

BANGLADESH

Bangladesh's Country Narrative in the 2014 TIP Report

Bangladesh – Tier 2

Bangladesh is primarily a source, and, to a lesser extent, a destination country for men, women, and children subjected to forced labor and sex trafficking. Some of the Bangladeshi men and women who migrate willingly to the Persian Gulf, Iraq, Iran, Lebanon, Maldives, Malaysia, Singapore, Thailand, Brunei, Sudan, Mauritius, the United States, and Europe for work subsequently face conditions indicative of forced labor. Before their departure, many migrant workers assume debt to pay high recruitment fees, imposed legally by recruitment agencies belonging to the Bangladesh Association of International Recruiting Agencies (BAIRA) and illegally by unlicensed sub-agents; this places some migrant workers in a condition that could be viewed as debt bondage. Some recruitment agencies and agents also commit recruitment fraud, including contract switching, in which they promise one type of job and conditions, but then change the job, employer, conditions, or salary after arrival. Domestic workers are predominantly women and particularly vulnerable to abuse. Some women and children from Bangladesh are transported to India and Pakistan, where they are subjected to commercial sexual exploitation and forced labor. The Rohingya community in Bangladesh is especially vulnerable to human trafficking.

Within the country, some Bangladeshi children and adults are subjected to sex trafficking. Some, predominately in rural areas, are subjected to domestic servitude and forced and bonded labor, in which traffickers exploit an initial debt assumed by a worker as part of the terms of employment. Some street children are coerced into criminality or forced to beg; begging ringmasters sometimes maim children as a means to generate sympathy from donors and earn more money. In some instances, children are sold into a form of bondage by their parents, while others are induced into labor through fraud and physical coercion, including in the domestic fish processing industry, or exploited in prostitution. According to an international expert on debt bondage, some Bangladeshi families and Indian migrant workers are subjected to bonded labor in Bangladesh's brick kilns; some kiln owners sell bonded females into prostitution purportedly to further recoup the families' debts. That same expert also reported that some Bangladeshi families are subjected to debt bondage in the shrimp farming industry in southeastern Bangladesh and that some ethnic Indian families are forced to work in the tea industry in the northeastern part of the country. In some instances, girls and boys as young as 8-years-old are subjected to forced prostitution within the country, living in slave-like conditions in secluded environments.

Bangladesh does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Authorities investigated and prosecuted more cases under the 2012 Prevention and Suppression of Human Trafficking Act (PSHTA), but continued to convict only a small number of traffickers. Bangladesh lacked a formal referral mechanism and authorities did not adequately train police and other public officials on

identifying and assisting victims. While the government implemented stricter criteria in granting licenses to recruitment agents, it continued to allow extremely high and legal recruitment fees.

RECOMMENDATIONS FOR BANGLADESH:

Finalize, adopt, and disseminate the implementing rules for the PSHTA, and train government officials on its implementation; take steps to sharply reduce all recruitment fees charged by licensed labor recruiters, and enforce violations with criminal sanctions; increase efforts to prosecute trafficking cases and convict trafficking offenders, particularly labor trafficking offenders, while strictly respecting due process; increase the training provided to government officials, including law enforcement, labor inspectors, and immigration officers, on methods to proactively identify trafficking cases; expand the support services available to trafficking victims, particularly adult male and forced labor victims; use the PSHTA to prosecute fraudulent labor recruiters; take steps to address any allegations of trafficking-related complicity of public officials, particularly through criminal prosecution; conduct awareness campaigns about the existence of laws against bonded labor targeted to government officials, employers, and vulnerable populations; improve services, including shelters, legal aid, counseling, and trained staff at Bangladesh's embassies in destination countries; increase the accessibility of information about the migration process and labor laws in countries of destination to potential migrants before they decide to migrate; improve quality of pre-departure trainings, including sessions on labor rights, labor laws, and methods to access justice and assistance in destination countries and in Bangladesh; improve data collection on the number of trafficking victims identified and assisted in Bangladesh and by Bangladeshi embassies; and accede to the 2000 UN TIP Protocol.

Prosecution

The Government of Bangladesh maintained anti-trafficking law enforcement efforts. The 2012 PSHTA generally prohibits and punishes all forms of human trafficking, although it prohibits the fraudulent recruitment of labor migrants only if the recruiter knows that the recruited worker will be subjected to forced labor. Prescribed penalties for labor trafficking offenses are five to 12 years' imprisonment and a fine of not less than the equivalent of approximately \$600, and prescribed penalties for sex trafficking offenses range from five years' imprisonment to the death sentence. These penalties are sufficiently stringent, and commensurate with those prescribed for other serious crimes, such as rape. In the reporting period, the government continued to prepare the implementing rules for the PSHTA, but did not yet finalize them.

The government reported investigating 84 new cases of sex trafficking and two cases of forced labor in 2013, compared with 67 sex and labor trafficking cases in 2012. All cases were prosecuted under the 2012 PSHTA. Authorities reported initiating prosecutions of 215 trafficking cases in 2013, compared with 94 in 2012. The government convicted 14 traffickers in 2013, compared with eight in the previous reporting period. The courts sentenced five of the convicted traffickers to life imprisonment, eight traffickers to ten years' imprisonment, and one trafficker to four months' imprisonment.

The alleged complicity of some Bangladeshi government officials and police officers in human trafficking remained a problem. Corrupt politicians, police, and border security forces on both sides of the India-Bangladesh border reportedly recognized a token used by human traffickers to evade arrest if caught at the border. The Government of Bangladesh reported that it continued prosecuting one case of government officials suspected of trafficking-related complicity, although there were no further developments. The government provided some anti-trafficking training at the police training academy. Observers reported that information about the PSHTA had not been circulated widely among officials at the district and local government levels.

Protection

The Government of Bangladesh made limited efforts to protect victims of trafficking. The police registered 377 cases involving individual or groups of victims in 2013, compared to 602 in 2012. The government lacked a formal mechanism for authorities to refer identified victims to care, and officials' ability to refer victims depended on their awareness of the PSHTA. Bangladeshi officials collaborated with Indian authorities on the repatriation of Bangladeshi child trafficking victims through a shared standard operating procedure. The government did not fund shelters or other services specifically designed for trafficking victims, but trafficking victims could access non-specialized support services for vulnerable people through nine shelter homes, drop-in centers, and safe homes administered by the Ministry of Social Welfare. Adult victims could leave the shelters on their own without supervision. The government continued to operate shelters in its embassy in Riyadh and consulate in Jeddah for female Bangladeshi workers fleeing abusive employers. The Bangladeshi diplomatic corps lacked the resources in destination countries to adequately assist Bangladeshi labor trafficking victims. When Bangladeshi migrant workers lodged complaints of labor and recruitment violations, including allegations of forced labor, they went through the Bureau for Manpower, Education, and Training. BAIRA had an arbitration process for addressing complaints, which provided victims with remediation, but rewards were often minimal and did not adequately address the illegal activities of some BAIRA-affiliated recruitment agents. In one case during the reporting period, the government worked with NGOs to provide legal services to repatriated victims from Iraq; there was no information on whether law enforcement officials encouraged other victims to participate in investigations and prosecutions of their traffickers. Unregistered Rohingya refugees who were trafficking victims may have been at risk of indefinite detention because of their lack of documentation.

Prevention

The Bangladeshi government made limited efforts to prevent trafficking in 2013. The government also sustained policies that permitted the forced labor of Bangladeshi migrant workers abroad to continue. In particular, the government continued to allow BAIRA to set extremely high and legal recruitment fees and did not exercise adequate oversight to ensure BAIRA's licensing and certification practices did not facilitate debt bondage of Bangladeshi workers abroad. Authorities canceled four recruitment agencies' licenses in 2013 for labor trafficking, compared to 65 agencies for engaging in a variety of illegal practices in the previous reporting period. The Ministry of Expatriate Welfare's Vigilance Task Force continued to operate; its mandate was to improve the oversight of Bangladesh's labor recruiting process. The

government continued to facilitate the migration of some willing Bangladeshi workers to Malaysia on the basis of a government-to-government agreement that aimed to mitigate the impact of private recruitment agencies' high fees and sometimes unscrupulous practices. The government enacted the 2013 Overseas Employment Act, which required labor recruiters to meet more stringent criteria to become licensed and required job seekers to register in an online database and for recruiters to only hire those in the database. The government developed a mandatory 21-day pre-departure training course for Bangladeshi women going abroad to work as domestic servants. The government did not fund any other anti-trafficking awareness campaigns. The government-NGO coordination committee continued to meet regularly, though observers noted poor coordination among the ministries. The government continued to implement the 2012-2014 national plan of action, but a few observers reported that the plan lacked clear resource allocations to relevant ministries, and that some ministries' representatives to coordination meetings were sometimes not familiar with the responsibilities assigned to their ministries by the action plan. The Ministry of Home Affairs published its annual report on human trafficking. The government trained military personnel to recognize and prevent trafficking in persons prior to their deployment abroad on international peacekeeping missions. The government did not demonstrate efforts to reduce the demand for commercial sex. Bangladesh is not a party to the 2000 UN TIP Protocol.

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