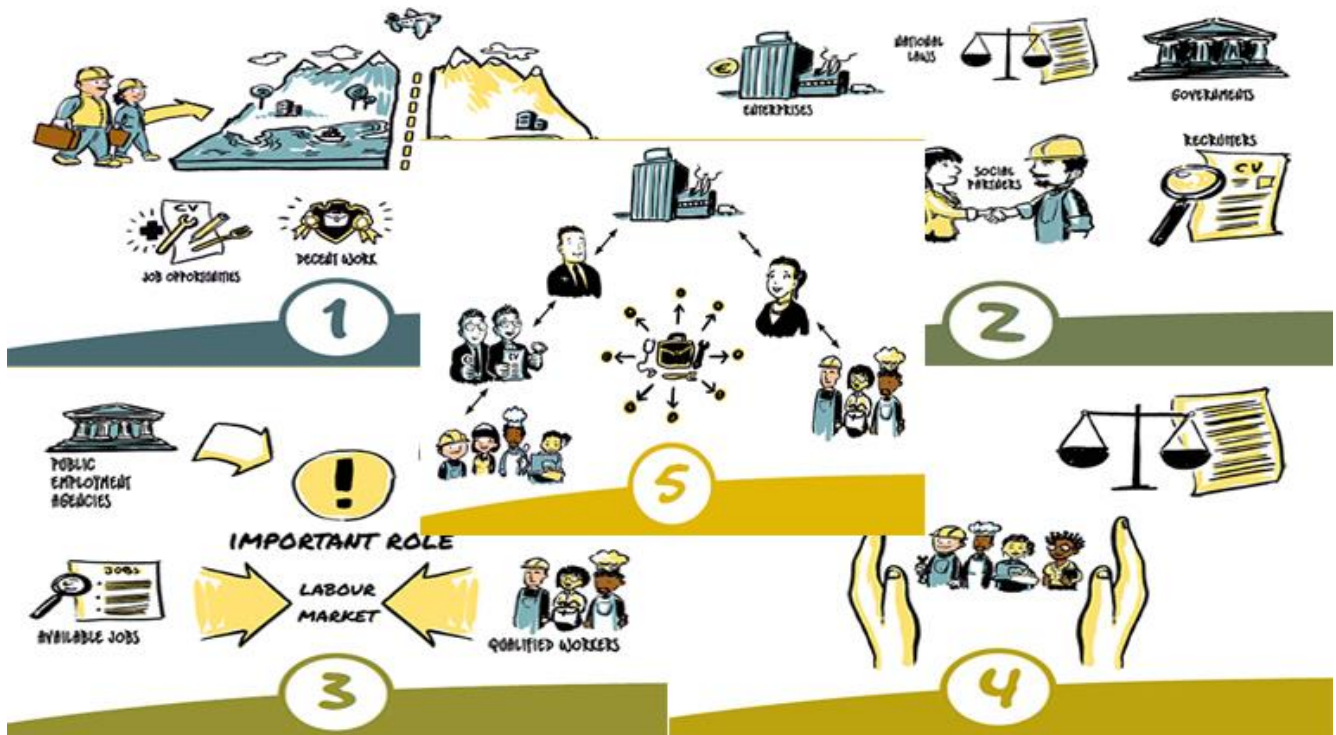


Training Module on Fair and Ethical Recruitment of Migrant Workers Bangladesh



**SOUTH ASIAN REGIONAL TRADE UNION COUNCIL
KATHMANDU, NEPAL**

Background

The labour migration history of Bangladesh has been marked by significant waves of emigration. The trend began during the colonial period when Bangladeshi labourers were recruited for various jobs in British colonies, including tea plantations in Assam and construction projects in the Middle East.

Following Bangladesh's 1971 declaration of independence, labour migration persisted due to foreign economic prospects. Bangladeshi migrant labourers increasingly found work in the domestic and construction industries in the Middle East, particularly in Saudi Arabia and the UAE. Remittances sent back by these workers became a crucial source of foreign exchange for the country.

In recent decades, labour migration has increased and now affects a larger range of nations, including some Western and Southeast Asian countries. Every year, around 500,000 Bangladeshis leave the country to work abroad, and the economy of Bangladesh depends on the emigrants' remittances. While remittances continue to be crucial to Bangladesh's economy, concerns have been raised about the rights and welfare of migrant workers, including problems like exploitation, subpar working conditions, and human trafficking.

Therefore, it is quintessential for trade unions, civil society organisations, and governments to work together to ensure the protection and promotion of the rights of migrant workers and their welfare in both countries of destination and country of origin. Though the government of Bangladesh has taken steps to regulate and protect its overseas workers, problems still exist. Overall, the labour migration history of Bangladesh reflects the country's efforts to apply global economic opportunities while navigating the complexities of safeguarding its citizens working abroad.

The training course:

To reinforce and institutionalize labour migration governance in Bangladesh SARTUC and MFA will be developing a comprehensive training manual based on these ILO general principles to empower and capacitate trade union leaders, CSO leaders, women leaders and employers such as NAFEA and BAIRA on safe migration of South Asian migrant workers through the fair recruitment process.

Objectives of the training:

At the end of the training participants shall be able to:

- ❖ Explain the conceptual framework of labour migration in the South Asian Region and Bangladesh
- ❖ Explain Fair Recruitment in labour migration
- ❖ Apply global standards for fair recruitment including guidelines as set by the ILO
- ❖ Explain and apply the legal framework and the labour migration governance in Bangladesh and Fair Recruitment of migrant workers in Bangladesh Laws and Policies
- ❖ Apply the knowledge and skills from the training on professional grounds in a real-time context.

Schedule of the Training on Fair and Ethical Recruitment of Migrant Workers

Time and date	Content		Aids/Materials
Day 1			
09:00-09:15	Registration Participants take seats		Registration Daily Attendance
09:15-09:30	Inauguration session Welcome address by the course coordinator, lead facilitator and special guest		
09:30-10:00	Introduction to each other	Ice breaking games	
10:00-10:30	<ul style="list-style-type: none"> ▪ Collection of expectations from the participants ▪ Sharing of the objectives of the training 	VIPP Card and Projection	PowerPoint
10:30-10:45	Video Documentary on Fair Recruitment of Migrant Workers <i>(The ILO General Principles for Fair Recruitment - long version – 06:48 minutes video)</i>	Projection Discussion	Audio-visual material
10:45-11:15	Tea Break		
11:15-01:00	1. Labor Migration: Bangladesh Scenario <ul style="list-style-type: none"> ▪ Present Situation ▪ migration Outflow ▪ Remittance Inflow ▪ Main Destination Countries ▪ Type of Job 	Participatory Discussion PowerPoint Presentation	Handouts
01:00-02:00	Lunch		
02:00-03:30	2. Regulatory Framework to Govern Migration in Bangladesh <ul style="list-style-type: none"> ▪ Overseas Employment and Migration Act- 2013 ▪ Wage Earners' Welfare Board Act- 2018 ▪ Expatriates' Welfare and Employment Policy- 2016 ▪ Overseas Employment and Immigration Management Rules- 2017 ▪ License of Recruiting Agencies Rules- 2019 ▪ Fair Recruitment in 8th Five-Year Plan 	Participatory Discussion PowerPoint Presentation	Handouts
03:30-03:45	Tea break		
03:45-04:45	3. Role of Trade Unions and Other Stakeholders in Migration <ul style="list-style-type: none"> ▪ Actors in the Migration Process ▪ Role of Trade Unions ▪ Role of Civil Society Organizations ▪ Role of Government Agencies 	Participatory Discussion PowerPoint Presentation	Handouts
04:45-05:00	Days evaluation and discussion on days reporting for recap on the next day	Evaluation	VIPP Card Poster Paper
Day 2			

Time and date	Content		Aids/Materials
09:00-09:30	Recap		
09:30-10:45	<p>4. International Initiatives for Fair Recruitment</p> <ul style="list-style-type: none"> ▪ ILO Conventions ▪ ILO General Guiding Principles and Operational Guidelines ▪ GCM ▪ Abu Dhabi Dialogue ▪ Colombo Process ▪ SDG 	<p>Participatory Discussion</p> <p>PowerPoint Presentation</p>	Handouts
10:45-11:15	Tea Break		
11:15- 01:00	Case Study	Live	
01:00-02:00	Lunch Break		
02:00-03:00	<p>5. Risks and Challenges in Fair Recruitment</p> <ul style="list-style-type: none"> ▪ Basics of Fair Recruitment ▪ ILO Fair Recruitment Strategies ▪ Risk Factors for Exploitive Recruitment Practices ▪ Challenges of Fair Recruitment in Labour Migration in Bangladesh ▪ Ways to Promote Fair Recruitment in Labour Migration in Bangladesh 	<p>Participatory Discussion</p> <p>PowerPoint Presentation</p>	Handouts
03:00-03:30	Group Work: Role of Trade Union in promoting fair recruitment (<i>30 minutes</i>)	Brainstorming Small Group Work	Group Work Guidelines
03:30-04:00	Tea break		
04:00-04:30	Planning and preparing an advocacy action plan	Discussion and Planning	Template/format for planning
04:30-05:00	Course Evaluation	Evaluation	Evaluation questions
05:00	Closing		

Inauguration and setting tunes



Sub-sessions





- **Inauguration**
- **Knowing each other**
- **Sharing objectives and expectations and setting ground rules**
- **Documentary projection**







Inauguration







A quick orientation session that lasts about 15 minutes will start off the training. The Lead Facilitator and the Course Coordinator will each give a brief welcome speech.

Special guests and a primary guest are scheduled as decided by the organizers. The distinguished visitor will inspire the participants with a speech. The principal visitor will give an address to formally begin the training.

SESSION TITLE 	INTRODUCTION TO EACH OTHER
OBJECTIVES 	<ul style="list-style-type: none">▪ Allow participants to get to know each other;▪ Understand participants' expectations and clarify whether these expectations can be met or not during the training program;▪ At the end of this session, the participants will be able to know each other in depth.▪ Ice-breaking activities would develop a training-friendly environment.▪ Understanding the participants with each other will help build a team, a prerequisite for effective training.▪ Because participants share some personal information (item D of the flipchart), this activity will contribute to encouraging openness and trust within the group

<p>METHODS AND MATERIALS</p> 	<ul style="list-style-type: none"> ▪ One flipchart paper for each participant ▪ A set of VIPP Cards and poster papers ▪ Permanent markers of multiple colours (One marker for each participant) ▪ Paste or Scotch tape
<p>TIME</p> 	<p>30 minutes total session time <u>Breakdown of time:</u></p> <ul style="list-style-type: none"> ▪ 3 minutes to explain how the exercise will take place and the formation of a pair ▪ 5 minutes for mutual discussion between the pair ▪ 20 minutes to present each other participant for presentation (2 minutes for each pair) ▪ 2 minutes for wrap-up
<p>PROCESS / INSTRUCTIONS FOR THE TRAINER</p> 	<p>Explain the purpose of the Ice-Breaking activities.</p> <ul style="list-style-type: none"> ▪ Write the names of 10 flowers that have a pair of words like Rajani Gandha, Dolon Chapa etc. Write these in the VIPP Cards. Split the cards placing two words separate. Finally, there will be 20 names. ▪ Ask participants to collect one card each from a box. Ask them to find his/her pair. For example, participants having the cards Rajani and Gandha shall be paired. ▪ After the pair is formed give participants 5 minutes to talk to his/her pair to get to know each other. And after that, the pair will introduce each other. Allocate 2 minutes for each pair for the introduction. ▪ Ask the participants to learn the following among other things about the pair. ▪ Name of the pair, Name of the organization of the pair, Designation holding ▪ What is the most beautiful thing within his/her pair ▪ Something pair feel to change ▪ A word that explains what he/she ▪ Thank the participants for actively taking part in the interactive session. ▪ All the people in the training room be the participant or facilitator shall introduce themselves.
<p>TIPS FOR FACILITATOR</p> 	<ul style="list-style-type: none"> ▪ Organize this activity at the very beginning of the course, for example after a more formal opening session ▪ Insist that participants have a maximum of two minutes to introduce the pair, otherwise the overall activity might last too long ▪ Make sure there is someone who is keeping time during the introduction phase. ▪ Emphasis shall be given on COVID-19 safety rules. Facilitators will make sure that there are adequate face masks and hand sanitizer in the venue. ▪ The facilitator shall also ensure adequate general drugs and hygiene materials in the First Aid Box.







<p>SESSION TITLE</p> 	<p>COLLECTION OF EXPECTATIONS SHARING OBJECTIVES AND SETTING GROUND RULES</p>
<p>OBJECTIVES</p> 	<ul style="list-style-type: none"> ▪ Expressing the expectations would help participants on the course and take it seriously throughout. ▪ The expectations of the participants shall help course organizers redesign the course materials to address the specific needs of the participants if the situation permits. ▪ Develop a comfort zone for both participants and organizers to move forward with the course effectively. ▪ At the end of the session the ground rules of the course shall be mutually developed and signed by the participants with commitment to follow. ▪ Participants shall understand and commit to following the COVID-19 safety instructions ▪ Achieving the above shall result in arranging the course in a timely and safe manner
<p>METHODS AND MATERIALS</p> 	<ul style="list-style-type: none"> ▪ VIPP Card and ▪ Presentation ▪ Multimedia projector with projection screen and a desktop or laptop computer ▪ A flip char with a flexible flip chart hanging board ▪ A whiteboard with markers of multiple colours ▪ A set of VIPP Cards and poster papers for group work with permanent markers of multiple colours
<p>TIME</p> 	<p>30-minute total session time <u>Breakdown of time:</u></p> <ul style="list-style-type: none"> ▪ 5 minutes to explain the purpose and process of collecting expectations. ▪ 5 minutes for writing the expectations in the VIPP card and organizing the cards on the board ▪ 10 minutes to read out the cards and get a clear picture of the expectation ▪ 5 minutes to share the objectives of the course ▪ 5 minutes for setting the ground rules and closing the session.
<p>PROCESS / INSTRUCTIONS FOR THE TRAINER</p> 	<p>Before the activity</p> <ul style="list-style-type: none"> ▪ The facilitator shall distribute VIPP cards and marker pens to all the participants ▪ Ask participants to write their expectations from this course ▪ Instruct on how to write in the VIPP cards – horizontally, bigger fonts one idea one card ▪ Co-facilitators shall collect the cards and place them on the soft board or whiteboard using masking tape. ▪ Ask 1/2 participants to read out their expectations. ▪ After having the expectations from the participants facilitator shall project the objectives of the course through PowerPoint or poster paper presentation. ▪ The facilitator shall discuss both expectations and objectives and shall explain how it will be tried to make a balance between both. ▪ After the end of the sharing of objectives, the facilitator shall ask participants to tell what ground rules, they shall follow to make the training program successful.
<p>TIPS FOR FACILITATOR</p> 	<ul style="list-style-type: none"> ▪ The facilitator shall keep VIPP cards and marker pens available well ahead. ▪ Facilitators shall ensure that the following exists in the ground rules: ▪ Rules that participants think are important to maintain to attend the course and learn fruitfully ▪ All in the room shall keep their mobile phone silent and none shall use mobile phones during training sessions.

<p>SESSION TITLE</p> 	<p>PROJECTION OF VIDEO ON FAIR RECRUITMENT OF MIGRANT WORKERS</p>
<p>OBJECTIVES</p> 	<p>At the end of the session, participants shall gain a general understanding of the process of Fair Recruitment of Migrant Workers.</p>
<p>METHODS AND MATERIALS</p> 	<ul style="list-style-type: none"> ▪ Projection ▪ Open discussion ▪ Multimedia projector with projection screen and a desktop or laptop computer ▪ Sound system
<p>TIME</p> 	<p>15 minutes total session time <u>Breakdown of time:</u></p> <ul style="list-style-type: none"> ▪ 7 minutes of Showtime for the video ▪ 8 minutes for open discussion and responding to any query by the participants
<p>PROCESS / INSTRUCTIONS FOR THE TRAINER</p> 	<ul style="list-style-type: none"> ▪ Welcome the participants and explain the purpose of the projection of the documentary. Share that this video is prepared by ILO for a quick understanding of the issues of fair recruitment. ▪ Ask participants to carefully view and listen to the video and run the show. ▪ After the end of the projection ask anyone to explain what s/he understood from the video. Encourage multiple participants to express their views. ▪ After hearing from a few participants facilitator shall give a short brief on the content of the video.
<p>TIPS FOR FACILITATOR</p> 	<ul style="list-style-type: none"> ▪ Make sure well before to keep the laptop, multimedia projector and sound system functional and active. ▪ Co-facilitator shall ensure to copy the video fine in the laptop well before and check whether everything is on track. ▪ The facilitator will make a pre-test of the projection and keep the device in the ready mood just to click the play button.

Labour Migration: Bangladesh Scenario

Session: 1

1.1	Present Situation
1.2	Migration Outflow from Bangladesh
1.3	Remittance Inflow
1.4	Main Destination Countries
1.5	Types of Job

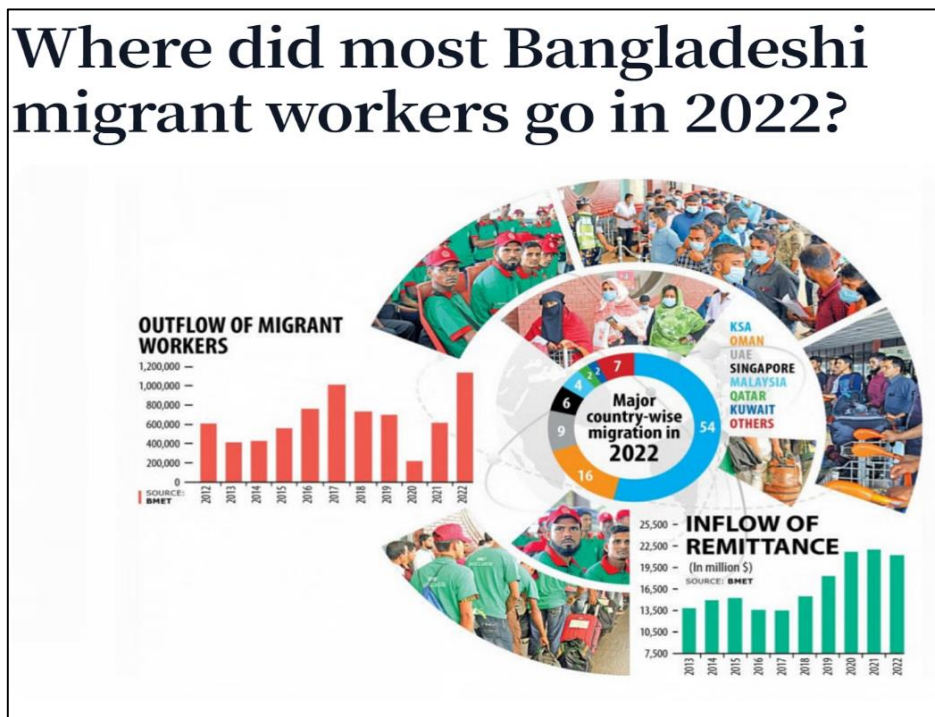
<p>SESSION TITLE</p> 	<p style="text-align: center;">LABOUR MIGRATION: BANGLADESH SCENARIO</p>
<p>OBJECTIVES</p> 	<ul style="list-style-type: none"> ▪ After the end of this session participants would be able to understand the Labor migration scenario in Bangladesh. ▪ Migration outflow from Bangladesh ▪ Remittance inflow ▪ Main destination countries for Bangladeshi migrant workers ▪ Types of jobs for Bangladeshi migrant workers
<p>METHODS AND MATERIALS</p> 	<ul style="list-style-type: none"> ▪ Participatory Discussion and ▪ PowerPoint Presentation ▪ Multimedia projector with projection screen and a desktop or laptop computer ▪ A flip chart with a flexible flip chart hanging board ▪ A whiteboard with markers of multiple colours ▪ A set of VIPP Cards and poster papers for group work with permanent markers of multiple colours
<p>TIME</p> 	<p>1:45 minutes total session time <u>Breakdown of time:</u></p> <ul style="list-style-type: none"> ▪ 10 minutes – Welcoming the participants, explaining the objectives of the session ▪ 15 minutes – Open discussion ▪ 15 minutes – PowerPoint presentation on labour migration: Bangladesh Scenario ▪ 15 minutes – PowerPoint presentation on migration outflow ▪ 15 minutes – PowerPoint presentation on remittance inflow ▪ 10 minutes – PowerPoint presentation on main destination countries for Bangladeshi migrant workers ▪ 15 minutes – PowerPoint presentation on types of jobs ▪ 10 minutes – Recap the key learning points from the session and wrap up the session with thanks.
<p>PROCESS / INSTRUCTIONS FOR THE TRAINER</p> 	<p>Throw the question to the audience to share their thoughts and ideas on labour migration: Bangladesh Scenario. Try to hear from participants from different angles like the trend of migration, remittance flow, which countries, which profession, the male-female ratio etc.</p> <p>There should be females among the respondents. (Don't reject the thoughts, ideas and definitions of any participant. Keep listening).</p> <p>After hearing from the participants share the PowerPoint. Take help from the below handout on '<i>Labour Migration: Bangladesh Scenario</i>'.</p> <p>At the end of the session take two minutes to review the session with key learning points to recap.</p> <p>Close the session thanking the participants for their active participation.</p>
<p>TIPS FOR FACILITATOR</p> 	<ul style="list-style-type: none"> ▪ Ask the Co-facilitator to write down what participants share in the open discussion. ▪ Never reject the thoughts, ideas and definitions of any participant. Keep listening.

1.1 Present Situation

An individual who relocates to another nation or region in search of employment—particularly seasonal or temporary work—is referred to as a migrant worker. The term "migrant" refers to a broad category of people who move away from their usual residence for a variety of reasons, whether temporarily or permanently, within a nation or across an international border. This term is not defined by international law.

There is no internationally accepted statistical definition of labour migration. However, the main actors in labour migration are migrant workers, which the International Labour Organization (ILO) defines as: "... all international migrants who are currently employed or unemployed and seeking employment in their present country of residence." (ILO, 2015).

Bangladesh is one of the largest exporters of migrant workers in the world. Millions of people leave the country each year to seek employment abroad. Bangladeshi migrant workers have been migrating to the Middle East since 1976 to provide labour. Official projections indicate that between 1976 and December 2022, 1.48 million Bangladeshis have migrated abroad as migrant workers, among them more than 1 million are female workers. Over 11.35 lakh Bangladeshis migrated to foreign nations in 2022, the highest ever in the history of the South Asian country.



Since many Bangladeshis seek employment abroad, labour migration from Bangladesh has become a significant occurrence. Due to the need for labour in industries like construction and domestic work, Southeast Asia and Middle Eastern countries are popular travel destinations. Bangladesh and the host nations both face economic and social outcomes from this migration.

These migrant workers contribute significantly to the economy of Bangladesh by sending remittances, which account for a sizeable portion of the nation's foreign exchange revenues. The Bureau of Manpower Employment and Training (BMET) estimates that 22.7 billion USD in remittances were sent to the country in 2022. That is, concerning the whole economy, its contribution to national growth is more than 6.2 per cent. The impact of migration on both the

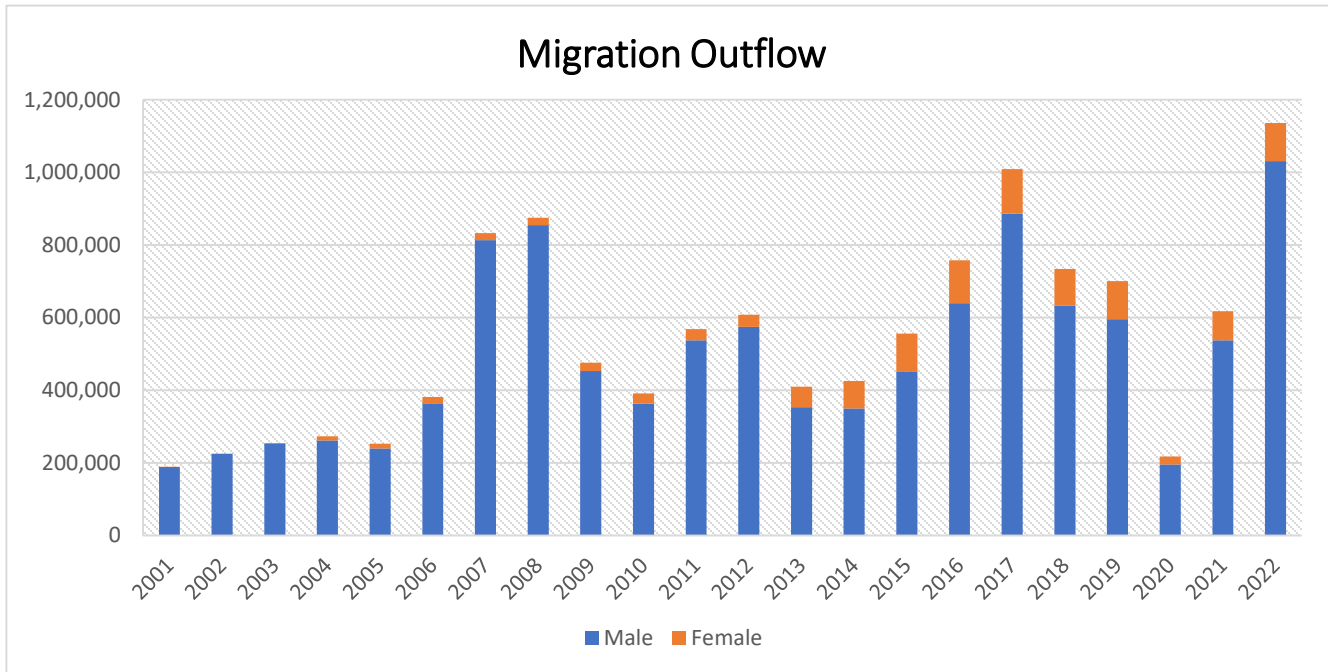
sending and receiving countries can be significant. Migrants can provide a source of cheap labour for receiving countries and contribute to the economic growth of their new homes.

Most Bangladeshi migrant workers are employed in low-skilled and manual jobs in the Middle East, Southeast Asia, and other regions. Many of them work in construction, domestic service, and agriculture, while others work in manufacturing, hospitality, and transportation. Women workers, in particular, go to many nations, notably the Middle East, to work as domestic workers. Bangladesh faces a high unemployment rate, and as a result, labour migration serves as an important livelihood option for many Bangladeshis. In addition to the official channels, a substantial number of migrants also leave the country through irregular channels, causing concern to both the countries of origin and destination. Human trafficking is a major challenge for Bangladesh. It is a complex issue that is carried out in an organized and complex manner and many of the victims' families are reluctant to report trafficking cases. Consequently, obtaining accurate data and statistics on this practice is very difficult.

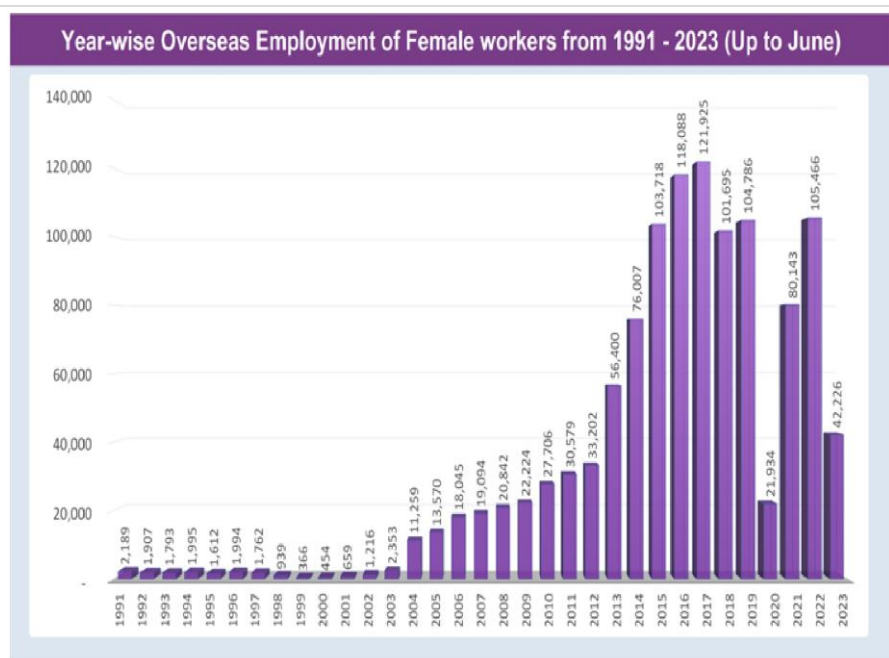
1.2 Migration Outflow

Migration outflow from Bangladesh has been a significant phenomenon, with many Bangladeshis seeking opportunities abroad for better economic prospects, education, and employment. Saudi Arabia, the UAE, and other Gulf countries, as well as countries like the UK and USA, have been popular destinations for Bangladeshi migrants. Additionally, neighbouring countries like India and Southeast Asian nations have also seen a substantial number of Bangladeshi migrants. This outflow is influenced by factors such as economic disparity, political instability, and the desire for a better quality of life. This outflow has implications for both Bangladesh and the host countries in terms of labour markets, remittances, and social dynamics. It's important to note that migration patterns can change over time due to evolving circumstances and policies.

Migration outflow from Bangladesh has been a significant trend in recent years. Every year, around 500,000 Bangladeshis leave the country



to work abroad. However, the COVID-19 pandemic has caused major disruptions to international migration flows. In 2020, only 217,699 Bangladeshi workers migrated overseas for work. Among them, 181,218 workers migrated during the period from January to March 2020. Due to lockdown measures, migration from Bangladesh came to a virtual standstill from April to June 2020. From July to December 2020, only 36,413 individuals could migrate for employment overseas. In 2020 as a whole, the flow of migration decreased by 69 per cent in comparison to the previous year.



1.3 Remittance Inflow

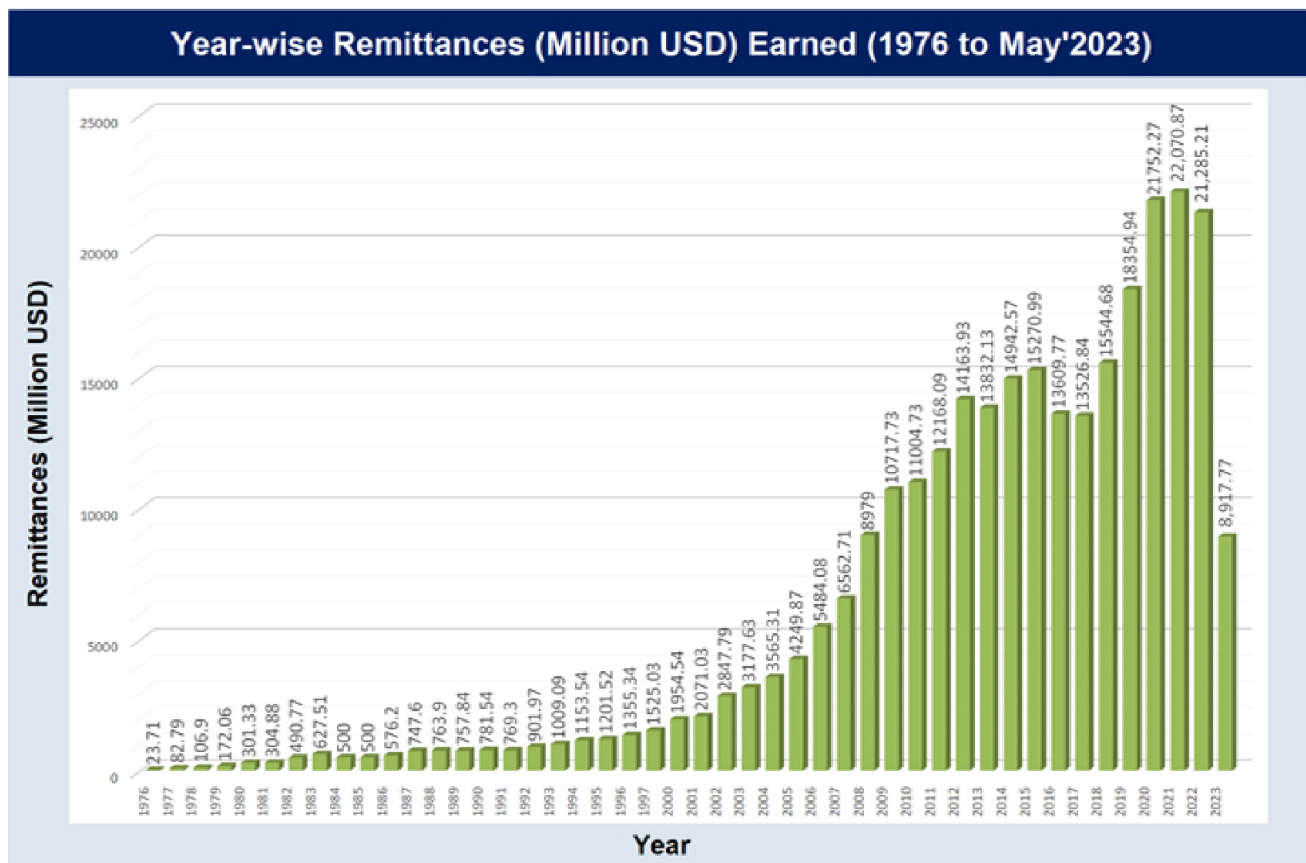
Remittances can have a significant impact on developing countries. They are an important source of foreign exchange and can help to reduce poverty, improve living standards, and stimulate economic growth.

Remittances can also help to finance education, healthcare, and housing, and can provide a safety net for families in times of economic hardship. In addition, remittances can promote financial inclusion by increasing access to banking services and credit. However, the impact

of remittances on developing countries can vary depending on factors such as the size of the remittance flows, the use of the funds, and the broader economic context.

According to the World Bank, Bangladesh received a record amount of remittance inflow of \$24.77 billion in the fiscal year 2020-21, which was 36% higher than the previous year, ranking it as the seventh-highest recipient in the world and the third-highest recipient in South Asia. The Bangladesh Bank, which is the central bank of Bangladesh, also reports similar figures for remittance inflow. The top countries from where remittances were sent to Bangladesh include Saudi Arabia, the United Arab Emirates, the United States, Kuwait, the United Kingdom, Malaysia, Oman, Qatar, Italy and Singapore.

By the end of 2021, remittances to Bangladesh contributed about 18 per cent to South Asian remittances and 6.2 per cent to the national



GDP. Additionally, Bangladesh ranked as the fourth-largest receiving country in the region and the eighth in the world (*World Bank, 2022*).

A survey on remittance usage conducted by the Bangladesh Bureau of Statistics in 2013 showed that 32.81% and 32.82% of the remittances are used for food and non-food expenditures. 18.84% of remittances were used for durable and other expenses including 17.39% utilized for the purchase of land. In regards to investment and savings, the Bangladesh Bureau of Statistics revealed that 33.45% of remittances go to investment and 13.74% of remittances go to savings. The remittance flow in the country during the last few years was as follows: 2015–2016 US\$14,931.18 million; 2016–2017 US\$12,769.45 million; 2017–2018 US\$14,981.69 million; 2018–2019 US\$16,419.63 million; and 2019–2020 US\$18,205.01 million.

1.4 Main Destination Countries

More than 14.9 million Bangladeshi workers are working in 176 countries across the world. Over two-thirds of all migrant workers were concentrated in high-income countries and approximately 60.6 per cent were located in three sub-regions: 24.2 per cent in Northern, Southern and Western Europe; 22.1 per cent in Northern America; and 14.3 per cent in the Arab States. The importance of these top three sub-regions in terms of the number of international migrant workers they host has not diminished over time. According to previous estimates, the same three sub-regions hosted the biggest shares of all migrant workers: 60.2 per cent in 2013 and 60.8 per cent in.

The main destination countries for Bangladeshi migrant workers include countries in the Middle East (such as Saudi Arabia, UAE, Qatar, Kuwait, and Oman), Southeast Asia (like Malaysia and Singapore), and also countries like South Korea and Italy. These destinations attract Bangladeshi workers due to factors like job opportunities, demand for low-skilled labour, remittance potential, and existing networks of

Bangladeshi communities. Additionally, some countries offer better wages and working conditions compared to opportunities available in Bangladesh. These destination countries offer job opportunities in construction, manufacturing, domestic work, and other sectors.

1.5 Types of Job



Bangladeshi migrant workers typically take up low-skilled jobs in the destination countries. These jobs are often in sectors such as construction, domestic work, and manufacturing. For example, in the Middle East, many Bangladeshi migrant workers are employed as construction workers, building the region's rapidly expanding infrastructure. In countries such as Malaysia and Singapore, Bangladeshi migrant workers are often employed in the manufacturing sector, working in factories producing goods for export. In addition, many Bangladeshi women migrate to work as domestic workers, providing care and support to families in the destination countries. Migrant workers may work in a variety of job sectors depending on their skills, experience, and the job opportunities available. Some common job sectors where migrant workers are employed include:





- i. **Agriculture and Farming:** Migrant workers are often employed in the agriculture and farming sectors to work on farms, plantations, and ranches to cultivate crops and care for livestock.
- ii. **Construction:** Migrant workers may work in the construction sector as labourers, carpenters, or electricians, performing tasks such as building houses, bridges, and roads.
- iii. **Hospitality and tourism:** Chefs, waitresses, housekeepers, and tour guides are just a few of the jobs that migrants may hold at hotels, eateries, and tourist destinations.
- iv. **Domestic work:** Workers from other countries may perform domestic tasks including cleaning, cooking, and child care in private houses.
- v. **Healthcare:** Migrant workers may work as nurses, nursing assistants, and other healthcare workers in hospitals, clinics, and long-term care facilities.
- vi. **Manufacturing:** Migrant labourers could assemble products and carry out other manufacturing duties at factories.
- vii. **Service Industry:** Several service-related industries, including retail, and cleaning services employ migrant labour.
- viii. **Transportation and logistics:** Migrant workers may work as truck drivers, delivery workers, or warehouse operatives.

Regulatory Framework to Govern Migration in Bangladesh

Session: 2

2.1	Overseas Employment and Migration Act- 2013
2.2	Wage Earners' Welfare Board Act- 2018
2.3	Expatriates' Welfare and Overseas Employment Policy- 2016
2.4	Overseas Employment and Immigration Management Rules- 2017
2.5	License of Recruiting Agencies Rule- 2019
2.6	Fair Recruiting in 8 th Five-Year Plan

SESSION TITLE 	REGULATORY FRAMEWORK TO GOVERN MIGRATION IN BANGLADESH
OBJECTIVES 	After the end of this session participants would be able to understand- <ul style="list-style-type: none">▪ Overseas Employment and Migration Act- 2013▪ Wage Earners' Welfare Board Act- 2018▪ Expatriates' Welfare and Overseas Employment Policy- 2016▪ Overseas Employment and Immigration Management Rules- 2017▪ Fair Recruitment in 8th Five-Year Plan

<p>METHODS AND MATERIALS</p> 	<ul style="list-style-type: none"> ▪ Participatory Discussion and ▪ PowerPoint Presentation ▪ Multimedia projector with projection screen and a desktop or laptop computer ▪ A flip chart with a flexible flip chart hanging board ▪ A whiteboard with markers of multiple colours ▪ A set of VIPP Cards and poster papers for group work with permanent markers of multiple colours
<p>TIME</p> 	<p>1:30 minutes total session time <u>Breakdown of time:</u></p> <ul style="list-style-type: none"> ▪ 5 minutes – Welcoming the participants, explaining the objectives of the session ▪ 15 minutes – Open discussion ▪ 10 minutes – Lecture-discussion on Overseas Employment and Migration Act- 2013 ▪ 10 minutes – Lecture-discussion on Wage Earners’ Welfare Board Act- 2018 ▪ 10 minutes – Lecture-discussion on Expatriates’ Welfare and Overseas Employment Policy- 2016 ▪ 10 minutes – Lecture-discussion on Overseas Employment and Immigration Management Rules- 2017 ▪ 10 minutes – Lecture-discussion on Fair Recruitment in 8th Five-Year Plan ▪ 10 minutes – Recap the key learning points from the session and wrap up the session with thanks.
<p>PROCESS / INSTRUCTIONS FOR THE TRAINER</p> 	<p>Throw the question to the audience to share their thoughts and ideas on laws and national instruments related to labour migration. Try to hear from participants from different angles.</p> <p>There should be females among the respondents. (Don’t reject the thoughts, ideas and definitions of any participant. Keep listening).</p> <p>After hearing from the participants share the PowerPoint. Take help from the below hand-out on <i>‘Regulatory Framework to Govern Migration in Bangladesh’</i>.</p> <p>At the end of the session take two minutes to review the session with key learning points to recap.</p> <p>Close the session thanking the participants for their active participation.</p>
<p>TIPS FOR FACILITATOR</p> 	<ul style="list-style-type: none"> ▪ Ask the Co-facilitator to write down what participants share in the open discussion. ▪ Never reject the thoughts, ideas and definitions of any participant. Keep listening.

2.1 Overseas Employment and Migration Act- 2013

The ‘Overseas Employment and Migrants Act, 2013 was adopted on 27 October 2013, to promote opportunities for overseas employment and to establish a safe and fair system of migration, to ensure the rights and welfare of migrant workers and members of their families in Bangladesh. This act governs all the sectors related to foreign labour migration in Bangladesh. This act replaced the Emigration Ordinance, in 1982. It covers the licensing of the recruitment agencies, recruitment of workers, employment contract, cost of migration, sending workers to work abroad, their wellbeing, rights of migrant workers, right to return home, offences, penalties, trial and reintegration etc.

The most important feature of this Act is that it has entrusted a migrant worker with the right to file a civil suit if affected by the violation of any employment contract. This Act has also kept provisions for penalties for sending migrant workers overseas in an unlawful manner, charging unlawful amounts of fees, publishing unauthorized advertisements, using unlawful means for collecting demand notes, visas or work-permit for overseas employment, for trading in such documents, arranging for departure through places other than the specified place of departure, and other offences. This Act has kept provisions for specific punishment subject to types of offences.

The Recruiting Agents Conduct and License Rules speak of punishment for crimes and irregularities related to migration but no provision for compensation for the affected migration is included. Till date, no rules based on the Overseas Employment and Migrants Act 2013 have

been framed, so the rules made in 2002 are still effective. As a result, the sector cannot be controlled and regulated given the present realities. Nothing special has been said in the Medical Test Rules of 2008 about the process of declaring someone unfit on the grounds of infectious diseases like HIV and AIDS, counselling, treatment and services, and expulsion.

2.2 Wage Earners' Welfare Board Act- 2018

The Wage Earners' Welfare Board has been established as a statutory body through 'The Wage Earners Welfare Board Act, of 2018'. This is a procedural law that lays out the formation and work plan of the Wage Earners' Welfare Board. To implement the objectives under the Act, the Welfare Board is authorized to initiate and implement projects, provide emergency support to migrants, extend them support upon return to ensure protection and social and economic reintegration, help migrant families carry the bodies of deceased migrants and bear the burial cost, provide scholarship to meritorious children of migrant workers and support the physically challenged children or dependents of migrants. A vital feature of the law is that it has taken on board the needs of female migrants of the country. The Act obliges the Board to submit an annual report on its activities to the government within four months after the end of each financial year. Finally, the Policy for Wage Earner's Welfare Fund 2002 stood annulled under the Act of 2018.

2.3 Expatriates' Welfare and Overseas Employment Policy- 2016

Bangladesh formulated this policy in 2016 to ensure good governance and to enhance the contribution of overseas employment to development. The goal of the Policy is to encourage and ensure self-selected overseas employment through safe and dignified migration. The Policy is focused on creating opportunities to work with protection and human dignity, providing social security to migrant workers and their families, ensuring welfare services and benefits to empower migrant workers and their families at all stages of labour migration, ensuring gender equality in the labour migration process by encouraging greater participation of women in safe and decent overseas employment, the inclusion of labour migration in the national development and planning framework and develop an efficient and participatory labour migration governance to take forward labour migration. To adopt the policy, the government has developed an action plan that has identified specific activities against each policy directive along with responsible authorities.

2.4 Overseas Employment & Immigration Management Rules- 2017

The Ministry has formulated "Overseas Employment and Migrant Rules 2017" which will provide an overall framework for labour migration, whose main goal is to protect immigrant workers. Since its inception, the ministry has been regularly monitoring the issue of overseas employment and continuing its efforts to create more decent employment and ensure overall welfare. Ministry of Expatriates' Welfare and Overseas Employment was established to improve the country's socio-economic condition by ensuring the overall welfare and equal opportunities for expatriate Bangladeshis, exploring a new labour market, creating skilled a labour force by providing training according to the demand of the market, reducing unemployment through foreign employment and increasing remittance inflow. To that end, the Ministry has been enacting various policies, laws, and rules related to these issues. Besides, the Ministry has been taking and implementing various developmental activities to ensure the overall welfare of the expatriates, including the creation of public awareness and protection of the rights and interests of migrant workers and safe immigration process, prevention of harassment, offering training to the active manpower, exploring new labour market, and development of overseas employment management.

2.5 8th Five-Year Plan (2021-2025)

The eighth five-year plan of BD builds on a policy of 'promoting prosperity and flourishing inclusiveness'. The plan aims to achieve pro-poor growth achieving 8.5 % GDP growth by 2025. One of the most important strategies in the Plan is to strengthen opportunities for overseas employment for Bangladeshis. The plan sets various means as methods to harness the power of the country's human resources for building the nation.

The objectives are to make a paradigm shift in the policy of overseas employment and migration so that it becomes an important strategy for poverty and unemployment reduction, macroeconomic stability and the well-being of every citizen of the country. The plan strives to:

- Achieve dignity, fairness, freedom, security and human rights for all Bangladeshi expatriates, especially for women

- Make Bangladesh a preferred source of human power in addressing the critical needs of countries around the globe;
- Attach the highest importance to developing skills responsive to the needs of the international labour market;
- Achieve low-cost migration for Bangladeshi citizens through concerted efforts of Ministries and agencies in the country as well as working along with regional and global stakeholders;
- Make overseas employment and return of Bangladeshi citizens, after contributing to Bangladesh's economy and the economy of host countries; and
- Make sure that the return of the migrants is followed through sustainable social and economic reintegration in Bangladesh.

Fair Recruitment in Migration in the 8th Five-Year Plan of Bangladesh

- **Protection, rights and well-being:** Allocate resources for strengthening institutional capacity for ensuring the protection of rights and well-being of migrant workers especially women migrants. Ensuring mental health support during stay abroad and after return. Explore the scope of the introduction of an international recruitment integrity system for encouraging private-sector recruiting agencies. Ensuring a minimum set of criteria fulfilled in terms of wage rights and protection in line with international conventions.
- **Private sector and stakeholder engagement:** It is highly recommended to form a committee for the coordination of action plan implementation which should include the private sector in promoting the migration of skilled workers. The 'Ethical recruitment' system has to be channelized and monitored by BAIRA for implementation. It is also recommended to develop a strategy of 'Zero recruitment cost migration' (employers pay model).
- **Cost of migration:** Undertake a five-year program targeting 'low recruitment cost migration'. For accessing the fresh market and expanding and existing market, the capacity of BOESEL needs to be enhanced.







There are some policies in Bangladesh provisions that support Migrant workers and their families, which are:

- Policy on Disability Allowance for Disabled Children of Migrant Workers- 2020
- Policy on providing scholarships to the children of migrant workers
- Returned Migrant Workers Rehabilitation Loan Policy, 2020
- Wage Earners' Welfare Board (Employees) service Rule-2020.

Role of Trade Unions and Other Stakeholders in Migration

Session: 3

3.1	Actors in the Migration Process
3.2	Role of Trade Unions
3.3	Role of Civil Society Organizations
3.4	Role of Government Agencies

<p>SESSION TITLE</p> 	<p style="text-align: center;">ROLE OF TRADE UNIONS AND OTHER STAKEHOLDERS IN LABOUR MIGRATION</p>
<p>OBJECTIVES</p> 	<p>After the end of this session, participants will be able to</p> <ul style="list-style-type: none"> ▪ Identify different actors in the field of migration and ▪ Understand their roles in migration.
<p>METHODS AND MATERIALS</p> 	<ul style="list-style-type: none"> ▪ Participatory Discussion and ▪ PowerPoint Presentation ▪ Multimedia projector with projection screen and a desktop or laptop computer ▪ A flip chart with a flexible flip chart hanging board ▪ A whiteboard with markers of multiple colours ▪ A set of VIPP Cards and poster papers for group work with permanent markers of multiple colours
<p>TIME</p> 	<p>60 minutes total session time <u>Breakdown of time:</u></p> <ul style="list-style-type: none"> ▪ 5 minutes – Welcoming the participants, explaining the objectives of the session ▪ 10 minutes – Open discussion ▪ 10 minutes – Lecture discussion on different actors in the migration process ▪ 10 minutes – Lecture discussion on the role of trade unions ▪ 10 minutes – Lecture discussion on the role of Civil Society Organizations ▪ 10 minutes – Lecture discussion on the role of Government Agencies ▪ 5 minutes – Recap the key learning points from the session and wrap up the session with thanks.
<p>PROCESS / INSTRUCTIONS FOR THE TRAINER</p> 	<p>Throw the question to the audience to share their thoughts and ideas on who are the actors in the field of recruitment in labour migration and what are their roles in different stages of migration.</p> <p>After hearing from the participants share the PowerPoint. Take help from the below handout on <i>'Role of Trade Unions and Other Stakeholders in Migration'</i>.</p> <p>At the end of the session take two minutes to review the session with key learning points to recap.</p> <p>Close the session thanking the participants for their active participation.</p>
<p>TIPS FOR FACILITATOR</p> 	<ul style="list-style-type: none"> ▪ Ask the Co-facilitator to write down what participants share in the open discussion. ▪ Never reject the thoughts, ideas and definitions of any participant. Keep listening.

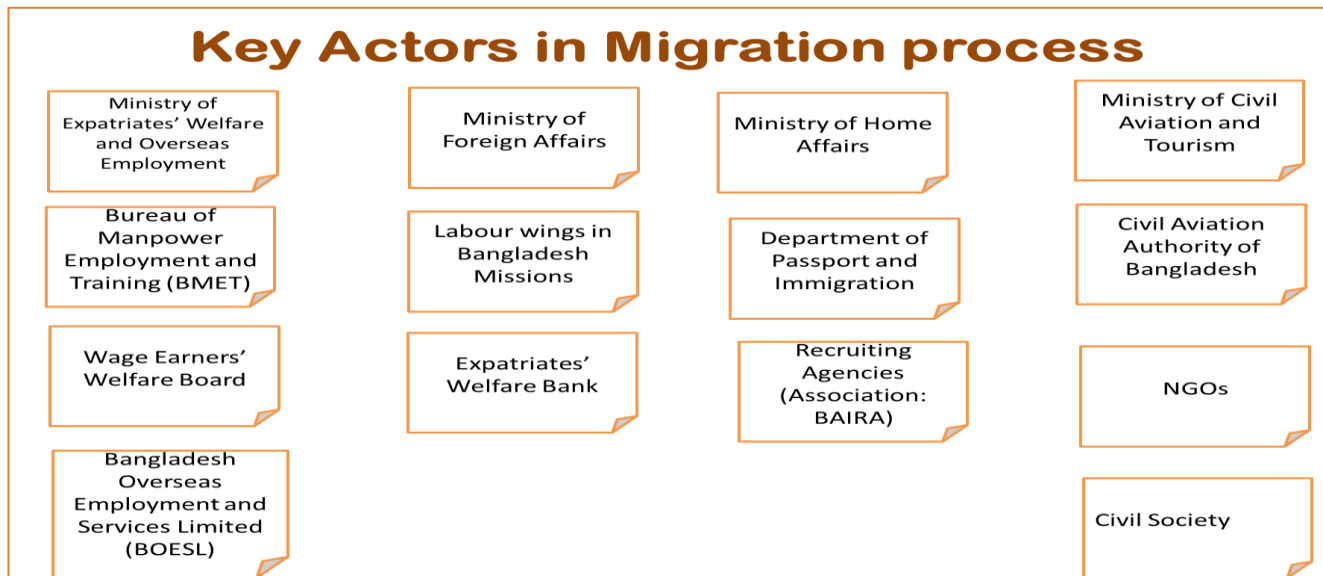
3.1 Actors in the Migration Process

The actors in a migration process typically include migrants themselves, governments of both the origin and destination countries, non-governmental organizations (NGOs), international organizations like the United Nations, and employers. Each plays a role in shaping and influencing various aspects of the migration journey. These include:

- **Migrants:** Individuals who move from one country to another for work, study, or other reasons.
- **Governments:** Governments of both sending and receiving countries play a crucial role in regulating migration and protecting the rights of migrant workers.
- **Recruitment agencies:** Private recruitment agencies match migrant workers with available jobs and serve as intermediaries between employers and prospective migrants.
- **Employers:** Employers in receiving countries hire migrant workers to fill labour shortages or to perform specific jobs.
- **Trade unions:** Trade unions represent the interests of workers, including migrant workers, and work to protect their rights and improve their working conditions.
- **Civil society organizations:** Civil society organizations advocate for the rights of migrant workers and provide support and assistance to them.
- **Media:** Media can shape public opinion and policy debates about migration, influencing how it is portrayed and understood by society.
- **Academia and Researchers:** They study migration patterns, impacts, and policies, providing valuable insights to guide decision-making.

ACTOR	ROLE
National authorities (origin and destination countries)	<ul style="list-style-type: none"> ▪ Define the policy framework for recruitment ▪ Regulate recruitment processes ▪ Inspect potential abuses and provide redress for violations ▪ Enter into bilateral/multilateral agreements with the national authorities of the origin country
Employers	<ul style="list-style-type: none"> ▪ Employ workers
Labour recruiters	<ul style="list-style-type: none"> ▪ Offer labour recruitment and placement services
Trade unions/workers' organizations	<ul style="list-style-type: none"> ▪ Advocate ▪ Include fair recruitment provisions in collective bargaining agreements
Employers' organizations and associations	<ul style="list-style-type: none"> ▪ Train and raise awareness of fair recruitment principles among their members
NGOs	<ul style="list-style-type: none"> ▪ Develop projects and initiatives ▪ Advocate
Individual workers	<ul style="list-style-type: none"> ▪ Seek decent work and better livelihoods for themselves and their families ▪ Work ▪ Contribute to social security systems ▪ Respond to labour shortages ▪ Develop their skills, knowledge and employability Organize and bargain collectively
The media	<ul style="list-style-type: none"> ▪ Share information ▪ Shape public perceptions of workers and fair recruitment processes
Academia	<ul style="list-style-type: none"> ▪ Produce data and information

Key Actors in Migration process



3.2 Role of Trade Unions

Trade unions play a significant role in labour migration by advocating for the rights and interests of migrant workers. They can help to ensure that migrant workers are treated fairly and have access to decent working conditions. Trade unions also contribute to raising awareness about exploitation and discrimination that migrants might face, helping them to navigate the complexities of the migration process and to access information about their rights and entitlements. Additionally, trade unions can facilitate integration, provide support, and help bridge the gap between different cultures and languages for migrant workers. Moreover, trade unions can work with governments and employers to develop policies and programs that promote fair recruitment practices and protect the rights of migrant workers. They can:

- **Protect Rights:** Trade unions help ensure that migrant workers receive fair wages, safe working conditions, and protection from exploitation or abuse in their host countries.
- **Policy Advocacy:** Unions often lobby for better immigration and labour policies that address the specific needs of migrant workers, including access to social services and legal protections.
- **Information Dissemination:** Trade unions provide information to migrant workers about their rights, legal requirements, and available support services in the destination country.
- **Collective Bargaining:** Unions negotiate with employers on behalf of migrant workers to secure better wages, benefits, and working conditions, ensuring they are not marginalized or taken advantage of due to their temporary status.
- **Skill Development:** Unions may offer training programs to enhance the skills of migrant workers, increasing their employability and contributing to their long-term prospects.
- **Integration Support:** Trade unions can help migrant workers integrate into the local communities by providing resources and social connections.
- **Addressing Discrimination:** Unions work to eliminate discrimination and promote equal treatment for migrant workers, creating a more inclusive work environment.
- **Data Collection:** Unions often collect data on labour migration trends and challenges, which can inform policy decisions and highlight areas needing improvement.

Many trade unions around the world work on labour migration issues. Some examples include:

- **The International Trade Union Confederation (ITUC)** is the world's largest trade union federation, representing 207 million workers in 163 countries and territories. The ITUC works to promote and defend workers' rights and interests, including those of migrant workers.
- **The International Transport Workers' Federation (ITF)** is a global union federation representing around 700 transport trade unions in 150 countries. The ITF works to improve the working conditions of transport workers, including migrant workers in the transport sector.

- **The Building and Wood Workers' International (BWI)** is a global union federation representing workers in the building, building materials, wood, forestry, and allied sectors. The BWI works to promote decent work for all workers, including migrant workers in these sectors.

3.3 Role of Civil Society Organizations

Civil Society Organizations (CSOs) play an important role in promoting and protecting the rights of migrant workers. They often provide services such as legal assistance, healthcare, and educational support. Moreover, these organizations offer support services, raise awareness about labour exploitation, lobby for policy changes, and facilitate communication between migrants and relevant authorities to ensure the protection and well-being of migrant workers. CSOs also help migrant workers in reintegration into their host countries more effectively. CSOs can:

- **Advocacy:** CSOs raise awareness about the rights and challenges faced by migrant workers, influencing policy changes that promote fair labour migration and protect migrants' rights.
- **Support Services:** CSOs provide information, legal aid, counselling, and other support services to migrant workers, helping them navigate the complexities of migration and ensuring their rights are upheld.
- **Capacity Building:** CSOs empower migrants with skills, training, and education to enhance their employability and prepare them for safer and more rewarding work experiences abroad.
- **Monitoring and Reporting:** CSOs monitor labour conditions and report any instances of exploitation, abuse, or human rights violations, thereby holding governments and employers accountable.
- **Research and Data Collection:** CSOs conduct research to understand the patterns and trends of labour migration, generating data that informs policy decisions and advocacy efforts.
- **Networking:** CSOs collaborate with other stakeholders, including governments, international organizations, and private sector entities, to create a comprehensive approach to labour migration issues.
- **Awareness and Education:** CSOs raise public awareness about the contributions of migrant workers and the importance of treating them fairly and with respect.
- **Crisis Response:** CSOs provide immediate assistance and relief to migrant workers in crisis situations, such as natural disasters or conflicts.

Many civil society organizations around the world work on labour migration issues. Some examples include:

- **The International Organization for Migration (IOM)** is part of the United Nations System as the leading inter-governmental organization promoting humane and orderly migration for the benefit of all, with 175 member states and a presence in over 100 countries.
- **Migrant Forum in Asia (MFA)** is a regional network of non-governmental organizations, associations, and trade unions of migrant workers, and individual advocates in Asia who are committed to protecting and promoting the rights and welfare of migrant workers.
- **The Global Alliance against Traffic in Women (GAATW)** is an alliance of more than 80 non-governmental organizations from Africa, Asia, Europe, LAC, and North America working to ensure that the human rights of all migrating women are respected and protected by authorities and agencies.
- **The International Catholic Migration Commission (ICMC)** is an international non-governmental organization that serves and protects uprooted people, including refugees, asylum seekers, internally displaced people, victims of human trafficking, and migrants - regardless of faith, race, ethnicity or nationality.

3.4 Role of Government Agencies

Governments play a crucial role in protecting the rights of migrant workers. They are responsible for developing and implementing policies and programs that promote fair recruitment practices, protect the rights of migrant workers, and ensure that migrant workers have access to decent working conditions. These agencies collaborate with international organizations, employers, and other stakeholders to establish safe and orderly migration channels, prevent exploitation, and promote the well-being of both migrants and the host country's workforce. These agencies may:

- **Policy Formulation:** Develop and implement laws, regulations, and policies that govern labour migration, ensuring the rights and welfare of both migrant workers and the host country's citizens.
- **Issuing Work Permits:** Grant work permits and visas to foreign workers based on the needs of the labour market and the qualifications of the migrants.

- **Monitoring and Enforcement:** Monitor the recruitment, employment, and living conditions of migrant workers to prevent exploitation, human trafficking, and abusive practices by employers or recruitment agencies.
- **Labour Market Information:** Provide accurate information about labour market demand, job opportunities, and skill requirements to potential migrants, helping them make informed decisions.
- **Pre-Departure Orientation:** Offer pre-departure orientation and training to prepare migrant workers for the cultural, legal, and work-related aspects of their destination country.
- **Worker Protection:** Ensure that migrant workers' rights are upheld, including fair wages, safe working conditions, access to healthcare, and protection from discrimination.
- **Addressing Disputes:** Mediate and resolve labour disputes between migrant workers and employers through legal channels, helping to safeguard workers' rights.
- **Data Collection:** Collect data on labour migration trends, remittances, and other related statistics to inform policymaking and program development.
- **Collaboration:** Collaborate with international organizations, governments, and non-governmental organizations to enhance cooperation and share best practices in managing labour migration.
- **Return and Reintegration Support:** Assist returnee migrants in reintegrating into their home communities and accessing reemployment opportunities.
- **Anti-Trafficking Efforts:** Combat human trafficking by investigating and prosecuting individuals or groups involved in trafficking and providing support to victims.




Several government agencies in Bangladesh work on labour migration issues. Some examples include:




- **The Bureau of Manpower, Employment and Training (BMET)** is responsible for the regulation of overseas employment, including the registration and monitoring of recruitment agencies and the provision of pre-departure training to migrant workers.
- **The Ministry of Expatriates' Welfare and Overseas Employment (MEWOE)** is responsible for the development and implementation of policies and programs related to labour migration, including the protection of the rights and welfare of Bangladeshi migrant workers.
- **The Wage Earners' Welfare Board (WEWB)** is responsible for providing support and assistance to Bangladeshi migrant workers and their families, including through the provision of financial assistance, legal aid, and repatriation services.

International Initiatives for Fair Recruitment

Sessions: 4

4.1	ILO Conventions
4.2	ILO General Principles and Operational Guidelines
4.3	GCM- Global Compact for Migration
4.4	Abu Dhabi Dialogue
4.5	Colombo Process
4.6	SDG- Sustainable Development Goals

<p>SESSION TITLE</p> 	<p>INTERNATIONAL INITIATIVES FOR FAIR RECRUITMENT</p>
<p>OBJECTIVES</p> 	<p>After the end of this session, participants will be able to</p> <ul style="list-style-type: none"> ▪ Explain ILO Conventions related to migrant workers ▪ Explain ILO's General Guiding Principle and Operational Guideline of Fair Recruitment and apply them in their professional area. ▪ Understand the Global Compact for Migration (GCM), Abu Dhabi Dialogue, Colombo Process and the fair recruitment issues ▪ Understand Migration in Sustainable Development Goals (SDG).
<p>METHODS AND MATERIALS</p> 	<ul style="list-style-type: none"> ▪ Participatory Discussion and ▪ PowerPoint Presentation ▪ Multimedia projector with projection screen and a desktop or laptop computer ▪ A flip chart with a flexible flip chart hanging board ▪ A whiteboard with markers of multiple colours ▪ A set of VIPP Cards and poster papers for group work with permanent markers of multiple colours

<p>TIME</p> 	<p>1:15 minutes total session time <u>Breakdown of time:</u></p> <ul style="list-style-type: none"> ▪ 5 minutes – Welcoming the participants, explaining the objectives of the session ▪ 5 minutes – Open discussion ▪ 10 minutes – Lecture discussion on ILO Conventions ▪ 10 minutes – Lecture discussion on ILO’s General Guiding Principle of Fair Recruitment ▪ 10 minutes – Lecture discussion on ILO Operational Guideline of Fair Recruitment ▪ 10 minutes – Lecture discussion on Fair recruitment in the Global Compact of Migration (GCM) ▪ 5 minutes – Lecture discussion on the Abu Dhabi Dialogue ▪ 5 minutes – Lecture discussion on the Colombo Process ▪ 10 minutes – lecture-discussion on Migration in Sustainable Development Goals (SDG) ▪ 5 minutes – Recap the key learning points from the session and wrap up the session with thanks.
<p>PROCESS / INSTRUCTIONS FOR THE TRAINER</p> 	<p>Throw the question to the audience to share their thoughts and ideas on what are the international initiatives to establish fair recruitment for migrant workers and how they work.</p> <p>After hearing from the participants share the PowerPoint. Take help from the below handout on ‘<i>International Initiatives for Fair Recruitment</i>’.</p> <p>After that start the PowerPoint presentation on ILO General Guiding Principle of Fair Recruitment. There are 13 points in the general principle. Explain the principles with suitable examples.</p> <p>After that go to the second PowerPoint presentation on ILO Operational Guideline of Fair Recruitment. This guideline mostly explains the roles and responsibilities of different parties involved in the process of recruitment including the government.</p> <p>Discuss in detail the clauses on Fair Recruitment in GCM and commitments of the government in implementing the goals and how the implementation would help restore the rights of the migrants.</p> <p>At the end of the session take two minutes to review the session with key learning points to recap.</p> <p>Close the session thanking the participants for their active participation.</p>
<p>TIPS FOR FACILITATOR</p> 	<p>Considering that this session does not cover any issues of idea or general knowledge this is something set as a very particular document there is no need for open discussion. Here facilitator carefully explains every point one after one.</p>

4.1 ILO Conventions

A Convention is a legally binding international treaty that may be ratified by member states, while a Recommendation serves as non-binding guidelines. In many cases, a Convention lays down the basic principles to be implemented by ratifying countries, while a related Recommendation supplements the Convention by providing more detailed guidelines on how it could be applied. Recommendations can also be autonomous, i.e., not linked to a Convention.

The International Labour Organization (ILO) is a specialized agency of the United Nations that was established in 1919 by the Versailles Peace Treaty. Its primary task is to develop, adopt, and promote labour standards. The ILO has developed several Conventions and Recommendations that set out basic principles and rights at work.

The ILO has identified several “fundamental” Conventions, covering subjects that are considered to be fundamental principles and rights at work: freedom of association and the effective recognition of the right to collective bargaining; the elimination of all forms of forced or compulsory labour; the effective abolition of child labour; and the elimination of discrimination in respect of employment and occupation. These principles are also covered by the ILO Declaration on Fundamental Principles and Rights at Work (1998).

The ILO conventions related to migration address various aspects of labour migration, migrant worker rights, and the responsibilities of both sending and receiving countries. These are:

- **ILO Convention No. 97 (1949) on Migration for Employment:** This convention deals with the conditions of labour migration, including the protection of migrant workers' rights and the establishment of suitable machinery for regulating international labour migration.
- **ILO Convention No. 143 (1975) on Migrant Workers (Supplementary Provisions):** This convention aims to supplement Convention No. 97 by addressing various aspects of the employment and working conditions of migrant workers.

- **ILO Convention No. 181 (1997) on Private Employment Agencies:** While not specifically focused on migration, this convention includes provisions related to the protection of migrant workers who use the services of private employment agencies.
- **ILO Convention No. 189 (2011) on Domestic Workers:** Although not exclusively about migration, this convention covers domestic workers, many of whom are migrants, and ensures their rights and protections.
- **ILO Convention No. 189 (2011) on Decent Work for Domestic Workers:** This convention also applies to domestic workers who are often migrants and seeks to ensure their rights, fair treatment, and decent working conditions.

4.2 ILO General Principles and Operational Guidelines

The International Labour Organization (ILO) has developed a set of general principles and operational guidelines for fair recruitment. The objective of these non-binding ILO general principles and operational guidelines for fair recruitment is to inform the current and future work of the ILO and other organizations, national legislatures, and social partners on promoting and ensuring fair recruitment. The principles and guidelines were developed by a Tripartite Meeting of Experts, held in September 2016.

Together, this guidance forms a comprehensive approach to realizing fair recruitment through the development, implementation, and enforcement of laws and policies aiming to regulate the recruitment industry and protect workers' rights. This guidance is developed within the framework of the Fair Recruitment Initiative, which aims to help prevent human trafficking and protect the rights of workers (including migrant workers) from abusive and fraudulent practices during recruitment and placement process, reduce the cost of labour migration, and enhance development gains.

General Principles

1. Recruitment should take place in a way that respects, protects and fulfils internationally recognized human rights, including those expressed in international labour standards, and in particular the right to freedom of association and collective bargaining, and prevention and elimination of forced labour, child labour and discrimination in respect of employment and occupation.
2. Recruitment should respond to established labour market needs, and not serve as a means to displace or diminish an existing workforce, to lower labour standards, wages, or working conditions, or to otherwise undermine decent work.
3. Appropriate legislation and policies on employment and recruitment should apply to all workers, labour recruiters and employers.
4. Recruitment should take into account policies and practices that promote efficiency, transparency and protection for workers in the process, such as mutual recognition of skills and qualifications.
5. Regulation of employment and recruitment activities should be clear and transparent and effectively enforced. The role of the labour inspectorate and the use of standardized registration, licensing or certification systems should be highlighted. The competent authorities should take specific measures against abusive and fraudulent recruitment methods, including those that could result in forced labour or trafficking in persons.
6. Recruitment across international borders should respect the applicable national laws, regulations, employment contracts and applicable collective agreements of countries of origin, transit and destination, and internationally recognized human rights, including the fundamental principles and rights at work, and relevant international labour standards. These laws and standards should be effectively implemented.
7. No recruitment fees or related costs should be charged to, or otherwise borne by workers or jobseekers.
8. The terms and conditions of a worker's employment should be specified in an appropriate, verifiable and easily understandable manner, and preferably through written contracts in accordance with national laws, regulations, employment contracts and applicable collective agreements. They should be clear and transparent, and should inform the workers of the location, requirements and tasks of the job for which they are being recruited. In the case of migrant workers, written contracts should be in a language that the worker can understand, should be provided sufficiently in advance of departure from the country of origin, should be subject to measures to prevent contract substitution, and should be enforceable.
9. Workers' agreements to the terms and conditions of recruitment and employment should be voluntary and free from deception or coercion.
10. Workers should have access to free, comprehensive and accurate information regarding their rights and the conditions of their recruitment and employment.
11. The freedom of workers to move within a country or to leave a country should be respected. Workers' identity documents and contracts should not be confiscated, destroyed or retained.
12. Workers should be free to terminate their employment and, in the case of migrant workers, to return to their country. Migrant workers should not require the employer's or recruiter's permission to change employer.

13. Workers, irrespective of their presence or legal status in a State, should have access to free or affordable grievance and other dispute resolution mechanisms in cases of alleged abuse of their rights in the recruitment process, and effective and appropriate remedies should be provided where abuse has occurred.

The operational guidelines are meant to inform governments, enterprises and public employment services.

Operational Guidelines

A. Responsibilities of governments: Governments bear the ultimate responsibility for advancing fair recruitment, both when acting as employers and when they are regulating recruitment and providing job matching and placement services through public employment services.

1. Respect, protect and fulfil internationally recognized human rights, including fundamental principles and rights at work, and other relevant international labour standards, in the recruitment process. This includes respect for, and protection of, the right to freedom of association and collective bargaining, and prevention and elimination of forced labour, child labour and discrimination in respect of employment and occupation.
2. Protect workers against human rights abuses in the recruitment process by employers, labour recruiters and other enterprises.
3. Adopt, review and, where necessary, strengthen national laws and regulations, and should consider establishing, regularly reviewing and evaluating national fair recruitment commitments and policies, with the participation of employers' and workers' organizations.
4. Ensure that relevant legislation and regulations cover all aspects of the recruitment process and that they apply to all workers, especially those in vulnerable situations.
5. Governments should effectively enforce relevant laws and regulations, and require all relevant actors in the recruitment process to operate by the law.
6. Take measures to eliminate the charging of recruitment fees and related costs to workers and job seekers.
7. Take steps to ensure that employment contracts are clear and transparent and are respected.
8. Take steps to ensure that workers have access to grievance and other dispute resolution mechanisms, to address alleged abuses and fraudulent practices in recruitment, without fear of retaliatory measures including blacklisting, detention or deportation, irrespective of their presence or legal status in the State, and to appropriate and effective remedies where abuses have occurred.
9. Promote cooperation among relevant government agencies, workers' and employers' organizations, and representatives of recruiters.
10. Ensure that recruitment responds to established labour market needs.
11. Raise awareness of the need for fair recruitment in both the public and private sectors and ensure workers have access to free, comprehensive and accurate information regarding their rights and the conditions of their recruitment and employment.
12. Respect human rights and promote fair recruitment in conflict and crisis.
13. Ensure that bilateral and/or multilateral agreements on labour migration include mechanisms for oversight of recruitment of migrant workers, are consistent with internationally recognized human rights, including fundamental principles and rights at work, and other relevant international labour standards, are concluded between countries of origin, transit and destination, as relevant, and are implemented effectively.
14. Take steps to protect against recruitment abuses within their own workforces and supply chains, and in enterprises that are owned or controlled by the government, or that receive substantial support and contracts from government agencies.

B. Responsibilities of enterprises and public employment services: Enterprises and public employment services bear special responsibility for preventing abusive or unfair recruitment. This section does not apply to governmental agencies when acting in a regulatory capacity.

1. Respect human rights when recruiting workers, including through human rights due diligence assessments of recruitment procedures, and should address adverse human rights impacts with which they are involved.
2. Undertake recruitment to meet established labour market needs and never as a means to displace or diminish an existing workforce, lower wages or working conditions, or otherwise undermine decent work.
3. No recruitment fees or related costs should be charged to, or otherwise borne by recruited workers
4. Should not retain passports, contracts or other identity documents of workers.
5. Respect workers' confidentiality and ensure the protection of data pertaining to them.
6. Develop schemes that drive professional recruitment standards.

C. Responsibilities of labour recruiters: A distinction is made in these guidelines between labour recruiters serving as intermediaries to place workers in employment, including those involved in multiple layers of the recruitment process, and employment agencies employing workers and placing them at the disposal of user enterprises.

1. Respect the applicable laws and fundamental principles and rights at work.
2. When labour recruiters recruit workers in one country for employment in another country, they should respect human rights, including fundamental principles and rights at work, in compliance with international law and the law in the country of origin, the country of transit and the country of destination, and with international labour standards.
3. Labour recruiters acting across borders should respect bilateral or multilateral migration agreements between the countries concerned which promote human rights, including workers' rights.
4. Ensure the conditions of work and living conditions into which workers are recruited are those that they have been promised.
5. Temporary employment agencies and user enterprises should agree on the allocation of responsibilities of the agency and of the user enterprise, and ensure that they are clearly allocated to guarantee adequate protection to the workers concerned.

D. Responsibilities of employers: There are different kinds of employers involved in recruitment and each should be responsible according to the circumstances.

1. Ensure that written contracts of employment are concluded and that they are transparent and understood by the worker.
2. Provide or facilitate effective access to grievance and other dispute resolution mechanisms in cases of alleged abuses in the recruitment process, and to appropriate remedies.
3. Provide all workers, whatever their employment status, with the protection provided for in labour law and international labour standards as concerns recruitment.
4. Ensure that the right to freedom of association and collective bargaining of recruited workers is respected in the recruitment process.
5. Employers should not resort to labour recruiters or to temporary work agencies to replace workers who are on strike.
6. Respect the freedom of migrant workers to leave or change employment or to return to their countries of origin.

4.3 GCM- Global Compact for Migration

Global Compact for Safe, Orderly and Regular Migration: UN Member States agree on common goals in managing international migration in all its dimensions. The non-binding Global Compact for Migration encompasses 23 objectives for better managing migration at local, national, regional and global levels.

1. Collect and utilize accurate and disaggregated data as a basis for evidence-based policies.
2. Minimize the adverse drivers and structural factors that compel people to leave their country of origin.
3. Provide accurate and timely information at all stages of migration.
4. Ensure that all migrants have proof of legal identity and adequate documentation.
5. Enhance the availability and flexibility of pathways for regular migration.
6. Facilitate fair and ethical recruitment and safeguard conditions that ensure decent work.
7. Address and reduce vulnerabilities in migration.
8. Save lives and establish coordinated international efforts on missing migrants.
9. Strengthen the transnational response to the smuggling of migrants.
10. Prevent, combat and eradicate trafficking in persons in the context of international migration.
11. Manage borders in an integrated, secure and coordinated manner.
12. Strengthen certainty and predictability in migration procedures for appropriate screening, assessment and referral.
13. Use immigration detention only as a measure of last resort and work towards alternatives.
14. Enhance consular protection, assistance and cooperation throughout the migration cycle.
15. Provide access to basic services for migrants.
16. Empower migrants and societies to realize full inclusion and social cohesion
17. Eliminate all forms of discrimination and promote evidence-based public discourse to shape perceptions of migration.
18. Invest in skills development and facilitate mutual recognition of skills, qualifications and competencies.
19. Promote faster, safer and cheaper transfer of remittances and foster financial inclusion of migrants.
20. Create conditions for migrants and diasporas to fully contribute to sustainable development in all countries.
21. Cooperate in facilitating safe and dignified return and readmission, as well as sustainable reintegration.
22. Establish mechanisms for the portability of social security entitlements and earned benefits.
23. Strengthen international cooperation and global partnership for safe, orderly and regular migration.

4.4 Abu Dhabi Dialogue

In 2008, Member States of the Colombo Process and two countries of destination, Malaysia and Singapore, met with Gulf Cooperation Council (GCC) countries and Yemen to discuss practices and policies about temporary contractual labour in Asia. The Abu Dhabi Dialogue (ADD) was then formed and the ADD Declaration was adopted to address temporary contractual labour mobility issues and optimize labour mobility's benefits for all participating countries. The second meeting was held in Manila (2012), the third meeting in Kuwait (2014). The Senior Officials' meeting was held in the United Arab Emirates (2016) wherein MFA participated as a panellist particularly on "Examining the Current Recruitment Models in the Asia – GCC Corridors".

The Abu Dhabi Dialogue is a voluntary, non-binding and informal state-led consultative process composed of 18 countries. 11 countries of origin: Afghanistan, Bangladesh, China, India, Indonesia, Nepal, Pakistan, Philippines, Sri Lanka, Thailand, and Vietnam; and 7 countries of destination: Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, United Arab Emirates (UAE), and Yemen. Republic of Korea, Japan and Singapore act as Observer States.

The ADD was initiated to broaden the base for a common understanding of issues and to influence practices and policies in the area of contractual labour for the region. The Abu Dhabi Dialogue focuses on developing four key, action-oriented partnerships between countries of origin and destination for development around the subject of temporary contractual labour, based on a notion of partnership and shared responsibility:

- Developing and sharing knowledge on labour market trends, skills profiles, workers and remittances policies and flows, and the relationship to development;
- Building capacity for more effective matching of labour supply and demand;
- Preventing illegal recruitment and promoting welfare and protection measures for contractual workers;
- Developing a framework for a comprehensive approach to managing the entire cycle of temporary contractual work that fosters the mutual interest of countries of origin and destination.

4.5 Colombo Process

The Colombo Process is a Regional Consultative Process on the management of overseas employment and contractual labour for countries of origin in Asia. It is a member state-driven, non-binding and informal forum to facilitate dialogue and cooperation on issues of common interest and concern relating to labour mobility.

The Colombo Process was established in 2003 in response to calls from several Asian labour-sending countries who increasingly recognized the need for optimizing the benefits of organized labour migration whilst protecting their migrants from exploitative practices in recruitment and employment.

The current membership of the Colombo Process consists of 12 Member States and 8 Observer Countries. Under the leadership of the Chairing country, the Member States regularly meet for Senior Officials Meetings and Ministerial Meetings to advance their commitments to the four principal objectives and thematic foci. The Member States also implement programs and projects both at the national and regional levels in partnership with IOM, UN agencies, development partners and countries of destination in pursuit of the thematic priorities.

There are five Thematic Area Working Groups (TAWGs) i.e. (a) Skills and Qualification Recognition (chaired by Sri Lanka); (b) Fostering Ethical Recruitment (chaired by Bangladesh); (c) Pre-Departure Orientation and Empowerment (chaired by Philippines); (d) Remittances (chaired by Pakistan) and (e) Labour Market Analysis (chaired by Thailand).

4.6 SDG- Sustainable Development Goals

The 2030 Agenda for Sustainable Development, containing 17 Sustainable Development Goals, is a plan of action for people, planet and prosperity. It seeks to strengthen universal peace in greater freedom. Its creators recognize that eradicating poverty in all its forms and dimensions, including extreme poverty, is the greatest global challenge and an indispensable requirement for sustainable development. All countries and all stakeholders, acting in partnership, are expected to implement this plan. The 17 Sustainable Development Goals and 169 targets demonstrate the scale and ambition of this new universal Agenda. They seek to build on the Millennium Development Goals and complete what these did not achieve. They aim to realize the human rights of all and to achieve gender equality and the empowerment of women and girls. They are integrated and indivisible and balance the three dimensions of sustainable development: economic, social and environmental.

Goal 8

SUSTAINABLE DEVELOPMENT GOAL 8 of the 2030 Agenda, on “**Decent work and economic growth**”, includes targets that are intimately linked to fair recruitment as an indispensable means of creating decent work and promoting sustainable development:

Target 8.5: By 2030, achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value.

Target 8.6: By 2020, substantially reduce the proportion of youth not in employment, education or training.

Target 8.7: Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms.

Target 8.8: 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.

Goal 10

Secondly, establishing fair recruitment practices will also contribute to the achievement of SUSTAINABLE DEVELOPMENT GOAL 10: “**Reduce inequalities within and between countries**”.

Target 10.7: Facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies.

Indicator 10.7.1: Recruitment cost is borne by the employee as a proportion of yearly income earned in the country of destination.

Target 10.C: By 2030, reduce to less than 3 per cent the transaction costs of migrant remittances and eliminate remittance corridors with costs higher than 5 per cent.

Indicator 10.C.1: Remittance costs as a proportion of the amount remitted.

Goal 17



Finally, fair recruitment will also promote SUSTAINABLE DEVELOPMENT GOAL 17: “**Strengthen the means of implementation and revitalize the global partnership for sustainable development**”.





Indicator 17.3.2: Volume of remittances as a proportion of total GDP.

Risks and Challenges in Fair Recruitment

Sessions: 5

5.1	Basics of Fair Recruitment
5.2	ILO Fair Recruitment Strategy
5.3	Risk factors for exploitive recruitment practices
5.4	Challenges for fair recruitment in labour migration in Bangladesh
5.5	Ways to promote fair recruitment in labour migration in Bangladesh

SESSION TITLE 	RISKS AND CHALLENGES IN FAIR RECRUITMENT
OBJECTIVES 	After the end of this session, participants will be able to <ul style="list-style-type: none">▪ Explain basic concepts of Fair Recruitment in labour migration.▪ Explain ILO Fair Recruitment Strategies.▪ Explain risk factors for exploitive recruitment practices▪ Explain the challenges of fair recruitment in labour migration in Bangladesh.▪ Identify the ways to promote fair recruitment in labour migration in Bangladesh.

<p>METHODS AND MATERIALS</p> 	<ul style="list-style-type: none"> ▪ Participatory Discussion ▪ PowerPoint Presentation and ▪ Brainstorming ▪ Multimedia projector with projection screen and a desktop or laptop computer ▪ A flip chart with a flexible flip chart hanging board ▪ A whiteboard with markers of multiple colours ▪ A set of VIPP Cards and poster papers for group work with permanent markers of multiple colours
<p>TIME</p> 	<p>60 minutes total session time <u>Breakdown of time:</u></p> <ul style="list-style-type: none"> ▪ 5 minutes – Welcoming the participants, explaining the objectives of the session ▪ 5 minutes – Open discussion ▪ 5 minutes – Lecture discussion on basic concepts of Fair Recruitment ▪ 5 minutes – Lecture discussion on ILO Fair Recruitment Strategies. ▪ 10 minutes – Lecture discussion on the risk factors for exploitive recruitment practices ▪ 10 minutes – Lecture discussion on the challenges of fair recruitment in labour migration ▪ 15 minutes – brainstorming session to promote fair recruitment in labour migration in Bangladesh ▪ 5 minutes – Recap the key learning points from the session and wrap up the session with thanks.
<p>PROCESS / INSTRUCTIONS FOR THE TRAINER</p> 	<p>Throw the question to the audience to share their thoughts and ideas on what is fair recruitment. Keep listening to the participants until the main concepts of fair recruitment come out.</p> <p>Take five minutes to explain why the ILO Fair Recruitment Strategy, risk factors for exploitive recruitment practices, and challenges are important to know.</p> <p>After hearing from the participants share the PowerPoint. Take help from the below handout on '<i>Risks and Challenges in Fair Recruitment</i>'.</p> <p>At the end of the session take two minutes to review the session with key learning points to recap.</p> <p>Close the session thanking the participants for their active participation.</p>
<p>TIPS FOR FACILITATOR</p> 	<p>This session could follow the method of brainstorming.</p>

5.1 Basics of Fair Recruitment

There is no internationally agreed definition of the term “Fair Recruitment”, but the key is “fair” which means “fair towards workers”. As per the International Labour Organization (ILO), fair recruitment can generally be understood to mean **“Recruitment carried out within the law, in line with international labour standards and with respect for human rights, without discrimination based on gender, ethnicity, national or legal status. It should be at no cost to workers and should protect them from exploitive situations”**.

Fair recruitment also entails due diligence concerning human rights and access to dispute-resolution mechanisms and remedies where abuse is alleged to have occurred (ILO and International Training Centre of the ILO, 2018).

According to the ILO General Principles and Operational Guidelines for Fair Recruitment, it means:

- ❖ Workers should not be charged any recruitment fees or related costs;
- ❖ Terms and conditions of employment should be fully disclosed in a verifiable and understandable manner;
- ❖ Workers should have access to a free or affordable grievance resolution system.

Concurrent with the rise in the volume of labour migration from Bangladesh, new policies, laws and regulations have been formulated and amended. The following paragraphs detail the relevant national legislation concerning migrant workers including provisions regulating the recruitment of migrant workers, and measures in place for protection (such as pre-departure training, insurance schemes, etc.)

5.2 ILO Fair Recruitment Strategies

Fair and ethical recruitment can help to ensure that migrant workers are treated fairly and have access to decent working conditions. Some examples of good practices include:

- ❖ **Transparency:** Employers and recruiters should provide clear and accurate information about the terms and conditions of employment, including wages, working hours, and benefits.
- ❖ **No fees:** Workers should not be charged any fees for recruitment or placement services. All costs associated with recruitment should be borne by the employer.
- ❖ **Written contracts:** Workers should be provided with a written contract of employment in a language they understand, outlining their rights and obligations.
- ❖ **Freedom of movement:** Workers should have the freedom to move freely within their host country and to change employers if they wish.
- ❖ **Access to grievance mechanisms:** Workers should have access to effective grievance mechanisms to address any issues or concerns they may have about their employment.
- ❖ **Protection of workers' rights:** Governments should ensure that the rights of migrant workers are protected, including their right to fair wages, safe working conditions, and freedom from discrimination and abuse.

In 2018, the Definition of recruitment fees and related costs was adopted by a Tripartite Meeting of Experts, held in Geneva. The Definition is intended to support the development, monitoring, implementation and enforcement of laws, policies and measures aimed at the protection of workers' rights. In addition, it supports the delivery of effective regulation of recruitment practices, notably of public and private employment agencies, to combat non-compliance, provide transparency of recruitment practices, and enhance the functioning of labour markets. Most importantly, the Definition recognises the principle that **“Workers shall not be charged directly or indirectly, in whole or in part, any fees or related costs for their recruitment; nor should they be collected directly or indirectly, such as through deductions from wages and benefits”**. The Definition consists of three components:

- ❖ **Recruitment fees:** payments for recruitment services offered by labour recruiters (public or private); employing them to perform work for a third party; and payments for recruiting directly by the employers.
- ❖ **Related costs:** Medical costs, insurance costs, costs for skills and qualification tests, costs for training and orientation, equipment costs, travel and lodging costs, and administrative costs.
- ❖ **Illegitimate, Unreasonable, and Undisclosed Costs:** Bribes, tributes, extortion or kickback payments, bonds, illicit cost-recovery fees and collaterals.

Unfairness in Recruitment



5.3 Risk Factors for Exploitative Recruitment Practices

Exploitative recruitment practices are a major concern for workers, particularly low-skilled workers who are often targeted by unscrupulous employment agencies, informal labour intermediaries and other actors operating outside of the legal framework. These unfair recruiters tend to primarily target low-skilled workers and often place them at risk of human trafficking and forced labour. Some examples of exploitative recruitment practices include:

- **Economic vulnerability:** People in financially precarious situations are more likely to accept exploitative job offers due to a lack of alternatives.
- **Demand-supply imbalance:** When there's a surplus of labour, employers might offer poor conditions, assuming that workers have few alternatives.
- **Inaccurate information on employment conditions:** Workers might not be fully aware of their rights or the terms of employment, making them susceptible to exploitation. Workers should be provided with accurate information on employment conditions before they leave their location of origin.
- **Cultural norms and gender discrimination:** Societal biases can lead to gender-based exploitation, where certain groups are paid less or subjected to worse conditions.
- **Deceptive recruitment practices:** Migrants are most vulnerable to deceptive recruitment practices, and their end employer is not always aware of such issues.
- **Contracts in a language that is not understood by the worker:** Contracts should be in a language that is understood by the worker.
- **Workers paying for a job:** Workers should not pay for a job, and costs related to recruitment should be covered by the employer.
- **Confiscation of personal documents or vital possessions:** Workers should have freedom of movement and their personal documents or vital possessions should not be confiscated.
- **Semi-legal recruitment or denial of social benefits:** Workers should not be recruited through semi-legal means or denied social benefits.
- **Excessive work hours or poor working conditions:** Workers should not be subjected to excessive work hours or poor working conditions.
- **Coercion or threat of violence:** Workers should not be coerced or threatened with violence during the recruitment process.
- **Inadequate legal remedies:** If legal avenues for seeking redress are limited, workers might hesitate to report exploitation.

5.4 Challenges of Fair Recruitment in Labour Migration in Bangladesh

There are several challenges for fair recruitment in labour migration in Bangladesh. Some of the problems faced by Bangladeshi migrants include high fees for migration charged by recruitment agencies, especially for low-skilled jobs, low wages, lack of information on migration opportunities and risks, discrimination, exploitation and abuse while overseas, and insufficient services to protect the rights of workers. The International Labour Organization (ILO) has been supporting the Bangladesh Bureau of Statistics in pioneering a survey aimed at shedding light on recruitment fees and costs paid by workers. Fair and effective labour recruitment policies and innovative solutions are required to address the challenges and to protect male and female migrant workers while ensuring labour market efficiency. Here are some of the most common challenges faced by Bangladeshi migrant workers:

- **Exploitative Practices:** Migrant workers often fall victim to exploitative recruitment agencies that charge exorbitant fees, trapping them in debt cycles before they even start working.
- **Lack of Transparency:** The recruitment process lacks transparency, making it difficult for workers to understand their rights, terms of employment, and potential risks.
- **Inadequate Legal Protections:** Existing laws might not effectively safeguard migrant workers' rights, leaving them vulnerable to exploitation and abuse.
- **Language Barriers:** Many workers lack proficiency in the language of the host country, leading to communication challenges and misunderstandings with employers.
- **Inadequate Pre-departure Training:** Insufficient training on work conditions, cultural norms, and legal rights can leave migrants unprepared for the challenges they might face abroad.
- **Weak Monitoring and Enforcement:** Oversight of recruitment agencies can be weak, allowing unscrupulous agencies to operate without consequences.
- **Deceptive Recruitment Practices:** False promises about wages, working conditions, and job opportunities can lead to workers being placed in situations that differ significantly from what they were initially told.
- **Document Retention:** Some employers or recruitment agencies retain workers' passports and documents, making it difficult for migrants to leave abusive situations.
- **Access to Justice:** Migrant workers often lack access to legal remedies and struggle to seek justice when their rights are violated.
- **Gender-specific Challenges:** Female migrant workers might face additional risks, such as gender-based violence and exploitation.

5.5 Ways to Promote Fair Recruitment in Labour Migration in Bangladesh

Promoting fair recruitment in labour migration in Bangladesh can be achieved through several measures. Implementing a combination of these measures can help Bangladesh promote fair recruitment and safeguard the rights and well-being of its migrant workers.

- **Transparency and Information:** Ensure potential migrants have access to accurate and transparent information about job opportunities, recruitment processes, and destination countries' labour laws.
- **Pre-Departure Orientation:** Provide comprehensive pre-departure training to migrants, educating them about their rights, responsibilities, and potential challenges they might face abroad.
- **Regulation and Monitoring:** Implement and enforce regulations on recruitment agencies, requiring them to adhere to ethical practices and charge reasonable fees. Regular monitoring can help identify and address any violations.
- **Standardized Contracts:** Develop standardized employment contracts that clearly outline job terms, wages, working conditions, and legal rights to protect migrant workers from exploitation.
- **Collaboration with Destination Countries:** Work with destination countries to establish bilateral agreements that protect the rights of Bangladeshi migrant workers and ensure they are treated fairly.
- **Recruitment Agency Certification:** Certify and license recruitment agencies based on their compliance with ethical standards and fair practices.
- **Migrant Support Centers:** Establish support centers in both the origin and destination countries to offer assistance, counselling, and legal advice to migrant workers.
- **Awareness Campaigns:** Conduct public awareness campaigns to educate both migrants and their families about safe migration, potential risks, and avenues for seeking help.
- **Hotlines and Complaint Mechanisms:** Set up hotlines and online platforms where migrant workers can report grievances and seek assistance, ensuring timely resolution of issues.
- **Reintegration Support:** Develop programs to help returning migrants reintegrate into their communities, offering skill development, job placement, and psychological support.
- **Access to Justice:** Ensure access to legal remedies for migrant workers who face exploitation or abuse abroad, including establishing legal aid services.

- **Data Collection and Research:** Gather data on labour migration trends, challenges, and outcomes to inform policy-making and improve the effectiveness of migration management strategies.
- **Engagement with Civil Society:** Collaborate with non-governmental organizations and civil society groups to advocate for migrant rights, conduct awareness campaigns, and hold both origin and destination countries accountable for fair practices.

GROUP WORK

Title	Role of Trade Union in promoting fair recruitment
Aim	Participants would be able to understand the role of trade unions in migration and to find out the way forwards
Time	60 mins (Group work+Presentation)
Activity	<p>Participants will be divided into 4 groups (4x6=24).</p> <p>They will discuss the role of trade unions in migration identify 3 points in all the 3 stages and write in the poster papers.</p> <p>Will present the group findings by selecting one moderator.</p>

Evaluation and Closing

- Session title** : Evaluation and closing
- Objective of the session** : Evaluate the training programme
- Time** : 30 minutes
- Method(s) of facilitation** : Filling out evaluation questions
- Facilitator and Co-facilitator** :
- Facilitation aids required** : - Multimedia projector with projection screen and a desktop or laptop computer
 - A flip chart with a flexible flip chart hanging board
 - A set of VIPP Cards and poster papers for group work with permanent markers of multiple colours
- Reading materials** : Evaluation format

Lesson plan

Process of facilitation

- First part of the last session is to conduct a quick evaluation of the training on how did the participants found the training overall.
- Distribute the participants a VIPP card using the Mood Meter' with three emoji: Happy – Neutral – Sad drawn on the poster paper.
- Ask participants to put a tick sign on the emoji s/he feels appropriate.
- In the second part of the evaluation ask participants to tell the following:
 - One positive side
 - One weak point
 - One recommendation
- Co-facilitators shall write down the points on the poster paper
- In the third part of the evaluation facilitator will distribute the 'Evaluation Forms' to the participants and request them to fill the formats accordingly.
- Formal closing by the organizers.

Instructions for Facilitators

- Encourage participants to take part in the evaluation.
- Explain to them why their evaluation is important.
- While conducting the process of evaluation tell participants that they will be absolutely unidentified about their evaluation.