



Policy Brief Based on the Desk Study

Comparative scenario of female migrant workers in South Asia regions – Bangladesh



Under the project
Promoting Safe Migration for the Women of Bangladesh

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**IMPROVING MIGRATION
MANAGEMENT** IN THE SILK ROUTES

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Background¹

Bangladesh is a major supplier of migrant labour in the Asia-Pacific region. According to a country overview report by UNWOMEN, employment abroad is the second largest source of income for Bangladesh, with remittances amounting to \$12 billion in 2016 (Shamim & Holliday, 2018, p. 6). Recently the remittance flow has sharply increased. International labour migration from Bangladesh has primarily been a male-dominated sector. Although female migrants are fewer and their earnings are smaller, even low-skilled female migrant workers, remit as much as 70 to 80 percent of their income to their families, significantly more than men (Shamim & Holliday, 2018, p. 6). Female migrant workers have the capacity and potential to send more remittances, however, they face various obstacles to participating in the migrant workforce.

In the 1990s, as a perceived means of protecting female migrants, Bangladesh imposed age limits on female migrants and adopted a ban on labour migration of unskilled women, with the exception of those migrating for domestic work. The complexities of migration discouraged many Bangladeshi women from migrating, while, paradoxically, pushing others to migrate through undocumented and irregular methods. Due to these restrictive labour migration policies, which were partly based on societal gender norms, between 1991 and 2003, women represented less than one percent of the total outflows of registered migrant workers². Since 2003, when the Government of Bangladesh removed the labour migration ban and some of the restrictions, there has been a steady upward trend in female migrant workers. While domestic work is the most common sector in which women are employed, other sectors include the textile industry (readymade garment, or RMG sector), nursing, care work, driving and clerical jobs. By 2015, female migrant workers represented 19 percent of total Bangladeshi migrant workers; however, this proportion is small in comparison to other South Asian countries (Shamim & Holliday, 2018).

Recently, the Government of Bangladesh has been working with international organizations and other countries to adopt and implement policies, agreements, and programmes that protect and empower female migrant workers. As a step towards safeguarding the rights of migrants, and converting challenges into opportunities and benefits for the wider society, the Government of Bangladesh enacted the *Overseas Employment and Migrants Act 2013* and issued the *Expatriates' Welfare and Overseas Employment Policy 2016*. Similarly, the Government recognized migration as a development opportunity in its Eighth Five Year Plan. The Government also actively participates in Global Expert

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2 CEDAW and the Female Labour Migrants of Bangladesh https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/BGD/INT_CEDAW_NGO_BGD_48_8124_E.pdf

meetings on migration in the post 2015-development agenda. These actions indicate that the Government of Bangladesh is serious regarding issues surrounding migration and is ready to contribute to the global policy processes.

Despite the successful spike in female migrant workers in Bangladesh, the primary occupation of female labour migrants, over 90 percent, remains domestic work, in countries such as Saudi Arabia, the United Arab Emirates, Lebanon and Oman (Rashid & Ashraf, 2018, p. 17). Local newspapers such as *The Daily Star* and *Dhaka Tribune* report stories of dead bodies of young female migrant workers being returned to their families without any compensation or justification, experiences of sexual and physical abuse in the destination country, human trafficking, and fraudulent actions of recruiting agencies. For instance, according to *The Daily Star*, “from 2016 to 2019, the bodies of 410 female migrant workers were returned to Bangladesh, with the highest number coming from Saudi Arabia (153), followed by Jordan (64) and Lebanon (52)”, and in 2019 alone, “at least 800 female migrant workers returned from [Saudi Arabia] after being tortured and sexually abused” (Siddiqui, 2020, Paras 3 and 4). Many female migrant workers recount being physically tortured, starved, imprisoned, sexually assaulted. Female migrant workers are overworked, unpaid, and become victim of many other forms abuse and violence (Shamim & Holliday, 2018). As Siddiqui (2020) pointed out “[t]hese women had no legal protections and no access to justice, were unable to contact their embassies, and were abandoned by their recruiting agencies” (Para 4).

Incidences like these highlight the lack of worker protection and the vulnerability of Bangladeshi female migrant workers. Because of policy gaps, lack of effective legislative implementation and corruption, female migrant workers are falling prey to fraudulent recruiting agencies and abusive employment situations, primarily due to the *kafala* system³ prevalent in the Gulf countries. Consequently, the number of female migrant workers is decreasing. The Government of Bangladesh needs to give urgent attention to the formulation of more gender-sensitive policies and implementation of existing laws to protect and empower female migrant workers.

3 Kafala system, or sponsorship, system defines the relationship between foreign workers and their local sponsor, or kafeel, which is usually their employer <https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKEwjy3tXa6-rzAh-WPM-wKHSQ4DYIQFnoECBkQAQ&url=https%3A%2F%2Fwww.ilo.org%2Fdyn%2Fmigpractice%2Fdocs%2F132%2FFPB2.pdf&usg=AOvVaw0U9WR2Vyn1AMgQJ3RXTteG>

Challenges in Bangladesh

According to Barkat & Ahsan (2014), “Bangladeshi migrant women workers face many problems at every stage of their migration – from initial decision-making to the phases of returning back home” (p. 2). Patriarchal and patrilocal practices, socio-religious strictures, and normalization of gender-based discrimination and violence make Bangladesh female migrants highly vulnerable and hinder their migration process.

Despite the existing laws and policies, female migrant workers are exploited and do not receive complete support. Policy gaps remain and there are no specific government programmes in place that are designed to meet the particular needs of female migrant workers. According to UN ESCAP (2020), although the Government lifted the ban [on female migration] in 2004, a number of conditions still remain that make it difficult for women to receive authorisation to work abroad” (p. 34). For example, some Bangladeshi documents and official procedures require male guardians or otherwise hinder free mobility and women’s decision-making power. Gender insensitive migration processes, together with complicated migration procedures, make regular migration difficult for female workers, pushing many female migrants towards the use of the private sector and irregular migration.

In Bangladesh, nearly 95 percent of migrants use the private sector to migrate, of those, 59 percent rely on personal networks and 40 percent use recruiting agencies (UN ESCAP, 2020). Since the private sector controls most of the employment and migration processes, it creates a gap in protection for female migrant workers and makes them dependent on *dalals* (a term encompassing intermediaries, subagents and/or local agents). Poor monitoring and weak implementation of laws and policies that regulate recruiting agencies in Bangladesh allows corrupt recruiting agencies and their subagents to thrive and exploit female migrants. Since the majority of the migrant workers in Bangladesh, including women, are low skilled, it is easier for *dalals* to trick potential migrants and extract excessive fees. Shamim and Holliday (2018) explains, “Some recruitment agencies may engage in malpractices like ‘visa trading’, where workers pay inflated sums for their visas; ‘floating visas’, where workers are moved from one employer to another; forgery of documents; and trafficking; they may demand that the women pay visa charges that the employer has already paid” (p. 7).

The irregular migration by female migrant workers, as a result of inadequate government policies and unscrupulous practices by recruiting agencies and/or *dalals*, makes it difficult to track female migrants for record keeping and, consequently, assistance. The Government of Bangladesh is working on bilateral agreements with destination countries. However, the majority of the labour receiving countries are in the Gulf, and their labour laws neglect informal sector workers and do not protect domestic workers. Since over 90 percent of the Bangladeshi female migrants are working as domestics workers, it shows that the majority of the female migrants from Bangladesh do not receive any form of protection from destination countries (Shamim & Holliday, 2018). After returning from migration, female workers bring

back both economic and social remittances. However, they cannot apply their new skills, knowledge and ideas upon return to Bangladesh because they find themselves bound by socio-religious strictures (Barkat & Ahsan, 2014). More research on female migration is necessary in Bangladesh as the lack of data and insufficient research hinder effective policy formulation. As a positive first step, the Government of Bangladesh has recently dedicated a research department in BMET to this task.

Policy gaps in Bangladesh

As mentioned earlier, Bangladesh has been taking active measures to ensure safe, fair, and organized migration for their migrants. Recently, it has started giving special attention to female migrant workers. There are many policy gaps that are hindering the effectiveness of existing policies and facilities, especially when analysed from the female perspective. Throughout the overall process, there is lack of gender-specific facilities and gender-sensitive policies. Applying a gendered lens, the following section pinpoints some policy gaps in the three stages of migration, pre-departure, post-arrival, and return and re-integration.

Pre-departure

Irregular migration and use of informal intermediaries are common in Bangladesh. Although public services that cater to migrants' needs in preparing for migration exist, many migrants use private recruitment or informal methods. This indicates that migrants are not aware about or cannot access information about safe migration methods and the information dissemination programmes are not reaching all potential migrants, especially women. There is a lack of credible sources to provide labour market information, and the ones that currently exist are not gender-responsive. As a result, female migrants become dependent on personal networks and subagents. Because of these and other factors, female migrants find themselves engaging in irregular migration.

Although the laws do not allow the existence of subagents, they are available in the market. Rashid & Ashraf (2018) found that "in the absence of a formal control over subagents (*dalals*) migration and recruitment, especially visas, are facilitated at a higher price in Bangladesh than in other South Asian countries" (p. 33). As a result, even though the Government tries to alleviate migration costs from poor migrants, they remain at risk of paying higher charges. This phenomenon affects female migrants to a greater degree, since many of them are bound by the Government's protective measures and are more vulnerable socially. As a result, the Government of Bangladesh has not been able to make zero-cost migration possible for female migrants, in particular domestic workers.

The Government of Bangladesh often struggles to provide organized and effective services to potential migrants, which contributes to the migrants' preference for private recruitment over public services. According to interviews conducted by Rashid & Ashraf (2018), government officials admitted to facing challenges that hinder the migration processing services, such as technical issues, lack of sufficient computers and shortage of staff. These types of issues create chaos and long queues in public offices. When public offices face overcrowding, officials are more likely to try to get through the migrant cases quickly. They tend to prioritize the migration procedure, instead of carefully checking visas and employment documents. This increases the chance of officials overlooking potential risks in migrant documents. Contract and visa related papers could create problems for migrants. However, these

papers are only given to migrants in the last stages of the migration process; since many are unable to read and write, this puts them at a high risk of being exploited.

Another policy gap is the unequal distribution of pre-departure services. This inequality exists between rural and urban areas and between men and women. Government agencies that provide migration services are not completely decentralized. The main offices are only found in developed parts of the districts or cities. This makes it difficult for women and other people from rural areas to access these services. In addition, there is lack of online platforms or other innovative methods that would allow for information to be made easily accessible to all potential migrants.

The Government of Bangladesh provides skills development training. However, this training is voluntary for men, and compulsory for women intending to migrate as domestic workers. Other problems have been identified. The skills development training is only offered in urban areas and the duration of this training is not gender-sensitive, making it challenging for women to access it. The training has other flaws, such as poor training facilities, inexperienced trainers, as well as a lack of internationally recognized training modules, participatory methods, and evaluation processes. Many migrants reported that they lacked the motivation to pay adequate attention and found the training sessions unhelpful (Rashid & Ashraf, 2018). The pre-departure orientation courses suffer from similar setbacks to the skills development training. There is, thus, also a need for gender-sensitive, rights-focused pre-departure orientation courses specifically designed for female migrant workers. Currently, training facilities and curricula established by the Government of Bangladesh are inadequate in equipping women for work abroad.

The Probashi Kalyan Bank (PKB) offers migration loans and financial services to migrants. However, gaps in service provision hinders migrants' access to these loans. For example, the PKB branches are not well distributed, not well staffed and lack strategies to reach out to migrants. BRAC, a private NGO, also offers migration loans, but is also difficult to access for migrants due to its high interest rates. Other private banks do not offer such services at this time. These issues deny potential female migrant's access to financial resources to support their own migration process. The Government does not provide medical screening to all migrants; it is only given to some who migrate to Jordan and Korea. On the other hand, migrants travelling to the Gulf countries require a medical clearance issued by the Gulf Approved Medical Centres Association (GAMCA). According to Rashid & Ashraf (2018), "GAMCA-enlisted diagnostic centres often produce medical reports that contradict the findings from other diagnostic centres" (p. 47). Since this is not regulated by the Government, there is a practice of producing false reports through bribery. Migrants are then at risk of being sent back immediately without any compensation if the reports are found to be fraudulent.

Post-arrival

In order to provide services to migrants at the post arrival stage, Bangladesh must allocate sufficient funding and make successful agreements with destination countries. From an analysis of the available services, it appears that Bangladesh still struggles to protect their migrants, especially female domestic workers, in the destination countries. The services provided are extremely limited and do not offer gender-sensitive options.

Bangladesh does not have help desks to assist migrants or post-arrival services to ensure migrants' safe landing at a destination country's airport. There is also a lack of transportation services to help migrants reach their employment location; this makes migrants become fully dependent on their employers and vulnerable from the moment they land in the destination country. Bangladesh embassies and consulates are responsible for providing services to migrants. However, in order to access those services, migrants need to attend the embassy or consulate in person. This becomes problematic due to the fact that not every destination country where Bangladeshi migrants work have established embassies or consulates. Similarly, even in countries with an embassy or consulate, they are not accessible to all Bangladeshi migrants. It is particularly difficult for female migrants, most of whom are domestic workers, because they often work in rural and remote areas under restrictive working conditions. Even where, in the countries of destination, consular services and access to resources and information through labour attachés do exist, they have been designed with the needs of male migrants in mind. Additionally, such services lack adequately trained staff and resources and, as such, cannot ensure adequate support, even for male migrants. Many migrants have reported long queues and not being satisfied with the services (including malpractices and lack of transparency) received.

Currently, Bangladesh embassies (and consulates) do not have a dedicated helpline or online services for migrants. Female domestic workers, in particular, suffer from these limitations, due to their restricted mobility. Irregular migrants receive little, if any, formal institutional support from the Bangladeshi embassies or the host governments. The embassies lack gender-responsive services as well. Although embassies are required to monitor migrants, very few conduct their mandated duties. Poor funding limits embassies from offering the required services, hiring more staff, and providing funds to stranded and distressed migrants abroad. Studies indicate that very few migrants are able to access legal services at embassies. As Rashid & Ashraf (2018) noted, "Bangladeshi missions are also inadequately equipped to resolve the problems faced by the women migrant workers who suffer from physical or sexual abuse at work" (p. 56). The Government of Bangladesh also does not provide services such as medical support, insurance while abroad, and struggles to monitor employers' provision of all the entitled services to migrants. Since a large portion of female migrants from Bangladesh are irregular and domestic workers, and thus belong to the most vulnerable group of migrants, these challenges make it difficult for them to receive proper protection.

Finally, PKB still does not offer remittance-transferring services; migrants have to depend on personal networks and private banking systems to send remittances. Since many use informal methods, Bangladesh is unable to track the exact number and amount of remittances entering the country.

Return and re-integration

Unlike the first two stages, Bangladesh contains the most policy gaps in this last stage. There are very few re-integration services provided by the Government to returning migrants. After migrants return, the Government does not appropriately follow up on them; assess their skill development or employment experience. Public agencies also do not have services to help returning migrants find employment again. This is especially harmful for returning female migrants, as they are at a higher risk of disempowerment by not applying their enhanced skills in the labour market. PKB offers small loans

for re-integration. However, based on surveys, the majority of migrants are unaware of this service. The Government provides limited welfare services, such as financial support, burial and compensation for deceased migrants, and education support for migrants' children. It is difficult for migrants to access these services due to the ineffectiveness of these government services. The Government does not offer programmes that cater to the psychosocial or other specialized needs of female migrant workers who experienced exploitation during employment abroad. The Government does not have well-funded programmes to help distressed migrants returning from emergency situations to recoup their losses. NGOs and civil society organizations, on the other hand, do offer some re-integration programmes and various services to returning migrants, but they are limited by a lack of proper support from the Government.

As data on returning migrants is lacking, the migration system in Bangladesh struggles to keep track of migrants. This hinders the Government's ability to follow-up on the migrants. The return of migrants during the COVID-19 pandemic has revealed the weaknesses of the re-integration mechanisms in Bangladesh's migration sector. The lack of data explains the absence of public or private schemes for effective re-integration of female returnees in Bangladesh. There is lack of support to returning migrants to reintegrate, for example support in finding employment, support for investment or starting a business, female returnees face additional difficulties, such as stigmatization by their community and the inability to utilize their skills in an appropriate form of employment (Barkat & Ahsan, 2014). Consequently, returning migrants use their money either to re-migrate or assist other family members to migrate.



Recommendations for Bangladesh

The desk study shows that the Government of Bangladesh is committed to developing safe and organized migration practices. Compared to the other countries of South Asia, there are areas where Bangladesh has taken better initiatives and, on the other hand, there are many policy gaps where Bangladesh needs to develop its migration policies for the benefit of female migrant workers. Bangladesh still does not have well-structured programmes to serve all migrants' needs throughout the whole migration process. It also lacks gender-sensitive policies and additional services to help fulfil female migrants' needs. The government has only comparatively recently opened labour migration to women. The policy gaps are allowing exploitation of vulnerable female migrant workers, especially female domestic workers.

Although there are numerous recommendations, the following are a few of the key recommendations:

Recommendations

- i. The Government of Bangladesh has adopted good policies and laws, but it fails to implement and monitor those effectively. Therefore, the Government should take measures to closely regulate its existing policies.
- ii. Since there is a lack of gender-sensitive policies, policy makers should revise the existing migration practices in Bangladesh through the gender lens and adjust those policies to ensure inclusion of gender-based needs as well.
- iii. The Government should increase its funding to migration services to improve efficiency of their service provision.

Pre-migration

- iv. Bangladesh should further develop online information dissemination and increase its awareness-raising methods on migration by establishing and utilizing websites and social media platforms. The Government should develop innovative methods to make information dissemination and migration resources accessible to all groups of migrants, especially to women.
- v. Pre-migration orientation courses should incorporate participatory methods and be evaluated.
- vi. The Government should provide more gender-responsive skills training to women; the training provided to female migrants should be more flexible and accessible.
- vii. Migration and recruitment processes should be simplified and better protected against known risks. Officials should carefully check employment contracts for migrants. Unnecessary bureaucratic steps, especially those that restrict female migration, such as putting women through extra procedures in order to migrate, should be removed.
- viii. The Government should initiate multiple orientation sessions throughout all migration stages to guide female migrants.

Post-arrival

- ix. The Government of Bangladesh should establish systems/offices that can serve as help desks or resource centres at the airports of the destination countries, in order to help migrants once they land.

- x. The embassies and consulates should be better funded, so that they could expand their services to all migrants.
- xi. The embassies and consulates should to hire more staff who are trained to provide specific help to female migrants, so that they may effectively access each of the services offered. The embassies and consulates should provide services that *transport* female migrants to reproductive healthcare services and maternity care units.
- xii. The Government should provide alternative methods of service provision so that workers are not required to visit in person to access embassy services. To become more accessible, embassies should make their services available online. For female domestic workers, embassies should have consultants who can visit them at their workplace.

Return & Re-integration

- xiii. The Government of Bangladesh should establish effective and well-founded re-integration programmes for female migrant workers, or ensure access to existing programmes by returnees and improve the services and awareness of the existing programmes. These programmes should provide all the facilities necessary for returnees, starting from financial guidance to psychological support. This requires the hiring of specialized staff.
- xiv. During the re-integration stage, government agencies should closely follow up on vulnerable female migrants, for instance those who have returned from the Gulf countries, to protect them from social isolation, violence, and disempowerment. Particularly for returnees from GCC countries, or other potential risk profiles that can be identified, government agencies can provide targeted outreach based on particular needs, including health and social services.
- xv. The government should assist and fund returning migrant workers to establish community based organisations in order to support each other and advise potential migrant workers.

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