

INTERNATIONAL MIGRANTS DAY

Ensuring dignity of female migrant workers



C R ABRAR

ODAY marks the international day for migrant workers. It is a day not only to celebrate the contribution of women and men who go to distant lands, away from their family and loved ones for long periods of

time, it is also a day of reckoning of how best we, as a nation, can protect and promote the rights of those workers. This becomes imperative, as the nation as a whole is beneficiary of their labour and promoting 'safe migration' is an avowed policy of the state.

Women constitute almost half of the international migrant labour force. After the gradual lifting of restrictions imposed on low skilled female labour migrants in Bangladesh, this flow has registered a marked increase in recent years. While efforts are under way to impart training on outbound female migrants, particularly those taking up employment as domestic workers (DWs), a lot needs to be done to ensure their protection. The DWs remain outside the ambit of the labour law of most receiving countries. The nature of their employment places them in isolation from the rest of the community, and exposes them to various types of vulnerabilities.

Testimonies of returnee female migrants at a recent RMMRU consultation on Social and Economic Costs of Migration inform that many had positive experiences that helped them bring about changes in the lives of their family members, particularly in improving the quality of children's education and health. On the contrary, there were also narratives of loneliness, lack of privacy, long working hours, non-payment and irregular payment of wages, as well as

harrowing tales of verbal, physical and sexual abuse. Last month, one of the leading news channels of Bangladesh telecast a footage in which a Bengali speaking woman worker was forcibly taken out of a tailoring shop of a local market in one of the Gulf states and pushed into a SUV by a group of three, in all likelihood led by her local Arab employer. She came to the market seeking refuge where other Bangladeshi workers worked. No one came to her help as she was driven away in the vehicle against her will.

While there is a burgeoning demand for

female migrants, particularly in the domestic help and care sectors in the Gulf states and South East Asian countries, onus lies on both the sending and receiving states to ensure that these workers are adequately protected, and live and work in decent conditions. It is in this context that UN Women has developed a Standard Terms of Employment (STOE) following an extensive consultative process of various stakeholders in different parts of Asia. The Migrant Forum in Asia helped the process of preparing the document. The STOE is the result of a

review of existing employment contracts and bilateral labour agreements; a series of focus group discussions in both sending and receiving states; and a review of activities and outputs of various UN agencies including the ILO.

The relevance of STOE is crucial as migrant DWs are excluded from the labour laws of both sending and receiving countries. UN Women rightly highlights that through their status as migrant and as women they are "doubly vulnerable". The agency further argues that as domestic work takes place in

informal and private settings the importance of formalisation cannot be overemphasised. Adequate care has been taken so that employment contracts adhere to international standards of labour and human rights protection of women migrant domestic workers. The STOE is a handy tool for the sending states to ensure protection of female DWs. It also serves as a template for the private sector to ensure ethical recruitment of female DWs and a model for public policy advocacy for the migrant rights groups.

Although the STOE has been framed keeping the women DWs as the principal beneficiary, the document can be used as a reference for drawing up contracts for other sectors that employ both males and females. The STOE contains 20 articles that elaborate the rights and duties with regard to minimum employment conditions, legal protections and the wellbeing of workers. It addresses a wide range of issues. Included among them are accommodation, wages, holidays and rest periods, medical and maternity insurance, travel expenses, maternity protection and termination of employment.

A few sending countries including the Philippines, Indonesia and Sri Lanka currently discourage migration of female DWs. As a result, the receiving states, including those in the Gulf, face major challenges to source such workers. It is in this context that Bangladesh should earnestly consider the issue of safety and dignity of its female migrant workers and thus negotiate the terms from a position of strength. Every effort must be made so that the workers are deployed under bilateral agreements and STOE is incorporated in such agreements so that the provisions are enforceable in the countries of employment.

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PHOTO: PALASH KHAN

Sharmin at the National Institute of Traumatology & Orthopaedic Rehabilitation in Dhaka, December 4, 2014. She returned from Lebanon with a fractured leg. A Bangladeshi manpower broker tried to force her into prostitution in the Middle Eastern country.

A crisis only 'humanity' can overcome

THE OVERTON WINDOW
ERESH OMAR JAMAL

ON December 18, as appointed by the United Nations General Assembly, the international community recognises and celebrates the rights of migrants around the world. This date was chosen because the General Assembly had

adopted the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (resolution 45/158) on December 18, 1990. Thus, by building on the rights of migrant workers, the UN, with the aid of other organisations, incorporated successfully, the idea of upholding the rights of all migrants.

Yet, that 'idea', despite being a commendable one, seems to have remained only that – an idea; never really materialising beyond it fully. And this has, perhaps, never been more evident than today. Nor the misfortune humanity has had to endure because of this failure, been more glaring.

In the case of Bangladesh for example, the rights of its workers abroad still remain elusive to this day. Just prior to Bangladesh holding the Global Forum on Migration and Development between December 10-12, a Middle East women's rights researcher at Human Rights Watch (HRW) said, "Bangladesh is hosting an important global conference on migration, yet has an abysmal record protecting its own citizens" ('Improve protections for migrant domestic workers', *The Daily Star*, December 9).

Newspaper articles have been written, conferences held, slogans repeated, yet, successive governments have failed time and again to protect the rights of the thousands of men and women who leave everything behind to travel abroad in the simple hope of building a better future for themselves and those they hold dear – a hope, I assume, all of humanity has in common.

This hope, of course, is nothing new. The UN website states, "Throughout human history, migration has been a courageous expression of

the individual's will to overcome adversity and to live a better life." That dream of a better life, for many migrant workers, however, often fails to transform into reality.

Despite their remittances significantly helping the country's economy by increasing its foreign currency reserves, reducing the Taka's devaluation, helping infrastructure investments and assisting the repayment of foreign debts, migrant workers are frequently exposed to mistreatment abroad, followed by refusal from our government to acknowledge such mistreatments, or even listen to their grievances for various political or geopolitical reasons.

Such grievances of women Bangladeshi workers include the denial of their full salaries, adequate food and living conditions, forcibly being worked for excessively long hours without breaks or days off, physical assault and even sexual abuse. In fact, according to a HRW report issued in July, "Bangladeshi workers' accounts of abuse were among the most extreme [of all] documented in Oman... [including] forced labour and trafficking."

To summarise the general condition of most migrant workers irrespective of gender and nationality: according to the most recent survey by the World Bank and the International Labour Organisation conducted in the Asia-Pacific and Gulf regions, "More than 75 percent of migrant workers said they received wages lower than what they were promised before they left their home countries, or experienced unforeseen deductions" ('75pc of migrant workers received lower wages than promised: survey', *The Daily Star*, December 8). Moreover, 14.5 percent respondents said they did not receive wages on time and 25 percent had no days off in a week.

If we take the other end of the migrant spectrum – those fleeing one form of persecution or another – the outlook not only fails to get any better, but actually worsens. A UN Refugee Agency 2015 report revealed the number of people displaced to be at its highest ever – surpassing even post-WWII numbers.

65.3 million people in total were displaced at the end of 2015, according to the United Nations High Commissioner for Refugees

(UNHCR). And just to put that into perspective, that is one out of every 113 people on earth. I do not know if that includes the men, women and children who have drowned at sea in their attempt to find something better than what they were fleeing, or those who were lost to us in some other way. But that figure itself must be in the thousands.

Meanwhile, it is important to remember that the migrant crisis really started to blow out of proportion after Europe meddled in the affairs of the then richest country in Africa – Libya – though a large part of it was also prompted by American (Western in general) interventions in the Middle East, Africa, Asia and elsewhere. As Dr. Curtis Doebbler – international lawyer and professor of international law – wrote, "In almost every case, the African and Middle East migrants are fleeing wars, violence, or exploitation caused by Europeans, Americans and their allies" ('The European Migration Crisis', *CounterPunch.org*, April 24, 2015).

Following that logic, it is the moral responsibility of both Europe and America now, to do everything in their power to help these helpless people that they are mostly responsible for turning homeless and landless in the first place. The UN too, despite its good work in many areas, has failed these people miserably by being unable to prevent such interventions, many of which have blatantly violated international laws, put in place, largely, by the UN and Western nations themselves.

And the saddest part is, refugees fleeing war zones, persecution, poverty and intolerance, are the least welcome in these countries. A report released by Amnesty International in July 2015 said, "Migrants heading for Europe face abuse and extortion in the Balkans... at the hands of the authorities and criminal gangs" ('Migrants heading for Europe facing abuse and extortion in the Balkans', *amnesty.org.uk*).

According to the then Amnesty International's Europe and Central Asia deputy director Gauri van Gulik, "Refugees fleeing war and persecution make this journey across the Balkans in the hope of finding safety in Europe only to find themselves victims of abuse and exploitation and at the mercy of failing asylum

systems" ('Europe's Horrific Mistreatment of Migrants, The Victims of America's Wars', *Centre for Research on Globalisation*, August 21, 2015). Reports of torture and other forms of abuse coming out of many refugee camps and asylums in the UK, Australia and others have been so horrific, that some migrants, after risking their lives to escape whatever nightmare they were going through, tried to commit suicide there ('Horror Mistreatment of Migrants', *Stephen Lendmen*, August 20, 2015).

Is this how human beings are supposed to be treated? Again, as Dr. Curtis Doebbler writes, "If Europe and the United States really want to deal with the so-called 'European migration crisis' they will need to start by admitting to themselves, and the world, that they are the cause of it...[and] engage in an open and transparent manner with the aim of achieving cooperation to address the root causes of the crisis, not merely the temporary manifestations."

And the same applies for the rest of the world. If we truly want to respect the rights of migrants, the UN and the international community must work together to prevent such gross violation of international law, which not only destabilises the country migrants are coming from, but also the rest of the world.

Also, we must stop separating people along racial, religious and other invisible lines and accept that we are all human beings, whose rights must be protected, regardless of the country of our origin. Otherwise, as is quickly becoming clear, with the creation of migrants and the denial of their rights, the whole world will continue to suffer together. And this is where world leaders, civil society members, academics, and other influential individuals have failed us till now. However, those who find their failures unacceptable must continue to fight the fight that is needed to bring policymakers back on the right track. For not only are the rights of migrants at stake, but, quite clearly, so is the humanity within us. And it is only by answering the call of humanity that lies within us that we can overcome the great crisis currently facing us.

The writer is a member of the Editorial team at *The Daily Star*.

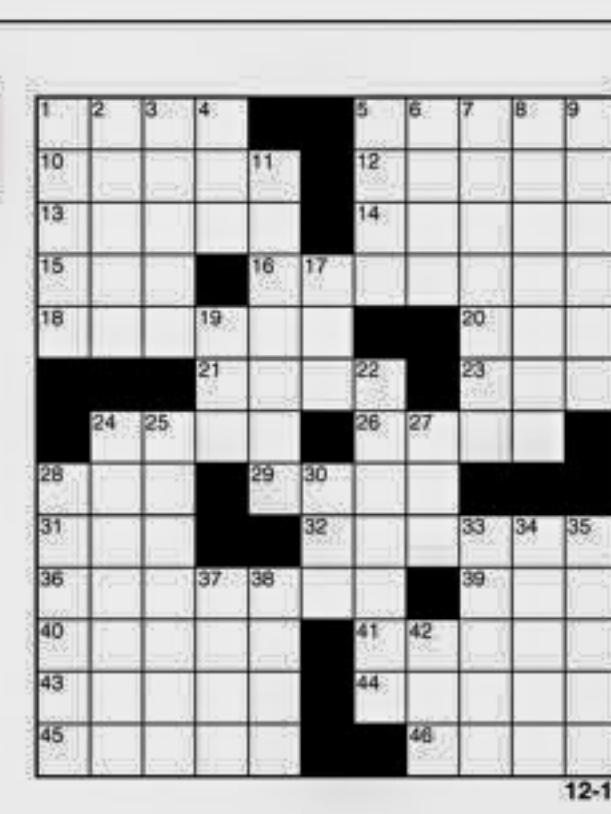
A WORD
A DAY

BIBLIOPOLE
A person who buys and sells books, especially rare ones

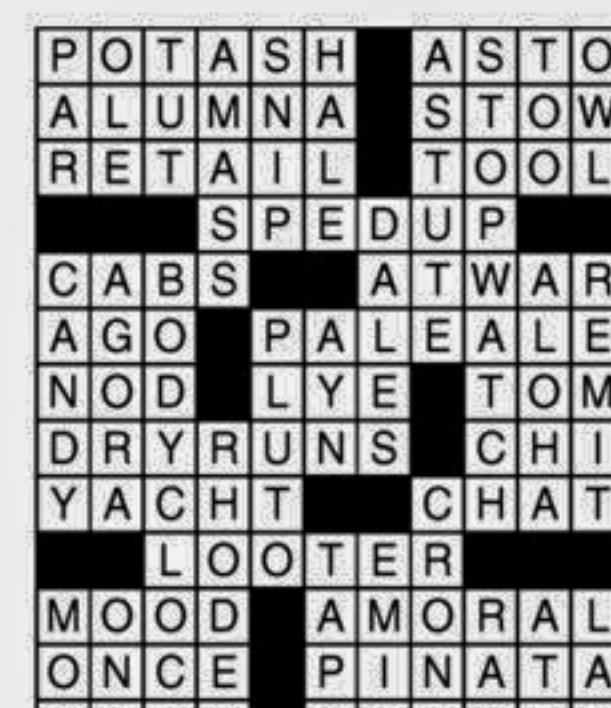
CROSSWORD BY THOMAS JOSEPH

ACROSS
1 Silent worker
5 Pile up
10 Second U.S. president
12 1972 Elton John hit
13 Accumulated
14 Forsaken
15 Friend of Fidel
16 Emergency phone
18 Center of activity
20 Singer Shannon
21 Pitcher Hershiser
23 Hosp. sections
24 Program lines
26 Water whirl
28 Prohibit
29 Fair
31 Verb for you
32 Skiing showoff
36 Site of political turmoil
39 Stunned wonder
40 O'Connor's successor
41 Barber's partner
43 Office notes
44 Horse opera
45 Skilled

46 Towel word
DOWN
1 Procession
2 Pocatello's state
3 Painter Edouard
4 Outback bird
5 Louver piece
6 Relate
7 Steered clear of
8 Moore's predecessor
9 Prepares to propose
11 Globes
17 Poem of praise
19 Physique, slangily
22 South Africa neighbor
24 Sang seasonal songs
25 Former
27 Period
28 Grand- (Atlantic island)
30 Cry of surprise
33 "Divine Comedy" writer
34 Title holder
35 Bike parts
37 Terminate
38 Fence part
42 Checkup sound



YESTERDAY'S ANSWER



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