

Foreign Employment Policy 2068

1. Background

State is facing greater challenge to create productive and income generating employment opportunities for the estimated 400 thousand new labour forces¹ per year with rate of population growth. Even having favorable environment for development, State responding very slow economic-social growth in past. Therefore, State unable to broaden employment market as expected. As competitive labour-cost principle, trend of labour migration to developed countries of developing and least develop countries is increasing and Nepalese labour are also getting opportunities of foreign employment. Since past few years, there are many countries are emerging as destination for foreign employment and this foreign employment is emerging as an attractive option to eradicate unemployment challenges of the country.

Twenty percent out of total population of Nepal reside outside of home. At least one family member are absent of 53% households of Nepal. Out of which 28% members are residing outside of country.² 56% households of Nepal are receiving remittance. Average remittance amount that receives each family is NRs. 80,436 and out of which 80% comes from abroad. Share of remittance for family expense is 31%. It is also shows that currently remittance flow is Rs. 9,245 per person which is 15 times double than Rs. 625 of 15 years before.³

As per formal data shows that 2,081,025 Nepali citizens are abroad (apart from India) for employment till FY 067/068 BC (.....).⁴ Likewise, huge numbers of Nepali are working abroad unofficially. From this, Nepal received 259.53 billion rupee as remittance only in last year.⁵ Remittance contributes approximately 20% to GDP⁶ which is also key

¹ National Planning Commission 2067, Three years plan 2067/068 – 2069/70, page No. 6, Kathmandu.

² National Life Standard, Press release of dissemination of brief outcome of Third survey, 067/068 page No. 2. CBS.

³ National Life Standard, Press release of dissemination of brief outcome of Third survey, 067/068 page No. 3. CBS.

⁴ Foreign Employment Department, Report of FY 067/068, www.dofe.gov.np

⁵ Economic Survey FY 067/068 Page No. XXIV, Ministry of Financial Affairs . government of Nepal, Kathmandu.

⁶ Migration & Development Brief 13 Migration & Remittance Unit, World Bank, November 8, 2010.

contributor to decrease poverty excitingly, especially since last few years.⁷ As huge portion of remittance is diverted to village, is contributing to upgrade life standard as well as reducing poverty in village.⁸ In 2052 BS there was 42 percent population are below the line of poverty which is decreased to 31 percent on 2060 BS and now it is on 25.16 percent, major impact of this is remittance.⁹

2. Past Exercise

Foreign Employment Act 2042 BS, that was also enacted to regulate foreign employment; but failed to tackle challenges of foreign employment effectively; as a result State enacted new Foreign Employment Act 2064 BS (.....) and Foreign Employment Regulation 2064 BS for organized, dignified, secured and reliable foreign employment which is now implementing. Further Foreign Employment Department and Foreign Employment Promotion Board also established to regulate and organize foreign employment. Likewise, a separate Foreign Employment Tribunal is established to adjudicate foreign employment related cases. Effort has been put forward to initiate economic and labour diplomacy through Nepalese diplomatic missions at destination country. However, these mechanisms are still not much effective to address widespread problems in course of overall circle of migration and foreign employment; further there is also need to pay attention to appropriate management of economic-social remittance that received from abovementioned sector, therefore this foreign employment policy is formed.

3. Current Situation

In the basis of contribution to employment, economic opportunity, poverty reduction, remittance and national economic, now foreign employment is being very one of the key sector. Further, foreign employment is also an attractive sector for 3/4th adult those are entering into labour market every year. Nowadays, 1000 youth are going foreign country each day only for foreign employment. Even many highly skilled and talent youth are also attracted toward foreign employment as per their competitive capacity (for their capacity development and comfortable life style).

⁷ National Life Standard, 2066/067 BS.

⁸ National Planning Commission 2067, Three years plan 2067/068 – 2069/70, page No. 13, Kathmandu.

⁹ Third National Life Standard, 2066/067 BS.

As per population structure of Nepal, 56.5 percent population are lies on productive (15-64) age group and out of them 83.4 percent are engage in labour. It also reveals that 2.1% are unemployed, 6.7% are semi-unemployed, 8.1% are earning below their daily need and 13.2% are underemployed compare to their skill/capacity. **This statics shows that labor force above 15 years are rate of low use of labour is 30%**¹⁰

Out of total 26,620,809 population of Nepal, 1, 917,903 are absent. Out of them 86.7% or 1,663,237 are male and 13.3% or 254,666 are female. Geographical division shows that there are 811,880 from Tarai, 998,087 from hill area and 107,936 from mountain region.¹¹ This make clear that 7.20% of total population are outside from country for employment or other reason and big chunk of it's engaged in employment. Further participation of population of this migrants (more or less) represent from each district of Nepal. Major destinations of foreign employment are Malaysia, Qatar, Saudi Arabia, United Arab Emirates, Kuwait, Bahrain, Oman and South Korea.

Growing fascination and involvement of women in foreign employment is another area of concern. Due to globalization, democratization, governance system increasing level of education and sensitization trend of Nepali Women's involving in foreign employment is increasing. Care Industry to serve senior citizens at developed and highly-income countries **(also due to population structure) and also female involvement as domestic worker, Nepali women is increasing at international labour market.** 45 percent of remittance generated by female is spend on supply of basic needs, education of children and health related expenses of families which indirectly supporting to achieve Millennium Development Goal (MDG) and for poverty reduction.¹²

With increase trend of Nepali workers in foreign employment in recent period, there are also various issues are arising including increasing of fraudulent activities and irregularities inside the country, lack of adequate information regarding social, cultural lifestyle of destination country as well as lack of information regarding rights and security measure of foreign employees at destination country; and incidents of illegal migration, trafficking and human smuggling through informal medium also increasing. **Further business/industrialist being more business oriented rather responsible toward foreign employees. Centralized governmental service structure and service delivery**

¹⁰ Nepal labour force Survey – Second 2064/065 BS, brief outcome.

¹¹ National Census 2068 BS (), preliminary outcome, CBS.

¹² Linking Remittance with Gender, Sustainable Livelihoods and Development, Study of NIDS for UN WOMEN.

system are not effective to response public demand and therefore its high pressure to reform foreign employment sector. Various essential action including social security and reintegration related issues of foreign employees and their family still far away. Therefore, it is essential to build system of good governance in overall aspect of foreign employment administration and also to ensure secured, organized and respected profession.

4. Problem and Challenges

a. Problem: Individuals those are willing to depart abroad for foreign employment are facing insecurity due to lack of proper information which is seen as a key problem. In many case individuals are forced to seek employment opportunity for their livelihood and are being exploited during process of foreign employment. Along with this, there are many other major problems related to foreign employee like lack of effective implementation of mandatory orientation program that articulated by law; lack of generating skilled and professional human resources; lack of provision to disseminate minimum knowledge on labour law, lifestyle, culture and language of destination countries; workers are unable to receive remuneration and facilities as per signed contract or are forced to work other than designated work or hazardous work. Further due to false documents or applying wrong procedure, increasing trend to go to foreign employment through open border without approval, and also using visit visa or entry visa and not having labour approval is increasing vulnerability of trafficking and exploitation for Nepali workers.

In relation with Human resources agencies, there are also issues like weak institutional capacity; increased of human resource companies in quantity rather in quality; lack of direct communication with employer of destination country; lack of transparency on their working system, agents are not even registered with due process of law; influenced by of unauthorized agents, use of false documents or applying wrong procedure are key issues. Likewise poor service quality of listed medical professionals to medical check-up of workers, restricted working area of listed health setup due to influence of destination country at the time of selection are also creating barrier to provide competitive service.

In Nepal, high volume of unskilled human resource entering each year in labour market weakening competitive ability at international labour market. This is further resulting on vulnerability to workers. 75% Nepalese worker are unskilled and 25

percent labour are semi-skilled. Out of them; around 80 percent are from 20 - 30 years age group and 75 percent are even not completed their school education.¹³

Individuals are being vulnerable and are being victim in course of foreign employment due to various reasons including lack of income generating opportunities due to lack of employment opportunity; lack of positive mind-set to be deployed on any job inside the country, poverty, illiteracy, conflict, social and gender discrimination, vulnerable situation of law implementation, dissemination of incomplete and false information, natural calamities as well as influence of earning money rapidly.

In relation with foreign employment management, there are also various issues like centralized structure of foreign employment agencies along with lack of human resources and handling capacity comparison to flow of workers; integrated labour migration information system not implemented; lack of effective monitoring and supervision system for foreign employment and related agency's activities. Further there are issues like lack of effective legal action by mechanism formed to control fraudulent activities related to foreign employment; issues of legal remedies due to lack of bilateral agreement with destination countries; lack of monitoring and review of existing bilateral agreements and also non-effective mobilization of viable local resources by local authorities. Trend of brain drain from the country that trained with limited technical and financial resources as well as unable to generate enabling environment to utilize skill, capacity and resources of Nepalese residing abroad is also problem.

Further issues including lack of good governance in foreign employment management, pathetic market promotion and lack of LMIS; lack of government efforts to protect rights and interest of Nepali worker that deem expected; informal channel use for remittance inward and also not invested in productive sector; diplomatic presence in limited countries only, lack of mobilization of diplomatic agencies situate at destination country on economic and labour diplomacy as expected; lack of effective mobilization of non-resident Nepali at destination countries and diplomatic missions of destination country is not present in Nepal. Further in the area of foreign employment management, nominal state-investment,

¹³ Foreign Employment, Remittance and Its impact on Nepali economy- 2010, Ministry of Labour and Transportation Management and International Organization on Migration, Page 10.

poor coordinating mechanism, weak law implementation status, low involvement of local governance, lack of public sensitization, lack of mechanism for train human resources are other pertaining issues.

In relation with female employee, there are also various problems seen on foreign employment which includes lack of access on comparatively attractive work, popular destination countries, lack of required skill and information and also migrating abroad through illegal channel especially for domestic work which is increasing vulnerability and negative social approach toward them including physical and sexual exploitation and harassment. As major destination countries lack legal protection for domestic workers, it is hard to provide protection to female workers as well as also lack of adequate secure shelter at destination countries to provide shelter for women. Further, existing shelters are not much effective service and security provisions. In these circumstances, protection of basic human rights of female workers is more difficulties.

Due to lack of language efficiency, skill and competitive capacity of Nepalese female working abroad, they are force to receive low salary and facilities, being forced to work on unsecured and vulnerable condition and also being victim of exploitation and harassment which resulting difficulty to protect their basic human rights. Further, female workers are facing problem including sexual harassment, physical violence, economic exploitation and women those are working as domestic workers are deprived from minimum legal protection and also negative social approach toward female workers are other key issues.

During foreign employment, there are also various issues related with family for example family destruction, women's role and responsibilities are being change and have to bear more workload, children are deprived from love and care of parents to, elders are getting low care and attention, family members are bearing psychological impact which is ultimately increasing social cost/investment.

- b. Challenges:** Many challenges remains in foreign-employment including enhancing capacity of workers, expanding training and skill to increase competitive capacity as demand; increase coordination and cooperation between concerns stake holders; minimize migration related expenses; empowering and strengthening diplomatic missions and operating new diplomatic mission at destination countries; ensuring protection for undocumented worker; protecting best interest of workers and

rescuing workers those are in problem, protection of women worker and also their basic human rights, receiving remittance through proper channels, using remittance on productive sectors to make effective rehabilitation; reducing **social cost** for foreign employment. Inter-agency coordination between stakeholders related to foreign employment, mobilizing internal and local resources and also obtaining international assistances along with strengthening relation with countries of employment.

5. Need of New Policy

It is necessary to adoption various concepts related with foreign employment that insert in various international human rights instruments that Nepal ratified particularly Universal Declaration of Human Rights 1948; International Covenant on Civil and Political Rights (ICCPR) 1966; International Covenant on Economic, Social and Cultural Rights (ICESR) 1966; Convention on Elimination of all form of Discrimination against Women (CEDAW) 1979; Convention on Rights of Children (CRC) 1989 and International Labour Organization (ILO) Convention No. 143 and Convention No. 97.

It is also essential to realization of various commitments related with migrated worker and migration procedure those are inserted in the Interim Constitution of Nepal 2007, existing periodic plan, National Human Rights Action Plan, 2061 BS, National action Plan on CEDAW 2060 BS, Beijing Action Plan 2061 BS etc.

Foreign employment is being a significant contributor for national development of Nepal as well as destination country and also being an opportunity for Nepalese youth, In the context it is essential to arrange additional safety measures for Nepali workers inside the country and also at destination country. Therefore, to assimilate scatter provisions related to labour and foreign employment; to provide safety and accessible migration process and also to guide process of foreign employment management and protect rights of Nepali workers involving on foreign employment, this **Foreign Employment Policy 2068 BS** (2012 AD) is framed.

6. Goal

Ensure safe, organized, respected and reliable foreign employment to contribute on poverty reduction along with sustainable economic and social development through economic and non-economic benefits of foreign employment.

7. Objective

To provide knowledge and skill based training to Nepalese human resources to develop skilled, empowered and competitive as per demand of international market creating safe, organized and respectable environment for foreign employment.

8. Policy

Foreign employment related major policies shall be as follows:

- a. To identify and promote employment opportunities at international market.
- b. To develop skilled human resources having competitive capacity for maximize benefits from foreign employment.
- c. To create each step of foreign employment simple, transparent, reliable, organized and safe.
- d. To address concerns of female workers on labour market and ensure their rights in overall migration cycle.
- e. To ensure good governance on foreign employment management.
- f. To mobilize local, national and international resources for foreign employment management and also promote collaborative efforts through increasing sectoral partnership.
- g. To mobilize remittance on human development and productive sector as much as possible.

9. Strategy

9.1 To identify and promote employment opportunities at international market.

- Role of various agencies including Foreign Employment Promotion Board, Nepalese diplomatic missions and non-residential Nepalese related organization shall be strengthen for tracking, diversifying and promoting opportunities of low risk and maximum income generation foreign employment at international labour market.

- Joint technical committee shall be formed to execute international labour agreement with destination countries and also for monitoring of such agreement.
- Common approaches and strategies shall be developed through joint collaboration on various levels with destination countries, SAARC countries and other source countries.
- Diplomatic mission shall be mobilized in the direction of financial diplomacy by empowering them with resources and capacity to promote and systematize foreign employment. For this, various measures like empowering Nepali diplomatic missions, enhancing capacity of labour attaches and mobilizing Non-residential Nepalese agencies shall be taken to promotion of rights/benefits of Nepali workers.
- Private sector's role shall make effective to track and promote attractive labour market.
- Nepali diplomatic missions shall be expanded and labour attaché & welfare officers shall be arranged, as requires, at those countries where Nepalese labour work.
- Well recognized international agencies shall be identified and mobilized to track, diversify and proceeding of foreign employment, as requires.
- Cordial diplomatic relation shall be developed with destination countries and also lobbied for establishing diplomatic mission of these countries in Nepal.

9.2 To develop skilled human resources having competitive capacity for maximize benefits of foreign employment.

- Study and analysis of trends of international labour market to enhance capacity of Nepali national those are interested for foreign employment providing skill and knowledge as per demand.
- Skill based training programs as per demand by international labour market shall be carried out through professional Training and Skill Development Centers at local level.
- Collaboration with Center for Technical Education and Vocational Training (CTEVT) and other related institutions to provide various trainings and also improve skill composition of workers including languages of destination countries.

- Foreign employment centric trainings shall be carried out to make accessible to women, indigent, dalit, population of remote and disadvantage groups or sectors and shall be made foreign employment inclusive.
- Foreign employment shall be taken an opportunity to bring new skill and technology and also utilize individual's capacity those return from foreign employment by promoting and mobilizing their skill and entrepreneurship.

9.3 To make simple, transparent, reliable, organized and safe foreign employment related process.

- Information system of foreign employment shall be strengthened and risks during process of foreign employment shall be minimized by developing activities related to pre-employment, pre-departure, departure, on the job, reintegration.
- Research and study on minimizing risks of social and family deconstruction due to labour migration shall be carried out and appropriate activities to address those issues shall be framed and implemented.
- Human smuggling and trafficking during foreign employment shall be controlled. Rights of Nepali workers shall be protected and promoted.
- Regulation to perform corporate social responsibilities of beneficiaries of foreign employment including foreign employment agencies, training related agencies, bank and financial agencies shall be in place and also encouraged.
- Foreign employment related curriculums shall be introduced at school/college level. Further Academician and professional institution shall be encouraged to involve in study/research on this sector.
- Maximum mobilization of Foreign Employment Welfare Fund on protection and welfare of foreign employees.
- Activities related to data collection, information communication, control of fraudulent activities and rehabilitation of works shall make more effective through mobilizing local authorities and NGOs.
- Effort shall be made to execute bilateral agreement to return Nepali workers those are in prison at foreign jail for foreign employment related crime and arranged sentencing remaining period in Nepal.
- Basis of minimum remuneration for foreign employment workers shall be developed and fixed. For this, collective bargain to fix minimum remuneration with destination countries shall be executed in coordination with countries of origin of this region.
- Foreign employment related information/communication system shall be developed and special program to raise sensitization at the village level shall be initiated.
- Insurance plan that implemented for individual of foreign employment shall be reviewed to incorporate additional benefits. Further social security measures shall be implemented for them.

- Human rights activist, NGOs, international organization and networks along with NRNs shall be mobilized against discrimination and exploitation with foreign employees and protect their basic human rights.
- Non-residential Nepalese, particularly where there aren't Nepali missions, shall be mobilized to support legal remedies, emergency support and rescue of Nepali workers.
- Role of media shall be strengthen and effective to mobilize them for organize, secure and respectable foreign employment.
- Subject of foreign employment shall be incorporate in training module of civil service.

9.3.1 Pre-departure

- Program to create enabling environment for general public to make self-decision shall be carried out for those interested individual for foreign employment through carrying out pre-employment programs including procedure to internalize foreign employment related opportunities, risks and options, financial literacy and safe employment.
- Link between foreign employment with labour and employment policy shall be established to promote Nepali national for in-country employment by providing necessary facilities and support.
- Migration resource center established at Foreign Employment Promotion Board shall be strengthen and decentralized. Further it will be extended to village level as an information center through networking. Communicate information system shall be developed on migration information center and updated periodical basis.
- Necessary steps shall be taken to standardize health checkup at pre-employment stage in line with international standard.
- Massive information on foreign employment related opportunity and benefits, illegal migration, and risk for trafficking shall be disseminated through government, non-government, license holder foreign employment agencies, local authorities, radio and other mass media at local level. For this various activities including foreign employment related audio-visual materials and display shall be produced. These issues shall be incorporated on in training and empowerment related social mobilization activities at local level.

9.2.3 Security on the job

- For the protection and promotion of Nepali workers abroad, Relation establishing and collaboration shall be build up with international labour organization, UN agencies, International Organization for Migration, International Trade Union Federation, agencies at destination countries and migration related other agencies.
- Illegal human transportation, trafficking and human smuggling during foreign employment process due to open border shall be prevented.
- Necessary arrangement at destination countries shall be established to monitor working environment at the workplace and also to ensure whether facilities mentioned in contract are provided or not.
- Hotline services between workplace and diplomatic mission or source center at destination countries shall be established.
- Diplomatic effort shall be created to establish labour desk at airport of destination countries.
- Foreign Employment Welfare Fund shall be mobilized to arrange legal assistance, emergency health service and rescue activities through diplomatic missions.
- Model contract shall be developed on foreign employment and effort shall be put forward to incorporate it in labour agreements. Efforts shall be made to enlist Nepali domestic workers under labour laws of destination countries through such labour agreements. Further such labour agreement shall be ensured with all approve international labour standards.
- A system to document all undocumented Nepali workers at the destination countries and renewal of labour approval from same place shall be developed. Further a separate mechanism shall be developed to rescue of such labour.
- Safe houses shall be construct/build at the destination countries for emergency period.
- Nepali diplomatic mission at destination countries shall be strengthen for the safety and protection of Nepali workers and also labour attaché shall be mobilized effectively.

9.3.3 Re-integration Phase

- Foreign employment shall be developed as tool for transfer new skill and technology. Further foreign employment returnees shall be recognized as development partners for national development and poverty reduction by utilization of their skill and savings.
- Effective social and economic reintegration package shall be introduced for foreign employment returnees.
- Returnees of foreign employment shall be utilized as trainers for orientations and skill trainings. A data base of Nepali worker going abroad for foreign work and returnees shall be developed. This data recording process shall be started from the immigration section which is initial point of foreign employment.
- Psycho-social counseling centers and rehabilitation centers shall be established under Foreign Employment Welfare Fund.
- Returnees of foreign employment shall be encouraged to incorporate agencies that provide trainings and develop entrepreneurship, capital formation and investment etc.
- For the productive investment and maximizing benefit of remittance received from foreign employment, shall be encouraged to incorporate industries or investment based public private partnership.
- National bank or financial institution and financial agencies of destination countries shall be encouraged to establish relationship to channelize remittance through formal modes and introduce special programs to invest remittance on productive sector.
- Family support system shall be developed to support education, health, community development and welfare related activities to families of foreign employees. Further programs related to welfare of children of foreign employees shall be developed in collaboration with local agencies, child welfare committees and NGOs and also implemented.

9.4 To address concerns of female workers on labour market and ensure their rights in overall migration cycle.

- Foreign employment related prevailing laws, policies, programs and project shall be analyzed from gender perspective and programs specially focusing on

security of women to address issues of women shall be designed and implemented.

- For female those are interested for foreign employment, demand side of labour markets and sectors of comparative profit shall be identified and skill based training and orientation with diversifying opportunities shall be provided to female.
- Intensive information shall be disseminated to female those are interested for foreign employment in each step of pre-employment and provide opportunity of informed choice for them.
- Effective legal and institutional mechanism shall be placed to ensure rights of female workers by eliminating discrimination and violence against women at the time of labour migration.
- Special provision of female worker's safety shall be incorporated in bilateral and multi-lateral agreement.
- Programs shall be launched for dignified social reintegrations of female worker after their return from foreign employment along with implement various sensitizations, psycho-social service and plans to create positive attitude toward foreign employment.
- Collaborative efforts shall be initiated to develop inter-country networks between government and non-governmental agencies working for labour migration to prevent human trafficking, transportation and smuggling in process of foreign employment.
- Access of women on foreign employment related opportunities shall be increased by providing preferential loan for economically weak female but interested for foreign employment. Bank and financial agencies shall be encouraged to flow it's loan on program that specially designed for women.
- Standard guidelines shall be developed for safety of female workers and their rights and implemented along with special programs.
- Female labour attche or female welfare officer shall be deployed on such destination countries where there are more than 1000 Nepali women are working.
- As per General Recommendation No. 26 of CEDAW relevant to migrant workers, separate measures shall be implemented for protection and promotion of human rights of migrant worker at country of origin, transit country or

destination country to avoid risk of possible vulnerability of harassment and discrimination to female.

9.5 To ensure good governance on foreign employment management.

- Foreign employment related agencies shall be decentralized to ensure access to possible worker on service that available for foreign employment.
- Decision and administration process of migration management related agencies shall made skill, simplify, transparent and responsible.
- Investigation and prosecution related capacity of Foreign Employment Department and it's officer shall be enhanced. Further, necessary resources shall be provided to strengthen these offices to make their effective outputs.
- Involvement of NRN worker, foreign employment agencies, women rights activist, working at foreign employment sector and civil society shall be ensured in foreign employment related law making process and also for its implementation.
- For the human resource development and capacity development of foreign employment management related agencies; training on international standards, women rights and foreign employment related laws shall be carried out on periodic basis.
- Foreign employment promotion board shall be developed as autonomous and effective agencies.
- Measure of monitoring indicators shall be develop for monitoring license holders companies as well as agencies to provide orientation training and skill based training. Further monitoring system shall be established to monitor regular basis.
- Foreign employment related issues shall be incorporated on legal and policy-wise training of local authorities.
- Collaborative strategies with local authorities shall be applied also on foreign employment related issues and labour migration related program shall be introduced on periodic plan of local authorities. Further migration related sensitization program shall be carried out through social mobilization programs.
- Role of private sectors shall be strengthen to develop and expand of foreign employment business and related services. Government shall play role of facilitator, regulator, and promoter and private sector role shall be extended and make responsible.

- Operation standard for foreign employment business including service charge shall be revised with latest development.
- Provision of reward and punishment shall be implemented on the basis of business capacity, transparency of activities, goodwill of license holders and work performance.
- Partnership strategy shall be implemented to capacity development of foreign employment related stakeholders (foreign employment professional, health professional agencies operating orientation training).
- Code of conduct for foreign employment entrepreneurs shall be placed to make transparency of their procedure and also to create healthy competitive environment between license holders' agencies.
- Information dissemination and training programs shall be decentralized to branch office of license holders agencies and arrange necessary service to individual interested for foreign employment at local level.
- Study and research center on labour migration shall be established with collaboration of foreign employment related professional organization, concern government, non-governmental and concern stakeholders.
- Free legal aid counseling and prevailing legal aid service for victim of foreign employment shall be strengthened and foreign employment related complain procedure shall be decentralized.
- Foreign Employment Tribunal shall be well-equipped with resources and also capacity shall be enhanced by providing migration related training and capacity development program.
- Foreign employment related petty issues and compensation shall be settled through Alternative Dispute Resolution (ADL) procedures. For this foreign employment related prevailing laws shall be reformed.
- Research and study shall be carried out to make foreign employment sector safe, organized and dignified. Along with this social cost of foreign employment shall be reduced by maximizing benefits for employees.

9.6 To mobilize local, national and international resources for foreign employment management and also promote collaborative efforts through increasing sectoral partnership.

- Effort shall be put forward to place a declaration on migrant workers in collaboration with various international and regional (including SAARC) agencies working on migration.
- In the context of easy international travel due to globalization, and WTO, under Mode-4 of Service Business which provide room for temporary migration to bridge skill-gap, to grab these opportunities, co-partnership shall be developed between government agencies, employment agencies and research based institutions to materialize abovementioned benefits.
- Partnership shall be strengthen between ILO, Global Forum for migration and development, International agencies related with migration, UN agencies and other multilateral agencies to organized and safe labour migration.
- Various forums shall be utilized for safe migration like forum that promote common interests of country of origin i.e. Colombo Procedures, Bali Procedures and other regional forums, Abu Dhabi Dialogue on joint forum of countries of origin and destination etc.
- Bilateral, multilateral and international forums shall be utilized to make laws of destination countries in line with International labour standards framed by ILO.
- Support of development partners and international agencies shall be mobilized to implement integrated action plan related with foreign employment and promote partnership.

9.7 To mobilize remittance on human development and productive sector as much as possible.

- Favorable investing environment shall be created for self-employment and creation of employment in-country through mobilizing skills, knowledge and entrepreneurship gained during foreign employment.
- Remittance mobilization shall be made effective through providing financial literacy to foreign employees and their families.
- Bank and financial institutions shall be encouraged to introduce special package programs which will motivate individuals to remit from formal channels.
- Provision to refund commission charge/or special benefits of remitting from formal channel shall be introduced and such information shall be disseminate widely as movement.
- For the investment on safe, organized and productive investment, especial focus shall be given on foreign employment bonds to invest income that earn on aboard.

- Especial programs shall be introduced for Nepalese foreign workers to invest their income on attractive investing sectors and national priority's projects through share.
- Necessary arrangement shall be introduced for special discount/relief on duty/tax on specified goods for returnee of foreign employment.
- Study/research shall be carried out to utilize of maximum use of remittance.
- Subject of remittance shall be included in training and orientation of foreign employment.
- Special discount package including import tax/tax while importing machinery/equipment for enterprises to utilize skill, knowledge and capacity of Nepali workers return from foreign employment.
- In relation to remittance delivery, stress shall be given to extension of bank, financial institution or money transfer down to village and also stress to make effective role of them.
- Foreign employment and remittance shall be included on contribution based social security related programs.
- Worker those want to invest their remittance on industrial sector or want to contribute on their community development; government shall introduced community development and local infrastructure building programs with allotting additional money on top of that.

10. Institutional Structure

A. To provide direction for effective and competent foreign employment management and to promote sustainable & productive investment that received through foreign investment to contribute on national income and generated skill; a High Level Foreign Employment Coordination Committee shall be formed to coordinate and harmonize policy level issues between stakeholders and also to monitoring and evaluation, which shall be as follows:

- | | | | |
|----|--|---|------------------|
| 1. | Hon'ble Minister, Ministry of Labour & Transportation Management | - | Coordinator |
| 2. | Hon'ble Member (National Planning Commission, Labour, Employment Sector) | - | Vice-coordinator |
| 3. | Secretary, Office of Prime Minister and Council of Ministry | - | Member |
| 4. | Secretary, Ministry of Labour & Transportation Management | - | " |
| 5. | Secretary, Ministry of Foreign Affairs | - | " |
| 6. | Secretary, Ministry of Home Affairs | - | " |
| 7. | Secretary, Ministry of Financial Affairs | - | " |

8. Secretary, Ministry of Local Development	-	"
9. Secretary, Ministry of Education	-	"
10. Section Officer, Ministry of Women, Children and Social Welfare	-	"
11. Special Class Officer, Nepal Rastra Bank	-	"
12. 3 Representatives, nominated by GoN, including a woman among foreign employment related agencies	-	"
13. 2 Representatives, nominated by GoN including a female among Organizations working on workers related sectors	-	"
14. Expert, nominated by GoN among expert on migration related	-	"
15. Joint-Secretary, Ministry of Labour & Transportation Management	-	Member-secretary

Representatives from national and international agencies can be invited on the meeting of this committee.

B. To effective implementing of decision/direction of High Level Foreign Employment Coordination Committee & also implementing foreign employment related specified activities and also resolve problem that raised during implementation stage, a Executive Committee having following detail, will formed:

1. Secretary, Ministry of labour and Transportation Management		Coordinator
2. Joint Secretary, Office of Prime Minister and Council of minister		Member
3. Joint Secretary, Ministry of Foreign Affairs	-	"
4. Joint Secretary, Ministry of Home Affairs	-	"
5. Joint Secretary, Ministry of Financial Affairs	-	"
6. Joint Secretary, Ministry of Labour and Transportation Management	-	"
7. Joint Secretary, Ministry of Local Development	-	"
8. Joint Secretary, Ministry of Education	-	"
9. Joint Secretary, Ministry of Women, Children and Social Welfare	-	"
"		
10. Joint Secretary, National Planning Commission	-	"
11. Director General, Foreign Employment Department	-	"
12. Executive Director, Foreign Employment Promotion Board	-	"
13. First Class Officer, Nepal Rastra Bank	-	"
14. Chair, Nepal Foreign Employment Association	-	"
15. Under Secretary, Ministry of Labour and Transportation Management	-	"

11. Financial Aspect: To implement this policy, programs shall be framed annually and necessary resources shall be mobilized. In such program, resource shall be mobilized from non-government sector, other institutions and private sectors as well as resource from government sectors.

12. Legal provisions

A) Legal Reformation

– For the effective implement of this Policy; necessary laws, regulations and policies shall be framed and also prevailing Foreign Employment Act 2064 BS and its Regulation 2064 BS shall be reformed, if necessary.

- Necessary legal reformation shall be initiated to mobilize international agencies during foreign employment process.

b) Policy level Reform and Amendment:

This policy shall be reviewed on each five years and reformed as necessary. However, if there is necessary to reform this policy to address any change in international labour market, shall be reformed before said period.

c) Implementing Policy:

- for the effective implementation of this policy, necessary subjectwise and sectorwise strategies shall be developed in collaboration and coordination with all stakeholders.

- To mainstreaming this policy, all sectoral ministries shall have to base this policy while framing their programs.

13. Monitoring and Evaluation:

Ministry of Labour and Transport Management will carry out periodic monitoring and evaluation of this policy and will submit its report to the High level Foreign Employment Coordination Committee.

14 Risk:

There will be following risk while implementing this policy:-

- There should be adequate resource mobilization to carry out programs as target while implementing this policy.
- There should be effective inter agencies coordination as visualized by this policy and for this, cooperation from all concerns partner agencies is required.

shall be initiated on