term support. By mid-May, nearly 500,000 migrant workers from the state of Kerala, India, alone had registered to leave the Gulf and come home, along with tens of thousands from other South Asian countries.⁵¹

One of the primary barriers for repatriation to South Asian countries was the inability to implement appropriate quarantine measures to avoid COVID-19 outbreaks. As a result, millions of South Asian migrants became stranded without income. Governments in South Asia did not immediately put in place strategies to assist migrant workers at the beginning of the lockdown, which can be partly attributed to the socio-economic status of these workers, who are typically among the least politically powerful groups in their home countries.⁵²

Moving forward, many international migrant workers who are not legally registered in destination countries could be excluded from national COVID-19 vaccination drives. In Jordan, for example, a government-issued residency ID is required to register for the vaccination. If proof of receiving a COVID-19 vaccination becomes a prerequisite for travel, the barriers to migrant workers' mobility will become even more severe.



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3.

Economic implications of COVID-19



For migrant workers and their families, the pandemic is wreaking economic turmoil. Some of the severe and wide-ranging impacts, along with forecasts, are summarized in **Section 3**.

3.1 Job losses

Migrant children are among the world’s most vulnerable populations, and their families are often more at risk of losing their jobs during economic downturns. Even as the pandemic’s economic impacts are likely to widen global inequalities – and affect developing countries and vulnerable populations disproportionately – migrant workers and their children are less likely to be included in the economic recovery initiatives that primarily address the formal sector.⁵³

Many businesses in destination countries or cities stopped operations, particularly in the tourism, hospitality, construction and garment sectors, which employ millions of migrant workers. Consequently, South Asia’s migrant workers are facing job losses, reduced work hours, withholding of wages and forced unpaid leave. UNICEF studies in Sri Lanka and Bangladesh found that 30 per cent of families had lost all their income in early May 2020, and the number of South Asian children living in poverty could increase to more than 360 million within six months.⁵⁴ As overseas workers return, the unemployment rates in their home countries will be compounded. Buffeted by high unemployment levels and a lack of income, migrant workers are struggling to feed their families, let alone access health care and other basic services.

A reduction in wages or income from remittances results in a lower standard of living and poor access to basic necessities for migrant workers and their families. Consequently, children

of migrant workers suffer from poor nutrition and health. An analysis by The Lancet estimates that an additional 6.7 million children globally could suffer from wasting, a life-threatening form of malnutrition, as a result of COVID-19, with 58 per cent of these children coming from South Asia alone.⁵⁵

A serious and long-term implication of this pandemic is the halt in remittances being sent back to South Asia from GCC countries. On top of job losses, the number of wage theft cases, where employers fail to pay their employees the wages they are owed, tripled between April and July compared with the same period in 2019. In Bangladesh, returning migrants have lost about 175,000 taka (\$2,000) on average, with most losses attributed to unpaid wages.⁵⁶ The combination of widespread job losses, wage theft and the fall in the price of oil will impact remittance flows severely, as discussed in more detail in the following section.

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3.2 Downturn in remittances

Remittances play an integral role in the economies of low- and middle-income countries (LMICs) around the world: They alleviate poverty, improve nutrition, and are linked to higher spending on education and reduced child labour in lower-income households.⁵⁷ Remittances to LMICs have outpaced official development assistance since the mid-1990s, and in 2019, the value of remittances became larger than foreign direct investment, a milestone for monitoring resource flows.⁵⁸



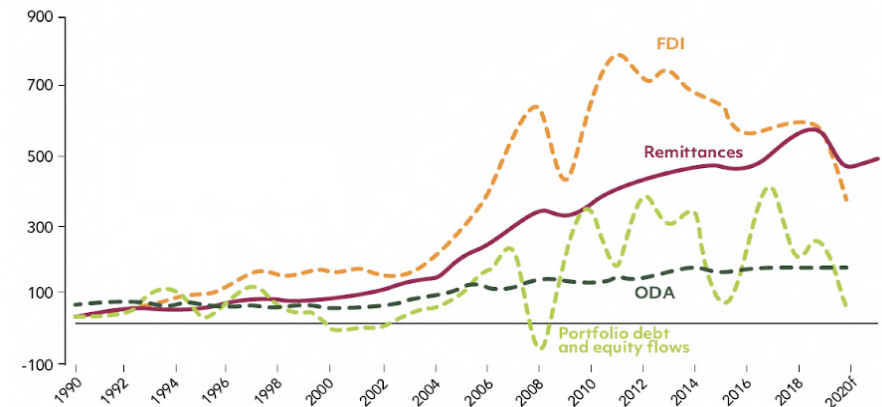
For children, the positive impacts of remittances from parents who have migrated include reducing child labour and improving child health, particularly among girls, as well as helping to close the gender gap in education by increasing girls' school attendance and lowering their dropout rates.⁵⁹ These advances reflect the fact that poor households tend to invest remittances in better health and education for their children.⁶⁰

Typically, remittance flows have been countercyclical: When there is a crisis in migrant workers' country of origin, migrant workers increase the money they send home; but when there is a crisis in host countries, remittance flows decline. As the COVID-19 pandemic has impacted the entire global community – with economic shocks affecting sending and receiving countries simultaneously – remittance flows are expected to drop about 20 per cent in 2020, the sharpest decrease in recent history.⁶¹ UNICEF has calculated remittance reductions based on the expected decrease in total remittances per migrant.⁶² However, if the pandemic results in a reduction of labour migration abroad, these figures may become significantly higher.

The combination of lockdowns and a reduction in money being sent home is already causing great hardship for families. In April 2020, the World Bank predicted that remittance flows would decline by 22.1 per cent in South Asia due to decreases in wages and job losses.⁶³ At the same time, it forecast that foreign direct investment to all LMICs would be significantly reduced, as shown in the figure at right, making remittance flows even more crucial.

The cost of sending remittances home is a significant factor for migrant workers, as reflected in Sustainable Development Goal 10 – reduce inequality within and among countries – and its associated target to lower the transaction costs of migrant remittances to less than 3 per cent and eliminate remittance corridors with costs higher than 5 per cent, by 2030.⁶⁴

Remittance flows to low- and middle-income countries expected to decline in 2020 (\$ billion)



Source: World Bank, 'COVID-19 Crisis Through a Migration Lens', Migration and Development Brief 32, World Bank, Washington, D.C., April 2020, p. 7.

Due to high volumes and competitive markets, South Asia has the lowest average remittance costs of all regions, at 4.95 per cent; however, costs range from even less than 3 per cent up to more than 10 per cent.⁶⁵ During the pandemic, many remittance service providers (RSPs) have temporarily suspended fees, but this practice cannot be sustained. To encourage services to facilitate remittance inflows, some governments, such as Pakistan, have announced tax incentives for RSPs to cover the cost of waiving fees.⁶⁶

Migrant workers send remittances either through digital services or through brick-and-mortar RSPs, which have been affected by social distancing, lockdowns and reduced hours.

A large percentage of migrant workers are not able to access digital services such as bank accounts, payment cards or digital wallets to send money, and low-income households do not have access to transaction accounts to receive the money.



When remittances are sent through digital means, RSPs must collect and verify identity documents remotely to comply with regulations against money laundering and financing of terrorism. Staff shortages due to physical distancing requirements have made this process more difficult. In addition, a large percentage of migrant workers are not able to access digital services such as bank accounts, payment cards or digital wallets to send money, and low-income households do not have access to transaction accounts to receive the money.⁶⁷ These additional challenges may push migrant workers to send remittances to their families through informal channels.

Box 4. New data and predictions on economic impacts in South Asia

Exports diminished, tourism halted, and workers in lockdown: South Asia has been hit hard during the pandemic, as economic shocks intensified migrant workers' unemployment and cut global remittances. By the last month of 2020, forecasts were severe.

Pakistan's informal sector is likely to lose tens of millions of jobs. The Bangladeshi economy could shrink by 40 per cent, putting 0.89 million jobs at risk. Bhutan's economy lost an estimated \$2.2 million since the COVID-19 pandemic started, and the Nepali economy is likely to bear adverse effects on three main fronts – remittance inflow, tourism and international trade^[1] – with remittances contribution to the GDP plummeting from 27.3 per cent to 13.0 per cent.^[2] Maldives, after a concerted effort to ensure safety, began reopening tourist accommodations in July 2020; the Ministry of Tourism tallied 92,103 arrivals in January 2021 vs. 173,874 in January 2020.^[3]

Whether job and remittance forecasts are positive, negative or uncertain, economic inequality is clearly on the rise. Oxford Economics, for example, anticipates that GDP in the top 20 sender economies will rebound strongly this year, with positive growth of 10.4 per cent in 2021. Developing economies with smaller fiscal stimulus packages and slower vaccine rollouts will have smaller and slower economic recoveries.^[4]

In Oxfam's analysis of recent estimates, the number of people living on less than \$5.50 a day may have increased between 200 million–500 million across the world in 2020. More than two thirds of the people newly forced into poverty will live in South Asia and in East Asia and the Pacific. Moreover, government protection for migrant workers has often been ineffective, and public health and economic systems have been unresponsive to their needs. In these two regions, only 3 of 21 countries included non-citizens in their pandemic preparedness plans.^[5]

[1] Islam, Md. Monirul, et al., 'Potential Economic Impacts of the COVID-19 Pandemic on South Asian Economies: A review', *World*, vol. 1, no. 3, 3 December 2020, pp. 283–299, <www.mdpi.com/2673-4060/1/3/20>, accessed 5 February 2021. **[2]** Parisotto, Aurelio, and Adam Elksheikhi, 'COVID-19, Jobs and the Future of Work in the LDCs: A (disheartening) preliminary account', ILO Working Paper 20, International Labour Organization, Geneva, 15 December 2020, p. 16, <www.ilo.org/wcmsp5/groups/public/---ed_emp/documents/publication/wcms_764268.pdf>. **[3]** Ministry of Tourism, 'Daily Updates: 7 February 2021', Republic of Maldives, Malé, <www.tourism.gov.mv/dms/document/08001872203e9044b58c7f2e1b8d1356.pdf>, accessed 7 February 2021. **[4]** Oxford Economics, 'The Remittance Effect: A lifeline for developing economies through the pandemic and into recovery', Oxford Economics, Oxford, UK, January 2021, p. 22, <www.oxfordeconomics.com/recent-releases/The-remittance-effect-A-lifeline-for-developing-economies-through-the-pandemic-and-into-recovery>, accessed 5 February 2021. **[5]** Berkhout, Esmé, et al., 'The Inequality Virus: Bringing together a world torn apart by coronavirus through a fair, just and sustainable economy', Oxfam GB for Oxfam International, Oxford, UK, January 2021, pp. 24, 42, <<https://assets.oxfamamerica.org/media/documents/the-inequality-virus-report.pdf>>, accessed 5 February 2021.



4.

Social implications of COVID-19



As stated by the World Health Organization, in November 2020, “Migrant workers are stuck between a rock and a hard place: their access to economic opportunities and social support in host countries is limited or lacking entirely, yet they cannot leave without the risk of incurring fines, debt, or additional health risks for themselves and their communities upon their return home. If they do succeed in returning, they may face unemployment, social backlash and stigmatization from those who blame them either for potentially spreading COVID-19 or for failing in sending remittances, which are a lifeline for many families and communities.”⁶⁸ **Section 4** offers examples of how the pandemic is affecting the social well-being of both international and internal migrants in South Asia.

4.1 Challenges and vulnerabilities for migrant workers

Low-wage migrant workers have been overlooked in the COVID-19 relief process, although they are highly susceptible to infections due to their low socio-economic status, occupational hazards, chronic malnutrition and unsanitary living conditions.⁶⁹ In host countries, the distribution of assistance has been hindered by disorganization, poorly defined identification mechanisms and inadequate resources to support migrant workers.⁷⁰

Migrant workers are often employed as casual, temporary or contract workers in the informal sector. Globally, nearly 60 per cent of women work in the informal economy, with low wages, limited savings and few social safety nets.⁷¹ In South Asian countries, the informal sector contributes, on average, more than a quarter of the GDP, ranging from 18.5 per cent in India to 35.5 per cent in Sri Lanka.⁷² Despite their contributions, many of the workers who have lost their jobs due to the pandemic are at very high risk of falling into poverty.

Unemployed migrant workers are likely to be desperate for income, making them even more vulnerable to exploitation – or driven to take risks. For example, around 400,000 Nepalis returned from migrant work in India but could not find work in their home country, where they had families to care for but no income to contribute. Just a few months later, the flow of migration across the border and back to India began again, despite the fear of COVID-19.⁷³

Undocumented migrant workers frequently live without access to support services or are unwilling to connect with services for fear of detention or deportation.⁷⁴ Some destination countries have done little to protect or assist migrant workers. After thousands lost their jobs in Malaysia, for example, the government response varied from offering free COVID-19 testing and treatment to all migrants – regardless of their immigration status – to conducting raids and arresting more than a thousand illegal or undocumented migrants after lockdown.⁷⁵

Other countries have offered amnesty programmes for migrant workers who overstayed their visas. From 1–30 April 2020, for example, the Government of Kuwait allowed migrants to leave without paying fines, promising that they would be able to re-enter in the future.

Migrants who had outstanding bills or legal cases were not eligible for this amnesty, and many applicants were turned away when the centres for processing their paperwork closed after reaching their quotas. For most of

In some South Asian countries, justice and labour laws are being relaxed as a way to revive local economies during the pandemic. With even less oversight and an impending economic crisis, employers are more likely to take advantage of migrant workers.



those whose applications were approved, the Government paid the cost of air travel home.⁷⁶

Numerous challenges for migrant workers in relation to the justice system have been compounded by the pandemic, which has left legal systems unable to cope with the mass influx of international migrants back to South Asia. In the GCC countries, thousands of Indian migrants could not leave or had to return home without receiving their wages – sometimes being owed for months of labour. Workers with wage claims were left in limbo, unable to proceed with their hearings. In many cases, unemployed migrants who remained in a host country were homeless and forced to sleep outdoors.⁷⁷

In some South Asian countries, justice and labour laws are being relaxed as a way to revive local economies during the pandemic.⁷⁸ Rapid reformulation of labour laws has also occurred in the GCC countries that receive millions of migrant workers from South Asia. In some cases, these changes protect employers and not workers, e.g., break of work clauses and pressure on unpaid leave.⁷⁹

The loss of jobs and wages is not only likely to worsen living conditions, it is also making it more difficult for migrant families to provide children with nutritious food.

With even less oversight and an impending economic crisis, employers are more likely to take advantage of migrant workers. Domestic workers are particularly vulnerable, as migrant domestic workers are rarely covered by labour laws. This disproportionately impacts women, who frequently live in the employer's home, where they may be essentially hidden and unable to seek help or leave an abusive employer.⁸⁰

4.2 Poor access to basic services and food

Many migrant workers face discrimination in accessing basic services. They are typically housed in cramped labour camps and dormitories without adequate WASH facilities, during a time when clean water, sanitation and hygiene are essential to combating the spread of the virus. This combination of insufficient sanitation and overcrowding, which makes physical distancing impossible, increases the risk of contagion.

The delivery of basic services has been additionally strained by the reversal of migration (domestic and international) as a result of the pandemic. In Bangladesh, for example, many garment workers who lost their jobs migrated away from the cities and back to rural villages where living costs are cheaper, but social services were already less readily available. These local services and support networks are now having to provide for a greatly increased population.

The loss of jobs and wages is not only likely to worsen living conditions, it is also making it more difficult for migrant families to provide children with nutritious food. The rapid increase of populations in rural areas due to migrant workers' return has resulted in increased demand for food. Simultaneously, food prices are rising due to disruptions in global supply chains. Children whose parents have migrated are typically dependent on remittances for their food security and to support the costs of health care. The reduction of these remittances will impact children's food intake and their health outcomes.

Poor access to health care is a common challenge, as most countries use residency criteria to determine eligibility for public health-care services, leaving migrant workers unable to access vital medical care during a public health crisis.⁸¹ Language barriers and lack of internet access also exclude migrant workers and their families from receiving essential public health information.⁸²



Undocumented workers in many countries have been known to avoid health-care services, including COVID-19 testing, for fear of deportation; some migrant workers who tested positive could not see a doctor or were too afraid to visit one.⁸³ Moreover, children on the move face the risk of other health problems such as malnutrition and non-communicable diseases, which are likely to be exacerbated by the strain on economies and health-care systems.

Schools in 188 countries were closed by the COVID-19 crisis, disrupting education for more than 1.7 billion children, young people and their families and leading to unknown outcomes for their long-term prospects.⁸⁴ For children on the move, this adds to the numerous barriers they were already facing in access to education, including enrolment difficulties and the language of instruction.⁸⁵ Children moving with their families back to their home country may face additional challenges in restarting their education, e.g., if schools are closed, they might not have internet access to participate in remote learning.

Previous crises have shown that economic uncertainty and social disruption have long-term negative impacts on children's school attendance and learning.⁸⁶ The longer children are out of school, the greater the risk they will never return, and this risk is high for children in migrant workers' families in South Asia. Children who have left urban areas no longer have access to their schools and are less likely to have internet services. Migrant parents may be unable to support their children's remote learning, particularly when distanced from their children. School closures have also resulted in a lack of childcare options for parents.

To make sure that migrant children's right to education is not entirely disrupted, it will be important to explore public-private partnerships and other innovations for providing remote education, and to reintegrate all migrant children when schools reopen.⁸⁷

4.3 Increased risks, but limited social protection

Restrictions on movement in South Asia sparked a range of negative impacts on children. Migrant workers and their families returning to their homes faced arduous journeys, with numerous cases of death along the way. When arriving back home, some families faced social stigma and were shunned due to fears surrounding the virus.⁸⁸

The situation is also placing migrant workers and their families at higher risk of impacts on their mental health. Children who experience long-term separation from their parents can face an increased risk of depression and anxiety.⁸⁹ Keeping migrant workers away from their families during lockdowns threatens children's right to family unity. The added stressors of the COVID-19 pandemic are likely to exacerbate mental health challenges. A lack of job security, fear of becoming sick, separation from loved ones and a lack of mobility are just some of the factors contributing to increased stress for both parents and children.

In addition to stigma and restrictions on movement, families are facing significant reductions in income. The loss of income and/or remittances for migrant workers and their families means that children may be pushed into child labour or human trafficking. When faced with economic pressures and food insecurity, daughters may be forced to marry to reduce the number of family members who need to be fed.⁹⁰ Globally, the impacts of COVID-19 are dramatically increasing gender inequality, and the prevalence of child marriage is expected to surge – with by far the highest numbers of additional girls at risk of child marriage living in South Asia.⁹¹

Children whose parents have migrated are often excluded from social service programmes because they receive remittances and are not classified as living in poverty.⁹² However, remittances are often unpredictable. This has been highlighted during the pandemic, with many migrant workers unable to send any money home to their



families, leaving their families without any income and simultaneously ineligible for social assistance.

South Asia's informal sector, which primarily employs migrant workers, will disproportionately suffer from the pandemic's impacts. These workers are more exposed to the health and economic consequences of the crisis, but due to low levels of financial inclusion and limited institutionalized protection, they are harder to reach through the current policy measures intended to alleviate the crisis.⁹³

Though government stimulus packages are a vital measure to ensure access to basic health care, education and social safety nets, emergency funding provided by stimulus packages in South Asia has not been financed adequately or distributed equitably. In many cases, financial support has been allocated to large corporations and industries, while small businesses and low- and middle-income households have not been receiving adequate emergency support. Furthermore, the stimulus packages may entirely exclude workers who are not formally employed, leaving millions of people who need it the most without access to stimulus funds.⁹⁴

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5.

Looking to the future: Recommendations





For governments in South Asia, the pandemic-related migrant crises should serve as a wakeup call. The region is facing a growing problem of climate-induced migration, and the pandemic has proved that South Asian countries are not equipped to support major shifts in migrant flows.

Because the private sector benefits from, and can profoundly affect – for better or worse – basic services where it operates, business has a clear responsibility to ensure it is not causing or contributing to adverse impacts on essential services, as well as an opportunity to offer its support. Migrant workers and families have limited access to health care, education and other services that local populations enjoy, and companies’ operations throughout their supply chains must ensure their due diligence specifically takes this into account.

During the post-pandemic recovery, it is likely that the rate of voluntary migration abroad will fall, except in popular cross-border migration corridors such as between Nepal and India.⁹⁵ Labour-sending countries and communities will need to develop reintegration strategies for workers who have returned home, and this should include a comprehensive plan to create work opportunities that align the needs of the local economy with the skills of returning migrant workers. Additionally, there is likely to be a shift in sectors with a high demand for migrant workers, for instance, moving away from hospitality towards an increase in care and domestic work.⁹⁶ Ultimately, countries will need to find more sustainable means of boosting their economies, as the influx of international remittances drops.

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Based on the evidence outlined in this report, the next sections offer concrete recommendations to prepare now as we work towards securing a better future for all workers and their families in partnership with both the private and the public sectors.

5.1 Employment

All employers, both in the formal and informal sectors, have a responsibility to all their workers, including migrant workers – and during times of crisis. Acting as a responsible employer supports corporate sustainability, employee morale, the company’s public image and risk management. In the COVID-19 context, our recommendations include taking action to:

- **Ensure that a legal minimum wage is paid across all levels of the value chain, for all completed labour.** Employees should be paid for all labour completed prior to and during the COVID-19 pandemic. Host governments and businesses can collaborate to establish a legal minimum wage and ensure that factory and plantation workers are receiving adequate wages. Companies should move towards supporting a living wage by gradually increasing wages in the supply chain and integrating living wages in labour codes of conduct and auditing procedures. They should also evaluate their purchasing practices to avoid offering prices that pressure parties further down the supply chain to cut wages.
- **Uphold best practices during the pandemic and engage in post-crisis recovery without capitalizing on relaxed labour laws or child labour.** The private sector should advocate for labour laws and broader human rights to be upheld in host cities and countries, as well as countries of origin, irrespective of economic conditions. Working conditions must be monitored continuously to



ensure that they are not hazardous, and to ensure that health measures are in place and implemented effectively, including the provision of vaccinations against COVID-19 to all migrant workers.

Businesses hiring migrant workers should work with labour recruitment agencies to establish strong protections against child labour and worker abuse. This should include regulation of third-party agencies to ensure they provide accurate information to potential recruits regarding the risks for migrant workers leaving their home country, and to hold these agencies accountable if issues arise.

- **Implement and sustain family-friendly workplace policies.**

Paid parental and sick leave are essential policies for formal employment settings, and should be adapted and extended to workers in the informal sector. Employers of international migrant workers should allow time for workers to be with their families abroad.

As restrictions ease, workplaces should ensure that workers have a safe and healthy return to work. In areas where schools do not reopen, employers should provide options for childcare to support parents. Employers should also implement programmes and policies to support children whose parents have migrated, such as training and advice on how to maintain relationships with children back home.

- **Ensure labour migrants' participation in recovery planning.**

Companies must have an emergency plan in place for a crisis, including mitigating risks during the crisis and providing relief post-crisis. Migrant workers should be given support based on their specific needs.

- **Work with local governments and other stakeholders to facilitate skills matching for workers in hard-hit sectors.** As demand for labour in tourism, the ready-made garment industry and other sectors has decreased, employers should work with

local governments to match the skills of migrant workers with alternate occupations. For instance, workers could shift to producing protective gear or sanitizing public spaces, tasks that are in high demand in response to the pandemic. There should also be coordinated efforts to assist resettlement of the millions of migrant workers who have been forced to return to their communities due to the pandemic.

- **Provide accessible and accurate information to all migrant workers – and encourage the news media to accurately report on the conditions of migrant workers.** Information for workers should be fact-based, including up-to-date health data, information on labour rights and channels for accessing support services. This communication should include child-friendly material and be provided in the languages workers understand, or translator services should be provided. The media should be supported in raising public awareness of migrant workers' issues through responsible, fact-based and sensitive reporting and briefings.
- **Conduct due diligence mapping across supply chains to understand where migrant workers play a prominent role and how they have been impacted by the pandemic.** The private sector should undertake this due diligence with the support of non-governmental organizations and local trade unions. This external information should augment companies' self-assessment audit reports. All audits and oversight mechanisms should be inclusive and accessible to all migrant workers, taking into account language and education barriers.
- **Encourage employers to explore and implement social protection insurance schemes to protect vulnerable workers during crises.** On their own or in cooperation with providers and/or government, businesses can work to develop ways to provide a social safety net system of insurance, including medical and/or life insurance. Conditions of trade among companies that rely on supply chains in low-income countries



could consider a requirement that they contribute to this type of insurance scheme, including for migrant and seasonal workers. For example, a South Asian garment manufacturer's social protection insurance scheme could be established with the support of suppliers and the companies that buy ready-made garments.

Labour recruiters also play an important role in supporting the rights of migrant workers and their families, and governments need to provide oversight of these recruiters. Recommended measures to promote the rights of migrant workers and their families include:

- **Provide regular and accurate information to migrant workers placed outside of their home country.** This should include information for parents and guardians on how to best support their children on the move before, during and after migration. During a crisis, labour recruiters should provide up-to-date health data, travel alerts, information on labour rights and options for exercising them, and other support services. This communication should include child-friendly material and should be available in the native languages of migrant workers. The information should also be relayed by employers.
- **Communicate with employers and act as an advocate for workers.** Labour recruiters should have a record of workers placed abroad that is shared with relevant stakeholders, particularly the government. Recruiters should negotiate with employers to ensure timely payment of full wages and overall protection in the workplace and in their accommodations. They should also engage with local non-governmental organizations involved in the protection of workers' rights.
- **Strengthen labour laws to redress the weaknesses exposed by the pandemic.** Existing labour laws often fail to articulate the responsibilities of labour recruitment agencies and employers in providing safeguards against human rights

abuses. When adequate laws are in place, they are frequently not enforced.⁹⁷ South Asian governments should update labour laws to appropriately address the human rights obligations of labour recruitment agencies and should ensure enforcement of these regulations through oversight mechanisms. Moreover, governments should avoid relaxing any labour laws to ensure that children are not exploited as a result of a crisis, and should continue to bring their national laws into alignment with international standards.

5.2 Remittances

The COVID-19 pandemic has highlighted the crucial role that remittance service providers (RSPs) play in the livelihoods of migrant workers and their families. It is evident that RSPs should be considered an essential service going forward. RSPs can uphold the rights of migrant workers when they:

- **Reduce transaction costs associated with remittances, with an aim to reach the target of 3 per cent outlined in Sustainable Development Goal 10.** In this context, the New York Declaration also promotes "faster, cheaper and safer transfers of migrant remittances in both source and recipient countries."⁹⁸ This can be done with the support of government subsidies to facilitate the transition to lower fees.
- **Facilitate the adoption of digital payments.** An increase in digital payments makes remitting income more accessible to all migrant workers. Governments can support the shift to an emphasis on digital payments by simplifying anti-money-laundering and combatting the financing of terrorism requirements to incentivize online transfers. This would require improvements in access to bank accounts for mobile RSPs, senders and recipients of remittances. Remittance service providers, employers and governments can work together to create awareness of digital transfers among rural populations.



5.3 Basic services

Basic services for migrant workers should be ensured by both private sector employers and the host government. Business policies and practices must take this into account in all locations where they operate. Government policies and budgets should aim to secure equitable access to services for migrant workers and their families in countries with widespread internal migration as well as countries that host international migrant workers. In support of these principles, we recommend taking the necessary steps to:

- **Ensure adequate, safe accommodations for migrant workers and their families.** The COVID-19 pandemic has underscored the necessity of adequate space to ensure physical distancing to avoid the transmission of the virus. For migrant workers in labour colonies, transit camps or quarantine facilities, they should be provided with safe and child-friendly shelters with nutritious food and adequate WASH facilities. Living accommodations should allow for physical distancing during the pandemic and provide sufficient room for a healthy environment after the pandemic.
- **Provide access to health-care services for all migrant workers and their families in host countries.** All people in the territory or under the jurisdiction of a government, regardless of their nationality or migration status, have an equal right to health care.⁹⁹ In addition to local health-care services, migrant workers can be provided with remote medical advice from diaspora doctors.
- **Implement national portable ration cards to allow flexibility in access to food for internal migrant workers and their families.** The implementation of ration cards by governments that can be used anywhere in a country makes it possible for migrant workers and their families to access food regardless of their location. Such a policy empowers beneficiaries, prevents corruption and reduces wrongful exclusion. During future crises, migrant workers and their families will not be forced to return to

their home villages to access the food they need for survival.

- **Foster innovation in remote learning to provide consistent education for children on the move.** Remote education has been necessary for the 1.7 billion children and young people who faced school closures due to the COVID-19 pandemic. For children on the move, remote education options may continue to be vital if they have relocated away from their school indefinitely. Recognizing that these children often live in contexts where they do not have electricity or hardware required for online education, businesses and governments can support remote learning by providing the necessary tools, devices and access to the internet.
- **Continue to support proven models for in-person learning among children on the move, along with the safe reopening of schools.** As the pandemic recovery progresses, all levels of government, non-governmental organizations, civil society and local communities should cooperate in providing continued support for in-person schooling to reach the hardest-to-reach children, including all children of migrant workers. Models for this can be based on previous experience, ranging from preschools established in the most remote villages to schools that offer dormitories and meals during peak seasons when parents are working away from home. Children cannot continue to bear the devastating effects of disrupted education. Governments must be encouraged to prioritize reopening schools and emphasize taking action to make them safe.





5.4 Social protection

Providing income security to workers and their families will remain a significant challenge during the pandemic and when recovery proceeds. Simultaneously, there must be stronger protection for justice in redressing labour disputes. We make the following recommendations to ensure that adequate safety nets are in place:

- **Include migrant workers returning to countries of origin or home states in national emergency response plans developed and implemented by governments.** The COVID-19 pandemic has resulted in widespread discrimination against migrant workers. These workers should be included in governments' national emergency response plans and must be provided social protection without discrimination. The private sector should advocate for these workers not only in the host countries but in their countries of origin. The private sector should lobby for workers to receive appropriate social protection and wage protection, without discrimination based on their legal status.
- **Promote private-public collaboration to gather data and monitor the movement of migrant workers and their families.** The New York Declaration prompts private sector engagement through the collection of accurate information regarding large movements of migrants.¹⁰⁰ This can be done through lobbying governments, or by utilizing big data and digital data to analyse patterns of reverse migration. Not only will this help with contact tracing for COVID-19, but it also plays an important role in tracking children's progress in education and protecting children in child labour. For more accurate data going forward, governments should capitalize on migrant workers being back at home due to the pandemic to update their records.

- **Expand government stimulus plans in South Asia and social protection measures to support informal and self-employed workers, many of whom are migrant workers.** Social protection policies should consider the long-term economic implications of the COVID-19 pandemic, with the ultimate goal of strengthening regular social protection. Governments should use social registries to support the implementation of social protection programmes, promoting the financial inclusion of migrant workers. In addition, the private sector should allocate some of the high proportion of funding received to ensuring social protection through its supply chain. Existing social protection programmes should be expanded alongside the implementation of new initiatives to provide a minimum level of protection to all citizens – including the households that are no longer receiving domestic or foreign remittances from family members – and mitigate the impacts of any future shocks on livelihoods.
- **Overhaul justice systems to allow migrant workers appropriate protection.** In the wake of the COVID-19 pandemic, governments should document claims and grievances of all repatriated migrant workers. Countries of origin should work with host countries to ensure that migrant workers receive all wages owed. This is an opportunity for governments to overhaul the justice system to provide protections for migrant workers and their families.



Endnotes

Executive summary

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