



## Irregular Migration from Bangladesh to the Gulf: Is Combatting It a Governance Challenge?

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## XI

### **Irregular Migration from Bangladesh to the Gulf: Is Combatting It a Governance Challenge?**

*AKM Ahsan Ullah\**

**Abstract:** Bangladeshis constitute a significant number of the pool of irregular migrants in Saudi Arabia. The Kingdom has been experiencing exponential growth in the number of irregular migrants, which has become a source of major concern for the government. The harsh policy in place and cooperation from sending country governments appears insufficient to combat the phenomenon. In fact, poor governance in the sending countries has contributed to the irregular migration. This chapter is based on a qualitative study conducted in Bangladesh between 2011 and 2014 of government departments and ministries and registered travel agents who send migrant workers abroad. Interviews were conducted with a select group of 10 officials and 45 Bangladeshi irregular migrants in Saudi Arabia by administering a well-designed checklist. No precise data on the number of irregular migrants is available. There are a significant number of irregular migrants who went to Saudi Arabia on Umrah and Haj visas and overstayed; some of them were left in the Kingdom by some government officials; some were left by some music bands and some overstayed their tourist visa. Others absconded and yet others abandoned abusive employers who withheld or confiscated their travel

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documents. The sending government's poor oversight and reluctance to combat irregular migration in dealing with this issue is evident. Irregular migration has crucial policy implications for both origin and destination countries and exposes migrants themselves to insecurity, abuse, and exploitation.

## **Background**

No country in the world is untouched by, or immune to the effects of international migration — particularly the undocumented form of it (Papademetriou 2005; Ullah 2011; 2012). Irregular migration goes hand in hand with regular migration though the extent of this varies depending on how migration regulations in host and sending countries are implemented. No country in the world can claim that they send or receive regular/documented migrants only. Some countries are lenient and tolerant toward them, and some are harsh. Some countries send irregular migrants, some countries receive them, and some countries are traversed by them. In recent years, in Asia, the Pacific, the Middle East and North Africa (MENA), Africa and the Gulf Cooperation Council (GCC) region, irregular migration has become the subject of widespread public debate (Morehouse and Michael 2011; Ullah, Hossain and Islam 2015). Globally, this issue has assumed much public prominence in recent times, with daily reports of potential migrants and asylum seekers trying to reach the Mediterranean shores or floating on the Indian Ocean, with some of them tragically losing their lives in the process.

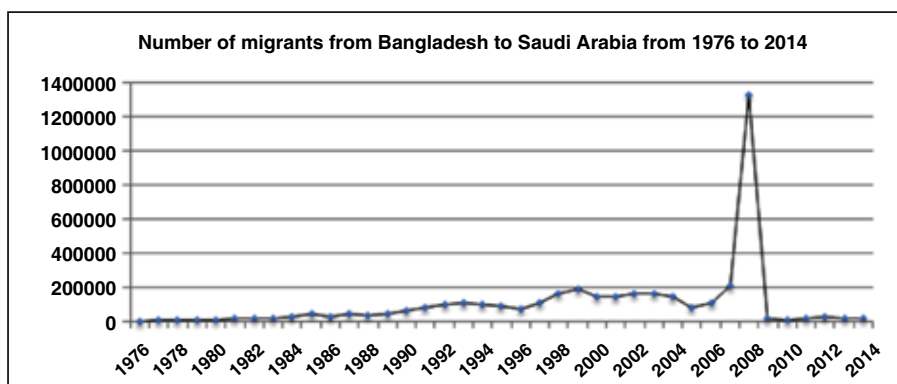
South Asia has undergone different phases of migration since the British colonial rule came to an end in 1947. In the 1971 liberation war, Bangladesh alone experienced displacement of 30 million people (20 million Internally Displaced Persons [IDPs] and 10 million who crossed the border) who moved to neighbouring countries (Dawson and Farber July 2012; Kelley 2009). Bangladesh, home to 158.5 million people (UNFPA, November 18, 2014), ranks as the world's eighth-most populous country. As of 2007, 50% of its urban population was living in squatters and slums (Duncan 2007). Bangladesh is prone to natural disasters, including cyclones, tornadoes, storm surges, floods, drought, earthquakes, riverbank erosion, and landslides (RRCAP 2001). Around two decades of political instability and political repression perpetrated by governments and continuous natural disasters have thwarted economic growth and, as a result, poverty levels have remained almost the same as they were two decades ago while economic disparity has widened (Ullah and Routray 2003). Bangladesh's parliamentary democracy came to an end in 1975 with three coups, after which military dictators periodically governed the



country from 1975 to 1990. From 2007 until 2015, unelected governments ruled the country. These circumstances have contributed to the migration flows from Bangladesh. Widespread poverty, unemployment, underemployment, and pervasive corruption, in addition to the fact that youth account for one-third of the total population of Bangladesh (Ara and Tanha 2010), have contributed to the migration flows.

Migration flows from Bangladesh have been determined by factors such as religious belief, demand for labour, and emergencies (Ullah 2015). The liberation war forced a few millions to cross the border to India. On the other hand, in the early 70s, the Gulf oil boom sparked a different type (i.e., migration based on religious emotion) of labour mobility from South Asia, especially from Bangladesh to the Middle East, and Saudi Arabia in particular. Though foreign workers were a significant part of the workforce starting from the inception of the Kingdom's oil industry in the 1930s, large scale inflows of workers began in the wake of the oil boom in the early 1970s. Since then, South Asian countries, including Bangladesh, have sent a significant number of temporary labour migrants to work in the Gulf (Doherty et al. 2014), as local labour supply often could not meet the demands of the booming construction sector. There are also claims that Saudi Arabia preferred South Asians, especially Bangladeshis, to Arab expat workers, because they would be less likely to settle and more easy to control (Pakkiasamy 2004).

Saudi Arabia ranked as the second top remittance-sending country and was among the top five migrant destination countries worldwide (De Bel-Air 2014). Of the total migrants from Bangladesh, about one-third live in Saudi Arabia. From 1976 until 2007, the number of outgoing migrants to Saudi Arabia kept growing, though there has been a sudden drop from 2008 (BMET 2014). Two sets of explanations are offered for the steep drop. One set argues that this drop is a result of deteriorated diplomatic relations with the Kingdom, while the other set claims that the economic slowdown, rise in the number of local workers, and increasing competition from other labour-exporting countries have contributed to this (Miah, Khan and Rahman 2013). Though the government of Bangladesh does not track return migration, it is estimated that over a 10-year period, from 2000 to 2010, return migration from the GCC countries was approximately half of regular migrant outflows (Islam 2010).

**Figure 11.1: Migration trend from Bangladesh**

Source: BMET 2015.

The desire to visit Makkah and Medina for pilgrimage has played an important role in increasing migration from Bangladesh to Saudi Arabia. During the 1970s and 80s, Bangladeshis used to pay visits to a returnee from pilgrimage to Saudi Arabia. They considered it as a religious responsibility. This is not to say that religion alone explains the Bangladesh-Saudi Arabia migration flow, but it seems to have been a contributory factor. The strained relationship between the governments of Bangladesh and Saudi Arabia have played negatively in the migration landscape. As a result, for the last few years, migration flows from Bangladesh to Saudi Arabia have come to a halt. In the wake of this development, potential migrants have sought to find alternatives i.e., irregular avenues. Getting to Saudi Arabia illegally from Bangladesh is not easy primarily because of its location. Saudi Arabia has practically impermeable borders (except for the one with Yemen). UAE and Oman are not considered a threat to the security of the Kingdom. Eritrea and Sudan are separated from Saudi Arabia by the Red Sea. Saudi Arabia and Iraq are separated by a 965 km wall which consists of twin fences and a ditch, and extends from near Turaif, where Saudi Arabia meets Iraq and Jordan, to Hafar al-Batin, on the Kingdom's border with Iraq and Kuwait.

This chapter is based on a qualitative study conducted between 2012 and 2014 in the relevant government departments and among registered travel agents involved in exporting manpower. Interviews of 10 selected officials and 45 Bangladeshi irregular migrants in Saudi Arabia were conducted by administering a well-designed checklist. Irregular migrants from both locations (Bangladesh and Saudi Arabia) were selected on a snowball basis: They considered themselves irregular (in their own words, “illegal”) and they remained in Saudi Arabia as irregular migrants

at least for six months. Government officials were selected purposively. This research went through the American University in Cairo (AUC) ethical review process since this involves human subjects.

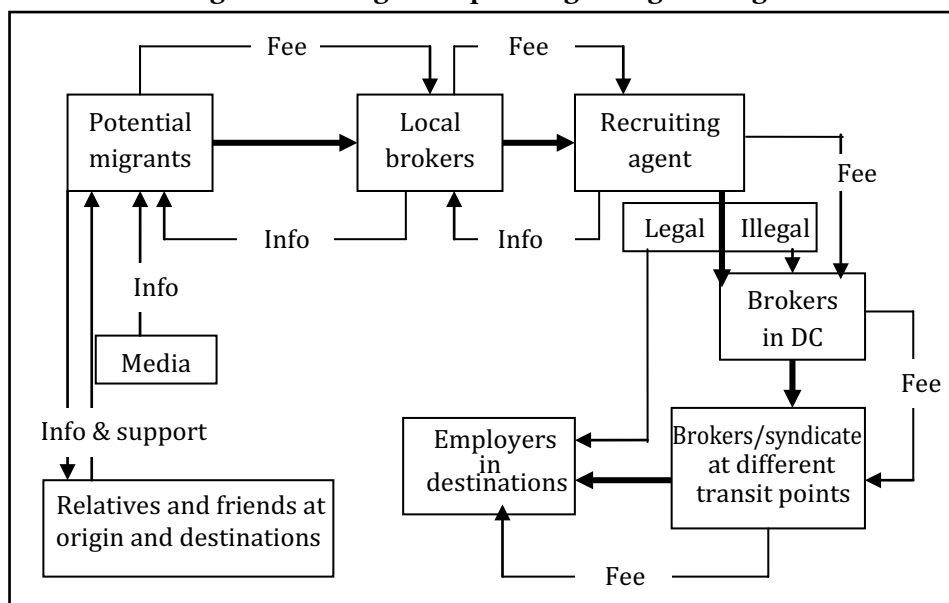
**Table 11.1: Distribution of respondents**

<b>Irregular migrants</b>	<b>Locations of interview</b>		<i>f</i>	%
	Saudi Arabia		14	31
	Bangladesh		31	69
Total			45	100
<b>Officials</b>	<b>Locations of interview</b>			
	Saudi Arabia	Government official plus 1 travel agency owner	2	20
	Bangladesh	Government officials, 3 travel agency personnel and 3 brokers	8	80
Total			10	100

## Governance and Irregularity

In literature various terminologies are used indifferently to denote irregularity in the migration process such as illegal, irregular, undocumented, clandestine, and unauthorized. “Illegal” is against the law, and “irregular” is against the regulations. While an act may be illegal, a person is not. Irregular migrants are persons who contravene regulations related to migration in their host country (Fargues 2009). The Kingdom of Saudi Arabia has been experiencing exponential growth in the number of irregular migrants, which has become a cause for major concern. Bangladeshis constitute a significant number of the pool of irregular migrants in the Kingdom. Existing policies and sending country government measures have proved insufficient to combat irregular migration. Poor governance in the sending countries has also contributed to this phenomenon.

This chapter looks into the issue of governance failure in combatting the growing irregular migration phenomenon. It asks a few pertinent questions related to the flow of irregular migrants. The IOM (2010) had the same type of questions related to irregular migrants who are susceptible to falling into the hands of smugglers. For example, does the specific country have specific laws that make migrant smuggling and trafficking in persons crimes? Does the administration investigate irregular migration and prosecute those guilty of offences? And to what extent do the policies and related legislation respond to the need to address irregular migration at the international and national levels?

**Figure 11.2: Migration path migrants go through**

Source: Adapted from Rahman 2004:382; Ullah 2010.

Irregularity implies that a certain set of regulations have not been complied with or respected in the move to migrate. This may sound like it is the fault of the migrants. However, making potential migrants abide by rules is the responsibility of the government. The failure to do so is a failure of governance. Hence, lately policy attention has shifted from the political economy of migration (Freeman 1994) to the legal system.

For the recipient countries, this is an unwanted, undesired, unexpected or unaccepted phenomena while for the sending country it is necessary for a variety of reasons such as increasing dependency on remittances and easing unemployment. The current failure in developing an adequate understanding of irregular migration has resulted in various terminologies being used to denote irregularity, such as irregular, illegal, undocumented, unauthorised, clandestine, unsafe and backdoor migration.

**Table 11.2: Existing policies, acts and ordinances related to migration**

Name	Category
Expatriates' Welfare Bank (2010 number - 55 Rules)	Act
Special facilities for remittance sender nonresident Bangladeshi - 2008	Policy
Foreign Employment Policy - 2006	Policy
CIP Selection Policy - 2006	Policy
Recruitment Agency And License - 2002	Policy
Wage Earners Welfare Fund Rules 2002	Rule
Emigration Ordinance 1982	Ordinance
Bangladesh Entry Control Act 1952	Act
Bangladesh Passport Act 1920	Act
Bangladesh Immigration Act	Act

Source: Ministry of Expatriates' Welfare and Overseas Employment (MEWOE), 2011; Ullah, Hossain and Islam, 2015.

Irregular migration is an area of investigation under broader migration management that concerns governments of sending, transit, and receiving countries (IOM 2010). The outcome of irregular migration may be detrimental to the migrants themselves as well as both sending and receiving countries. Bangladesh evidently has failed to combat irregular migration. As a result, it is facing an embargo in sending migrants to certain countries and stricter regulations than ever. The decision made by the Saudi government on March 22, 2015 to suspend Umrah visas for Bangladeshis is an example. The government expressed serious concerns about the Bangladeshi travel agencies that deal with Umrah visas. It claimed that thousands of Bangladeshis did not return after their Umrah was performed. The allegation has been that these travel agencies are involved in human smuggling in the name of Umrah (Khan 2015).

In the last four decades, Bangladesh has undergone a number of phases of migration. The many changes in the political system, difficult economic situation, and natural climatic emergencies since the liberation war in 1971 created conditions that have contributed directly or indirectly to the current migration scenario. The following table demonstrates the interplay between migration and governance and shows how the role of government becomes trivial during different time periods. In the table, facilitators are placed in order of significance of the role they played in different phases. Often brokers and government (in government managed migration) appear as competing agents.

**Table 11.3: Timeline: migration and role of government**

<b>Years</b>	<b>Status</b>	<b>Facilitators / intermediaries</b>	<b>Major destinations</b>	<b>Major factors contributing to status</b>
1971 -73	Refugees IDPs	Self; International organisations; Networks	India Pakistan	Liberation war and post-war crisis
1974 -76	IDPs Forced Migration Refugees Economic	Self; Networks International Organisations Governments	India Middle East and other countries	Famine and post - famine crisis
1977 -80	Economic Students	Government; Self Agents	Middle East Southeast Asia	Economic Better future Studies
1981 -90	Economic Highly skilled Temporary Students	Government; Agents; Networks; Self	Middle East Southeast Asia East Asia Europe, North America	Economic Studies Pilgrimage
1991 -2006	Economic Highly skilled Desperate Temporary Students	Brokers; Agents; Networks; Self; Government	Southeast Asia Middle East East Asia North America and Europe	Desperate Economic Political Umrah/pilgrimage Studies
2007 -2015	Economic Highly skilled Political asylum Temporary Students Female/DH Business	Brokers; Agents; Networks; Self; Government	Middle East Southeast Asia East Asia North America, Europe and Africa	Desperate Economic Political suppression Umrah/pilgrimage Choice Studies

Source: Author.

In practice, three legal and regulatory frameworks relating to migration exist in Bangladesh: international instruments; the domestic laws of both the destination countries and Bangladesh; and the bilateral agreements between Bangladesh and the receiving countries. There are several relevant laws focusing on the two main elements of migration that are within the mandate and scope of the government, i.e., maximisation of labour migration and the protection and welfare of the migrants working abroad. An interview with a relevant government official reveals

that sufficient efforts have been made to consolidate the laws and update them so as to address contemporary migration issues. Despite these advances, positive results are rarely visible at any level of migration process (Ullah, Hossain and Islam 2015; Siddiqui 2003).

The Bureau of Manpower, Employment, and Training (BMET) of Bangladesh operates 42 District Employment and Manpower Offices (DEMOs) to provide business and entrepreneurial training to potential migrants and returnees to encourage best use of resources (and remittances). However, lack of sufficient funds and widespread corruption in fund management thwart the services of the DEMO (ILO 2013). Additionally, a new Welfare Branch of the BMET has been established to assist in the repatriation of stranded migrant workers and the remains of workers who die overseas, as well as to assist families in the collection of owed salaries or remittances (Ullah, Hossain and Islam 2015; Mian, Khan and Rahman 2013). One travel agency official complained to me that the expansion of BMET's scope will only widen the scope for corruption. However, when the interviewer asked what the best policy would be for the government to combat irregular migration, an official responded that the government had every intention to manage migration in the most efficient manner. When his attention was drawn to incidents of migrants floating on unseaworthy boats, the official's response was not encouraging. His replies reminded me of the statement made by the Prime Minister of Bangladesh Sheikh Hasina on May 23, 2015, in which she criticised migrants leaving the country, many of whom were stranded in dire conditions at sea, as "mentally sick" and accused them of hurting the country's image. She warned that punishment would have to be given to those who are moving out of the country "illegally." The prime minister's statement was a signal that the government was not going to work on improving the conditions of the migration process, and the corrupt travel agents would go unpunished.

Our interview with a travel agent broker clearly points to the state of affairs.

Travel agent broker: Our responsibility is to collect clients. We get commission on every client.

Question: Would you please tell me more about where you meet them, how do you convince them?

Answer: (Yelling at the interviewer): Oh everyone is desperately wanting to go abroad. Only that they have no means. We offer them better options.

Q: Like?

A: Payment in instalments. We help in selling their assets, if any, to secure sufficient funds for their migration. They may not be in a position to do so. We do that on their behalf.

Q: If, at the end, they decline to migrate or pay?

A: No problem, we deduct an amount from their deposit.

Q: Deposits?

A: Yes, they have to deposit a certain amount when they express their intention to go abroad.

Q: Do you have any idea whether your clients would be migrating in a legal way?

A: That is not our job to look at. Our company is good and it takes care of those legal issues.

The irregular status of migrants is linked to their vulnerability to a wide range of abuses. Types of abuse range from exploitative employment and pay practices to physical and sexual abuse. Many of these problems can be traced to the dysfunctional dynamics of the recruitment system for Bangladeshi workers, especially the high levels of corruption at play within it. The recruitment process begins with potential overseas sponsors stepping forward (Kibria 2011:3). Recruiting agencies in Bangladesh that belong to BAIRA are in a position to act as intermediaries to arrange recruiting issues with overseas employers and Bangladeshi workers.

Another interviewee said:

I never knew that life would be so difficult here. I spent so much money to come here. I could have gone to America rather. But I was cheated.

Q: Who cheated?

A: I was made a member of a government delegation six years ago to come to Saudi Arabia. I was told I would be given a high salaried job.

Q: Please tell me more what made you believe them?

A: I believed because I was told that this was not the first time, many people before were brought to many countries, including Saudi Arabia, and managed to obtain good jobs. They are respectable persons. I never thought they could cheat me.

Q: How much money did you pay?



A: It was about 8 lac taka (about \$10,000). I felt good at the airport because there was no hassle at the airport. Everyone saw us off respectfully.

Q: How did you manage to stay back in Saudi Arabia?

A: They just left me! They went out of the room and said that they would be back. They never did. I knew a Bangladeshi staying close to my hotel. I told him about the story. He helped me to secure a job. I was planning to go to our embassy but I knew that would result in repatriation. I did not want that at that time because I did not have any money left to repay the loan I made to finance my migration.

As long as high-level corruption in government and neglect on the part of the highest echelons of the government continue, no policy can make any difference in combatting such irregular migration.

### **Irregular Migrants in the Kingdom**

Irregularity may result from a deliberate breach of the law by the migrant, or from a change in the law itself that affects the migrant's status. Irregular migrants are not a homogenous group but belong to three distinct categories: labour migrants, refugees and transit migrants (Fargues 2009:6).

Clearly, the economic landscape of the GCC countries has been shaped by migrant populations. This region is the most popular destination for temporary labour migrants from South and Southeast Asian countries. The biggest employer of foreign workers in the Gulf is Saudi Arabia with almost 7 million legal foreign workers who constitute around two-thirds of the total workforce (Pakkiasamy 2004). Anecdotes suggest that another two to three million migrants are staying and working without any proper documents. Of about 8 million Bangladeshi migrants worldwide, one-third (or about 2.58 million) joined the labour market in Saudi Arabia. It is notoriously difficult to estimate how many of them are working in the Kingdom without proper documents. However, from the number of deportees from a country, we can make a guessestimate. For example, Saudi Arabia deports about 700,000 per year (Shah 2008). This does not necessarily mean that all irregular migrants are deported or all deportees are irregular. Some recent news provides us with an idea about the magnitude of the problem of irregular migration in Saudi Arabia. For example, Islam (2013) says that around 750,000 Bangladeshi migrant workers have benefited from an amnesty offer for illegal workers by Saudi authorities. The Bangladesh embassy in Saudi Arabia reports that of the beneficiaries, about 400,000 undocumented workers' passports were renewed and issued while around

350,000 workers, who were at the risk of becoming undocumented, were able to change their professions. I have argued in another publication that the number of migrants in Saudi Arabia could be even higher due to the fact that Bangladesh does not have a net account of migrants (see Ullah 2013).

I attempt to describe the category of irregular migration that may encompass Bangladeshis. For this, I use the concept of irregular status of migrants as presented by Jandl (2004), Ullah (2010), Zohry (2011) and Tapinos (1999). The categories of irregularity used by these authors present a few practical problems. This starts with the fact that a particular person may change his/her status over time, sometimes more than once. Therefore, persons may enter a country legally but then overstay their visa. First the person's presence is legal, then it turns illegal. The person may later be regularised, thus becoming legal again, and still later fall back into irregularity. In some instances, some peoples' stay turns irregular due to changes of laws and regulations. They may enter with legal documents and possess a legal residence permit, but the laws that regulate residence may undergo a change affecting a proportion of legal migrants and making them illegal migrants, usually with a deadline to legalise their status or leave the country (Zohry 2011).

Another interview provided an insight into the avenues of becoming an irregular migrant:

"I have been trying to go out of the country since long and was exploring the avenues. A friend sent me to his friend, an actor, saying, 'Meet him, he will help to materialise your dream.' I met him. He gave me startling information. He said their group was going to the Middle East to perform on the occasion of the Bangladesh independence day (It is a regular practice for expatriates to invite artists from Bangladesh). In such cases, obtaining a visa is easy. I may join them if I wish. I calculated the potential risks. I was given two weeks' time to collect the required amount of money. I collected about 6 lac (about \$8,000) and handed it over to the actor."

Q: Did you ask or think what are you going to do there, if you can successfully get to the destination?

A: No.

Q: Why? How were you sure you could secure a job or if you can get to the destination at all?

A: They are respectable people. I was sure they would not throw me in the ocean.

Q: Ok, did you think why they asked for 6 lac taka? It is a huge amount of money for getting you to Saudi Arabia.

A: He asked for this amount. I did not think about anything. I thought that was a golden opportunity for me. My family members also did not stop me.

Q: Then what happened?

A: Once I got to the destination, his colleagues explained that finding a job is not their responsibility. I was not sure what to do and say. I tried to see the actor. I failed because he seemed to be very busy. Later I came to know that three others in the same group were also smuggled into the country like I was. They left me. I was arrested in (perhaps) the second week of my stay. It was a difficult time without Arabic language skills. After more than a year I was released.

The outcome of irregular migration varies from person to person and from destination to destination. It could be damaging, horrific, and dangerous to migrants themselves. They remain invisible and, as a result, cannot be traced easily to be helped. The potential outcome of irregular migration could be: frequent arrest or detention en route, in transit and destination countries; deprivation of basic rights, life-threatening risks; and repatriation. This study found a number of factors that explain the large number of Bangladeshi irregular migrants in Saudi Arabia. For example, there are a significant number of irregular migrants who went on the Umrah and Haj visas and stayed put; others were left in the Kingdom by government officials, or by some music bands, and some overstayed their work visa. Some absconded abusive employers who withheld or confiscated their travel documents (Table 11.4).

One respondent was very open in his interview.

Q: You said you did not return after performing your Haj. Would you add a bit more on why you did so?

A: Haj was my secondary aim, I wanted to stay in Nabiji's soil (in the land of the Prophet), work there, and die there. After I was arrested, I tried to make the police understand my intention. They did not pay heed to me.

Q: Did you know it was not legal and safe?

A: Yes, but I did not want to stay there to do bad things.

Q: Did the travel agency know your intention?

A: Yes, this happens with their knowledge.

Q: How do you know that?

A: Those who express such intention to them have to add extra money to the rate fixed for normal cases.

Table 11.4 shows that about one-third of the sample resorted to Umrah visa to move to Saudi Arabia and stay back and about 29% overstayed their work visa. Sixteen per cent came to Saudi Arabia with a music band and did not leave. One respondent who returned after being released from a prison in Saudi Arabia said: "I stayed in Saudi Arabia for about a year without any documents."

Q: Why did you not have any document?

A: The company I used to work for was very repressive. There were no fixed working hours. I used to work almost 24 hours. Salary was very low and was paid irregularly. I was not able to send money home when I needed to. So, my debt in the home country was growing bigger. I thought some more years of stay whether legally and illegally would help recoup the money I spent on financing migration.

Q: Did you face any problem?

A: Many.

Q: Like?

A: Salary was reduced by half. They became more repressive because they knew I had no legal documents. I had no way for redressal. I was scared of going out for my groceries and for other needs. Police there are very bad.

Q: How did you manage to leave the country?

A: I was arrested and was in jail for a few weeks. Then the government declared amnesty for those who wished to go back and on travel pass I was able to leave.

Q: Does this mean you had a work visa initially?

A: Yes.

**Table 11.4: How migrants become irregular – Pathways**

	<i>f</i>	%
Umrah	15	33
Haj	4	9
Government officials	6	13
Music band/cultural organisations	7	16
Overstayed work visa	13	29
Total	45	100

Source: Field data 2012–2014.

Travel agents and brokers explained how difficult it is to obtain manpower export licenses without bribing. A few travel agency owners are relatives of ministers and MPs. Our interview further revealed that a sitting MP is allegedly directly involved in human smuggling. This is endorsed by media reports (such as Prime News 2015).

Q: Did you initially plan to stay back in Saudi Arabia?

A: Yes, because I thought this was the best way to enter the country.

Q: Umrah is something religiously very sensitive. So why did you decide to use this method to enter?

A: The broker in fact gave me ideas that this would be the best for me and there was no other option to go there.

Q: Do you mean to say that the travel agency knew about your plans?

A: Yes, of course.

About 40,000 pilgrims went to perform Umrah facilitated by 50 travel agents from Bangladesh last year. The government of Saudi Arabia accused the agencies of involvement in human trafficking under the pretext of arranging Umrah/Haj visas (Karim 2015). The authorities claimed that 11,483 pilgrims on Umrah visa did not return to Bangladesh in the last few years. The Saudi government alleged that they were trafficked to the country and has suspended issuing Umrah visas for Bangladeshis for an indefinite period of time and blacklisted those 50 travel agencies (*Dhaka Tribune* 2015). These irregularities have also led the government to bring about changes in the policy on Umrah visas (Al-Amin 2015).

Under the new rule, Umrah pilgrims can stay in Saudi Arabia for a maximum of 14 days, and the travel agencies cannot bring in large batches of pilgrims at one time, especially during Ramadan. Also, visa applicants for Umrah will soon have to record their biometrics before travelling to the Kingdom. More stringent rules await aspirant Bangladeshi Umrah/Haj pilgrims. Severe weaknesses in the migration governance system in Bangladesh have been detected. A newspaper reported that some dishonest officials from the Bangladesh passports office issue “official or government passports” in exchange for bribes to people who try to sneak out of the country (*Daily Aamardesh* 2015).

## **Conclusion**

Bangladesh boasts growing remittances from overseas migrants and their contribution to the country’s GDP is significant. About one-third of the total remittances the country receives come from Saudi Arabia. Yet, migration governance in Bangladesh remains fragile. It is as though the government is reaping the fruit without sowing the seed. No meaningful efforts have been made by the government to improve the migration process, though it never fails to take credit for the growing remittances. It is frustrating when the head of the government makes statements that are derogatory of migrants leaving the country through illegal means, member of parliaments and government officials are involved in human smuggling, and some government officials take bribes to issue certificates to illicit travel agencies. No effective actions to counter these are visible. Understandably, migration through legal channels is time consuming due to its highly bureaucratic nature. As a result, potential migrants pay exorbitant amounts of money to finance their migration (Ullah 2008; 2010). This study offers an important finding that potential migrants accept the fact that in future they are going to be irregular, meaning that a significant number of them become irregular by intention. The role of government is getting weaker and more recruiting agencies are getting licenses for manpower export.

Irregular migration, a variant of international migration, concerns both the less developed and developed countries, though the magnitude and dynamics of the problems are different. Receiving countries are concerned about the perceived threats to security, social unrest, and stiffer job competition, while sending countries are concerned about migrants’ rights and welfare, and salary issues, and the fundamental rights of those who enter the unauthorised migration stream (Papademetriou 2005). As both receiving and sending countries are affected by the migration process, the effective management of it rests on governments on both sides.

Bangladesh is not a signatory to the United Nations Convention against Transnational Organized Crime adopted by the General Assembly Resolution 55/25 on November 15, 2000. This has perhaps contributed to the government's reluctance to take strong action to bring human trafficking to an end. Widespread corruption, cronyism, and near absent transparency in the government have complicated issues. Poorly managed migration and an absence of a sound and comprehensive immigration policy in Bangladesh have largely contributed to an unabated flow of irregular migrants. The neglect and denial by the government of Bangladesh has only aggravated the gravity of this longstanding problem.

According to the US Department of State (2014), Saudi Arabia failed to fully comply with the minimum standards for the elimination of trafficking and to make significant efforts to do so. In 2013, Saudi Arabia did not prosecute any trafficking offenders. To combat irregular migration, sending, transit and receiving countries have to work in coordinated manner. Blaming each other or punishing sending countries alone may prove shortsighted and harmful for all. The sponsorship system, including the exit visa requirement, continues to restrict the freedom of movement of migrant workers; the withholding or confiscating of the travel documents of the workers remains widespread because legislation prohibiting the practice is not enforced; officials continue to arrest, detain, deport, and sometimes prosecute trafficking victims for unlawful acts committed as a direct result of being trafficked and have been receiving serious criticism from many governments and many human rights organisations (US Department of State 2014). There is no denying that both sending and receiving parties have downplayed the issues of irregular migration.

## **Bibliography**

- Al-Amin, Mohammed. "Umrah Visas for Bangladeshis Closed." *Banglanews24*. 2015. Accessed June 16, 2015. <http://www.en.banglanews24.com/fullnews/bn/110186.html>.
- BMET. Overseas Employment and Remittances. Report 2014. Accessed February 27, 2014. <http://www.bmet.org.bd/BMET/statisticalDataAction#>.
- Daily Aamardesh*. "Human Smuggling by Using Government Official Passport." May 21, 2015. Dhaka.
- Dawson, Grant, and Sonia Farber. *Forcible Displacement throughout the Ages: Towards an International Convention for the Prevention and Punishment of the Crime of Forcible Displacement*. Martinus Nijhoff Publishers, 2012.
- De Bel-Air, Francoise. "Demography, Migration and Labour Market in Saudi Arabia." Explanatory Note No. 1/2014, Gulf Labour Market and Migration (GLMM) programme of the Migration Policy Center (MPC) and the Gulf Research Center (GRC), 2014.
- Dhaka Tribune*. "11,483 Bangladeshis on Umrah Visa Stay back." June 11, 2015. Dhaka. Accessed on June 16, 2015. <http://www.dhakatribune.com/bangladesh/2015/jun/11/11483-bangladeshis-umrah-visa-stay-back#sthash.8JGQakfP.dpuf>.
- Doherty, Meghan, Brian Leung, Katie Lorenze, and Amanda Wilmarth. "Understanding South Asian Labour Migration." United States Government Office of South Asia Analysis, Workshop in International Public Affairs. University of Wisconsin-Madison, 2014.
- Duncan, Jennifer. *A Right to a Decent Home. Mapping Poverty Housing in the Asia-Pacific Region*. Bangkok: UN Habitat, 2007.
- Fargues, Philippe. "Irregularity as Normality among Immigrants: South and East of the Mediterranean." Irregular Migration Series, Background paper, CARIM-AS 2009/02, Robert Schuman Centre for Advanced Studies, San Domenico di Fiesole (FI): European University Institute, 2009.
- Freeman, Gary P. "Can Liberal States Control Unwanted Immigration?" *Annals of the American Academy of Political and Social Sciences* 534 (1970): 17–30.
- IOM. *Essentials of Migration Management Volume Three: Managing Migration. Irregular Migration*. Geneva: IOM, 2010.



- Islam, Rabiul. "400,000 Bangladeshis Legalized in Saudi Arabia." October 30, 2013. Accessed on March 10, 2015. <http://www.dhakatribune.com/labour/2013/oct/30/400000-bangladeshis-legalised-saudi-arabia>.
- Jandl, Michael. "The Estimation of Illegal Migration in Europe." *Migration Studies* XLI,153 (2004): 141-155.
- Karim, Mohosinul. "KSA Wants BD to Punish 50 Hajj Agencies for Human Trafficking." June 1, 2015. Accessed on June 15, 2015. <http://www.observerbd.com/2015/06/01/91989.php>.
- Kelley, Ninette. "Ideas, Interests and Institutions: Conceding Citizenship in Bangladesh." Conference paper presented at University of Toronto, 2009. [http://www.law.utoronto.ca/documents/conferences2/Trebilcock09\\_Kelley.pdf](http://www.law.utoronto.ca/documents/conferences2/Trebilcock09_Kelley.pdf).
- Khan, Anisur Rahman. "Govt Decides to Take Action against 104 Agencies: Allegation of Human Trafficking in the Name of Hajj, Umrah." *The Independent*, August 26, 2015. <http://www.theindependentbd.com/post/13191>.
- Kibria, Nazli. "Working Hard for the Money: Bangladesh Faces Challenges of Large-Scale Labour Migration." Washington: Migration Policy Institute, 2011.
- Miah, Masum, Md. Abdul Mannan Khan, and Mostafizur Rahman. "Recent Trends of International Migration and Remittance Flows: An Empirical Evidence of Bangladesh." *IOSR Journal of Economics and Finance* (IOSR-JEF), 2014, pp. 16-23.
- Morehouse, Christal, and Michael Blomfield. "Irregular Migration in Europe." Washington, D.C.: Migration Policy Institute, 2011.
- Pakkiasamy, Divya. "Saudi Arabia's Plan for Changing Its Workforce." November 1, 2004. Migration Policy Institute, Washington, 2004.
- Papademetriou, Demetrios G. "The Global Struggle with Illegal Migration: No End in Sight." Washington, D.C.: Migration Policy Institute, 2005.
- Prime News. "AL MP Bodi Leads Rohingya Intrusion; Yaba, Human Trafficking." June 18, 2015, Dhaka
- RRCAP. *Bangladesh. State of the Environment 2001*. Bangkok: Asian Institute of Technology, 2001.

- Shah, Nasra M. "Recent Labour Immigration Policies in the Oil-Rich Gulf: How Effective Are They Likely To Be?" Working Paper #3. International Labour Office; ILO Regional Office for Asia and the Pacific, 2008.
- Tapinos, Georges. "Clandestine Immigration: Economic and Political Issues." In *Trends in International Migration*. Paris: OECD Publications, 1999.
- Ullah, AKM Ahsan. *Rationalizing Migration Decisions: Labour Migrants in South and South-East Asia*. Aldershot: Ashgate, 2010.
- . *Refugee Politics in the Middle East and the Africa: Human Rights, Safety and Identity*. London: Palgrave Macmillan, 2014.
- . "Rohingya Refugees to Bangladesh: Historical Exclusions and Contemporary Marginalization." *Journal of Immigrant & Refugee Studies* 9, no. 2 (2011): 139-161.
- . "The Price of Migration from Bangladesh to Distant Lands: Narratives of Recent Tragedies." *Asian Profile* 36, no. 6 (2008): 639-646.
- . "Irregular Migrants, Human Rights and Securitization in Malaysia: A Policy Analysis." In *Globalization and Social Transformation in the Asia Pacific: The Australian and Malaysian Experience*, ed. Claudia Tazreiter. London: Palgrave Macmillan, 2013.
- . "Does Religion Facilitate or Impede Migration? A Debate from Gender Perspective in Asia." In *Changing Nature of Forced Migration*, eds. Sara N. Amin, Varuni Ganepola, and Lakshman Dissanayake. Dhaka: University Press Ltd (UPL), 2015.
- Ullah, AKM Ahsan, Akram Mallik Hossain, and Kazi Maruful Islam. *Migrants and Workers Fatalities*. London: Palgrave Macmillan, 2015.
- Ullah, AKM Ahsan and M.A. Hossain. "Risking Lives beyond Borders: Reflection on an International Migration Scenario." In *International Migration of Population: Russia and Contemporary World*, ed. Vladimir A. Iontsev. Moscow: Max Press, 2005.
- Ullah, AKM Ahsan and J.K. Routray. *NGOs and Development: Alleviating Rural Poverty in Bangladesh*. Chile: Book Mark International, 2003.

- UNFPA. *State of World Population 2014: The Power of 1.8 Billion*. Geneva: UNFPA, 2014. United Nations. "Trends in International Migrant Stock: Migrants by Destination and Origin." Department of Economic and Social Affairs, Population Division, 2013. UN Database, POP/DB/MIG/Stock/Rev.2013.
- UN RCM Working Group. "Situation Report on International Migration in South and South-West Asia." Asia-Pacific Regional Coordination Mechanism Thematic Working Group on International Migration, 2012. Accessed February 4, 2014. <http://www.unescap.org/sdd/publications/SituationReport/SDD-Sit-Rep-book.pdf>.
- United Nations. "United Nations Convention against Transnational Organized Crime and the Protocols Thereto." Resolution adopted by the General Assembly, 55/25. United Nations Convention against Transnational Organized Crime. 2000. Accessed on June 15, 2015. [https://www.unodc.org/pdf/crime/a\\_res\\_55/res5525e.pdf](https://www.unodc.org/pdf/crime/a_res_55/res5525e.pdf).
- US Department of State. 2014 *Trafficking in Persons Report*. Office to Monitor and Combat Trafficking In Persons. Government of the United States. 2014.
- Van Schendel, Willem. *A History of Bangladesh*. Cambridge University Press, 2009.
- Zahra, Maysa. "Saudi Arabia's Legal Framework of Migration." Explanatory Note No. 4/2013, Gulf Labour Market and Migration (GLMM) programme of the Migration Policy Center (MPC) and the Gulf Research Center (GRC), 2013. [http:// gulfmigration.eu](http://gulfmigration.eu).
- Zohry, Ayman. "A Proposed Framework for the Study of Illegal Migration." Working Papers Series, No. 2011-01. Cairo: Egyptian Society for Migration Studies, 2011.

## SKILFUL SURVIVALS: IRREGULAR MIGRATION TO THE GULF

The Gulf States are among the most sought-after destinations by global migrants. Part of this migration is irregular, due to five main causes: entering without a proper visa; overstaying after a visa or residence permit has expired; being employed by someone who is not the sponsor; absconding from a sponsor; and being born in the Gulf to parents with an irregular status. The treatment reserved for migrants in an irregular situation marks out the Gulf States. Arrest and detention are widespread practices in spite of constitutional guarantees against arbitrary imprisonment. Staying without a proper visa or absconding from a sponsor is regarded as a criminal act, and foreign nationals who commit such acts are detained in the same prisons as common law criminals with no clear right of recourse. Domestic workers, most of whom are women employed by private households and, therefore, not protected by labour laws which in the Gulf apply only to businesses, are particularly subject to arbitrary sanctions and jail.

Lived experiences suggest that migrants may not see their irregular status as being disastrous. Many, in fact, are willing to perpetuate this situation, despite their awareness about possible arrest, jail term, and deportation. A theme that emerges repeatedly in interviews indicates the lack of options open to migrants elsewhere, including their country of origin. Migrants in an irregular situation learn to negotiate the formal and informal spaces and systems they encounter. Most irregular migrants seem to share one characteristic: resilience. As their stay in the Gulf lengthens, they gather enough capacity to exercise their agency to achieve a skilful survival in the face of adversity. A wide-ranging system of mutual benefits constituting win-win situations for varied actors enables and perpetuates irregular migration.

