

LABOUR MIGRATION FROM BANGLADESH 2016

ACHIEVEMENTS AND CHALLENGES



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A migrant providing testimony at the public hearing on the cost of migration organised by RMMRU

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International Labour Migration from Bangladesh 2016

Achievements and Challenges

The year of 2016 was a challenging year for international migration. Fear of migrants has been used as one of the most powerful political tools. Throughout the year, the rise of right-wing populist parties and anti-migrant political movements has taken the center stage of politics of many developed countries. This year, by pursuing an anti-immigration agenda the conservative parties in the UK won a referendum to leave the European Union. In the US Presidential Election, Donald Trump appealed to fears of immigration and was elected as its 45th President. The humanitarian tide that the world had experienced in the summer of 2015 in Germany and many parts of Europe following the death of Syrian child Aylan Kurdi, began to lose its appeal. The popularity and the political support of the German Chancellor Angela Merkel has dropped to an all time low in 2016. In such circumstance if we look at the migration scenario of Bangladesh a lot has been achieved in 2016.

This year Bangladesh successfully hosted the 9th Global Forum on Migration and Development (GFMD). Along with the refugee crisis, Bangladesh government is playing an important role in order to include the labour migration issues in the Global Compact negotiations that begins in 2017 and is likely to continue to 2019. During this year when the Rohingya refugees are in the dire need of protection and shelter, Bangladesh government is refusing them entry and asylum almost in the similar fashion as those of developed European countries.

2016 is particularly an eventful year for Bangladesh regarding labour migration. A record 36% increase in international migration has taken place from the country compared to the previous year. In order to ensure better governance, a number of countries including Qatar, United Arab Emirates and Kuwait

have brought changes in the labour recruitment process. These changes may bring in positive results for labour sending countries including Bangladesh.

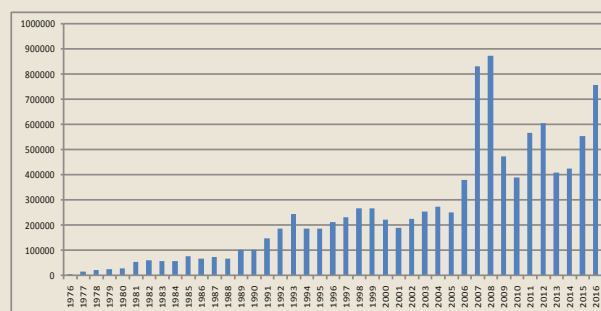
Along with a review of the challenges and achievements of the government, the private sector and the civil society in the migration sector in 2016, this report suggests steps that may be taken in migration governance for 2017.

1. Labour Migration from Bangladesh 2016

1.1 Statistics

In 2016 a total of 757,731 Bangladeshi workers migrated to the Gulf and other major destination countries. Migration flow has increased by 36% compared to last year. This figure was 555,881 in 2015 and 425,684 in 2014. Therefore, overseas migration of more than 700,000 workers in 2016 surely is a major achievement in the migration sector. The Bureau of Manpower Employment and Training (BMET) data informs that from 1976 to December 2016, about 10 million people had migrated overseas for work. Graph 1 demonstrates year wise labour flow from Bangladesh.

Graph 1: Labour migration from Bangladesh from 1976 to 2016



Source: Prepared from BMET data.



However, as there is no system on tracking or recording data on returnee migrants, it is nearly impossible to ascertain the total number of returnee migrants. There is a need for data on the number of returnee migrants. However until now no system has been developed to record the returnee data. Recently RMMRU conducted a survey under the DECCMA project in 50 moujas of 14 districts of Bangladesh. This survey found that 27% of migrant households were those of returnee migrants. In this study only those returnees were considered as returnee who had returned within last 10 years and stayed in Bangladesh for more than 6 months. Based on this survey, estimation can be made about the national figure of returnee migrants. The BMET data shows that during the last 10 years a total of 5,618,624 workers had migrated for jobs. If 27% of them return, then, we can estimate that during the last ten years 1,517,028 workers have returned.

1.2 Female Migration 2016

Female Migration has increased significantly in the last few years. This year a total of 118,088 female workers had gone abroad for the purpose of employment, which was 13% higher than last year. As the flow of male migration registered an increase the flow of female migration decreased in comparison. This year female migrants constituted around 16% of the total flow. This is also a positive side of migration. In 2015, the flow of female migration was 22.8% of total flow.

1.3 Countries of Destination

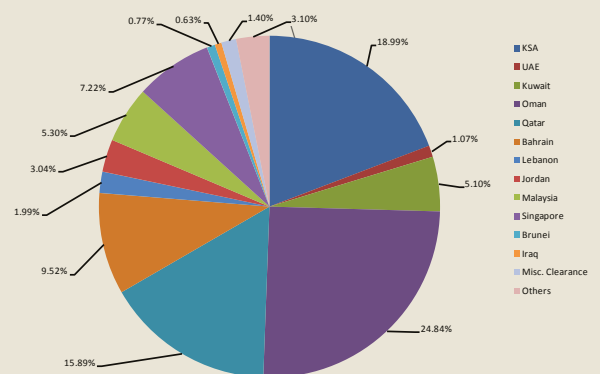
Like the previous years, most of the Bangladeshi short-term contract workers migrate to the Gulf and other Arab countries. This year was no exception. Almost 81% of the total workers who migrated from Bangladesh in 2016, went to the Gulf and other Arab countries. The remaining 19% went mostly to various South East Asian countries.

From 1976 to 2015 the flow of migration to Gulf and other Arab countries was 82% of the total flow. The remaining 18% was to other countries including South East Asian countries. The highest number of migration to the Gulf and other Arab countries took place in 1991 (97.30%) and lowest in 2007 (58.10%).

The low demand in Saudi Labour market that prevailed for a long time appears to have registered a change during last few years. As a result, Saudi Arabia has become the second highest migrant receiving country replacing Qatar. This year, Saudi Arabia received 143,913 Bangladeshi workers. This is a large increase of 60% over 2015's total of 58,270. Saudi Arabia represented almost 19% of the total migration flow in 2016.

Qatar holds the third position by receiving 120,382 workers from Bangladesh which was 16.1% of total annual flow. By receiving 72,167 workers, Bahrain gained the position of the fourth largest migrant receiving country. This year around 9.5% of the total workers went to Bahrain.

Chart-1: Destination countries of Bangladeshi migrant workers in 2016



Source: Prepared from BMET data.

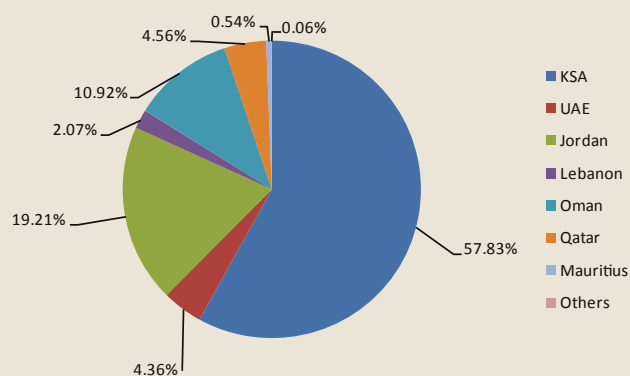
Singapore, falling from the third largest destination country in 2015 to the fifth in 2016, still received 54,730 migrants this year. Its change in status is mostly due to large increases of migration to Gulf States, rather than any sort of large decrease in comparison to previous years.



The UAE government's ban on migration of male workers still remains in force. The number of female migrants also decreased this year if compared to previous year. As a result the flow has decreased from 25,271 in 2015 to 8,131 in 2016, decline in 69% from 2015. Bangladesh government is in the process of changing the G2G system for labour migration to Malaysia. A significant rise has been noticed in migration flow to Malaysia this year. A total of 40,126 workers migrated to Malaysia in 2016. This figure was 30,453 in 2015.

Singapore, falling from the third largest destination country in 2015 to the fifth in 2016, still received 54,730 migrants this year.

Chart-2: Destination countries of female Bangladeshi migrant workers in 2016



Source: Prepared from BMET data.

1.4 Skills

Skilled migration has increased by almost 5 percent this year compared to 2015. BMET data inform 43.1% of the total migrant workers went abroad in skilled category in 2016. The figure was 34.95% in the previous year. Most of these skilled workers who went abroad this year were women. They mostly went overseas to work as domestic workers and cleaners. In the international context and according to the decent work report by ILO, domestic workers, and cleaners are considered low skilled workers. However, as



RMMRU team visits a climate change affected locality in Satkhira



Climate change adaptation: a school cum cyclone shelter in Hatia.



RMMRU-PPC field work on construction workers in C.Nawabganj

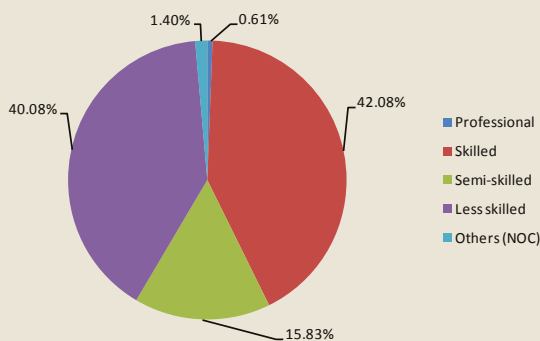


BMET provides training to female migrant workers who go abroad to undertake domestic and cleaning work, it recorded them as skilled workers. Of the total workers around 40.08% belonged to less skilled category, 15.83% to semi-skilled and 0.61% in professional category. Although migration of professional is still less than 1%, however, the figure doubled compared to the previous year (0.33%).

In response to the growing number of international migration in recent years, the data of skilled workers is rather unclear. This is an alarming trend and in the long run, not beneficiary for the sustainability of migration sector in Bangladesh. Due to skill shortage, these workers are forced to undertake precarious jobs with poor salary and precarious working conditions, where incidents of irregularity and physical torture on workers are frequent.

In order to accelerate skilled migration from Bangladesh, it is important to implement the National Skill Development Policy that was adopted in 2011. However, BMET is making efforts to increase the skill level of workers at par with international standards. The City and Guilds, a UK based agency, is supporting BMET with this skill development initiative.

Chart-3: Skill composition of Bangladeshi migrant workers in 2016



Source: Prepared from BMET data

1.5 Source areas

Comilla continues to be the most significant source area of migrants in 2016, providing about 11.60% of total migration. Chittagong remains in second with 6.15% of workers migrating from there. The following regions, Brahmanbaria (5.95%), Chandpur (4.24%), Dhaka (4.23%), Tangail (4.22%), Noakhali (3.81%), Kishorganj (2.73%), Munshiganj (2.71%), and Narsingdi (2.59%) occupy the next 8 highest source areas. The only noticeable change here from previous years is that Tangail has fallen from 5.62% in 2015 to 4.22% in 2016.

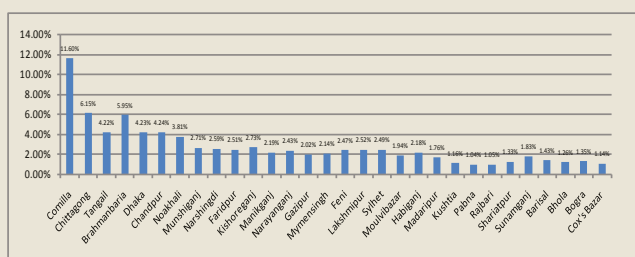
The areas of the Bandarban, Khagrachari, and Rangamati are typically among the lowest source areas of migrants in Bangladesh. This continues to be true in 2016 with Bandarban providing only 0.07%, Khagrachari only 0.12%, and Rangamati only 0.06% of total migrants. Other communities, like the Santals, are also absent in these statistics. All of this is due to the fact that these areas contain large percentages of Bangladesh's ethnic minorities, who are generally poorly represented in migration statistics. There are no training centres and no BMET branches in these regions. Most importantly, due to the linguistic and cultural diversity of these particular regions, the Government and civil society don't have the proper mechanisms with which to communicate the facts of migration to these peoples.

Besides, in the top 20 list of source districts for international migration, climate affected regions also had very poor participation in international migration. A recent study on climate change conducted by RMMRU under DECCMA project identified 50 moujas in 19 vulnerable districts in terms of the effect of climate change and these moujas had poor participation in international migration. However, internal migration and forced displacement is quite common in these moujas.



This year in the Peoples Global Action, international civil society demanded states and international communities to take strong initiative to rehabilitate people who are affected by climate change. In addition to local level adaptation, efforts should be made in imparting skills these affected people to undertake international migration.

Graph-2: Source areas of Bangladeshi migrant workers in 2016



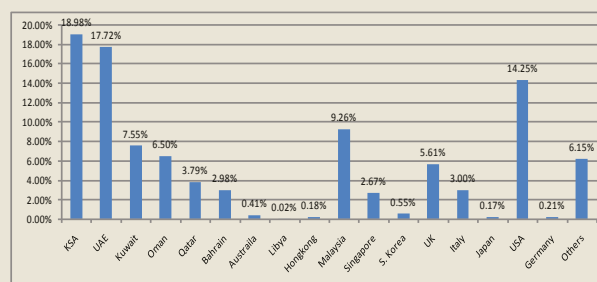
Source: Prepared from BMET data

1.6 Remittance

The flow of remittance has dropped drastically in 2016. This year, Bangladesh received a total of US\$13.6 billion as remittances. The flow was almost 11% less than the previous year (US\$ 15.31 billion). Since 2013, Bangladesh ranked 7th position among the highest remittance receiving countries of the world. According to the World Fact Book report by the World Bank, Bangladesh's position may get relegated to 10th position among remittance receiving countries.

As with last year and the year before, Saudi Arabia is the highest remittance sending country for Bangladesh in 2016 providing 18.97% of its total remittance flows. It was followed by the UAE (17.72%) and the USA (14.26%) and Malaysia (9.26%). Although, till date the highest amount of remittances were sent from Saudi Arabia, but its total share was falling each year. In 2015, 21% of the total remittance was received from Saudi Arabia, whereas it stands at 18.97% in 2016. This negative trend is also evident in case of Kuwait, United Kingdom and USA.

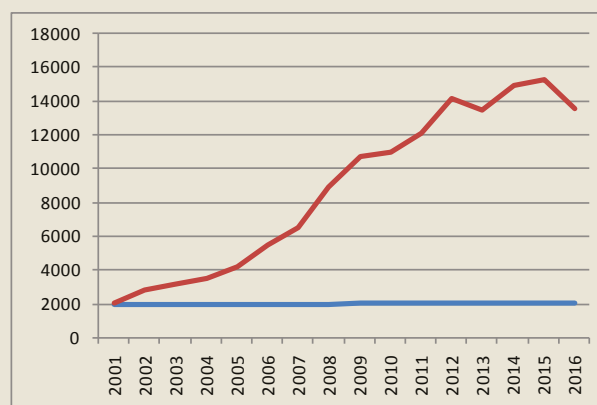
Graph-3: Source countries of major remittance flows in 2016



Source: Prepared from BMET data

Despite this overall negative trend, a significant rise of remittance has been observed from Italy and Qatar. In 2016 Bangladesh received USD 515.23 million from Qatar which was around USD 344.88 million in 2015. In similar fashion, a total of USD 407.94 million was received from Italy, which was USD 285.38 million in 2015.

Graph-4: Remittance flow from 2001-2016



Source: Prepared from BMET data

A number of reasons contributed to the downward trend in remittances in 2016 i.e. worldwide fall of oil price which affected the development projects in the Gulf countries and thus reduced wages of the workers, emerging anti-immigrant political atmosphere in several developed countries, refugee crisis in Europe, Syrian war and the spread of the war in different Arab and African countries including Iraq and Libya etc. On the other side



the price of Malaysian ringgit has fallen. All these led to the drop in the actual income of the workers. Malaysian government has increased the levy on the unskilled workers. All these factors contributed to the fall of remittance flow. Besides, Saudi Arabia also, increased the residence permit fee from migrant workers in 2016.

2. Reflection on Important Migration issues in 2016

2.1 Sustainable Development Goals (SDGs) and Bangladeshi Migrant workers

The 17 Sustainable Development Goals (SDG) of United Nations were arrived at through a participatory process of 7 million people and 83 national surveys. During the initial discussions migration was a likely goal of the SDGs. Subsequently migration did not secure a place when the SDGs were finalised. However it was accommodated in paragraphs 14, 23, 25, 27 and 29 of the document. Migration has been made an integral part of 169 targets that have been set to achieve the 17 goals over the next 15 years. Target 10.7 highlights facilitation of orderly, safe, regular and responsible migration and mobility of people including through implementation of planned and well-managed migration policies. Target 8.7, 8.8, 10c and 17.8 also mention different aspects of safe migration and migrants' rights. It is expected that orderly and responsible migration will play an important role in achieving the SDGs. At the same time attainment of SDGs will contribute to establishment of better rights of the migrants.

The Planning Commission of Bangladesh has formed a Committee to develop action plans for achieving the goals of the SDGs. Among other things, the Committee is identifying ways how migration can contribute in achieving the SDGs in Bangladesh. However, the Committee also needs to work out how the government of Bangladesh

can use the goal of 'Decent Work for All' (Goal 8) while negotiating with labour receiving countries. Target 8.1 of the SDGs talks about secured work place, 8.7 discusses abolition of all forms of slave like work conditions, and 13 notes increasing opportunity of climate change affected households to benefit from migration. These are some of the important goals and targets of SDG that can help the government of Bangladesh to negotiate with destination countries and ensure that migrants enjoy the fruits of their labour with honour and dignity.

2.2 Ninth Global Forum on Migration and Development 2016

In December 2016, Bangladesh hosted the 9th Global Forum on Migration and Development (GFMD) with the theme entitled "Time for Action; Doing rights-based governance of migration and development in our communities and across borders". This gathering held on December 8-12 at Dhaka.

More than 600 delegates from 130 countries, over 200 members of international civil societies and representatives from 30 international organizations participated in this annual forum on Migration and Development. This was, thus far, the largest international summit that Bangladesh ever hosted. In the presence of the Prime Minister of Bangladesh, a set of key recommendations were arrived at during the Civil Society Days (CSDs) that addressed issues including:

- The protection and empowerment of migrant workers, and their labour rights.
- The needs and human rights of migrants who are on the move, and in transit.
- Social inclusion and addressing structural inequalities including the role of local authorities.



- Funding and finding ways to implement and monitor the migration-related targets on the UN 2030 Agenda and ensure gender equality and instrumentalising women and children in migration as advocates for rights and agents for change.

Following the Civil Society Days, the GFMD summit took place from 10 to 12 December with the theme entitled “Migration that Works for Sustainable Development for All: Towards a Transformative Migration Agenda” which ended with adoption of Dhaka Declaration focusing on the upcoming Global Compact for Safe, Orderly and Regular Migration and highlights following key points :

- The social and economic costs of migration are still high especially for low-skilled migrants. Therefore, there is a strong case for countries of origin and destination to cooperate to minimize those costs, especially in relation to worker recruitment.
- Migration’s dual nature as a consequence of and as a driver of global networks of exchange and communication is an emerging area of policy interest. It is an area that deserves further exploration.
- The challenge for all countries of migration today is to ensure social cohesion and harmony in the midst of ever-increasing social diversity. Core international human rights treaties must be used as the foundation for any policy approach.
- Migrant protection is a clearly recognized legal obligation grounded in numerous international instruments. The challenge is ensuring application of that principle through the development and implementation of rights-based policies.
- Migrants who are in crisis require special attention, including women at risk, children, and victims of trafficking. The international community must ensure that migrants caught in such situations have access to safety; another is to protect them from exploitation and abuse.



Images of the closing ceremony of the Peoples Global Action on Migration, Development and Human Rights organised by RMMRU



- Finally, given the rapidly changing context, there was a recommendation for the ad hoc working group to continue exploring how the GFMD can engage with the 2030 Agenda and to expand its mandate to also look at how the forum engages with the global compact on migration.

In addition to the above-mentioned points, the notion of migration governance has received a great deal of attention during the official GFMD summit. There is growing recognition that it is only through the formulation of/and adherence to common principles, institutions and processes that the international community will be able to manage migration to the benefit of all. Furthermore, the summit highlighted that the GFMD platform must be used to transform the discussion into a catalyst for multi-stakeholder action to deliver on the 2030 Agenda commitments. By hosting this global conference, Bangladesh became visible with its position on global migration governance.

2.3 Global Compact

The last few decades have witnessed two contrasting perspectives on governance of international migration: one highlights the importance of labour rights and calls for national implementation of international standards for the protection of migrants while the other underscores the concept of state sovereignty of and focuses on migration management that essentially takes into account border control and national security concerns. In September 2016, at the UN Summit on Refugees and Migrants in New York, it was agreed that a series of consultations on a Global Compact on Safe, Orderly and Regular Migration would commence in 2017.

The issue of Global Compact merits special attention as it is for the first time that the UN members unanimously agreed to discuss the issue of migration governance at an interational level.

The Global Compact has raised certain concerns. Firstly, the New York declaration was made at a time when what has been viewed by the European states as “irregular migration” from war-torn Arab and North African countries that dominated the international agenda. Stemming the flow of such migration has been the principal concern of many developed states. Secondly, international migration demands major medium and long-term changes and commitments. It may be difficult to address those issues while at the same time addressing the issue of migrants in crisis situation that the Compact negotiations has planned to do. Thirdly, at a time when many states continue to violate international norms and standards, it is difficult to foresee those states changing their policies and adhere to various international standards that is essential for ensuring proper protection mechanism for migrants and members of their families. And finally, this Compact is being negotiated at a time when various legal and instiitutional arrangements on international migration are gradually being moved out of the UN multilateral framework; undermining the principles of human and labour rights. It is in this context, efforts must be made to ensure that UN normative framework becomes the most important guiding tool in conducting the negotiations for the Compact.

2.4 Rohingya Refugees

As many as 33,000 registered Rohingya refugees of 1991-92 inflow are living in two camps in Cox’s Bazar. They are under the care and protection of the Bangladesh government. According to Bangladesh Planning Commission an additional 300,000 to 500,000 undocumented Rohingyas are staying in southeastern districts of the country. Bangladesh has not extended refugee status to this group of asylum seekers. They are considered as migrants in irregular status. The absence of any legal status has made this group extremely vulnerable and they are being subjected to



harassment, injustice and exploitation. The shelter-less Rohingya women and children become easy prey of human trafficking. The government of Bangladesh has not brought about any change in its policy towards the Rohingyas despite this stark reality.

In 2014 the government decided to conduct a survey of 'undocumented Myanmar nationals' living in Bangladesh. Although the Bangladesh Bureau of Statistics was meant to have completed the survey by March 2016, it is yet to be done. There was little information available about the objectives, methodology and how the findings of the survey would be used. Holding of such a survey of a group of people who have fled life-threatening situations and have been denied asylum, without ensuring protection, has given rise to many questions. In addition, concerns have been raised for not involving the office of the United Nations High Commissioner for Refugees although other international organizations have been involved in the survey.

In 2013 the Rakhine province of Myanmar was affected by severe communal riots. Militant Buddhists mounted a series of violent attacks on various pretexts on the Rohingyas. Instead of taking action against the wrong doers the law enforcement agencies encouraged them. This led to displacement of thousands of Rohingyas and many sought entry and asylum in Bangladesh.

However, Bangladesh government continued to deny them entry. It is in this context the Rohingyas charted out dangerous sea route to go to Thailand and Malaysia. Within a short period of time human smugglers and traffickers established their control on this irregular route. Both Bangladeshis and Rohingyas fell victims to machinations of the traffickers. The mass graves, detention centres and deaths in high seas are testimonies to the sufferings of these irregular migrants and asylum seekers.



New arrival of Rohingya refugees in 2016 in Cox's Bazar district from Myanmar. (Photo Courtesy: CNN, Amnesty International)



Indonesian Foreign Minister Retno L.P. Marsudi talking to the refugees in Kutubpalang camp. (Photo Courtesy: Daily Sun)



This year in early October, seven law enforcement officials were killed in an attack in the Rakhine district. Instead of identifying and taking action against the perpetrators the Myanmar security forces meted out collective punishment against the Rohingyas and engaged in rape, loot and torching of houses and establishments. In one instance innocent villagers were subjected to indiscriminate firing from helicopter gunships. Satellite images confirmed that at least 1500 houses were demolished through arson in an organized way. All these acts of Myanmar security forces have been termed as ‘genocide’ and ‘crimes against humanity’ by various international entities.

It has been estimated that about 30,000 new asylum seekers have entered Bangladesh since October 2016. Bangladesh government continued its policy of intercepting the boats carrying asylum seekers and stopping them from entering the country. So far, thousands have been pushed back. These acts have put their lives at risk. The denial of entry and protection has placed many Rohingyas, including women and children, live under the open sky in this cold season and exposed them to various diseases including pneumonia.

It is in this context RMMRU appeals to the government to lift restrictions on entry of the Rohingyas who are fleeing persecution and provide them with food, potable water, clothes, shelter and medical care. The international community should support Bangladesh government in this initiative. The Government of Bangladesh should engage in active diplomacy so that international pressure is exerted on Myanmar to create enabling conditions for the Rohingyas to return home with dignity. News reports inform that Rohingyas are moving to other parts of Bangladesh. In view of national security concerns the government should re-consider its Rohingya policy. It should open the border and allow entry to these asylum seekers, register, place them in camps and provide basic

services. By adopting such a policy Bangladesh will fulfill its international moral and legal obligations, on the one hand, and will ensure security of the country, on the other.

2.5 Increasing Levy in Malaysia

Due to the fall of the oil price, the Malaysian currency value is dropping down in recent years. Currently, 1 Malaysian ringit is equal to Tk. 17.40, which was about Tk. 23 to 24 previously. Therefore, the actual income of Bangladeshi workers in Malaysia has dropped significantly. In addition, the Malaysian government has increased the levy from the unskilled workers which has created pressure on these poor migrants. The logic that Malaysian government has given is that these additional charges will discourage recruiting agencies not to process the migration of unskilled workers to Malaysia. But in reality, the workers are paying this additional fee as levy. South Asian labour sending countries must make a joint decision to eliminate this levy for the sake of millions of South Asian working in Malaysia.

2.6 Recruitment system and suffering of migrants

The importance of ethical recruitment has been discussed with utmost importance in the GFMD forum of 2016. There is enormous evidence of mismanagement in recruitment system worldwide which has been discussed in several platforms. Migrants fall victims to fraudulent recruitment practices in their countries of origin as well as in destination. Bangladesh government has introduced legal reforms to bring accountability in the recruitment process, but could not stop fraudulent practices. Dozens of stories were shared at a public hearing ahead of the 9th GFMD in Dhaka, organised by RMMRU under the auspices of the Bangladesh Civil Society Coordination Committee for GFMD 2016.



Recently RMMRU compiled 150 stories of male and female migrants, where an individual story of 150 migrants establishes the fact informal agents dominate the recruitment process in the country. Recruiters at the destination are suggesting aspirant migrants, whom to communicate in order to process his/her visa and work permit. Since the whole process is regulated from the destination countries, it is quite difficult to identify the perpetrators in Dhaka in order to bring under jurisdiction. This whole process of unethical recruitment system requires a major analysis. For the sake of the migrant workers, if need be, this type of visa collection system should be abolished.

3. Legal Reform

3.1 Migration Act, 2013 and its implementation

In October 2013 the government of Bangladesh enacted the Overseas Employment and Migration Act, 2013. Over the last two years RMMRU organised several national dialogues and training of lawyers on the Act. During these programmes, it was revealed that very little prosecution is taking place under the law. Legal experts expressed their concern that once a law is enacted, if a reasonable number of cases are not pursued under it, in the long run the law could be redundant. It is therefore extremely important that cases are filed under this law. Studies on recruitment in Bangladesh found that one-third of those who wished to migrate had been cheated. Despite such high incidence of fraudulence the victims do not seek legal redress. There are many reasons behind this. Lack of knowledge about the law among the victims and also among the law enforcers is the most important factor in this regard. Fear persists in the minds of aspirant migrants that if they sought redress they might lose their opportunity to migrate. Pursuing court cases is time consuming and requires certain amount of resources that many migrants cannot mobilise. All these contribute to poor application of the law. Along with the victims, those who are in charge of implementing the law should be made



Policy Dialogues of RMMRU in 2016



aware about it. The local level police officers who prepare the First Information Report need to be aware of the law. Lawyers and judges also have to have knowledge of the law. This means that all parties ranging from victims to prosecutors should be made aware of the law. Various bar associations that have access to government resources to provide free legal aid to those in needs should pursue migration related cases under the law. The Ministries of EWOE and Law also need to inform people about the availability of such resources.

3.2 Draft Citizenship Law

In February 2016 the Cabinet in principle approved the draft citizenship law. The purported aim of the law is to bring consistency between the 1951 and 1972 laws pertaining to citizenship. However, vagueness of the terms and phrases used may lead to misapplication of the law. Undermining the principle of natural justice a few provisions of the law make children and grandchildren liable for the actions and deeds of their parents and grandparents.

The draft contains provisions that are likely to render some sections of people stateless. Included among them are the camp dwelling Urdu speaking people, unregistered enclave dwellers, children who have one Bangladeshi parent while other parent is a national of any of the SAARC countries or Myanmar, foundlings, third and fourth generation of Bangladeshis born abroad, children of Bangladeshi expatriates who have not been registered within a stipulated period etc.

The law will restrict enjoyment of rights of persons who will acquire citizenship other than birth. Included among them are rights to participate as candidates in elections to Parliament, Presidency and the local government, and form political party. It also debars them from any service of the republic, including as judge of the Supreme Court.

The law appears to be in breach of a number of provisions of the Constitution. Included among those are the equality of all citizens (Article 27), non-discrimination on grounds of birth (Article 28), equality in public employment (Article 29), not giving retrospective effect to offences committed before the commencement of the law (Article 35/1), freedom of profession and occupation (Article 40), qualifications and disqualifications of election to parliament (Article 65), conditions for appointment of judges (Article 95) and qualification for registration of voters (Article 122).

Under such circumstances, RMMRU urges that the draft be revised and the concerns raised above are duly addressed.

4. Service Providing Agencies

4.1 Wage Earners' Welfare Fund

The Wage Earners' Welfare Fund (WEWF) was created in 1990 to provide various welfare services to the migrants. The main sources of funding of WEWF are: mandatory contribution of departing migrants; interest earned from license fees of recruiting agencies, consular fees charged at the embassies, fees collected at embassies for attestation of demand notes and work permits of the migrants, etc. Each departing worker pays BDT 3500 as compulsory subscription to the Ministry. This year about 757,731 workers have migrated abroad. This indicates that only from this source this year the amount realised for the fund was US\$ 2652 million.

In 2016 from January to October 44,401 departing migrants received pre-departure briefing under this Fund. In 2015-16 and in 2016-17 fiscal year BDT 10,600,000 were spent on maintaining safe homes in some of the destination countries, particularly



where female workers migrate. In 2016 BDT 85190000 was spent on bringing back bodies of deceased workers from destination countries and in organizing their burial. Families were paid compensation amounting to BDT 1,286,444,862. 36 injured and disabled workers were paid BDT 335,550,000 as compensation. From January to October 2016 migrants' children received BDT 12,175,000 as stipend for education. This year a call centre titled *Probashi Bandhu* has been established. The migrants can directly inform their problems to BMET through this facility. The Fund is also used in a range of activities. Included among them are supporting schools for children of Bangladeshi migrants abroad, setting up of one-stop-service in migrant welfare building, establishment of Wage Earners' Welfare Board office and automation of this and other offices, purchase of office air-conditioners, maintenance of vehicles, introduction of SMART card system, online registration of workers, foreign trips of ministry and BMET officials for searching new markets.

It is well appreciated that the government, particularly the Ministry of EWOE has been able to undertake various welfare programmes for the migrants that benefitted many migrants. It would have been difficult to ensure these services by mobilizing resources from government revenue and development budget. Nonetheless, use the Fund in some of the above heads is not justified. For example, the Fund is spent on educational institutions for children of Bangladeshis staying abroad. Here we need to bear in the mind the Fund is generated through the subscription of short-term contract labour migrants who hardly enjoy the opportunity of taking their children along with them. It is the long term migrants or a section of professionals who perform white collar jobs as short term migrant who are only allowed to take their children there. It is important that the government support education of the children of these families. However, the expenses should not be borne from the

WEWF. Almost all the Bangladeshi workers migrate from rural areas and invest their remittances in their localities or to some extent in their district towns. Investment in projects like Bhatara close to Dhaka city is not at all suitable for the short-term labour migrants. Although the Bhatara project has been stalled, information is not available if any investigation was launched as to why such imprudent investment of Fund was made in the first place. Paying for salary of some government functionaries from this Fund is also not justifiable. Conscious effort needs to be made to undertake only those programmes and activities that ensure direct benefits to the labour migrants. Projects such as running shelter homes for domestic workers, legal assistance to those who are facing breach of contract in the countries of destination, workers who are detained in jail, bringing back bodies of deceased workers are some of the heads where allocations should be increased substantively. Annual external audit should be a regular practice. More importantly, the audit report should be made available for public scrutiny. The Ministry is currently framing a law to govern the Fund. It is expected that law will be able to ensure long term perspective on heads where the fund should be used more.

4.2 Recruiting Agency

As per BMET information, currently there are 1038 licensed recruiting agencies. A total of 238 recruiting agencies send female migrant workers. In 2015, 88 recruiting agents have been suspended. Since more than 100 new recruiting agencies has started functioning in 2016 It is important to monitor the role of these recruiting agencies. In order to ensure ethical recruitment, a new policy has been adopted. Unfortunately, no recruiting agencies that disobeyed these recruitment policies while recruiting workers, brought under jurisdiction as far as civil society organizations are concerned.



4.3 Probashi Kollyan Bank

The Probashi Kollyan Bank operates 55 Branches while five new branches were launched in 2016 in Magura, Narail, Gaibandha, Jamalpur and Lakshmipur. Out of the 757,731 migrants who departed for overseas employment in 2016, 5212 migrants took out a loan from this Bank. The total amount disbursed in 2016 was Tk. 54,850,6000. This year only four returnee migrants received Tk. 400,000 as reintegration loan.

In 2015, 5463 migrants took out loans from this bank and the total amount was Tk. 48,690,6000. That means, the number of migrants took out loans from this bank has dropped significantly compared to the 7 lac migrants who undertake overseas migration. This trend strikes a question on the source of migration cost and quite often migrants in grassroot areas, end up selling their lands or the last resort of other means.

4.4 District Employment and Manpower Offices

In 2016, several important initiatives have been taken in order to decentralize BMET functions. RMMRU, along with other civil society organisations, have recommended that this be done for the last few years. These functions include collecting finger prints. Previously this function was only performed in Dhaka and Chittagong, but from the beginning of this year 24 district level DEMO offices are providing this service. Starting in September 2016, migrant workers are able to collect their Smart Card, an important document for immigration clearance, from Chittagong as well. BMET has decided to distribute this Smart Card from 8 more major migrant source districts. GAMCA introduced medical teams in 8 districts to facilitate medical checkups of migrant workers, and it plans to broaden its services to 8 more districts. These changes have brought about major improvements in BMET functions.

In order to provide services to migrant workers at the grassroots level, 42 DEMO offices are currently functioning under BMET. Ministry of Expatriates' Welfare and Overseas Employment has decided to set up DEMO offices in 64 districts and divisional offices in all seven divisional headquarters, which is expected to be completed by the year 2020. However, an evaluation of the institutional structure of these offices reveals that almost half of them run without the top functionary and half of the posts of these entities are vacant. Moreover, staff members do not receive any specialized training to serve the workers.

4.5 Human Resource Development and TTC

There are 64 Technical Training Centers (TTCs) including 6 diploma level Marine Centres and 3 internee training centres under the BMET. Among these 64 TTCs, 30 TTCs provide training on house keeping trade and 6 centers provide pre-departure training to the aspirant migrants. In 2016, a total of 128,015 participants received skill training on different trade. About 74 Chief instructors are required in these TTCs whereas only 28 instructors are serving currently. This is the same with high skilled instructors. A total of 130 high skilled instructors are employed currently but the required number is 244. About 296 general instructors are serving as of December 2016, but the expected number is 391. At the Upazilla level, 40 TTCs and in Chittagong city, a new TTC are about to establish.

4.6 Labour Attaché

Labour attaches are the principal points of contact between the migrants at their destination and their country of origin. Currently, 29 labour wings are functioning in 26 countries. In 2016, a new labour wing was established in Mauritius.



Insufficient number of labour attaches create major problems in providing services to migrants.

Due to the growing trend of female migration from Bangladesh, It is essential to appoint more female staff members at the labour wings abroad. Besides, lack of knowledge of the local language by the labour attaches and a lack of resources for employing interpreter and lawyers act as a major hindrance in accessing justice for migrants at the destination countries. The substantial increase in the number of labour migrants in 2016 highlights the importance of the services of labour attaches.

In order to ensure labour attaches' service government should appoint more officials with adequate knowledge and skill to perform the task of labour attaches.

4.7. Commercially Important Persons (CIPs)

For quite sometime the government has been honouring those international migrants who send significant amounts of remittances through formal channels and those who market Bangladeshi products in different countries of the world. This year government bestowed this award on the International Migrants' Day (18 December). Five of those who received the award were from Chittagong, three from Comilla, three from Dhaka and another one from Sylhet. Rewarding the long-term migrants is a good initiative. However, the ambit of this award should be expanded. Many long term or short-term migrant returnees have contributed in higher education, established industries and enterprises and created new knowledge. They should also be honoured. On the other hand, we know that a great majority of workers are short-term labour migrants. Their earnings are low. Nonetheless, it is their combined remittance that constitutes the lion's share of remittances that Bangladesh receives each year.



RMMRU rally to commemorate International Migrants Day 2016



RMMRU-RPDO training beneficiary receives WEET education Scholarship



RMMRU-RPDO member receives Human Rights Award from MJF



Researchers have shown that male labour migrants remit 55% of their earnings and female labour migrants remit 90% of their earnings. The CIP programme has not been able to incorporate such small but frequent remitters into its fold. Since 2007 RMMRU has been campaigning for honouring these labour migrants. It is hoped that government as well as public and private banks will soon initiate programmes to this effect.

4.8. Initiatives by the Civil Society regarding GFMD

For successfully holding the People's Global Action and the Civil Society Days of the Global Forum on Migration and Development the BCSCC was formed by various organizations that work on labour migration in Bangladesh in October 2015. The Core Committee and the General Body Members of the BCSCC regularly sat to plan and chart out their activities. Since its inception, 16 core committee meetings and 4 general body meetings of the BCSCC were held. The preparations for the PGA and the GFMD, and other issues with relevance to these global events have always been on the agenda of the coordination meetings of the BCSCC. Moreover, under the banner of the BCSCC, a number of consultations, round-table discussions, public hearings, road marches and public rallies were held at national and district levels. The BCSCC members organized a total of 63 such programmes across the country throughout 2016.

ASK organized 2 discussion sessions on "Safe Migration and the GFMD" in Narail and Satkhira districts; a day-long road march from Cox's Bazar to Teknaf in collaboration with HRDF-Cox's Bazar; and a colorful rally highlighting migrants' rights in Dhaka on International Human Rights Day. Through these programmes, ASK demanded that human rights of the migrants be ensured. BASUG in collaboration with Endeavour

organized a dialogue on "Migration, Diaspora and Development" in Hobiganj. They also took part in a live TV talk show on the GFMD issues.. BASUG demanded that the security of the Bangladeshi Diaspora be ensured at the home country.

BOMSA organized 25 programmes. Of those 20 were courtyard meetings with the grassroots migrants and 4 discussions with the local government institutions in Kalia, Benapole and Jessore; and a district level consultation in Manikgonj. Through these programmes BOMSA suggested that female migrants' rights be ensured at all stages of migration. BRAC organized 3 programmes: 2 divisional round-table discussions in Khulna and Chittagong on "Irregular Migration: Prevention and Responsibilities" that recommended grassroots people be sensitized and local administration be engaged to prevent irregular migration. It also organised a national consultation in Dhaka on "Recruitment for Overseas Employment: Opportunities and Challenges".

INAFI organized 2 national dialogues in Dhaka. One was done in collaboration with BASUG and BURO on "Migration, Diaspora, Remittance, and Development: Looking ahead of GFMD 2016", which underscored the need for an effective engagement of the diasporas in the development of their countries of origin. Another was done in collaboration with WARBE DF and UDDIPAN on "Building Awareness and Promoting Advocacy on Sustainable Development Goals (SDGs) and Migration for Inclusive Development: Looking ahead of GFMD 2016". This programme recommended that the 2030 agenda be implemented to protect the human rights of the migrants and to ensure the safe and orderly migration.

MJF organized a national seminar in Dhaka on "Irregular Labour Migration in Bangladesh: Crisis and Ways forward".



The seminar suggested that a coordinated and comprehensive policy approach be taken by the government in order to control the irregular labour migration. OKUP organized two national level consultations in Dhaka: a “Pre-budget discussion on Migrant Workers' Perspective”, which was done in collaboration with WARBE that demanded that a fair amount of the national budget be allocated for the migrants. A dialogue on “Migration and Health” recommended that a comprehensive health package framework be launched for the migrants and their family members.

RMMRU organized 6 programmes. A public hearing on “The Economic and Social Costs of Migration” proposed that reducing the economic and social costs of migration be a priority concern. A national consultation on “Youth Perspective” demanded that a national policy on youth migrants be formulated; while another national consultation on “Ensuring Prosecution under Overseas Employment and Migration Law 2013” that appropriate measures be taken to prosecute errant recruiting agents and middlemen under the law. Three district level consultations in Gaibandha, Sirajgonj and Satkhira districts on “Challenges and Prospects of Labour Migration” recommended that migration advisory committees be formed at local levels.

WARBE DF organized 18 consultations, dialogues, discussions, and seminars in Tangail, Comilla, Chittagong, Barisal, Sylhet, Mymensing, Khulna, Rangpur and Rajshahi. It also organised a human chain in Dhaka on International Labour Day and recommended that strong governance mechanism for controlling illegal recruiters/middlemen be ensured; exchange of skill manpower and technical persons through different international, regional fair, exhibitions, corporate festivals/conferences be promoted; and, Convention 189 of ILO be ratified by GoB.

5. Peoples' Global Action (PGA) 2016

The Peoples' Global Action on Migration, Development and Human Rights (PGA) organized in Dhaka from 5 to 7 December in the run up to the GFMD addressed major challenges faced by the migrants and their family members and made recommendations to mitigate those problems. This year's theme was “Mobilized and On the Move: Migrants Changing the World”. A total of 370 participants from 32 countries of 6 continents attended the 2016 PGA. The PGA focused on six key thematic issues: borders and detention, climate change and migration, global governance on migration, labour migration and recruitment reform, mixed migration, and xenophobia and racism. It critically reflected on the challenges and opportunities faced by the civil society organizations (CSOs) working in the field of migration. The PGA recommendations were finally handed over to the Chair of the GFMD. A summary of the 2016 PGA recommendations are presented below:

1. States should implement global frameworks through national law and work with civil society to make sure that the laws are followed.
2. Governments truly interested in bridging migration and development should move away from a migration policy framework rooted in deterrence.
3. Fair and ethical recruitment system should be the baseline standard for all multi-lateral frameworks, regional and bilateral agreements with respect to labour migration.
4. States should implement the protections in the OHCHR guidelines on the rights of migrants at borders.



5. States should abide by the principle of non-refoulement in dealing with people fleeing persecution.
6. People on move should be afforded the full range of human rights including rights to labour, to social protection, to stay, and to return.
7. Peasant agro-ecology should be one of the solutions to mitigating climate change, as well as creating resilience.
8. A UN campaign on racism should build from local and regional realities and address fundamental structural patterns of discrimination.
9. States should end immigration detention and apply alternatives to detention, including open door shelters and community based programs.
10. Migrants should have direct participation at national and intergovernmental policy spaces.

6. New Knowledge on Migration in 2016

A number of recent studies on migration came up with interesting findings that may form the basis of new policy direction in the context of migration in Bangladesh. In 2016, RMMRU has conducted several important researches on recruitment system, climate change adaptation, impact of migration on youth aspiration and remittance etc.,. Some of the key findings are presented below:

1. Near-census of 12 high migration intensity villages found that 33 percent of the total households were migrant households. This exercise, for the first time provided data on extent of return of migrant workers. 27 percent of the migrant households were return migrant households and the rest 73 percent were current migrant households (RMMRU-AMR).

2. Remittance plays a role in shaping youth aspiration. However, the role of remittance in shaping aspiration is gendered. Aspiration of male youths of migrant families is to join government services, followed by migrating abroad. Female youth aspires to get married to a socially well off family, followed by pursuing monetised work (RMMRU-RPC).

1. Construction is defined as a formal sector job under government regulation. However, informality prevails in every aspect of labour recruitment and management in this sector. Informality allows the employers and intermediaries to pay workers unfair wage, disregard health and occupational safety standards, deny right to collective bargaining and secure adequate compensation in case of injury or death. Thus the employers have little interest in directly recruiting workers (RMMRU-RPC).

2. The climatic hazards faced by the Chittagong Hill Tracts region are different than plain land. Deforestation, land slide, drought and flood are the major hazards faced by the hill population. Planned intervention for adaptation to climate change stresses is poor in the region. People mostly practice different autonomous adaptation strategies and migration is one of them (RMMRU-HIMAP). Earlier, hill people hardly migrated for livelihood. In recent years the CHT region has become a source area of internal labour migrants. People in these districts do not have access to international migration.

5. The inability to send workers under G2G system has to a great extent contributed to irregular migration through the maritime route of Bay of Bengal and the Andaman Sea (RMMRU-AMR).

6. There is a wide difference between Bangladesh and other migrant sending countries in terms of the cost of migration.



For example, the minimum cost of migration from Bangladesh to Singapore was \$7,325 which rose upto \$10,829, according to the migrants who migrated to Singapore in recent years. Highest cost for Dubai and Libya was \$7,007. On the other hand, the highest cost stated by migrants at the hearing to migrate to Saudi Arabia and Iraq was \$6,115 and \$5,733 respectively. The lowest cost of migration to Abu Dhabi was \$445. On average, it costs \$913 for women to migrate from Bangladesh and for men the amount is \$4,827.

Moreover, the costs of migration borne by Bangladeshi workers were much higher than other sending countries in the same destination. For example, in 2016, Bangladeshi workers had to pay between \$ 2,500 to \$5,000 to migrate in Bahrain. On the contrary, migrants from Kenya, Ghana and Uganda paid between \$265 to \$795 on average to migrate to the same country.

The average cost of migration for Bangladeshi workers in Singapore was \$5,560. To access employment in the same market, Filipino and Indonesian workers paid \$2,680. Indian workers paid slightly higher between a range of \$3,900-\$4,700. The average cost of migration calculated out of the 25 testimonies presented at RMMRU consultation was \$3,780 and the median cost was \$3,822. However, many migrants that provided testimony had gone abroad a number of years ago, and in 2015 the average stands at \$4,867 (RMMRU, 2016).

7. Conclusion & Recommendations

In 2016, the achievements of Bangladesh in migration sector have been noteworthy and meaningful. Government has successfully hosted the Global Forum on Migration and Development and is set to make important contribution in the negotiation on the Global Compact. The report shows that international migration from Bangladesh has increased by 35% compared to the previous year. Both male and female

migration has observed an upward trend. Besides, after a long gap, Bangladesh managed to re-enter in the traditional labour markets of Saudi Arabia and Kuwait. Nevertheless, in contrast to these major success stories, there remain a few challenges. Even after 40 years, we are still struggling to ensure ethical recruitment of workers. Migration to the UAE and Malaysia is yet to gain ground.. There is no major breakthrough to enter into other fresh labour markets. Moreover, we are still behind satisfaction level in controlling irregular migration. Service providing organisations are still largely centralized and therefore, the empowerment of DEMO offices at the district level is still a major challenge. If we look into the source areas of migration, it underlines a major gap in mainstreaming migration for the marginalized and ethnic communities. The flow of remittance has registered a downward flow by 11% than last year. On a priority basis, the government should look into the remittance flow. These are the major challenges highlighted in this report. A large number of these challenges can be addressed effectively. We urge the government to take effective measure to address these challenges.

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Prime Minister Sheikh Hasina at the inauguration of the - Ninth GFMD Summit, 10 December 2016 Dhaka, Bangladesh

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