

Is Protection Only a Legal Matter? Migrant Labour in South and South-East Asia

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Can policy issues and the paradigm created for migrant labour have a simple definition in the context of legal regimes, unlike refugee or protection? The understanding of the concept is that at some point the migrant labourer returns (home) bringing in the connotation of migration cycle for persons crossing international border and within a state. The research will be based on the policy framework that has been created on migrant labourer - severely jarred as a result of the pandemic. When the framework had been created, the notion was accepted that a labourer with rights going from one part of the country to another or to another country retains his or her rights, but in a situation of crisis rights become almost absent. The research will try to make a comparison of the regions of South and Southeast Asia because the problem of migrant labourer in the context of South-East Asia during the long 2020 with its precarious nature - whether climate related issues or environmental disasters or financial disasters or the pandemic, Asia along with the world has witnessed a crisis situation where rights had to be forgone. The study will look into the question of what happens during crisis when a migrant worker (even if he or she has not crossed international border) suddenly becomes shorn of rights, even with the struggle and challenges faced by activists and scholars in their efforts to augment the ambit of legal rights. Can the livelihood options and migrant labourers at large be protected in times of crises, not simply pandemic, at times when the rights of migrant labourers apparently get wiped away – thus, questioning, whether protection is merely a legal phenomenon or protection is designed from the accrument of rights?