



**Joint-Submission to the Special Rapporteur on the human rights of migrants' for his report:  
'After one and half year: the impact of COVID-19 on the human rights of migrants'**

**Case study: Increased risks of exploitation for Bangladeshi Migrants**

Submitted by the Commonwealth Human Rights Initiative (CHRI) and WARBE Development Foundation (Welfare Association of the Rights of Bangladeshi Emigrants)

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## Introduction

The [Commonwealth Human Rights Initiative \(CHRI\)](#) and [WARBE \(Welfare Association for the Rights of Bangladeshi Emigrants\) Development Foundation](#) welcome the opportunity to respond to this call for inputs from the Special Rapporteur on the human rights of migrants to inform his forthcoming report on the impact of COVID-19 on the human rights of migrants, to be presented at the 76th session of the UN General Assembly in September 2021.

The information in this submission is based on WARBE's grassroots efforts upholding migrants' rights in Bangladesh and of Bangladeshi emigrants abroad. WARBE is a member of the CHRI-founded [Commonwealth 8.7 Network](#),<sup>1</sup> a group of 60+ civil society organisations from across the globe that share a common vision to eradicate contemporary forms of slavery and human trafficking.

Migrants are uniquely vulnerable to exploitation and fundamental human rights violations through human trafficking and contemporary forms of slavery. The protection of the rights of migrants is integral to the realisation of UN Sustainable Development Goal (SDG) Target 8.7 to 'take immediate and effective measures to eradicate forced labour, human trafficking, prohibit and eliminate the worst forms of child labour including the use of child soldiers, end modern slavery, and by 2025 end child labour in all its forms'. COVID-19 has significantly threatened the realisation of this SDG Target. A detailed evaluation of public responses to the pandemic is an important step to continue progress towards the eradication of contemporary forms of slavery. Using the lens of SDG Target 8.7 and based on the authors' first-hand knowledge, experience and expertise, this submission explores how government and civil society responses to the pandemic impact the rights of Bangladeshi migrants and their vulnerability to contemporary forms of slavery and slavery-like practices.

## A focus on Bangladesh and Bangladeshi migrants

Labour exploitation occurs extensively in Bangladesh, both within the country and across borders in neighbouring countries, such as India, Malaysia and Singapore, or in common host countries for Bangladeshi migrant workers, such as Oman, Saudi Arabia and the United Arab Emirates.<sup>2</sup> Exploitative working conditions,

<sup>1</sup> See generally, <https://www.commonwealth-87.org/>.

<sup>2</sup> Beaubien, J 2019, 'They pump \$15 billion a year into Bangladesh's economy -- But at what cost?', *NPR*, 3 June. Available from: <https://www.npr.org/sections/goatsandsoda/2019/06/03/722085193/they-pump-15-billion-a-year-into-bangladeshs-economy-but-at-wh-what-cost> [17 June 2021].

perpetual job and economic insecurity, and lack of protections all increase workers' vulnerability to contemporary forms of slavery in the forms of forced labour, debt bondage, and human trafficking.

In the garment industry, for example, which comprises 84% of Bangladesh's national exports,<sup>3</sup> exploitation is rife due to the highly competitive nature of the sector, which is dependent on the demand of both local and overseas buyers.<sup>4</sup> Early consequences of the COVID-19 pandemic included a rush of order cancellations, reduced order volumes, and delayed payments to suppliers by fashion brands across the world.<sup>5</sup> As a result, many factories in Bangladesh closed,<sup>6</sup> rendering millions of garment workers vulnerable to unemployment.<sup>7</sup> While the country's domestic economy was in turmoil, Bangladeshi migrant workers who were visiting home from other countries were unable to leave again to resume employment, and migrant workers already abroad were unable to travel elsewhere.

Given the high number of Bangladeshi migrant workers and their distinct vulnerability to exploitative conditions,<sup>8</sup> understanding gaps in their protection during the pandemic should help establish future good practices and develop COVID-19 recovery strategies that respond to increased risks of contemporary forms of slavery globally.

## **1. What emergency measures or declarations or special legislation activating extraordinary powers based on the pandemic have been taken and have such measures been temporary and proportional and tailored to migrants' human rights and fundamental freedoms?**

A number of emergency measures enacted to control the spread of the COVID-19 pandemic have hindered the human rights protections of migrants globally rendering them more vulnerable to exploitation.<sup>9</sup> Tightened borders for public health protection have left many migrants, workers in particular, stranded in foreign countries, often unable to support themselves financially and excluded from national health plans,<sup>10</sup> or unable to leave their own country to seek employment. The International Organisation on Migration (IOM) Return Task Force identified at least 3 million stranded migrants as of July 2020.<sup>11</sup> Meanwhile, strict countrywide lockdowns around the world greatly burden economic migrants working in the informal sector who have lost income and are more

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<sup>3</sup> Mirdha, R 2019, 'Double-digit export growth in FY19', *The Daily Star*, 9 July. Available from:

<https://www.thedailystar.net/business/export/double-digit-export-growth-of-bangladesh-in-fy-2019-1768774> [17 June 2021].

<sup>4</sup> Murray, F, Themiminulle, S, Ahmed, F, Sadat, S 2019, *Study on Modern Slavery in Bangladesh*, DAI. Available from:

<https://assets.publishing.service.gov.uk/media/> [17 June 2021].

<sup>5</sup> Anner, M 2020, *Abandoned? The Impact of Covid-19 on Workers and Businesses at the Bottom of Global Garment Supply Chains*, Center for Global Workers' Rights. Available from: <https://www.workersrights.org/wp-content/uploads/> [17 June 2021].

<sup>6</sup> Kelly, A 2020, 'Garment Workers Face Destitution as Covid-19 Closes Factories', *The Guardian*, 19 March. Available from:

<https://www.theguardian.com/global-development/> [17 June 2021].

<sup>7</sup> Karim, N 2020, 'Thousands Of Bangladeshi Garment Workers Ordered Home as Factories Stay Closed', *Reuters*, 6 April. Available from:

<https://www.reuters.com/article/> [17 June 2021].

<sup>8</sup> International Labour Organization, *Labour migration in Bangladesh*. Available from: <https://www.ilo.org/dhaka/Areasofwork/> [17 June 2021].

<sup>9</sup> 2020, 'What is the impact of the COVID-19 pandemic on immigrants and their children?', *OECD*, Available from:

<https://www.oecd.org/coronavirus/policy-responses/what-is-the-impact-of-the-covid-19-pandemic-on-immigrants-and-their-children-e7cbb7de/> [20 June 2021].

<sup>10</sup> Walk Free 2020, *Eradicating Modern Slavery: An Assessment of Commonwealth Government's Progress on Achieving SDG Target 8.7*, Walk Free. Available from: <https://www.walkfree.org/reports/eradicating-modern-slavery/> [16 June 2021].

<sup>11</sup> Return Task Force 2020, *COVID-19 Impact on Stranded Migrants*, International Organisation on Migration, pp. 3. Available from:

[https://www.iom.int/sites/default/files/documents/issue\\_brief\\_return\\_task\\_force.pdf](https://www.iom.int/sites/default/files/documents/issue_brief_return_task_force.pdf) [16 June 2021].

likely to fall into exploitative employment to avoid starvation and being stranded from their families.

Emergency measures enacted by Bangladesh over the last year and a half have failed to ensure protection for migrant workers, thereby increasing their vulnerability to contemporary forms of slavery. The Government imposed a nationwide lockdown on 24 March 2020 and quickly suspended all public transport on roads without any options for workers who still relied on these public transport services. Low-income workers in Dhaka scrambled to leave the city amid a high risk of COVID-19 infection in order to seek the stability and food sources of their village homes.<sup>12</sup> Also, the closure of public transportation left 81% of workers in the ready-made garment industry forced to walk to their workplaces amid lockdown.<sup>13</sup>

By July 2020, travel bans across the world left more than 200,000 prospective migrant worker returnees trapped in Bangladesh, unable to leave and without work.<sup>14</sup> Reports indicate these returnees, suddenly forced into unemployment, are resorting to loans to provide for their families, placing them at heightened risk of debt bondage.<sup>15</sup> Several thousand stranded Bangladeshi migrant workers demonstrated in front of the Foreign Ministry in November 2020 demanding government intervention to renew their visas and assist their return to their countries of employment.<sup>16</sup> The Government has taken some steps to help these workers to leave the country for employment. For example, the Bangladeshi authorities agreed to subsidise up to Tk 25,000 of the costs and expenses related to mandatory quarantines which Bangladeshi migrant workers may need to pay upon arrival in their host countries. However, these subsidies are insufficient to cover all costs associated with quarantine upon arrival and flights,<sup>17</sup> meaning outgoing migrants may need to resort to loans or other unsafe routes of migration in order to leave the country. As a result, civil society and employment recruiters alike demand that outbound Bangladeshi migrant workers be vaccinated<sup>18</sup> to help ensure they fall under exceptions to costly health precautions facing the un-vaccinated upon arrival in host countries.<sup>19</sup>

Generally, measures taken to address COVID-19 have disproportionately affected women and widened gender inequalities, and this includes travel restrictions. Before the pandemic, the domestic work sector was already one of the most marginalised and least protected employment sectors globally. Now, due to movement restrictions, women migrant domestic workers are often placed in even more precarious positions. Due to employers' fear of

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<sup>12</sup> Kamaruzzaman, M, Najumas, S 2020, 'Bangladesh imposes total lockdown over COVID-19', *Anadolu Agency*, 25 March. Available from <https://www.aa.com.tr/en/asia-pacific/bangladesh-imposes-total-lockdown-over-covid-19/1778272> [16 June 2021].

<sup>13</sup> 'Survey: 81% RMG workers walk to their workplaces amid lockdown' 2021, *DhakaTribune*, 26 April. Available from: <https://www.dhakatribune.com/business/> [16 June 2021].

<sup>14</sup> Dhruva, G 2020, 'Stranded by pandemic, Bangladeshi migrant workers grapple with uncertainty', *bdnews24*, 10 July. Available from: <https://bdnews24.com/bangladesh/2020/07/10/> [16 June 2021].

<sup>15</sup> Dhruva, G 2020, 'Stranded by pandemic, Bangladeshi migrant workers grapple with uncertainty', *bdnews24*, 10 July. Available from: <https://bdnews24.com/bangladesh/2020/07/10/> [16 June 2021].

<sup>16</sup> 'Stranded workers demonstrate in Bangladesh for return to Malaysia' 2020, *newagebd*, 03 November. Available from: <https://www.newagebd.net/article/120526/stranded-workers-demonstrate-in-bangladesh-for-return-to-malaysia> [16 June 2021].

<sup>17</sup> Return Task Force 2020, COVID-19 Impact on Stranded Migrants, International Organisation on Migration. Available from: [https://www.iom.int/sites/default/files/documents/issue\\_brief\\_return\\_task\\_force.pdf](https://www.iom.int/sites/default/files/documents/issue_brief_return_task_force.pdf) [16 June 2021].

<sup>18</sup> Currently, the Bangladeshi vaccination programme covers individuals above 40 years and frontline workers. Migrants and their families are not included in the "specially prioritized categories", placing outgoing migrants and their families at greater health risk. Hasan, K 2021, 'People over 40 can now register for Covid-19 vaccination', *DhakaTribune*, 8 February. Available from: <https://www.dhakatribune.com/health/coronavirus/> [16 June 2021].

<sup>19</sup> 'Manpower recruiters want vaccination for outbound workers' 2021, *The Financial Express*, 15 June. Available from: <https://thefinancialexpress.com.bd/trade/manpower-recruiters-want-vaccination-for-outbound-workers-1623731565> [16 June 2021]

possible transmission of COVID-19, many women domestic workers were dismissed from their jobs early in the pandemic. Many women remain stranded, unable to find new work or to return to Bangladesh as borders were closed.<sup>20</sup>

WARBE notes that emergency measures taken by the Government due to COVID-19 have also delayed the repatriation of hundreds of bodies of deceased Bangladeshi migrant workers, thereby hampering investigations into their deaths and accountability for slavery-like practices. From January to October 2020, 63 dead bodies of female workers were returned to Bangladesh from several Middle Eastern countries, including 22 from Saudi Arabia and 14 from Lebanon.<sup>21</sup>

***We recommend the Government of Bangladesh ensure opportunities for safe transport for Bangladeshi migrant workers and, in the alternative, provide economic subsidies to those who are unable to make a living during the enactment of emergency measures such as lockdowns.***

***Gender-sensitive measures are also needed, including the provision of logistical support for stranded migrant workers so they can continue with their employment when safe.***

***Finally, emergency measures must not curtail crucial rights affecting the families of migrant workers, such as the repatriation of bodies from abroad.***

## **2. What solidarity measures and initiatives have been put in place or are planned by the Government, the civil society and other relevant stakeholders to support migrants in the context of the pandemic?**

Civil society actors across the Commonwealth note unprecedented challenges to the protection of human rights as government resources focus on the pandemic and public health issues and leave the third sector to fill gaps in protection.<sup>22</sup> For example, the Bangladeshi Government enacted a number of loan opportunities for workers to help restart the economy following the pandemic.<sup>23</sup> However, migrant workers remain unaware of these opportunities due to poor public information campaigns. As of January 2021, less than 1% of the Tk 2 billion in loans offered by the Government specifically for the rehabilitation of returning migrant workers had been disbursed.<sup>24</sup> WARBE helped to fill this information gap by conducting community meetings and capacity trainings, where they shared information about various opportunities for loans and other benefits offered by the Government.

Solidarity measures and initiatives to assist migrant workers in this time of crisis are essential to maintain

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<sup>20</sup>Seppo, M 2020, 'Women migrant workers and the Covid-19 crisis', 18 December. Available from:

<https://www.thedailystar.net/opinion/news/women-migrant-workers-and-the-covid-19-crisis-2013097> [16 June 2021].

<sup>21</sup>Uttom, S, Rozario, R 2020, 'The 'death march' of Bangladesh's female migrant workers' 09 November. Available from:

<https://www.ucanews.com/news/the-death-march-of-bangladeshs-female-migrant-workers/90203#> [16 June 2021].

<sup>22</sup> CHRI 2020, 'Contemporary Forms Of Slavery And Responses To Covid-19', 30 April. Available from:

[www.humanrightsinitiative.org/press-releases/contemporary-forms-of-slavery-and-responses-to-covid19](http://www.humanrightsinitiative.org/press-releases/contemporary-forms-of-slavery-and-responses-to-covid19) [20 June 2021].

<sup>23</sup> KPMG International Limited 2020, KPMG Insights. Available from: <https://home.kpmg/xx/en/home/insights/> [16 June 2021].

<sup>24</sup>'Returning migrant workers need loans and training' 2021, *prothomalo*, 07 January. Available from:

<https://en.prothomalo.com/opinion/editorial/returning-migrant-workers-need-loans-and-training> [16 June 2021].

progress towards the realisation of SDG Target 8.7. As part of its COVID-19 response, the Bangladeshi Government began a welcomed initiative of providing financial incentives to increase remittances of funds from Bangladeshi emigrants to the country. However, despite concerted campaigns by rights groups to bring this remittance percentage to 5%, the Government recently announced that only 2% would be provided.<sup>25</sup> This will likely be insufficient to support those most vulnerable to exploitative or slavery-like labour practices.

In an example of good practice of a joint initiative, the IOM, in close coordination with the Government of Bangladesh, facilitated the safe return of 160 Bangladeshi migrants stranded in Libya via its Voluntary Humanitarian Return (VHR) programme in June 2021.<sup>26</sup> However, continued collaboration is needed following their return to their home country to ensure protections continue. An IOM study of returnee migrants in Bangladesh in 2020 found that approximately 70% were unemployed,<sup>27</sup> rendering a majority of returnee migrants particularly vulnerable to exploitative practices in their attempts to survive.

Civil society has served as an integral check on the Government's COVID-19 response, calling for the protection of migrants at every juncture. Most notably, civil society actors are demanding a reintegration policy to support returnee migrant workers,<sup>28</sup> as well as a database of returnee migrants which includes disaggregated data to address the disproportionate impacts on women and children.<sup>29</sup> NGOs are also partnering with government agencies to help fill protection gaps. For example, NGOs, in conjunction with the Bangladeshi Department of Agricultural Marketing, provide counseling for the social and economic reintegration of women returnees, and women and children survivors of trafficking.<sup>30</sup>

While the efforts of civil society are to be commended, sustained action is needed by both local and central Governments to protect migrants during this time of crisis, thereby mitigating compounding risk factors related to contemporary forms of slavery.

***We recommend the Government of Bangladesh respond to and continue to collaborate with civil society and international organisations to ensure initiatives that spur recovery and rehabilitation following the pandemic are effective, respond to ground realities, and provide protection to migrants.***

### **3. What actions have been taken to prevent and address racial discrimination, hate speech, xenophobia and related intolerance faced by migrants, particularly in the COVID-19 context?**

To date, the Bangladeshi government has not taken any formal measures to prevent hate speech, stigmatisation

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<sup>25</sup> Mahfuz, A 2021, 'Column by Mahfuz Anam: At every step, they are exploited, mistreated and humiliated', *The Daily Star*, 01 June. Available from: <https://www.thedailystar.net/opinion/the-third-view/news/> [16 June 2021].

<sup>26</sup> International Organization for Migration, 2021 *International Organization for Migration*. Available from: <https://www.iom.int/news/iom-provides-160-bangladeshi-migrants-return-assistance-libya> [16 June 2021].

<sup>27</sup> International Organization for Migration, 2020 *International Organization for Migration*. Available from: <https://bangladesh.iom.int/news/iom-reports-70-cent-returning-migrants-bangladesh-struggle-find-employment> [16 June 2021].

<sup>28</sup> 'Speakers call for reintegration policy to support returnee migrant workers' 2021, *The Financial Express*, 05 April. Available from: <https://thefinancialexpress.com.bd/national/> [16 June 2021].

<sup>29</sup> 'Lack of actual data can be barrier to reintegration of returnee migrants' 2021, *DhakaTribune*, 6 April. Available from: <https://www.dhakatribune.com/bangladesh/2021/04/06/> [16 June 2021].

<sup>30</sup> 'Brac, Department of Agriculture marketing to provide skills training to female migrant returnees' 2021, *The Daily Star*, 31 March. Available from: <https://www.thedailystar.net/bangladesh/news/> [16 June 2021].

or intolerance faced by the influx of returnee migrants in the wake of the pandemic. Returnee migrants continue to face vitriol and disparate treatment by service providers and among their communities.<sup>31</sup>

Discrimination and mistreatment extends to Bangladeshi migrant workers in host countries. Reports suggest widespread detention of unregistered Bangladeshi workers in unsafe facilities, lack of access to proper healthcare and nutrition after forced redundancies, and mass deportations back to Bangladesh all while facing wage theft and profound uncertainty over future prospects of employment.<sup>32</sup>

Through its grassroots programming, WARBE works to combat hate speech towards the migrants and their family members, and highlights that concerted government and international efforts are needed.

***We recommend the Government of Bangladesh prioritise the prevention of discrimination and related intolerance towards migrants through awareness raising campaigns, in addition to the sensitisation of government officials and the general public. This is particularly important for frontline workers such as social and health workers, educators and police who may be the key to identifying possible victims of trafficking and contemporary forms of slavery among migrant populations.***

***In this regard, the Government should work closely with civil society, as steps to combat discrimination require collaboration with grassroots actors who understand the intolerance faced by migrants in specific communities.***

#### **About the Commonwealth Human Rights Initiative**

The Commonwealth Human Rights Initiative (CHRI) is an independent international, non-governmental organisation working for the practical realisation of human rights. Through research, advocacy and mobilisation it works to address human rights issues in the areas of access to justice, access to information, freedom of information and opinion, and contemporary forms of slavery and human trafficking. Headquartered in New Delhi, CHRI has offices in London and Accra. CHRI founded and is Secretariat to the Commonwealth 8.7 Network, a global network of 60+ local civil society organisations who share a common vision to eradicate contemporary forms of slavery leading to the realisation of SDG Target 8.7.

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#### **About the WARBE Development Foundation**

WARBE (Welfare Association for the Rights of Bangladeshi Emigrants) Development Foundation is a nonprofit community based organisation working in the field of migration and development in Bangladesh since 1997.

<sup>31</sup>Hasan, M 2020, 'Returnee Bangladeshi migrants suffering due to stigma and lack of support, study says', *DhakaTribune*, 19 August. Available from: <https://www.dhakatribune.com/business/> [16 June 2021].

<sup>32</sup>'Rehabilitate female returnee migrants' 2021, *the Daily Star*, 08 March. Available from: <https://www.thedailystar.net/editorial/news/> [16 June 2021].

WARBE is the brainchild of returnee migrants, committed to carrying out programs and activities for the development and betterment of the migrant community. WARBE took the pioneer role in Bangladesh as a migrant workers' association to deal with the issues of migrants' rights. WARBE Development Foundation has undertaken many development activities at the grassroots level as well as the national and international level for the protection of the rights, well-being and the dignity of migrant workers and their families; to empower and enable them to contribute to the socio-economic development at the micro and macro level and to play a stronger and effective role in the political arena.

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