

FAQs on Safe Migration

1. What is migration?

The movement of a person or a group of persons, either across an international border, or within a State is called migration. It is a population movement, encompassing any kind of movement of people, whatever its length, composition and causes; it includes migration of refugees, displaced persons, economic migrants, and persons moving for other purposes, including family reunification.

2. What are Push and pull factors of migration?

Migration often takes place either because of push factor or pull factor. The push factors, which drive people to leave their home country such as economic, social, or political problems and the pull factors attracting them to the country of destination (host country).

3. What are the types of migration?

In general migration are of three types one where a person chooses to move from one place to other; second type is when people are made to leave a certain place and final type where people are placed in such a situation that they don't have any other option but move from that place

4. What is Forced migration?

Forces migration is a migratory movement in which people are forced to leave the host country because of the various push factors including threats to life and livelihood, whether arising from natural or man-made causes (e.g. movements of refugees and internally displaced persons as well as people displaced by natural or environmental disasters, chemical or nuclear disasters, famine, or development projects).

5. What is Voluntary migration?

Voluntary migration is willful migration, where people move from one place to other in search of better home, employment opportunities and secure future. Voluntary migration takes place analyzing both the pull factor of one and push factor of host place.

6. What is reluctant migration?

Reluctant migration is a form of migration in which individuals are not forced to move, but do so because of an unfavorable situation at their current location.

7. Who are migrants?

“Migrant” should be understood as covering all cases where the decision to migrate is taken freely by the individual concerned for reason of “personal convenience” and without intervention of an external compelling factor.

8. What are the types of migrants?

Following are the types of common migrants:

- Economic migrants: A person leaving respective birth place to settle outside country to improve one’s quality of life for the purpose of employment.
- Documented migrants: Migrants entering desired country lawfully and reside in that place as per the permit.
- Irregular migrant: A person who enters host country without authorized permission for entry, or expired visa.
- Skilled migrant: Skilled migrants are the one who has a permit to visit the host country based on a special skills/professional experience s/he acquired

9. What are the advantages of emigration to home country and host countries?

The advantages of emigration to home countries/countries of origin is that developing countries benefit from remittances, reduction in unemployment can take place likewise, to host countries immigrants bring new energy, innovation and cultural diversity.

10. What are the disadvantages of emigration to home countries and host countries?

The disadvantages of emigration to home countries or countries of origin is that it will have an economic disadvantage because of its young population migrating to the host

country for better future and better exposure to opportunities. For host countries emigration might also have disadvantages such as depression of wages may occur, priority may shift from producing skilled manpower to having a low paid employees and unemployment may take place due to overcrowding of migrants to a certain place.

11. Who are Immigrants?

Immigrants are those who come to live permanently to foreign country.

12. What is safe migration?

The movement of a person from his or her usual place of residence to a new place of residence, in keeping with the laws and regulations governing exit of the country of origin and travel, transit and entry into the destination or host country.

13. When we talk about about migration the word “brain drain” comes up many times, what exactly is brain drain and brain gain?

Brain drain is a term used when a skilled person from home country move to the host countries for better opportunities and better livelihood than in home country. “Brain gain” takes place when that person returns to the country of origin and transfers the

learned skills and knowledge with the people of that country.

14. What is unsafe migration?

"Unsafe migration is the movement that takes place outside the regulatory norms of the sending, transit and receiving countries. There is no clear or universally accepted definition of irregular migration. From the perspective of destination countries it is entry, stay or work in a country without the necessary authorization or documents required under immigration regulations. From the perspective of the sending country, the irregularity is for example seen in cases in which a person crosses an international boundary without a valid passport or travel document or does not fulfill the administrative requirements for leaving the country. There is, however, a tendency to restrict the use of the term "illegal migration" to cases of smuggling of migrants and trafficking in persons"¹.

15. What are the issues attached with unsafe migration?

¹ IOM Glossary on migration, available at: <https://www.iom.int/key-migration-terms>, accessed on 18th Feb. 2016.

Unsafe migration gives rise to the issues of trafficking in person, smuggling and refugee, making people vulnerable to abuse and exploitation.

16. What is Trafficking in Person (TIP)?

"The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation"²

17. How do we define smuggling?

“Smuggling of migrant” shall mean the procurement of illegal entry into or illegal residence of a person in (a) (any) State Party of which the person is not a national or a permanent resident in order to obtain, directly or indirectly, a financial or other material benefit³.

18. Difference between Trafficking in person and smuggling.

The most important differences between Trafficking in Person and Smuggling

- Smuggling involves movement across borders, trafficking could occur within national borders.
- Smuggled migrants give “consent” to undertake an irregular channel for movement. Trafficked persons do not give any consent for undertaking irregular movement and the exploitative outcome.

19. Difference between trafficked person and migrants.

Following are some differences between trafficked person and migrants:

- Both trafficking and migration take place in a “common migratory space” but have different outcomes– exploitative and non-exploitative.

² United National Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the UN Convention against Transnational Organized Crime, 2000, Art. 3(a).

³ United Nations Protocol Against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, 2000, Art. 3 (a)

- A migrant gives full consent to the process and perhaps the outcome of the migratory experience, which is not the case with a trafficked persons, with most being deceived or forced to move
- Trafficking is viewed as anti- social and morally degrading heinous phenomena whereas, migration enhances social progress and empowers people.

20. What is Migration Management?

A term used to encompass numerous governmental functions within a national system for the orderly and humane management for cross-border migration, particularly managing the entry and presence of foreigners within the borders of the State and the protection of refugees and others in need of protection. It refers to a planned approach to the development of policy, legislative and administrative responses to key migration issues.

21. How can we manage population movement?

A comprehensive program approach to migration management holds possibilities to manage migration and trafficking in persons in an integrated manner. Rigorous methodologies with qualitative and quantitative indicators, including impact-assessment indicators, should be developed to manage population movement.

22. What are the migration issues in Nepal?

In Nepal there is a rising concern related to labor migration and trafficking in person (TIP).

23. How are these issues being addressed in Nepal?

The issues of labor migration and trafficking in person (TIP) are regulated by policies and legal framework. Some policies and legal framework to address labor migration issues are The National Labor Policy, 1999 and the Foreign Employment Policy, 2012, The Foreign Employment Act, 1985 and the Foreign Employment Act, 2007⁴ similarly policies and legal framework to address problem of TIP are The National Policy, Action Plan, and Institutional Mechanism to Combat Against Trafficking in Women and Children for Commercial Sexual Exploitation (2000), Nepal Constitution (specific provisions dealing with trafficking), Traffic in Human (Control) Act, 1986, The Foreign Employment Act, 1985⁵.

24. Are there any government bodies fully dedicated to address migration issues?

⁴ <https://asiafoundation.org/resources/pdfs/MigrationReportbyGovernmentofNepal.pdf>

⁵ <https://asiafoundation.org/resources/pdfs/nepaltraffickingassessment.pdf>

The government bodies dedicated to address migration issues are The Ministry of Labor and Employment, The Department of Foreign Employment, The Foreign Employment Promotion Board, The Foreign Employment Tribunal, Ministry of Women, Children, and Social Welfare (MOWCSW), National Plan of Action (NAP).

25. What are the limitations of government efforts?

Over emphasizing on trafficking and/or mixing it with regular migration is counter-productive in addressing the complexities of irregular migration. Efforts to combat trafficking sometimes limit regular migration and access for people to source of livelihood available through migration.

