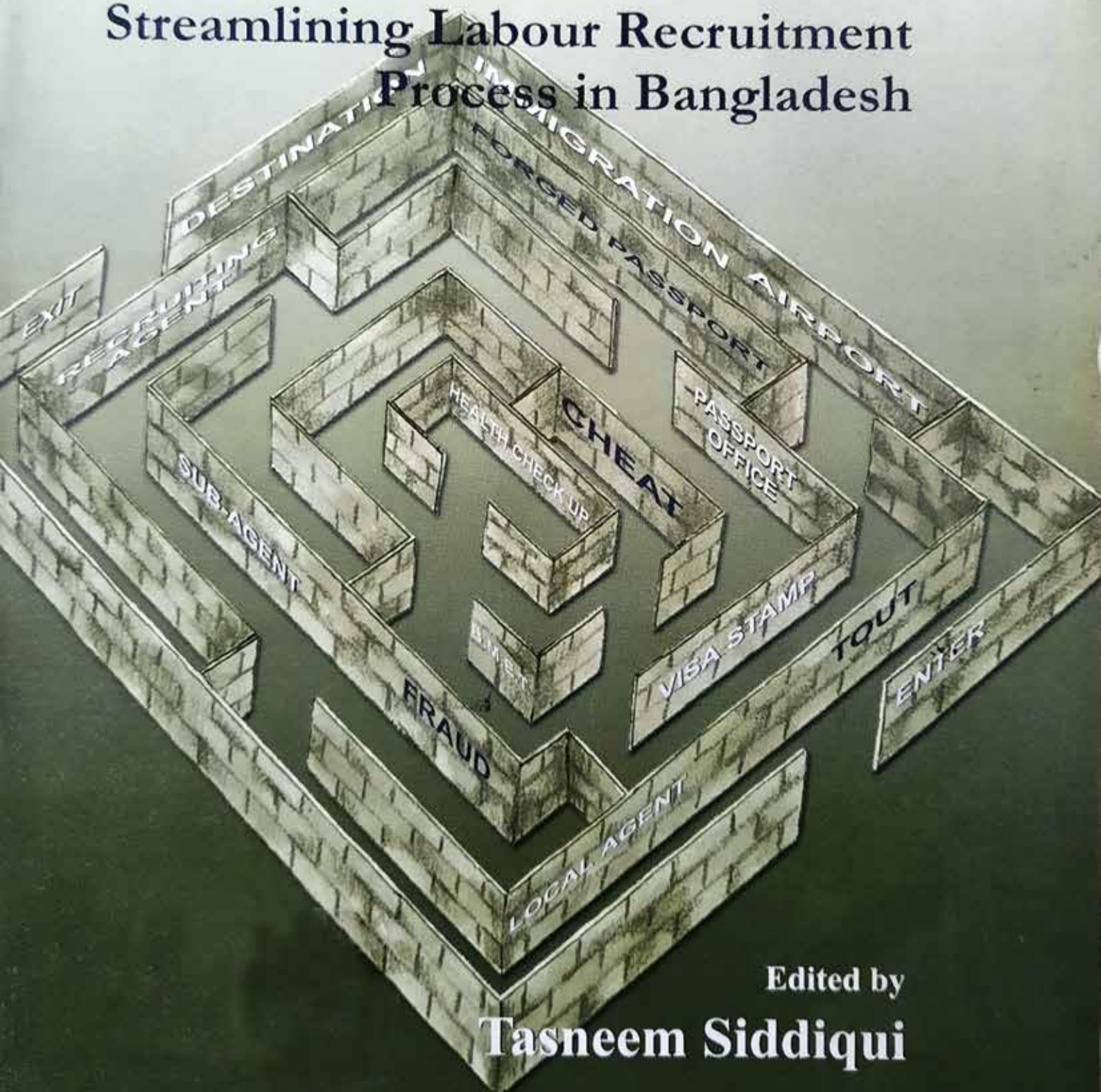


BEYOND THE MAZE

Streamlining Labour Recruitment
Process in Bangladesh



Edited by

Tasneem Siddiqui

Preface

Recently experts have underscored that since the 1980s contrary to popular belief, remittances sent by the migrant workers played a much greater role in sustaining the economy of Bangladesh than the garments sector. However, the amount of state, private sector and donor attention that labour migration sector received is negligible if compared with that of readymade garments. Labour migration, as a sector, is severely constrained by poor budgetary allocation and inadequate institutional capacity. This is despite the fact that over the last two decades, more than 25 percent of the foreign exchange is earned from the remittances sent by the migrant work force of Bangladesh. There is a general acceptance that such earning could be increased at least by a few times if the sector is efficiently managed. The initial effort undertaken by the Government of Bangladesh in the late 1970s was geared towards control and regulation of migration process. An Ordinance was subsequently promulgated in 1982. The patterns of labour migration have changed in a major way since the promulgation of the 1982 Emigration Ordinance. Therefore, in order to increase the efficiency of the sector a comprehensive labour migration strategy or a concrete national plan of action is essential.

The changed world scenario after the 11 September attack on the Twin Towers in New York, the consequent Afghan war and the current recession in the US have already adversely affected the readymade garments industry of Bangladesh. Soon after the assumption of power the present government has undertaken a host of measures to keep the garments sector afloat. Along with protecting and promoting the garments sector, measures are also necessary to ensure opportunities of alternative employment. In this context as well international labour migration deserves particular attention.

Moreover, the international labour market has undergone major transformation due to ongoing globalisation process. The types of labour that are currently in demand have changed significantly than that of the past. Along with specific types of unskilled labour, requirement for skilled labour force has increased significantly. In countries like South Korea, Singapore and Malaysia, requirement of skilled labour force is increasing. There has also been increase in the demand for female labour compared to those of male. Besides, major sources of distortion have emerged in the recruitment process in the Middle East and South East Asian markets where the Bangladeshi labour migrate. Along with the traditional labour sending countries new competitors have emerged in the international labour market. Therefore, in order to survive and to ensure maximum benefit from labour migration, it is imperative that Bangladesh develops a concrete national plan of action. Labour migration process has many aspects such as recruitment, protection, remittance transfer, productive investment and reintegration of returnee migrants. Any action plan should address all the above aspects of migration process. This book mainly focuses on reforming the current recruitment procedure.

Labour recruitment from Bangladesh has been a complex process. It involves various ministries and agencies of the government, private recruiting agents, their local and international intermediaries, potential migrants and their families. The process begins with visa procurement, issuance of clearance of different agencies of the government both within Bangladesh and in the destination countries, issuance of passport, medical check up, stamping of visas, issuance of ticket, completion of airport immigration formalities in both sending and destination countries, and ends once the migrant is successfully absorbed in the job for which he/she was contracted. Irregularities and indiscipline in one form or another in almost all stages of recruitment, ranging from information sources to absorption in employment in the destination countries have taken over the process. Such disorder not only exposes the migrant and potential migrants into various forms of harassment, it also increases the cost of migration significantly. Therefore, there is an urgent need for streamlining the labour recruitment process.

After the assumption of office of the Caretaker Government in July 2001, the then Advisor for Labour and Employment, Ms. Rokia A. Rahman took initiative for streamlining the labour recruitment process. The Refugee and Migratory Movements Research Unit (RMMRU) was assigned the task of preparing a strategy document to find ways to reduce cost and ensure better protection of Bangladeshi

migrant workers. The strategy paper was prepared with inputs from different stakeholders. Once the strategy document was completed, a daylong workshop was organised on 24 September to solicit views of different segments of the community. The workshop was participated by four Advisors to the Caretaker Government, senior functionaries of different ministries, leaders of civil society institutions, representatives of associations of recruiting agencies and migrant workers and academics. Participants were unanimous in underscoring the need for streamlining process and dealt at length with the policy options and strategies suggested in the paper.

In the meantime the elections were held. Creation of a separate ministry for the migrants was part of the election manifesto of the party that won the 2001 election. Accordingly, a new ministry has been created. The strategy paper and the deliberations of the distinguished participants in the September 24 workshop will, now, serve a useful purpose in setting the parameters and priorities of the new ministry. Considering the overall value of the workshop, RMMRU has decided to publish the strategy paper, relevant documents and the proceedings.

Various universities of Bangladesh offer courses on public policy. However, there is hardly any literature describing the processes that lead to policy making in Bangladesh. The Advisor for Ministry of Labour and Employment started the process of streamlining labour recruitment by initiating dialogues with different stakeholders such as the recruiting agencies and the Bureau of Manpower Employment and Training (BMET). Once the first draft was prepared a series of inter-agency and inter-ministerial consultations and workshop was organised that made the strategy development exercise a participatory decision-making process. It is therefore important to capture the process for those interested in analysing public policy making.

The volume starts with the strategy paper developed by me and Dr. C. R. Abrar. This is followed by the proceedings of the national workshop of 24 September along with the recommendations that have come out during the course of the workshop. The final chapter contains documents that were prepared by different agencies for finalising the Strategy Paper. This includes proposals of BMET and BAIRA, comments on the first draft of the Strategy Paper by them and that of MoFA and needs assessment of a few Bangladeshi missions abroad.

It is evident from the contents that the book is the outcome of a collective effort. The initiative of Ms. Rokia Rahman, the Advisor for Labour, was complemented by the Labour Secretary, Mr. M. Sirajul Islam and his other associates at the Ministry. They extended wholehearted support in preparing the strategy paper and had been an active partner in organising the national workshop. I am deeply thankful to all of them. Both BMET and BAIRA prepared two papers highlighting the steps that can be taken with regard to the recruitment process. They also provided valuable inputs following the presentation of the draft paper in in-house meetings at the Ministry of Labour. I thank officials of these two institutions, particularly, Mr. Mosharraf Hossain, Director General and Mr. Mahbubur Rahman, Additional Director General of BMET and Mr. Ghulam Mustafa, Secretary General of BAIRA. I also thank the members of the Welfare Association of Repatriated Bangladeshi Employees (WARBE) for concrete suggestions that they placed before the Labour Advisor. Mr. M. Shahidul Haque, Regional Representative of International Organization for Migration and Mr. Shengjie Li, Officer in Charge, International Labour Office, extended ardent support to the initiative and expressed interest to help implement some of the recommendations. My special thanks to both of them.

The painstaking task of preparing the transcript of the workshop was performed by K N M Hossainul Haque, member of Young Researchers' Forum of RMMRU. Research Associate of RMMRU, S. Nurullah Azad, prepared the proceedings of the workshop from the transcript. I thank both of them. The other Research Associate, Shahzada Akram designed the cover of the book and took care of the printing matters. The cover vividly portrays the complexities of processing migration from the perspective of a migrant. It also reflects their chances of being subject to fraudulent practices in almost every stage of migration process.

The publication of the volume has been made possible by the funds available under the Higher Education Links Programme with Refugee Studies Centre of Oxford University. The link is funded by Department for International Development, UK and managed by the British Council. RMMRU thanks both these organisations for their generous support.

I would like to thank Dr. C. R. Abrar for being a wonderful partner in preparing the strategy paper. I am also grateful to my colleagues Dr. Shahdeen Malik, Dr. Syed Refaat Ahmed, Mr. Abdul Mannan, Dr. Sumaiya Khair and Mr. Saiful Haque Asif, members of the informal group, who helped us identifying and prioritising policy and strategy options in labour recruitment process.

The importance of the initiative undertaken by the Ministry of Labour can be gauged from the fact that the Chief Advisor of the Caretaker Government, Mr. Justice Latifur Rahman gave his consent to inaugurate the workshop. Due to some other pressing compulsions he could not be present. Nonetheless, he graced the occasion by sending a formal inaugural speech. I deeply acknowledge his commitment to the cause. I would also like to record my appreciation to Barrister Syed Ishtiaq Ahmed, Mr. Abdul Muyeed Chowdhury and Mr. M. Hafizuddin Khan, all Advisors to the 2001 Caretaker Government, for their insightful comments and participation in the workshop. Likewise, I am also grateful to Professor Rehman Sobhan, Prof. Wahiduddin Mahmud and the then Governor of Bangladesh Bank, Dr. Mohammad Farashuddin, for their valuable input. Participation of all these individuals has greatly enriched the quality of the volume.

Finally, I would like to express my deep appreciation to Ms. Rokia A. Rahman. Her commitment to labour migration issue and her able leadership have been instrumental in bringing all stakeholders, ranging from different ministries, private sector and migrants' associations under a single umbrella. My involvement with her during the course of the preparation of the strategy paper have convinced me that bringing about major change is not unattainable if people with proper motivation are at the top.

I hope this collective work will help to finalise proper strategies for labour migration sector.

RMMRU
Dhaka, February 2002

Tasneem Siddiqui

CHAPTER 1

STREAMLINING THE LABOUR RECRUITMENT PROCESS IN BANGLADESH¹

Tasneem Siddiqui
C R Abrar

INTRODUCTION

- 1.1 International migration of labour has become an integral part of the global economy. Almost all countries are involved in the migration process in one way or other. Some are participating as labour sending countries, some as receiving, and others as transit countries. There has been a marked increase in the volume of global migrant population. According to UNDP (1995) over 125m people i.e., one out of every forty-five, live outside their country of origin for various reasons. Between 1965 to 1975 the migrant population was growing on an average rate of 1.2%, from 1975 to 1985 this increased to 2.2%, and from 1985 to 1990 period, to 2.6% (UN, 1997). If the 1985-90 growth rate persisted then the size of migrant population would have risen to 145m by 1998. Increase in migrant flow is associated with growing flows of remittances. Global figures show that official remittances has increased from less than US\$ 2 billion in 1970 to US\$ 70 billion in 1995 (ILO, 2000).
- 1.2 Bangladesh is a labour surplus country and hence it belongs to the supply side of the global market. A large number of Bangladeshis migrate to take up employment each year. Labour migration data suggests that from 1991-2000, on an average, more than 2,25,000 Bangladeshis left the country each year to take up overseas employment. The remittances of Bangladeshi migrants constitutes a significant portion of the country's foreign exchange earnings. During the period of 1977-78 to 1997-98, remittances, on an average, contributed to 26.5% of the country's foreign exchange earnings (ILO, 2001). In the 1998-99, 22% of the official import bill was financed by the remittances sent by the migrant workers (IOM, 2000a, 2000b). Remittances also constitute a very important source of the country's development budget. In certain years in the 1990s remittances' contribution rose to more than 50% of the country's development budget. If remittances are compared with flow of foreign aid, one finds that its proportion increased significantly over the latter in recent years. The importance of remittance becomes very clear if one compares it with foreign exchange earnings from garments sector. Currently, garments manufacturing is the highest foreign exchange earning sector of Bangladesh. However, if the cost of import of raw materials is deducted then the net earning from migrant workers' remittances is higher than that of the garment sector. Therefore, the importance of labour migration for the national economy can hardly be over-emphasised.
- 1.3 In spite of impressive contribution of migrant workers (MW) to the economy of Bangladesh, they are subjected to various forms of exploitation at different stages of their migration experience. Labour migration is a complex and dynamic process, fraught with multifaceted challenges from different sources, both within and outside state's own jurisdiction. The Government recognises the importance of the sector and is committed to efficiently manage it. Major changes have occurred in international labour migration since the government first took initiative to organise the sector in the mid-1970s. However, these initiatives have not

¹ Strategy Paper prepared by RMMRU for the Ministry of Labour and Employment.

been subjected to comprehensive scrutiny and assessment in recent years and hence now it is appropriate to undertake such an exercise.

1.4 It is with this end in view, the current study was commissioned by the Hon'ble Advisor for Labour and Employment, Women and Children, and Social Welfare, Ms. Rokia Afzal Rahman, on 25 July 2001. Major aim of the exercise is to explore ways to reduce migration cost, ensure protection of labour rights and facilitate increased wages. The study will suggest concrete steps that can be taken by the Ministry of Labour in addressing the issues stated above. The study will not provide a detailed analysis of existing situation, rather based on the existing studies, seminars and workshop proceedings, it will identify specific measures that can be taken immediately. Therefore, specific objectives of the study are:

- i. To suggest steps for streamlining the labour recruitment procedure; and
- ii. To locate ways of ensuring better protection of rights and interests of Bangladeshi migrant workers, both at home and abroad.

1.5 Refugee and Migratory Movements Research Unit (RMMRU) was assigned to conduct the study. It was emphasised that the findings be made available as soon as possible, so that immediate action can be taken for the implementation of the recommendations.

METHODOLOGY

1.6 Different methodological techniques were adopted in conducting the study. Firstly, it surveyed the available secondary materials on labour migration. This includes conference, seminar and workshop proceedings,¹ published books² and reports.³ The team believes that various aspects of labour migration process have been dealt with in detail in the studies stated above and a number of recommendations have been offered. Those studies, therefore, will be an important source for the development of the strategy for streamlining labour migration process.

1.7 Secondly, meetings were held with different ministries, including Labour, Home and Foreign Affairs, and BMET. The study team also met civil society institutions such as Welfare Association of Repatriated Bangladeshi Employees (WARBE) and International Organization for Migration (IOM). Soon after the commencement of the work a brainstorming session was held with a group of resource persons that included Dr. Shahdeen Malik and Dr. Sumaiya Khair of RMMRU, Mr. M. Abdul Mannan of Islami Bank Bangladesh Ltd., Dr. Syed Refaat Ahmed, researcher and lawyer, and Mr. Saiful Haque of Welfare Association of Repatriated Bangladeshi Employees.

1.8 Inter-ministerial and interagency consultative meetings constituted the third methodological tool. Ministries and agencies included: Ministry of Labour and Employment, Ministry of Foreign Affairs, Ministry of Home Affairs, and Ministry of Civil Aviation; Bureau of Manpower, Employment and Training (BMET), and Bangladesh Association of International Recruiting Agencies (BAIRA).

¹ Over the last few years a number of conferences, seminars and workshops have been organised on international labour migration. These include: workshop on *National Responsibility towards the Migrant Workers*, December 1997, organised by RMMRU, national conference on *Temporary Migrant Workers of Bangladesh: Towards Developing a National Plan of Action*, organised by RMMRU in collaboration with the Bangladesh National Women Lawyers' Association in April 1999, consultative meeting on the *Need for the Ratification of International Convention on the Rights of All Migrant Workers and Members of their Families* by RMMRU, in February 2000, symposium on *Short-term Labour Migration of Women from Bangladesh* in November 2000 by RMMRU, and two-day *Awareness Campaign Workshop on Labour Migration Process for Community Leaders and Activists* by RMMRU in 2001.

² Syed Refaat Ahmed, *Forlorn Migrants: An International Legal Regime for Undocumented Migrant Workers*, UPL, 2000; Tasneem Siddiqui, *Transcending Boundaries: Labour Migration of Women from Bangladesh*, UPL, 2001; INSTRAW and IOM, *Temporary Labour Migration of Women: Case Studies of Bangladesh and Sri Lanka*, 2000; Chowdhury R Abrar, edited *On the Margin: Refugees, Migrants and Minorities*, RMMRU, 2000. Occasional Paper 1, *National Responsibility towards the Migrant Workers*, by Tasneem Siddiqui, RMMRU, 1998; Occasional Paper 3, *State, Migrant Workers and the Wage Earners' Welfare Fund* (in Bangla), RMMRU 2000; Occasional Paper 5, *Bangladeshi Migrants in Saudi Labour Market: An Empirical Analysis* (in Bengali) by Mohammad Abdul Mannan, RMMRU, 2001. Translation Series 2, *Rights and Dignity of Migrant Workers: A Campaigners' Handbook*, by Nurullah Azad et al, RMMRU, 2000.

³ Tasneem Siddiqui, Shahdeen Malik and C R Abrar, *Labour Migration from Bangladesh and the Trade Unions*, International Labour Organisation, 1999; Rita Afsar et al, *Cost-Benefit Analysis of Labour Migration*, IOM, 2000; KAS Murshid, *Inflow of Remittance and their Effective Use*, IOM 2000; Shahdeen Malik and C R Abrar, *Recruitment and Placement: Planning and Process*, IOM 2000; Tasneem Siddiqui and C R Abrar, *Contribution of Returnees: An Analytical Survey of Post-return Experience*, IOM 2000; Tasneem Siddiqui and C R Abrar, *Migrant Workers' Remittances and Micro-finance Institutions*, ILO 2001.

- 1.9 The draft prepared on the basis of secondary materials and interviews was submitted on 13 August 2001. A series of consultative meetings were held after that. Suggestions and comments made by different ministries and agencies have been incorporated in the final draft.
- 1.10 This report is divided into five sections including the introductory section. Section II concentrates on identifying administrative measures required for streamlining the labour migration process. Section III highlights the role of different ministries and stresses the need of inter-ministerial coordination. Section IV draws a comprehensive strategy for information campaign both within Bangladesh and important destination countries, using different methods such as media campaign, residential workshop for community leaders and activists and pre-departure orientation training for the outgoing migrant workers. Section V suggests an advisory body, which will oversee the implementation of the measures suggested.

Section II

RECRUITMENT PROCESS

- 2.1 Recruitment and placement are important stages in the overall labour migration process. In the 1970s the government performed functions of recruitment. Since 1981, as part of private sector development, the private recruiting agents took over the task. The private agencies played a major role in massive expansion of labour migration. Although there was a steady increase in the flow of migration since 1976, one witnesses a decline in the last few years. One probable explanation could lie in the increase in undocumented migration. Substantial increase in the cost of migration and the entry of a few other sending countries in the market in recent years might have contributed to the stemming of the regular flow of migration from Bangladesh. Besides, rise of unemployment in some of the Arab countries resulting in their policy decision for Arabisation may also have contributed to the declining trend. The current situation of increased migration cost and decreased wage are likely to have major ramifications for the labour export sector as a whole. Both BMET and the association of the recruiting agencies, BAIRA, have offered some concrete steps to streamline the recruitment process. The RMMRU study team suggests the following strategy by taking into consideration those two sets of recommendations.

CURBING UNDOCUMENTED/IRREGULAR MIGRATION

- 2.2 Surveys conducted in the recent past have shown that larger numbers of Bangladeshis are leaving for overseas employment without taking BMET clearance. Their irregular status puts them in low wage condition and if apprehended they are often imprisoned. In many cases they are deported back home. In almost all cases they depart Bangladesh through the airports and irregular migration becomes possible through cooperation of a section of immigration officials. In that case immigration officials are to be made accountable. The following steps may be considered:

Suggested Measures

- 2.2.1 BMET has developed a computerised data-base of those who have been issued clearance. The data-base has to be made available to the immigration authority through establishment of computer network. The network is to be expanded so that Bangladeshi missions overseas can access it.
- 2.2.2 In order to make the immigration officials accountable specific steps have to be taken. The stamp on passport by immigration authorities should include the name of the official concerned, so that once an undocumented worker is identified⁴, the official can be traced through tracking back his name and date of departure.
- 2.2.3 Steps are to be ensured so that those found guilty of promoting irregular migration face stern disciplinary measures. Instead of relying on traditional service rules, specific rules are to be framed for making those responsible face punitive action. Such increased penalty measure should come under the existing legal regime on immigration (1982 Ordinance).
- 2.2.4 Close and active coordination on policies and action among Home, Labour and Foreign Ministry have to be institutionalised to implement the above mentioned steps. As BMET is the lead agency concerning labour migration, its Research and Evaluation wing will be in charge of day to day coordination. The Advisory Committee can act as an inter-ministerial watchdog who will have the legal authority to monitor the progress made in implementing the

⁴ Cases of forged passport, photo-changed passport and detainees are usually detected by Bangladeshi missions abroad. The mission will forward these cases to the Home Ministry with copies to Labour Ministry.

recommended actions made above. This will include authority for asking periodic reports and power to make (binding/non-binding) recommendations.

VISA PROCUREMENT

- 2.3 It has been reported that a group of expatriate Bangladeshis along with a section of recruiting agencies, has developed sophisticated channels for visa procurement in the Middle-east. The group maintains regular contacts with potential employers, and by now has established a near-monopoly in procurement of visas. Through a network of agents and sub-agents the group manages to obtain visas from the potential employers and then puts them into 'auction' before the Bangladeshi recruiting agents. The cost of migration registered a steep increase due to this malpractice. If costs of migration are to be reduced then steps are to be taken to stop procurement of demand and visa, in exchange of money from intermediaries and the employers.

Suggested Measures

- 2.3.1 High ranking delegations should visit countries such as Saudi Arabia, Malaysia, UAE, and Kuwait. and draw attention of the authorities there to the negative consequences of work visa manipulation on both parties, and urge the latter to take necessary steps to curb the activities of the intermediaries.
- 2.3.2 In order to curb visa purchase process the GoB will have to play a proactive role in visa procurement. With this aim it will take initiative for signing MoUs and other bilateral agreements with labour receiving countries. Bangladesh missions in receiving countries, particularly in the Middle East, should act as the prime facilitator of procurement. In doing so, missions will gather information on labour needs for the foreseeable future from the concerned government agencies and the private sector, and negotiate with them.
- 2.3.3 Labour attaches play a major role in assisting the mission heads and private recruiting agents in visa procurement. Therefore, certain standards have to be set for appointment of labour attaches. This should include a degree of command over the language of the host country for basic communication, familiarity with labour laws of the host country and international standards on migrant labour. Those appointed as labour attaches should undergo orientation training at the Foreign Service Academy.
- 2.3.4 The concerned officials of the Ministries of Labour and Foreign Affairs will conduct an annual review of the performance of labour attaches in various countries, identify the problems encountered, suggest remedial measures and set target for the following year.
- 2.3.5 To curb the activities of visa manipulating syndicates based in destination countries both the government and BAIRA have to demonstrate their commitment. The government will take necessary legal and administrative actions against identified Bangladeshi procurers and middlemen engaged in visa trade. Purchase of visa is illegal under the laws of both Bangladesh and also of countries of employment. The recruiting agencies should renounce this practice. BAIRA's challenge will be to deter its members from purchasing of auctioned visas from intermediaries.
- 2.3.6 BMET should refrain from issuing recruiting licence to anyone who is staying abroad on a work-permit. Existing standard for securing licence should include a clause that a person holding a work permit in destination country cannot apply for licence. If he wants to apply for a licence, then he will have to surrender the work permit. If a person is found holding a licence violating the rule, his licence will be cancelled immediately and the security deposit will be forfeited by the authority.

- 2.3.7 Ministry of labour will institute an enquiry with regard to causes of discontinuation of MoU with the Malaysian government and establish accountability of the concerned government agencies. GoB will also take necessary measures to re-access the Kuwaiti labour market by addressing the concerns of the Kuwaiti government.
- 2.3.8 GoB will develop a pragmatic plan of action to enter into the burgeoning Korean and Taiwanese labour market in a substantial way. Bangladesh missions abroad will explore labour market in other countries including the European Union.
- 2.3.9 Implementation of the above suggestions will entail development of an effective monitoring system. Research and evaluation wing of BMET has to be strengthened for undertaking such monitoring function. The Advisory Committee may have the legal authority to monitor the progress made in implementing the recommended actions. This will include authority for asking periodic reports to BMET Research and Evaluation Division. It will have the power to make (binding/non-binding) recommendations.

ABOLITION OR INSTITUTIONALISING OF *DALAL* SYSTEM AT HOME

- 2.4 An important source of exploitation in the recruitment process in Bangladesh is the existence of the *dalal* system. Recruitment of labour in the home country is a complex process. Currently, more than 600 recruiting agencies are engaged in the trade. Most of them are based in the capital city, the rest in Chittagong and in a few other towns. However, the bulk of their clientele are based in the rural areas, and hardly any agency has branches in towns other than where their head-offices are located. Under such conditions, they depend on a host of informal agents and sub-agents who bring them business and work as intermediaries between them and the potential migrants. These agents are not registered with any authority and may work for one or more recruiting agencies. Two most important functions of recruitment, mobilising potential clients and transaction of money take place through the *dalals*. They do not provide any receipt for money transacted. In most cases, the clients have no idea which recruiting agency is engaged in processing their cases. A section of *dalals* are engaged in committing fraud against the potential migrants. Potential migrants hardly have any means available to redress their grievances against the informal agents. The licenced recruiting agencies also face problems in taking actions against persons who use their company name without their authorisation. To reduce exploitation committed by the *dalals* two options are offered below:

Suggested Measures

Option A

- 2.4.1 The first is the BMET offered suggestion that calls for abolition of agent and sub-agent system and recommends employment from government enlisted persons. Some of the necessary pre-requisites under the proposed arrangement are:
- (a) making it compulsory for the aspirant migrants to register in nearby manpower employment office;
 - (b) recruiting agencies will recruit only from among those registered;
 - (c) linking district manpower offices with BMET head office, BAIRA and individual recruiting agencies through computer network and making it possible for the Bangladesh missions abroad to access such information;
 - (d) recruiting agencies are to register names of those migrants with BMET when they process individually secured visa cases;
 - (e) all transactions have to be made through banks.

- 2.4.2 Any of above changes in the recruitment system must be accompanied by a vigorous campaign that highlights the plights and problems of the current system, and advantages of the revised arrangement. The issue of awareness campaign is dealt with under a separate section. Moreover, the outreach capacity of BMET with decentralised authority and service providing capacity should be extended. A thorough needs assessment evaluation of existing BMET offices has to be made before finalising the outreach operation.
- 2.4.3 Advantages of the above arrangements are: (a) potential migrants will be saved from the harassment and exploitation of the middlemen/informal agents and will have peace of mind; (b) the absence of intermediaries will minimise the cost of migration; (c) recruiting agencies will have a ready pool of information to recruit from; (d) such formal and secure arrangement will help them accessing credit to bear migration cost and as such they would not be required to sell or mortgage their property/assets.
- 2.4.4 Some possible disadvantages are: (a) potential migrants may suffer from pre-conceived notion that registration will not bring them jobs; (b) there may be malpractice in registration system, including that of breaking the serial order.

Option B

- 2.4.5 Ideally, if the recruiting agents could establish their branches at least at the district level then a lot of problems could be minimised. That would minimise their dependence on the intermediaries as potential migrants could approach them directly. However, such decentralisation of the private recruiting agencies may not be a feasible idea, at least in the foreseeable future. In this context, the second option centers around institutionalising the *dalal* system.
- 2.4.5.1 Under this arrangements the recruiting agencies will be obliged to register their intermediaries on their own and send the list of intermediaries to the manpower authority. The *dalals* will have their geographical area of operation specified. Each of them will have to be issued with a photo-identity and their names will be displayed at local level government offices, including thana, TNO and Union Council offices.
- 2.4.5.2 All transactions will be made through banks and *dalals*/agencies will be required to issue receipts for any transactions made.
- 2.4.5.3 It will be a penal offence for individuals to work as intermediary without being registered with a recruiting agency and likewise for recruiting agency to avail services of an individual who is not registered with itself.
- 2.5 Above changes in the recruitment system must be accompanied by a vigorous campaign that highlights the plights and problems of the current system, and advantages of the revised arrangement. The issue of awareness campaign is dealt with in section IV.
- 2.6 The advantages of this arrangement include: (a) it is in conformity with existing socio-economic reality in which individuals are more inclined to personalised services rather than avail services of government agencies, (b) it will reduce the cost of migration, (c) it will make the recruiting agencies liable for actions of their registered agents and thus will make a big difference in establishing transparency and accountability of the sector and (d) the victims of malpractice and fraudulence will have better opportunity to seek legal redress.
- 2.7 BAIRA suggested that use of data bank at the initial stage may be made optional in respect to recruitment of unskilled and semi-skilled workers. Recruitment of skilled and professional workers can be done by relying solely on data bank information. This means that recruitment through both *dalal* system and BMET data bank will coexist side by side for unskilled and semi-skilled labour. In that case providing identity cards to *dalals* and their registration and

making the list available to TNO and Union Council offices has to be ensured by those recruiting agents who will operate using both the methods. It has to be recognised that all reports, surveys and inquiries into the migration process indicate the significant role of *dalals* in the process, necessitating immediate regulation of their role.

OTHER MEASURES FOR REDUCING COST

- 2.8 A number of factors have contributed to high cost of migration from Bangladesh. This include policies by some parties that restricts migrant workers' choice of carrier, arbitrary cost of airfare for the Gulf region and imposition of travel tax and advance income tax on migrant workers. BAIRA also claimed that a diagnostic centre based cartel charges more than market price for health check up. Under the circumstances GoB should:
- 2.8.1 Immediately initiate discussions with the concerned embassy to ensure migrant workers can select carriers of their choice.
- 2.8.2 Should take up the issue of over charged fare for some sectors with the civil aviation authorities / airlines concerned. It may also consider introducing labour fare for migrant workers. Ministry of Civil Aviation can consider cost of bringing in dead bodies of migrant workers without charge.
- 2.8.3 Should actively consider revoking travel tax on migrant workers;
- 2.8.4 Should take immediate steps to look into allegations against the diagnostic centre based cartel. For proper monitoring diagnostic centres have to register with the BMET. A code of conduct should be prepared for the diagnostic centres.

Section III

STEPS FOR INSTITUTIONAL STRENGTHENING

- 3.1 Ministry of Labour and Employment is the line ministry in charge of managing the labour migration process. The power of implementing the Emigration Ordinance 1982 and accordingly, promoting, monitoring and regulating the migration sector is vested with the Ministry. Ministry of Home and Ministry of Foreign Affairs are the other two important ministries. BMET is the executing agency of the Labour Ministry in respect to labour migration. Recruiting agencies are the most important private sector institutions concerning labour migration and they are organised under BAIRA. Bangladesh Overseas Employment Services Limited (BOESL) is the commercial entity of government set up as a limited company, holding recruiting licence. In order to streamline the recruitment process, a coordinated strategy is required. In the following section different measures have been suggested targeting each institution.

BMET

- 3.2 It has been stated earlier that the labour sector is the highest foreign exchange earning sector. However, Labour Ministry in charge of managing labour migration severely suffers from lack of resources. The total revenue budget of BMET was Tk 112,030,000 in 1997-98, Tk 124,730,000 in 1998-99 and Tk 131,092,000 in 1999-2000. Needless to say, the total government investment in this important foreign exchange earning sector is dismally insignificant.

Suggested Measures

- 3.2.1 **Greater Resource Allocation:** The first suggestion in organising labour migration is to ensure greater resource allocation for the Ministry of Labour. Institutional capacity of BMET has to be strengthened. As the premier agency of the State assigned with the task of organising and regulating labour migration, the government needs to commit adequate resources to this institution. Proper resource base is a necessary prerequisite for ensuring effective management of this sector.
- 3.2.2 **Institutional Separation:** In the Philippines there is a separate ministry for labour migration. In Sri Lanka international labour migration is dealt by a separate agency named Foreign Employment Bureau. BMET, on the other hand, looks after both local and foreign employment. The study team suggests that BMET solely concentrates on international labour migration. Local employment and labour issues should be handled by a separate agency.
- 3.2.3 **Focus on Regulatory Function:** Currently BMET is involved in all kinds of functions – control and regulation of recruiting agents, collection and analysis of labour market information, registration of job seekers for local and foreign employment, development and implementation of training programmes in light of specific labour needs both in national and international labour market, materialisation of apprentice and in-plant programmes in the existing industries, organising pre-departure briefing sessions, and resolving legal disputes. Without proper resource and institutional capacity, performing all these tasks has affected in the quality of work. In recent time there has been a general acceptance of the idea that the same agency should not simultaneously perform implementation and regulatory functions. The study team, therefore, suggests that BMET concentrates on regulation and monitoring of labour migration sector, rather than implementing specific programmes.

The major functions of BMET, therefore, will include:

- 3.2.3.1 **Setting of Labour Standards:** BMET will set minimum labour standard for Bangladeshi migrant workers. While processing documents Bangladesh missions abroad, and while issuing clearance BMET, should ensure that such standards are maintained. The present practice of overriding missions and BMET's decisions on "special consideration" had at times led to breaching of Labour Ministry's own standards and consequent hardships to migrant workers. The scope for use of discretion by higher authorities has to be limited, if not eliminated. If the decisions of the missions or BMET need to be overruled then necessary justifications are to be provided.
- 3.2.3.2 **Regulating Recruiting Agencies:** One of the prime functions of BMET is to regulate and monitor the recruiting agents. Therefore,
- i. to issue and renew licence of recruiting agents, BMET has to develop stricter standards in this respect. Annual renewal of licences of recruiting agencies should be made contingent upon their performance. BMET should renew licences of those recruiting agencies that are able to process at least 50 cases in the preceding year. However, visas procured individually should not be included in the count. Given the cost structure for migration, BMET may also consider enhancing the amount of security deposits for issuing licence.
 - ii. grant permission to agencies to recruit,
 - iii. provide emigration clearance after verifying visa papers and employment contracts.
- 3.2.3.3 **Encouraging Regular Migration:** In order to eradicate illegal recruitment BMET needs to adopt following measures:
- i. Providing legal assistance to victims of illegal recruitment and related cases, which are administrative or criminal in nature;
 - ii. Prosecution of illegal recruiters; and
 - iii. Special operations such as surveillance of persons and entities suspected to be engaged in illegal recruitment.
 - iv. Currently only concerned government functionary can lodge complaints for violation of provision of 1982 Ordinance. This has to change so that migrant workers should have the right to seek redress directly.
- 3.2.3.4 **Keeping Record:** BMET is the authorised agency of GoB for keeping records on labour migration. The agency's migration data-base should include the following:
- i. Masterlists of Bangladeshi migrant workers classified according to occupation/job category, sex, civil status, by country/state of destination including visa classification;
 - ii. Masterlists of departing/arriving Bangladeshi migrant workers;
 - iii. Inventory of pending legal cases involving Bangladesh migrant workers, including those serving prison terms.
- 3.2.3.5 **Developing Information Pool:** In addition, the agency in collaboration with the MoFA should develop a separate information pool on:
- i. Basic data on legal systems, immigration policies, marriage laws and civil and criminal codes in receiving countries, particularly those with the large number of Bangladeshis.
 - ii. List of labour and other human rights instruments where receiving countries are signatories;
 - iii. List of civil society institutions such as human rights organisations, migrant support groups, associations of expatriate Bangladeshis that may render assistance to Bangladeshi migrant workers.
- 3.2.3.6 **Promoting Skilled Human Resource Export:** There is a general consensus among different Ministries that Bangladesh should concentrate more on exporting skilled manpower. In order to do that:
- i. BMET will identify areas of future foreign labour needs on the basis of reports sent by the Bangladeshi missions abroad;
 - ii. It will disseminate the information to potential training providing organisations;

- iii. BMET will strengthen its 20 training institutes through upgrading and purchasing necessary equipment;
- iv. BMET will expand the training outreach through joint ventures with NGOs and private training institutions;
- v. BMET will encourage NGOs and private sectors to take up training targeted to foreign employment.⁵

3.2.4 **Effective Leadership:** BMET as the lead agency of the government requires effective leadership. Frequent changes in the post of Director General affect the overall performance of the institution. In this context, steps must be taken so that those appointed to the post should serve a minimum stipulated period.

3.2.5 **Law Reform:** 1982 Emigration Ordinance needs to be updated and necessary rules to supplement the law have to be framed. Stiffer penalties are to be imposed on individuals and agencies that violate the law. In recent years a few initiatives have been undertaken by civil society organisations to update the Emigration Ordinance. The relevant recommendations of these initiatives and the measures suggested in this strategy document need to be taken into account while updating the Ordinance and framing the rules. New legislation should reflect the concerns of section 2.2 and 2.3, 3.2, 3.3.

International agencies, such as the ILO provided technical assistance to Egypt and Kuwait in developing legal framework for labour migration. If needed, GoB may approach ILO and IOM to provide such assistance.

BANGLADESH MISSIONS ABROAD

3.3 Until the 1970s maintaining good relations and avoiding war through diplomacy have been the key function of Bangladesh missions abroad. The last decades of the 20th century saw a major change in the conduct of diplomacy. Pursuit of State's economic interest became the most important role of the foreign missions in the globalised world. In recent years, the Government of Bangladesh has also espoused economic diplomacy as an important foreign policy objective. Under the new mandate, role of trade wings of the Bangladesh missions abroad have been redefined. Bangladesh missions abroad are aware of remittances from Bangladeshis working abroad and they have already seized with different dimensions of export of Bangladeshi manpower. However, there is scope for strengthening the role of missions abroad including the labour wings in countries where there are rich potential for export of Bangladeshi manpower.

3.4 The functions that Bangladesh missions abroad currently performs regarding labour export are: (a) exploring potential labour market; (b) attestation of documents pertaining to recruitment; (c) providing consular service to Bangladeshi workers; and (d) ensuring welfare of migrant workers. In the following section some suggestions have been made to increase the efficiency of the mission and for ensuring better services to the migrant workers.

3.4.1 **Job Exploration:** Exploring employment opportunities in the labour receiving countries requires commitment and skill. Currently, market exploration is pursued without following any specialised guidelines. Therefore, the process has become dependent on individual's personal ability. We suggest that:

Suggested Measures

3.4.1.1 the Ministry of Foreign Affairs and Ministry of Labour and Employment may undertake programmes for developing appropriate tools and guidelines for market exploration.

⁶ BRAC's Project proposal for training provided in Chapter 3 gives an example of how NGOs can help the process of human resource development through imparting targeted vocational training.

- 3.4.1.2 They need to develop training module and organise training for officials assigned with the responsibility.
- 3.4.1.3 A standardised reporting format be formulated by the joint committee. The officers in the field will be required to send bimonthly reports to the committee.
- 3.4.1.4 The joint committee will collate such information received from different countries and pass it over to research and monitoring wing of the Ministry of Labour. Research and monitoring wing will prepare and submit a six-monthly report to the Advisory Committee.
- 3.4.2 **Recruitment related function:** One of the functions of the foreign office is to promote and develop employment opportunity of Bangladeshis in the respective host countries. It may also provide assistance to licencees in the negotiation of terms and conditions of employment with agencies abroad. More specifically, scrutinising and attesting demands from employers is one of the principal functions of the labour wing. A general observation of the recruiting agencies is that the missions take more than the time required in processing the papers. This delays the overall recruitment process. In this context:

Suggested Measures

- 3.4.2.1 A standardised check-list needs to be prepared that will be applicable to all.
- 3.4.2.2 Through consultation among labour and foreign ministries and the recruiting agencies a time frame may be fixed for the missions to act upon. The time limit may be extended if particular cases demand so. In such cases missions should formally communicate the grounds for the delay to the applicants.
- 3.4.3 **Consular Service:** Consular officials act as an important bridge between the migrant workers and the missions. However, there is a general perception among the migrant population that they are not treated with respect and dignity when they need to avail consular services. This makes them avoid contacts with the mission and they only visit when it becomes absolutely imperative. The mission personnel also work under major constraints when they deal with the migrant workers. They feel that mistakes in the passport and other documentation of migrant workers are disproportionately high. Often, these are related to the identity of the passport holders, height, father's name, mark of identity etc. However, one needs to take into account that these problems are created due to the existing recruitment processing system, of which migrant workers are also the victims. In order to redress these problems the following suggestions are offered:

Suggested Measures

- 3.4.3.1 Given the importance of labour migration for the national economy special attention needs be given to incorporate migratory issues in the curriculum of the Foreign Service Academy for training of new recruits of foreign service.
- 3.4.3.2 There is a need for developing specific training modules for officials entrusted with the responsibility to promote export of manpower and look after other matters relating to welfare of Bangladeshi workers. The suggested training is relevant not only for officials of Ministry of Foreign Affairs but also officials of other ministries including Ministry of Labour and Employment, likely to serve in Bangladesh missions abroad. Non-career heads of missions may also undergo proper orientation programme at the Ministry of Foreign Affairs and the Ministry of Labour and Employment before taking their new assignment.
- 3.4.3.3 Short-term orientation courses may be organised at the Foreign Service Academy to train officials posted in the labour receiving countries.

- 3.4.3.4 The missions should initiate a mechanism to file complaints in cases of fraudulence and malpractice on the part of the recruiting agencies and government functionaries so that appropriate procedures can be instituted against them.
- 3.4.3.5 There should be adequate staff in the consular wing in labour receiving countries. Therefore, steps need to be taken to strengthen the consular wings of Bangladesh missions abroad both in terms of trained manpower as well as availability of vitally needed office equipment like computer and other modern accessories to preserve and update data and information, and link it with BMET database.
- 3.4.3.6 Consular wings should be provided with resources to arrange for waiting spaces for Bangladeshi workers abroad, funds for repatriation of stranded Bangladeshis and transportation of dead bodies and meet other urgent expenses.

3.4.4 **Protection of Rights and Welfare**

Foreign missions generally have to address the difficulties that are faced by the migrant workers in the destination countries. In many cases these difficulties arise due to lack of appropriate information; in other cases, they emanate from fraudulent practices of recruiting agencies or exploitation of the employers. Some of these can be mitigated through mediation and others need legal intervention. Given the fact the problems take place in the sovereign jurisdiction of other state, addressing these problems is immensely difficult for the Bangladeshi missions. Appreciating such difficulties the study team believes that pre-emptive measures can yield good results in protecting rights of migrant workers. It is suggested that:

Suggested Measures

- 3.4.4.1 Lack of information has to be met by creating appropriate dissemination channels in the host countries. Bangladeshi missions may organise periodic meetings where mission personnel and expatriate Bangladeshis can inform the migrant workers about host country, and work and cultural practices. The procedure of organising such meetings has been detailed in the Awareness Campaign section (4.15, 4.16).
- 3.4.4.2 The matters that involve litigation, has to be pursued effectively. If necessary, legal advisors are to be appointed to contest cases in the labour or sharia courts. The missions should also encourage workers to avail interpreter's services in countries that offer those services.
- 3.4.4.3 The government may consider setting up Migrant Workers' Resource Centres (MWRC), if possible within the premises and under the administrative jurisdiction of the Bangladesh Embassy in countries where there are large concentrations of Bangladeshi workers. The MWRC are to provide the following services:
- i. Counselling and legal services
 - ii. Welfare assistance including the procurement of medical and hospitalisation services
 - iii. Information and advisory programmes to promote post-arrival orientation, settlement and community networking services and activities for social interaction
Arrange various forms of recreation for the migrant workers.
 - iv. Institute a scheme of registration of undocumented workers
 - v. Human resource development such as training and skills upgrading;
 - vi. Gender sensitive programmes and activities to assist special needs of women migrant workers
 - vii. Orientation programme for returning workers;
 - viii. Monitoring on work conditions affecting migrant workers.
- 3.4.4.4 It should be reiterated that these programmes should be undertaken with utmost sensitivity so that it is not misinterpreted by the host countries.

BOESL

- 3.5 BOESL is the commercial entity set up as a limited company holding recruitment licence. It was created in 1984 to provide competition to the private sector. Since its inception up to February 1999, BOESL recruited 8,900 workers. A thorough evaluation of this institution needs to be done to assess its strengths and weaknesses.

BAIRA

- 3.6 BAIRA, as the trade body of the recruiting agencies, is committed to bring about discipline in the labour export sector. With this end in view, the institution showed its commitment in augmenting government initiatives:

Suggested Measures

- 3.6.1 By annually updating and publicising its list of members, along with the names of their local agents in various districts so that aspirant migrants can have access to registered agents of licenced recruiting agencies. Currently a list of BAIRA members is printed annually with addresses and phone and fax numbers in a directory. BAIRA circulates that among government and other relevant authorities. Same information has to be made available to the potential migrant workers who are mostly based at rural areas. BMET will have to take the responsibility to disseminate this information up to thana level.
- 3.6.2 BAIRA has demonstrated its commitment towards establishing accountability and transparency of the private recruiting agents by setting up an arbitration standing committee. It looks into compliance of individuals and agencies, aggrieved due to some alleged or irregular activities of some members of BAIRA. It should publish an annual report on such arbitration, and also submit the same to BMET.
- 3.6.3 To further demonstrate its commitment to causes of migrant workers, it should make annual contribution for skill development training of migrant workers.

Section IV AWARENESS CAMPAIGN

- 4.1 In Bangladesh there is yet to emerge any formal source of information on labour market, placement and recruitment procedure and assessment of costs and benefits of migration. As a result, the sources that aspirant migrants and their families have to depend on are informal agents and returnee migrants. These informal agents do not always provide the right information to potential migrants and families. Misinformation maximises their profit margin. Under such condition, the returnee migrants constitute the most important source. Recent studies have shown that this source is also not as reliable as before. A section of them may not be willing to share their unpleasant experiences of the destination countries. In addition, some returnee migrants themselves became source of exploitation as other agents use their services or they themselves become engaged in visa trading.
- 4.2 Usually rural people take important decisions on matters affecting their lives through consultation with community leaders, teachers and NGO activists. This group cannot counsel them on labour migration as it involves specialised information that are not readily available to them. Under such conditions, it is very easy to exploit aspirant migrants and their family members.
- 4.3 Therefore, there is an urgent need for exploring ways to channel information on migration procedures. Legal steps taken for streamlining the sector will only be effective when all necessary information is available to the potential migrants, their families, community leaders, civil society activists, journalists and other professional groups and the masses.
- 4.4 Realising the importance of information dissemination the following measures are suggested:
- 4.4.1 Currently, BMET administers two programmes. First, it holds an orientation session for migrants who have already secured overseas employment, and second, it publishes periodic notices in newspapers warning about fraudulent practices. These measures have not yielded desired outcomes. These existing methods have been incorporated in the following section.

Suggested Measures

- 4.5 The measures have been divided under two broad heads: in Bangladesh and in destination countries. Measures suggested for implementation within Bangladesh include (a) media campaign, (b) residential workshop and (c) pre-departure orientation and training. For destination countries the suggested measures include (a) periodic meetings with migrant population, (b) production and distribution of audio and video information kits.

AWARENESS CAMPAIGN IN BANGLADESH

Media Campaign

- 4.6 In order to fill the gap of information and counter mis-information of vested groups a concerted and vigorous media campaign has to be organised. Both print and electronic media have to be used. As bulk of the aspirant migrants and members of their families are semi-literate or illiterate, radio and television will constitute important channels of dissemination. Three forms of interventions are suggested for radio and television.

i. Short drama serial

(following the *shabuj chata* concept)

Programme frequency: weekly

Duration: 10 minutes
 Time span: 1 year pilot project

ii. Fillers and jingles

(to be broadcast before popular serials or news)

Programme frequency: three days a week

Duration: 1 or 2 minutes

Time span: 1 year pilot project

iii. Magazine programme on migration

(discussion, interviews, footage)

Programme frequency: monthly

Duration: 30 minutes

Time span: 1 year

Target audience of the programmes:

The target group will include aspirant migrants, their family members, local level community leaders, NGO and civil society activists and policy makers.

Contents of the above programmes:

- i. What to do to be a successful migrant
- ii. Advantages and disadvantages of documented and undocumented migration
- iii. Costs of migration
- iv. Services to be received from recruiting agencies
- v. Services to be received from BMET
- vi. How to avoid unscrupulous agents
- vii. Where to seek information on migration
- viii. Importance of correct documentation, including passport
- ix. Information on labour market
- x. Do's and don'ts in destination countries.
- xi. Cultural and social milieu in the destination countries

Residential Workshop for Community Leaders and Activists

4.7 The campaign designed through radio and television will be more general in nature. A parallel campaign is to be launched to develop a conscious and vigilant group at the grass-roots. They, on the one hand, will be the conduits of information, and, on the other, will act as a network of civic group activists to preempt fraudulent practices and help migrants and potential migrants seek redress.

4.7.1 Course Content and Resource Persons

Issues	Resource Persons
Migration context: global and Bangladeshi	Migration expert and IOM representative
Identification of problems in migration:	Returnee migrant workers and their associations
Migration procedure	BMET, home ministry and recruitment industry
Cost-benefit analysis	Migration expert
Information on host countries (social, cultural and legal context)	Returnee migrants, expatriate Bangladeshis and foreign ministry personnel
Rights and obligations of migrant workers in host	BMET, foreign ministry and migration experts

countries	
Support mechanism in host country and role of Bangladeshi missions abroad	Labour and foreign ministries
Formal and informal channels of remittance transfer process	Government and private banks
Effective use of remittance and available investment opportunities	Banks, micro-finance institutions
Post return Rehabilitation	BMET and migrant workers associations

4.7.2 **Target group for training:**

- Union Parishad chairperson and members,
- school, madrasha and college teachers
- *imams* of mosques and leaders of other religious institutions
- local-level journalists
- field-level NGO and human rights organisers and workers

4.7.3 **Number, duration and venue:**

The training will be residential and of two-day duration. 30 persons will be trained in each programme. Initially the training will be held in Dhaka. Gradually through collaboration with partner organisations it may be held at the district level, starting from migration-prone areas.

4.7.3.1 In April and November 2001 RMMRU organised two 2-day workshops on Awareness Campaign of Community Leaders and Activists on Labour Migration Process at Dhaka. A training module has been prepared. This effort may be replicated at a wider scale.

Pre-departure Orientation Training for Migrant Workers whose Recruitment is Under Process

4.8 Before embarking on short term contract migration it is of immense importance that a migrant worker has at his disposal specific information about the destination country, general job condition, rights and duties under the legal regime of the receiving country and under international law. Philippines and Sri Lanka have been at the forefront in managing labour migration. Both the countries have identified pre-departure orientation training as one of the most effective tools in protecting the rights of migrant workers and curbing fraudulent practices from this process.

4.9 The GoB also recognises the importance of pre-departure training. The BMET has been conducting a briefing programme for recruited workers. The programme has been funded by the Wage Earner's Welfare Fund (WEWF), that has been created through the contribution of migrant workers. The BMET briefing is provided on four countries, Saudi Arabia, Malaysia, Kuwait and South Korea. However, both Labour Ministry and BMET officials felt that due to some structural constraints it has become difficult to make the programme effective. One of the major reasons being very little time is left between issuance of clearance and their departure. In the following section taking into account the existing reality some suggestions are offered:

4.9.1 Briefing sessions has to be renamed as pre-departure orientation programme.

4.9.2 BMET should not be the implementing agency of the pre-departure orientation. Rather it's role should be that of monitor's. While providing clearance BMET should check whether the

migrant worker has gone through orientation training in the same manner if the migrant worker had undergone medical checkup.

- 4.9.3 The recruiting agent while submitting documents for immigration clearance for BMET will also have to produce paper certifying that the migrant worker has gone through pre-orientation training. The recruiting agents should not be the providers of the training.
- 4.9.4 Selected specialised agencies, NGOs and migrant support groups, are to be relied on to impart pre-departure orientation training.
- 4.9.5 Imparting pre-departure training should not be made contingent upon issuance of immigration certificate of BMET. Rather, concerned recruiting agent should ensure that the concerned migrant undertakes pre-departure orientation at around the same time when medical check up are being conducted.
- 4.9.6 Each of the NGOs or migration support groups engaged in pre-departure orientation training should conduct the training in 4-6 places. This would mean at least 20 different locations will be available for the recruiting agents to suggest their client migrant workers to avail the training.

Nature and content of training

- 4.10 The basic thrust of the training will be:
 - i. Introducing the receiving country (culture, climate, society)
 - ii. Accommodation and job conditions
 - iii. Basic protection issues and implications of regular and irregular migrants
 - iv. Rights and obligations
 - v. Do's and don'ts at work place, public place and basic traffic rules
 - vi. Health services available and protection against STD and HIV/AIDS
 - vii. Avenues for rest and recreation
 - viii. Support that can be availed from the Bangladesh missions
 - ix. Avenues and mechanism of seeking redress
 - x. Channels of remittance and advantages of official channel
 - xi. Need for savings and available investment opportunities
 - xii. Importance of planning return and rehabilitation
 - xiii. Basic communication skills

Preparation of a Module for Training

- 4.11 A pre-departure orientation module will have to be designed. A core of experts will develop the training module. The training will be imparted by adopting different methods: lectures, discussion sessions, video and audio materials and short plays. Development of a country-specific pre-departure information kits will be a part of the training module.
- 4.12 This module will be subsequently used by the migrant support groups and NGOs. An evaluation of the module will be conducted after a year. It will be finalised with the input of the implementing agencies and trainees. The programme will be replicated in a large scale.

Resource Persons during implementation phase

- 4.13 NGOs and migrant support groups that plan to organise pre-departure orientation training will be required to develop a group trainers on the above issues. Returnee migrants should constitute a major segment of the trainers. Besides, they will also have to rely on a core group of resource persons comprising migration experts, representative of migrant workers

association, government functionaries from labour, foreign affairs and BMET, representatives of recruiting agencies and banks.

Duration of the training

- 4.14 The training will be a residential programme. Ideally, like Sri Lanka and the Philippines it should be of two-week duration. Or else, it can be of 7-day duration. Each trainee will be provided with a pre-departure information kit.

INFORMATION DISSEMINATION IN DESTINATION COUNTRIES

- 4.15 Once a migrant worker takes up employment in the host country, it is of immense importance that the Bangladeshi missions abroad are in close contact with him/her. This contact on the one hand, will provide the Government of Bangladesh with information about its nationals and provide the latter with better protection abroad, and on the other, will help the authorities disseminate information among the migrant work force. Two methods have been suggested in this regard: (a) periodic meetings with migrant population, and (b) production and distribution of audio and video materials.

Periodic Meetings

- 4.16 Periodic meetings with migrant workers may be organised by the Bangladeshi missions in destination countries. Such meetings have to take place near the work concentrations of Bangladeshi migrants. Taking into account the resources and manpower available, each of the missions will be assigned with a target to organise such meetings. The purpose of the meeting will be to disseminate information on issues pertaining to the needs of the migrant workers. This may include banking facilities, health matters, cultural practices etc. Bangladeshi expatriate community can act as resource persons in these sessions. Those meetings can be rounded up with films and video shows.

Production and Distribution of Audio and Video Information Kits

- 4.17 Country specific audio and video materials have to be developed for the migrant population. They will serve both as sources of information and entertainment. Bangladeshi missions will facilitate the distribution of the materials through local ethnic convenience stores that are frequented by the Bangladeshis and big employers of Bangladeshi labour. The External Publicity Department of the Ministry of Foreign Affairs may be assigned with the task of distribution of the materials.

COORDINATING INFORMATION DISSEMINATION

- 4.18 The advisory committee will appoint a group to coordinate the information dissemination campaign both within the country and outside. The group will be comprised of representatives of the government, experts, representatives of returnee migrants, recruiting agencies and media specialists. A target could be set before the group to develop country specific print and audio-visual materials within a certain period.

Information dissemination will require substantial resources. Along with government allocation, NGOs and human rights organisations can be approached to incorporate migration issue in their existing awareness campaign programmes, ILO, IOM, UNDP and some other bilateral donors need to be approached for support in this respect. The group may approach the above organisations for such support.

Section V

INSTITUTIONAL ARRANGEMENT

- 5.1 Labour migration involves different ministries, agencies and migrant workers. Inter-agency collaboration is a pre-requisite for the establishment of programmes and services for streamlining the labour migration process. In order to institutionalise this inter-ministry / agency / migrant workers collaboration, establishment of an Advisory Committee is suggested.
- 5.2 The Advisory Committee will constitute of the members of different ministries, recruiting agencies, representatives of migrant workers' associations and persons of repute, integrity and experience in the field to strengthen labour migration sector.
- 5.3 The Advisory Committee will act as an inter-ministerial / inter-agency watchdog who will have the legal authority to monitor the progress made in implementing the recommended actions made above. This will include authority for asking periodic reports and power to make (binding/non-binding) recommendations. The Advisory Committee may also suggest law reforms, policy measures and codes of conduct with the regard to labour migration. It can also facilitate consultation among government, private sector and civil society pertaining to labour migration.
- 5.4 A 19 member Advisory Committee has been suggested, which will be headed by a Minister rotating between Labour and Foreign Ministry. The government functionaries will become ex-officio members of this committee. Representative from civil society organisations will be nominated by the Chairperson.

The Advisory Committee may consist of:

i.	Minister – Chairperson	1
ii.	Secretary, Ministry of Labour and Employment or representative not below the rank of Additional Secretary	1
iii.	Secretary, Ministry of Foreign Affairs or representative not below the rank of Additional Secretary	1
iv.	Secretary, Ministry of Home or representative not below the rank of Additional Secretary	1
v.	Secretary, Ministry of Civil Aviation or representative not below the rank of Additional Secretary	1
vi.	Governor of Bangladesh Bank	1
vii.	Director General, BMET	1
viii.	Representatives from government Vocational and Training Institutes	2
ix.	Managing Director from BOESL	1
x.	Representative from BAIRA	1
xi.	Representative from business sector	2
xii.	Representative from migrant workers' associations	1
xiii.	Representative from academician	1
xiv.	Representative from NGOs	1
xv.	Representative from research organisations	1
xvi.	Representatives from public and private banks	2

These are several issues that may be taken up by the Advisory Committee for its consideration. These may include a review of the Bangladesh's stand on 1990 UN Convention on Migrant Workers, a reassessment of the consequences of the ban on migration of skilled and semi-skilled women, and possible mechanisms of utilising NGOs in skill development and pre-departure orientation training.

MAJOR RECOMMENDATIONS OF THE STUDY

Tasneem Siddiqui

Recommendations offered in the Strategy Paper, mostly attempt to increase the efficiency level of the current recruitment system. In that respect no revolutionary changes have been suggested there. However, efficient management of labour migration from a human rights based approach necessitates some policy changes. In summarising the major recommendations of the study may be divided in two categories – policy recommendations and strategy guide lines for reforming the existing system.

Policy Recommendations

Government, migrant workers, civil society organisations and private sector jointly need to shape a national policy on migrant workers. Protection of human rights and dignity of the workers both in Bangladesh as well as in the receiving countries will be the fundamental principle of that policy. Bangladesh government has signed the UN Convention on *Protection of the Rights of All Migrant Workers and Members of their Families*. As a sending country, it is in Bangladesh's interest to accede to the Convention immediately and frame necessary enabling legislation. 1982 Emigration Ordinance needs to be replaced / updated by a more rights based legislation reflecting the 1990 UN Convention and other relevant ILO conventions. Following the Filipino example, a separate ministry for international migration may be created. Or, at least, like Sri Lanka international migration should be exclusively managed by an overseas employment agency. BMET is currently in charge of international labour migration. But it also looks after local labour issues. BMET either should be divided into two agencies or a separate agency has to be created for looking after local employment and labour issues, while BMET should solely concentrate on international labour migration.

In respect to international labour migration as well BMET / overseas employment bureau is presently involved in all kinds of functions. It should concentrate on regulation and monitoring of labour migration sector, rather than implementing specific programmes.

Labour migration policy should strive to encourage migration of professional and skilled person, and reduce migration of semi and unskilled persons not through imposing restriction or bar but through imparting skills. Long term goal of labour migration policy should be to create and maintain a condition, which is congenial to orderly migration. Policy of restriction on migration of women as domestic aide needs to be reevaluated in the light of the reality that it has given way to undocumented migration of women. Women's constitutional "right to work" has been taken away by administrative orders which has to be restored by framing a pragmatic policy.

In protection of rights of migrant workers and also in ensuring efficient management of the sector, preventive measures should be given equal priority to legal remedies. Therefore, information dissemination discouraging non-orderly migration should be a key area of intervention. Along with different Government ministries and private sector agents, non-governmental organisations (NGO) should also be encouraged to take up programmes (vocational training, information campaign, utilisation of remittances etc.) for the migrant workers. Necessary space has to be provided for the development of associations of migrant workers. These associations should be recognised by the government.

Above are the major policy standpoints upon which the study is based. Following is the summary of specific recommendations suggested in the study for addressing specific problems.

Strategy Guidelines

To curb undocumented or irregular migration, close and active coordination between different agencies of the government, including Home, Labour and Foreign Ministries has to be

institutionalised. BMET data-base has to be made available to the immigration authority and welfare desks of Dhaka Airport and Bangladeshi missions overseas.

The stamp on passport by immigration authorities at the airport should include the name or a serial number of the official concerned. Those found guilty of promoting irregular migration must face stern disciplinary measures. Such increased penalty measure should come under the existing legal regime on immigration (1982 Ordinance).

Purchase of visa in host country and auctioning of the same in Bangladesh is the most important reason for increased cost of migration. It is suggested that high ranking delegation visits countries such as Saudi Arabia, Malaysia, UAE and Kuwait and draw attention of authorities there to the negative consequences of work visa manipulation on both parties, and urge the latter to take necessary steps to curb the activities of the intermediaries.

Some other measures are also suggested for reducing costs. Ministries of Labour and Foreign Affairs may immediately initiate discussions with concerned embassies to ensure that migrant workers can select carriers of their choice. BMET and BAIRA may jointly pursue the issue of labour fare with the civil aviation authorities / airlines concerned. Ministry of Civil Aviation may consider sending of dead bodies of migrant workers without charge like other labour sending countries. Labour Ministry may take up the issue of revoking travel tax on migrant workers with the Finance Ministry. Diagnostic centres should immediately be brought under the purview of government monitoring.

Responsibility of procuring visa should remain with the private sector, however, Bangladesh missions in the labour receiving countries should be more proactive in facilitating procurement. Certain standards have to be set for appointment of labour attaches.

With regard to manpower export annual review of the performance of missions in general, and of labour attaches in particular, has to be institutionalised.

BMET should refrain from issuing recruiting licence to any person who is staying abroad on a work-permit.

Ministries of Labour and Foreign Affairs will develop pragmatic plan of action to enter into the burgeoning Korean, Taiwanese and EU labour market in a substantial way.

Ministry of Labour and Employment suggested that sub-agent system be abolished and aspirant migrants to register in nearby district manpower employment offices. Recruiting agents will recruit only from among those registered. If BMET cannot provide manpower according to agents' requirement it will inform the recruiting agent within 24 hours and allow the agent to recruit through its own channel. The study team added that recruitment through own channel entails intermediaries. In that case, the recruiting agencies will be obliged to register their intermediaries and send the list of intermediaries to the manpower authority. The *dalals*/intermediaries will have their geographical area of operation specified with a photo-identity.

It will be a penal offence for individuals to work as intermediary without being registered with a recruiting agency and likewise for recruiting agency to avail services of an individual who is not registered with it. All monetary transactions will be conducted through banks.

In order to reduce exploitation of the migrant workers, list of licenced recruiting agents, will be made available to the potential migrant workers who are mostly based in rural areas by BAIRA, the trade body of the recruiting agencies. To further demonstrate its commitment to causes of migrant workers, it may make some annual contribution for skill development training of migrant workers.

Materialisation of the above recommendations will entail development of an effective monitoring system. Research and evaluation wing of BMET has to be strengthened.

For institutional strengthening of BMET and Bangladesh missions abroad, different steps have been suggested. Labour sector is the highest foreign exchange earning sector that has contributed to more

than Tk. 10,000 crore in 2000. For efficient management of labour migration a proposal has to be made to the Planning Ministry for increasing the budget of Labour and Employment, Foreign Ministry and BMET in the next budget.

The major functions of reformed BMET therefore, will be to regulate and monitor the recruiting agents, issuance and renewal of licences, setting minimum labour standard for Bangladeshi migrant workers, providing emigration clearance after verifying visa papers and employment contracts, and adopting policies and procedures toward the eradication of illegal recruitment activities. BMET is the authorised agency of GoB for keeping records on labour migration. In addition, the agency, in collaboration with the Ministry of Foreign Affairs, should develop a separate information pool on legal systems, immigration policies, marriage laws, and civil and criminal codes of receiving countries, particularly those that have large number of Bangladeshis.

In order to replace semi-skilled and unskilled migration with migration of professional and skilled category of workers BMET will identify areas of future foreign labour needs on the basis of reports sent by the Bangladeshi missions abroad; disseminate such information to potential training providing organisations; strengthen its 20 training institutes through upgrading and equipping; expand the training outreach through joint ventures with NGOs and private training institutions; and encourage NGOs and private sectors to take up training targeted towards catering foreign employment needs.

Bangladeshi missions abroad play a very important role in respect to protection of rights of migrant workers. They facilitate procurement of visa for migration, explore potential labour markets, attest documents pertaining to recruitment, provide consular services, and ensure welfare of migrant workers. There is further scope for institutional capacity building and need for resource mobilisation for efficient delivery of services to the migrant workers. Capacities can be enhanced regarding development of tools and guidelines for market exploration, training of officials, and creation of standardised reporting formats for collecting and disseminating information.

Establishment of a Migrant Worker Resource Centre (MWRC) may be considered by the government, if possible within the premises and under the administrative jurisdiction of Bangladesh embassies. MWRC is to provide counseling services, welfare assistance, information and advisory programmes, promote post-arrival orientation, settlement and community networking services and activities for social interaction, institute a scheme of registration of undocumented workers, human resource development such as training and skills upgrading, gender sensitive programmes and activities to assist special needs of women migrant workers, orientation programme for returning workers, monitoring on work conditions affecting migrant workers and provide facilities for recreation.

BOESL is the commercial entity set up as the limited company holding recruitment licence. A thorough evaluation of this institution needs to be done to assess its strengths and weaknesses.

In Bangladesh there is yet to emerge any formal source of information on labour market, placement and recruitment procedure and assessment of costs and benefits of migration. As a result, the sources that aspirant migrants and their families have to depend on are informal agents and return migrants.

The measures suggested for bridging such information gaps have been divided into two broad sections: in Bangladesh and in destination countries. Measures suggested for implementation within Bangladesh include (a) media campaign, (b) residential workshop and (c) pre-departure orientation and training. For destination countries the suggested measures include (a) periodic meetings with migrant population, (b) production and distribution of audio and video information kits.

Short drama serial, fillers and jingles, and magazine programmes on migration have been identified as important interventions that need to be undertaken through the electronic media. The campaign designed through radio and television will be targeted to general audience. A parallel campaign is to be launched to develop a conscious and vigilant group at the grass-roots. This can be done through holding of residential workshop of community leaders and activists. They, on the one hand, will be the conduits of information, and on the other, will act as a network of civic group activists to preempt fraudulent practices and help migrants and potential migrants seek redress.

Before embarking on short term contract migration it is of immense importance that a migrant worker has at his disposal specific information about the destination country, general job condition, rights and duties under the legal regime of the receiving country and under international law. BMET's current briefing programme for the outgoing migrant workers is ineffective. It has to be reformulated and its operation needs to be decentralised.

BMET may also encourage selected specialised agencies, NGOs and migrant support groups to impart pre-departure orientation training covering different migration-prone areas. Imparting pre-departure training should not be made contingent upon issuance of immigration certificate of BMET. Rather, recruiting agent should ensure that the concerned migrant undertakes pre-departure orientation at around the same time when medical check up are being conducted.

Once a migrant worker takes up employment in the host country, it is of immense importance that the Bangladeshi missions abroad are in close contact with him/her. Two methods have been suggested in this regard: (a) periodic meeting with migrant population and, (b) production and distribution of print and audio/video materials.

Finally, to coordinate different aspects of labour migration an Advisory Committee has been suggested. The Advisory Committee will be constituted with representatives of different ministries, recruiting agencies, migrant workers' associations and persons of repute, integrity and experience in the field to strengthen labour migration sector. The Advisory Committee will act as an inter-ministerial / inter-agency watchdog that will have the legal authority to monitor the progress made in implementing the recommendations made above. This will include authority for asking periodic reports and power to make recommendations. The Advisory Committee may also suggest law reforms, policy measures and codes of conduct with the regard to labour migration. It can also facilitate consultation among government, private sector and civil society pertaining to labour migration. A 19 member Advisory Committee has been suggested.

RECOMMENDATIONS FROM THE FLOOR

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The workshop participants recognised the important role that the recruitment industry has been performing in facilitating labour migration process. It was noted, however, that despite this contribution, the recruitment process is fraught with a number of problems. Addressing those problems required active collaboration of the government, recruiting industry and civil society institutions. In that context the workshop recommended:

- The recruiters should see themselves not only as middlemen working for commission, but as entrepreneurs having a major stake in improving the sector. The idea of private sector with social responsibility should be promoted by the agencies. BAIRA as the apex body of the agencies should develop a code of conduct. The Association should establish and assert its legal and moral authority by taking disciplinary action against truant members.
- In consultation with all stakeholders - the recruiting agencies, migrant associations and migrant support groups and other civil society institutions - effective monitoring mechanism must be developed to make the recruiting agencies more accountable. It was felt that unrestricted issuing of licences was not conducive to the healthy growth of the industry. Hence, government agencies should make issuing of licence contingent upon meeting some stringent conditions. Renewal of licences of agencies should be based on performance. It was suggested, licences of agencies that would not be able to procure fifty work permits or more in the preceding year, should not be renewed.
- Operation of middlemen in the destination countries has been an important contributory factor in the recent rise in migration costs to some of the middle eastern and east Asian countries. The government should identify these middlemen and bring their activities to the notice of the

concerned government in destination countries and urge them to take actions against these middlemen if they are in breach of national laws.

- As an overwhelming number of the work visas are procured through individual means, more effective mechanism is to be established to bring the individual cases under a monitoring framework.
- In order to curb the ill effects of private recruitment the BMET proposal to create a data-base of potential migrants, making that available to the agencies and if they match their requirements then making the agencies recruit only from among those registered, received overwhelming endorsement. The participants felt that it will go a long way in mitigating some of the problems faced by the unscrupulous recruiting agents. However, participants from the recruitment industry highlighted some procedural problems in this regard that need to be overcome.
- Fraudulent practices of unregistered agents, sub-agents and, in some cases, recruiting agents, have led to a lot of hardship of migrants and potential migrants. In most cases these elements work as intermediaries between the recruiting agents and the migrants/potential migrants and money is transferred through their hands. In order to eliminate their presence from the industry, the recruiting agencies should be made to declare the names of their representatives in different locations of their country, provide them with a photo-identity card and make the list available to thanas, TNOs and union council offices. In addition, all migration related transactions are to be conducted through the banks. Strict penalties are to be imposed for violation of these provisions.
- An important link in the migration chain is the diagnostic centres. It was felt that some of these centres are engaged in malpractice that increases expenses of the potential migrants. A thorough inquiry into the allegation was proposed. It was also recommended that the government's monitoring activities should also cover the diagnostic centres as well.
- Effort must be made to direct the cost of migration to the employees rather than the employers or at the least lowering of the costs. Conscious effort must be made by BMET that recruiting agencies do not subject the migrant workers pay, when all expenses should be borne by the employers. Effective liaison between the BMET and Bangladesh missions overseas can help address this problem.

During the course of the workshop there was broad consensus that institutional changes are necessary in many fronts. Some of the recommendations are:

- In order to curb undocumented migration there has to be an effective coordination between different arms of the government - foreign affairs, home affairs, immigration department of BMET and civil aviation. Maintenance of data-base with accessing facilities from the airports will help to an extent in addressing the problem, as airport officials will be able to identify if individuals not listed attempt to go overseas on employment.
- Accountability of the airport immigration officials involved in scrutinising documents including passport, visa and other related papers, has to be ensured. In order to do this the stamp of the officials responsible the outgoing person's passport should contain his/her name and designation. That will help track him/her in case the concerned person cleared by him/her is subsequently found to have traveled on false documentation.
- Proper system should be in place involving Ministries of Foreign Affairs and Labour and academics to engage in market search for migrants. The Bangladesh missions in the major labour receiving countries should be strengthened, their personnel trained and effective reporting mechanism is to be established. Mechanisms should also be in place to feed in the information collated to frame commensurate policies at home for training required personnel with the potential demands overseas.

- Major changes are required at the Bangladesh missions abroad to make the personnel respectful and sensitive to the migrants' needs. They are to be imparted necessary training that would make them aware about the rights of the migrant workers under the laws of land where they are posted, and under customary international law. They are to be encouraged to visit work and accommodation sites of migrant workers and file periodic reports. The participants fully endorsed the recommendations made in the report about holding of periodic meetings at different locations for dissemination of information.
- In the past the Wage Earner's Welfare Fund (WEWF) had been used in avenues that did not necessarily benefit the migrant workers or their families. An independent inquiry is to be instituted about the way the Fund was spent and new policy guidelines are to be framed for using the Fund that benefit the migrant workers and members of their families.
- There is a growing demand for labour in Korea and Taiwan. The Ministry of Foreign Affairs may engage in developing pragmatic policies to access these markets without compromising the broad foreign policy goals.
- Restructuring the education sector, making it more practical and vocation oriented, should be a major priority area. Such a labour force will not only meet the demands for skilled labour from overseas, but will also help catering to the needs of skilled labour at home. The courses offered at the various vocational and technical training institutes should take into account the changing demands of labour needs in the growing economies.
- Pre-departure orientation of the migrant workers should be comprehensive as proposed in the report. A component on basic language skills of the host country will also be of great help.

During the course of the workshop some participants highlighted the need for appropriate legal structures. They held the view that administrative measures should be supplemented by legal measures. Some of the recommendations in this regard are:

- The GoB should formulate a comprehensive policy concerning the migrant workers. Such policy should address the problems faced by the migrant workers, take into consideration their vulnerabilities and hence uphold the dignity of migrant workers both in the home and destination countries along with redefining the regulatory role of the government. The 1990 UN Convention and the Filipino laws could provide good frameworks in this regard.
- Given major changes of the last two decades both in the international labour market and also domestically there is an urgent need for revising the 1982 Emigration Ordinance. In addition, necessary rules are also to be framed to reinforce effective implementation of the Ordinance.
- The GoB should immediately ratify the UN Convention on Rights of All Migrant Workers' and Members of their Families and approach other countries to follow suit. Initiative should also be taken to convene an informal meeting of the representatives of labour sending countries of the region and agree on a minimum set of standards in line with the spirit of the UN Convention.
- Amendments to the existing laws are to be effected so that individuals affected by fraudulent practices of recruiting agencies can seek legal redress in courts of law. Various legal aid bodies and civil society organisations should be encouraged to provide legal counsel and other assistance to those who decide to take the agencies to court.
- The ban imposed on migration of unskilled women has been perceived to be discriminatory and against the constitutional provisions guaranteeing equal opportunities to all and freedom of movement. Empirical studies of RMMRU revealed that the ban could not stem the flow of women migrants rather had driven them to irregular channel making them more vulnerable. Under such condition the GoB should immediately rescind the ban. However, information campaign should be launched so that potential women migrants could make an informed decision about migration.

- There have been many instances where individuals or groups of migrant workers were deported from overseas due to negligence of the recruiting agencies. A sub-committee may be formed to look into their allegation with representatives from the government, BAIRA, migrant workers and migrant support groups and recommend necessary action against those responsible.

Press reports on various occasions have suggested that a good number of Bangladeshi migrants are stranded overseas for travelling with unauthorised papers, for changing jobs without authorisation and for overstay of visa. A section of them have served prison terms, but cannot come back to the country due to lack of financial resources or other documents. In many instances they are the innocent victims of fraudulent practices of recruiting agencies or arbitrary whims of the employers of destination countries. In that context the participants recommended:

- The Ministry of Foreign Affairs should immediately take steps to bring back Bangladeshis stranded in different countries of the Middle East and South East Asia.
- The Ministry of Labour, with the support of the Ministry of Foreign Affairs, should provide legal support to those who have been arbitrarily dismissed or have been arrested and who cannot pay for their legal costs. In this regard, civil society organisations should establish contact with their counterparts in the receiving countries and encourage them to provide free legal support.
- On a number of occasions Bangladeshi migrant workers were deported from some countries without given the opportunity to go through the due process of law. The Ministry of Foreign Affairs should ensure that such practice is not repeated.