

The Government Policy of 'Free Visa, Free Ticket': An Evaluation from Prospective Foreign Labour Migrant

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Abstract

Nepali youths join foreign jobs with the dream of earning a lot of money and making a happy family. However, high visa fees and high costs of tickets impose a load of debt on the family. Nepal adopted the policy of free visas and free tickets to reduce the burden of debt. This article explains whether the dream of foreign labor migrants has come true after the government of Nepal adopted the policy of the 'free visa, free ticket' policy. The main objective of this article is to describe the experience of foreign labour migrants under the policy of the 'free visa, free ticket'. Seven years have passed since the 'free visa, free ticket' policy was introduced. Foreign labour migrants have not been able to go abroad for work at zero migration cost yet. Due to ineffectiveness of this policy, people who go abroad have become a place to cheat on.

Key Words: free visa, free ticket, government's inaction, fraud by Manpower Company, overcharging fee

Introduction

When the attraction of Nepalese youth increased for foreign employment, the government of Nepal introduced the policy of the 'free visa, free ticket' on 9 June 2015. It was the scheme of zero-cost migration (Sijapati et al., 2017). The ILO recommends a zero-cost recruitment system, where labour migrants would not pay recruitment fees (UN, 2015). It was the best effort of the government for foreign labor migrants and the worst for the manpower agencies and brokers sending workers abroad at a low cost and increasing the economic benefits through remittances. Nepal Rastra Bank (2015) stated that the policy stipulates that the employer should bear the visa cost and ticket fees but the labor migrants should pay a maximum of Rs. 10, 000/- for the service charges including pre-departure orientation training, medical check-ups, the government-mandated worker's welfare fund, and insurance. It was to be implemented in seven countries like Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, the United Arab Emirates, and Malaysia. The policy targeted poor people who had no access to foreign employment. Its goal has been to increase the access of poor people to foreign employment (NRB, 2015). These countries are recognized as major destinations for Nepali migrant workers' destinations and receive 85 % of Nepali labour migrants (MoLE, 2016).

The cost of migration depends on the government policy as the government of Nepal set the maximum fee for migration to work in Gulf countries and Malaysia in 2010. A visa

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fee of Rs. 70,000 is charged for going to work in the Gulf countries and Rs. 80,000 for going to Malaysia (Sijapati and Kharel, 2016). It does not favour foreign labour migrants in terms of the cost of migration. The high cost of migration helps to increase the debt burden of migrants as the money earned abroad is only good enough to pay the high-interest debt.

There have been reports in various newspapers about no proper implementation of the policy. Poor implementations were mentioned in the official reports of the Nepal government. NRB (2075) estimated that out of the total labor migrants more than three-quarters of them are aware of the provision of free visas and free tickets. Similarly, only one-third of the workers have paid the minimum fee according to this, while one-fourth have paid more than Rs.50,000 to foreign employment companies. This provision has not been effective due to manpower companies' vested interests. They have been found reluctant in this regard if one person does not go, another person will pay more amounts, and even if they pay more amount, they will get only Rs. 10000 and non-disclosure of free visas and free tickets. About 96.6 percent of Nepali foreign labour migrants have gone to countries that have implemented free visa and free ticket provisions (NRB, 2075) but the fee has been paid. The government of Nepal could not implement it by actively coordinating and regulating the line agencies of foreign employment. For a person to be employed abroad, there should be a combination of various government, private and foreign organizations. In Nepal, there should be a deep interrelationship between the ministries of the Nepal government, departments, foreign employment agencies, employer organizations and the government agencies of the destination countries.

The cost of migration in developed countries is the highest of all but the cost in India is the lowest. Labour migrants should pay USD 8000 for the migration to developed countries while to India is USD 56. The migration cost in Malaysia is USD 1388. Similarly, the cost in United Arab Emirates is USD 1277, USD 1122 in Saudi Arab, USD 1106 in Kuwait, USD 1083 in Qatar etc. (IOM, 2019). Nepalese youths join heavily in foreign employments by paying high cost. Foreign labour migrants manage to pay all costs and fees of migration. The government of Nepal and foreign employers are not responsible for bearing the cost of the visa, ticket, and all other expenses like medical checkup insurance fee, pre-departure orientation training, and contributing to the migrant welfare fund. The policy addresses the reduction of the migration cost in selected seven countries and can reduce the number of young people going for foreign employment along with the debt burden.

ILO stated that two-thirds labour migrants had paid high visa fees and 90 percent did not get the original bill for visa payment. Duplication of the payment bill of visa fee helps to hide the actual amount of visa fee charge from the migrant labour (2017). The cost of joining foreign employment could not fall and the poor could not easily go there after the provision of free visas and free tickets. Manpower companies continue to charge high fees to foreign laour migrants. The case was filed in the Supreme Court on August 27, 2017, to effectively enforce the provision of a 'free visa and free ticket'. Amnesty International Nepal (2017) presented that two third labour migrants paid illegal high fees to recruitment

agents. Most of them had taken high-interest loans, then they are trapped in a vicious cycle of debt (Accessed in 2022 July 2, <https://www.business-humanright.org.>).

Hence, this topic has become a burning issue among Nepali youths due to the exploitation of foreign labour migrants by the policy of free visas and free tickets. Therefore, the topic is the most relevant in the research domain. It is concentrated on the evaluation of free visa and free ticket policy by prospective foreign labour migrants. Manpower companies are located in Kupondol, Pulchok, Jawalakhel areas of the Lalitpur Metropolitan City. Therefore, the study has selected these areas purposefully.

The Emergence of Debate on Policy

The print media first started the debate by communicating information about the 'free visa, free ticket' policy. Sijapati and Kharel (2016) published the article in Kathmandu Post, which was based on the research but less attention to the experience of foreign labour migrants on the 'free visa, free ticket' policy. Similarly, Mandal (2019) published the article in *the Kathmandu Post*. It has been mentioned that the directive of the Supreme Court has been ignored. The reason for this has not been mentioned. Mandal (2019) reported in the Kathmandu Post that a case was filed in the Supreme Court on 27 August 2017 for the effective implementation of this policy. He also mentioned that the issuance of the Supreme Court directive to the government is also improperly implemented and still poorly enforced. He added the lawyer's view on the implementation of the policy. Lawyers were not satisfied with the implementation of this policy and viewed the policy is limited to paper, and foreign labour migrants are exploited in the name of free visas and free tickets. Government should implement this policy strictly (Mandal, 2019), but does not give attention to studying the view of foreign labour migrants.

Asian Human Rights and Culture Development Forum (2016) found that only a nominal number of foreign labour migrants could get benefits from the free visa and free ticket (cited by Mandal, 2019). Amnesty International (2017) estimated that two-thirds of foreign labour migrants paid a huge amount of money for joining jobs. It was not legal recruitment fees, but sub-agents of manpower companies received recruitment fees from the migrants. One of the reasons for not being able to implement this policy is that the government has been lax in its implementation and enforcement. Similarly, other reasons are the resistance of policy by manpower companies and the low level of awareness of foreign labour migrants.

Nepal Rastra Bank (2075) concluded that the provision of the 'free visa, free ticket' has not been effective due to reasons such as the manpower companies not sending without paying more money, one person not going, another person paying more money, paying more money but only giving a bill of Rs. 10,000, not giving information about 'free visa, free ticket' policy.

These studies have mentioned the exploitation and fraud of foreign labour migrants. Their experiences are presented but these studies cannot address the current situation of the 'free visa, free ticket' policy. This article answers how foreign labour migrants evaluate the 'free

visa, free ticket' policy. The main objective of the article has been to examine the view of foreign labour migrants on the 'free visa, free ticket' policy.

Research Methods

Manpower companies are located in Kupondol, Pulchok, Jawalakhel areas of the Lalitpur Metropolitan City. Therefore, these areas have been purposively chosen as the study area. The rationale for the selected study area is easily available manpower companies. The universe of the study is unknown so it has adopted the purposive sampling method. The sampling unit of this research is prospective foreign labour migrants. It is not easy to meet foreign labour migrants who are going to a country where a fee visa and free tickets are applied. Therefore, when going to the manpower company, whoever was found according to the purpose was taken as a sample. In this way, 15 prospective foreign labour migrants have been selected as a sample while visiting eight manpower companies from time to time. Primary and secondary data have been collected. The nature of data is both quantitative and qualitative. An interview schedule and key informants interviews have been used to get detailed information about the implementation of free visas and free tickets. Quantitative data have been presented in the table and simple statistical tools have been used. Qualitative data have been interpreted and has been exploring the meanings.

Destination Place of Prospective Foreign Labour Migrants

Prospective migrants have different destination countries. About 95 percent of the total numbers of people who go abroad for work migrate to countries where the government of Nepal has implemented a free visa and free ticket system (NRB, 2075). The following table shows the distribution of the respondents by their place of destination.

Table 1: Distribution of the respondents by their place of Destination

Destination countries	Number	Percentage
Malaysia	6	40.00
Saudi Arab	5	33.33
UAE (Dubai)	2	13.33
Qatar	1	6.67
Kuwait	1	6.67
Total	15	100.00

Source: Field Work, 2022.

The table shows the details of the respondents' place of destination. Among the respondents involved in the fieldwork, 40 % of prospective foreign labour migrants went to Malaysia, 33.33% to Saudi Arabia, 13.33 % to Dubai, and 6.67 % to Qatar and Kuwait. The study of Nepal Rastra Bank has also found that Malaysia is the main destination country (2075).

Knowhow on Free Visa and Free Ticket

Amnesty International (2017) reported that Foreign Employment Promotion Board could not disseminate complete information about the free visa and free ticket policy to line

agencies and the wider public. All migrant workers are not aware of this policy and do not take advantage of the free visa and free ticket. Therefore, the foreign labour migrants' knowledge of the policy is important for the evaluation of free visas and fee tickets.

Table 2. Distribution of Respondents by the know-how about free visas and free ticket

Do you know about free visas and free tickets?	No. Respondent	Percentage
Yes	8	53.33
No	7	46.67
Total	15	100.00

Source: Field Work, 2022.

Here table 8 shows that 53.33% of respondents know-how about free visas and free tickets and 46.77% of respondents each answered 'no' which means they know about free visas and free tickets. Nepal Rastra Bank (2075) found that most prospective labour migrants have information about the provision of free visas and tickets. Table 8 also shows a similar finding that the majority of respondents have know-how about the 'free visa, free ticket' policy.

Sources of Information

Information source is considered the main factor for taking benefit from the different policies and programs. The following table shows the source of getting information about free visas and free tickets.

Table 3. Distribution of Respondents by the Sources of Information

Source of Information	No. Respondent	Percentage
Friends	4	50.00
Newspapers	2	25.00
Subagents of Manpower	2	25.00
Total	8	100.00

Source: Field Study, 2022.

Table 9 shows that 50% of respondents have heard about free visas and free tickets from friends and 25 percent have gotten information from the newspaper. Similarly, the remaining 25 % of respondents also have gotten information from subagents of manpower. Data shows that there is a lack of information dissemination on free visas and free tickets. The government of Nepal should actively disseminate information about free visas and free tickets.

Views on the effective implementation of the 'free visa, free ticket' policy

Amnesty International (2017) identified that the government has failed in implementing the 'free visa, free ticket' policy. The major causes of the failure of policy are weak information dissemination systems, weak monitoring of policy implementation, and weak enforcement and redress. Among the total respondents, all of them admitted that the

implementation of the provision of 'free visa, free ticket' is ineffective. All the respondents mentioned that they have paid visa fees more than the fee set by the government. There are different views on the effective implementation of the 'free visa, free ticket' policy. The following table shows the respondents' views on the effective implementation of the 'free visa, free ticket' policy.

Table 4: Distribution of the respondents by their view on the effective implementation of 'free visa, free ticket'.

Statement	Number	Percentage
Strong monitoring of manpower companies	7	40.00
Government should develop an effective dissemination system	5	33.33
Deactivate the agents and subagents	2	13.33
Action against policy violators	1	6.67
Total	15	100.00

Source: Field Work, 2022.

The views of the respondents regarding the effective implementation of the 'free visa, free ticket' are presented in the above table. The majority of the respondents said that manpower companies should be strictly monitored by the government, which is 40.00 percent of them. The view of 33.33% of respondents is that the government should develop an effective information dissemination system. Similarly, 13.33% of the respondents viewed that the brokers should be made inactive and only 6.67 % expressed the opinion that action should be taken against those who work against the policy and violate it. These findings are consistent with the findings of the study of Nepal Rastra Bank (2075).

Inaction and negligence of the state toward policy implementation

Amnesty International (2017) explored that the causes of weak implementation of police are the government of Nepal could not establish an effective mechanism to monitor and address non-compliance, failure to monitor agencies' compliance with the free visa, free ticket policy, lack of government planning and coordination, making fake payment bill by manpower companies and pat commission to foreign broker and employer for labour demand. Due to lack of information about free visas, and free tickets for all those who want to go for foreign employment, it seems that the government is weak in the dissemination of information about free visas, and free ticket policy. Sijapati and Kharel also stated that the government's action toward policy implementation is weak. The government did not pay attention to all the formal and informal institutions active in the migration process while formulating the policy (Sijapati and Kharel, 2016). In an interview with one of the respondents, it has been expressed that the dissemination of information about free visas, and free tickets policy is ineffective:

'Only a few people know about free visas, and free ticket schemes for the youth from far away regions. I didn't know either, I came to know only after you told me but I have paid one Lakh twenty thousand rupees for the visa. Government should broadcast such information on the radio and F.M. In my opinion, if everyone is informed, the way to earn

money or commission will be closed. The poor have to pay a lot of money, the rich have their own relatives in the government offices, that's why they go abroad for little money with free visas and free tickets.'

Interview with Depak Rai 20 May 2022

The excerpt describes the weakness of the government of Nepal in the dissemination of information about free visas and free tickets. The government has not been able to widely publicize the free visa and free ticket policy. It seems that the Government of Nepal is not able to disseminate information related to free visas, and free tickets because of the inactive role of the government to enforce and regulate the government's information broadcasting agencies. The government's negligence to implement this policy helps to continue high migration costs. The foreign labour recruitment process is highly expensive. Nepalese youths are forced to go for foreign employment by paying eleven times more fees than the government has set. Even though it is said to be a free visa, a free ticket, there is still a trend of charging a lot of fees. As a result, poor Nepali youths have been forced to bear the burden of debt. Powerless Nepali youths are still paying huge amounts of money as visa fees. Rich and powerful Nepali youths are still enjoying free visas and a free ticket scheme. Sijapati and Kharel (2016) argued that the government's weakness to introduce the role of intermediaries in the processing migration, there are not any provisions for the role of individual agents and subagents but the individual agents and subagents charge a high amount of money to prospective foreign labour migrants. The above statement of the respondent is similar to the argument of Sijapati and Kharel. Another study shows that the intermediaries always want to make a profit from the foreign labour migrants and distort the labour supply and demand chain for making high commissions (GIZ and ILO, 2015).

The government staff has discriminated between relatives and strangers while implementing this policy. Relatives and those with certain powers are easily benefiting from free visas and a free ticket policy. One of the reasons for the emergence of subagents and middlemen is the result of the ineffective dissemination of the free visa scheme. This policy helps to regenerate the social inequality between high-paid labour migrants and getting free visas labour migrants. Amnesty International (2017) argued that the government could not create monitoring mechanisms for the monitoring of the 'free visa, free ticket' policy. There are many actors in the recruitment industry and failure to monitor the local agents and recruitment agencies. One respondent answered about the government's weak monitoring and regulation in the implementation of the 'free visa, free ticket' policy.

"The government has not strictly monitored the manpower companies. An arbitrary fee is taken from going to foreign labour migrants. I have done the visa process for Saudi Arab. The broker (*dalaal*) had taken ninety thousand rupees as a recruitment fee. I said that the government has arranged that no visa fee will be charged, only ten thousand will be paid. I will only pay ten thousand rupees. The subagent said to go where the government sends. I did not know another manpower office. I was sitting in the room of my village brother, I told him everything. The next day, my brother and I went to another manpower office. there is a demand for workers only in Malaysia. After that, another broker was contacted. He also said that it costs one Lakh twenty thousand rupees for Saudi Arab. After saying

this, it came to mind. In the end, the visa process is done by this manpower. In this way, the government is keeping silent while brokers and manpower offices are charging visa fees arbitrarily. This shows the inaction of the government to implement the policy.'

Interview with Prabin Rana Magar 22 May 2022

As per the quotation, manpower companies, agents, and subagents are exploiting foreign labour migrants by charging more than eleven times the visa fees. While charging more and more fees in the name of free visas, the rules and policies of the government have become nothing more than scraps of paper. The majority of foreign labour migrants have been victimized by overcharging of manpower companies. The Department of Foreign Employment is a monitoring unit. Its role is to monitor, and supervise the case of fraud and overcharging. It conducted monitoring visits in Kathmandu between 2015 and 2016, and it did not find any cases of fraud and overcharging (Amnesty International, 2017). It may be extreme negligence of the government. In the Foreign Employment Act, 2007, the function of the Foreign Employment Department is to supervise and inspect the manpower companies (Nepal Law Commission, 2007), but Department has not supervised properly the implementation of the policy.

Fraudulent Acts of Manpower Company

After Nepal government introduced the 'free visa, free ticket' policy, manpower companies protested to stop this policy on 9 July 2015. They announced an indefinite strike and protested the 'free visa, free ticket' policy. The shutdown halted all recruitment processes conducted by manpower offices. Nepal Association of Foreign Employment Agencies (NAFEA) filed a writ at Patan Appellate Court claiming the weakness of legal and procedural sectors. The strike was ended after the agreement between the Ministry of Labour and Employment and manpower companies on the thirty-one points agreement out of the 35 points set forth by the NAFEA. Nepali Newspapers and civil society organizations alleged that the manpower companies still charged recruitment fees to foreign labour migrants. Civil Society groups urged the government to strongly enforce the new regulations on recruitment fees. Police raided manpower companies for the first time and arrested 8 heads of manpower companies on 24 February 2016. Manpower companies launched the strike on 6 March 2016. Although this protest appears to be a dispute between the police and the manpower companies, in reality, the police were repressed when the manpower companies refused to implement the government's policy (Amnesty International, 2017). Manpower companies are breaching the rule of free recruitment and are charging fees to foreign labour migrants (Bharati, 2019).

A public interest litigation case was registered in the supreme court on August 27, 2017, to ensure effective implementation of the 'free visa, free ticket' by Law and Policy Forum for Social Justice and Asian Human Rights and Culture Development Forum (Mandal, 2019).

The office of the Auditor General (2075) has claimed that the manpower company has been taking more money from foreign labour migrants in addition to the prescribed fee. The 'free visa, free ticket' policy still faces the problem of payment of a large amount of

money to manpower companies (The office of the Auditor General, 2075). Manpower companies have been strongly opposed to the policy since the beginning. Until now, they are continuously ignoring and charging huge amounts to foreign labour migrants by giving fake bills in the amount of Rs. 10,000/-. The experience of one respondent regarding the illegal fees charged by the manpower company is as follows:

'Manpower company brokers do not agree to talk about free visas. The government made the policy that someone can go for free when he/she goes to work abroad, but why are asking me for so much money? In response to this, he said that money should be given to foreign agents. He said that you get a good job. The salary and other facilities are good. It is a Samsung company, it gives bonus from time to time, so the recruitment fee is one lakh rupees. When I said that I cannot pay that much amount, he said in a rough voice, if you can pay that amount visit with any other manpower. If you don't apply for a visa, many others are trying to apply. Although his words touched my heart, I requested him to discount some amount. In the end, it was settled for Rs. 90,000/-. But I had to pay separately for the health examination fee, insurance fee, and orientation training fee. I would have paid only Rs.10,000/- if the manpower company had accepted the government rules. I will fly after a week. Manpower office staff ordered me to show the bill of Rs. 10,000/- at the airport. When asked how much money was taken, you should say that I paid only Rs 10000/-.'

Interview with Hari Gurung, 24 May, 2022

The excerpt shows the exploitation and fraud done by the manpower companies against foreign labour migrants. In such a situation the government keeps silent and only calculates the contribution made by the remittances to the national economy. Even though the government itself could not implement the 'free visa, free ticket' policy it has made, it considers that the state's order has been obeyed and there is a misunderstanding that the foreign labour migrants have been cheated by manpower companies. There is no alternative to being forced to be foreign labour migrants and silently enduring fraud from the manpower companies. The manpower companies have forced the foreign labour migrants to tell the amount specified by the government without clearly telling the total amount paid by them. The manpower companies are sure that they did not charge more than the government legally specified fee amount because the bill with a fee of Rs.10000/- was given to the foreign labour migrants. Foreign labour migrants are going to work abroad by paying high fees to manpower companies in the name of the 'free visa, free ticket' policy.

Conclusion

Even though the Supreme court had issued a directive to the government to effective implementation of the 'free visa, free ticket' policy to increase access to the poor by reducing the migration cost of foreign employment, It has not yet been implemented. Foreign labour migrants have not been able to go abroad for work without paying fees due to the ineffective implementation of the provision of 'free visa, free ticket'. The failed implementation of the policy has not been able to reduce the burden of debt of those who go for foreign employment, rather it is increasing. The policy of the government is failing because of the continued monopolies in the field of foreign employment of manpower companies. Manpower companies show that they have only charged the government-set recruitment fee even though they charged a lot of money. Apart from young Nepali

people who are going to work abroad, others are not able to benefit from the 'free visa, free ticket' policy. The main reason for this is that the government is unable to strictly enforce the directives and there is no strict monitoring and regulation of the manpower companies. Manpower companies are charging a lot of fees but giving a bill of ten thousand. It seems that the 'free visa, free ticket' provisions have been implemented on paper. However, they are cheating by not giving the bill of fees other than ten thousand rupees. Such actions of manpower companies are direct exploitation and fraud of foreign labour migrants.

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