

Standing Committee Report Summary

Issues Relating to Migrant Workers including Appropriate Legislative Framework and Skill Development Initiatives for Prospective Emigrants

- The Standing Committee on External Affairs (Chairperson: Dr Shashi Tharoor) submitted its report on 'Issues Relating to Migrant Workers including Appropriate Legislative Framework and Skill Development Initiatives for Prospective Emigrants' on January 2, 2019.
- **Migration policy and data:** The Committee noted that India does not have a migration policy. This affects India's ability to use the potential offered by Indians in the international labour market. The Committee therefore, recommended that India should frame a coherent migration policy. In addition, the Committee noted that despite the growing scale of migration, statistics and data was not readily available. It recommended that the Ministry of External Affairs (MEA) should maintain a database on various aspects of migration such as profile of migrants, their job profile, and country of destination.
- **Unauthorised recruitment agents:** The Committee noted that the problem of unauthorised recruitment agents has increased, and a majority of workers are being sent abroad by them. The MEA responds to complaints against such agents by forwarding their details to the concerned state police. The Committee recommended that MEA should take suo moto actions by engaging Protector of Emigrants offices in states or districts where more complaints are received. Further, these offices should lodge complaints with the local police so that illegal recruitment can be curbed.
- **Skill development:** The Committee noted that the limited skill sets of migrant workers is a major hindrance in finding overseas employment. The MEA highlighted five core elements in preparing the workforce for global mobility including: (i) alignment of qualifications with global standards, (ii) infrastructure development, (iii) credible assessment and certification framework, (iv) pre-departure orientation, and (v) job linkage. While the MEA stated that there has been progress on the first two elements, the Committee recommended that all five elements should be taken into account while framing standards for skill development.
- **Referral wages:** The government has fixed minimum referral wages to regulate wages of Indian workers employed in the Emigration Check Required countries (those that require emigration clearance from the office of the Protector of Emigrants). The Committee noted that these wages have not kept pace with economic changes in the destination countries, which may result in reduced preference for Indian workers. It recommended that MEA should coordinate with the Ministry of Labour and set up a committee for reviewing the referral wages on an annual basis.
- **Gender and migration:** The Committee noted that the government's approach towards female migrant workers focused mostly on ensuring their protection and safety. However, this may be a short-term approach that impacts the opportunities of women migrants. The Committee recommended that there is an urgent need for a gender-sensitive migration policy, which takes into account gender-specific concerns and risks. This policy should be based on the larger objective of not only protecting but also empowering women. Further, the Committee recommended that a 24*7 women helpline should be established in Indian Missions abroad.
- **Emigration Bill:** The Committee noted that in light of significant changes in migration patterns, the current legal provisions are inadequate to deal with issues confronting migrant workers. While the MEA is drafting an Emigration Management Bill, the Committee expressed concerns over delay in the introduction of the Bill. The Committee recommended that the Bill be finalised and presented to Parliament without further delay. Further, the Committee recommended various provisions that should form part of the Bill. These include: (i) providing Migrant Worker Welfare Centres at international airports to provide information, (ii) creation of a digitized database with records of all migrant workers, their recruitment companies, skills, and educational qualifications, and (iii) creation of a separate department under the Protector of Emigrants to investigate complaints of exploitation and abuse by recruiters.

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