Safe Migration for Bangladeshi Female Workers

POLICY BRIEF

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## Abbreviations and Acronyms

<table>
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<th>Abbreviation</th>
<th>Description</th>
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<tbody>
<tr>
<td>BAIRA</td>
<td>Bangladesh Association of International Recruiting Agencies</td>
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<td>BMET</td>
<td>Bureau of Manpower, Employment and Training</td>
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<td>BOESL</td>
<td>Bangladesh Overseas Employment Services Limited</td>
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<td>CEDAW</td>
<td>Convention for Elimination of all forms of Discrimination against</td>
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<td>GDP</td>
<td>Gross Domestic Product</td>
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<td>GFMD</td>
<td>Global Forum on Migration and Development</td>
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<td>GoB</td>
<td>Government of Bangladesh</td>
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<td>ILO</td>
<td>International Labour Organization</td>
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<td>IOM</td>
<td>International Organization for Migration</td>
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<tr>
<td>MOEWOE</td>
<td>Ministry of Expatriates’ Welfare and Overseas Employment</td>
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<tr>
<td>NGO</td>
<td>Non-Government Organization</td>
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<tr>
<td>RMMRU</td>
<td>Refugees and Migratory Movement Research Unit</td>
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<tr>
<td>TTC</td>
<td>Technical Training Centre</td>
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<tr>
<td>UNDP</td>
<td>United Nations Development Program</td>
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<td>RMG</td>
<td>Ready Made Garments</td>
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<tr>
<td>KSA</td>
<td>Kingdom of Saudi Arabia</td>
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<td>UAE</td>
<td>United Arab Emirates</td>
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<tr>
<td>UK</td>
<td>United Kingdom</td>
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<td>BRAC</td>
<td>Bangladesh Rural Advancement Committee</td>
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<td>DEMOs</td>
<td>Democracy Migration and Movements</td>
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<td>WEWB</td>
<td>Wage Earners Welfare Board</td>
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<td>CSOs</td>
<td>Civil Society Organizations</td>
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<td>PKB</td>
<td>Probashi Kalyan Bank</td>
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POLICY BRIEF ON
Safe Migration for
Bangladeshi Female Workers

Making Migration Safe for Female Workers of Bangladesh

Figure 1: Female migrant workers are facing multidimensional issues both in host and destination countries (Photo Acknowledgement: The Daily Star, 20 February, 2018)

This Policy Brief reports status of the women migrant workers of Bangladesh. It also reviews the existing policies, laws and regulation relevant to women’s safe migration. In addition to the analysis of the national policy documents, testimonies of the migrant workers, published news and research papers the policy brief also draws on opinions from stakeholders including the returnees, government officials, journalists, academics and civil society organizations.

Introduction

Migration is a natural phenomenon; it has been part of human civilization throughout the history. However, the number of people crossing national borders, particularly to work has been the highest in recent history comparing to any other epochs of modern history.
People emigrate for many reasons. However, finding a better work is one of the key motivations behind international migration, whether driven by economic inequalities, seeking employment, or both. According to ILO, in 2017, migrant workers accounted for approximately 59 per cent of the world’s international migrant population which is 164 million migrant workers worldwide (ILO, 2018). The ILO also estimates that migrant workers accounted for 4.7 per cent of all workers worldwide. The stock of male migrant workers was estimated to be 95.7 million, while the corresponding estimate for female migrant workers was 68.1 million, or 58.4 and 41.6 per cent, respectively\(^1\). Interesting to see that most of the migrant workers, 67.9 per cent, are concentrated in high-income countries, in fact 60.8 per cent of all migrant workers are found in only three sub-regions: Northern America (23.0 per cent), Northern, Southern and Western Europe (23.9 per cent) and the Arab States (13.9 per cent). Among the sub-regions the Arab States have got the largest share (40.8 per cent)\(^2\) of migrant workers as a proportion of all workers.

Not only at the global level, labour migration has been a significant economic, political and social phenomenon at the national level as well. Bangladesh is no exception. In recent years, Bangladesh has been able to place its economy on the high growth trajectory, especially for last two decades, the growth has been spectacular. In 2018, the Gross Domestic Product (GDP) of Bangladesh grew 7.9% in comparison to 2018\(^3\).

![GDP Growth Trend in Bangladesh](https://countryeconomy.com/gdp/bangladesh)

Contribution of migrant workers in Bangladesh growth story has already been highly acknowledged empirically by economists and social scientists. In fact, remittances sent by migrant workers have been considered as one of the three most important drivers of

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3. [https://countryeconomy.com/gdp/bangladesh](https://countryeconomy.com/gdp/bangladesh)
growth along with RMG export and increased agriculture production for explaining Bangladesh’s continuous success in maintaining higher growth path.

Foreign remittance is the second-biggest-grossing element of the Bangladesh economy after the ready-made garments industry. Bangladesh Bank recorded 14,981.63 and 16,419.63 million US dollars flowing into the country during the 2017-18 and 2018-19 fiscal years, respectively\(^4\). Bangladesh was the third highest recipient of remittance in South Asia in 2018, after India and Pakistan and 11\(^{th}\) highest recipient globally\(^5\). This huge amount of remittance is being earned and sent back to home by millions of migrant workers from different countries across the world. Each year, more than 400,000 workers leave the Bangladesh for overseas employment. A significant share of the migrant workers is women. However, women migrant workers are facing a host of challenges in both home and destination country. Unfortunately, these challenges are not adequately addressed by respective government agencies in both home and destination countries. One of the reasons of inadequate response is that lack of appropriate policy, laws and regulations about women migrant workers, especially in Bangladesh.

On this backdrop, Light House taken an initiative under it’s project- Enhancing Community Capacity And Resilience To Promote Female Migrants Workers Rights In Bangladesh with the support from British High Commission, Bangladesh to develop this policy brief is to identify gaps in exiting policies, laws and regulations in promoting safe migration for women in Bangladesh. The policy brief also aims at identifying potential strategic approaches to mainstream migration and gender into the development agenda and providing guidance on formulating and implementing gender-responsive migration.

**Methodology**

The Policy Brief is developed following a two-phase process. The first phase was to develop the first version of the brief which has mainly drawn on four sources information and data: (a) existing national policies, laws, acts, regulations and guidelines produced by the Government of Bangladesh, for example, Expatriates’ Welfare and Overseas Employment Policy, 2016; Oversees Employment and Migration Act 2013 (b) secondary data published by government and international sources like the World Bank, IOM; (c) published news articles, opinions and expert’s commentary and (d) testimonies of the female workers.

The first version was presented in a participatory-workshop which was attended by relevant government officials from the Ministry of Expatriate Welfare and Overseas Employment, Bureau of Manpower Employment and Training and Ministry of Women and Child Affairs, civil society leaders, returnee women workers, women activist, journalists and district level training center managers of GoB. In the workshop the

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participants gave their opinions on the content and suggestion of the policy briefs in details which were then responded in the final version of the policy brief.

Bangladeshi Workers Migration: An Overview

According to the Bureau of Manpower, Employment and Training (BMET), among the total Bangladeshi employment in 168 countries between 1976 and 2018, the Kingdom of Saudi Arabia (KSA) ranked first; almost 3,650,588 (30.29 percent) people travelled to Saudi Arabia in search of their livelihoods. 2018 was no exception. Almost 64.48 percent of the total number of workers who had migrated from Bangladesh in 2018 went to the Gulf and other Arab states. The majority of the remaining 35.52 percent went to different South East Asian countries.

For Bangladesh, these overseas workers are the main source of remittance which is working as one of the two most significant sources of fuel for the economy to run. In addition, remittance have been found as the major contributor to poverty reduction in rural areas in Bangladesh. Empirical evidence shows that 1.7 out of the 9 percentage points reduction in the headcount poverty ratio during 2000–2005 was due to the growth in remittances in Bangladesh (Raihan, et al, 2009).

Bangladesh received 16,419.63 million US dollars, according to the central bank source, during the 2018-19 fiscal year. The remittance inflow has been on an upward trend for last 10 years. Bangladesh receives most of its remittances from 20 countries including KSA, UAE, Kuwait, Oman, Qatar, Bahrain, Lebanon, Jordan. Libya, Sudan, Malaysia, Singapore, South Korea. Figure 3 shows the flow of remittances in Bangladesh for last 10 years.

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It is also seen that the contribution of the millions of migrant workers in terms of their remittance, in Bangladesh economy has been growing over years. On an average about 9 % of total GDP is being contributed by personal remittances received from migrant workers for the last fifteen years. Figure 4 shows the trend of remittance as percentage of GDP in Bangladesh since independence.

Female Workers Migration in Bangladesh

Women migration from Bangladesh constituted only 1% up to 2004, but achieved the figure of 6.42% of the total migration in 2010. In the last two decades, the number of migrant women workers going overseas for employment has steadily risen, especially the number has gone significantly high after 2010. Bangladeshi women have been overcoming numerous socio-cultural and other barriers to be active in paid employment, especially, overseas employment. Female migration appeared to be regarded significant from 2004 when 11,259 women migrated. The female workers migration has been remarkably increasing since 2014. In 2015 female migration increased by 36 percent from the previous year8. The upward trend continued till 2017 as well, during this year 121,925 female workers migrated. Figure 5 shows the growth of overseas employment of female workers from Bangladesh for the last thirty years.

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But, the flow of female migration has dropped by 17 percent to 101,695 in 2018. There were several reasons for the drop in the number of female migrants. One of them was experiences of returnee migrants. Since May 2018, many aspirant women migrants felt discouraged to go overseas as the print and electronic media began highlighting the news of return of abused women migrants from Saudi Arabia\(^9\). Hence, in 2019, 89,737 female workers migrated\(^10\).

For female migrant workers overseas employment market is rather limited comparing to male migrants. It is observed that the highest number of female workers are employed in the United Arab Emirates.

Major 18 countries from where highest remittance are received from the female employees are KSA, UAE, Kuwait, Oman, Qatar, Bahrain, Lebanon, Jordan, Libya, Malaysia, Singapore, UK, Italy, Hongkong, Pakistan, Cyprus, Brunei and Mauritius\(^11\).

**Returnee Female Migrants: Situation Analysis**

Although the number of Bangladeshi women in annual outward migration flows has been increasing every year, a significant number of them are coming back home, untimely, harassed, distressed, deceived and sometimes in coffin too.

According to Bureau of Manpower, Employment and Training, women migrants from Bangladesh, who are dominantly employed as domestic workers in the Kingdom of Saudi Arabia and other Middle Eastern countries, frequently fall victim at the hands of their employers. As the largest destination, the KSA recruited over 3.45 lakh women migrants out of total nine lakh women migrated overseas since 1991, BMET data show. However, in 2018, a total of 1,353 female workers came back to Bangladesh from Saudi Arabia because of the inhuman working conditions there\(^12\). Most of these women workers took the job of domestic workers in the KSA, many of whom were frequently returning home as victims of abuse and many of them were being refused by their husbands. The vulnerability to exploitations, physical and sexual abuses has now become the core issue.

that remains unaddressed. Activists and officials admitted that women migrants, who were sexually abused by their employers in Saudi Arabia were frequently abandoned by their families after returning home. One of them was pregnant and gave birth to a girl on return last year.

Many countries like Indonesia, Philippine, Srilanka, Nepal and Middle Eastern Countries showed less interest for sending female workers after knowing the degree of physical and mental torture they face in Saudi Arabia. BRAC reported, between 2015 and the middle of 2018, nearly 5,000 female workers returned to Bangladesh having had horrific experiences, involving torture and exploitation by their Saudi sponsors. According to BRAC migration programme, at least 315 women migrant were sent back home from Saudi Arabia in January and February of this year and over 1,500 women migrants returned in 2019.

At the same time, from 2015 to 2019 October; 152 female workers died while working (BRAC). However, according to the government data, 131 female workers died. Among them 98 committed suicide and 5 were killed. Most of them could be saved by taking appropriate measures in time. A study by UNDP highlights that the deportation of HIV-positive migrants by host countries and the absence of reintegration programmes in countries of origin can be devastating for the health, well-being, and livelihoods of migrants and their families.

Furthermore, there is no effective legislation in any country to protect the rights of the female workers on foreign soil. On the other hand, there are some sub-agents who fraudulently misguide poor villagers in order to grab big amount of money from them. Often these sub-agents falsify date of birth and other information of the workers, allowing them easier access to the foreign country. Later these workers fall in deep trouble in that country due to such falsification. Especially in Saudi Arabia, where the employers hold the employees' passports, the migrant workers cannot even go back to their homelands without the permission of their sponsor. This is strictly against the UDHR (Universal Declaration of Human Rights) which declares that everyone has the right to leave any country, including his own. Human Rights Watch describes this condition as “near-slavery”. According to Amnesty International’s observation, the Saudi Arabian law does not give effective legal protection to female migrant workers or home-maids. In the absence of any interpreters or legal representatives, these migrants fail to defend themselves against any false accusation of crimes including theft, murder or even black magic. Sometimes the victims' families ask for millions of riyal as diyya (blood money)

13 https://www.prothomalo.com/opinion/article/1624930%E0%A6%A6%E0%A7%81%E0%A6%BE%E0%A7%8D%E0%A6%9A%E0%A6%BF%E0%A6%A8%E0%A7%8D%E0%A6%A4%E0%A6%BE%E0%A6%B9%E0%A7%80%E0%A6%A8-%E0%A6%A5%E0%A6%AE%E0%A7%8D%E0%A6%A4%E0%A7%8D%E0%A6%B0%E0%A7%80-%E0%A6%A4%E0%A6%BF%E0%A6%A5%E0%A6%AE%E0%A6%95/E0%A6%80%E0%A7%9F
15 https://www.prothomalo.com/opinion/article/1624930%E0%A6%A6%E0%A7%81%E0%A6%BE%E0%A7%8D%E0%A6%9A%E0%A6%BF%E0%A6%A8%E0%A7%8D%E0%A6%A4%E0%A6%BE%E0%A6%B9%E0%A7%80%E0%A6%A8-%E0%A6%A5%E0%A6%AE%E0%A7%8D%E0%A6%A4%E0%A7%8D%E0%A6%B0%E0%A7%80-%E0%A6%A4%E0%A6%BF%E0%A6%A5%E0%A6%AE%E0%A6%95
from the migrants in order to take back the accusation. Moreover, the migrants' home
government is not even notified, in case the migrant is sentenced to death17.

A research by Ovibashi Karmi Unnayan Program on 110 abused female migrant returnees
from the KSA found that 61 percent were physically abused, 14 percent were sexually
abused, 86 percent did not receive their full salaries and 24 percent were deprived of
food18. Bangladeshi domestic workers, almost all of them women, are coming home in
coffins. Some are returning penniless, having lost their last Dinar in purchasing a return
ticket. And there are many more who are stranded, not knowing what to do next19. Many
instances of maids returning home have been detailed in print, electronic and new media
over the years, uncovering the fact that rules regarding their recruitment are exploited,
not only by sponsors, but also by numerous exploitative employment agencies in
Bangladesh and the KSA. These recruitment agencies start their searches in rural areas
and target the vulnerable, trying to attract prospective maids by giving them the false
hope of a lucrative job and lifestyle. In reality, no formal contract is signed between the
sponsor and the maid. Evidence from many cases shows that the workers' illusions start
to break down as a result of racial discrimination, sexual exploitation, symbolic forms of
prejudice against them, working 14 to 20-hour shifts, experiencing problems in getting
paid, having to withstand poor working conditions, working alone, receiving low wages,
there being a lack of safety and security and little emphasis on employee health and
wellbeing. On the other hand, sponsors get frustrated with maids for a number of reasons.
Cultural differences pose a big challenge for both parties. Saudi culture has its own
language, foods, and values, which differ from those in Bangladesh. Consequently, one
of the more obvious difficulties that sponsors and maids face is the language barrier, with
domestic workers often speaking neither Arabic nor English20. Allegations of
mistreatment of domestic workers is not limited to the KSA; it is rather a widespread
issue throughout the Middle East21.

Moreover, the scope for increase in the salary of female migrants is much lower than that
of male migrants. Also, the scope for employment for women is also very restricted
compared to men. Eighty percent of all the women from Bangladesh are employed in the
labour market abroad in two professions: domestic work and cleaning while for male
migrants it is more diversified; only 28 percent of male migrants are employed in three
professions. The prospect for upward mobility in job is lower for female migrants than
those of male migrants. The migration cost of women migrants is one-fourth of their male
counterpart. Female international migrants require 1 year to recover their cost of
migration while male international migrants require 3 years22. Unfortunately, there is a
tendency from the government representative of denying the facts in this regard. Foreign
Minister AK Abdul Momen downplayed the deaths and exploitation of Bangladeshi female
migrant workers in Saudi Arabia, claiming the number of such victims was “small”. He

18 https://www.thedailystar.net/backpage/news/number-abused-workers-ksa-small-1821400
said there were some 1.22 crore Bangladeshis working worldwide and many of them die. “Death can even happen at home. What’s the percentage of migrants dying abroad?” Momen claimed if Bangladesh always drew the Saudi government’s attention to migrants being exploited there, adding that sometimes the workers did not inform any one until they returned to Bangladesh23.

Unsafe Migration: Framing the Problem

Women migrants face numerous hardships, including irregular payment of salaries, long working hours, physical and sexual abuse24. One of the core reasons behind this is the overall attitude in the Middle East towards migrant workers – male and female – is one of extreme arrogance. The idea of workers’ rights is as foreign to them as the practice of simple civility. The Bangladesh government is not unaware of the precarious condition in which Bangladeshi women working in the Gulf and Arab countries find themselves. However, there is no genuine care or concern, let alone a legal framework for their protection under labor law. Human Rights Watch had cautioned that, despite its apparent commitment to protecting female workers, the Bangladesh Government seemed more interested in finding placement of greater number of domestic workers in employment abroad25. Besides, a majority of Bangladeshi migrants – around 60 per cent – find jobs through family networks and do not receive adequate pre-departure briefing. For instance, the Government’s Bureau of Manpower Employment and Training (BMET) runs just one pre-departure briefing center for the whole country. Coupled with the weak monitoring system, the inability to reprimand defaulting recruitment agents, and loopholes in existing laws all contribute to continued violations of the compulsory pre-departure briefing policy26.

As a state party, The Government of Bangladesh, which has ratified the International Convention on the Protection of Rights of All Migrant Workers and Members of Their Families 1990, has the responsibility to ensure the rights of migrants and families through different legal means and interventions. Despite the fact that there have a good number of policies, laws and regulations been made in recent years in Bangladesh, there are gaps in the existing policy documents that warrants attention. All at once, effective implementations of the policies are vital.

Stakeholder Analysis

Overseas migration is a complex process that involves a host of stakeholders from both country of origin and country of destination. The stakeholders could be broadly divided into two broad categories: state and nonstate actors. However, there are many

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23 https://www.thedailystar.net/backpage/news/number-abused-workers-ksa-small-1821400
stakeholders with their distinct set of interests within these two broad categories. In the following a brief overview of the most important stakeholders is presented.

**State Agencies:**

**Ministry of Expatriates’ Welfare and Overseas Employment:** The lead ministry for policy making and overseeing labour migration from Bangladesh is the Ministry of Expatriates’ Welfare and Overseas Employment (MoEWOE). MoEWOE is the focal ministry for labour migration policies and programme implementation, although it performs these functions in cooperation with other government institutions. Migration is a concept that encompasses a wider range of cross-border movement such as forced migration, refugee movements, trafficking, reintegration and family reunification. These are all complex issues that require a cross-government approach.

**BMET, BOESL, PKB, and WEWB:** Under the authority of MoEWOE, there are four major agencies: BMET, BOESL, PKB, and WEWB. Each of these agencies has a clearly defined role in overseeing labour migration. In 2017 MoEWOE continued to maintain welfare desks in the offices of Deputy Commissioners in all 64 districts of Bangladesh. At the same time the welfare desks at three international airports in Bangladesh continue to support outgoing migrant workers, particularly women, with on-the-spot and urgent airport services on a 24/7 basis.

BMET is the main executive arm of MoEWOE and responsible for monitoring private recruitment agencies, facilitating the process of recruitment and migration of Bangladeshis for overseas employment including overseeing DEMOs and TTCs. Both DEMOs and TTCs operate under the authority of BMET. Currently, aspirant migrants in Bangladesh are required to complete online registration, record their fingerprint, and collect a digital smart card from selected DEMOs. TTCs offer a wide range of skills training programmes for both men and women migrants.

BOESL is a state-run recruitment agency with a small market share in China, Hong Kong SAR, Jordan, Japan, and the Republic of Korea. PKB’s services include loans to aspirant migrants and reintegration loans to returnees.

WEWB offers welfare services to migrants and their families in Bangladesh. In the Country of Destination, the labour attachés work closely with WEWB to channel services to Bangladeshi migrants. Currently, there are 29 labour wings in Bangladeshi diplomatic missions. The officers of these labour wings monitor the welfare of workers, inspect workplaces, provide legal aid, and facilitate the return of deceased migrants.

Safe homes for refuge have been established in four destination countries: Saudi Arabia, Oman, the Republic of Korea and Jordan. The respective Bangladesh embassies and consulates in these countries oversee these safe homes, which are financially supported from WEWF. Women taking refuge in safe homes are provided with food and health care. When a women worker asks for support her name is registered, a case file is opened at

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the help desk of the labour wing of the embassy or consulate, and a lawyer is assigned to the case.  

Private Sector:

Recruitment Agencies: In the context of migration management in Bangladesh, the private sector mainly refers to various licensed private recruitment agencies and their agents and subagents. At present there are 1185 licensed recruitment agencies. The Recruitment Agencies and their agents are registered entities, but the subagents are not legally registered. Sub-agents, otherwise called as dalals, include members of the aspirant migrants’ social networks such as relatives, friends, and neighbours. These informal subagents often collaborate with the Recruitment Agencies to facilitate travel arrangements for migrant workers. Approximately 35 per cent of labour migration visas are procured by Recruitment Agencies, more than 60 per cent are procured through a migrant’s social networks, and about 2 per cent are procured by BOESL.

Development Partners: Several development partners and intergovernmental organizations work with the government of Bangladesh to promote safe and regular migration. Among the bilateral partners, the Governments of the United Kingdom, the United States of America, and Switzerland have initiated several projects to strengthen labour migration governance in Bangladesh. As international organizations, the ILO, IOM and UN-Women have longstanding partnerships with the Government of Bangladesh to improve its labour standards and migration management system.

Civil Society: Bangladesh has several CSOs comprising NGOs, community-based organizations, and think tanks each playing a distinct role in labour migration. In 2017, CSOs continued to provide a range of services in pre-departure, post-arrival, and return and reintegration stage. In the pre-departure stage, these organizations disseminated information about safe and regular migration practices and discussed potential problems that migrants might face in Country of Destination. In the post-arrival stage, CSOs maintained hotlines where migrants in Country of Destination – particularly women – can call numbers answered by CSO personnel in Bangladesh that are trained to solve, report or refer complaints. In the return and reintegration stage, CSOs provided some counselling for successful reintegration and re-migration. These practical activities were complemented by migration focused think tanks providing research and advisory services to stakeholders.

NGOs played a role in supporting women migrant workers. In 2017 RMMRU introduced a mobile application known as Obhijog at BMET through which anyone can lodge a complaint. Bangladesh Obhibashi Odhikar Forum of WARBE Development Foundation supported the parliamentary caucus on migration and development, and a Grievance Receiving Centre at BMET. Bangladesh Mohila Sramik Association worked to strengthen monitoring of labour wings, while the Awaj Foundation collected information of aspirant

29 https://www.baira.org.bd/index.php/all-members-list
migrants through 20 women workers’ café centers. The Obhibashi Kormi Unnoyon Programme provided training on health of women migrants in Lebanon through the formation of groups and information dissemination. Among the national NGOs, BRAC has got the most prominent and influential presence especially in relation to services provided to the returnee female migrants. BRAC has series of services for the overseas female migrants.

There are many CSOs who are also working for and with female migrant workers including Bangladesh Nari Progati Sangha (BNPS), Karmajibi Nari (KN), Bangladesh National Women Lawyers Association (BNWLA), YPSA and Light House are only few to name.

**Gap in the Existing Policies, Laws and Rules**

Overseas migration from Bangladesh is now being regulated by certain policies, laws and rules enacted by the government of Bangladesh. However, it took many years to policy regimes to grow to current level from the initial years after independence.

**Laws and Regulations during 1970-1990s**

After the independence of Bangladesh, emigration from the country was regulated and controlled under the Emigration Act 1922. With the gradual increase in the flow of temporary labour migrants from Bangladesh to the Gulf countries, the inadequacy of the existing 1922 Act was felt and further amendment and reformulation was initiated. During the early years when migration of short-term workers to the Gulf states began in the mid seventies, the government in Bangladesh was the most dominant player in facilitating the process. However, with the passage of time, as the demand for labour continued, the government handed over the recruitment responsibility to private recruiting agencies. It was in this context the Emigration Ordinance of 1982 was framed.

The Ordinance was designed to set the rules for governing the labour migration sector. The Ordinance elaborates the licensing and monitoring mechanisms of recruiting agencies. It also explicitly describes the punishment of individuals and private recruiting agencies involved in fraudulent practices. Gradually in 2002 rules were framed on the basis of the 1982 ordinance.

In relation to female migration, for the first few years after independence the GoB did not have any concrete policy either to encourage or make female migration as safe. On individual or recruitment agency initiative Bangladeshi women began to take jobs in the Gulf countries. In early 1981, through a Presidential Order, certain categories of female workers were barred from migrating overseas for employment. The Order stated that professional and skilled women could migrate as principal workers but semi-skilled and unskilled women could not go overseas without a male guardian. In 1988 the government slightly modified its position. It withdrew the ban and imposed a restriction on the migration of unskilled and semi-skilled women. This implied that in principle, the

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government still held the position that these categories of women should not be allowed to migrate on their own. However, it would consider specific cases and let them migrate under special permission. This restriction prevailed till 1997.

**Oversees Employment and Migration Act 2013**

This Act mentions who are the authority for sending workers oversees (chapter 2); Recruiting agents, License and such others (Chapter 3); Registration of Migrant Workers, Migration Clearance and such others (Chapter 4); Employment Contract (Chapter 5); Labour Welfare Wing and Agreement on Migration (Chapter 6); Rights of Migrant Workers (Chapter 7); and Offense, penalties and trials (Chapter 8). In the Chapter 8: Rights of the Migrant Workers there is description about “Right to Information”; “Legal Aid”; “Right to Flight Civil Suit”, “Right to Return Home”, “Financial and other Welfare Programmes”.

However, there in the chapter 7, there is no particular focus or even mention of female migrant workers. There is no mention of female safety issue like safe working condition, wage, health insurance, workplace safety, leave, reproductive health and work rights. Most notably harassment issues for any migrant workers and any focus on the female migrant workers are grossly missing in this document. Role of and scopes for key stakeholders like BMET, BOESL, PKB, and WEWB and other development partners and CSOs for ensuring the safety, security of the female migrant workers have not been specified as well.

**Expatriates’ Welfare and Overseas Employment Policy, 2016**

This is relatively a contemporary document which acknowledged the importance of safe migration for the women. The policy suggested to ensure gender equality by encouraging the women for safe and secured overseas employment in accordance with the UN Convention on Discrimination against Women (p.421) (1.7). Under the section of Challenges for Safe Labour Migration there is a point on ‘trafficking’ by mentioning that there should be alternative security and welfare service for the semi-skilled or less-skilled workers who are at the risk of trafficking (p. 422) (8.1.1). There is a section on “Labour Migration for Female Worker” (1.8.4) which recognized that although there are many national and international policies and conventions for protecting female workers’ rights and preventing discrimination against them, proper implementation of these policies is a challenge (p. 423). The policy also identified the challenges female workers face, limited access to proper information being one of most significant among them. In spite of initiating free training opportunities for the women in recent years, policy recognized that the female workers face different challenges at almost every stages of her emigration process. The Policy also mentions that specific responsibilities should be clearly distributed among the Bangladesh Missions in the foreign countries, labour related authorities in the Embassy, Labour Wing and other government and non-government organizations. In the section “Labour Migration for the Female Workers” (p.428) Policy underpins engaging different stakeholders for ensuring female workers safety, development and empowerment (2.4.5). It is also suggested by the Policy that in
the major destination countries the number of female officers in the Labour Welfare Wing should be increased. By special training capacity of these female officers’ needs to enhanced; safety and security of the female workers, working environment will be ensured with legal, psychological, health and finance related services.

However, the specified role of major stakeholders like BMET, BOESL, PKB, and WEWB, development partners, CSOs in ensuring safety and security of the female workers have not been mentioned categorically in this document. Also, though there are some specific sections on female workers; their safety issues have not been emphasized adequately, for example, proper complain mechanism, provision of health insurance, workplace safety etc. are not addressed by the policy.

**Overseas Migrants Management Rules 2017**

This Rules defines of responsibilities and functions of Bureau of Manpower, Employment and Training and Labour Welfare Wing. This Rules specified process of immigration; registration process, measures against the designated officer; negotiation process etc. The rule covered almost every aspects of regulation of overseas migration by the Government of Bangladesh.

This Rule clearly mentioned that Labour Welfare Wing is responsible for communicating with government and concerned authority for protecting the immigrants from physical, mental or sexual harassment and providing them legal support and ensuring other rights like treatment facilities, working condition, rights to complain etc. (P.6396). Though the process of addressing complain by the Labour Welfare Wing is mentioned, gender perspective is missing in this section (p.6398).

Though protecting the immigrants from harassment has been mentioned, there is nothing particularly mentioned for protecting the rights of female migrants. Also, there is nothing mentioned on ensuring proper working condition for women. Unfortunately, it is very clear that the Rule hasn't laid out any procedural framework for addressing the women’s safety issues; for example, nothing in particular is mentioned on how to address harassment, reproductive health rights, work rights, working condition and workplace safety for women. Most notable is that the whole document didn't mention anything particular for the female immigrants. How to manage various stakeholders have not been specified as well.

**Wage Earners Welfare Board Law 2018**

This law defines the structures of the Wage Earners Welfare Board (p.9353). In this structure, there is a mention of three immigrant members (one female among them) (p.9355). Also, there will be one representative nominated by Ministry of Women and Children Affair (p. 9354). Functions of this board is also specified in this document (p. 9355). The Law specified provision of special responsibilities for ensuring welfare of the female migrant workers (p. 9356) which indicates that “there will be Help Desk and Safe Home both in country and abroad for rescuing, helping in repatriation, providing medical
and legal support if any female migrant worker is ill or tortured, injured in the accident or is endangered for any other reason” (9.1). “Project will be adopted and implemented for the returned female migrant workers for social and economic rehabilitation and restoration” (9.2).

However, there is no emphasize on ensuring safe and healthy working environment, workplace safety, health insurance, reproductive health facilities, wage of the female migrant worker. Also, roles of different stakeholders for ensuring security and safety of the female migrant workers have not been mentioned in this document.

**Suggested Reform Agenda**

Drawing on above the review and analysis of relevant policies, laws and rules, we propose following changes/amendment in the respective policy, acts and rules. Our suggestions are proposed in two forms: overall and specific.

Having taken the safe migration issue for women workers in Bangladesh into consideration, we do make several overall observations as follows:

(a) female migrant workers need access ensured to victim support centre at major cities city where female migrants can take shelter if they are rejected by their families or faced any kind of harassments before or after return of immigration. are working;

(b) every female migrant worker complained about the noncooperative, corrupt behavior of the officials working in the Bangladeshi missions in the destination countries. Therefore, the government should take special measures for reorienting the embassy officials for the providing support to the female migrants;

(c) reintegration has been a big challenge for the returnee female workers. Noncooperation from husband, in-laws, social stigma and lack of strong support from the family members make the female workers highly vulnerable again. Thus the government should carry out a specific programmes in the districts where female migrants are more;

(d) proper training facilities need to be built in addition to the TTC, for female migrants aiming at improving their livelihood and communication skills;

(e) it is seen that there is a disconnect between the private sector and the public sector. Here in Bangladesh nor the government and does put adequate resource and attention in migration market research. In addition, new job market and investment opportunities for the female migrants should also be researched;

(f) existing policies in Bangladesh do not address underlying societal causes of gender inequity and inequality. The deep-rooted patriarchy in Bangladeshi society constrains employment choices, stigmatizes female migrants, and serves to place women in precarious and exploitative situations throughout the migration process.
female workers suffer from various forms of mistreatment and abuse, not only in the process of migration but also on their arrival in the destination country. Many become victims of sexual harassment, physical abuse and are denied basic rights by their employers and co-workers.

consular services and access to resources and information through labour attachés have been designed with the needs of male migrants in mind. There are no specific programmes in place that are designed to meet the specific needs of female migrant workers, and resources are lacking such that they cannot ensure adequate support even for men.

the the returnee migrant workers upon their return after a long stay in a different cultural context, often finds it difficult to reintegrate into the society that has gone though changes in her absence.

for the female workers the specific health concerns (psychosocial and physical, particularly reproductive health issues) need to be addressed in terms of access to care, insurance policies, and gender sensitivity.

in order for the women to opt for a safe migration scheme, whole-society approach is required for making them aware of the consequences of migration, legal processes, their rights and entitlements to their employer and to the government of Bangladesh according to the Oversees Employment and Migration Act 2013

a carefully designed programme is also required to address the precarious situation faced by the returnee migrants

The issue of female workers migration requires careful consideration by the Bangladeshi Government in the formation of its migration policies and the measures it implements to protect migrants throughout the migration process. With this notion we propose the following specific changes in the respective policies and laws:

Oversees Employment and Migration Act 2013

- **Specifying rights of the female migrant workers**: In Chapter 7, rights of the female migrant workers should be specified like leave, wages, maternal health care, health insurance etc. In chapter 8, the penalties of trafficking should also be mentioned.

- **Addressing harassment of the female migrant workers**: there should be a particular section on how to address the physical, mental and sexual harassment of the female migrant workers.

- **Formalization of all sub-agents or so called Dalal**: There should be clear provision in the Act for the formalization of all sub-agents or dalals. They must be recognised and registered by the government-affiliated or registered recruiting agencies (RAs).

- **Formalization of Money Transactions**: The Act should have the provision by which all the RAs and the sub-agents must provide money receipts while taking migration cost from the migrants.
- **The Job Contract in Bangla:** The Act must be amended to include provisions for making the agency must provide Bangla translated and attested (from BMET) true copy of the job contract to the migrants and submit to the government.

- **Legal Support for the Female Workers:** The government must ensure the legal aid for female migrant workers for dealing with legal cases abroad or either under OEMA 2013 or under the Public Demand Recovery Act 1913.

**Expatriates’ Welfare and Overseas Employment Policy, 2016**

- **Emphasizing welfare of the female migrant workers:** there should be a separate section emphasizing female migrant workers welfare and rights like workplace environment, security, health insurance, wage, leave, maternal health care facilities etc.

- **Specifying roles of the stakeholders:** Roles of different stakeholders like BMET, BOESL, PKB, and WEWB, development partners, CSOs in overall welfare of the female workers should be specified in this document.

**Overseas Migrants Management Rules 2017**

- **Section on female migrant worker for ensuring safety and security:** There should be a particular section on the female migrant worker particularly for ensuring their safety and security. In this section, there should have a detailed note on the physical, mental and sexual harassment like what is meant by each of this. Also, complain mechanism for the female migrant workers should be specified with the detailed process for complaining like whom should be contacted for what sort of harassment.

- **Section for ensuring female migrant workers’ right:** There should be particular section for ensuring rights of the female migrant workers that will clearly mention their rights like leave, working hour, maternal care facilities, health insurance etc.

- **Specified responsibility of Labour Wing for addressing harassment of female migrant workers:** In the process of addressing complain by Labour Wing, this should be specified how they will address the physical, mental and sexual harassment of the female migrant worker.

- **Specified complaint mechanism:** There should be a clear description of the complaint mechanism for the female workers to lodge their complaint against the persons working in BMET, Labour Welfare Wing, BOESL, PKB, and WEWB.

**Wage Earners Welfare Board Law 2018**

- **Number of female representatives:** Number of female representatives should be increased in this board.

- **Collaboration with other stakeholders:** Collaboration mechanism with other relevant stakeholders by this board should be mentioned.

- **Emphasize on ensuring welfare abroad for the female migrant workers:** There should be a section on how welfare will be ensured for the female migrant workers in the abroad including their rights as a worker.
Following table shows what the concerned policies includes to address the female migrant workers and what should be included

<table>
<thead>
<tr>
<th>Policy/Law/ Rules</th>
<th>Existing Content on Female Migrant Workers</th>
<th>What Should be Added/Changed</th>
</tr>
</thead>
</table>
| Oversees Employment and Migration Act 2013 | - Nothing | - Specifying rights of the female migrant workers  
- Addressing harassment of the female migrant workers  
- Specifying role of stakeholders for ensuring rights of the female migrant workers |
| Expatriates’ Welfare and Overseas Employment Policy, 2016 | - One principle for female migrant  
- A section on "Labour Migration of Female Worker" | - Emphasizing welfare of the female migrant workers  
- Specifying roles of the stakeholders |
| Overseas Migrants Management Rules 2017 | - Nothing significant | - Section on female migrant worker for ensuring safety and security:  
- Section for ensuring female migrant workers’ right  
- Specified responsibility of Labour Wing for addressing harassment of female migrant workers  
- Specified roles of the stakeholders in addressing the complaint mechanism |
| Wage Earners Welfare Board Law 2018 | - Female representation in the board.  
- Help desk and safe home for female migrants  
- Projects for returned female migrant workers | - Increased number of female representatives:  
- Collaboration with other stakeholders  
- Emphasize on ensuring well fare abroad for the female migrant workers |

**Conclusion**

There is no doubt that migration can indirectly help alleviate poverty by raising the productivity, education and health of the females and their families and thereby contribute to reducing inequality and poverty in the home. It is good that female migrant workers are appreciably increasing day by day both in sending and receiving countries. Which means, women’s contribution to building nations’ economy is increasing every year. In addition, it is also seen that women migrate to escape unhappy social situations, including bad marriages, harassment, violence and idle husbands made these women a socially disadvantaged group which saw migration primarily as a quest for independence and a means of realizing self reliance. Therefore, the government should make review of
all policies, laws and acts for establishing an effective legal support environment which would allow the female workers make an informed choice regarding their overseas employment.

However, no policy or law can do much if they are not enforced. Thus, at this stage, the one of the major responsibilities of respective stakeholders is to be engaged with the government for assisting the GoB to implement relevant policies. Rights, protection and welfare of the migrant workers are mainly developed on the smooth flow of information in every steps of the four phases of migration. For ensuring safe migration for Bangladesh female workers there is need to provide orientation to the aspirant migrant workers about all necessary information in to reduce migration cost and protecting the migrants against exploitation.