

THE IMPACT OF COVID-19 PANDEMIC ON GCM IMPLEMENTATION IN BANGLADESH

Bangladesh adopted and endorsed the Global Compact for Safe, Orderly and Regular Migration (GCM) in December 2018. Bangladesh's global leadership role in shaping the tools for global cooperation on migration including the GCM has been recognized internationally. The United Nations Network on Migration (UNNM) selected Bangladesh as a "Champion" country for GCM implementation. The GCM seeks to enhance global cooperation on international migration through international, regional, and bilateral cooperation. At the national level, GCM implementation should adopt a whole-of-society and whole-of-government approach and be grounded in the respect for human rights and the rule of law. The GCM is based on 10 cross-cutting and interdependent guiding principles one of which (guiding principle (e)) emphasizes the centrality of gender mainstreaming in its implementation. Each states' sovereignty in the implementation of GCM is acknowledged within the context of relevant international laws and obligations.

The outbreak of COVID-19 pandemic interrupted the implementation of the GCM soon after its adoption and imperiled adherence to numerous other international instruments that are designed to protect migrants and their families. The observance of key global human rights principles in migration governance suffered a setback. Almost all countries including Bangladesh imposed travel restrictions and lockdowns to stem the spread of the pandemic. The movement restrictions had devastating impacts on the economy through job losses, businesses shutdowns, and loss of revenue to governments as economies contracted. The impact of job losses and contracting economies hit poor households the hardest and disproportionately affected the youth and women. The death toll from the pandemic both among those in Bangladesh and overseas was devastating for families. Migrants who chose to return to Bangladesh faced an uncertain future with few job opportunities to return to at home.

In view of these unprecedented economic impacts of COVID-19, and its direct disruption of migrants' livelihoods, the Government of Bangladesh sought to strengthen its strategy to tackle COVID-19 through analysis of the pandemic's impact on the implementation of GCM. The government partnered with the Bangladesh United Nations Network on Migration (BDUNNM) which was established to support GCM implementation.

This is in accordance with the requirement in the text of the GCM, paragraph 45 that the Secretary General should establish the network to support member states to implement the GCM. IOM Bangladesh serves as the Coordinator and Secretariat for the BDUNNM. This policy brief seeks to propose proactive measures to account for the impact of COVID-19 on the implementation of the GCM in Bangladesh. This is consistent with the observation by BDUNNM that COVID-19 has created a "new normal" that demands a reassessment of the implications of the GCM and Sustainable Development Goals (SDG) implementation efforts.

A. SUMMARY OF THE IMPACT OF COVID-19 ON GCM IMPLEMENTATION IN BANGLADESH

A.1. Facilitating regular migration, decent work and enhancing the positive development effects of human mobility

A.1.1. The broad thematic area "facilitating regular migration, decent work and enhancing the positive development effects of human mobility" includes GCM objectives 5, 6, 18, 19, 20, and 23. The estimated 13 million Bangladeshi migrants since 1976 have contributed significantly to the country's GDP through remittances and other forms of development contributions. The remittances inflow to Bangladesh in 2019 was USD 20 billion accounting for 40 per cent of the nation's foreign exchange earnings. The Asian Development Bank (ADB) estimates that remittances to Bangladesh will drop by 27.8 per cent in 2020 due to the impact of COVID-19 far surpassing the estimated 19.3 per cent decline during the 2009 financial crisis. The 2020 UN Secretary General's report on progress toward the sustainable development goals highlighted that the COVID-19 pandemic is pushing the world into the worst economic crisis since the Great Depression with sharply declining growth rates. Furthermore, the income of informal workers who comprise half of the global workforce was expected to fall by 60 per cent in the first months of the pandemic and unemployment especially among the youth was projected to rise in Southern Asia by 12 per cent.

A.1.2. Unilateral travel restrictions were experienced after countries closed their airports and borders.

The economic turmoil in members states has led to a spike in unemployment and threatened reversals in key development indicators. Countries experienced acute shortage of personal protective equipment (PPE) and medical equipment. Additional restrictions at international borders, quarantine requirements and contact tracing that is contrary to intended international cooperation under GCM and other regional agreements and protocols were imposed. In the GCC and South East Asian countries where most of the migrants from Bangladesh are, the established Bilateral Labour Agreements (BLAs) and Memorandum of Agreements (MOA) provided little cover for assisting migrants in PHEICS, such as COVID-19.

A.1.3. Studies on returning migrants affected by COVID-19 in 12 districts in Bangladesh have shown that, approximately 70 per cent of surveyed migrants who returned from abroad between February and June 2020, are unemployed. Nearly half (48%) of returned migrants faced poor treatment by community members, friends, and family. Due to the COVID pandemic, immediate loss of income meant families are less able to afford food and water, less likely to access health care or education, and more at risk of child marriage, domestic violence, exploitation, and abuse. The National Help Line for gender-based violence (GBV) is receiving high call volumes (approximately 10,000 calls a day) during the pandemic, up from an average of 6,000 calls before the outbreak. Most of the returning migrants had high debt burdens, and 60 per cent said they needed skills upgrade to re-enter the labour market.

A.2. Promoting fact-based and data driven migration discourse, policy, and planning

A.2.1. The broad thematic area of promoting fact-based and data driven migration discourse, policy and planning includes objectives 1, 3, 17, and 23. As recommended by the ILO all official sources of migration should be complemented with regular surveys which combined with the regular household and labor force surveys provide useful data for assisting migrants consistent with the requirements of SDG 17 target 17.18. Though scheduled national censuses and surveys could not be done due to movement restrictions, some rapid assessments and surveys provided good data including “The Cost of Migration Survey–2020” conducted through technical cooperation between ILO and Bangladesh Bureau of Statistics and the Ministry of Planning. The first Bangladesh Migration Profile report was prepared in 2018 by the Ministry of planning in partnership with IOM. The ministry also played a leading role in conducting a study of migration, family remittances, assets, and skills categories in Bangladesh in 2019.

The results suggested countercyclical trends showing a slight increase in remittances in 2020. During the predeparture stage of migration from Bangladesh, migrants faced obstacles in obtaining accurate information both for safe recruitment and on how to protect themselves against COVID-19.

A.2.2. Migrants require access to up to date, verified information in times of crises. During the pandemic, there has been a proliferation of information on social media, the internet in the form of mostly unproven theories, rumors, and misinformation about COVID-19. Even before COVID-19, migrant’s vulnerability was heightened by a lack of access to critical health information in a format and language that they could understand because of their “marginal” status in countries of destination. The spread of inaccurate information mainly through social media has resulted in stigma, hostilities, and discrimination against migrants.

A.3. Protecting the human rights, safety, and wellbeing of migrants, including through addressing drivers and mitigating situations of vulnerability in migration

A.3.1. Under the broad thematic area of “protecting the human rights, safety, and wellbeing of migrants, including through addressing drivers and mitigating situations of vulnerability in migration” are GCM objectives 2, 7, 8, 12, 13, and 23. During COVID-19, women migrant workers face more difficulties in accessing social protection due to tightened travel and movement restriction and have been disproportionately affected. Bangladeshi women migrant workers especially those in Gulf Cooperation Council countries (GCC) have been particularly adversely affected. Between April-December 2020, a total of 408,408 migrants’ workers returned to Bangladesh. Out of them 358,484 (88%) were male and 49,924 (12%) were female (source: Probashi Kalyan Desk, Hazrat Shahjalal International Airport). Those who returned faced uncertainty in their livelihoods, loss of income and stigma. A study conducted in Bangladesh showed that 73 percent of women migrants from Bangladesh are facing violence during lockdowns, and 53 percent of them did not get their wages, while 83 percent did not get any PPEs. Furthermore, the lowered demand for migrant labour in destination countries due to COVID-19 has not only forced migrant workers to return home but also slowed down out-migration. This means that many Bangladeshis who were preparing to work abroad have also lost job opportunities and the future income that they were counting on.

A.3.2. COVID-19 exposed the protection crisis that migrant workers from Bangladesh in various countries of destinations continue to experience.

They are accommodated in unsanitary and crowded living conditions, have compromised access to health services, and experience food insecurity. They also face discrimination, abuse, and xenophobia. Women working in essential and domestic services were particularly exposed to exploitation and abuse. These circumstances heighten their vulnerability to COVID-19. Almost all the lower-skilled Bangladeshi migrants work in essential services sectors where there is no option for remote working or using digital solutions. Bangladeshi migrants in Malaysia, Kuwait, Qatar, Oman, Saudi Arab, UAE, Italy, and Singapore were reported to be concerned about lack of food, money and jobs, fear of death from COVID-19, information on flights back to Bangladesh, and obtaining relief from Bangladesh embassies. A boon from the pandemic was that most countries of destinations opted to use alternatives to detention of migrants and released others while extending visas for others.

A.4. Addressing irregular migration including through managing borders and combating transnational crime

A.4.1. Under the thematic area of “addressing irregular migration including through managing borders and combating transnational crime”, the GCM objectives are 9, 10, 11, 14, 21, and 23. Bangladeshi women, men, girls, and boys, regardless of their migration status, and asylum-seekers and refugees are at risk of becoming victims of smuggling and trafficking in persons and other forms of exploitation during recruitment, in transit, and in countries of destination. In most destinations, where there are large numbers of migrants from Bangladesh, provision of normal consular services was disrupted leaving those who needed such services in limbo. Physical distancing and lockdowns placed the few goods and services that migrants could access even further out of reach and increased the challenges for asylum-seekers and refugees’ access to protection and humanitarian services.

A.4.2. The disruption of legal processes for regular migration may have compelled prospective migrants to seek irregular pathways out of desperation. Bangladesh migrants especially in GCC countries were detained in quarantine facilities in crowded, unhygienic conditions further exposing them to infection. The GoB has provided cash grants and loans from the MoEWOE to help returning migrants to set up small businesses. A larger initiative of the GoB to assist returnees has allocated USD 2.4 million to make loans available for their reintegration assistance. Development partners have also assisted returnees with some of the efforts directed at ensuring that women returnees receive emergency food assistance, hygiene kits, and skills development.

A.5. Improving the social inclusion and integration of migrants

A.5.1. The thematic area “improving the social inclusion and integration of migrants” comprises of GCM objectives 4, 15, 16, 22, and 23 that advocates for the inclusion, non-discrimination, and empowerment of migrants. Numerous social protection measures have been implemented in various countries. Bangladesh has adopted an inclusive approach in its implementation of National Action Plan 2021-2025 (NAP) for the GCM, and the National Action Plan for the Implementation of the Expatriates’ Welfare and Overseas Employment Policy 2016 (2019). Both these plans are being implemented with migrants as active participants. In close cooperation with ILO the implementation of these work plans is using social dialogue and participatory consultations to identify the needs of workers and their families including migrant workers and those employed in the informal sector. Their implementation is also considering the need to expand social protection provisions and social protection floors for migrants consistent with the GCM and the implications of COVID-19.

B. KEY RECOMMENDATIONS

B.1. Strengthen international cooperation and global partnerships for safe, orderly, and regular migration

B.1.1. With COVID-19 pandemic emerging as an international public health crisis and as a migration, economic, and labour market emergency of unprecedented extent, Bangladesh has taken proactive steps to mitigate its impacts on Bangladeshi migrants. The country has also initiated dialogues on the impact with development partners. Bangladesh should undertake a review of existing BLAs and MoUs to ensure consolidation of good practices. UN Women commissioned a gender equality analysis of the existing BLAs and MoUs with the United Arab Emirates, Jordan, Oman, and Lebanon in 2019. The study used the Gender-Responsive Guidance on Employment Contracts as the framework of analysis and provided evidence-based recommendations to the Government of Bangladesh for the protection of rights of domestic service workers. UN Women developed a “Gender Responsive Guidance on Employment Contracts” (“the Guidance”) that serves as a reference tool for stakeholders in countries of origin and destination. The Guidance compiles established international standards and practices regarding employment contracts for migrant domestic workers. It can be adopted and used in the post-COVID-19 context.

B.1.2. Guidelines for improved agreements developed through ILO have clauses that can be adopted and adapted to post COVID-19 context. Although these agreements have been reviewed in recent years to ensure fair recruitment and standardized contracts, existing agreements and upcoming new draft agreements will need to be reviewed and updated to reflect the “new normal” of potential increase in frequency in health emergencies and crises and include key protection for migrant’s rights while prioritizing their access to health services.

B.2 Promoting fact-based and data-driven migration discourse, policy, and planning

B.2.1. ILO guidelines on labour migration data collection need to be adopted and implemented by establishing national systems for collecting comparable statistics on international labour migration according to specified standards. Relevant agencies should prepare and roll out a targeted approach in dissemination of accurate information for migrants at all stages of migration, in their host communities, and in their places of origin. The Returning Migrants Management Information System (ReMiMIS) currently being implemented is an important step in the right direction. The ReMiMIS should also be integrated with the Migrant Worker Information and Management System (MWIMS) developed through the A2I under the Ministry of ICT. Eventually, all such data on migration should be part of national statistics under the national statistical body Bangladesh Bureau of Statistics.

B.3. Protecting the human rights, safety, and wellbeing of migrants, including through addressing drivers and mitigating situations of vulnerability in migration

B.3.1. The recently published Bangladesh Migration Crisis Operational Framework (MCOF) should be implemented without delay. The MCOF (2020) contains key recommendations on policy, coordination, operational, consular preparation of emergency plans, suggested good practices for helping during crises, return and reintegration assistance and the involvement of migrants in planning and providing information and assistance during crises. Other useful tools that should be consulted include the Non-binding principles and guidelines for a rights-based approach to labour migration outlined in the ILO’s Multilateral Framework on Labour Migration, and the Global Migration Group (GMG) Principles and Guidelines Supported by Practical Guidance, on the Human Rights Protection of Migrants in Vulnerable Situations. Specific efforts focusing on vulnerable migrants especially women and children, in the fight against smuggling and trafficking need to be implemented. Bangladesh should undertake bilateral negotiations on alternatives to detention.

B.4. Addressing irregular migration including through managing borders and combating transnational crime

B.4.1. The social protection measures being implemented in Bangladesh such as basic income protection should be expanded to reach migrants in countries of destination. These measures should include health coverage for all including irregular migrants. Strengthened cooperation to combat smuggling and trafficking in persons regardless of migration status should be launched utilizing the relevant recommendations of the UNODC Toolkit to Combat Trafficking in Persons. The current joint UNODC-EU-IOM-GoB Global Action Plan against Trafficking in Persons and the Smuggling of Migrants-Bangladesh (GLO.ACT-Bangladesh) initiative for the period 2019-2023 seeks to embed good practices that includes government agencies, civil society organizations in fighting human trafficking and smuggling in Bangladesh regardless of migration status. Currently conducting a national study on Trafficking in Persons with the support of GLO.ACT-Bangladesh will create the basis for a recurrent reporting system on human trafficking in Bangladesh and provide an overview and analysis of the main national and regional TIP trends. Updating, operationalizing, and institutionalizing both online and offline dispute and grievance redressal mechanism will also be essential to address the rights and protection of the victims of irregular migration.

B.5. Facilitating regular migration, decent work and enhancing the positive development effects of human mobility

B.5.1. The current ILO and GoB initiative to revise the OEMA 2013 as a legislative bill illustrates the need to review and revise other current migration instruments to close gaps in legislation that leads to exploitation of migrants. In particular, criminalizing the smuggling of migrants, developing the Rules for the Wage Earner Welfare Board Act 2018 that includes social protection measures for returnees and a sub policy on reintegration of migrant workers will strengthen legal, policy and regulatory frameworks on labour migration and labour standards for reintegration. The recent initiative of developing a pilot with the Bangladesh mission in Jordan and the Ministry of Foreign Affairs by ILO for strengthening migrant friendly services in country of destination, also supported by civil society actors such as the Institute of Informatics and Development (IID) and Bangladesh Nari Sramik Kendro (BNSK), has a demonstrative impact for scaling up to other missions. Implementation of targeted and well-structured return and reintegration assistance programme that takes consideration of gender, age, skills need, and that utilizes a less bureaucratic processes in funding procedures should be undertaken.

Skill categories of BMET should be aligned to ISCO, to ensure mutual recognition of skills training between Bangladesh and countries of destination.

B.6. Promoting the social inclusion and integration of migrants

B.6.1. There is need to align both the NAP for GCM implementation and the National Action Plan for the Implementation of the Expatriates' Welfare and Overseas Employment Policy 2016. Robust social protection measures to counteract the devastating impacts of COVID-19 related job losses should be implemented. The process of identifying the needs of workers and their families should be inclusive. Social protection measures that should be considered should account for all migrants with specific focus on vulnerable groups and sectors such as health. Central and decentralized skills recognition, social protection services, market driven employment and enterprise development information and services must be strengthened. Building capacity of public, private, and civil society will ensure enterprise development advice and referral assistance. Uninterrupted consular support should be provided with optimal safeguards against fraud in the issuing of travel documents. Social protection measure for women's health and reproductive health insurance and legal services needs to be strengthening for women migrant workers. Enhancing leadership capacity to transform the negative stereotypes from the community to address the medium to long-term recovery and socio-economic inclusion needs of the returning migrants need to be supported at the household level through direct (in kind) income generating assistances.

C. CONCLUSIONS

With close to 13 million international migrants, Bangladesh has high stakes in ensuring that the global consensus on international migration governance and management reflected in the GCM's 23 objectives is achieved. It also has its national interests to ensure that Bangladeshi nationals living, studying, and working abroad are provided with appropriate assistance consistent with national laws, international conventions, and their inherent human rights. COVID-19 has threatened to upend Bangladesh's progress in implementing the GCM. The gaps that Bangladesh now faces due to the impact of COVID-19 are not insurmountable. They can be closed with the right institutional capacity and cooperation. There has been robust support from the Bangladesh United Nations Network on Migration (BDUNNM) and its constituent organizations led by IOM which is the secretariat of the network. Bangladesh will need to prioritize a targeted and inclusive approach that addresses vulnerabilities exposed by the COVID-19 pandemic. Priorities include close gaps in BLAs and MoUs with countries of destination, strengthening protection with specific emphasis on female and children migrants, reinforcing consular assistance to nationals abroad, insisting on adherence to international conventions by countries of destination regarding recruitment practices, human rights of migrants and their access to services, and strengthening return and reintegration preparedness, implementation, and partnerships.

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