

THE INTERSECTIONS OF MIGRATION AND GOVERNANCE IN BANGLADESH

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INTRODUCTION

The many social and economic benefits of migration will be squandered if it is not governed responsibly and cooperatively at a global level. With more than 4,300 migrants having already died this year, world leaders now meeting at the UN need to establish a coherent international framework to prevent further losses. (Sheikh Hasina, Prime Minister of Bangladesh, 19 September 2016).

International migration and migration governance have reached a crossroads today. Migrant population leaves their countries of origin to pursue their limitless dreams. Due either to poor governance or weak protection framework, thousands succumb to migration related deaths. In Bangladesh alone, everyday dead bodies of migrant workers arrive at the Dhaka airport from a range of destination countries. We talk about migration governance at a time when numerous complaints of fraud against recruiting agencies involved in migration in Bangladesh go unpunished. Complaints of gross human rights violation against employers, recruiting agencies, brokers (dalal) are reported every day but the intention to bring them to book often remained undone.

Migration has appeared as one of the most significant drivers of human progress in recent times. The number of international migrants has grown faster than the world's population. As a result, the share of migrants in the global population reached 3.3 percent in 2015. An estimated of about 258 million people live in a country other than their country of birth — an increase of 49 percent since 2000 (IOM, 2017). Bangladesh today is the fifth largest country sending international migrants.

Evidence suggest that leveraged by the right and efficient policies, migrant communities can significantly contribute to development in both origin and destination countries, through trade, investment, creation of enterprises, and transfer of remittance and technology, skills and knowledge. About 20 per cent of GDP of about 30 countries in the world is constituted by migrants' remittances. Many resource-rich but population-deficient countries found migration as one of the best strategies to maintain a demographic balance.

Since the time population migration came under academic investigation, most bodies of literature tended to glorify migration, and hence policy agenda tended to demonstrate a positive correlation between migration and development. In reality, however, outmigration has never been a part of policy framework for the countries of origin until the time remittances became a visible and significant contributing factor to the economy.

Though formal migration from Bangladesh for employment kicked off only in 1976, it has been one of the significant contributing countries to the global supply of migrants. Bangladesh boasts 10 million migrants living and working overseas who send about US\$12 billion per year. However, it maintains extremely poor and unreliable data bank. This is primarily because no mechanism has been developed to determine the net migration or to measure the volume of return migration. Given the size and the pattern of the mobility of this population and the volume of financial flows involved, the entire process of migration merits being managed by a well-planned governance framework.

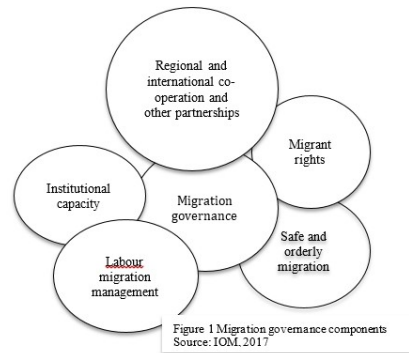
OUTCOMES OF DEFICIENT GOVERNANCE

A wide range of actors such as individuals, governmental and non-governmental bodies, and private sectors organisations constitute migration governance (Betts, 2011). A range of norms, rules, principles, decision-making procedures exist to manage the population flow in an orderly fashion (Kunz, Lavenex & Panizzon, 2011) to ensure safe migration. This means the overall safety of this population is contingent upon a range of actors who are involved in translating rules and regulations into actions. Poor governance and irregular migration are correlated. In a governance-deficient system, risks of migration increase, irregular migration soars, migration management is taken over by corrupt recruiting agencies, and migrants get cheated as a result. Irregular migration involves exorbitant amount of money to finance their migration. As a result, migrants try to recoup the money spent on migration by extending their stay whether by irregular means or else. Hence, perhaps lately, policy attention shifted from political economy of migration to the legal system (Rahman & Ullah, 2011; Ullah 2017a).

Since Bangladesh is primarily an emigrant country, political framework (which exists today) has been created only for the management of out-migration. Therefore, Bangladesh's migration policies and its governmental institutions are meant to deal with only out-migrants and remittances.

The International Organization for Migration (IOM) applies five indicators to measure the status of practice of migration governance (See Figure). I use here some of the indicators to map the status of current governance practices in Bangladesh (IOM, 2017).¹

In terms of human rights, safety, cost effectiveness and its end result, Bangladeshi migrants are one of the most unprotected ones in the world. Between 2003 and 2009, about 10,569 dead bodies returned to Bangladesh. On average, nine dead bodies reach Bangladesh every day from overseas (Ullah, Mallik & Islam, 2015). The key reasons for these deaths are physical abuse, mental torture, denied medical attention by employers, and unsafe and unhealthy work environment. The number will be much higher than this if we are to include unrecorded ones. Many death cases (caused by occupational accidents) are not reported. Some employers do not report to the police to avoid legal 'hassle' and some others keep it secret to avoid paying transportation costs. Some dead bodies are buried in destination countries.



It is widely believed that migration management in Bangladesh is rested on fraudulent recruiting agencies. There are growing complaints against them of excessive fees, pushing potential migrants into unsafe and uncertain journeys, false guarantee of job and salary offer. Lack of effective actions taken against them loomed the level of migration related crimes in Bangladesh. Between 2005 and 2008 about one hundred Bangladeshis died in two separate heart wrenching incidents (known as Sahara tragedy and Mediterranean tragedy). In these events, some young Bangladeshi potential migrants boarded on small and shaky boats in Cox's Bazar, Bangladesh to get to Italy. The perpetrators who were involved in such dangerous journeys were not punished.

A range of sources confirm that over the last couple of years (2008-14) more than 40,000 migrants fell victims of fatalities across land and sea. Today, unfortunately, Bangladesh has become known as the single highest country of origin for asylum seeking on boats as new routes to Europe emerges. Realizing the gravity of the problem, IOM calls on all the world's governments to address as the epidemic of crimes related to migration (IOM, 2017).

In recent years, an increasing number of Bangladeshi nationals have been rescued at sea in the Central Mediterranean and brought to safety in Italy. In 2017, by the end of February, Bangladeshis registered as the fourth highest nationality at landing points in Italy. In 2016, the number was 8131 and in the first quarter of 2017 it was 4645 (IOM, 2017). The increasing presence of Bangladeshi and Moroccan migrants,

who together make up over 7,000 of some 30,000 arrivals to Italy from North Africa (IOM, 2017) so far in 2017 signifies the state of migration governance. The president of the European Commission has recently suggested to 'limit visas' to Europe for travelers from Bangladesh if no action is taken by the Bangladesh government in combatting irregular migrants (Independent, 2017).

A new wave of 'invisible' migrants from Bangladesh emerged in the last ten years. Most of these migrants have been staying in neighboring South Asia and Southeast Asian countries to escape political repression. Repressive laws on freedom of association and speech and repressive action are the key driver of migration in the contemporary time in Bangladesh. Lack of political freedom is among the key factors that pushes people out of their country. This implies that these people left the country under duress therefore, no proper governance procedure was followed.

It is undeniable that due to gross flaws in migration governance, trafficking in human occurs. In terms of trafficking, Bangladesh was downgraded to the Tier 2 Watch List as the government failed to fully meet the minimum standards for the elimination of trafficking (US State Department, 2017). The dominance of brokers and recruiting agencies is evident partly due to the unwillingness of receiving states to go into bilateral temporary-worker agreements with countries of origin. These brokers (dalals) could not be held accountable to anyone because they work as freelancers under certain recruiting agencies.

A recent trend in migration domain of Bangladesh appears to be worrisome. There has been unabated influx of migrants from neighbouring countries especially from India (high skilled and low skilled workers) and Myanmar (mostly Rohingya refugees) in to the Bangladeshi job market where adequate skills are available domestically. One of the reasons why migration in Bangladesh gained so much prominence is that it worked powerfully as a strategy to ease unemployment problems. This sudden and uncontrolled level of influx may place Bangladeshis who are looking for jobs in deep frustration. About a million Indians or so migrated to Bangladesh for work during the last few years (Husain, 2015). Bangladesh stands 5th among the top 15 nations sending remittances to India. Indians migrants working in Bangladesh send about US\$4 billion per year to India and almost an equal amount, if not more, is sent through hundi and other illegal channels that are not documented (CPD, 2017; Prothom Alo, 2018).

Of late, Bangladesh government ventured into another initiative to export unskilled female domestic workers to the Middle Eastern countries. This decision came at a moment when some governments banned sending this category of migrants to the Middle East. Since the decision was made in 2014, a total of 91,858 female workers have gone abroad to take up

employment. Government did not pay heed to the activists, scholars and concerned people who criticized and protested this decision. Eventually, it stood out that the policy was a failed one and as a result this female cohort started to return empty handed, abused and raped. Some has been trapped and some are digesting the brutality of the employers. Only in four days, from 9 to 12 January 2018, 300 female migrants returned from the KSA (Manab Zamin, 2018). Before stepping into this initiative, an intensive brain storming was necessary, according to experts.

Migrant populations are considered one of the most vulnerable groups in the world. It is because in most cases, they are not protected by domestic laws. Part of the responsibilities of the foreign missions are to actively engage in the protection of the human and labor rights of migrant workers. However, in practice the assumed functions of foreign missions and their diplomatic staff are not always carried out. Some countries of origin do not even have mission posts in major destination hubs for their workers, while others are understaffed and lacking in expertise and human rights training.

In most cases, in many Bangladeshi missions and consular officers are political recruits not belonging to the civil service. This means the staff in embassies or missions are generally political leaders or their cronies or retired personnel from non-foreign service cadres. This implies that these missions suffer lack of required expertise to deal with migrants and the problems they face.

Migrant populations from Bangladesh living out of the country cannot exercise voting rights. No initiative has been taken so far. In my journey in migration research, I have come across innumerable Bangladeshis living outside who told me how much they are willing to take part in elections.

Bangladesh entered into a formal migration system in 1976. In the last four decades, the country has undergone several phases in migration. The ups and down in the political system, economic landscape, natural climatic conditions since the liberation war in 1971 created conditions that contributed directly or indirectly to the migration scenario that we have today. Of course, high skilled migration is always a self-initiated one, i.e. government interventions in such migration is low. Generally, unskilled, low or semi-skilled migration is something in which government intervention is necessary and expected. The Table 1 explains that the role of government becomes trivial in different time periods. Facilitators (in the table) are placed in order of the significance of the role played in different phases. Often brokers and government appear as competing agents.

Clearly, the migration sector in Bangladesh suffers from myriad of governance challenges ranging from legal, institutional and procedural

limitations, coupled with rampant corrupt malpractices by intermediaries (Transparency International, Bangladesh, 2017). Unauthorized transaction of money at every level of migration process adds extra financial burden to their expenditure. This has long term impact on the financial state leading them to borrow money from multiple sources on unfavorable conditions. High cost in labor migration instigates illegal overseas migration as they try to recoup the money they borrowed to finance their migration.

Year	Status	Facilitators / intermediaries	Major destinations	Major contributing factors
1971-73	Refugees IDPs	Self International organizations Networks	India Pakistan	Liberation war and post-war crisis
1974-76	IDPs Forced Migration Refugees Economic	Self Networks International Organizations Governments	India Middle East And other countries	Famine and post-famine crisis
1977-80	Economic Students	Government Self Agents	Middle East South East Asia	Economic Better future Studies
1981-90	Economic High skilled Temporary Students	Government Agents Networks Self	Middle East South East Asia East Asia Europe, North America	Economic Studies Pilgrimage
1991-2006	Economic Highly skilled Desperate Temporary Students	Brokers Agents Networks Self Government	Southeast Asia Middle East East Asia North America and Europe	Desperate Economic Political umrah/pilgrimage Studies
2007-2015	Economic Highly skilled Political asylum Temporary Students Female/DH Business	Brokers Agents Networks Self Government	Middle East South East Asia East Asia North America, Europe and Africa	Desperate Economic Political suppression umrah/pilgrimage Choice Studies

Table 1. Government's Part in Bangladesh Migration, Source: Ullah (2017b)

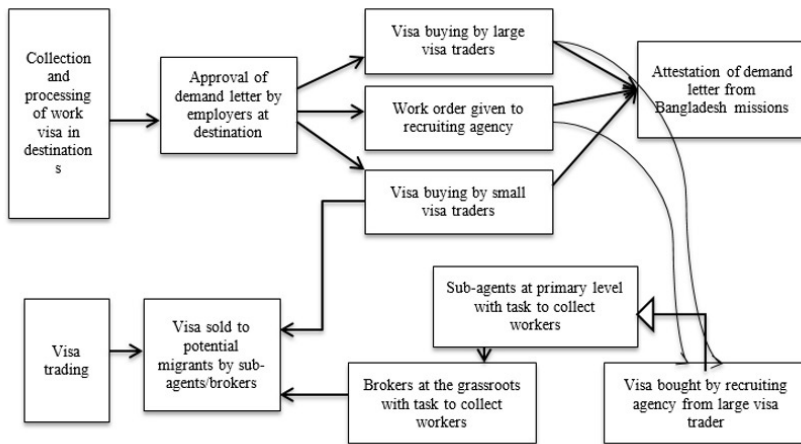


Figure 2. Stages of corruption, Source: Khoda and Akram 2017; Ullah, 2010

GOVERNANCE TOOLS AND STATE OF MIGRATION

Migration has become a defining issue of modern times. Most of the countries that are involved in migration have come up with a solid migration governance framework. Though there are visible improvements, given the significance and size of migration, Bangladesh lacks severe governance deficiency in managing migration. The lead stakeholder of migration is the Expatriate Welfare and Employment Ministry, which consists of five divisions formed in 2001 to ensure the welfare of migrant workers. The Bureau of Manpower, Employment and Training (BMET) is tasked for overall planning and implementation of manpower and reporting monthly on the number of workers who leave Bangladesh. The Overseas Employment and Migrants Act (2013) is the primary legal framework governing migration which replaced the Migration Ordinance (1982) and seeks to uphold migrants' rights, provide for the emergency return of migrants, and prevent fraudulent practices and enforce accountability among recruiting agencies and agents. The Foreign Employment Policy (2006) also seeks to ensure the rights of workers in overseas employment, aiming to regularize migration movements; protect the rights, dignity and security of workers; and ensure social protection of migrants' families. There are some other laws and institutions to regulate migration from Bangladesh.²

In 1998, Bangladesh signed the UN's International Convention on the "Protection of Rights of All Migrant Workers and Members of Their Families", which is one of migrant-sending countries' most important political tools in negotiations with countries that rely on foreign labor and ratified it in 2011. In 2013, the government of Bangladesh passed the

“Overseas Employment and Migrants Act” under which migrant workers can lodge criminal cases for deception or fraud against recruiting, visa, and travel agencies as well as employers. Despite numerous reports on fraud by recruiters and employers, on extortion by smugglers, no cases have been filed under this law yet.

Outcome of irregular migrations may be detrimental to the migrants themselves. Bangladesh evidently has failed to combat irregular migration. As a result, Bangladesh is facing embargo in sending migrants to certain countries and stricter regulations than ever. Recent decision made by the Saudi government on March 22, 2015 to suspend Umrah visa to Bangladeshis is an example. Saudi government expressed serious concerns about the Bangladeshi recruiting agencies that deal with Umrah visa. The allegation has been that these travel agencies are involved in human smuggling in the name of Umrah (Ullah, 2017b). Migration and migration governance remain a serious challenge to domestic well as international politics.

NOTES

1. Migrants rights which include access to basic social services, family rights, the right to work, and long-term residency and paths to citizenship. Safe and orderly migration include countries' border control and enforcement mechanisms, measures to combat human trafficking and smuggling, and re-integration policies. Labour migration management includes policies for managing labour migration, skills and qualification recognition schemes, student migration regulation, bilateral labour agreements and remittance schemes. Regional and international co-operation and other partnerships are the regional and international dimension of migration through an analysis of international conventions, treaties and laws, regional consultative processes, and bilateral agreements.

2. 1976 Establishment of Bureau of Manpower, Employment and Training (BMET); 1990 Establishment of Welfare Fund for Migrant Workers; 1998 Signature of the UN's International Convention on Protection of Rights of All Migrant Workers and Members of Their Families; 2002 Government starts to grant licenses to agencies for recruiting overseas employment; 2003 Government relaxes restrictions on female labor migration; 2011 Establishment of Migrant Welfare Bank (Probashi Kallyan Bank); 2013 Enactment of the Overseas Employment and Migrants Act 2013

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