



Country Report

**ACTIONS TAKEN BY THE MINISTRY OF EXPATRIATES'
WELFARE AND OVERSEAS EMPLOYMENT FOR THE
PREVENTION OF ILLEGAL MIGRATION**

2015

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Formulation of the Act/Rules-Regulations: Government has reformed acts, rule and government instructions relating to migration for the development of processes for the management of worker migration in order to make migration process easier and safer. Previously in the name of management of migration the Emigration Act 1922 and the Emigration Ordinance, 1982 were followed. In order to make contemporary of the ordinance Overseas Employment and Migrants Act 2013 were enacted. With a view to ensure legitimate and safe migration and migrant workers' rights compulsory registration, electronic manpower clearance (smartcard) receiving, accountability and responsibility of recruiting agencies and evaluation of their activities, prevention of illegal activities of middlemen/broker and punishment procedures, recognition of victims of fraud for entitled legal aid have been incorporated in this Act. As well as prevention of illegal migration and factor of redress the affected worker has also been integrated here.

Vigilance Task Force's Operations: Vigilance Task Force conducts operations in specified lawful routes of migration and other places to prevent illegal migration of worker. The main goal of the operation is to protect worker from deception and not to go abroad illegally with high migration cost. In the process of VTF operation in view of ensuring lawful departure workers waiting in immigration line at the airport are randomly selected for verifying their documents such as passport, employment visa of receiving country, employment and manpower clearance of BMET. The documents are seized and stop departure in case of without having necessary documents of an illegal migrant. Advice/guidance is given to worker to go abroad in legal way having registration and manpower clearance (smartcard) from BMET. Officers of Probashi Kollan Desk at airport regularly check whether workers have manpower clearance (smartcard) and registration of BMET or not. During the operations held by VTF and Probashi Kollan Desk 934 passengers' journeys were canceled within the period of July 2014 to June 2015.

Table 1. Description of Vigilance Task Force's Operations:

Year	Operations (Number)	Place of Operations	Illegal Migrant Detained (Number)
2012	08	Hazrat Shahjalal International Airport, Dhaka	4
2013	01	Hazrat Shahjalal International Airport, Dhaka	-
2014	08	Hazrat Shahjalal International Airport, Dhaka	-
2015	09	Hazrat Shahjalal International Airport, Dhaka, Recruiting Agency: Labib International and Patriate International and Travel agency: Al-habib Travels and	35

Vigilance Task Force's Observations:

- (a) Every day numerous young with three types of visa (student/tourist/Employment Pass) depart towards, Malaysia, Sri Lanka, Maldives and Indonesia for overseas employment through Hazrat Shahjalal International Airport in different flight of Malaysian Airlines, Air Arabia Airways, Biman Bangladesh Airlines, Malinda Airlines, Singapore Airlines, etc. At time of interviews the young having student and visits visa expressed that they used these countries as transit countries to go for work especially in Malaysia. A syndicate is active to provide student visa for Malaysia without necessary qualifications and academic qualifications.
- (b) Currently there is no Maldives High Commission in Bangladesh and Maldives use to issue tourist visa on arrival basis. Primarily it seems that Maldives tourist visa for of detained worker have seemed to be faked.
- (c) It has been observed that a good number of workers only having "Employment Pass" visa without clearance and smartcard of BMET are showing their tendency to migrate to Malaysia and various countries.
- (d) Most of the persons going abroad with student visa most of them are illiterate/less educated having no qualification for higher education or have any offer letter from foreign educational institution or essential documents but they cross the immigration regularly.
- (e) Most of the visit visas holder's clothing, behavior, speech and the amount of money they have required for the trip do not prove them as tourist. Though they are worker but crossing over immigration having tourist visa and afterward they are engaged in various illegal activities.
- (f) Workers having student/tourist visa willing to go to abroad a separate employment visa stamp has found by checking their baggage. Workers make use Nepal, Singapore, Sri Lanka, Indonesia and Malaysia as transit passage to go to Malaysia using employment visa.
- (g) Lack of information about the enactment of "Overseas Employment and Migrants Act 2013" and the lack of coordination among concerned different authorities to prevent illegal migration.
- (h) It was observed that immigration police at the airport was little more concern about prevention of illegal worker department. Young people holding visit visa/student visa was not properly questioned by the enforcement agencies.
- (i) Lack of cooperation and coordination among different authorities and insufficient awareness at the time of verification for clearance to depart has also been observed.

Recommendations of Vigilance Task Force Operations:

Immigration Police of Ministry of Home and Probashi Kollan Desk of Expatriates' Welfare and Overseas Employment must follow the provision of and Human Trafficking Prevention Act 2012 and Overseas Employment and Migrants Act 2013;

- Immigration Police has to assist the activities of Probashi Kollan Desk at the time of worker's departure;
- There must be a provision of showing latest income tax certificate in case of tourist at the time of departure;
- Introduce a process of giving clearance certificate by Education Ministry in case student visa;
- A system may be introduced on mandatory online registration system for every passenger going abroad;
- Immigration police should proceed on proactive inquiry for taking action against fake visa or passport holder;
- It seems to be suspicious that every day a huge number of passenger trend to visit to Sri Lanka and Maldives for work. This matter should be taken into account by the Home Ministry, Foreign Ministry and Expatriates' welfare Ministry;
- In order to monitor the movement of persons who are going abroad without BMET's manpower clearance carrying student visa, visit visa and employment pass (without smartcard) an observation team may be sent abroad; and
- Immigration authority of airport must send the list of returnee worker who come back within one month of departure.

Limitations of Vigilance Task Force: Ministry of Expatriates' Welfare and Overseas Employment has already informed the above observation to the concern ministries for necessary actions. On the basis of the recommendations of task force in contrast to obtain irregularities made by the Vigilance Task Force operation, a letter has been issued by The Ministry of Expatriates' Welfare and Overseas Employment requesting the Home Ministry to identify the persons involved in human trafficking and to bring them under the law and to seek assistance from immigration police of international airports. Because of taskforce operations illegal migration for the purpose of employment has largely been reduced. However, due to several problems state below dynamic management of Vigilance Task Force being interrupted:

- Lack of immediate and accurate information;
- Lack of required manpower and logistic supports;
- Lack of coordination among of the task force members/institutions and institutions related to migration; and

- Exploited persons willing to go abroad are generally reluctant to file complaints.

Mobile Court Operation: In order to punish by taking cognizance illegal migration-related offenses narrated in section 32 and 35 of Overseas Employment and Migrant Act 2013 immediately sections are included in the schedule of Mobile Court Act 2009. In addition, a letter has been issued from The Ministry of Expatriates' Welfare and Overseas Employment to the Home Ministry for inclusion of section 31, sections 33 and 35 of the same Act in the Mobile Court Act 2009's schedule.

Take Legal Action Against the Middlemen Engaged in Illegal Migration. Ministry has requested Home Ministry and BMET several times to investigate under the provision of section 38 of Migrant Act and file suit against middlemen/ broker in the judicial magistrate court on the basis of information/complaints obtained from illegally migrating workers. BMET was requested by the Ministry to take legal action against 88 middlemen for assistance of illegal migration in year 2015. Advertisement in several daily newspapers regarding confirm job opportunity/part-time work/work permit in Malaysia and several countries and tempted to collect money illegally are brought into attention to take measures to stop illegal advertising. In the meantime, in view of prevention of workers willing to go abroad through illegal advertising violating the Migrants Act Ministry has issued several show cause notice to the Recruiting Agency/Visa Consultancy and case file against them. Ministry has sent demi-official letter to all District Magistrate in different time for making operation under the provision of Migrants Act and The Mobile Court Act 2009. Moreover, Rapid Action Battalion (RAB) of police department conduct their operation in coordination with Expatriates' Welfare ministry.

Suspension/Cancellation of Recruiting Agency's License: According to the section 12 and 18 of Migrants Act for assisting in the process of illegal migration by deception activities as penalizing action against licensed recruitment agency's license must be suspended or canceled after being proved guilty. Out of 1300 recruiting agencies 940 are active now and rest of the agencies are not active because of suspension or cancellation by the ministry.

Table 2. Recruiting license are canceled and suspended:

Year	Number of License Canceled/ Suspended
2007	12
2008	40
2009	07
2010	28
2011	22
2012	15
2013	19
2014	16
2015	11

Receiving Complaints and Settlement: After the formation of Monitoring and Enforcement Wing in the Ministry number of complaints is received and number of settled is stated below:

Table 3. Statistics of Complaints and Settlement in Monitoring and Enforce Wing:

Year	Number of Complaints	Number of Settlement
2012	03	03
2013	04	04
2014	06	06
2015	21	17


Reducing Costs of Migration: Migration cost is very high in Bangladesh among south Asian countries because of excessive profits earned by middlemen/brokers. Workers often try to go abroad in illegal way due to the excessive cost and compel to stay in foreign country engaging in criminal activities. Ministry has been formed committee to limit the migration cost under the provision of Section 21 of Migrants Act. Recently Bangladesh and Saudi Arabia has signed an agreement of female employment for domestic work in February 2015 through private recruitment agency under the control of government. Due to this agreement deceitful activities of middlemen and migration costs will be reduced significantly.

Supervision of Female Workers Migration: Bangladeshi female are going to United Arab Emirates, Jordan, Lebanon, Qatar, Oman, Hong Kong and Singapore as domestic workers, garment workers, cleaner or workers employed in the various profession in factories. Government has taken various initiatives to protect female worker from exploitation or harassment or trafficking in the name of employment and ensure women's safety, rights and welfare considering enormously important and sensitive issue of female worker's overseas employment. Recently Rapid Action Battalion (RAB) has investigated two female trafficking cases in which more than 80 females were bound to go Jordan and Qatar and they are victim of trafficking. After getting inquiry report of two cases (case no 50/2015 and 31/2015) from RAB Ministry of Expatriate Welfare and Overseas Employment has suspended seven human trafficker recruiting agencies' license.

Public Awareness Activities: Ministry has taken different initiatives stated below regarding public awareness on legal migration and adverse consequences of illegal migration and human trafficking:

- Bureau of Manpower, Employment and Training (BMET) has prepared two CD/DVD of drama/documentary for preventing illegal migration through dissemination by various electronic media. These dramas/documentaries are being broadcast on various TV channels. CD/DVD of drama/documentary will be sent to every digital union centers and municipalities for broadcasting;

- In view of increase public awareness on legal migration as well as adverse consequences of illegal migration and human trafficking, placing billboards across the country, promoting public notice in the newspapers and special interviews in print and electronic media are being arranged;
- In order to create public awareness at the local level Ministry has been sent to demi-official letter to all Deputy Commissioner (DC) in different times to activate the district, upazila and union level committees for preventing human trafficking;
- To raise awareness about the subject matter of safe migration and migration cost and staying in receiving country is being done by conducting seminar, meetings and rallies in national and local like in every International Migration Day and publicity is done by print and electronic media;
- To encourage people about legitimate sending of domestic workers to Saudi Arabia especially in minimum migration cost 'Job Fair' was held all over the country in May 24-30 of the year 2015 involving local elites and people's representatives;
- Honorable Minister, Secretary and senior officials are attending in motivational meetings in order to raise public awareness at the national and local level; and
- Recently, Joint Secretary (Monitoring and Enforcement) of Expatriates' Ministry has given lecture on illegal migration and its legal issues at 'Prevention and Suppression of Human Trafficking District committee's meeting at the office of District Magistrate of Sylhet and Cox's Bazar in order to increase public awareness.


T. Q. 20/6

খালিল আহমদ
উপসচিব
প্রবাসী কল্যাণ ও বৈদেশিক কর্মসংস্থান মন্ত্রণালয়
গণপ্রজাতন্ত্রী বাংলাদেশ সরকার।