

The Intersection of Modern Slavery, Migration, and Climate Change

4th Cycle UPR of Bangladesh (2023)

Summary

Bangladesh is highly vulnerable to climate change impacts, ranking seventh on the 2021 World Climate Risk Index.¹ The increasing frequency and intensity of extreme weather disasters due to climate change creates conditions where vulnerable communities – frequently those who are already poorest – are left with fewer viable coping options. In the absence of adequate protection systems, they often fall into abusive and exploitative conditions, particularly during the migration cycle. Unfair and unethical recruitment practices including ‘visa trading’² operated by agents at home and at destination, and employer tied sponsorship (or ‘kafala’) systems abroad, make many migrant workers irregular, creating a much greater risk of precarious working conditions and slavery-like situations in destination countries. Mechanisms are urgently required in Bangladesh that will ensure the protection of its migrant workers and uphold their rights and dignity.

Priority recommendations for the Government of Bangladesh:

- Integrate meaningful action to prevent human trafficking and forced labour into existing and future climate adaptation and mitigation plans (including the National Action Plan (2023-2050), the Bangladesh Delta Plan 2100, and Bangladesh’s next Nationally Determined Contribution to the UNFCCC).
- Revise the current Overseas Employment and Migrants’ Act 2013 to ensure fair and ethical recruitment, including by bringing recruitment agents and their sub-agents at home and abroad under an accountable and regulated system and taking immediate steps to stop visa ‘trading’.
- Establish a special tribunal in Bangladesh for migrant workers’ cases and provide meaningful assistance to strengthen access to remedy for migrant workers in countries of destination.
- Ensure that the Ministry of Expatriate Welfare and Overseas Employment adopts separate and comprehensive arbitration rules for violations of migrant workers’ rights, including by establishing a dedicated arbitral tribunal with sufficient resources.
- Deliver adequate support to Bangladesh’s embassies, including additional resources and training, to improve their ability to support migrant workers abroad experiencing exploitation.
- Strongly advocate with the international community for the creation of safer and more numerous legal migration pathways to prevent risks of forced labour and human trafficking, including for those who migrate in the context of climate change.

Climate change

During the 3rd cycle, the Government of Bangladesh supported two recommendations related to mitigating the negative impacts of climate change, including to “Develop strategies to mitigate the impact of climate change”.³ Since its last review, the Government has demonstrated some commitment to addressing the effects of climate change, for example adopting in 2022 a new National Adaptation Plan (NAP) (2023-2050)⁴ to respond to climate change impacts. However, the NAP contains no specific mention of the exploitation risks associated with climate-induced migration, including bonded labour, human trafficking and other forms of contemporary slavery. Research conducted by Anti-Slavery International and IIED has found that increasing

numbers of people from the disaster-prone Sundarbans region in Bangladesh are relying on trafficking networks to cross borders in response to escalating immigration controls.⁵ The transfer of women and children in large numbers to neighbouring countries is widespread here, with trafficking victims then commonly forced into exploitative labour conditions and debt bondage.⁶

The rights of migrant workers

During the 3rd cycle, the Government accepted seven recommendations related to the protection of migrants, including to “Strengthen measures to protect migrant workers”.⁷ Since then, the Government has adopted a series of national laws on migration, including the Overseas Employment and Migrant Rules (2020), but there remains a lack of implementation as well as inadequacies within existing policies. The main risk facing Bangladeshi migrant workers remains unfair and unethical recruitment practices. The Ministry of Expatriate Welfare and Overseas Employment has set a cap for recruitment fees paid by migrant workers for several countries, yet recruitment agencies still tend to charge six to ten times higher than the officially set amount.⁸ The Government of Bangladesh has no mechanism in place to ensure that the recruited workers are employed under the conditions that they were promised. The Overseas Employment and Migrants’ Act 2013 stipulates that the Government of Bangladesh should provide legal aid for migrant workers to access justice and remedy in destination countries, while in reality the facilities are insufficient and most migrant workers are returned without accessing any justice or remedy.⁹

Contemporary forms of slavery

During the 3rd cycle, the Government supported five recommendations on the prohibition of slavery.¹⁰ It has taken some action towards implementing these, for example in March 2020 establishing seven Anti-Trafficking Tribunals to improve low conviction rates.¹¹ Whilst convictions of traffickers have increased, the use of fines rather than prison sentences weakens deterrence and could lead to safety risks for victims.¹² The United States 2023 and 2022 Trafficking in Persons reports found that there is insufficient victim care in court proceedings – including victims and accused traffickers appearing in court at the same time, and suspects sometimes threatening victims to discourage testifying.¹³ The Government has also “continued to allow recruitment agencies to charge high recruitment fees to migrant workers and did not consistently address sub-agents conducting illegal recruitment operations, leaving workers vulnerable to trafficking.”¹⁴

¹ Government of the People’s Republic of Bangladesh, Ministry of Environment, Forest and Climate Change, [‘National Adaptation Plan of Bangladesh \(2023-2050\)’](#), p.i.

² [Visa trading](#) refers to a situation where a migrant is sponsored for a specific job, but upon arrival in the destination country, their sponsor unofficially “trades” or “sells” the worker’s visa to another sponsor – thereby “releasing” them into the black market.

³ 147.38 (Gabon), OHCHR [‘Third Cycle Matrice of Recommendations – Bangladesh’](#), 30th session (2018).

⁴ ‘National Adaptation Plan of Bangladesh (2023-2050)’, op.cit.

⁵ Ritu Bharadwaj et al, [‘Climate-induced migration and modern slavery: a toolkit for policymakers’](#), IIED and Anti-Slavery International (September 2021), p.26.

⁶ Ibid.

⁷ 147.158 (Indonesia); 147.159 (Nepal); 147.160 (Peru); 147.161 (Philippines); 147.163 (Iraq); 147.151 (Ecuador); 147.162 (Philippines) – OHCHR, op, cit.

⁸ UN Special Rapporteur on the human rights of migrants, [‘Bangladesh must boost regulation of migrant recruitment: UN expert’](#) (January 2023).

⁹ ILO, [Bangladesh Overseas Employment and Migrants’ Act 2013](#), English Version.

¹⁰ 147.57 (Turkmenistan); 147.58 (Islamic Republic of Iran); 147.59 (Belarus); 147.61 (Djibouti); 147.62 (Guyana) – OHCHR, op, cit.

¹¹ Naimul Karim, [‘Bangladesh vows to speed up efforts to convict human traffickers’](#), Reuters (November 2020).

¹² US Department of State, Office to Monitor and Combat Trafficking in Persons, [‘2023 Trafficking in Persons Report: Bangladesh’](#).

¹³ Ibid; US Department of State, Office to Monitor and Combat Trafficking in Persons, [‘2022 Trafficking in Persons Report: Bangladesh’](#).

¹⁴ Ibid (2022).