



COUNTRY OVERVIEW

# WOMEN AND MIGRATION IN BANGLADESH



**Disclaimer**

© 2017 UN Women. All rights reserved.

The views expressed in this publications are those of the authors and do not necessarily represent the views of UN Women, the United Nations or any of its affiliated organizations.

**Author:** Ishrat Shamim, President, CWCS  
Jenna Holliday, Gender and Migration Specialist

**Review Team:** Christine Hunter, Shoko Ishikawa, Palash Das,  
Ruchika Bahl, Sukanya Thongthumrong and Tapati Saha

**Photo:** UN Women

**Design & Production**

Qumrunnaher Kali/Drik  
publication@drik.net

UN WOMEN, GROUNDED IN THE VISION OF EQUALITY ENshrined in the Charter of the United Nations, works for the elimination of discrimination against women and girls; the empowerment of women; and the achievement of equality between women and men as partners and beneficiaries of development, human rights, humanitarian action and peace and security. With the global mandate for facilitating economic empowerment of women, UN Women Bangladesh Country Office has been working on empowering and promoting the rights of women migrant workers especially low skilled migrant workers who make up 90% of women migrant workers from Bangladesh.

This Country Overview looks at the implications of the relevant national and international laws and policies that are available to protect the rights of women migrants, including domestic workers.

Recognizing that women migrant workers face gender-specific challenges and barriers, this Country Overview provides recommendations for policy-makers and implementers on how to ensure that women migrant workers secure better terms of employment. This report was produced as part of the regional project on Empowerment of Women Migrant Workers in South Asia through Implementation of Standard Terms of Employment.

# TABLE OF CONTENTS

---

EXECUTIVE SUMMARY	1
GLOBAL CONTEXT	2
MIGRATION FLOW OF WOMEN MIGRANTS FROM BANGLADESH	3
CONTRIBUTION OF WOMEN MIGRANT WORKERS FROM BANGLADESH	6
RECRUITMENT AND SPONSORSHIP OF WOMEN MIGRANT WORKERS	7
LEGAL FRAMEWORK RELATED TO WOMEN MIGRANT WORKERS IN BANGLADESH	8
Seventh Five-year Plan, 2016-2020, Bangladesh	11
Perspective Plan of Bangladesh (2010-2021)	11
Bilateral agreements on labour Migration	12
Standard terms of employment	13
INTERNATIONAL INSTRUMENTS GOVERNING WOMEN MIGRANT WORKERS	14
International commitment: Sustainable Development Goals	16
ROLE OF REGIONAL & GLOBAL PROCESSES TO ENSURE MIGRANT'S RIGHTS AND PROTECTION	17
The Colombo Process	17
The Abu Dhabi Dialogue	17
The Colombo declaration	17
The Global Forum on Migration and Development	18
GOOD PRACTICES TO PROTECT THE RIGHTS OF WOMEN MIGRANTS	19
RECOMMENDATIONS	21
REFERENCES	28

## **LIST OF FIGURES AND TABLES**

<b>Figure 1:</b> Year-wise female migration, Bangladesh, 1991–2016	4
<b>Figure 2:</b> Per centage of women migrants to total migrants, 1991–2015, Bangladesh	4
<b>Figure 3:</b> Major destination countries of female migration in Middle East and Asia	5
<b>Figure 4:</b> Country-wise female migration, Bangladesh, 1991–2016	5
<b>Table 1:</b> Salient features of national laws and policies affecting women migrant workers	8
<b>Table 2:</b> Provisions in international instruments affecting women migrant workers	14

# LIST OF ABBREVIATIONS AND ACRONYMS

---

<b>ASEAN</b>	Association of Southeast Asian Nations
<b>BAIRA</b>	Bangladesh Association of International Recruiting Agencies
<b>BMET</b>	Bangladesh Bureau of Manpower, Employment and Training
<b>CEDAW</b>	Convention on the Elimination of all forms of Discrimination against Women
<b>CIOP</b>	Comprehensive Information and Orientation Programmes
<b>CSW</b>	Commission on the Status of Women
<b>DEMO</b>	District Employment and Manpower offices
<b>ECOSOC</b>	Economic and Social Council
<b>GCC</b>	Gulf Cooperation Council
<b>GDP</b>	Gross Domestic Product
<b>GED</b>	General Economics Division, Bangladesh Planning Commission
<b>GFMD</b>	Global Forum on Migration and Development (GFMD)
<b>GoB</b>	Government of Bangladesh
<b>IDWFED</b>	International Domestic Workers Federation
<b>ILO</b>	International Labour Organization
<b>INSTRAW</b>	United Nations International Research and Training Institute for the Advancement of Women
<b>IOM</b>	International Organization for Migration
<b>ITUC</b>	International Trade Union Confederation
<b>MFA</b>	Migrant Forum Asia
<b>MoEWOE</b>	Ministry of Expatriates' Welfare and Overseas Employment
<b>MoP</b>	Ministry of Planning
<b>MoU</b>	Memorandum of Understanding
<b>MoWCA</b>	Ministry of Women and Children Affairs
<b>OHCHR</b>	Office of the United Nations High Commissioner for Human Rights
<b>SDC</b>	Swiss Agency for Development and Cooperation
<b>SDG</b>	Sustainable Development Goals
<b>UNDESA</b>	UN Department of Economic and Social Affairs
<b>UNDP</b>	United Nations Development Programme
<b>UNIFEM</b>	United Nations Development Fund for Women

# EXECUTIVE SUMMARY

Worldwide, most domestic workers are women and increasingly these women are migrants (UN Women 2013). There is a growing demand for domestic workers as many developed countries have ageing populations and declining welfare provisions and more women are participating in the labour force. Global evidence shows that migrant domestic workers receive poor wages, work excessive hours and are most often exposed to labour rights violations (ILO 2015). Nevertheless, women migrate to overcome poverty and to escape the situation of limited viable employment opportunities in their countries of origin.

Bangladesh is one of the major labour-sending countries of the region and women made up 18.66 per cent of all Bangladeshi migrant workers by 2015. Remittances from these migrant workers make a substantial contribution to the country. However, the social capital that women migrants bring home also contributes to socio-economic development, human rights, gender equality and women's empowerment in their countries of origin (UN Women 2013).

Bangladesh has a number of laws, policies and plans to protect women workers both within the country and abroad, that tend to control overseas employment. The Bangladesh government has stipulated the need for legal and social protection and training for international migrant workers to take advantage of new employment opportunities and ensure the in-flow of remittances (GED, 2015; GED, 2012).

In most labour-receiving countries of the Gulf states (and elsewhere), the labour law does not cover domestic workers but one promising mechanism to regulate migrant labour is bilateral labour mobility agreements drawn up between the sending and receiving countries. Bangladesh has signed a number of such agreements. Another strategy in place is standard terms of employment for women migrant domestic workers (UN Women Asia and Pacific and SDC 2016). Apart from stipulating working conditions, the terms also protect migrant domestic workers rights. However, these terms

cannot address the structural constraints in current labour migration systems that foster conditions for abuse and exploitation.

A number of international instruments aim to protect migrants and safeguard their freedom and dignity (ILO 2009). One regional consultative process is the Colombo Process which promotes dialogue about women migrant workers, emphasizing the issue of domestic workers. The Global Forum on Migration and Development (GFMD) has also raised the issue of migrant women's rights.

Furthermore, there are numerous examples of good practices that have been put in place in different countries around the world to protect migrant workers and domestic workers in particular.

The government of Bangladesh needs to consolidate and build on current initiatives to ensure gender-sensitive and rights-based migrant worker policies and practices are effective – before migrant workers leave, while they are outside the country and on their return. This will involve collaboration within the government as well as internationally and a commitment to offering a support network for Bangladeshi workers worldwide through embassies and consulates. Recruiting agencies need to respect the code of conduct for ethical recruitment and adopt the standard terms of employment. Civil society organizations and international development agencies can also play key roles in promoting safe migration and monitoring progress.

## GLOBAL CONTEXT

The International Labour Organization (ILO) estimated that, in 2013, there were 150 million international labour migrants worldwide and that approximately 44 per cent of these migrants were women (ILO 2015).

By 2015, the United Nations Department of Economic and Social Affairs, Population Division (UNDESA) estimated that the number of migrants in the world had risen to 244 million and that 48.2 per cent of them were women and girls (UNDESA 2016).

Worldwide, the majority of domestic workers are women (83 per cent) and increasingly these women are migrants (UN Women 2013). The emergence of and growing demand for domestic work as a service sector is continually fuelled by supply and demand factors. For example, many developed countries are confronted with ageing or stagnating populations and declining welfare provisions. Also, more and more women are participating in the labour force. These are all factors that contribute to the greater demand for domestic workers – a phenomenon known as the “global care chain” (Petrozziello 2013).

Furthermore, poverty, gender discrimination and limited livelihood options in rural areas in their countries of origin all help to ensure a continuous supply of women deciding to go into domestic work (ILO 2010).

Migrant domestic workers often find themselves in particularly unequal power relationships with their employers. They tend to face higher levels of isolation and discrimination because they are unable to contact and associate with people outside their work environment. The situation is compounded if they do not speak the local language and are not aware of their rights. They may not have any local support networks and, not being part of any workers’ unions, they are unfamiliar with the law and the local customs in the country of destination. Due to their restricted mobility, women migrants may be unable to access existing resources and assistance for fear of being deported or losing their employment (Min-Harris 2008).

Global evidence shows that migrant domestic workers receive poor wages as they have little or no bargaining power. They usually work excessive hours with little rest and are most often exposed to labour rights violations at different stages in the migration cycle (ILO 2015).

Nevertheless, women migrate to overcome poverty and to escape the situation of limited viable employment opportunities in their countries of origin. They tend to perceive their employment as a temporary measure to fulfil certain personal and family needs (Kawar 2003). However, sometimes these needs are difficult to fulfil in the short term or over a single contract period (UNIFEM 2005).

## MIGRATION FLOW OF WOMEN MIGRANTS FROM BANGLADESH

Bangladesh is one of the major labour-sending countries of the region. However, the Bangladesh Bureau of Manpower, Employment and Training (BMET) records show that the independent, regular migration of women workers was negligible from 1991 to 2003, at around one per cent of total migration. This was largely due to the severe restrictions placed on female migration which were partly relaxed in 2003 and 2006.

Women migrants made up 4.12 per cent of all migrant workers from Bangladesh in 2004, with the per centage gradually increasing in the years

that followed up to 2013. With relatively sharp rises in 2014 and 2015, women made up 18.66 per cent of all Bangladeshi migrant workers by 2015 (see figures 1 and 2). Nevertheless, this per centage is still low compared to other women migrant sending countries.

---

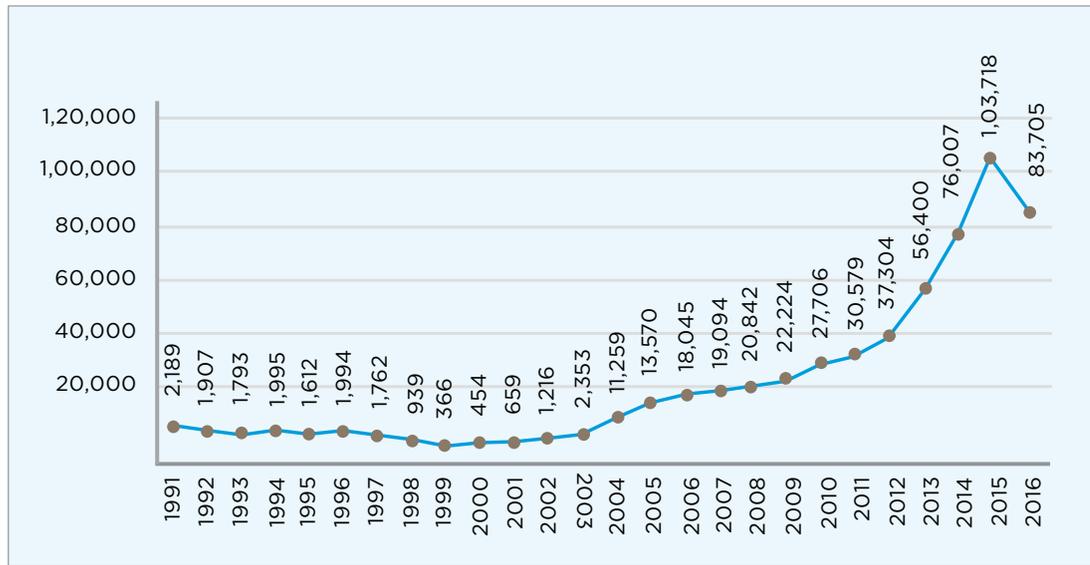
**women migrate to overcome poverty and to escape the situation of limited viable employment opportunities in their countries of origin.**

---



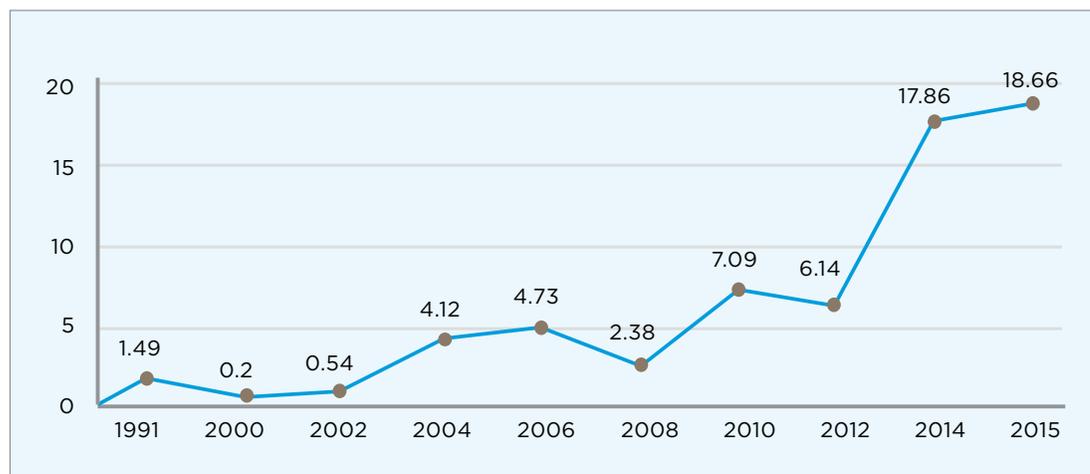
Women domestic workers receiving skills training on household appliance usage, prior to moving to their respective destinations.

**FIGURE 1**  
Year-wise female migration, Bangladesh, 1991–2016



Source: www.bmet.org.bd

**FIGURE 2**  
Per centage of women migrants to total migrants, 1991–2015, Bangladesh



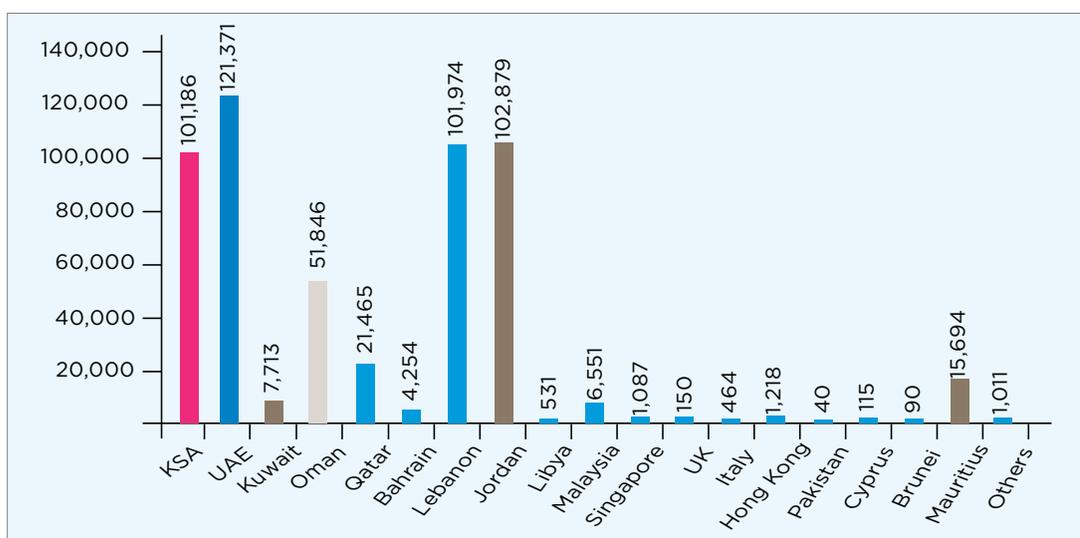
Source: www.bmet.org.bd

**FIGURE 3**  
Major destination countries of female migration in Middle East and Asia



Source: www.bmet.org.bd

**FIGURE 4**  
Country-wise female migration, Bangladesh, 1991–2016



Source: www.bmet.org.bd

The world map in figure 3 highlights the major destination countries of the Middle East and Asia where most women migrants go to be absorbed in different types of short-term overseas employment.

Figure 4 shows which countries women migrated to over the 1991–2015 period, according to official data from BMET. During this period, more than 100,000

women migrated to the Gulf countries, namely, the United Arab Emirates (121,371), followed by Jordan (102,879), Lebanon (101,974) and the Kingdom of Saudi Arabia (101,186). Bangladeshi women also migrated to Oman (51,846), Qatar (21,465), Kuwait (7,713) and Bahrain (4,254). More recently, women also started to migrate to Mauritius (15,694) and Malaysia (6,551).

# CONTRIBUTION OF WOMEN MIGRANT WORKERS FROM BANGLADESH

Women migrant domestic workers from Bangladesh contribute to the income of their families back home and to the income of their employers' families. Women who migrate individually from Bangladesh often become the breadwinners of their families.

In many labour-sending countries, women's remittances are among the largest sources of cash revenue. Although women generally earn less than men and so may send home smaller amounts of money at a time, they tend to remit a higher proportion of their earnings and do so more frequently (UN-INSTRAW & IOM 2000; Omelanuik 2005; International Federation for Human Rights, 2007).<sup>1</sup> Bangladesh received USD8,449.45 million as remittances through legal channels in the 2015–2016 financial year (BMET 2016). Unfortunately, the data available on remitters is not sex-disaggregated. However, study findings reveal that even low-skilled women workers remit between 70 to 80 per cent of their income to their families, compared to much lower percentages for men. Kabeer (2007) cited that a Bangladeshi woman working in the Middle East on average sends 77 per cent of her income home.

A 2013 study conducted by UN Women emphasizes the contribution of women beyond remittances and explains that the social capital of women migrants, in terms of ideas, skills, attitudes, knowledge, contacts and networks, can further contribute to socio-economic development, human rights, gender equality and women's empowerment in their countries of origin (UN Women 2013).

A UN Women Policy Brief on valuing the contributions of women migrant workers in the Association of Southeast Asian Nations (ASEAN) countries highlighted that a migrant woman's new earning capacity can elevate her status and offer opportunities beyond those that are usually available (Temin et al. 2013, 8).

---

**the social capital of women migrants, in terms of ideas, skills, attitudes, knowledge, contacts and networks, can further contribute to socio-economic development, human rights, gender equality and women's empowerment in their countries of origin**

---

What is evident in ASEAN countries can also be true for Bangladesh “where social remittances can also be realized in a family's increased capacity to do more rather than just to buy more” (ILO and UN Women 2015). The Policy Brief cited the example that the outcomes of improved education and health of children can lead to greater opportunities for the next generation. It concluded that “social remittances may be seen as more sustainable than economic remittances.”

---

**“...social remittances can also be realized in a family's increased capacity to do more rather than just to buy more” (ILO and UN Women 2015)**

---

---

<sup>1</sup>See also UN WOMEN, Australian Aid and ILO, Policy Brief Series: *Women's Labour Migration in ASEAN, Valuing the contributions of women migrant workers in ASEAN*.

# RECRUITMENT AND SPONSORSHIP OF WOMEN MIGRANT WORKERS

The costs of migration are high and evidence shows that these costs are even higher if migrant workers use private recruiting agencies. In Bangladesh, it is largely private recruitment agencies and brokers, working in both the sending and receiving countries, that control overseas employment and work permits for migrant workers. This creates a protection gap for workers, especially in the absence of effective and strict state oversight and monitoring. Bangladeshi women migrants tend to pay the cost of migration in advance (Rahman and Mizanur 2011) as they mostly rely on local agents or dalals and they can end up paying excessive fees to the agents that process their migration (Shamim 2011).

Furthermore, some recruitment agencies may engage in malpractices like “visa trading” (where migrant workers end up paying inflated sums for their visas), “floating visas” (where migrant workers can be moved from one employer to another), forging documents and trafficking. They may demand that women migrants pay visa charges that the employer has already paid.

Where recruitment agency mechanisms incur high costs in the migration process, informal networks, which depend on personal contacts and direct referrals to employers, can play a significant role in recruiting women migrant workers (ILO website). For the same reason, some women migrants accept the kafala or sponsorship recruitment system. This system does not require migrants to make upfront

payments and they can be recruited, processed and placed in employment without much difficulty (UNDP 2008). For example, women migrating as domestic workers to Saudi Arabia through government channels have recently been able to do so at zero cost (Interview with migrant workers during pre-departure training at TTC-Mirpur, Dhaka).

However, in the kafala sponsorship system, the employers or sponsors have disproportionate power over their employees. Women migrant domestic workers can end up in precarious situations where the sponsor holds their papers, secures piece work for them with several employers and then charges them for the sponsorship services. In this system, the migrant workers are isolated and their movements are restricted by their sponsors (Timothy and Sasikumar 2012).

The *kafala* system in the Gulf Cooperation Council (GCC) countries restricts workers from changing employers, making them completely dependent on their sponsors. This can result in abuses and exploitation by employers (UN Women 2013).

To try to counter these negative elements in the *kafala* system, in 2011, the United Arab Emirates introduced regulations on the functioning of recruitment agents. These regulations ban private recruiting agencies from “collecting any fees or sums of money under any designation from the recruited domestic worker, directly or indirectly” (UNDP 2008).

# LEGAL FRAMEWORK RELATED TO WOMEN MIGRANT WORKERS IN BANGLADESH

There are number of laws, policies and plans that relate to women workers in Bangladesh and address the rights of women migrant domestic workers, stipulating safeguards for workers both within the country and abroad. They include codes of conduct to regulate the assistance offered by recruiting agencies and to specify the responsibilities of those employing women domestic workers. The codes also provide for skills development training for workers.

**TABLE 1**

**Salient features of national laws and policies affecting women migrant workers**

<p><b>The Overseas Employment and Migrants Act 2013</b></p>	<ul style="list-style-type: none"> <li>● Requires registration of migrant workers, including women domestic workers, and protection of their interests;</li> <li>● Requires recruitment agents to provide an employment contract between the recruited worker and the employer, stipulating the worker’s wages, accommodation facilities, duration of employment, the compensation amount in the event of death or injury and the costs of emigrating to and returning from abroad;</li> <li>● Stipulates the right to information, the right to file a civil suit and the right to return home;</li> <li>● Provides penalties for: sending migrant workers overseas in an unlawful manner; charging unlawful amounts of fees; using unfair means of collecting demand notes, visas or work permits or trading in such documents (GoB 2015).</li> </ul>
<p><b>The Expatriates Welfare and Overseas Employment Policy 2016</b></p>	<p>Formulated in line with international laws on migration, this policy amends the short policy framed in 2006 and links to the National Skills Development Policy 2011 and the Government’s Seventh Five-year Plan:</p> <ul style="list-style-type: none"> <li>● Provides six policy directions that: ensure safe migration; protect migrant workers and their family members; ensure the welfare of migrant workers and their access to facilities; regulate the migration of women workers; associate migration with national development; and establish proper planning for labour migration;</li> </ul>

	<ul style="list-style-type: none"> <li>● Provides specific directions for various ministries, including the ministries of finance, foreign affairs, home affairs, commerce and civil aviation and tourism, to ensure proper welfare, facilities and safety, specific to women migrant workers;</li> <li>● Provides a separate chapter on women workers who migrate to undertake specific activities and recommends that the government: establishes a special wing for women migrants; promotes skills development; appoints trained women officials in embassies to provide health, economic and legal advice to women migrants; ensures the safety and empowerment of migrant women workers by establishing a database at the local Bangladesh embassies of women migrants working abroad; establishes a secure banking system for sending remittances; and allocates a budget for gender-responsive training for women migrants (Shareweb website).</li> </ul>
<p><b>Domestic Worker Protection and Welfare Policy 2015</b></p>	<ul style="list-style-type: none"> <li>● Relates to domestic workers working in Bangladesh, not to migrant workers;</li> <li>● Recognizes domestic work as a profession and entitles domestic workers to the benefits available under the existing labour law;</li> <li>● Entitles domestic workers to a healthy and safe space to sleep while they are off duty and stipulates four months of maternity leave for women domestic workers;</li> <li>● Plans to establish a “helpline” for domestic workers and to conduct awareness-raising campaigns;</li> <li>● Requires employers to: ensure full-time domestic workers’ salaries and other allowances; distribute working hours, allowing time for proper rest, sleep, entertainment and leave;</li> <li>● Requires employers to pay for necessary medical expenses and compensate for any accidents, including paying for medical treatment expenses (IDWFED website).</li> </ul>
<p><b>National Skills Development Policy 2011</b></p>	<ul style="list-style-type: none"> <li>● Addresses the needs of a large population by creating mechanisms to develop skills, enhance employability and secure safe and decent work and skills development opportunities for those working in the informal economy;</li> </ul>

	<ul style="list-style-type: none"> <li>● Targets the following groups: youth; women; low-skilled people; people with disabilities; migrants and internally displaced people; older workers; indigenous people; ethnic minority groups and the socially excluded; workers in small and medium-sized enterprises; people in the informal economy and in the rural sector; and self-employed people;</li> <li>● Provides for demand-driven, flexible and responsive training to meet the needs of local and overseas employers, workers and the community at large (GoB 2011).</li> </ul>
<p><b>Recruiting Agents Conduct and Licence Rules 2002</b></p>	<ul style="list-style-type: none"> <li>● Stipulates that recruiting agents should not receive or claim any fees other than the service fee determined by the government and that they should not claim extra charges;</li> <li>● Requires recruiting agents to render various kinds of assistance to migrants during their stay abroad;</li> <li>● Requires recruiting agents to meet all valid claims of the migrants (GoB 2015).</li> </ul>

## Seventh Five-Year Plan, 2016-2020, Bangladesh

The Bangladesh Seventh Five-year Plan (2016-2020) (GED, 2015) recommends the following measures for international migrant workers:

- taking steps to ensure that international migrants have access to legal and social protection;
- strictly monitoring their employment contracts; and
- providing adequate outreach, follow-up and support, such as legal and psychosocial counselling.

The five-year plan envisions that women will make up 30 per cent of the total number of outbound migrant workers by 2020. It recommends periodic reviews of bilateral and multilateral employment agreements to generate greater oversight of working conditions and to detect any breaches of contract. These reviews are intended to protect migrant workers, with an emphasis on women migrant workers, eliminate fraudulent recruitment activities and ensure standard and ethical practices.

Once bilateral and multilateral employment agreements are signed between Bangladesh and the migrant destination countries, they need to be followed up by annual reviews to expose any gaps and establish what measures worked and did not work so the agreements can be revised accordingly.

The government also plans to expand the existing training programmes for domestic workers so that about 50,000 women will be trained annually. However the plan does not prioritise exploring new destination countries that promote standard terms of employment to protect the rights and welfare of migrant domestic workers.

## Perspective Plan of Bangladesh (2010-2021)

The Perspective Plan of Bangladesh (2010-2021): making Vision 2021 a reality (GED, 2012) outlines strategic actions to ensure the continued flow of remittances. These include:

- closely monitoring and supervising the activities and practices of recruitment agencies;
- moving towards an effective, technology-based system for remitting money;
- training workers in the vocations and skills that have a high future demand in global markets; and
- making the Overseas Employment Policy more comprehensive so that it covers multiple aspects of migration, including: documentation for workers and employers; employment contracts and their implementation; and workers' welfare settlements.

The Perspective Plan acknowledges the significant impact that remittance inflows have had on poverty reduction. In 2011, remittance inflows were US\$11.5 billion which was about 10 per cent of gross domestic product (GDP). Government aims to strengthen institutional arrangements to facilitate remittances although increasing remittances also depends on how quickly the labour-taking countries' economies recover.

According to the plan, the key challenges involved in expanding remittances are: training and recruiting labour for overseas employment; ensuring rightful earnings, job security and wellbeing in workplaces abroad; and setting up efficient remittance mechanisms. A major challenge is how to channel remittances into productive investments. To this end, migrants need access to bank credit through appropriate institutional mechanisms such as banks that cater to the specific needs of non-resident Bangladeshis.

The Perspective Plan also restates government's commitment to adhering to international conventions and agreements related to women migrants, such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Beijing Platform for Action, as enshrined in the constitution (GED, 2012).

## Bilateral agreements on labour migration

In almost all the labour-receiving countries of the Gulf states where Bangladeshi women migrants are working, the labour laws do not cover domestic workers. Due to this non-recognition of domestic work, employers enjoy a significant degree of control over their workers. Some abuses suffered by domestic workers from Bangladesh in the Gulf states relate to wages, for example, non-payment of wages and irregular or reduced payments. Other issues relate to abuse and maltreatment, forced labour, restrictions on mobility, lack of rest hours and insufficient food, as well as a lack of labour standards to protect migrants (Asfar 2011).

One promising mechanism used to regulate migrant labour is bilateral labour mobility agreements drawn up between the sending and receiving countries. These agreements are based on mutual intent, collaboration and shared responsibility, and their aim is to boost employment opportunities and protect migrant workers. Bangladesh has signed bilateral agreements with a number of destination countries, namely: Kuwait (2000/2008), Qatar (1988/2008), UAE (2007), Malaysia (2003/2006/2012), Oman (2008), Libya (2008), South Korea (Employment Permit System– 2007), Jordan (2012), Iraq (2013), Hong Kong, China (2013) and Saudi Arabia (2015).

These agreements focus on:

- enhancing employment opportunities in the destination countries;
- ensuring the host country takes measures to protect workers and their welfare in the organized sector;

- regulating the recruitment process in both the countries; and
- establishing a joint working group to ensure the Memorandum of Understanding is implemented and that any labour concerns can be resolved bilaterally.

Drawing up bilateral Memorandum of Understanding (MOU) between countries of origin and countries of employment is a way of strengthening the rights of migrant workers. The agreements provide an effective government-to-government channel and set out methods of managing migration that the countries implement jointly and this ensures that women migrant workers are covered under labour law (UN Women Asia Pacific 2013).

However, only a few agreements focus on women migrant workers and particularly on women domestic workers. Two of the notable ones are: the Bangladesh–Jordan memorandum (2012) that provides Bangladeshi domestic workers with protection and rights under the labour law of Jordan; and the Bangladesh–Saudi Arabia memorandum (2015) that focuses on the recruitment of domestic service workers.

### AN EMPLOYMENT CONTRACT FOR DOMESTIC WORKERS: THE CASE OF JORDAN

The Special Working Contract for Non-Jordanian Domestic Workers initiated by UN Women stipulates the following:

- every employer, agent and domestic worker must sign the contract and abide by its regulations;
- the contract lasts for two years and can be extended for two more years;
- employers and the recruiting agency agree to pay for: a round-trip ticket, work and residency permits, and an agreed-upon salary;

- employers agree to provide the worker with meals, clothing, accommodation and medical care;
- employers are not allowed to take the worker's passport;
- employers cannot employ domestic workers to work anywhere except in the employer's home;
- employers must not place any restrictions on the workers' correspondence; and
- workers are allowed one rest day a week (D'Cunha 2005).

Although the Jordanian contract covers a number of issues, any entitlements to accommodation and food are left to the employer to decide and working hours are not specified. This still leaves room for overwork and exploitation. Also, it is not clear whether food and accommodation will be provided over and above the wages agreed. As the contract is based on civil law, contract violations do not carry the same level of consequences as violations of the national labour law.

The exclusion of domestic workers from national labour law and the failure to recognize domestic work as an employment category remain a challenge in Jordan (MFA undated). In 2013, Jordan amended the new labour code but it clearly states that it applies to all workers except domestic servants, cooks and the like.

## Standard Terms of Employment

About 40 per cent of 73 countries studied worldwide have no form of regulation of any kind for domestic workers (UN Women and ITUC 2013).

Against this background, the UN Women Regional Office for Asia and the Pacific instituted a participatory and consultative process to draw up a template for gender-sensitive standard terms of employment that could be used by women migrant domestic workers and their employers (UN Women Asia and Pacific and SDC 2016). Apart from stipulating working conditions with regard to hours of work, accommodation, leave and remuneration, the template includes sections specifically designed to protect the rights of migrant domestic workers, for example, with regard to security, information and their right to keep their passports.

Furthermore, by adopting these standard terms of employment as part of any bilateral agreements, the labour-sending and labour-receiving countries can ensure that migrant workers are protected, even if they are domestic workers who are so often overlooked by state laws. When Bangladesh, as the country of origin, is negotiating bilateral memorandums of understanding with countries of employment, the receiving countries can now be asked to agree to adopt and implement the standard terms of employment for women migrant domestic workers.

However, while establishing terms of employment can help improve living and working conditions for migrant workers, they do not address the structural constraints in current labour migration systems that foster conditions for abuse and exploitation. Migrant domestic workers still encounter serious practical problems in seeking redress for violations of the terms and conditions in their contracts. For example, they may be forcibly confined to the house or their employer may confiscate their mobile phones so they cannot file a complaint, find the money to start proceedings or contact a lawyer who may be prepared to take up the case (UN Women and ITUC 2013).

# INTERNATIONAL INSTRUMENTS

## GOVERNING WOMEN MIGRANT WORKERS

A number of international instruments, including conventions, treaties and forums, relate to gender and safe migration and aim to protect migrants and safeguard their freedom and dignity (ILO 2009).

TABLE 2

### Provisions in international instruments affecting women migrant workers

<p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 1979 (Ratified by Bangladesh 6 November 1984) &amp; General Recommendation No 26</p>	<ul style="list-style-type: none"> <li>● Prohibits discrimination against women and ensures protection of the rights of women, including their right to employment, decent work conditions and social security;</li> <li>● General Recommendation No. 26 addresses the concerns of women migrant workers and calls on states to formulate gender-sensitive and rights-based policies, remove restrictive and discriminatory policies, and ensure their access to health services and redress mechanisms, and their reintegration with family and society (ILO 2009).</li> </ul>
<p>International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families, 1990 (Ratified by Bangladesh 24 August 2011)</p>	<ul style="list-style-type: none"> <li>● Guarantees the right to people and their families to migrate subject to the legal restrictions imposed by any member states of the United Nations;</li> <li>● Outlines the rights of all migrant workers to have the same working conditions as nationals, without specifying separate rights for women migrants;</li> <li>● Prohibits inhuman living conditions, physical and sexual abuse, degrading treatment and forced labour; and</li> <li>● Safeguards the rights of migrants to freedom of thought, expression, religion and access to courts.</li> </ul>
<p>UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, 2000</p>	<ul style="list-style-type: none"> <li>● Includes workers in exploitative situations, such as domestic workers, within its purview;</li> <li>● Provides migrants with the right to humane treatment and full protection of their rights; and</li> <li>● Aims to stop the transnational organized crime of trafficking in women and children (UN 2000).</li> </ul>
<p>ILO Convention 87 on Freedom of Association and Protection of the Right to Organize, 1948 (Ratified by Bangladesh 22 June 1972)</p>	<ul style="list-style-type: none"> <li>● Provides workers and employers, without distinction whatsoever, with the right to establish and, subject only to the rules of the organization concerned, to join organizations of their own choosing without previous authorization (ILO Website).</li> </ul>

<p><b>ILO Convention 97 on Migration for Employment Convention (Revised), 1949</b></p>	<ul style="list-style-type: none"> <li>● Requires states to maintain adequate and free assistance to migrants for employment, and facilitate their departure, journey and reception;</li> <li>● Mandates that legal provisions on remuneration, trade union membership and legal proceedings be applied equally to migrants without discrimination on grounds of gender;</li> <li>● Deals with legal provisions in respect of employment, injury, maternity, sickness, invalidity, old age, death, unemployment, family responsibilities and any other contingency covered by the social security scheme of the member country (ILO website).</li> </ul>
<p><b>ILO Convention 143 on Migrant Workers (Supplementary Provisions), 1975</b></p>	<ul style="list-style-type: none"> <li>● Requires states to identify migrant workers illegally employed, verify if such migrants transit, reside or are employed in circumstances that contravene multilateral or bilateral instruments or agreements and national laws, and take appropriate preventative measures;</li> <li>● Asks member states to suppress the illegal employment of migrants and stipulates that member countries should act against those organizing such movements; and</li> <li>● Stipulates that migrants who have lost their employment should not be treated as illegal migrants (ILO website).</li> </ul>
<p><b>ILO Convention 181 on Private Employment Agencies, 1997</b></p>	<ul style="list-style-type: none"> <li>● Requires member countries to oversee the functioning of private recruiting agencies in accordance with national laws after consulting the representative organizations of employees and workers;</li> <li>● Stipulates that private recruiting agencies should be regulated with a suitable licensing or certification system and they should not collect fees or costs from the migrants unless an exception is granted by a competent authority for certain categories of workers;</li> <li>● Stipulates that adequate mechanisms should be in place to investigate any alleged abuses and fraudulent practices of private recruiting agencies; and</li> <li>● Provides for the privacy of the migrants to be protected while their information is being processed (ILO website).</li> </ul>
<p><b>ILO Convention 189 Concerning Decent Work for Domestic Workers, 2011</b></p>	<ul style="list-style-type: none"> <li>● Mandates that migrant domestic workers receive an enforceable written contract prior to departure;</li> <li>● Requires that agencies adopt the guidelines and enforcement mechanisms for recruiting domestic workers; and</li> <li>● Provides for legal mechanisms to safeguard the rights and interests of migrant domestic workers (ILO website).</li> </ul>

## International commitment: Sustainable Development Goals

On 25 September 2015, the 17 Sustainable Development Goals (SDGs) of the 2030 Agenda for Sustainable Development were adopted by world leaders at the United Nations General Assembly.

Over the fifteen years from 2015 to 2030, countries agreed to mobilize efforts to end all forms of poverty, fight inequalities and tackle climate change, while ensuring that no one is left behind. While the Goals are not legally binding, governments are expected to take ownership of them and establish national frameworks to achieve these Goals and targets.

Migration is a central issue in the 2030 Agenda for Sustainable Development. Migrants will always need work but it is equally certain that in the coming years many destination economies will need new workers.

In general terms, Goal 5 is relevant to the issue of migrant women workers in that it aims to achieve gender equality and to empower women and girls. The first target of Goal 5 is to end discrimination against women and girls everywhere. However, more specifically, the overall aim of Goal 8 is to promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all.

Under Goal 8, the specific target dealing with women migrant workers declares the aim to protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment.

While the general aim of Goal 10 is to reduce inequality within and between countries, it also includes a specific target relating to migration which is to facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies.

In the context of the 2030 Agenda, the Global Migration Group, chaired by UN Women, organized an event during the sixtieth session of the Commission on the Status of Women in March 2016. The focus was on empowering migrant women and girls and the following is an extract from the agreed conclusions:

*The Commission recognizes that women's equal economic rights, economic empowerment and independence are essential to the achievement of the 2030 Agenda. ... The Commission acknowledges the positive contribution of migrant women workers to inclusive growth and sustainable development (E/2016/27-E/CN.6/2016/22).*

Adding to this call for recognition of the contribution of migrant women workers, in the section on strengthening policy, the Commission on the Status of Women also urges states to:

*... acknowledge the need to eliminate violence and discrimination against women migrant workers and to promote their empowerment, including through international, regional or bilateral cooperation among all stakeholders, in particular countries of origin, transit and destination (E/2016/27-E/CN.6/2016/22).*

# ROLE OF REGIONAL & GLOBAL PROCESSES TO ENSURE MIGRANT'S RIGHTS AND PROTECTION

Regional and global processes are critical advocacy platforms for the labour-sending countries of Asia. They give these countries the opportunity to engage with representatives from the Gulf Cooperation Council countries, for example, and to focus on the rights and dignity of women migrants.

## The Colombo process

One regional consultative process is the Colombo Process. This was launched at the Ministerial Consultation for Asian Labour-sending Countries held in 2003 in Colombo, Sri-Lanka. Subsequently, the process has involved the Gulf Cooperation Council countries and promoted dialogue about women migrant workers, emphasizing for the first time the issue of women domestic workers. This is a significant issue in the context of Bangladesh where migrants tend to be low-skilled and domestic work is the obvious choice for many women migrants.

The first three Colombo Process conferences concentrated on the welfare and protection of migrant workers, institutional capacity building, inter-state cooperation and optimizing the benefits of labour migration. The main concerns were:

- irregular migration and its consequences of vulnerability and abusive conditions for migrants; and
- exploitation and harassment of women migrants in low-skilled and low-wage sectors of work (Colombo Process website).

---

**Migrants will always need work but it is equally certain that in the coming years many destination economies will need new workers.**

---

The fourth Colombo Process meeting in Dhaka in 2011 was on the theme of Migration with Dignity and resulted in the Dhaka Declaration. The declaration recognizes that labour migration from Asia has been increasingly feminized. Considering the rise in employment opportunities for migrant women workers and the increase in the number of destination countries, the declaration recommended that countries:

*... effectively address the specific needs and concerns of vulnerable groups of migrant workers, especially women, domestic workers, low-skilled and low-wage workers (Colombo Process website).*

## The Abu Dhabi Dialogue

The Abu Dhabi Dialogue meeting, held on 21–22 January 2008, for the first time brought together the Colombo Process countries with the Gulf Cooperation Council states plus Yemen, Malaysia and Singapore. South Korea and Japan participated as observers (IOM 2008). In April the same year, the Colombo Process countries also initiated a dialogue on labour migration issues with European Union member states and two subsequent meetings were held in 2011 and 2014. In 2017 the combined Senior Officials' Meeting and Fourth Ministerial Consultation of the Abu Dhabi Dialogue was held in Colombo, Sri Lanka.

## The Colombo declaration

The primary outcome of the 2017 meeting was the Colombo Declaration. The declaration welcomes the announcement from some member states, including Bangladesh and the Kingdom of

Saudi Arabia, that they intend to cooperate in designing and implementing localized worker information and orientation programmes (known as Comprehensive Information and Orientation Programmes–CIOP).

It also recommends that member states build on current national and bilateral initiatives to increase the use of technology to facilitate and manage regional labour mobility, citing specifically the MUSANED platform which is used to contract and deploy domestic workers from Bangladesh to the Kingdom of Saudi Arabia.

The protection and welfare of migrant workers, including women migrant workers, featured prominently in all of these dialogues.

## The Global Forum on Migration and Development

The Global Forum on Migration and Development (GFMD), set up in 2007, is a global initiative that aims to address the interconnections between migration and development. The forum is organized by a different state or states each year. These states coordinate thematic meetings and roundtable preparatory sessions throughout the year and host the annual summit.

The Government of Bangladesh hosted the ninth global forum in 2016 with the theme, “Migration that works for sustainable development for all: Towards a transformative migration agenda.”

The forum addressed the economics, sociology and governance of migration and development, with gender as a cross-cutting issue. It sought to define the precise contribution that migration can make to development and to specific Sustainable Development Goals. The aim was to enable governments to formulate the human rights based and gender-sensitive policies they need to realize the full potential for sustainable development of migrant work and of women domestic workers in particular (GFMD 2016).

At the 2016 summit, the importance of protecting and promoting the rights of women migrant workers was raised specifically through a side event co-hosted by UN Women and the Government of Bangladesh. The event was entitled, “Integrating a gender perspective into the development of the Global Compact for Safe, Orderly and Regular Migration.” During this session, the Government of Bangladesh and in particular the Ministry of Expatriates’ Welfare and Overseas Employment played an important role in advocating for a gender-responsive international framework on migration.

The rights of Bangladeshi migrant women have also been raised through previous Global Forum on Migration and Development initiatives, including at the Third Thematic Meeting in 2015 which considered the context of Bangladesh and was entitled, “Recognizing the contributions of women migrants to economic and social development in countries of origin and destination and addressing their specific needs.”

# GOOD PRACTICES TO PROTECT THE RIGHTS OF WOMEN MIGRANTS

1. **Standard terms of employment** for women migrant domestic workers are currently being used by Hong Kong, Jordan, Lebanon, Malaysia, Sri Lanka, Singapore and the Philippines.
2. The Embassy of the Philippines in the United Arab Emirates (UAE) and Lebanon offers **programmes to educate women domestic workers** and help them to move out of the unskilled work category. The embassy provides classes ranging from computer literacy to cooking, sewing, photography and other skills, free of charge (Sabban 2002).
3. Jordan and Hong Kong have set up **hotlines to receive calls from migrant domestic workers** who allege abusive treatment, such as physical abuse and sexual harassment (UNIFEM 2005).
4. Saudi Arabia has introduced **MUSANED a website that offers seven tools**, namely: rights and obligations of both the employer and the employee; service stages of recruitment, employment and departure; list of all licensed recruitment offices and companies; complaints and committees, including the process of how to file a complaint; information centre providing news; required documents; and e-recruitment services. The programme is initiated by the Ministry of Labour, Saudi Arabia and aims to protect domestic workers. The website also offers clear, accessible information that includes important guidance for migrant domestic workers when they have to travel (Project 189 2014).
5. In Hong Kong, the Home Affairs Bureau has published **Your guide to services in Hong Kong**, in different languages. This document is given to arriving migrants and provides information on such issues as obtaining and renewing work permits, rights and obligations, and the addresses of different organizations for support services (Kawar 2003).
6. In Hong Kong, certain public areas are allocated as **gathering spots for different nationalities of migrant domestic workers** – Filipinas, Indonesians, Thais, Nepalis, and others – and many of the migration associations conduct all their activities on their one rest day, often in these public areas where migrant domestic workers gather (Kawar 2003).
7. In Singapore, the Ministry of Manpower has issued **a guide for employers of foreign domestic workers**. It is available in the four main languages and aims to enable employers to “develop a close and cordial relationship with [their] foreign domestic worker.” It highlights important work permit requirements as well as other employer obligations (Kawar 2003).
8. In Italy and South Africa, **migrant domestic workers have the same protection as other workers** and enjoy the same benefits, such as: minimum wages; medical benefits; one day of rest in seven; paid annual leave; a 13th month salary; and the security of a written contract which must be in line with the provisions of the labour law and is therefore enforceable in court (D’Alconzo 2005).
9. In Thailand, periodic **registration opportunities for irregular migrant workers**, including migrant domestic workers, covered over 1.2 million irregular migrants from Myanmar,

Cambodia and Laos PDR when these were offered in 2004. A clear process was designed for irregular migrant workers to report, along with the owner of their house of residence, and register with the Ministry of Labour. This gave the migrant worker legal status in Thailand for a year. Simultaneously, employers who wished to hire migrant workers were required to register their interest with the Ministry of Labour. Both of these initial registration processes were free (UNIFEM 2005).

10. In the UAE, [electronic bank payment of wages](#) was made compulsory from 2008. The government has facilitated employment transfers, enhanced the legal rights of workers vis-à-vis employers and introduced compulsory health insurance for all workers, including those in domestic service paid by sponsors (Timothy and Sasikumar 2012).



Outbound migrant women and men in the immigration queue.

# RECOMMENDATIONS

## GOVERNMENT

### Encourage collaboration within and between government ministries and develop the capacity of ministry officials to collect and analyse sex-disaggregated data

The Government of Bangladesh laid out its targets for implementing the United Nation's Sustainable Development Goals in the mapping study conducted by the General Economics Division of the Bangladesh Planning Commission in 2016. These targets are aligned with the government's Seventh Five-year Plan (2016–20) (GED 2016: 58) so that the global agenda is integrated into the local context and supports local development plans and strategies.

The mapping study lists the goals, associated targets, actions and indicators, as well as the ministries responsible for devising and implementing plans and reporting on progress. To ensure that the ministries coordinate and cooperate internally as well as with each other to achieve these targets, the government has formed a SDG Implementation and Monitoring Committee at the Prime Minister's Office and the Planning Commission is finalizing a monitoring and evaluation framework for implementing the Sustainable Development Goals.

The Sustainable Development Goals include various indicators<sup>2</sup> related to migration and all ministries concerned need to ensure that sex-disaggregated data on labour migration is collected, analysed

and shared. This data is crucial in mainstreaming gender in labour migration and in developing and implementing relevant policies.

Government officials in the Ministry of Women and Children Affairs (MoWCA), the Ministry of Expatriates' Welfare and Overseas Employment (MoEWOE) and the Ministry of Planning (MoP) need to develop their capacity to gather, record and analyse sex-disaggregated data on labour and migration, for example, on skills, occupations, remittances and so on. This needs to be a regular exercise to identify and address the gender-differentiated needs of migrant workers. The Bangladesh Bureau of Statistics, in collaboration with concerned line ministries and departments, could collect and update the sex-disaggregated data on labour migration and publish a periodic compendium on women and migration.

### 2. Promote and ensure a participatory approach in the Sustainable Development Goals reporting process

In 2016, Bangladesh volunteered to be part of the national voluntary review set up by the High-Level Political Forum.<sup>3</sup> The participants will report annually to the Economic and Social Council (ECOSOC), tracking their progress and describing the challenges they encounter in implementing the 2030 Agenda for Sustainable Development and its Sustainable Development Goals.

The government needs to take specific action to promote the participation of all relevant stakeholders in the process of reporting on progress

<sup>2</sup>See the section on 'International commitment: sustainable development Goals' on page 17 of this Country Overview.

<sup>3</sup>The High-level Political Forum, United Nations central platform for follow-up and review of the 2030 Agenda for Sustainable Development and the sustainable development Goals, provides for the full and effective participation of all member states of the United Nations and state members of specialized agencies.

in implementing the Sustainable Development Goals. More dialogue between the government, civil society organizations, United Nations agencies, development partners and other key stakeholders will ensure a multi-stakeholder contribution to the reporting process.

### **3. Negotiate, implement and monitor gender-responsive agreements**

The Government of Bangladesh and the Ministry of Expatriates' Welfare and Overseas Employment, in particular, wants to explore further opportunities for memorandums of understanding and bilateral agreements to protect migrant workers' rights in destination countries. However, implementing and monitoring such agreements for domestic workers, particularly for women, is a challenge. Domestic workers tend to have highly personalized relationships with employers in particular households and so they are at greater risk of abuse and exploitation. They are often cut off from their fellow workers and have no means of communicating with the authorities.

Furthermore, in Bangladesh and in most labour-receiving countries, domestic work is not covered under labour law and, even in their own countries, domestic workers can be stigmatized.

A comprehensive approach is required to adequately address these issues. This should include holding regular meetings involving all stakeholders to advocate for domestic workers' rights and establish ways of protecting these rights. Where appropriate, the results of these meetings need to be shared with international agencies to enlist further technical assistance.

Key stakeholders, including civil society organizations, need to be consulted during the negotiations between the government and respective destination countries and the process should be made public. The specific needs of women migrant domestic workers as well as their gender-based vulnerabilities, need

to be considered and reflected in any agreements, in line with the provisions for rights protection and equality CEDAW.

### **4. Explore new employment opportunities and occupations for women migrant workers**

The government has been exploring new migration corridors and occupations for migrant workers and some of their research has focused on new market opportunities for women migrant workers. However, upgrading women migrant workers to higher-value jobs remains a challenge since most migrant women workers from Bangladesh continue to do domestic jobs abroad.

An in-depth analysis of the socio-economic situation of aspirant women migrants is needed to develop customised tools that address their special needs and consider issues such as their reproductive roles, the social stigma they may face and their lack of prior experience in skilled trades. The government needs to undertake more specific country–occupation market research to explore new employment opportunities for women, for example in Jordan and Malaysia. With appropriate training, women migrant workers could respond to new demands for workers or supervisors in the readymade garment industry, for nurses and carers and for workers in the electronics sector as well as in other semi-skilled jobs.

### **5. Build on current pre-departure orientation and training programmes that offer new opportunities for migrant workers**

The government is already developing country-specific pre-departure modules with the assistance of United Nations agencies and civil society organizations.

By collaborating with civil society and community-based organizations that already conduct pre-

departure training for outbound women migrant workers, the government could replicate their programmes through relevant local authorities in districts not yet covered. The training modules need to present practical information through a user-friendly methodology to help women migrant workers access new opportunities, for example, as drivers or as supervisors in the ready-made garments sector.

## **6. Establish a women's cell dedicated to women migrant workers**

The Overseas Employment Policy (2016) calls for the Ministry of Expatriates' Welfare and Overseas Employment to establish a women's cell to protect the rights of women migrant workers and enhance their potential. This can be done in collaboration with national, international and civil society organizations, in particular with women's organizations, workers' groups and trade unions that support women's movements. By analysing the skills and motivation of the workers, the cell would ensure that each worker is designated to the right place and given the right work to ensure their safety and well-being.

Using social media applications, the cell can become a forum for Bangladeshi women migrant workers around the world, allowing them to share ideas and experiences, and offer practical advice on relevant matters. This would give them a sense of security and the confidence to understand their own value and demand their rights. The cell would thus ensure their safety and protection and preserve the role of women migrant workers in the global workplace.

## **7. Ensure employment policies are implemented at the local level**

The Overseas Employment Policy (2016) provides for the role of relevant line ministries in implementing policy. The Ministry of Expatriates' Welfare and Overseas Employment has drawn up a policy

implementation action plan designating the specific roles of the line ministries in this collaboration. Ministries concerned include the Ministry of Local Government and Rural Development and the Ministry of Women and Children Affairs.

However, local implementation needs to be strengthened further. For example, local government representatives need to be sensitized to migration issues for women and should receive standardized information on safe migration from the national level. Help desks providing comprehensive, up-to-date information on the migration process should be established at all union council offices that are situated far from the local district employment and manpower offices. People would then have quick access to accurate information and would be less vulnerable to fraud sometimes perpetrated by middle men (*dalals*).

## **8. Ensure smooth reintegration for returnee migrant workers**

While the government assists migrant workers, who are leaving Bangladesh, those returning also need support.

A comprehensive reintegration framework should be developed to serve returnee women migrants. The Ministry of Expatriates' Welfare and Overseas Employment, working in association with the Ministry of Home Affairs, Ministry of Social Welfare, Ministry of Foreign Affairs, Ministry of Women and Children Affairs and the Ministry of Local Government and Rural Development could take specific actions to ensure this. For example, the Bureau of Manpower and Employment (BMET) should establish employment link services at their field offices to help returnee women migrants find work and reintegrate. In addition, BMET and non-governmental organizations could provide skills development training to improve the returnees' productivity and performance.

## EMBASSIES AND CONSULATES

### 1. Actively support migrant workers

Labour attachés need to coordinate with employers, potential migrants and the Bangladesh Bureau of Manpower and Employment, and play a central role in verifying employment demands and ensuring that contractual provisions are enforced.

By collaborating with civil society and women's organizations in Bangladesh and in the destination countries, labour attachés could support Bangladeshi women migrants. They could also connect these organizations with networks of women migrants from other countries working in the same destination countries.

The Government of Bangladesh and particularly the ministries that manage the respective consulates or missions in the destination countries need to coordinate more effectively so they can respond rapidly to situations, make decisions and take the necessary actions.

### 2. Allocate resources to implement employment policies

The Overseas Employment Policy requires embassies to create specific spaces for migrant women. The consulates should have the capacity and resources to advise and support Bangladeshi women workers and embassy staff need to be aware of the gender-specific vulnerabilities these workers face.

However, embassies and consulates need to be allocated adequate financial resources to fulfil this provision. These extra funds would enable embassies and consulates to increase staff numbers, train officials and expand the services they offer. The embassies would then also have the capacity and resources to provide more mediation support between employers and workers.

## RECRUITMENT AGENCIES/ BANGLADESH ASSOCIATION OF INTERNATIONAL RECRUITING AGENCIES

### 1. Implement the code of conduct to protect workers and monitor compliance

The Bangladesh Association of International Recruiting Agencies (BAIRA) has drafted a code of conduct for recruiting agencies which has been submitted to government for approval.

---

...recruitment agencies need to create a mechanism to ensure that compliance with the code [of conduct] is regularly assessed and reports are sent to the executive committee of BAIRA

---

The code commits agencies to protecting women workers in all phases of the recruitment process and recognizes the distinct challenges and responsibilities related to foreign recruitment.

Once the code is approved, recruitment agencies need to create a mechanism to ensure that compliance with the code is regularly assessed and reports are sent to the executive committee of BAIRA.

### 2. Promote the Standard Terms of Employment

BAIRA is the chair of the Alliance of Asian Associations of Overseas Employment Service Providers and plays a crucial role in advocating for standard terms of employment for women domestic workers.

BAIRA should make full use of its role and become an effective platform for sharing experiences, exchanging views and generating dialogue on the standard terms of employment.

By encouraging social dialogue between the government, BAIRA and civil society organizations, a national-level strategy could be formulated. This strategy could use the standard terms of employment template as a reference point to ensure that the strategy can be implemented within the global political sphere.

### **3. Train recruitment agencies to adopt gender-sensitive practices**

A UN Women study<sup>4</sup> on the ethical practices of recruitment agencies, conducted in 2014, revealed that agencies did not have a common understanding of the gender-sensitive language recommended for contract agreements.

BAIRA should organize training for recruitment agencies on gender-related national and international treaties, policies and conventions so they can develop their own protection, safety and remediation mechanisms for migrant workers.

Agencies need to be able to provide jobseekers with accurate details of working conditions in the host country, including the nature of the work, wages, benefits and duration of contracts. However, this information needs to be gender-sensitive so any training needs to include guidelines on gender sensitivity.

---

<sup>4</sup>Conducting a review of standard practices of recruiting agencies for ethical recruitment, under Strengthening labour migration management capacities in Bangladesh, Indonesia, Nepal and the Philippines for replication in other Colombo Process Member States, project of IOM funded by European Union, November 2014

## **CIVIL SOCIETY ORGANIZATIONS**

### **1. Campaign for regulated and safe migration**

Civil society organizations play a critical role in raising awareness about migrant women workers, both at home and abroad, and advocating for safe migration as a key to realizing the full benefits of migration.

These organizations, in collaboration with the government and particularly with the District Employment and Manpower offices (DEMO) and union council information centres, should campaign to encourage any workers who are planning to migrate to follow the legal channels to ensure regulated and safe migration. Working in collaboration with local administration, intensive campaign activities need to be planned with a long-term vision. By increasing the volume and frequency of activities and extending coverage, the campaign could have a long-lasting effect on the welfare of migrant workers. Border districts and sub-districts (upazillas), which are more vulnerable, should also be specifically targeted in the campaign.

### **2. Collaborate with recruitment agencies and government**

Strengthening partnerships, cooperation and collaboration between civil society organizations, recruitment agencies and government is crucial in protecting the rights of migrant workers. The cumulative experience of these partners in designing effective capacity-building programmes could be used to develop a blueprint for human rights based and gender-responsive pre-departure orientation sessions and pre-decision briefings to be held at community level. These closely-monitored sessions need to include financial literacy education and basic banking training to help women migrants better manage their earnings.

Civil society organizations could strengthen their social and economic reintegration support for returnee migrants, providing advice and information for women returnees on managing their money and understanding the opportunities available to them.

### 3. Strengthen psychosocial support

The UN Women pilot<sup>5</sup> on return and reintegration showed how important it is to institutionalize the trauma centre services in shelter homes and to sensitize staff on delivering gender-responsive, psychosocial support to women survivors in these homes.

Civil society organizations, in collaboration with the National Trauma Counselling Centre under the Ministry of Women and Children Affairs should strengthen the psychosocial support and referral services for women migrants who have experienced abuse or violence.

## UNITED NATIONS AND DEVELOPMENT PARTNERS

### 1. Strengthen existing partnerships to protect workers

The Migration Working Group, Dhaka<sup>6</sup> was formed to enhance coordination between the development partners on migration issues. Using the leverage of this platform, current collective dialogue and advocacy work for exploitation-free and safe labour movement between Bangladesh and countries of destination, can be reinforced.

<sup>5</sup>Piloting comprehensive reintegration support to returnee women migrant workers in 2015, under the International Labour Organization project on Decent work, funded by the Swiss Agency for Development.

<sup>6</sup>The purpose of the Migration Working Group (MWG) is to support and complement the efforts of the Government of Bangladesh and other related stakeholders and promote joint policy positions, research and interventions on migration in Bangladesh. The MWG is open to all development partners and United Nations and other international organizations, including those that are already active on the issue globally, regionally and in Bangladesh.

More cooperation between the United Nations agencies and other agencies would ensure that women migrant workers are more effectively protected through the various projects and programmes in Bangladesh.

---

More cooperation between the United Nations agencies and other agencies would ensure that women migrant workers are more effectively protected...

---

### 2. Implement a Comprehensive Information and Orientation Programme to support migrant workers

The Comprehensive Information and Orientation Programme (CIOP), endorsed by the Abu Dhabi Dialogue, includes two major elements. Firstly it covers the development of regional pre-departure orientation modules to provide practical information to migrant workers about working in a particular foreign environment, including information on their rights and on how to access these rights. United Nations agencies and government need to collaborate on researching and producing these regional pre-departure orientation modules to ensure they take into account the different situations workers will encounter in each labour-receiving country and the specific issues that may arise in certain categories of work.

The second key aspect of the programme is the development of an efficient and effective programme management system. This will ensure that the quality of the pre-departure orientation training is monitored, the trainers are well-qualified, the content and duration of the courses are standardized and appropriate, and there are regular and accessible sessions to ensure that all migrant workers have the opportunity to attend.

Considering the coordination and cooperation involved both within the country and with the labour-receiving countries, sharing and accessing up-to-date information is a vital aspect of managing migrant labour. To this end we need to build on current national and bilateral initiatives to increase the use of information technology in managing labour mobility. The MUSANED platform, set up by the Ministry of Labour and Social Development of the Kingdom of Saudi Arabia, has proved to be effective in contracting and deploying domestic workers from Bangladesh to the Kingdom of Saudi Arabia. Conducting an in-depth review of this platform,<sup>7</sup> using a gender lens and with technical support from United Nations agencies, would give us some insight into how to set up and expand on platforms of this nature and use them to address the needs of women migrant workers.

### **3. Ensure the gender-responsive Global Compact on Migration is effectively incorporated**

United Nations agencies and other development partners have used various interventions to facilitate national dialogue and generate regional discussion on the global compact on migration, due to be adopted in 2018. For example, the Swiss Agency for Development and Cooperation (SDC) has set up the SDC Migration Network so countries can share experiences and exchange ideas.

United Nations agencies need to continue promoting dialogue on the gender-responsive Global Compact and gathering inputs from stakeholders at various levels. Providing a forum that member states, United Nations agencies, international non-governmental organizations and civil society can use to explore methods and collaborative approaches will ensure that the compact is fully incorporated into development goals, and the Agenda 2030 goals and targets are achieved.

United Nations agencies could help the Government of Bangladesh to analyse its policies and uphold its position at national, regional and international levels. More effort and attention are required to leverage the potential of south–south cooperation for migration at national, regional and inter-regional levels.

---

<sup>7</sup>MUSANED is an online recruitment system for domestic workers introduced by the Kingdom of Saudi Arabia

## REFERENCES

- Afsar R (2011). 'Contextualizing gender and migration in South Asia: critical insights'. *Gender Technology and Development* (15) 3: 389-410.
- Contributions of migrant domestic workers to sustainable development. Bangkok, Thailand: UN Women Asia Pacific regional office (2013) Available at [https://sydney.edu.au/arts/sociology\\_social\\_policy/docs/news/MDW\\_Final-April\\_12.pdf](https://sydney.edu.au/arts/sociology_social_policy/docs/news/MDW_Final-April_12.pdf)
- D'Alconzo G et al. (2005). cited in Good practices to protect women migrant workers: High-level government meeting of countries of employment: 1-2 December 2005, Bangkok, Thailand. Bangkok: UNIFEM East and South-East Asia Regional Office.
- D'Cunha J (2005). Claim and celebrate: women migrants' human rights through CEDAW, the case of women migrant workers. A UNIFEM briefing paper. New York: UNIFEM cited in UN Women (2007) Migration of women workers from South Asia to the Gulf. New Delhi: V.V. Giri National Labour Institute & UN Women.
- General Economics Division (GED) (2016). A handbook: Mapping of ministries by targets in the implementation of SDGs aligning with 7th Five Year Plan (2016-20). Dhaka: Bangladesh Planning Commission.
- Global Forum on Migration and Development (GFMD) (2011). Domestic workers at the interface of migration and development: action to expand good practice. Background paper. GFMD thematic meeting organized and hosted by the Government of Ghana, in partnership with the GFMD Swiss Chair In Office, UN Women, the African Diaspora Policy Network and the Migration Policy and Advocacy Network Accra, Ghana 21-22 September 2011.
- (2012). Concept note: International migrant domestic care workers at the interface of migration and development: action to expand global practice in the Asian Region 15-16 October 2012 Manila, Philippines. Manila: GFMD and Department of Foreign Affairs, Philippines.
- International Labour Organization (ILO) (2015). Global estimates on migrant workers and migrant domestic workers: results and methodology. Geneva: ILO Department of Statistics. Available at: [http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/publication/wcms\\_436343.pdf](http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/publication/wcms_436343.pdf)
- (2015). Domestic work Policy Brief 9: Making decent work a reality for migrant domestic workers. Geneva: ILO. Available at: [http://www.ilo.org/wcmsp5/groups/public/---ed\\_protect/---protrav/---travail/documents/publication/wcms\\_436974.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---travail/documents/publication/wcms_436974.pdf)
  - (2010). Decent work for domestic workers. Geneva: ILO. Available at [http://www.ilo.org/wcmsp5/groups/public/@ed\\_norm/@relconf/documents/meetingdocument/wcms\\_104700.pdf](http://www.ilo.org/wcmsp5/groups/public/@ed_norm/@relconf/documents/meetingdocument/wcms_104700.pdf)
  - (2009). Protecting the rights of migrant workers: a shared responsibility. ILO: Geneva.
- Kabeer N (2007). cited in Migration of women workers from South Asia to the Gulf. New Delhi: V.V. Giri National Labour Institute & UN Women South Asia Sub Regional Office.
- Kawar M (2003). 'Gender and migration: Why are women more vulnerable?'. In F. Reysoo and C. Verschuur (2004). *Femmes en mouvement: genre, migrations et nouvelle division internationale du travail*. Geneva: Graduate Institute Publications. Available online at: [http://graduateinstitute.ch/files/live/sites/iheid/files/sites/genre/shared/Genre\\_docs/2865\\_Actes2004/10-m.kawar.pdf](http://graduateinstitute.ch/files/live/sites/iheid/files/sites/genre/shared/Genre_docs/2865_Actes2004/10-m.kawar.pdf)
- Migrant Forum Asia (MFA)(undated) Policy Brief No.1 Standardized contract for migrant domestic workers. MFA: Quezon City, Philippines. Available at: [http://mfasia.org/migrantforumasia/wp-content/uploads/2012/07/standardizedcontract\\_final.pdf](http://mfasia.org/migrantforumasia/wp-content/uploads/2012/07/standardizedcontract_final.pdf)
- Min Harris C (2008). 'Youth migration and poverty in sub Saharan Africa: empowering the rural youth'. In *Topical Research Digest: Human Rights in Sub Saharan Africa*. Denver: University of Denver. Available online at: <http://www.du.edu/korbel/hrhw/researchdigest/africa/YouthMigration.pdf>
- Omelanuik I (2005). 'Gender, poverty reduction and migration'. Paper presented at the International Conference for Women Leaders, Haifa, September,

2005. Available online at: <http://siteresources.worldbank.org/EXTABOUTUS/Resources/Gender.pdf>;
- Petrozziello A (2013). Gender on the move: working on the migration development nexus from a gender perspective. Santo Domingo, Dominican Republic: UN Women. cited in A. Fleury (2016) Understanding women and migration: a literature review. Washington: KNOMAD, Global Knowledge Partnership on Migration and Development.
- Rahman MDM (2011). 'Bangladeshi migrants in the UAE: gender differentiated patterns of migration experiences'. *Middle Eastern Studies* 47( 2): 395-411.
- Ramagoshi M (2005). 'Migrant domestic workers in South Africa: key concerns and recommendations and strengths and limitations of the law'. Paper presented to the CEDAW Expert Group Meeting, October 21–22, 2005, Manila, Philippines.
- Sabban R (2002). Migrant women in the United Arab Emirates: the case of domestic workers. ILO GENPROM series, Gender and Migration. Geneva: ILO. page 40.
- Shamim I (2011). Role of recruiting agencies in the recruitment process to ensure safe migration in order to prevent human trafficking. Dhaka: Winrock International and USAID.
- Temin M, M Montgomery, S Engebretsen and K Barker (2013). Girls on the move: adolescent girls and migration in the developing world. New York: Population Council. page 8. [http://mfasia.org/migrantforumasia/wp-content/uploads/2012/07/standardizedcontract\\_final.pdf](http://mfasia.org/migrantforumasia/wp-content/uploads/2012/07/standardizedcontract_final.pdf)
- The Government of the People's Republic of Bangladesh (GoB) (2015). Probashi manual (in Bangla) third edition. Dhaka: Ministry of Expatriates' Welfare and Overseas Employment.
- (2011) National Skills Development Policy – 2011. Dhaka: Ministry of Education.
- The Government of the People's Republic of Bangladesh. General Economics Division (GED) (April 2012). Perspective Plan of Bangladesh 2010-2021: making Vision 2021 a reality (final draft). Dhaka: Planning Commission.
- Timothy R and SK Sasikumar (2012). Migration of women workers from South Asia to the Gulf. New Delhi: V.V. Giri National Labour Institute and UN Women South Asia sub-regional office.
- United Nations (2000). Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. New York, 15 November, available at: <https://www.osce.org/odihr/19223?download=true>
- United Nations Development Programme (UNDP) (2008). HIV vulnerabilities of migrant women: from Asia to the Arab states, shifting from silence, stigma and shame to safe mobility with dignity, equity and justice. Colombo, Sri Lanka: UNDP Regional Centre.
- UN Economic and Social Council (ECOSOC) (2016). Commission on the Status of Women: report on the 60th session (20 March 2015 and 14-24 March 2016), 2016, E/2016/27-E/CN.6/2016/22, available at: <http://www.refworld.org/docid/573coe8e4.html> [accessed 12 September 2017].
- United Nations General Assembly (2016). Report of the Secretary General on international migration and development. General Assembly, seventy-first session, 4 August. New York: United Nations. Available online at: [http://www.un.org/en/development/desa/population/migration/generalassembly/docs/A\\_71\\_296\\_E.pdf](http://www.un.org/en/development/desa/population/migration/generalassembly/docs/A_71_296_E.pdf)
- United Nation (2015). Resolution adopted by the General Assembly on 25 September 2015 Transforming our world: the 2030 Agenda for Sustainable Development. Available at: <http://www.un.org/sustainabledevelopment/development-agenda/>
- UNIFEM (now UN Women) (2005). Good practices to protect women migrant workers. Bangkok: UN Women East and South-East Asia regional office.
- UN Women (2013). Review of laws, policies and regulations governing labour migration in Asian and Arab states: a gender and rights based perspective. Bangkok: UN Women Asia Pacific regional office. Available at <http://asiapacific.unwomen.org>
- UN Women and the Commission on the Status of Women (CSW) (2016). Women's empowerment and the link to sustainable development: 2016 Commission on the Status of Women agreed conclusions. New York: UN Women and CSW.

UN Women and ILO (2015). Valuing the contributions of women migrant workers in ASEAN. Women's labour migration in ASEAN Policy Brief series. Bangkok: UN Women Asia Pacific regional office and ILO regional office for Asia and the Pacific with Australian Aid.

UN Women and the International Trade Union Confederation (ITUC) (2013). Domestic workers count too: implementing protections for domestic workers – a briefing kit. New York and Brussels: UN Women and International Trade Union Confederation. Available online at: [http://www.unwomen.org/~media/Headquarters/Attachments/Sections/Library/Publications/2013/3/UNWomen\\_IUTC\\_Factsheets%20pdf.pdf](http://www.unwomen.org/~media/Headquarters/Attachments/Sections/Library/Publications/2013/3/UNWomen_IUTC_Factsheets%20pdf.pdf)

UN Department of Economic and Social Affairs (UNDESA) (2015). Trends in international migration, 2015 Population Facts No.2015/4. Available at: [http://www.un.org/en/development/desa/population/publications/pdf/popfacts/PopFacts\\_2015-4.pdf](http://www.un.org/en/development/desa/population/publications/pdf/popfacts/PopFacts_2015-4.pdf)

United Nations International Research and Training Institute for the Advancement of Women (INSTRAW) and the International Organization for Migration (IOM) (2000). Temporary labour migration of women: case studies of Bangladesh and Sri Lanka. Santo Domingo, Dominican Republic: INSTRAW/IOM.

## **WEBSITES**

Bangladesh Bureau of Manpower, Employment and Training: <http://www.bmet.org.bd>

Colombo Process: <http://www.colomboprocess.org/>

Global Forum on Migration and Development: <http://www.gfmd.org/docs/bangladesh-2016>

International Domestic Workers Federation (IDWFED): <http://idwfed.org/en/updates/bangladesh-cabinet-clears-draft-policy-to-protect-domestic-workers-rights>

International Labour Organization (ILO): <http://www.ilo.org/global/standards/introduction-to-international-labour-standards/conventions-and-recommendations/lang--en/index.htm>

International Organization for Migration (IOM): [http://www.iom.int/jahia/webdav/shared/shared/mainsite/microsites/rcps/abudhabi/abu\\_dhabi\\_declaration\\_english.pdf](http://www.iom.int/jahia/webdav/shared/shared/mainsite/microsites/rcps/abudhabi/abu_dhabi_declaration_english.pdf) Office of the United Nations High Commissioner for Human Rights <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CMW.aspx>

Office of the United Nations High Commissioner for Human Rights (OHCHR) <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CMW.aspx>.

Project 189: <https://project-189.org/2014/05/12/musaned-a-program-to-protect-domestic-workers-by-the-mol-from-the-kingdom-of-saudi-arabia/>

Shareweb: <https://www.shareweb.ch/site/Migration/sdcs-topics-in-migration/migration-and-development/labour-migration-and-decent-work/the-expatriates-welfare-and-overseas-employment-policy-approved-in-bangladesh>

United Nations Office on Drugs and Crime (UNODC) : [https://www.unodc.org/documents/treaties/Special/2000\\_Protocol\\_to\\_Prevent\\_2C\\_Suppress\\_and\\_Punish\\_Trafficking\\_in\\_Persons.pdf](https://www.unodc.org/documents/treaties/Special/2000_Protocol_to_Prevent_2C_Suppress_and_Punish_Trafficking_in_Persons.pdf)

UN Women: <http://www.un.org/womenwatch/daw/cedaw/>





Schweizerische Eidgenossenschaft  
Confédération suisse  
Confederazione Svizzera  
Confederaziun svizra

Swiss Agency for Development  
and Cooperation SDC

