Ensure Better Governance for Safe Migration

MD. HARUN-OR-RASHID

ANGLADESH is one of the key labour-sending countries of the world. Each year a large number of people migrate overseas for both long and short-term employment from Bangladesh. The remittances they send have been rapidly growing, contributing significantly to economic growth and substantially improving the nation's balance of payments position. In spite of such contributions of Bangladeshi migrant workers, the migration process here is still a major area of concern. The extremely long and complicated migration process, high costs of migration, resulting debts incurred by migrants prior to departure and unscrupulous migration agencies are glaring examples of this. Reports of inhumane working conditions, unfair employment practices and breaches of migrants' human rights are common in local media, as are inadequate responses to these situations from the government. The poor treatment that Bangladeshi migrant workers are subjected to while abroad and their lack of protection by the Bangladesh government are causes for severe concern.

At the broadest level, there are many international instruments which guarantee all migrant workers, irrespective of their status, their entitlements to universally accepted human rights. Among them, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW) is considered as the core convention. Bangladesh signed it in 1998 and ratified it on August 24, 2011. However, a quick stocktaking of the impact of these existing conventions and standards reveals that overall the world map of signatories documents a great disparity between signing countries, where migrants tend to originate, and non-signatories, where migrants tend to

work. This lack of commitment can be seen as one indicator of governance failure. Nationally, till 2013, the central piece of legislation relating directly to migration in Bangladesh was the Emigration Ordinance 1982. In October 2013, the government enacted a new law titled Employment and Migrants Act 2013, in order to conform with the ICRMW and other international labour and human rights conventions and treaties ratified by Bangladesh. In terms of legal mechanisms, it is evident that there have been substantial improvements in the national and international legal framework for labour migrants, whereas the implementation of these is extremely problematic. The process actually plays out with the intervention of illegal middlemen and interference from multiple sources. They act as subcontractors and agents, using illegal payments to insert chosen groups of workers into contention for job selection. Thus, workers are not neutrally selected and processed from the job seeker's lists maintained by BOESL, BMET and other reputable agencies, but through contacts, process manipulation and influence mongering. Corruption and influence mongering exist at almost every operational level of the migrant's recruitment, administrative and departure process.

As per existing legislation, the state should not only regulate the institutional framework of labour migration, but also monitor the process and arbitrating grievances. The most common offences are related to collecting far higher service charges than permitted under law. Bangladeshi migrants often pay double the amount paid by their counterparts in neighbouring countries for the migration process, due to the severe lack of implementation of policies and legislation and an absence of monitoring. In other cases, ruthless agents send workers without proper work permissions resulting in workers stranded upon arrival. Many

are often forced to agree to wages that are below that specified in their contracts and in many cases, wages are not only abuse. lower than specified in the contract, but even lower than the minimum wage of the country they are working in. Contract substitution by employers is a widespread phenomenon. In this case, instead of being able to work in the jobs they were promised, workers are forced to sign a second contract upon arrival. This usually means lower wages and terrible living and/or working conditions. Very often migrant passports and documentations are not handed to the workers, until the day or point of their departure, making it difficult for the workers to ensure the correct paperwork or visa provisions. In several instances, a considerable number of workers try to leave their 'new' jobs and seek alternate employment. Through networks of Bangladeshi workers who are

malpractices are related to wages; workers

already working in the host country,

with better terms and conditions.

some migrants manage to obtain jobs

However, by leaving the jobs for which

they had obtained visas, they risk becom-

there are serious concerns regarding the

safety of migrant workers. Most of the

jobs taken up by Bangladeshi migrant

workers are classified as '3D', i.e. dirty,

working conditions for Bangladeshi

difficult and dangerous. Apart from that,

ing undocumented workers, vulnerable to many additional forms of exploitation. A huge issue is that there is a wage differential according to the worker's nationality of origin that works against them, with Bangladeshi migrant workers often ending up at the bottom of the scale. Two reasons are generally given for this: the first is that they are generally unskilled compared to migrants from other countries and the second is the Bangladesh government's failure in effectively bargaining with destination country governments. Along with general mistreatment,

of Governance and Development (BIGD), BRAC

migrants are often appallingly bad. In addition to difficult working conditions, female migrant workers face additional

Given that most countries 'hosting' Bangladeshi migrant workers have not ratified international instruments of worker protection including the ICRMW, bilateral agreements or memoranda of understanding (MoU) are important instruments through which the protection of rights of migrants can be ensured. Successive Bangladeshi governments have sent high-level delegations to various labour receiving states to negotiate such agreements. However, there is a general reticence on part of labour destination countries to sign any bilateral agreement and MoU that are legally binding. Given that sending countries like Bangladesh are in the weaker position in negotiations such as these and cannot dictate terms to their liking, the minimum that the government of Bangladesh could do is develop a minimum set of standards for sending labourers on conditions under which

migrant labourers have to work. From an international perspective, good governance needs to safeguard the interests of the labour force vis-à-vis the host state and employers. If the latter are reluctant to adhere to the regulatory framework, there need to be mechanisms from the side of both sending and receiving countries to penalise these companies. Counselling and legal services need to be provided to migrants both at home and abroad. While there is a pressing need for a plethora of institutional and governance reform processes to take place, the most urgent governance issue is the lack of implementation of already existing legislation that seeks to make the process transparent and promigrant workers.

The writer is a Research Faculty at the BRAC Institute

Migrants shape a better Asia and the Pacific – if we let them

SHAMSHAD AKHTAR and WILLIAM LACY SWING

VER land, by air and by sea, the people of Asia and the Pacific are on the move this is the finding of the forthcoming Asia-Pacific Migration Report, the result of United Nations research led by the United Nations Economic and Social Commission for Asia and the Pacific (ESCAP) and the International Organisation for Migration. More than 59 million migrants lived in receiving countries of the Asia-Pacific region in 2013, while the number of people migrating from countries of the region has doubled since 1990, reaching more than 95 million. Their destinations vary, but include countries such as Singapore, Thailand, Malaysia, the Russian Federation and Kazakhstan, as well as countries further afield in the Middle East, Europe and North America.

The factors underlying these mass movements of men, women and children vary. Many migrant workers leave home to seek jobs or higher wages in the growing economies of South-East Asia or the oil-rich countries of the Middle East. Others are refugees fleeing violence and persecution, stateless people trying to find dignity and recognition, or students hoping to access educational opportunities not available in their own countries.

People move using formal channels where possible, but informal, irregular ones where it is not. Irregular migrants are at risk of people smugglers, who pack them onto overcrowded and unsafe boats; traffickers and unscrupulous employers, who exploit them for profit; and authorities who do not recognise that even if some irregular migrants may have broken laws, they are all still human beings with rights.

Migrants risk isolation, xenophobia, and abuse - and yet, still they come. Why? Because despite all of these risks, migration is the single best opportunity for many people to improve not only their own lives but also those of their families and communities. The remittances they send - Asia-Pacific countries received more than \$249 billion in remittances in 2015 alone - lift people out of poverty, feed children, pay for their health and education, and help to build resilient homes and communities.

But we should always remember that migrants move not only for their own benefit. They are also responding to needs in countries of destination for labour. When they arrive, they work, generating wealth, expanding GDP, sometimes even sustaining industries. This is as true for those at the low end of the skill spectrum as for doctors, engineers and innovators.

This point is often overlooked. Instead, migrants are often regarded as problems or turned into scapegoats, accused of "stealing" jobs and depressing wages. In fact, the evidence suggests otherwise; generally, the impacts of migration are positive. If all migrant workers were to leave Thailand, for example, the GDP would shrink by 0.75 percent. A ten percent increase in the number of labour migrants in Malaysia actually raises the employment of national workers by one percent, often releasing them to access better-paid, higherskilled jobs.

This is not to deny the real challenges that migration can bring. Some national workers at the lower end of the labour market may find their wages depressed and employment opportunities reduced - but only slightly. This is not an effect of migration, but rather a result of the social and economic conditions that kept these people in vulnerable, low-paid employment in the first place, and which enable the exploitation of migrant workers.

The best way to ensure that migration supports development is to enable people to migrate in a regular way, with dignity and respect for their rights, to meet labour market needs. The alternative of vulnerable migrant workers is not only contrary to the values of human rights, it also means that national workers are vulnerable too.

We should use the opportunity of the International Migrants Day on December 18 to recognise, celebrate and facilitate the contributions that migrants make to the development of countries in Asia and the Pacific. Let us go further, and reject the stereotypes, embrace the evidence, and take the necessary steps to maximise this contribution and prevent negative impacts. In particular, we should lend our support to meeting the challenges set in the new Sustainable Development Goals to build a new migration system that enables people to move safely and prevents abuse for the benefit of all.

The writers are Under-Secretary-General of the United Nations and Executive Secretary of the Economic and Social Commission for Asia and the Pacific (ESCAP), and former US Ambassador and Director General of the International Organisation for Migration,

The Pledge of December 18, 2015

TASNEEM SIDDIQUI

N December 2000, the UN General Assembly declared December 18 as the International Migrant Workers' Day. The civil society in Bangladesh has been commemorating this day since 1997 and the government began to participate in the celebrations from 2009. This year, the day is being observed at local, district and national levels by various government and civil society organi-

While observing this year's International Migrants Day, we must remember those migrants who perished in the Bay of Bengal while pursuing their dreams to migrate to Malaysia through maritime routes. We shed tears for those who rest in mass graves of Thailand and Malaysia, express our deep condolence to those families who have lost their bread earners and console the mothers who cannot answer their children when they ask about their traceless or deceased fathers.

This is the day to extend the commitment of the government to the welfare of these families.

In the recent past, the day provided an opportunity to the government to highlight its achievements in managing labour migration. After successive years of low or negative growth in sending workers and receiving remittance and loss in traditional markets, this year the government has accomplishments to share. Since mid-2015, there has been a major growth in the number of migrants going overseas compared to last year. Up to October 2015, the flow has grown by 7 percent. After a long hiatus, a sizeable number of workers have migrated to Kuwait and Malaysia. These were major breakthroughs in securing back traditional labour markets. We have also seen an upward trend in remittance flow.

In September this year, the UN General Assembly adopted the SDGs that



are to be achieved by 2030. As migration did not feature in the goals or indicators of the MDGs, it could not be pursued as a tool for development. Bangladesh played a leading role in advocating that migration receives its due place in the goals and indicators of the SDGs. In collaboration with the Swiss government, Bangladesh hosted a major international event where governments and experts from 80 countries and concerned UN and other international agencies participated. Along with initiatives of others, its efforts resulted in the inclusion of migration in at least four of the 18 goals of the SDGs and many of their indicators. This has major ramifications for future development programmes to be pursued in various countries, including Bangladesh, by bilateral and multilateral development partners.

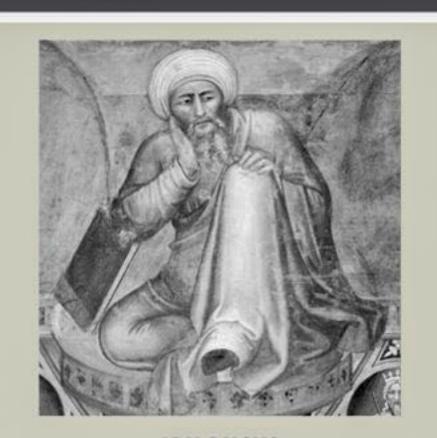
Bangladesh will host the 2016 UN Global Forum on Migration and Development. Government representatives of more than 150 countries, both origin and destination, will discuss migration and development issues in that meeting. Civil society organisations will either take part or run parallel sessions. Among other items, Bangladesh has proposed a social cost of migration, and the state of children and families left behind as issues of discussion. All these steps are praiseworthy.

The draft of the Seventh Five Year Plan has been made available on the internet. The document has identified migration as one of the tools for development. This is indicative of the fact that labour migration is gradually carving its niche in mainstream development planning.

However, the parents who lost their sons, women who lost their husbands and children who lost their fathers in their fateful voyage to Malaysia through maritime routes, would like to see more. They demand punishment of the perpetrators who lured unsuspecting, aspiring poor migrants. Instead of holding the less literate migrants responsible for tarnishing the image of the country, the government may concentrate on decisively acting against the politically powerful quarters, who are engaged in heinous human trafficking syndicates. Let this be the pledge of the government to the perished and traceless on this

The writer is Professor of Political Science, University of Dhaka and Chair, Refugee and Migratory Movements Research Unit (RMMRU).

International Day of Migrants.



IBN RUSHD

Two truths cannot contradict one another.

CROSSWORD BY THOMAS JOSEPH

2 "-- Believer"

6 All the rage

10 Wallet bills

16 Fan sound

5 Stance

3 Taylor Swift song

7 Camden Yards team

8 Taylor Swift song

9 Designer Oldham

19 Tug-of-war need

24 War of 1812 port

25 Musical number

27 Held firmly, as attention

21 Necklace part

23 Maintenance

18 Thunderbold hurler

4 Loosen, as laces

ACROSS DOWN 1 Skip, as TV ads

1 Close, as a jacket

6 Instructional 11 Acid type

12 Stellar hunter 13 Accords

14 Seňor's squiggle

15 Stadium section

17 Track figures 18 Faithful

20 Skilled 22 Vert.'s counterpart

23 Dairy counter buys

26 Sung story

28 Texas player 29 No longer working

31 Racket 32 Chef's need

33 Golfer Norman 34 Paul Bunyan's ox

36 Be bold 38 Touches on

40 Head out

44 High points 45 Advances

46 Plane parts

43 Electrician, at times

30 Wrap up

33 Painter El --34 Cry like a baby 35 He loved Rose 37 Writer paton 39 Fourth-yr. students

41 Neckline shape

42 Mountain road shape

YESTERDAY'S ANSWER GRAZER SHIP REGALE WINO ADAGIO ARTS TEETIMES PILLS NED ERA ARENA RACES AIMEDFOR AFRICA CATE GAINER ACID ENDERS PESO







HOW DID ZOE'S CHESS LESSON GO?



