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GloACT
BANGLADESH

FIRST NATIONAL STUDY ON

TRAFFICKING IN PERSONS IN BANGLADESH



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First National Study on Trafficking in Persons in Bangladesh

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The Advisory Group

Of special note, the *National Study* was prepared in partnership with relevant national authorities of Bangladesh, represented through an Advisory Group chaired by the Ministry of Home Affairs.

Research Team in Bangladesh

Core research activities and research production were undertaken by Mr. Masud Ali and Mr. Mohammad Golam Sarwar, constituting the core research team based in Dhaka, Bangladesh.

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গণপ্রজাতন্ত্রী বাংলাদেশ সরকার



Asaduzzaman Khan, MP
Minister
Ministry of Home Affairs
Govt. of the People's Republic of Bangladesh

MESSAGE

The Government of the People's Republic of Bangladesh is undertaking strong steps to combat human trafficking. The National Study on Trafficking in Persons is an indication of an effort of the concerned government Ministries and Departments and United Nations Office on Drugs and Crime.

This year Ministry of Home Affairs (MoHA) observed the World Day against Trafficking in Persons through the National Consultation on 'Combatting Human Trafficking in the Context of Technology Use and its Abuse' on 30 July 2022. Focusing on the theme of this year's World Day against Trafficking in Person "Use and abuse of Technology" the National Consultation was a platform to assess the current trafficking in persons situation and explore opportunities to combine our resources to prevent this heinous crime.

The Counter Trafficking Committee has been strengthened throughout the country from union to divisional level for ensuring victims' increased access to services including legal assistance. A monitoring cell has been operationalized at the police headquarters to collect and analyze data on human trafficking. We have also set up a seamless intelligence network across concerned law enforcement and border security agencies. Government of Bangladesh has signed the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime broadening the scope of cross-border coordination against human trafficking.

The Bangladesh National Study on Trafficking in Persons prepared by GLO.ACT-Bangladesh, which is a project led by Public Security Division, funded by the European Union, and jointly implemented by the United Nations Office on Drugs and Crime and the International Organization for Migration, is the first of its kind in Bangladesh. I strongly believe the recurrent reporting mechanism formulated through the National Study will ensure effective data collection and analysis process allowing the Government to take evidence-driven steps for addressing human trafficking in Bangladesh.

Joy Bangla, Joy Bangabandhu.
Long Live Bangladesh.

Asaduzzaman Khan, MP

Senior Secretary, Public Security Division, Ministry of Home Affairs

Bangladesh has achieved progress, as seen by its consistent and ongoing annual economic growth. The country's ability to handle social issues is growing as a direct result of its economic success. However, Bangladesh is also tackling the problem of human trafficking, just like any other nation in the world. The Government of Bangladesh has adopted a comprehensive approach to deal with this complex phenomenon resulting from the involvement of diverse national and transnational factors.

Traffickers operate on a local, regional, and global scale. In each instance, they take advantage of the victims through forced, fraudulent or involuntary movement. The Government of Bangladesh has taken a strong stand by signing the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. The Prevention and Suppression of Human Trafficking Act, 2012 enacted by the Government is a comprehensive legal instrument maintaining international legal standards on ensuring victim protection and their rights. Since 2002, Bangladesh has been developing and implementing National Plan of Action (NPA) to prevent and suppress human trafficking, and the

NPA helps us to transform our commitments to combat trafficking in persons.

The Bangladesh National Study on Trafficking in Persons is part of the Ministry's continuing efforts to eliminate this heinous crime from Bangladesh. It has been prepared in a collaborative manner under the GLO.ACT-Bangladesh project which is led by the Public Security Division and jointly implemented by the United Nations Office on Drugs and Crime and International Organization for Migration. The GLO.ACT-Bangladesh project is funded by the European Union. An Advisory Committee comprising representatives of all relevant ministries and agencies was formed to prepare and duly validate the Study.

The Bangladesh National Trafficking in Persons Study presents main body of the analysis in the form of a national overview of the trends, patterns and flows of trafficking in persons into Bangladesh, in its domestic component and from this country to the rest of the world. Moreover, the study is aimed to create the basis for a recurrent reporting system on human trafficking in Bangladesh.

Lastly, I would like to reaffirm our unwavering commitment to fight against trafficking in persons and congratulate all stakeholders for their efforts to prepare this timely Study.

Md. Akhter Hossain



Senior Secretary,
Public Security Division,
Ministry of Home Affairs
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Additional Secretary (Political and ICT Wing), Public Security Division, Ministry of Home Affairs

Trafficking in persons is the remnant of slave trading in the modern era. The organized criminal groups garner large amount of profit through the exploitation of male, female and children. As per the national and international legislation to constitute an offence of human trafficking there must be act, means and exploitation. The legal requirements, transnational nature of the crime and the myriad of ways traffickers operate makes identification, investigation and prosecution of trafficking in persons a goliath task. The form of exploitation is multifarious, ranging from sexual exploitation to trafficking in persons for organ removal. Perpetrators use fraud, misinformation and force to traffic vulnerable groups. A common phenomena observed by practitioners is trafficking with the promise of employment outside of Bangladesh, whereas they face inhumane conditions, and are subject to forced labor and debt bondage in the destination countries. Majority victims of this kind of trafficking in persons are male.

The Government of Bangladesh is earnestly working to suppress human trafficking especially trafficking of women and children. The Government of Bangladesh has enacted the Prevention and Suppression of Human Trafficking Act, 2012 (PSHTA 2012) and in 2017 three rules of the PSHTA 2012 were promulgated which establishes the anti-trafficking organization and special fund for victims of human trafficking. Acceding the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, the legislations of Government of Bangladesh are compliant with the international standards. The Ministry of Home Affairs is leading the fight against trafficking in persons under the National Plan of Action 2018-2022. Moreover, under the supervision of the Public Security division two project on trafficking in persons is ongoing to monitor and implement existing legislation, reducing risks, capacity building, and rescue and reintegration of victims in

collaboration with international and non-governmental organizations.

One of the challenges faced by relevant government and non-governmental stakeholder is the sporadic collection and analysis of data on human trafficking. Centralized and comprehensive data on trafficking in persons would support the Government's policy response to better monitor and enforce human trafficking legislation. Data collection and analysis is crucial for criminal justice actors to determine vulnerable population, modus operandi of trafficking in persons and destination countries. Therefore, the Bangladesh National Study on Trafficking in Persons is a timely intervention under the GLO.ACT-Bangladesh project which is led by the Public Security Division and jointly implemented by the United Nations Office on Drugs and Crime (UNODC) and International Organization for Migration (IOM). The GLO.ACT-Bangladesh project is funded by the European Union. The National Study also received extensive support from International Labor Organization (ILO) and they prepared a focused subsection on forced labor in the context of trafficking in persons.

This Study is the result of a collaboration between UNODC and the Government of Bangladesh, aimed at providing a comprehensive and contemporary account of the country's trafficking situation. This study implemented a data-sharing partnership, gathering statistics from government authorities, including the Ministry of Justice, Law and Parliamentary Affairs and the Ministry of Home Affairs. Under the coordination of the latter, an Advisory Group of government representatives and experts was formed and tasked with providing guidance for the preparation of the study. The Advisory Group also facilitated contact between the UNODC Research Team based in Dhaka and experts from national authorities to conduct expert interviews and focus group discussions. The collection of data and evidence for this study was carried out

between mid-2020 and mid-2021 via desk review of existing data, information and field research. The research team adopted a mixed methods approach, gathering data on quantitative indicators of trafficking in persons combined with qualitative information collected through focus group discussions and expert interviews.

I would like to express my sincerest gratitude to all the members of the Advisory Committee and their ministries including, the Ministry of Foreign Affairs; Ministry of Law, Justice and Parliamentary Affairs; Ministry of Expatriates' Welfare and Overseas Employment; Ministry of Social Welfare; Ministry of Labour and Employment; Ministry of Women and Children Affairs; Bangladesh Police Head quarter; Bangladesh Bureau of Statistics; Department of Immigration and Passports and Office of the Refugee Relief and Repatriation Commissioner. I would like to

thank ILO for their substantive contribution to the National Study. My heartiest appreciation for UNODC especially the Crime Research Section and the national consultants for their efforts in preparing the National Study. Finally, I would like to acknowledge the support and collaboration of the European Union in combatting trafficking in persons in Bangladesh.

A K M Mukhlesur Rahman



Additional Secretary,
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PREFACE BY UNODC

Trafficking in persons is one of the most grave organized crimes, extending beyond boundaries and jurisdictions. Combatting and preventing human trafficking requires a holistic approach by all stakeholders and integrated action on prosecution, prevention and protection built on evidence-based information.

The issue of migration is a focus of the international community as we implement the Sustainable Development Goals (SDGs) and the Global Compacts on Safe, orderly and Regular Migration. Target 10.7 of the SDGs delivers the clear message that the facilitation of orderly, safe, regular and responsible migration is essential for decreasing opportunities for profit migrant smugglers and human traffickers. UNODC continues drawing on its mandate to support States in implementing the UN Convention against Transnational Organized Crime and its Protocols to prevent and address Trafficking in Persons and the Smuggling of Migrants.

UNODC appreciates the Government of Bangladesh's strong commitment to combat human trafficking. This First National Study of Trafficking in Persons comes at a time when the strains and vulnerabilities created by COVID-19 are exposed casting a long shadow over our communities and economies. Due to its geographical location, Bangladesh is identified as a country of origin, transit and destination in the context of human trafficking. Significant numbers of victims are trafficked within the country, with traffickers operating in most districts and targeting diverse population groups. Statistics and information available indicate sizeable flows, particularly out of the country in the direction of more affluent foreign destinations.


Amongst the many risk factors of human trafficking identified in the Study, economic need and aspiration also pushes criminals to engage in trafficking rather than to find legitimate employment since it is lucrative in comparison with most of the livelihood opportunities available. According to a report in 2018,

traffickers in Bangladesh can earn between 50,000 and 500,000 takas (\$167 and \$8,334) per sale of a victim – much higher than the average salary. These push and pull factors are a major challenge for preventing human trafficking in Bangladesh and worldwide.

The risk factors also vary based on gender, sexual orientation, and location. Young women and girls in rural areas are more likely to be forced to marry and are more vulnerable to exploitation within marriage, with some children being trafficked for sexual exploitation or exploited in the household. Consequently, early marriages may result in the premature termination of education, increasing vulnerability to trafficking as opportunities become more limited.

The Study is the result of strong collaboration and coordination between Government of Bangladesh and UNODC. I acknowledge the efforts of the ILO, GLO.ACT-Bangladesh team, Crime Research and Analysis Branch and the national expert consultants for preparing the Study. The commitment of the Ministry of Home Affairs and all the members of the Advisory Committee to create the Study as a recurrent reporting mechanism on human trafficking has been exemplary. Lastly, I would like to express my appreciation to the European Union for supporting our global fight against trafficking in persons.

I would like to conclude by reiterating our commitment to support and collaborate with the Government of Bangladesh to address human trafficking through a development of a holistic response to dismantle criminal networks involved in human trafficking and migrant smuggling, while fully assuring the protection of victims and migrants in vulnerable situations.

 Ilias Chatzis

Chief of the Human Trafficking and Migrant Smuggling Section, UNODC

EXECUTIVE SUMMARY

Bangladeshi victims of trafficking in persons are identified in many countries across the world, as well as in Bangladesh itself. The country's geographic location contributes to it not only being a significant origin country of victims regionally, but also a destination for trafficking victims from neighbouring countries and from further afield. The country's medium human development index (HDI) (0.661), poverty levels, and lack of economic opportunities for many, push people to seek employment abroad, where some end up in situations of trafficking in persons.

Against this backdrop, the *First National Study on Trafficking in Persons in Bangladesh* examines how the crime is committed and the victims it targets in Bangladesh. The *Study* is a result of partnership between the Government of Bangladesh and the UN Office on Drugs and Crime (UNODC). To provide a baseline for the trafficking situation in the country, the *Study* explores trafficking trends, characteristics and routes, as well as examining risk factors and the modus operandi of traffickers, and setting out national responses to the crime.

The prospects for enhanced data collection and analysis on trafficking in persons are promising, and this can be achieved by capitalizing on existing reporting structures. The *Study* paves the way for the establishment of a regular reporting system on trafficking in persons. Data is gathered across the country, with cases recorded across the eight administrative divisions of Bangladesh. Data is collected according to various indicators by the lead ministries, namely the Ministry of Home Affairs and the Ministry of Law, Justice and Parliamentary Affairs. However, there is an opportunity for expanding data coverage by collecting data on additional indicators, and capturing information on profiles of victims, forms of exploitation and profiles of identified perpetrators.

Economic need is the most significant risk factor making people vulnerable to trafficking in persons in Bangladesh, in line with the findings of the 2020 *UNODC Global Report on Trafficking in Persons* at a global level. While Bangladesh substantially reduced its poverty rates by nearly 30 per cent between the early 1990s and the late 2010s, many people living in rural areas remain in situations of poverty, with limited economic opportunities. The poorest districts are located all over the country, though there is a concentration of these districts in the Western Division of Rangpur (Kurigram, Dinajpur, Gaibandha, Rangpur, and Lalmonirhat), and other districts among the poorest in the country are Bandarban (Division of Chattogram), Magura (Khulna), Kishoganj (Dhaka), Khagrachari (Chattogram) and Jamalpur (Mymensingh). People living in poverty are more vulnerable to victimization by traffickers promising better opportunities for income generation within Bangladesh and the region, and in the Gulf Cooperation Council (GCC) countries, North America and Europe.

Climate change is also emerging as a root cause of trafficking. The study's findings indicate traffickers targeting victims affected by environmental disasters caused by climate change, such as floods and droughts, which erode livelihoods and heighten levels of vulnerability.

People of all genders and age groups are at risk of domestic and cross-border trafficking. Under Bangladeshi emigration regulations, labour migration involves high fees, which many young women in particular struggle to pay, given the economic marginalization of many women in Bangladesh. Thus, some seek migrant smuggling services to travel abroad, heightening their risk of trafficking in persons and aggravated forms of smuggling of migrants.

Women and girls are trafficked and sexually exploited, while men and boys in particular are trafficked into forced labour domestically and internationally, in sectors such as construction, agriculture and service industries. Boys and girls

are targeted by traffickers and subjected to different forms of exploitation, such as forced labour, sexual exploitation, exploitative begging, forced criminal activities and forced marriage.

Evidence documents how traffickers operate using coercive and deceptive means, sometimes in combination. Traffickers apply deceptive strategies of convincing Bangladeshis to travel abroad under false pretences or taking advantage of their lack of information and/or lack of access to regular migration channels. Often, the strategies of the traffickers come in phases with the perpetrators first deceiving their victims. Subsequently they may use various forms of coercion, threats and violence to prevent the victims from escaping the situation of exploitation. Traffickers may also confiscate passports, and issue new, less favourable work permits and contracts to restrict the mobility of their victims once they have arrived at the destination where they are exploited.

Many Bangladeshi victims are trafficked abroad in the context of labour migration with promises of better employment, particularly in the countries of the GCC and Europe. Traffickers take advantage of the economic vulnerability of intending migrants, as well as the complexity of the labour migration system. They prey on people seeking better employment opportunities abroad, offering them jobs and visas. They may work in apparently legitimate recruitment agencies, appearing to offer legal migration options. Others may work as *dalals* – unofficial intermediaries between employers and prospective workers. Many Bangladeshi migrant workers are offered one contract at recruitment with favourable terms, only to be given a far less favourable contract once they have reached the destination.

Trafficking routes from Bangladesh are increasingly globalized, with victims detected in most parts of the world. Based on data in the *UNODC Global Report on Trafficking Persons 2020*, Bangladeshi victims are detected in South America, East Africa, the Pacific and North America, as well as the Middle East and South

Asia. In absolute numbers, Bangladeshi people are among the most commonly detected victims of trafficking worldwide.

Regionally, long and porous land borders are conducive to international transfer of trafficking victims by land. Traffickers facilitate the passage of their victims on foot into India along the eastern borders of Bangladesh, facing few, if any, border controls. Meanwhile, traffickers make use of the same sea routes as migrant smugglers, with victims leaving from the ports along the southern sea border in the Bay of Bengal.

Trafficking in persons and smuggling of migrants may be committed by the same perpetrators, and/or with the same people as victims/objects of the offence, posing significant challenges for investigation, prosecution and conviction, as well as for protection of victims of trafficking and of abuses in the context of migrant smuggling. People may initially embark from Bangladesh on irregular journeys facilitated by smugglers and later be exploited, either during the journey or at the destination. Traffickers occasionally present themselves as smugglers, offering safe passage in situations where there are limited or no regular travel options.

Traffickers also exploit Bangladeshis in North Africa, some of whom are in transit waiting to be smuggled to Europe. Bangladeshi migrants may also be victims of aggravated migrant smuggling offences, including trafficking offences perpetrated by smugglers. The intersection of the two crimes presents challenges for protection and investigation and leads to confusion in devising appropriate responses.

Across Bangladesh, a high number of cases of trafficking in persons are filed with courts and police. The 2012 Prevention and Suppression of Human Trafficking Act (PSHTA) provides the main framework for dealing with the crime of trafficking in persons and the newly established Anti-Human Trafficking Offence Tribunals in seven Divisions expand the reach of the criminal justice system in responding to the crime. Nevertheless, there are several challenges in finalizing cases and securing convictions. This is

due to lack of resources, combined with the strain caused by the COVID-19 pandemic since 2020 and related restrictions on mobility and lockdowns, reducing the staffing and efficiency of the criminal justice system.

RECOMMENDATIONS

1. Set up a national reporting system on trafficking in persons.

Currently court cases are recorded across the country, providing an indication of the number of trafficking in persons prosecutions by Division and district. Information from these court cases can be a key source of data for a national reporting system, in line with international best practice. Indicators of forced labour should be included in the National Labour Force Survey and National Child Labour Survey. Other indicators can be added to the national reporting system, for example, detected forms of exploitation from case files, information on victims by gender, age and district of registration, and information on perpetrators by gender, age and district of registration. A variety of relevant stakeholders (including police, social services and courts) need to be engaged in the data collection process to provide a comprehensive picture of the situation of trafficking in persons on the ground. The national reporting system can also provide a basis for the publication of periodical national reports on trafficking in persons, such as this present *Study*, and sharing of anonymized data with regional and international bodies.

2. Implement crime prevention measures to identify risk factors of trafficking in persons.

Several risk factors for trafficking in Bangladesh have been identified, such as economic need, harmful traditional practices, internal and cross-border displacement, irregular migration and climate change. The variety of risk factors underlines the necessity of launching comprehensive counter-trafficking strategies, going beyond exclusively criminal justice responses. Increased coordination with civil society actors is essential, as well as producing additional analysis for addressing risks and new types of vulnerabilities tied to climate change and environmental pressure on livelihoods. Measures for addressing these challenges include sensitization and awareness raising among at risk communities, organizing training programmes on

trafficking in persons for emergency aid workers responding to natural disasters, and establishing support centers and safe spaces for children and adults affected by displacement due to climate change and natural disasters as well as due to persecution and violence.

3. Mainstream combating trafficking in persons and forced labour within Development Strategy.

Forced labour needs to be addressed within the mainstream reform of the legal tools and institutions of enforcement - forced labour can only be addressed sustainably when these efforts and mechanisms are connected and coordinated.

4. Integrate measures to combat trafficking in persons into responses to displacement and complex emergencies in surrounding countries.

Partnerships between national authorities and the civil society sector is of particular importance for improving the identification of victims. Government coordination with international organizations and civil society actors involved in humanitarian responses operating in IDP and refugee camps is yet another measure for extending protection services and identifying population groups at risk.

5. Improve measures of detection, identification and referral for assistance of cases of domestic trafficking in persons.

Based on research conducted for the *National Study*, many Bangladeshi victims of trafficking in persons are exploited domestically. Victims may be subjected to various forms of exploitation including forced labour in shipbreaking (ship disposal), and agriculture or sexual exploitation in prostitution. Relevant measures involve the establishment of referral mechanisms and improved coordination between national authorities, civil society actors and international partners. This is particularly relevant as many cases overlap with cases falling under the jurisdiction of the Suppression of Oppression of

Women and Children Special Courts. There is therefore a need for training of officials to detect trafficking cases, as well as coordination between the Special Courts.

6. Establish and expand protection systems and services for victims of trafficking in persons and witnesses involved in cases.

There is a need to expand victim protection structures, as well as addressing social stigma associated with being trafficked, especially for certain forms of trafficking. The latter is of particular importance at community level as many victims are prevented from reporting the crime to the relevant authorities or social service providers. In this context, a legal framework for the protection of victims should be implemented, including a focus on ensuring a wider reach of legal service providers as a means to improve access to justice, as well as specific services for Rohingya people in Bangladesh, who have specific vulnerabilities.

7. Continue to focus on migrant smuggling, irregular migration, risks, vulnerabilities and lack of awareness.

One key area of attention includes labour migration from Bangladesh to foreign locations. Challenging administrative procedures to apply for visas and work permits push many intending emigrants towards informal recruitment agents, some of whom have connections with traffickers. Studies underline the risks tied to the official labour emigration system. Traffickers are taking advantage of the system to deceive victims into travelling abroad under the pretence of more favourable conditions. There is a continued need to address underlying risk factors, especially economic need, and the general lack of awareness of dangers and potential harms of migrating irregularly. This includes review and update of relevant legislation to identify gaps in current practice as a means to address factors causing vulnerability to trafficking in persons.

8. Enhance national responses on trafficking in persons, capitalizing on existing achievements.

A comprehensive national response to trafficking in persons in Bangladesh exists. Criminal justice actors focused on curbing trafficking in persons can be found in many government agencies, including police and lead ministries: namely the Ministry of Home Affairs and Ministry of Law, Justice and Parliamentary Affairs. The recent establishment of seven anti-human trafficking offence tribunals across the country provides yet another building block for expanding the criminal justice response to trafficking in persons. However, low numbers of convictions and case backlogs at courts constitute some of the challenges for ensuring effective criminal justice responses to the crime.

9. Allocate sufficient resources for the newly established Anti trafficking tribunals, allowing for the continuous and unhindered processing of cases referred to the courts.

The findings of the *Study* indicate that many cases have already been referred to the established tribunals, but the courts may not have enough judges, prosecutors or financial resources to ensure efficient processing of cases.

10. Establish a digital case management system and address backlog of cases with regular fast track procedures to bring down case load.

Data from national authorities indicates a high case load with a significant share of backlog cases. The establishment of a digital case management system may improve the efficiency of case handling, ensuring filing of correct files.

11. Scale up training and mentorship of law enforcement and prosecutors, based on global best practice.

Challenges prevail in linking law enforcement interventions with modus operandi of traffickers. Yet other challenges relate to the difficulty of building high quality cases with a high success rate for reaching convictions. This may be

addressed through expanded mentoring and training programs addressing law enforcement officers, prosecutors and investigators, relying on established best practice from other countries, international case law and technical studies and assessment of successful trafficking prosecutions.

12. Improve coordination between actors of the justice chain, allowing for more efficient case handling and higher conviction rates.

Working in silos and lack of coordination and communication among criminal justice actors is one of the main obstacles for preparing successful prosecutions. Establishment of multi-disciplinary case-handling meetings, gathering relevant criminal justice actors, comprises one of the measures for improving coordination. These measures may also serve to strengthen coordination and exchange of lessons learned, creating evidence on what works, and reducing the number of unsuccessful prosecutions.

13. Reform trafficking and labour legislation to define forced labour in alignment with international instruments,

to capture some of the non-physical elements of “force” – such as exploitation of socio-economic and psychological vulnerabilities of the victims. To this end adoption of ILO’s indicators to identify forced labour is recommended. The indicators are: abuse of vulnerability, deception, restriction of movement, isolation, physical and sexual violence, intimidation and threats, retention of identity documents, withholding of wages, debt bondage, abusive working and living conditions, and excessive overtime. As Bangladesh has ratified the Forced Labour Convention, there is a need for harmonization and reform of legal tools and institutions (focusing the Labour Act) to address forced labour. Currently, if they do not constitute human trafficking, many forced labour situations and cases are falling outside of the national legal framework. As criminal proceeds gained through forced labour is also a motivation for trafficking by criminal networks, a specific legal framework needs to be developed to address all issues and situations related to forced labour comprehensively. The *Study* recommends

the speedy and effective implementation of the ILO Protocol on Forced Labour (2014) ratified by Bangladesh in January 2022, as it can lead to a visible policy priority of the country in addressing forced labour, both within and beyond the realm of human trafficking.

14. Develop a national legislative and policy response to the smuggling of migrants.

While the Prevention and Suppression of Human Trafficking Act (PSHTA) has been in place since 2012, there is as yet no legislation on smuggling of migrants. The two crimes may intersect in practice, and many Bangladeshis may embark on irregular journeys facilitated by smugglers, and later end up being trafficked. Alternatively, traffickers may pose as smugglers, providing deceptive promises of opportunities for income generation abroad. Responding to these challenges requires the ratification of the UN Smuggling of Migrants Protocol and enacting specific legislative provisions on smuggling of migrants, including aggravated smuggling offences, so that practitioners can legally distinguish these offences in practice and respond accordingly. It also involves training on the possible intersections between the two crimes for law enforcement officers and other criminal justice practitioners.

INTRODUCTION

This study analyzes trafficking in persons in Bangladesh. It explores domestic flows within the country as well as cross-border trafficking flows connected to Europe, the countries of the Gulf Cooperation Council (GCC) in the Middle East and other regions of the world. Further, this study explores the factors that contribute to trafficking, the vulnerabilities of victims and the means used to traffic them, forms of exploitation and the profiles of both victims and offenders.

This study makes use of the definition of trafficking in persons in the legislation of Bangladesh as codified in the country's *Prevention and Suppression of Human Trafficking Act, 2012 (PSHTA)*. This study considers the forms of exploitation defined under the PSHTA, including "sexual exploitation or oppression, labour exploitation or any other form of exploitation or oppression". The other forms of exploitation explicitly included in this study are trafficking in persons for organ removal, forced marriage, forced criminal activities and exploitative begging, though other forms may also be prevalent.

Trafficking in persons from Bangladesh is often connected with labour migration, by both regular and irregular means. Consequently, trafficking from Bangladesh is a complex crime, making it difficult to separate instances of trafficking from migrant smuggling, irregular migration and labour exploitation.

As the first study of its kind in Bangladesh, the objective is to both review and expand upon the

current body of knowledge, identify important gaps in information and enhance the capacity of the Bangladeshi Government authorities to lay the foundations for the establishment of a permanent reporting structure on trafficking in persons aimed at enhancing evidence-based policies to prevent and address human trafficking affecting the country.

Background

Many geographic and socioeconomic factors influence trafficking in persons not only within the country, but also regionally and inter-regionally. While it is also a destination country, Bangladesh is a very significant country of origin, with Bangladeshi victims detected in most regions of the world.¹

The victims detected as trafficked out of Bangladesh are part of a larger phenomenon that is difficult to measure. One may only look to the magnitude of labour migration, combined with the country's poverty levels (albeit much improved in recent decades)² and the widespread reports of the use of risky labour recruitment practices, to see the potential for a great number of victims to be trafficked from the country. Between 2016 and 2021, over 3.3 million emigrants were officially recorded as leaving Bangladesh for work.³ While most of these migrants are not trafficked, numerous court cases report migrants being deceived as to the nature and wages of work abroad or trapped in schemes of exploitation at destinations.⁴

While Bangladesh is a significant country of origin for cross-border trafficking, the crime is also pervasive in the domestic context. Men and boys

¹ United Nations Office on Drugs and Crime, Global Database on Trafficking in Persons. Between 2014 and 2018, 432 Bangladeshi victims were detected in East Asia and the Pacific, North Africa and the Middle East, Western Europe, other countries in South Asia, South America, Central and North America and Sub-Saharan Africa.

² *Global Report on Trafficking in Persons 2020* (United Nations Publication, 2020).

³ Bureau of Manpower, Employment and Training, Bangladesh. Between January 2016 and May 2021, 3,389,297 labour migrants were recorded as being officially registered. This number excludes labour migrants to India.

⁴ United Nations Office on Drugs and Crime, *Global Report on Trafficking in Persons 2020: Collection of Court Case Summaries* (Vienna, Austria, United Nations 2020); *Global Study on Smuggling of Migrants 2018* (United Nations Publication, 2018).

are exploited for the purpose of forced labour in industries such as shipbreaking (ship disposal) inside the country,⁵ while women and girls are trafficked for sexual exploitation in prostitution. Children are trafficked for similar purposes as adults, but also for other forms, such as exploitative begging.

A diverse set of factors tied to the socioeconomic conditions of the country allows traffickers to take advantage of the precarious situations of potential victims. While situations of poverty and lack of economic opportunity have improved in recent years in Bangladesh, many still live in the relatively deprived circumstances that have been shown to create environments of vulnerability to trafficking.⁶ These include a lack of economic opportunities within the country, social norms that disproportionately disadvantage women and children, pressure from climate change and complex humanitarian situations.⁷

However, while these factors have been reported and studied to some extent, the understanding of how traffickers operate in Bangladesh remains incomplete. Data and information are lacking in key areas that would allow for effective policy measures and action on the part of the government and civil society organizations. Hence, the present study provides a comprehensive update on the trafficking situation in the country, collecting administrative data from the Ministries mandated to combat and prevent the crime.

The Advisory Group

This study is the result of a collaboration between UNODC and the Government of Bangladesh, aimed at providing a comprehensive and up-to-date account of the country's trafficking situation.

This study implemented a data-sharing partnership, gathering statistics from government authorities, including the Ministry of Law, Justice and Parliamentary Affairs and the Ministry of Home Affairs. Under the coordination of the latter, an Advisory Group of government representatives and experts was formed and tasked with providing guidance in the preparation of this study. The Advisory Group also facilitated contact between the UNODC Research Team based in Dhaka and experts from national authorities to conduct expert interviews and focus group discussions.⁸

The Advisory Group convened throughout the study process with periodic meetings. The initial meeting (1) was convened during the preparation phase to gather input for shaping the project design. One subsequent meeting (2) was organized to present progress on data collection efforts, including the collection of administrative statistics and organization of field work. A third (3) meeting was convened to review emerging findings, while during a final (4) meeting, members of the Advisory Group reviewed the final draft of this study and formulated policy recommendations. A workshop (5) was organized by the Advisory Group in February 2022 to validate findings.

Methodology

The collection of data and evidence for this study was carried out between mid-2020 and mid-2021 via desk review of existing data and information, and field research. The research team adopted a mixed methods approach, gathering data on quantitative indicators of trafficking in persons combined with qualitative information collected

⁵ See, "Forms of Exploitation", *Global Study on Smuggling of Migrants 2018* (United Nations Publication, 2018).

⁶ *Global Report on Trafficking in Persons 2020* (United Nations Publication, 2020).

⁷ See, "Socio-economic factors and risks of Covid-19 recession", *Global Report on Trafficking in Persons 2020* (United Nations Publication, 2020).

⁸ See section on *Methodology*. A full list of members of the Advisory Group is annexed together in this study with the Terms of Reference.

through focus group discussions and expert interviews.

First, the researchers carried out a review of the existing literature. The material reviewed included primary source information, such as officially collected data on reported cases, victims and perpetrators, as well as court case transcripts submitted by eight Member States and from international bodies.⁹ In addition, secondary sources were examined, including academic publications and reports from international organizations and agencies.

Second, semi-structured interviews and focus group discussions were conducted. These were conducted with Bangladeshi law enforcement officials, government representatives, practitioners from international organizations including UN Women, ILO, IOM, UNHCR, UNDP, independent experts, academia and NGOs. A complete list of interviews and focus group discussions conducted is annexed, as well as a complete list of stakeholders consulted. The aim of the interviews was to gather qualitative accounts supplementing available national statistics to promote a better understanding of the trafficking situation in the country.

To collect information from these different sets of sources, a team of national researchers conducted interviews and liaised with national authorities to acquire and compile administrative

statistics specific to trafficking in persons. Of special note is that the research was prepared and planned prior to the COVID-19 Pandemic. The mobility restrictions imposed by the Pandemic forced the research team and their counterparts to operate remotely, conducting interviews and data-sharing meetings online.

Data Sources

Representatives of the Ministry of Law, Justice and Parliamentary Affairs and the Ministry of Home Affairs provided the official records on detected cases of trafficking in persons.¹⁰ Crime statistics were shared by these institutions and validated by the Advisory Group. While data was not available across every indicator, there were data on repatriation of victims and filed cases across districts and divisions. An annex describing data availability has been added to this publication. In addition, data regarding Bangladeshi victims detected abroad were sourced from the UNODC Global Database on Trafficking in Persons.¹¹ Data of other United Nations (UN) agencies, including UNHCR,¹² and from the European Union (EU),¹³ were accessed regarding irregular migration and forced displacement.

Focus Group Discussions

A total of six focus group discussions were conducted for this study with national authorities and experts, as well as practitioners from UN

⁹ The records of 13 court cases regarding trafficking in persons offences involving Bangladeshi victims and offenders were submitted by eight Member States and other international bodies to the UNODC SHERLOC Case Law Database (see Human Trafficking Knowledge Portal (unodc.org)). These Member States include Bangladesh, Greece, India, International and Regional Bodies via the European Court of Human Rights, Kenya, Oman, Seychelles and the United Kingdom.

¹⁰ Official records on detected cases on trafficking in persons were provided by different government sources within Bangladesh. The Bangladesh Police as administered by the Ministry of Home Affairs provided data on victims, the Ministry of Home Affairs itself provided data on offenders and the Ministry of Law, Justice and Parliamentary affairs aided by the Supreme Court of

Bangladesh provided data on detected cases, prosecutions and convictions.

¹¹ The UNODC Database on Trafficking in Persons is the largest database of its kind. The database includes information on 310,000 victims detected since 2003 and covers over 140 countries. The database is supplemented by a collection of 530 court case summaries documenting different types of trafficking in persons.

¹² United Nations High Commissioner for Refugees, Refugee Data Finder. Available at <https://www.unhcr.org/refugee-statistics/download/?url=fL08yf> (accessed on 26 September 2022).

¹³ Frontex, "Detections of Illegal Border-Crossing Statistics", FRAN and JORA Databases. Available at <https://frontex.europa.eu/we-know/migratory-map/> (accessed on 26 September 2022).

agencies, civil society organizations and academia. The focus group discussions were conducted remotely and in person. Each of the focus group discussions was captured by digital recording, transcribed and confidentially archived.

Interviews

In addition, 18 individual semi-structured interviews were conducted with experts and key informants identified through focus group discussions. The interviews were conducted using a semi-structured interview guide (see annex).

Literature Review

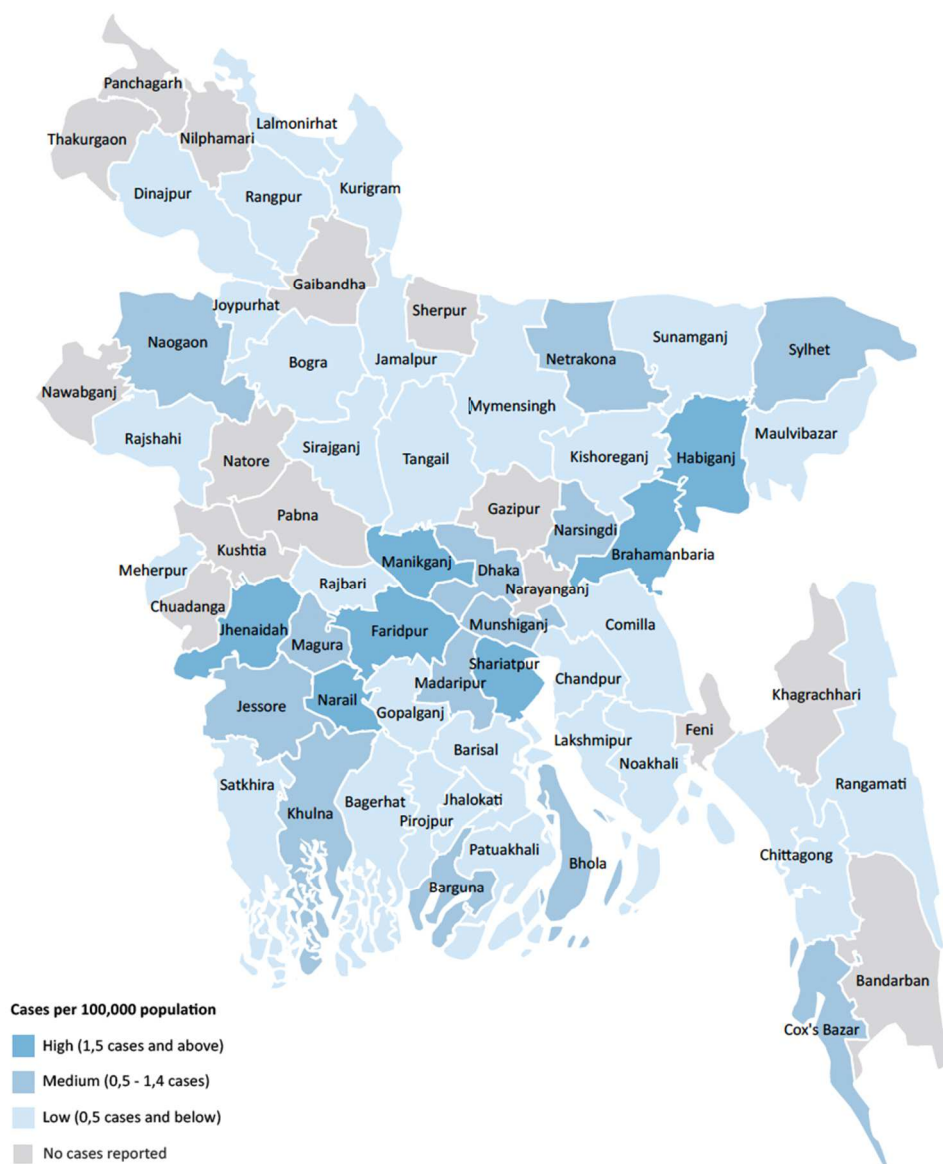
A literature review was conducted focusing on publications subjected to peer review or similar quality assurance measures. Findings from the review were included in this study with the aim of filling knowledge gaps and to provide contextual understanding

TRENDS, PATTERNS AND FLOWS

In Bangladesh, trafficking in persons is a varied and complex crime. Significant numbers of victims are trafficked within the country, with traffickers operating in most districts and targeting diverse population groups. Accurate data are lacking, though statistics and information available indicate sizeable flows.

Victims are trafficked for different exploitative purposes. For example, people exploited in shipbreaking or fisheries are mainly men and boys in rural coastal villages, while victims of sexual exploitation in urban centres are predominantly women and girls. Outside of the country, cases of trafficking are reported for forced labour in industries ranging from construction to domestic work.

Map 1: Number of Filed Cases of Trafficking in Persons, per 100,000 Population and by District (2020)



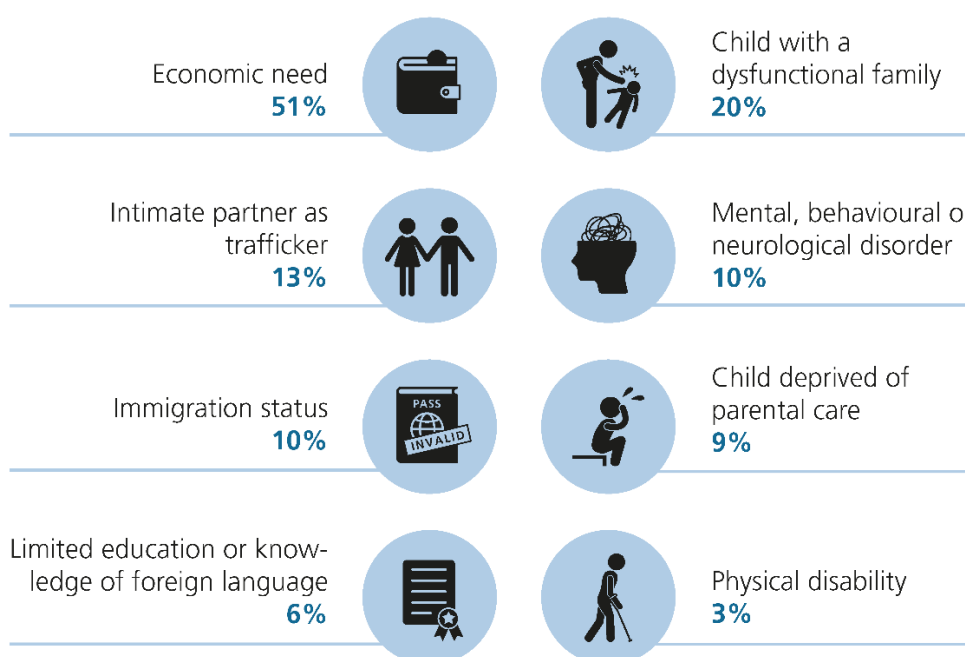
Source: UNODC elaboration of data from the Ministry of Law, Justice and Parliamentary Affairs and from the World Bank.

Risk Factors

Traffickers operate by leveraging individual conditions or social contexts that render people vulnerable to trafficking.¹⁴ Different *risk factors* shape environments of individual and structural vulnerability that traffickers may take advantage of. It is important to note that Bangladesh also

suffers from the presence of many of the same type of vulnerabilities as other countries; UNODC has identified the persistence of such risk factors to be a central pattern of trafficking in persons across the world.

Figure 1: Risk factors increasing vulnerability to trafficking in persons in Bangladesh



Source: Global report on Trafficking in Persons 2020.

¹⁴ United Nations Office on Drugs and Crime, *Issue Paper: Abuse of a position of vulnerability and other “means” within the definition of trafficking in persons* (Vienna, Austria, April 2013); *The Global Report on Trafficking in*

Persons 2020 documents the risk factors of trafficking in persons of which “economic need” is identified as one of the most pervasive ones. See, *Global Report on Trafficking in Persons 2020* (United Nations Publication, 2020).

Economic Need¹⁵

Economic need is the most significant of the risk factors of trafficking in persons in Bangladesh. Poverty and lack of prospects for income generation may lead people to accept risky employment opportunities as “*the marginal gain potentially derived from the prospective job opportunity significantly outweighs the cost of inaction*”.¹⁶ Traffickers use deceptive schemes in the recruitment stage so that job offers appear as viable solutions to alleviate conditions of economic need.¹⁷

Between 2009 and 2019, *per capita* income in Bangladesh rose from USD 754 to USD 2,064, poverty fell from 35% to 20.5% and the extreme poverty rate declined from 18% to 10.5%.¹⁸ However, many people in rural areas remain relatively poor. National experts consulted for this study stated that many Bangladeshis are at risk of trafficking in persons because they “*are desperately wanting some sort of employment*”.¹⁹ This relative lack of economic opportunities functions as a push factor, enticing people to seek employment abroad under promises of better wages and jobs in countries in North America, Europe and the countries of the Gulf Cooperation Council. Traffickers often use legal pathways to traffic their victims from Bangladesh to destinations abroad where they may be given less favourable contracts and/or lower wages than **promised and/** or are coerced into exploitative

work. Moreover, the search for better livelihood opportunities abroad may disconnect individuals from their support networks and further heighten their vulnerability to trafficking.

Economic opportunities are also unequal between rural and urban areas of Bangladesh. Many seek employment in larger cities and industry hubs within the country. This is either because opportunities are relatively more plentiful in the cities and hubs or traditional forms of livelihood in rural areas have become less profitable. In the case of ship-breaking, a particularly lucrative industry on the coast of Bangladesh, “*workers have migrated from the [poorest areas in the] north of the country, where the loss of arable land has forced farmers and their families to seek work elsewhere*”.²⁰ Ship-breaking salaries are higher than average wages for unskilled labour, and this sector has been reported as vulnerable to trafficking.²¹

Consequently, economic need may also push criminals to engage in trafficking rather than to find legitimate employment since it is lucrative in comparison to most of the livelihood opportunities available. According to a 2018 report, traffickers can earn between 50,000 and 500,000 takas (US\$167 and \$8,334) per sale of a victim – much higher than the average salary.²²

¹⁵ *Global Report on Trafficking in Persons 2020* (United Nations Publication, 2020), p. 69. The notion of economic need as conceptualized in the literature encompasses situations of poverty, to include the range of physiological, personal, and socioeconomic requirements necessary for individual life. As such, the term emphasizes a person’s individual situation, including people who may not fall within the cohort of persons in extreme poverty, but are faced with high barriers to accessing basic services and human rights protection. See, Karen Christopher, *The Poverty Line Forty Years Later: Alternative Poverty Measures and Women’s Lives, Race Gender and Class*, vol. 12, No. 2 (Jean Ait Belkhir, Race, Gender & Class Journal, 2005), pp 34 – 52.

¹⁶ *Global Report on Trafficking in Persons 2020* (United Nations Publication, 2020), p. 70.

¹⁷ Ibid.

¹⁸ The 8th Five Year Plan July 2020-June 2025, the General Economics Divisions (GED), Bangladesh Planning Commission, Government of the People’s Republic of Bangladesh, 2020.

¹⁹ Focus Group Discussion with FGD_BGD_01, Bangladesh, 1 November 2020.

²⁰ Fraser Murray and others, *Study on Modern Slavery in Bangladesh* (DAI, August 2019), p. 18.

²¹ Ibid, p. 17.

²² Mahbub Rahman, Child Trafficking in Bangladesh, *International Journal of Research in Economics and Social Sciences*, vol. 8, No. 1 (January 2018), p. 156.

Discrimination, Social Norms, Harmful Traditions and Rights

Other risk factors include discrimination, marginalization and harmful traditional practices. Often in combination with economic need, these interrelated factors create multiple layers of vulnerability for certain people on the basis of ethnic-linguistic background, age or gender.

Rohingya people are a stateless minority displaced to Bangladesh from Myanmar.²³ As a result of a long history of systematic violence and ostracism, Rohingya people in Myanmar lack individual rights and freedoms, which has caused many to flee. In Bangladesh, where many Rohingya people have sought refuge, they remain stateless and have limited access to protection and basic human needs. By the end of 2020, 866,457 Rohingya refugees²⁴ were registered in the Cox's Bazar district in the southeast of the country, making the Kutupalong-Balukhali refugee settlement the largest in the world.²⁵ They are socially marginalized, prohibited from registering births of children,²⁶ having legal work documentation and freedom of movement or accessing basic services (health, education, access to justice, etc.).²⁷ Moreover, they generally receive lower wages and engage in riskier work, making them vulnerable to becoming victims of trafficking in persons.²⁸ In particular, Rohingya women and girls, with fewer protections available, are exposed to gender-based violence in Cox's Bazar.²⁹

Due to these issues, many Rohingya people seek to leave the camps, often via irregular migration channels facilitated by smugglers -- a practice generally understood to increase the risk of trafficking in persons.³⁰ According to a focus group discussion conducted with experts for this study, January, February and March mark the season of smuggling by sea, which may result in trafficking.³¹ Meanwhile, for women and girls in particular, marriage migration represents a vulnerability to trafficking. An official investigation of a capsized boat in the Bay of Bengal revealed that the Rohingya women onboard were attempting to reach Malaysia to enter into marriage.³²

There is no national law regulating the refugee status of the Rohingya, and thus they are left largely without protection, which means lack of access to rights and services, and places them at increased risk of trafficking. One expert interviewed observed that:

“The Rohingya who came to Bangladesh are all vulnerable for trafficking. If we can categorize them as refugees, then they will be entitled to get protection as victims of trafficking. They have well-founded fear of persecution if they go back. We have to put them in the definition and try to give them protection as trafficking victims”.³³

Another marginalized group is *hijra* people. *Hijra* are gender-nonconforming people found across South Asian countries, including Bangladesh, and

²³ United Nations High Commissioner for Refugees, “Rohingya emergency”, Available at <https://www.unhcr.org/rohingya-emergency.html> (accessed on 26 September 2022).

²⁴ United Nations High Commissioner for Refugees, “UNHCR Operation: Bangladesh” (1 January 2021). Available at <https://reporting.unhcr.org/bangladesh> (accessed on 26 September 2022).

²⁵ International Organization for Migration, *World Migration Report 2020* (Geneva, Switzerland, 2019), p. 76.

²⁶ Humanitarian Practice Network, *Rohingya refugees in Bangladesh: the humanitarian response* (London, United Kingdom, 2018), p. 7.

²⁷ Ibid.

²⁸ Humanitarian Practice Network, *Rohingya refugees in Bangladesh: the humanitarian response* (London, United Kingdom, 2018).

²⁹ Ibid.

³⁰ See, Fiona David and others, *Migrants and Their Vulnerability to Human Trafficking, Modern Slavery and Forced Labour* (Geneva, Switzerland, International Organization for Migration, 2019).

³¹ Focus Group Discussion with INGO representatives

³² Focus Group Discussion with IOs.

³³ Interview with BD_E_003, Australia, 28 July 2021.

are also sometimes referred to as “third gender” or transgender.³⁴ In 2014, the Government of Bangladesh officially recognized the group, but social stigma and marginalization of *hijra* people remains.³⁵ They often have limited opportunities to work beyond the commercial sex sector, which is recognised as a legal form of labour under certain conditions and when exploitation is not present.³⁶ Due to their marginalization and corresponding lack of economic opportunities, many *hijra* people are sexually exploited,³⁷ experiencing violence and limited protection in terms of ensuring their rights.³⁸

Beyond marginalization and discrimination of certain groups, harmful traditional practices also present risk factors of trafficking in persons. In 2020, UNICEF reported that around half of all females in Bangladesh were married before the age of 18 and that the country had 38 million child brides, and 13 million married before age 15 – making it among the countries with the highest rates of child marriage in the world.³⁹ According to a 2020 study by UNODC, “*young women and girls [are] more likely to be forced to marry and [are] more vulnerable to exploitation within a marriage,*”⁴⁰ with some married children trafficked for sexual exploitation or exploited in the household.⁴¹ Early marriages may result in the

premature termination of education, increasing vulnerability to trafficking,⁴² as opportunities become more limited. In Bangladesh, research indicates that married girls are more than four times more likely to be out of school than unmarried girls.⁴³

Displacement Crisis

Forced displacement weakens or destroys protection mechanisms, such as family and community support structures, while at the same time often leaving people without documentation, regular status and access to education and livelihood opportunities.⁴⁴

The complex humanitarian crisis in neighbouring Myanmar has made Bangladesh an important host country for displaced population groups fleeing persecution and armed violence.⁴⁵ As mentioned above, Rohingya people from Myanmar are particularly vulnerable due to their restricted freedoms and lack of citizenship status under Myanmar law.⁴⁶ In 2019, the United Nations General Assembly noted that Rohingya people were subjected to violence, including excessive use of coercive force, arbitrary killings, and systematic rape, and had their homes destroyed.⁴⁷ Since the Myanmar military actions

³⁴ Sharful Islam Khan and others, “Living on the Extreme Margin: Social Exclusion of the Transgender Population (Hijra) in Bangladesh”, *Journal of Health, Population and Nutrition*, vol. 27, No. 4 (August 2009).

³⁵ Abdul Aziz and Sameena Azhar, “Social Exclusion and Official Recognition of Hijra in Bangladesh”, *Journal of Research on Women and Gender*, vol. 9 (2019).

³⁶ Ibid.

³⁷ Ibid.

³⁸ Ibid.

³⁹ Claudia Cappa and others, *Ending Child Marriage: A profile of progress in Bangladesh* (New York, United States, United Nations Children's Fund, 2020).

⁴⁰ United Nations Office on Drugs and Crime, *Interlinkages between Trafficking in Persons and Marriage* (Vienna, Austria, United Nations 2020), p. 23.

⁴¹ Ibid.

⁴² Ibid.

⁴³ Claudia Cappa and others, *Ending Child Marriage: A profile of progress in Bangladesh* (New York, United States, United Nations Children's Fund, 2020).

⁴⁴ United Nations High Commissioner for Refugees, *Handbook for the Protection of Internally Displaced Persons*, (March 2010), p. 218.

⁴⁵ Patrick Barron and others, “Myanmar”, *The State of Conflict and Violence in Asia, Myanmar* (London, United Kingdom, The Asia Foundation, 2017), p. 104.

⁴⁶ The 1982 Citizenship Act of Myanmar identifies 135 national races that qualify for citizenship with Rohingya omitted as one of them. Due to their lack of citizenship, Rohingya are restricted from travelling freely, accessing education and having access to birth registration, among others. See, *Official Records of the Human Rights Council, Report of the independent international fact-finding mission on Myanmar, 2018* (A/HRC/39/64).

⁴⁷ *Official Records of the General Assembly, Situation of human rights of Rohingya Muslims and other minorities in Myanmar, 2019* (A/RES/74/246).

of August 2017, at least 900,000 Rohingya⁴⁸ have fled to Bangladesh, mostly to refugee camps around Cox's Bazar.⁴⁹ The risk of trafficking for refugees is prevalent not only during the journey to safety, but also while living in refugee camps, because of marginalization, overcrowding, economic and food insecurity, disruptions to family structures and a lack of protection.⁵⁰ Some traffickers exploit these vulnerabilities by offering money and promises of a better future during the recruitment stage⁵¹ while later keeping refugees in a scheme of exploitation by threatening to report them to authorities.⁵² Similarly, refugees have also been reported to hire the services of migrant smugglers to travel to Malaysia, Thailand and Indonesia, based on deceptive promises of better lives, but which instead result in exploitation.⁵³

Climate Change

Internal migration tied to climate change has been increasing over recent decades in Bangladesh. Tropical cyclones, storm surges, river and coastal flooding, landslides and droughts hit this country on a regular basis.⁵⁴ Climate-related events lead to loss of life, homes and land,

displacing many either temporarily or permanently and utterly destroying livelihoods.⁵⁵ Coastal districts in Bangladesh are especially affected, with most displaced persons coming from Satkhira, Khulna and Bagerhat.⁵⁶ In 2020, an estimated 4.4 million people were displaced either temporarily or permanently by Cyclone Amphan.⁵⁷

The context of disaster-related displacement often heightens the risk of trafficking in persons due to how climate change deteriorates the already poor socioeconomic conditions of rural communities in certain parts of the country.⁵⁸ The low levels of resilience of these communities make them ideal for traffickers to target. In 2007, field research in the wake of Cyclone Sidr confirmed climate displacement as a key risk factor of vulnerability to trafficking.⁵⁹ Traffickers concentrated on the disaster-affected region, recruiting vulnerable people desperate to cross the border with India to find employment.⁶⁰ Some were trafficked and exploited in forced labour while others were coerced into sexual exploitation.⁶¹

⁴⁸ United Nations High Commissioner for Refugees Operational Data Portal, "Refugee Response in Bangladesh". Available at https://data2.unhcr.org/en/situations/myanmar_refugees (accessed on 26 September 2022). As of 31 August 2022, UNHCR has registered 943,529 Rohingya in Bangladesh.

⁴⁹ *Official Records of the Human Rights Council, Report of the independent international fact-finding mission on Myanmar, 2019* (A/HRC/39/64).

⁵⁰ Anne P. Wilson, "Trafficking Risks for Refugees", *Third Annual Interdisciplinary Conference on Human Trafficking at the University of Nebraska* (Baltimore, Maryland, November 2011).

⁵¹ International Organization for Migration, *IOM Case Data Analysis: Human Trafficking* (Cox's Bazar, Bangladesh, 2019).

⁵² Ibid.

⁵³ Afzalur Rahman, "Human Trafficking from Bangladesh to Malaysia: A Preliminary Study", *North American Academic Research* (June 2020).

⁵⁴ Displacement Solutions, *Climate Change in Bangladesh: The Need for Urgent Housing, Land and Property Rights Solutions* (Geneva, Switzerland, 2012), p. 4.

⁵⁵ Ibid.

⁵⁶ Ibid.

⁵⁷ Internal Displacement Monitoring Centre, Bangladesh Country Information (December 2020). Available at <https://www.internal-displacement.org/countries/bangladesh> (Accessed on 26 September 2022).

⁵⁸ Sabira Coelho and others, *The Climate Change-Human Trafficking Nexus* (Geneva, Switzerland, International Organization for Migration, 2016).

⁵⁹ Alice Poncelet and others, "A country made for disasters: environmental vulnerability and forced migration in Bangladesh", *Environment, Forced Migration and Social Vulnerability* (T. Afifi and J. Jäger, eds.) (Springer, Berlin Heidelberg, 2010).

⁶⁰ Ibid.

⁶¹ Alice Poncelet and others, "A country made for disasters: environmental vulnerability and forced migration in Bangladesh", *Environment, Forced Migration and Social Vulnerability* (T. Afifi and J. Jäger, eds.) (Springer, Berlin Heidelberg, 2010); Sabira Coelho and others, *The Climate Change-Human Trafficking Nexus* (Geneva, Switzerland, International Organization for Migration, 2016).

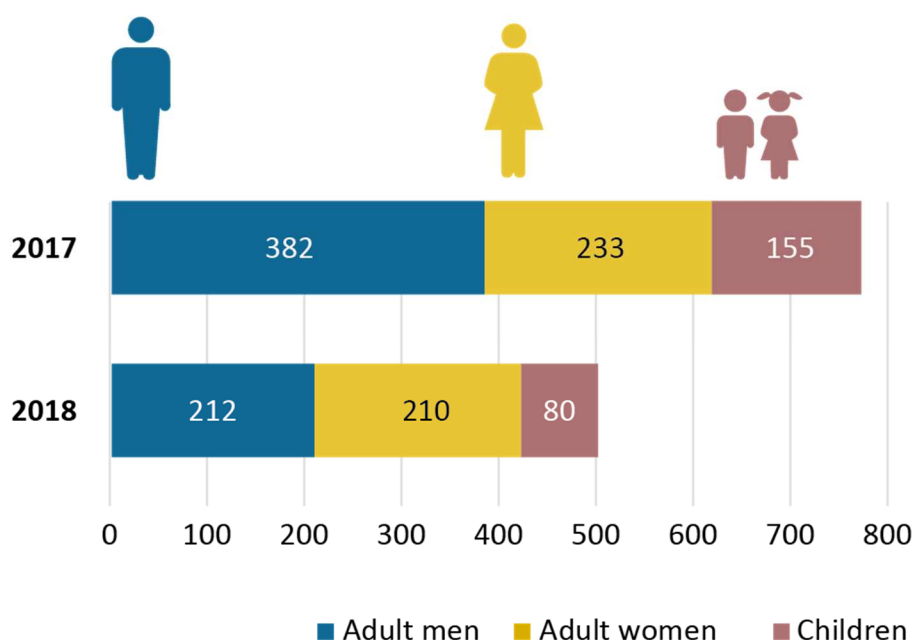
Victims

The authorities in Bangladesh detect girls, boys, men, and women across the country, with statistics of repatriated victims distributed across divisions. The data for identified victims used for this report primarily stems from repatriation of victims from abroad. In 2020, trafficking cases were identified in most of the administrative divisions, but with Khulna, Dhaka and Sylhet standing out with the highest numbers.⁶² In general, studies do not always provide quantitative breakdowns of victim by division or district, but they do suggest that more victims are

detected and reported in poorer areas of the country.⁶³

While victims from all Bangladeshi regions are detected in the countries of the GCC, those districts sharing borders with India near larger city centres disproportionately report repatriated victims. For example, Khulna, which shares its western border with West Bengal and is not far from Kolkata in India, reported the most repatriated victims in 2020.

Figure 2: Number of Detected Victims of Trafficking in Persons, by sex and age (2017-2018)



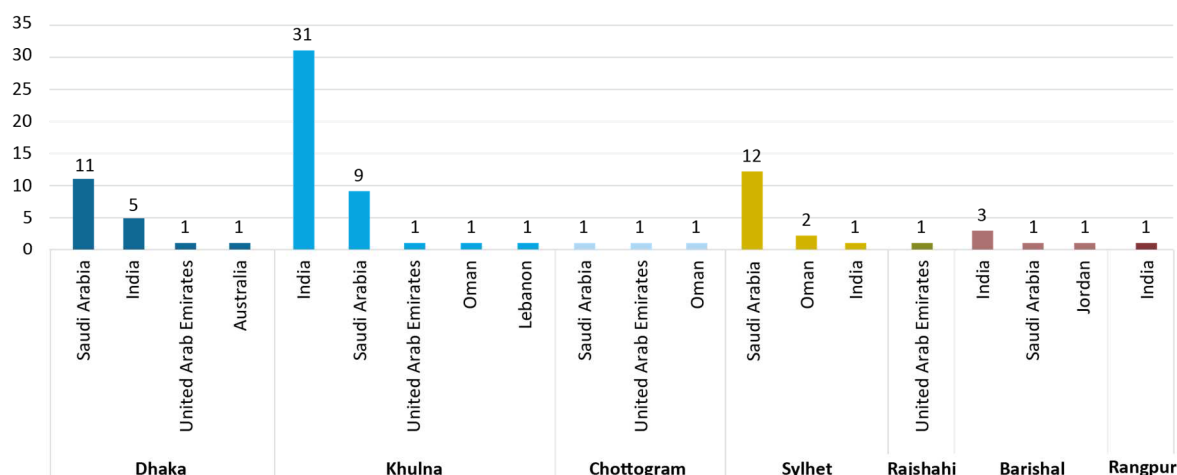
Source: Bangladesh Police, Submitted to the Global Report on Trafficking in Persons 2020.

⁶² Data shared by the Ministry of Justice, Law and Parliamentary Affairs, Bangladesh.

⁶³ Md. Ishtiaq Ahmed Talukder, Mahmuda Akter and ShirinBakul, Nature and Extent of Children and Women

Trafficking in Bangladesh: A Descriptive Analysis, *Chhattisgarh Law Journal* (December 2015); Focus Group Discussion with FGD_BGD_05, Bangladesh, 6 March 2021.

Figure 3: Number of repatriated victims of trafficking in persons by country of repatriation, 2020



Source: Bangladesh Police as reported by the Ministry of Home Affairs.

There is an information gap with regard to the number of repatriated victims. Victims who escape trafficking situations often face difficulties upon returning home and appear to actively avoid being identified as victims due to social stigma.⁶⁴ This impedes their access to physical and psychological rehabilitation.⁶⁵ In addition to the discrimination that victims may suffer, many go undetected as victims.⁶⁶ Further, repatriation data only shows flow of victims between countries with official repatriation agreements. There may therefore be flows between other countries too, which are not captured through national statistics.

Victim Profiles

Victim profiles are linked to certain forms of exploitation.

Women

Women are trafficked in significant numbers for sexual exploitation both within and outside of Bangladesh. At the same time, many women are also trafficked out of the country for the purpose of labour exploitation.⁶⁷ Research indicates that divorced and separated women face heightened risks of trafficking in persons because they have been detached from their support networks, which may increase the incentives of traffickers to target them.⁶⁸

Women trafficked within Bangladesh may be sexually exploited in the streets, in brothels or at restaurants. Of those trafficked abroad, women are reported to mainly be exploited in brothels⁶⁹ in India and in the countries of the GCC.⁷⁰ Women

⁶⁴ Focus Group Discussion with KI_BGD_03, Bangladesh, 13 January 2021.

⁶⁵ Ibid.

⁶⁶ Interview with KI_BGD_02, Bangladesh, 2 March 2021.

⁶⁷ Ibid.

⁶⁸ Md. Ruhul Amin and Md. Rashidul Islam Sheikh, *Trafficking Women and Children in Bangladesh: A Silent Tsunami of Bangladesh*, *Journal of Economics and Sustainable Development*, vol.2, No.4 (2011).

⁶⁹ Sabiha Yeasmin Rosy, "Bangladeshi Women Trafficking Survivors Situation in Family and Society: NGO Response towards their Reintegration", *Multidisciplinary Journal of Gender Studies*, vol. 5, No.1, (2016), pp. 911-928.

⁷⁰ Ministry of Home Affairs, Division of Public Security, *Bangladesh Country Report, 2016: Combating Human Trafficking* (Dhaka, Bangladesh, 2016).

are also sexually exploited in connection with forced labour or domestic servitude.⁷¹ Traffickers may target young women because they are limited by administrative restrictions.⁷² Further, labour migration from Bangladesh involves relatively high fees that many struggle to pay which limits the availability of regular options. These factors push women to seek irregular means of labour migration, rendering them vulnerable to the recruitment strategies of traffickers.⁷³

Further, interviewees described trafficked women being young and many come from poorer backgrounds.⁷⁴ There is specific data on identified victims for each of the districts of Bangladesh, and repatriated women are returned to districts widely spread across the country.

Men

Generally, men trafficked for forced labour abroad are exploited in the construction and agriculture sectors.⁷⁵ According to a focus group discussion conducted for this study with representatives from the civil society sector, migrant men usually have low levels of education and professional skills, increasing their risk during the course of labour migration.⁷⁶ Men are also trafficked domestically for forced labour in the ship-breaking industry.

Ship-breaking yards in the coastal area of Chittagong directly employ around 40,000 workers⁷⁷ and around 200,000 in related businesses.⁷⁸ While profitable for the labourer compared to other sectors, the practices used in the industry are hazardous and expose workers to exploitative conditions. Work includes being in close contact with toxic chemicals with little air circulation and no protective equipment provided.⁷⁹ Men recruited for ship-breaking tend to originate from the poorest areas in the north of the country.⁸⁰ Many are enticed by promises of higher wages, only to be trafficked into different and dangerous circumstances.⁸¹ While many who work in the industry are not trafficked, the extreme conditions connected with this work put many at risk of becoming victims of trafficking.

Children

Traffickers may target children, both boys and girls, leveraging on the socioeconomic circumstances of their families. Parents may feel pressure to place their children in exploitative labour situations to secure household income or traffickers may take advantage of the family's position of vulnerability to proactively recruit children.⁸² Other children may move on their own to urban centres where they are targeted by traffickers.⁸³ Reportedly, traffickers target

⁷¹ Ibid.

⁷² Research indicates that female Bangladeshi migrants account for few of those migrating abroad which is ascribed to the role of sociocultural, religious and political barriers women encounter. See, Danièle Bélanger and Mahmuda Rahman, "Migrating against All the Odds: International Labour Migration of Bangladeshi Women", *Current Sociology*, vol. 61, No. 3, (2013), pp. 356–373.

⁷³ Abul Barkat and Manzuma Ahsan, *Gender and Migration from Bangladesh: Mainstreaming Migration Into the National Development Plans from a Gender Perspective*, (Dhaka, Bangladesh, International Labour Organization Country Office for Bangladesh, 2014).

⁷⁴ Interview with FGD_BGD_02, Bangladesh, March 2021.

⁷⁵ International Organization for Migration, Bangladesh: Survey on Drivers of Migration and Migrants' Profile (2020).

⁷⁶ Focus Group Discussion with FGD_BGD_01, Bangladesh, 1 November 2020.

⁷⁷ NGO Shipbreaking Platform, "Platform Publishes South Asia Quarterly Update #17" (October 2018). Available at

<http://www.shipbreakingplatform.org/platform-publishes-south-asia-quarterly-update-17> (Accessed on 26 September 2022); International Law and Policy Institute, *Shipbreaking Practices in Bangladesh, India and Pakistan: An Investor Perspective on the Human Rights and Environmental Impacts of Beaching* (Oslo, 2016).

⁷⁸ M. Jamaluddin Ahmed, *"The Most Dangerous Job on the Planet" – Ship-breaking in Bangladesh* (Saarbrücken, Germany, Lambert Academic Publishing, 2016), p. 5.

⁷⁹ Fraser Murray and others, *Study on Modern Slavery in Bangladesh* (DAI, August 2019), p. 17.

⁸⁰ Ibid., p. 18.

⁸¹ Ibid.

⁸² M. Rezaul Islam and Delwar Hossain, "Protecting Children from Trafficking: Responses of the Governmental and Non-Governmental Organisations in Bangladesh", *The Malaysian Journal of Social Administration*, vol. 10 (2017), p. 11.

⁸³ Ibid.

children as young as 12 years of age,⁸⁴ particularly those who lack adult supervision. With limited resources available to law enforcement, traffickers act largely with impunity when it comes to children, creating a growing prevalence of child victims in not only sexual exploitation, but also domestic work and forced labour.⁸⁵

Both boys and girls are trafficked for forced labour, particularly bonded labour. When the household depends on the advance sale of labour resources, there is usually a higher risk of trafficking in persons.⁸⁶ This happens when traffickers recruit these victims on behalf of employers and make an advance payment to the parents to provide their children for various types of work, potentially leading to a situation of debt bondage. Children are held in these situations of forced labour until they have worked off the advance or their parents have paid for their release – often impossible due to a lack of financial resources. There are reports of children below the age of 15 years being trafficked with these methods, particularly in the fishing industry. Some are exploited in connection with cargo loading, operating fixed bag nets, sorting and drying fish.⁸⁷ According to one survey conducted in the fishing sector, children are recruited from fishing communities in Bagherat, Borguna, Patuakhali, Chottogram and Cox's Bazar or are vulnerable seasonal job seekers with

no education or having left school before graduation.⁸⁸

Traffickers target girls for the purpose of sexual exploitation. According to a recent study, an estimated two per cent of girls and women in the population aged 12 to 30 are considered to be at risk of being coerced into sexual exploitation.⁸⁹ Most are teenagers between 13 and 17 years of age.⁹⁰ Similarly to women, girls are often sexually exploited at street level or in brothels that are hidden in informal setups, private homes or at hotels.⁹¹ Traffickers may lure girls living and working on the streets, leveraging their poor economic and social situations.^{92,93}

Girls and young women are also trafficked abroad for the purpose of sexual exploitation.⁹⁴ According to one case, a group of traffickers coerced more than 700 teenage girls and young women between 16 to 25 years of age into sexual exploitation. The traffickers relied on fraudulent age certifications and tourist visas to obtain legal travel permits.⁹⁵ In other cases, victims were coerced into fraudulent marriages with the purpose of trapping them in sexual exploitation.⁹⁶

Boys have also been identified as victims of trafficking in persons. Boys experiencing sexual abuse are at a higher risk of being trafficked for

⁸⁴ ECPAT International, *Global Monitoring: status of action against commercial sexual exploitation of children - Bangladesh*, 2nd ed. (2011).

⁸⁵ Christopher Bagley and others, "Commercialised sexual exploitation of children, adolescents and women: Health and social structure in Bangladesh", *Advance in Applied Sociology*, vol. 7, No.4 (2017), pp. 137–150.

⁸⁶ Fraser Murray and others, *Study on Modern Slavery in Bangladesh* (DAI, August 2019).

⁸⁷ Mahmud and Hasan, "Dubla Dulabhanga: Forced Labour in Fishing Industry", Bangladesh: Action Aid (2002); Md. Rezaul Karim, Asaduzzaman Saadi and Tanjim Tamanna, *Labour in fishing sector in Bangladesh: Mapping, Status and Awareness about Rights* (December 2015).

⁸⁸ Bangladesh Bureau of Statistics and International Labour Organization, *Pilot Survey 2010: Working Children in*

Dry Fish Industry in Bangladesh (Dhaka, Bangladesh, December 2011).

⁸⁹ Christopher Bagley and others, "Commercialised sexual exploitation of children, adolescents and women: Health and social structure in Bangladesh", *Advance in Applied Sociology*, vol. 7, No.4 (2017), pp. 137–150.

⁹⁰ Ibid.

⁹¹ Ibid.

⁹² ECPAT International, *Global Monitoring: status of action against commercial sexual exploitation of children - Bangladesh*, 2nd ed. (2011).

⁹³ Fraser Murray and others, *Study on Modern Slavery in Bangladesh* (DAI, August 2019).

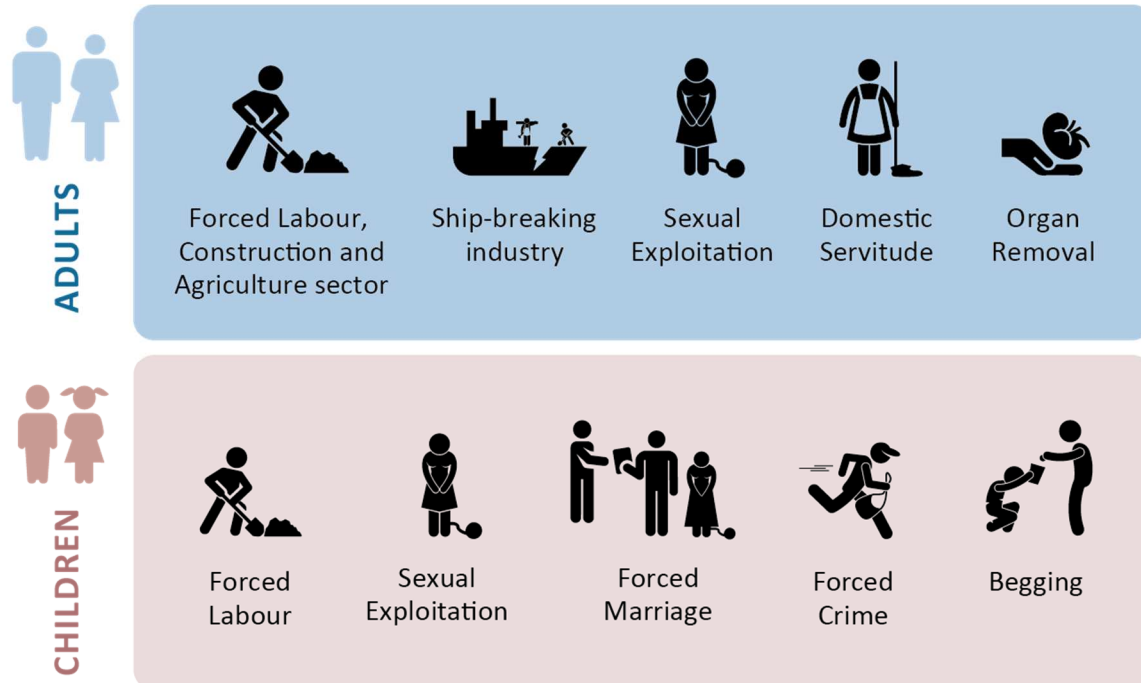
⁹⁴ Focus Group Discussion with FGD_BGD_01, Bangladesh, 1 November 2020.

⁹⁵ Interview with KI_BGD_12, Bangladesh, 13 January 2021.

⁹⁶ Interview with KI_BGD_03, Bangladesh, 13 January 2021.

sexual exploitation⁹⁷ and some are recruited when they are in their early teens.⁹⁸ Further, studies document that boys are exposed to bonded labour, especially those from poorer backgrounds.⁹⁹

Figure 4: Adults and children are trafficked in different ways



Forms of Exploitation

According to data from the *Global Report on Trafficking in Persons 2020*, Bangladeshi victims are detected in forced labour and sexual exploitation, both domestically and abroad. Figures from the Ministry of Home Affairs record

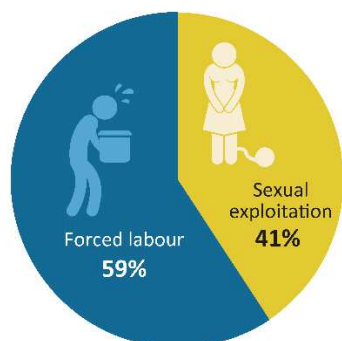
the number of victims by forms of exploitation, illustrating a consistent pattern over time. In addition to the main categories, several other forms of exploitation have been identified.

⁹⁷ Masud Ali, Ratan Sarkar and Anil Raghuvanshi, *The Boys and the Bullies: a Situational Analysis Report on Prostitution of Boys in Bangladesh* (Bangkok: ECPAT International, 2006); ECPAT International, *Global Monitoring: status of action against commercial sexual exploitation of children - Bangladesh*, 2nd ed. (2011).

⁹⁸ *Ibid.*

⁹⁹ Fraser Murray and others, *Study on Modern Slavery in Bangladesh* (DAI, August 2019).

Figure 5: Forms of exploitation in Bangladesh (2018, or most recent)



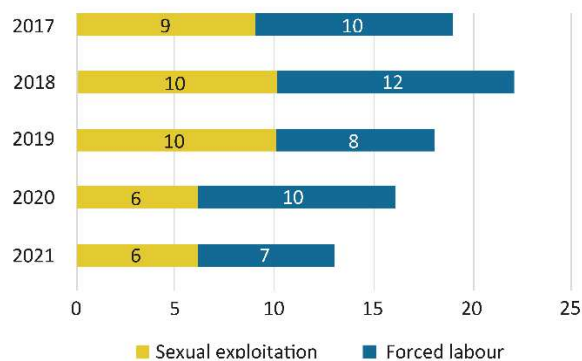
Source: Bangladesh Police, Submitted to the Global Report on Trafficking in Persons 2020.

Source: Bangladesh Police and the Ministry of Home Affairs.

Forced Labour

Forced labour includes exploitation in the fishing industry, textile, brick and electronics manufacturing, agriculture, construction, domestic work and work on tea plantations. Some types of forced labour are exacerbated by factors such as seasonal work patterns of farmers and isolation on fishing vessels.¹⁰⁰ Many types of forced labour in Bangladesh involve labour-intensive and physically demanding work. According to civil society organizations working along the Bangladesh-India border areas, men are

Figure 6: Rescued and identified Bangladeshi victims of Cross-Border Trafficking in Persons, by Year and Form of Exploitation (2017-2021) (n=88)



Source: Bangladesh Police, Submitted to the Global Report on Trafficking in Persons 2020.

trafficked for the purpose of forced labour in sectors such as steel manufacturing.¹⁰¹ Yet other victims, both female and male, have been trafficked for waste-digging.¹⁰²

Female victims often experience sexual abuse while working as domestic servants and in other employment abroad.¹⁰³ Female domestic workers are subjected to verbal, physical and sexual abuse, which may even lead to the death of the victim.¹⁰⁴ According to interviews with law enforcement, victims are trapped and segregated by traffickers and sexually exploited.¹⁰⁵

¹⁰⁰ Global Report on Trafficking in Persons 2020 (United Nations Publication, 2020).

¹⁰¹ Interview with KI_BGD_08, Bangladesh, 7 December 2020.

¹⁰² Interview with KI_BGD_12, Bangladesh, 13 January 2021.

¹⁰³ Interview with KI_BGD_15, Bangladesh, 18 November 2020.

¹⁰⁴ Focus Group Discussion with FGD_BGD_02, Bangladesh, 2 March 2021.

¹⁰⁵ Ibid.

Box: Overlap between trafficking and forced labour concepts

The United Nations Protocol on Trafficking in Persons define this crime as “*the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs*” (Article 3, paragraph (a) of the Protocol to Prevent, Suppress and Punish Trafficking in Persons defines Trafficking in Persons)

Forced labour is defined as “*all work or service which is exacted from any person under the threat of a penalty and for which the person has not offered himself or herself voluntarily.*” ILO Forced Labour Convention, 1930 (No. 29).

The two international legal standards formally state the relation between the two concepts. In addition, the two phenomena are to some extent intertwined. People coerced to work by mean of force, can find him or herself in this situation as a result of a trafficking process.

Traffickers may recruit, transfer or receive their victims to exploit them into work or services by mean of force or penalty.

The population of trafficking victims and victims of forced labour do overlap to an unknown extent variable according to geographical regions, labour practices and traffickers’ modus operandi. To measure trafficking in persons for forced labour do require tools and methodology that would be able to capture both trafficking and forced labour.

Sexual Exploitation

Some estimates refer to more than 200,000 women in commercial prostitution in Bangladesh, though not all of them are victims of trafficking or exploitation.¹⁰⁶ Due to the role of organized criminal groups in the management, many victims are unable to escape.¹⁰⁷ In addition, interviews with experts working with victims’ assistance indicate the prevalence of hotel-based¹⁰⁸ and massage parlour-based¹⁰⁹ sexual exploitation of trafficked Bangladeshi women and girls. Similarly, victims trafficked to India have been coerced into providing sexual services at beach resorts,¹¹⁰ while others have been sexually exploited in dance bars in Delhi and Mumbai.¹¹¹

Much like trafficking for forced labour, victims have also been trafficked to destinations in the countries of the GCC and the Middle East, where they are sexually exploited in hotels.¹¹² Women may be recruited at such facilities and subjugated into exploitation by trafficking networks. In these situations, sexual exploitation involves prostitution and escort services. Criminal organizations may also recruit and groom victims in Bangladesh under the guise of gaining employment in the entertainment industry. In Dubai, United Arab Emirates (UAE), for example, there are reports of Bangladeshi women tricked into sexual exploitation by criminals who pretend to manage dance groups.¹¹³

¹⁰⁶ Fraser Murray and others, *Study on Modern Slavery in Bangladesh* (DAI, August 2019).

¹⁰⁷ Interview with KI_BGD_08, Bangladesh, 7 December 2020.

¹⁰⁸ Focus Group Discussion with representatives of national NGOs

¹⁰⁹ Interview with KI_BGD_10, Bangladesh, 19 November 2020.

¹¹⁰ Ibid.

¹¹¹ Ibid.

¹¹² KI Interviews with representative of Bangladesh National Woman Lawyers' Association (BNWLA).

¹¹³ Ibid.

Other Forms of Exploitation

Other forms of exploitation that have been identified in Bangladesh include forced marriage, forced begging and organ removal.¹¹⁴

Extortion for Ransom

Bangladeshis are trafficked along irregular migration routes. There are several examples of people being exploited in the form of extortion for ransom. Irregular migrants, due to their lack of protections and precarious situation, are targeted by traffickers.¹¹⁵ Traffickers may detain migrants and demand the migrants to pay significant amounts to their captors to secure release. If they do not have the funds available, the traffickers may contact their families and demand the amounts to be transferred. This practice is documented in Libya¹¹⁶ where Bangladeshi transit on route to Europe.

Forced Marriage

Trafficking for the purpose of forced marriage has been reported in Bangladesh. According to one expert interviewed, girls and women trafficked for this purpose include victims of early marriage as well as divorced or separated women and girls, sometimes caring for children on their own.¹¹⁷ Other victims are in weak social positions, including women and girls who are victims of gender-based violence.¹¹⁸ The practice of early marriage places girls at risk of being trafficked and

exploited.¹¹⁹ While not the same as trafficking, early marriage is commonplace, with over half of Bangladeshi girls married before reaching 18 years of age.¹²⁰ Girl victims may be trafficked via forced marriage for sexual exploitation,¹²¹ a phenomenon that, according to experts interviewed for this study, has increased during the COVID-19 Pandemic. And, due to lack of focus on protection measures recently, the risk for Rohingya girls has especially been heightened.¹²²

Removal of Organs

The trade of organs was outlawed in Bangladesh in 1999.¹²³ Yet, newspaper classifieds seeking organs are commonplace, enticing labourers with limited income to sell their organs to escape their dire economic outlook.¹²⁴ In Bangladesh, the common practice is that wealthy local recipients source people willing to sell their organs, both travelling to a third country for the transplantation procedure.¹²⁵ A particular ruse in use in Bangladesh is known as “the sleeping kidney,” a scheme whereby victims are deceived into believing that one kidney is always inactive and thus, unneeded.¹²⁶ It is also common that the buyers make fictitious promises to victims such as offering them a job overseas, and arranging for their visa to go abroad for the transplantation.¹²⁷ In other cases, the buyers do not pay victims the full amount they were promised or operations

¹¹⁴ *Interlinkages between Marriage and Trafficking in Persons* (United Nations Office on Drugs and Crime, 2020); *Global Report on Trafficking in Persons* (United Nations Office on Drugs and Crime, 2018).

¹¹⁵ *Global Report on Trafficking in Persons* (United Nations Office on Drugs and Crime, 2020); *Global Study on Smuggling of Migrants* (United Nations Office on Drugs and Crime, 2018).

¹¹⁶ *Abused and Neglected: A Gender Perspective on Aggravated Migrant Smuggling Offences and Response* (United Nations Office on Drugs and Crime, 2021).

¹¹⁷ KI Interview.

¹¹⁸ Ibid.

¹¹⁹ United Nations Children’s Fund, “Ending Child Marriage: A profile of progress in Bangladesh” (UNICEF, New York, 2020).

¹²⁰ United Nations Children’s Fund, *A Scoping Analysis of Budget Allocations for Ending Child Marriage in Bangladesh* (UNICEF, 2018), p. 13.

¹²¹ Focus Group Discussion with representatives of INGOs.

¹²² Ibid.

¹²³ Bangladesh, *The Human Organ Transplantation Act* (1999).

¹²⁴ Monir Moniruzzaman, “‘Living Cadavers’ in Bangladesh: Bioviolence in the Human Organ Bazaar”, *Medical Anthropology Quarterly of Michigan State University*, vol. 26, No. 1 (2012), p. 70.

¹²⁵ Ibid., p. 71.

¹²⁶ Ibid., p. 75.

¹²⁷ Ibid., p. 77.

leave the victims disabled, suffering from side effects.¹²⁸

Usually, trafficking in persons for organ removal is characterized by high levels of criminal organization. Previous UNODC research on the topic documents how the crime has been detected across geographical regions. The crime is facilitated by organizers based abroad working together with local recruiters and medical personnel necessary for conducting surgeries.¹²⁹ Cases analysed from the region point toward how victims are either trafficked through recruitment in rural communities, deceiving victims into travelling toward urban centres where surgeries are conducted. In yet other instances, traffickers recruit victims in communities within countries with economic hardship and deceive victims into travelling towards more affluent countries.¹³⁰

Exploitative Begging

Trafficking in persons for the purpose of forced begging usually targets street children in large city centres.¹³¹ In the past decade, it has been observed that children have been trafficked from their villages and forced to beg on the streets, sometimes maimed by traffickers to generate sympathy and thus, additional income.¹³² The victims of exploitative begging include children with disabilities or people in precarious social and economic situations. Traffickers in South Asia, of which some operate in Bangladesh, have been identified to use similar modus operandi of trafficking children across borders to exploit them in forced begging.¹³³

Forced Criminality

In other instances, traffickers may recruit victims and engage them in different types of crime that they perpetrate as a result of their trafficking situation. Examples from court cases shared with UNODC document how such forms of trafficking emerge across jurisdictions.¹³⁴ In Bangladesh, traffickers engage in similar types of exploitation with victims perpetrating different forms of petty crimes as a result of their trafficking situation. Besides the exploitation of the victims, many of the victims may also face legal prosecution for the crimes they perpetrate as observed in other jurisdictions around the world.¹³⁵ In Bangladesh, experts consulted for the research pointed towards victims being exploited for pickpocketing on the streets.¹³⁶ According to representatives from law enforcement this forms of exploitation was regularly identified among perpetrators trafficking children on the streets in major cities in the country.¹³⁷

Traffickers

Traffickers in Bangladesh are organized in different constellations and adopt different modus operandi. The *Global Report on Trafficking in Persons 2020* has described these constellations in detail, illustrating how trafficking setups may span a few individuals working together to larger, more formalized organizations.¹³⁸ Similarly, traffickers may have different backgrounds, being either nationals or foreigners, with different levels of education and skills.

¹²⁸ Ibid.

¹²⁹ *Global Report on Trafficking in Persons 2018* (United Nations Publication, 2018).

¹³⁰ Ibid.

¹³¹ Kazi S. Kabir, "Exploring Cruel Business of Begging: The Case of Bangladesh", *Asian Journal of Business and Economics*, vol. 3, No. 3 (2013).

¹³² Ibid.

¹³³ Kazi S. Kabir, "Exploring Cruel Business of Begging: The Case of Bangladesh", *Asian Journal of Business and Economics*, vol. 3, No. 3 (2013).

¹³⁴ United Nations Office on Drugs and Crime, *Global Report on Trafficking in Persons 2020: Collection of Court Case Summaries* (Vienna, Austria, United Nations 2020).

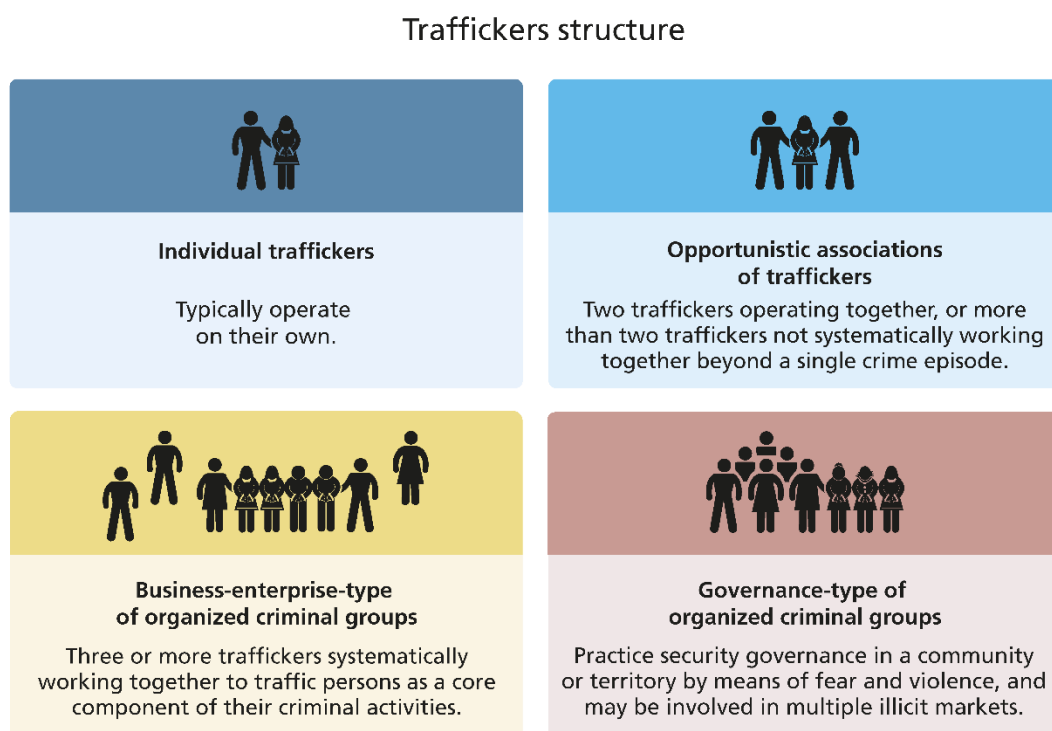
¹³⁵ Ibid.

¹³⁶ Interviews with law enforcement representatives.

¹³⁷ Ibid.

¹³⁸ *The Global Report on Trafficking in Persons 2020* (United Nations Publication, 2020).

Figure 7: Type of criminal actors involved in trafficking in persons



Source: The Global Report on Trafficking in Persons 2020

In Bangladesh, traffickers are organized in networks operating in rural areas, villages and urban centres. Group constellations span from loosely structured networks to formalized organizations. Interviews conducted for this study indicate that some trafficking networks operate on the surface as employment agencies, travel agents, hotel management and brothel owners.¹³⁹

Some individual traffickers have been reported, mostly extended family members of victims, in the context of domestic abuse and dysfunctional family settings.¹⁴⁰ However, this appears to be less common than organized trafficking. To this end, one law enforcement official stated that trafficking in Bangladesh is “*very organized. It is very difficult to commit trafficking individually.*”

*However, there is no primary data on this. Usually, the victims described traffickers working in groups; each with specific responsibilities”.*¹⁴¹

Roles: Organizers, Recruiters and Intermediaries

Traffickers may operate alone, or in small or large groups. In larger criminal groups, there is an *organizer*. Organizers often work in the background and avoid direct contact with victims¹⁴², directing different aspects of the activity, such as the logistics of transportation and

¹³⁹ International Labour Organization and INCIDIN Bangladesh, *Rapid Assessment on Trafficking in Children for Exploitative Employment in Bangladesh* (International Labour Office, Geneva, Switzerland, 2002).

¹⁴⁰ Focus Group Discussion with FGD_BGD_01, Bangladesh, 1 November 2020.

¹⁴¹ Interview with KI_BGD_11, Bangladesh, 18 January 2021.

¹⁴² Interview with KI_BGD_002, Bangladesh, 2 March 2021.

the provision of fraudulent documents, among others.¹⁴³

Trafficking networks include members with specific responsibilities for the identification of victims for subsequent exploitation. *Recruiters* are tasked with reaching out to people perceived as vulnerable due to the many factors described above. These may be representatives from recruitment agencies and employment bureaus, tasked with establishing contact between the traffickers and potential victims.

According to interviews conducted by UNODC for this study, traffickers may make contact with potential victims of trafficking by making use of official recruitment agencies operating in the context of international labour migration.¹⁴⁴ While recruitment agencies are licensed and regulated by the Bureau of Manpower, Employment and Training (BMET) and the Ministry of Expatriates' Welfare and Overseas Employment,¹⁴⁵ they may nevertheless play a role in facilitating the crime by either knowingly or unknowingly assisting traffickers. This is done by abusing regular administrative duties, including acquiring demand letters from the employer and arranging for labour and entry permits.¹⁴⁶

Other recruiters use *dalals*. *Dalals* function as intermediaries between job seekers and employers and are often found to engage in fraudulent practices tied to labour migration.¹⁴⁷

Bangladesh law prohibits any recruitment activity without a license, which *dalals* generally do not have.¹⁴⁸ Regardless, many pay *dalals* to be connected to an employer ready to provide a job, either locally or abroad. According to one survey of returned migrants, 80.6 percent made use of *dalals* or personal connections when organizing their travels.¹⁴⁹ This is due to higher levels of trust compared to official and private commercialized recruitment agencies.¹⁵⁰ Some *dalals* may work closely with formal recruitment agents while others may deliberately work together with traffickers. Traffickers may also make use of their services without the agents' awareness, as they may not know for whom they are recruiting.¹⁵¹

Recruiters try to create friendly relations with their victims. They may be relatives who work abroad,¹⁵² family members,¹⁵³ or someone from their workplace.¹⁵⁴ Usually, migrant workers already working in the destination country arrange visas with their employer before connecting them with prospective labour migrants from their social networks such as family, friends or neighbours.¹⁵⁵

Additional actors, collectively known as *intermediaries*, are also required to provide services that further facilitate trafficking or fill operational gaps. Intermediaries may provide visas, fraudulent documents, transportation and accommodation along the trafficking route,

¹⁴³ Focus Group Discussion with FGD_BGD_01, Bangladesh, 1 November 2020.

¹⁴⁴ Interview with KI_BGD_03, Bangladesh, 13 January 2021.

¹⁴⁵ As of December 2017, there were 1,168 registered recruitment agencies. Ashraful Azad, "Recruitment of Migrant Workers in Bangladesh: Elements of Human Trafficking for Labor Exploitation", *Journal of Human Trafficking*, vol. 5, No. 2 (2019), p. 140.

¹⁴⁶ Ibid.

¹⁴⁷ Focus Group Discussion with FGD_BGD_02, Bangladesh, 2 March 2021.

¹⁴⁸ As of December 2017, there were 1,168 registered recruitment agencies. Ashraful Azad, "Recruitment of Migrant Workers in Bangladesh: Elements of Human Trafficking for Labor Exploitation", *Journal of Human Trafficking*, vol. 5, No. 2 (2019), 141.

¹⁴⁹ International Labour Organization, *The homecoming: Profiling the returning migrant workers of Bangladesh* (ILO Country Office for Bangladesh, 2015).

¹⁵⁰ Ibid.

¹⁵¹ Focus Group Discussion with FGD_BGD_02, Bangladesh, 2 March 2021.

¹⁵² Interview with KI_BGD_08, Bangladesh, 17 December 2020.

¹⁵³ Interview with KI_BGD_03, Bangladesh, 13 January 2021.

¹⁵⁴ Interview with KI_BGD_10, Bangladesh, 19 November 2020.

¹⁵⁵ Ashraful Azad, "Recruitment of Migrant Workers in Bangladesh: Elements of Human Trafficking for Labor Exploitation", *Journal of Human Trafficking*, vol. 5, No. 2 (2019), p. 142.

among other services.¹⁵⁶ Intermediaries may also be corrupt law enforcement officers and border security actors, such as those working at official border crossing points.¹⁵⁷

Intermediaries may also provide migrant smuggling services to criminals seeking to traffic victims across borders. However, it is also important to note that the lines between smuggling and trafficking often become blurred in this context as many smugglers may also perpetrate trafficking, engaging in exploitation along the journey.¹⁵⁸ On sea-based trafficking routes in particular, isolation allows for smugglers to use physical and coercive force against victims, sometimes segregating them for the purpose of exploitation.¹⁵⁹

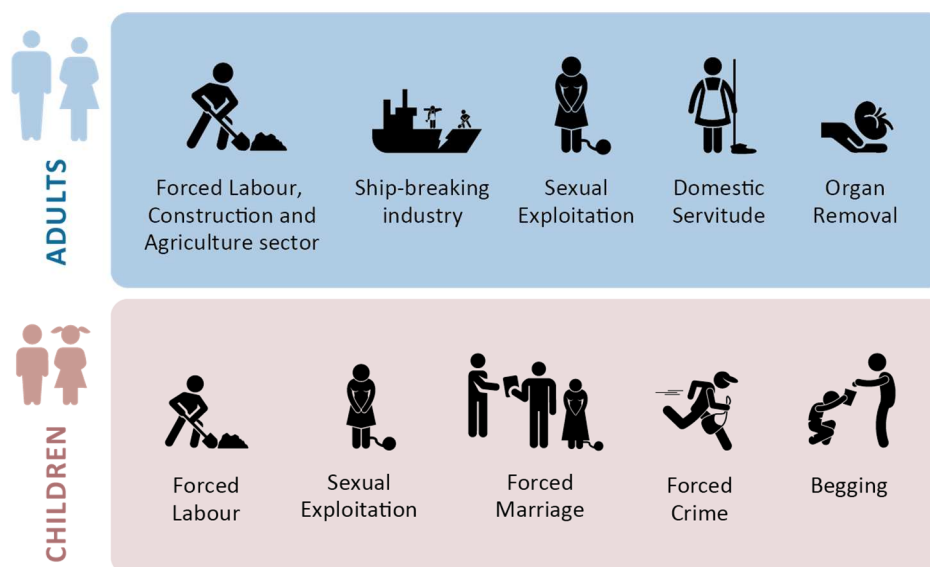
Yet, it is also important to note that traffickers may appear as migrant smugglers, approaching

aspiring migrants with false information. Migrants are exploited during the journey or at the destination, sometimes sold to other traffickers.¹⁶⁰ Migrants travelling irregularly may end up in situations of exploitation along their journeys, especially when travelling via North Africa en route to Europe. The overlap between trafficking in persons and smuggling of migrants poses significant challenges for investigation.

Modus Operandi

Traffickers regularly adjust their modus operandi, capitalizing on the vulnerabilities of their victims and manipulating contextual factors to their advantage. Traffickers make use of deception, and abuse the labour migration bureaucracy, as well as using a series of physical and psychological means to control their victims.

Figure 8: Adults and Childrens are trafficked in different ways



Source: The Global Report on Trafficking in Persons 2020.

¹⁵⁶ Focus Group Discussion with FGD_BGD_01, Bangladesh, 1 November 2020; Interview with KI_BGD_08, Bangladesh, 17 December 2020; Interview with KI_BGD_10, Bangladesh, 19 November 2020.

¹⁵⁷ Interview with KI_BGD_08, Bangladesh, 17 December 2020; Interview with KI_BGD_10, Bangladesh, 19 November 2020.

¹⁵⁸ Interview with KI_BGD_06, The Netherlands, 5 November 2020; Focus Group Discussion with FGD_BGD_01, Bangladesh, 1 November 2020.

¹⁵⁹ Ibid.

¹⁶⁰ Ibid.

Deception in relation to Migration Regulations

Among the strategies used by traffickers in Bangladesh is the abuse of the labour emigration system. Emigration from Bangladesh has significantly increased in recent years, providing opportunities for traffickers to operate in this context.¹⁶¹ Traffickers exploit the complexity of the emigration regulations, and immigration regulations for destination countries, and the often-lacking knowledge on the part of migrants concerning the requirements to migrate. Some foreign employers make use of third-party employment agencies, providing further opportunities for exploitation.¹⁶²

The first technique involves a practice labelled as “visa processing,” which is carried out by recruitment agents.¹⁶³ Recruitment agents work with visa agents to issue demand letters from abroad that are used by local traffickers to apply for visas and to arrange transport on behalf of victims. Bangladeshi emigrants who are trafficked with fraudulent demand letters or contracts are exploited at destinations, under a system of debt bondage, with their passports kept by employers or agents there.¹⁶⁴ Without proper documentation, victims have an irregular status,¹⁶⁵ limiting their options for legal protection.

A second technique is that of “contract replacement,” whereby victims are deceived about the working conditions at the destination.¹⁶⁶ Once the victims are at the destinations, their contracts are replaced or never signed, again leaving the migrant with an irregular status and thus, a situation of dependency.¹⁶⁷ As a result, victims are coerced

into various forms of exploitation. Men and women, under pressure to repay debts accumulated during migration, work for multiple employers without valid contracts, in violation of the laws of the destination countries.¹⁶⁸ As such, the consequence of trafficking is not only exploitation and the suffering of the victim, but also the shift of an individual’s legal status.

A third technique involves traffickers taking advantage of the availability of non-immigrant visas, such as those for study or tourism, especially for European destinations. As there are few options for obtaining work visas for low-skilled Bangladeshis in European countries, recruiting agencies are usually not involved in the process. Instead, traffickers make use of tourist and study visas to organize departures from Bangladesh.¹⁶⁹ Such visas generally do not grant the right to work in European destinations, and thus, when the migrant arrives and begins to work, they do so illegally. Similarly to the previous two techniques, this creates vulnerability for migrants as the employer may easily coerce them into exploitation, threatening to report them to authorities for working illegally.

Labour Scams

Deception as to the existence and/or conditions of employment abroad is also a technique employed by traffickers. Aspiring emigrants often possess limited knowledge on the legal requirements for migrating and job availability in destination countries. Traffickers take advantage of these limitations to recruit victims, promising them employment in destinations where there is none available.¹⁷⁰

¹⁶¹ Focus Group Discussion with FGD_BGD_05, Bangladesh, 6 March 2021.

¹⁶² Interview with KI_BGD_05, Bangladesh, 18 January 2021.

¹⁶³ Focus Group Discussion, FGD_BGD_01, Bangladesh, 1 November 2020.

¹⁶⁴ Ibid.

¹⁶⁵ Ibid.

¹⁶⁶ Interview with KI_BGD_05, Bangladesh, 18 January 2021.

¹⁶⁷ Ibid.

¹⁶⁸ Focus Group Discussion with FGD_BGD_01, Bangladesh, 1 November 2020.

¹⁶⁹ Ibid.

¹⁷⁰ Focus Group Discussion, FGD_BGD_02, Bangladesh, 2 March 2021.

On the other hand, in some cases, employment does exist in destination countries, but is different than what is promised, leading to potential situations of trafficking. Even formal recruitment agencies may provide migrant workers with either no, false or exaggerated information.¹⁷¹ In an interview conducted for a 2019 study, a former recruitment agency employee stated that: “Except for the few ethically fair agencies, almost 100% never give real information. They always exaggerate the information”.¹⁷² The use of deception as a technique widespread, particularly in the countries of the GCC. Similar labour deception schemes have been reported that involve promises of receiving employment as an entertainer, only to be trafficked for a different purpose. For example, according to one interviewee for this study, a garment worker from Jashore was trafficked to India under the guise of receiving a job as a participant in a popular Indian dance television program.

Education Scams

Traffickers also take advantage of the aspirations of young people to move abroad to study, recruiting students with false promises of facilitating their travel abroad to enroll at universities.¹⁷³ In these schemes, traffickers usually identify vulnerable, disappointed individuals that would be susceptible to such deception, such as students who fail admission examinations for public universities in Bangladesh.¹⁷⁴

Resettlement Scams

Traffickers may also take advantage of the desperate situations of displaced people. Traffickers approach vulnerable people with promises of resettlement of refugees in third countries¹⁷⁵ or offer to arrange marriages with members of the same community in other countries. In one such case, traffickers recruited a group of women in Cox’s Bazar under the false promises of arranging marriages in Malaysia.¹⁷⁶ In other cases, members of ethnic minority groups attempted to obtain Bangladeshi citizenship with the help of smugglers to facilitate migration at a later point, only to become trapped in a scheme of exploitation.¹⁷⁷

Violence and Coercion

Traffickers seldom use force during the recruitment phase, reserving it for later to maintain control of their victims. The *Global Report on Trafficking in Persons 2020* describes the use of physical violence by traffickers, indicating how victims are first recruited by means such as deception or abuse of vulnerability and then prevented from leaving an exploitative situation using coercive means.¹⁷⁸ Experts interviewed for this study confirmed this pattern in Bangladesh, noting how initial recruitment generally does not involve violence, but that it does appear at later stages.¹⁷⁹ When victims realize they have been deceived, traffickers then keep them captive by various means, including force, threats or even by inducing or exacerbating drug addiction.¹⁸⁰

It is important to note that the mode of transport does not influence whether violence is applied by

¹⁷¹ Ashraful Azad, “Recruitment of Migrant Workers in Bangladesh: Elements of Human Trafficking for Labor Exploitation”, *Journal of Human Trafficking*, vol. 5, No. 2 (2019), p. 143.

¹⁷² Ibid.

¹⁷³ Focus Group Discussion with FGD_BGD_02, Bangladesh, 2 March 2021.

¹⁷⁴ Focus Group Discussion with FGD_BGD_02, Bangladesh, 2 March 2021.

¹⁷⁵ Focus Group Discussion with FGD_BGD_06, Bangladesh, 5 November 2020.

¹⁷⁶ Focus Group Discussion with FGD_BGD_02, Bangladesh, 2 March 2021.

¹⁷⁷ Interview with KI_BGD_10, Bangladesh, 19 November 2020.

¹⁷⁸ *The Global Report on Trafficking in Persons 2020* (United Nations publication, 2020).

¹⁷⁹ Interview with KI_BGD_10, Bangladesh, 19 November 2020; Focus Group Discussion with FGD_BGD_01, Bangladesh, 1 November 2020.

¹⁸⁰ Interview with KI_BGD_08, Bangladesh, 17 December 2020.

the traffickers. In sea-based trafficking, traffickers may use physical violence onboard vessels to keep control of a large number of victims¹⁸¹, while in land-based trafficking, victims have been beaten or tied up for long durations. In both modes, traffickers have been reported to restrict food and water to the bare minimum on crowded vessels, sometimes resulting in the death of victims.¹⁸²

Routes

The geographic location of Bangladesh provides propitious conditions for trafficking networks. Bangladesh and India share vast,¹⁸³ and largely porous and unmonitored, land borders.¹⁸⁴

To the south, the country borders the Bay of Bengal, giving traffickers access to sea-based routes. People travel irregularly in and out of Bangladesh relatively easily. Trafficking may occur in connection with irregular migration using either land, sea or air routes, further complicating detection.

Destination

Bangladeshi victims are detected in many parts of the world, with the top destinations being countries in the GCC, Thailand, Malaysia and India, as well as Europe, and the Americas.¹⁸⁵

Map 2: Bangladeshi Victims of Trafficking in Persons, by Country of Detection (2014-2018)



Source: Elaboration of data from the UNODC Global Database on Trafficking in Persons

Note: The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

¹⁸¹ Interview with KI_BGD_11, Bangladesh, 18 January 2021.

¹⁸² Interview with KI_BGD_11, Bangladesh, 18 January 2021; Interview with KI_BGD_06, The Netherlands, 23 January 2021.

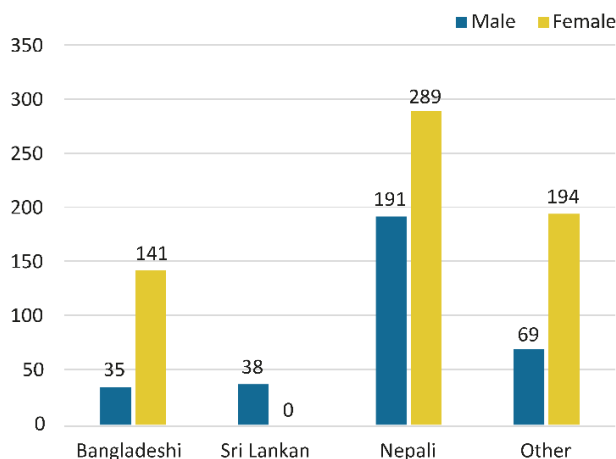
¹⁸³ India and Bangladesh share a 4,222-kilometre along with 64 districts are located.

¹⁸⁴ Interview with KI_BGD_04, Bangladesh, 3 February 2021.

¹⁸⁵ United Nations Office on Drugs and Crime, Global Database on Trafficking in Persons. The *Global Report on Trafficking in Persons* database contains information submitted by Member States for the biennial *Report*. The database contains statistics on trafficking in persons dating back to 2007.

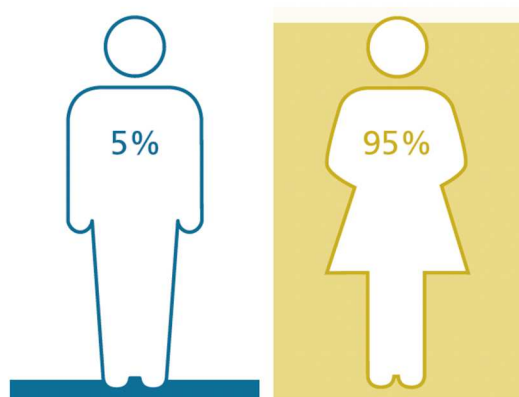
Due to the porous nature of the long border with India, it is likely that, based on the incongruity between expert reports, court cases and statistics on victims, there is a much larger trafficking flow between the two countries than is reported.

Figure 9: Selected Groups of Foreign Victims of Trafficking Detected in India, by Citizenship and Sex (2016-2019)



Source: National Crime Records Bureau of India.

Figure 10: Repatriation Information of Bangladeshi victims from India, by Sex, 2019-2020



Source: Security Services Division, Bangladesh Ministry of Home Affairs.

It is important to note here that human traffickers and migrant smugglers often use the same routes. This fact is particularly relevant in analyzing the routes used to reach Europe. Some Bangladeshis are recorded using the Mediterranean Sea routes to travel irregularly to Europe, both prior to and during the COVID-19

Pandemic.¹⁸⁶ Between January 2015 and May 2021, on the Central Mediterranean Route, linking North Africa to Italy, Bangladeshis comprised 5.7 per cent of all those arriving on this

¹⁸⁶ Frontex, “Detections of Illegal Border-Crossings”, FRAN and JORA Database. Available at

<https://frontex.europa.eu/we-know/migratory-map/> (Accessed on 26 September 2022).

route, and comprise the main citizenship group of non-African origin.¹⁸⁷

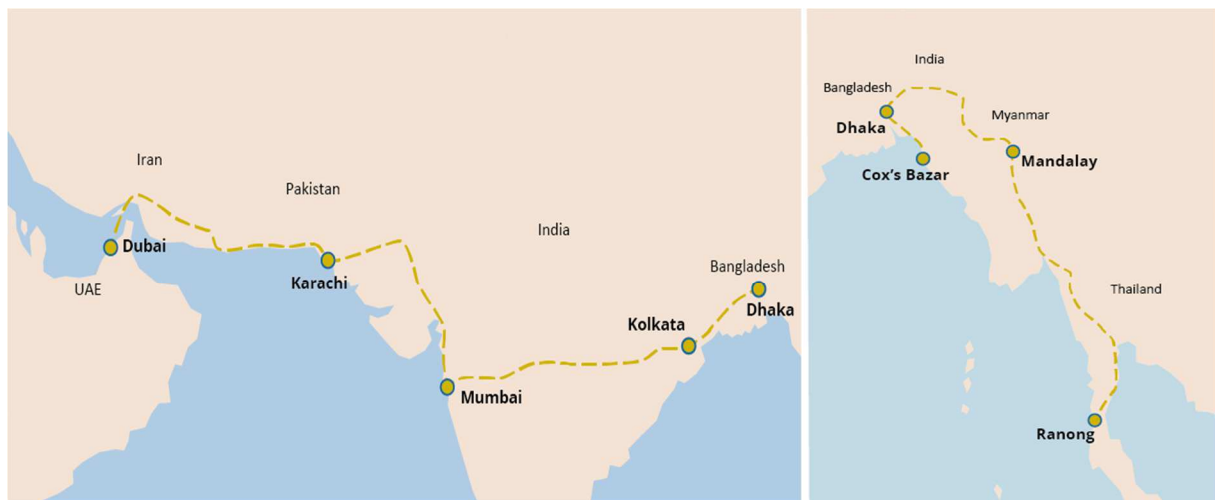
Irregular routes to Europe may transit through Iran, Iraq and Egypt, with some travelling first through India, Pakistan and Afghanistan, and in smaller numbers, Nepal.¹⁸⁸

Map 3: Dhaka – Kathmandu – Istanbul



● Major cities along the route - - - - -> Route

Map 4 & 5: Dhaka-Kolkata-Mumbai-Karachi-Dubai Cox’s Bazar & Ukhia/Moheskhali, Ranong/Ache/Malaysia.



● Major cities along the route - - - - -> Route

● Major cities along the route - - - - -> Route

Source: UNODC Elaboration of information retrieved through expert interviews.

¹⁸⁷ Ibid. During the time period indicated, 30,556 Bangladeshis were recorded by Frontex along the Central Mediterranean Sea route.

¹⁸⁸ Focus Group Discussion with FGD_BGD_01, Bangladesh, 1 November 2020.

Origin and Transit

Bangladesh is also a transit country used by traffickers to transport South Asian victims to other destinations. Routes are chosen based on geographical proximity along with several other infrastructural considerations such as access to communication networks, favourable geography for crossing and the organization of border control.

In terms of transit points in the region for traffickers moving victims across borders from Bangladesh, traffickers choose less monitored and unofficial border crossings with neighbouring countries. According to expert assessments, traffickers make use of land crossings, where crossing is legal, as it is often unnecessary to present visas or possess other travel documentation for Bangladeshis due to regional arrangements for free movement.¹⁸⁹ Law enforcement officers interviewed for this study described how traffickers and smugglers use India as one of the first transit points to reach destinations farther west.¹⁹⁰ Typically, people are taken to India where they acquire fraudulent travel documentation, such as passports or visas.¹⁹¹ From India, the traffickers take their victims to Libya with commercial planes, sometimes via a connecting airport in the United Arab Emirates. While some may remain in Libya, target destinations also include Italy via the Mediterranean Sea,¹⁹² or GCC countries.¹⁹³

The most used land route is to India. Traffickers use bus and train connections to organize the transport of their victims to Kolkata,¹⁹⁴ grouping their victims at Bongaon because of the cross-border availability of the Bangladeshi mobile network.¹⁹⁵ Different districts are used as transit points, particularly those bordering India. Hubs where traffickers recruit and gather victims include Norail, Bagerhat, Jashore and Satkhira,¹⁹⁶ with traffickers establishing their operations across these districts.¹⁹⁷ Interviews with local experts also identified land routes using Jashore and Satkhira as some of the most frequently used for trafficking due to their proximity with India.¹⁹⁸ Women and girls are trafficked for the purpose of sexual exploitation across this border and further on to Mumbai, Kolkata and Delhi in India.¹⁹⁹

Traffickers also use other transit points along the eastern border with Myanmar to reach destinations in the wider region.²⁰⁰ Traffickers operate routes from Bangladesh through Myanmar to China, trafficking women and girls for sexual exploitation.²⁰¹ In terms of the mode of transport, traffickers use sea routes, of which many originate from Cox's Bazar.²⁰² The sea route is primarily used by Rohingya people originally from Myanmar, seeking passage from Bangladesh to Thailand, Malaysia or Indonesia, where a large number of the group's diaspora resides.²⁰³ One judge interviewed commented that, "Since Cox's

¹⁸⁹ *Global Study on Smuggling of Migrants 2018* (United Nations publication, 2018), p.116.

¹⁹⁰ Interview with KI_BGD_10, Bangladesh, 19 November 2020.

¹⁹¹ Ibid.

¹⁹² International Organization for Migration, "IOM Libya Migrants Report: July-September 2021 – Round 38" (Libya, 2021).

¹⁹³ Focus Group Discussion with FGD_BGD_02, Bangladesh, 2 March 2021.

¹⁹⁴ Mahbub Rahman, "Child Trafficking in Bangladesh", *International Journal of Research in Economics and Social Sciences*, vol. 8, No. 1 (January 2018), p. 158.

¹⁹⁵ Interview with KI_BGD_10, Bangladesh, 19 November 2020.

¹⁹⁶ Similar information found in Interview with KI_BGD_08, Bangladesh, 3 February 2021, p. 6.

¹⁹⁷ Mahbub Rahman, "Child Trafficking in Bangladesh", *International Journal of Research in Economics and Social Sciences*, vol. 8, No. 1 (January 2018), p. 157.

¹⁹⁸ Focus Group Discussion with representatives of national NGOs.

¹⁹⁹ Ibid.

²⁰⁰ Focus Group Discussion with FGD_BGD_01, Bangladesh, 1 November 2020.

²⁰¹ Focus Group Discussion with FGD_BGD_05, Bangladesh, 6 March 2021.

²⁰² Interview with KI_BGD_05, Bangladesh, 18 January 2021.

²⁰³ Interview with KI_BGD_06, The Netherlands, 23 January 2021.

*Bazar is a border area, the victims can be taken to overseas [via the] sea route. The accused get arrested in Cox's Bazar or sometimes they are actually a resident".*²⁰⁴

The flow remains constant throughout the year, but there are some seasonal differences. Land routes do not have any seasonal variation,²⁰⁵ while sea routes are mostly used from January through March, which marks the peak season.²⁰⁶ This is mainly due to weather conditions when there are slower winds and calmer seas that are more suitable for voyage.²⁰⁷

BOX: Under the Radar – Human Trafficking of Bangladeshi Victims to Underreported Destinations

The trafficking of Bangladeshi victims for exploitation in forced labour abroad often goes undetected and underreported. One example that has come to the attention of UNODC is in Fiji, where reports of Bangladeshi victims have surfaced, suggesting a potentially significant number of victims.²⁰⁸ Of these, most are men and women exploited in forced labour.²⁰⁹

Under the *UNODC Pacific Trafficking in Persons Data Project*,²¹⁰ interviews with victims of trafficking in persons were conducted as part of field research in Fiji. One Bangladeshi victim explained how he had been deceived into travelling to Fiji through fraudulent recruitment practices by an intermediary, a *dalal*, based in Bangladesh.²¹¹ Additional interviews and expert consultations indicated

that the victim's story was representative of a larger trafficking flow from Bangladesh to Fiji with some estimates indicating that 10 per cent of the trafficking victims in the construction sector in Fiji originate from Bangladesh.²¹²

Other destinations also appear to have underreported numbers of Bangladeshi victims. Reports of detected victims from Bangladesh in the Seychelles off indicate trafficking to the country for the purpose of labour exploitation in the leisure and tourism industries.²¹³ There are few reported cases, but according to interviews, this phenomenon is widespread, with various districts in Bangladesh as points of origin.²¹⁴

According to administrative data collected for the *UNODC Global Report on Trafficking in Persons*, there are examples of identified Bangladeshi victims in other destinations. There are reports of Bangladeshi victims being identified in Venezuela, Mauritius and Cyprus.²¹⁵ Importantly, Venezuela is the only destination in South America to have officially detected Bangladeshi victims, and shared this data with UNODC.²¹⁶

There are also documented irregular migration flows involving Bangladesh and the Americas. In 2019, Interpol coordinated a joint police operation – Operation Turquesa - between countries in the Americas, Caribbean, and Bangladesh.²¹⁷ The operation focused on smuggling of migrants, and one Bangladeshi adult male perpetrator was apprehended, who functioned as the main organizer behind a comprehensive migrant smuggling and

²⁰⁴ Interview with BD_O_002, Bangladesh, 26 July 2021.

²⁰⁵ Interview with KI_BGD_10, Bangladesh, 19 November 2020.

²⁰⁶ Interview with KI_BGD_05, Bangladesh, 18 January 2021.

²⁰⁷ Ibid.

²⁰⁸ Data shared by the *UNODC Pacific TIP Data Project*.

²⁰⁹ Ibid.

²¹⁰ The *Pacific TIP Data Project* is funded by the US Department of State, Office to Monitor and Combat Trafficking in Person, and aims to strengthen human trafficking data collection systems in the Pacific.

²¹¹ Data shared by the *UNODC Pacific TIP Data Project*.

²¹² Ibid.

²¹³ Interview with KI_BGD_13, Bangladesh, 1 February 2021.

²¹⁴ Data shared by the *UNODC Pacific TIP Data Project*.

²¹⁵ United Nations Office on Drugs and Crime, Database for the *Global Report on Trafficking in Persons*.

²¹⁶ Ibid.

²¹⁷ The countries participating in the mission included Argentina, Bangladesh, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Spain, Uruguay. See, International Criminal Police Organization, "People smuggling networks hit hard in Operation Turquesa" (14 November 2019). Available at www.interpol.int/News-and-Events/News/2019/People-smuggling-networks-hit-hard-in-Operation-Turquesa (Accessed on 26 September 2022).

trafficking network. The perpetrator had facilitated the irregular travel of some 200 South Asian migrants, and 42 bank accounts of individuals involved in the network orchestrating the crime. The operation also led to the rescue of several victims of trafficking in persons, indicating an overlap between smuggling and trafficking in persons as well as the wide geographical scope of both crimes.²¹⁸ The diversity of the flow from Bangladesh indicates advanced models of trafficking. The

diversification of the trafficking flows is different than other citizenship groups, as Bangladesh ranks the highest globally in terms of the total number of destination countries reported.²¹⁹ Other citizenship groups from Africa, Asia and South America are reported in a lower number of destination countries.²²⁰ These dynamics indicate a globalization of the Bangladeshi trafficking flows, reaching almost all regions of the world.

Domestic Trafficking

In Bangladesh, rural to urban migration accounts for around two-thirds of urban growth since the country's independence in 1971, growing from 0.7 million to more than 31 million.²²¹

Due to climate change and other environmental factors, a large portion of internal migration is related to temporary and seasonal migration from rural to urban areas, particularly along Bangladesh's coasts.²²² However, it is also important to keep in mind that these temporary and seasonal migration patterns are changing due to the increasingly more permanent changes to traditional forms of livelihoods tied to the environment (see above section on *Risk Factors*). In the past, the seasonal migration patterns were predictable based on agricultural crop cycles and the annual monsoon season. For example, in northern Bangladesh, it was common that poor,

rural, agriculturally supported households would send a migrant to work elsewhere for an average of two to three months during certain regular periods.²²³ Yet, as discussed above, this pattern is slowly changing to a more permanent one as environmental change continues to place pressure on agricultural and fisheries livelihoods, typically in coastal and rural areas.

Second, this internal migration to cities has caused rural settlements to be reclassified as urban to accommodate the growing population.²²⁴ This is evidenced by the fact that the average annual population growth percentage has been slowly decreasing incrementally.²²⁵ When paired with natural population growth, this policy affects the significance of the flow as it may appear slightly larger than reality as more cities are being classified as such. Yet, the significant size of rural to urban migration should not be discounted. In 1981, the Dhaka Metropolitan Area had a

²¹⁸ International Criminal Police Organization, "People smuggling networks hit hard in Operation Turquesa" (14 November 2019). Available at <https://www.interpol.int/News-and-Events/News/2019/People-smuggling-networks-hit-hard-in-Operation-Turquesa> (Accessed on 26 September 2022).

²¹⁹ United Nations Office on Drugs and Crime, Database for the *Global Report on Trafficking in Persons*.

²²⁰ Ibid.

²²¹ Zakir Hossain, Ohidul Alam Khan and Jasim Uddin Ahmed, "Determinants of Rural-Urban Migration in Bangladesh including its Consequences for Origin Households and Urban Amenities", *Research and Reviews: Journal of Statistics*, vol. 5, No. 2 (2016).

²²² Ahmed Mushfiq Mobarak and Maira Emy Reimão, "Seasonal Poverty and Seasonal Migration in Asia", *Asian Development Review*, vol. 37, No. 1 (2020).

²²³ Shahidur Khandeker and Wahiduddin Mahmud, *Seasonal Hunger and Public Policies: Evidence from Northwest Bangladesh* (The World Bank, Washington, D.C., United States of America, 2012).

²²⁴ See, Abdullah Al-Mamun Khan, "Rural-Urban Migration and Urbanization in Bangladesh", *The Geographical Review*, vol. 72, No. 4 (October 1982).

²²⁵ See, The World Bank, "Urban population growth (annual %) – Bangladesh", data, 2021.

population of nearly 3.5 million²²⁶, by 2001, 10.7 million²²⁷ and in 2020, Dhaka had grown to a population just over 21 million.²²⁸

Many different forms of exploitation emerge in connection with domestic trafficking. As a non-exhaustive list, these domestic trafficking forms include forced marriage, exploitative begging, forced labour and sexual exploitation.

In addition to Bangladesh being a significant country of origin of victims identified in South and Southeast Asia, the Gulf and Europe, domestic trafficking flows are sizeable due to economic and social risks in the wider context of internal migration. According to a study from 2017, “*internal and external migration is taking place at a rapid rate with urban growth [at] 5.6 per cent. The urban population is estimated to reach 67 million by 2025*”.²²⁹

Domestic trafficking flows are mainly rural to urban.²³⁰ The type of domestic flow depends largely on the form of exploitation. Labour exploitation in agriculture and shrimp farming, for example, involves routes of shorter distances.²³¹ Conversely, labour exploitation in garment factories, tanneries and domestic work involve flows from rural areas to towns and cities.²³²

Trafficking for sexual exploitation is directed from rural areas to urban centres. Dhaka, being the

most industrialized city in Bangladesh, experiences a significant inflow of internal migrants and slum districts are often inhabited by “*poor rural urban migrants from various regions of the country...[who] soon after arriving to the city [find] themselves in a helpless condition*”.²³³ According to one victim, she was originally trafficked from her village by a neighbour with a false promise of a job, only to find herself sexually exploited in a brothel in Dhaka.²³⁴ After being identified, she was trafficked again.²³⁵

Another domestic trafficking flow involves the movement of Bangladeshis from coastal areas impacted by climate change and environmental factors. As discussed above, a risk of trafficking in Bangladesh is the loss of traditional livelihoods on the coast due to climate-related challenges including extreme flooding of arable land, storm surges and sea-level rise.²³⁶

The climate change-trafficking in persons nexus is a developing area of study in Bangladesh in recent years, and field research has shown that the connection is quite clear: environmental risk factors place a strain on livelihoods and housing security, pushing vulnerable people toward risky employment and migration opportunities.²³⁷ As a result, poor and disadvantaged coastal residents seek to migrate to larger urban centres away from environment-based livelihoods, placing them in a

²²⁶ United Nations, Department of International Economic and Social Affairs, *Population Growth and Policies in Mega-Cities: Dhaka, Population Policy Paper No. 8* (New York, United States of America, 1987), p. 1.

²²⁷ See, The World Bank, “Population in largest city – Bangladesh”, data, 2021.

²²⁸ Ibid.

²²⁹ M. Rezaul Islam and Delwar Hossain, “Protecting Children from Trafficking: Responses of the Governmental and Non-Governmental Organisations in Bangladesh”, *The Malaysian Journal of Social Administration*, vol. 10 (June 2015), p. 11.

²³⁰ Abdul Ahad and others, “Urban Child Labor in Bangladesh: Determinants and Its Possible Impacts on Health and Education”, *Social Sciences*, vol. 10, No. 3 (March 2021).

²³¹ Fraser Murray and others, *Study on Modern Slavery in Bangladesh* (DAI, August 2019), p. 5.

²³² Ibid., p. 6.

²³³ Momtaz Jahan, “Impact of rural urban migration on physical and social environment: The case of Dhaka city”, *International Journal of Development and Sustainability*, vol. 1, No. 2 (2012), p. 189.

²³⁴ Sabiha Yeasmin Rosy, “Bangladeshi Women Trafficking Survivors Situation in Family and Society: NGO Response towards their Reintegration”, *Multidisciplinary Journal of Gender Studies*, vol. 5, No. 1 (2016), p. 919.

²³⁵ Ibid.

²³⁶ Amelie Bernzen and others, “Climate Change-Induced Migration in Coastal Bangladesh? A Critical Assessment of Migration Drivers in Rural Households under Economic and Environmental Stress”, *Geosciences*, vol. 9, No. 51 (2019), p. 1.

²³⁷ See, International Organization for Migration, *The Climate Change-Human Trafficking Nexus* (IOM Regional Office for Asia and the Pacific, 2016).

position of vulnerability and potentially exposing them to trafficking. The origin districts of climate migrants (and potential trafficking victims) include Khulna, Bagherat, Patuakhali, Lakshmipur and Noakali, with many directed towards Dhaka.²³⁸

²³⁸ Amelie Bernzen and others, "Climate Change-Induced Migration in Coastal Bangladesh? A Critical Assessment of Migration Drivers in Rural Households under Economic and

Environmental Stress", *Geosciences*, vol. 9, No. 51 (2019), p. 17.

THEMATIC FOCUS: TRAFFICKING IN PERSONS AND SMUGGLING OF MIGRANTS IN THE CONTEXT OF LABOUR MIGRATION

On a global level, Bangladesh experiences some of the highest levels of emigration of people seeking better employment not only within the wider Asian region, but also to distant destinations in Western Europe and North America. At the same time, thousands of Bangladeshis engage in internal migration to seek economic opportunity, mostly from rural areas to urban centres, due to seasonal factors, climate change and loss of traditional livelihoods. The complexities of labour migration not only give rise to changes in the socioeconomic environment of the country, but also, in some circumstances, heighten the risk of trafficking in persons. Because of the lack of regular migration options, migrants often resort to smugglers, which further increases the risk of exploitation along irregular migration routes.

Emigration from Bangladesh

Background and profile

Short-term, semi or low-skilled labour emigration of both men and women is the most common form of migration from Bangladesh.²³⁹ While the factors leading to high emigration are numerous, as discussed above, much outward-bound migration of Bangladeshi citizens is driven by

labour incentives and opportunities in more affluent countries. At least 12 per cent of the labour force is employed overseas.²⁴⁰ Within Bangladesh, over 85 per cent of workers are employed in the informal sector and earn between 28 and 62 per cent less than those relatively few able to secure work in the formal sector.²⁴¹ The national minimum wage per month, since 2018, stands at 1,500 takas (\$18) and 8,000 (\$96) takas for ready-made garment workers, the most common formal employment in the country.²⁴²

In stark contrast, the wages of unskilled migrant workers in particular are much higher in more affluent countries, thus incentivizing labour migration, despite the risks. For example, in Saudi Arabia, annual wages for low-skilled Bangladeshi workers are around 13,322 Saudi riyals (\$3,552).²⁴³ When divided monthly, this amounts to more than \$260 more per month than the national minimum wage in Bangladesh. Similarly, low-skilled workers in the United Arab Emirates (UAE) receive around \$163 per month while most in Malaysia earn between \$61 and \$244 per month.²⁴⁴ While female migrants tend to be engaged in lower paying work, such as domestic

²³⁹ Ananta Neelim and Tasneem Siddiqui, *Situational Analysis of Migration Context and Policy Framework in Bangladesh* (International Organization for Migration, Dhaka, Bangladesh, 2015), p. 3.

²⁴⁰ International Labour Organization, "Application of Migration Policy for Decent Work for Migrant Workers – Phase II", Identification of additional occupations for women migrants and short training modules aligned to NTVQF of Bangladesh and/or destination country demand (2020).

²⁴¹ Mustafizur Rahman, Debapriya Bhattacharya and Md. Al-Hasan, "Bangladesh Economic Dialogue on Inclusive Growth: The role of the informal sector in inclusive growth a state of knowledge study from policy perspectives", *Research Report No. 3* (The Asia Foundation and the

Overseas Development Institute (ODI), London, United Kingdom, 2018).

²⁴² Sunita Basnet and Rajita Dhungana, *Migrant Workers from Bangladesh: A Fact Sheet* (South Asian Regional Trade Union Council, Kathmandu, Nepal, 2020), p. 6.

²⁴³ The Research Base, *Labour Market Survey in KSA Skills: Development Programme, Final Report: The Construction Sector* (City & Guilds and International Organization for Migration, Brighton, United Kingdom, 2017).

²⁴⁴ The World Bank, *Institutional assessment of migration systems in Bangladesh: initial findings meant to inform future areas for Bank support on policy reforms and capacity building* (World Bank Group, Washington, D.C., United States of America, 2018).

work,²⁴⁵ the pay is still perceived to be greater than in Bangladesh. This discrepancy heightens the risks of trafficking due to underlying economic vulnerability, high migration fees and misrepresentation by recruiters.

The second most significant portion of people emigrating are Bangladeshi citizens seeking employment that is not set up through formal work channels. These migrants make use of services arranged by different types of migrant smugglers. According to a previous study by UNODC, *“Irregular labour migration from Bangladesh is often facilitated by informal recruitment agencies. Local smugglers may operate as an informal recruitment agency or collaborate with smugglers who run such an agency and maintain contacts at various transit points en route to a destination to facilitate irregular migration”*.²⁴⁶ Bangladeshis are smuggled to relatively nearby destinations in the subregion or in Southeast Asia,²⁴⁷ as well as to Europe and North America.²⁴⁸ Smuggling practices may place migrants at risk of exploitation that may amount to trafficking.²⁴⁹

Size of Labour Emigration

According to IOM, Bangladesh ranks sixth globally in terms of top origin countries for emigrants²⁵⁰

and fourth in Asia, just behind India, Saudi Arabia and China.²⁵¹ Prospects of higher wages and better employment opportunities has increased the size of the flows of emigrants from Bangladesh, evidenced by the fact that between 2002 and 2020, remittances in the country have comprised over five per cent of gross domestic product (GDP).²⁵² In 2019 alone, over 700,000 Bangladeshi workers migrated for overseas employment.²⁵³

While these are regulated emigration statistics, the size of irregular migration is also significant, based on data from multiple destination countries. For relatively close destinations, the data is less available, yet still of note. In Pakistan, there is an estimated irregular Bangladeshi migrant population of over 1 million,²⁵⁴ while 87,000 Bangladeshis and Rohingya were smuggled to Malaysia and/or Thailand over a year.²⁵⁵

Meanwhile, for irregular migration to Europe, data shows a more complete picture of such migration from Bangladesh. Between January 2015 and May 2021, nearly 44,500 irregular border crossings by Bangladeshis were detected by the EU Border and Coast Guard Agency Frontex.²⁵⁶ Similarly, while not all asylum seekers

²⁴⁵ Ananta Neelim and Tasneem Siddiqui, *Situational Analysis of Migration Context and Policy Framework in Bangladesh* (International Organization for Migration, Dhaka, Bangladesh, 2015).

²⁴⁶ United Nations Office on Drugs and Crime, *Migrant Smuggling in Asia and the Pacific: Current Trends and Challenges, Volume II* (Bangkok, Thailand, 2018), p.65.

²⁴⁷ Ibid.

²⁴⁸ Ibid.

²⁴⁹ *Global Study on Smuggling of Migrants* United Nations publication, (2018).

²⁵⁰ International Organization for Migration, *World Migration Report 2020* (Geneva, Switzerland, 2019), p. 26; International Organisation for Migration, *World Migration Report 2022*.

²⁵¹ United Nations, Department of Economic and Social Affairs, “International migrant stock 2019”, data, 2019. Here, Asia encompasses the subregions of the Middle East and Gulf Cooperation Council (GCC), Central Asia, South Asia and East Asia and the Pacific. The population size used

to calculate the percentage of emigrants is based on the UN DESA total resident population of the country, which includes foreign-born populations.

²⁵² The World Bank, “Personal remittances, received (% of GDP) – Bangladesh”, data, 2021.

²⁵³ Bureau of Manpower, Employment and Training of Bangladesh, statistics (2019).

²⁵⁴ United Nations Office on Drugs and Crime, *Migrant Smuggling in Asia and the Pacific: Current Trends and Challenges, Volume II* (Bangkok, Thailand, 2018), p. 11.

²⁵⁵ Ibid, p. 47. This statistic was recorded between January 2014 and April 2015.

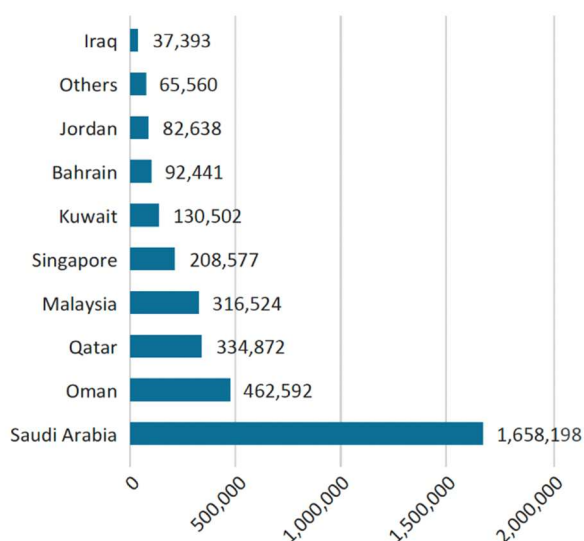
²⁵⁶ Frontex, “Detections of Illegal Border-Crossings”, FRAN and JORA Database. Available at <https://frontex.europa.eu/we-know/migratory-map/>

migrate irregularly, many do,²⁵⁷ and thus it is likely that a significant portion of the 103,255 Bangladeshi asylum applicants recorded in Europe between 2015 and 2020, who were mostly men aged between 18 and 34, reached the continent by irregular means.²⁵⁸ In terms of irregular migration to North America, between

2016 and 2019, approximately 3,650 Bangladeshis were apprehended by U.S. border authorities.²⁵⁹

Outflows from Bangladesh

Figure 11: Top destinations by number of migrants departing from Bangladesh for official employment (January 2016 May 2021)**



Source: UNODC elaboration of Bureau of Manpower, Employment and Training (BMET) data.

**No data available on migrants departing from Bangladesh to India.

The labour migration flows affecting Bangladesh are diverse. It is estimated that in all, more than 11 million Bangladeshis are present in 167 countries around the world.²⁶⁰ In 2019, IOM identified several flows from Bangladesh, ranking

Box: The Andaman Sea Crisis

In May 2015, the Andaman Sea and Bay of Bengal were the settings of a humanitarian crisis known as the Andaman Sea Crisis.ⁱ The discovery of mass graves on the border of Thailand and Malaysia prompted smugglers and traffickers to divert their routes from land to sea.ⁱⁱ When authorities threatened action, traffickers and smugglers abandoned the boats, stranding 8,000 people without food or water.ⁱⁱⁱ The victims were from Bangladesh and Myanmar, and had sought smuggling services to reach Malaysia, Thailand and Indonesia. Of the Bangladeshi victims, one was an engineer at an automobile workshop of the; another was an Imam of a *Madrassa* (Islamic school).^{iv} After repatriation, one teenage Bangladeshi boy was offered some financial assistance, but mentioned that he would spend it to organize migration (through a *dalal*).^{vii}

ⁱ Elisa Solomon, “Lessons from the Andaman Sea Crisis”, Australian Institute of International Affairs (30 July 2017).

ⁱⁱ Ibid.

ⁱⁱⁱ Ibid.

^{iv} Interview with KI_BGD_06, The Netherlands, 23 January 2021.

^v Ibid.

^{vi} Ibid.

^{vii} Ibid.

(accessed on 26 September 2022). Between January 2015 and May 2021, 44,481 Illegal border crossings (IBCs) of Bangladeshis were detected. IBC is a term used by Frontex, the European Border and Coast Guard Agency, a body of the European Union, to describe irregular entries (lacking or possessing fraudulent immigration documentation) of migrants.

²⁵⁷ Daniela Ghio and Gian Carlo Blangiardo, “Exploring the link between irregular migration and asylum: the case of Italy”, *Genus: Journal of Population Sciences*, vol. 74, No. 14 (2019).

²⁵⁸ The European Commission, “Migration and Asylum”, Eurostat Database, <https://ec.europa.eu/eurostat/web/migration-asylum/asylum/database> (accessed on 26 September 2022).

The database captures asylum applications in the European Union (EU) and the European Economic Area (EEA), which includes Iceland, Liechtenstein and Norway. The statistics include pre-Brexit data from the United Kingdom.

²⁵⁹ U.S. Customs and Border Protection, “U.S. Border Patrol Nationwide Apprehensions by Citizenship and Sector (FY 2016 – FY 2019)”, Stats and Summaries Database, <https://www.cbp.gov/newsroom/media-resources/stats> (accessed on 26 September 2022). U.S. Customs and Border Protection (CBP) notes that the data “includes Deportable Aliens Only”.

²⁶⁰ International Organization for Migration, *Bangladesh Migration Governance Framework* (Dhaka, Bangladesh, 2020), p. 38.

in the top 20 migration corridors from Asian countries with the top two being Bangladesh to India and Bangladesh to Saudi Arabia.²⁶¹

Many of the outflows from Bangladesh involving official labour migration have been established as commonplace since the mid-1970s. Besides India, in the past five years, the flow of migrant workers to the GCC countries has dwarfed the flows elsewhere.

Irregular labour migration tends to be more diverse in terms of destinations. Within the South Asian subregion, India is the most popular choice for irregular labour migrants.²⁶²

Meanwhile, outside of the subregion, Southeast Asian destinations have also become popular. Primarily, irregular labour migrants travel with or without the assistance of smugglers to Malaysia, Thailand and Indonesia with the intention of finding work.²⁶³ Indonesia is particularly popular for Rohingya, as well as Bangladeshi, irregular labour migrants as a transit point to travel to Malaysia.²⁶⁴ While in the past, these flows were primarily sea-based, the 2015 Andaman Sea Crisis

has affected these routes. After the mass graves containing the bodies of people from Myanmar and Bangladesh were discovered in Thailand and thousands more were stranded at sea, authorities increased their surveillance and actions to combat migrant smuggling and trafficking in persons in the region.²⁶⁵ As a result of the heightened response by authorities, it has been observed that maritime smuggling routes from Myanmar and Bangladesh have been impacted, changing not only the routes themselves, but also potentially the destinations²⁶⁶

Further afield, destinations in Europe are also popular for irregular migrants, though generally for Bangladeshis more than Rohingya, who tend to seek destinations in the wider Asian region. In terms of routes to Europe, the Central Mediterranean Sea route is the most used by Bangladeshis. Of all migrants using this route, Bangladeshis accounted for nearly six per cent of the total between January 2015 and May 2021.²⁶⁷

²⁶¹ International Organization for Migration, *World Migration Report 2020* (Geneva, Switzerland, 2019), p. 72. According to UN DESA, the migrant flow from Bangladesh to India in 2019 was just over three million and the flow from Bangladesh to Saudi Arabia was around 1.5 million.

²⁶² Dinuk Jayasuriya and Ramesh Sunam, "South Asia: Migrant Smuggling Data and Research", in *Migrant Smuggling Data and Research: A global review of the emerging evidence base* (Geneva, Switzerland, International Organization for Migration, 2016).

²⁶³ *Ibid.*, p. 62.

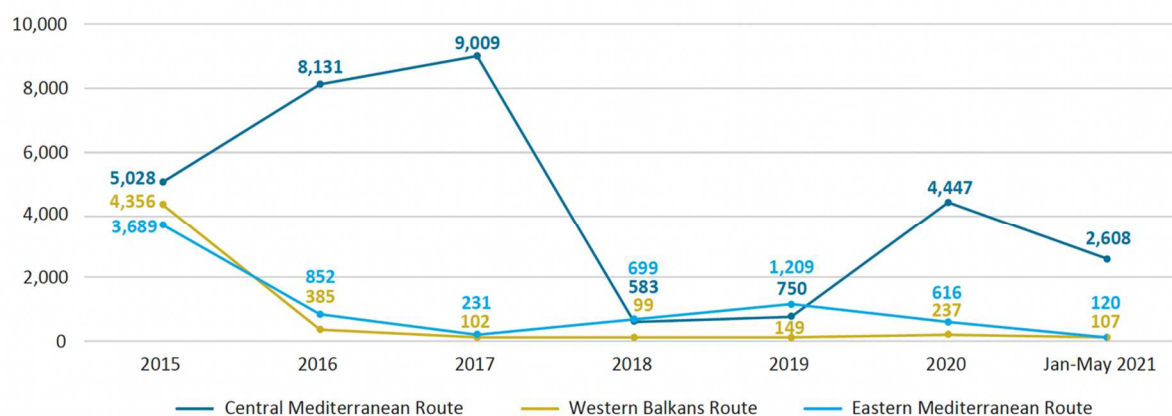
²⁶⁴ *Ibid.*

²⁶⁵ Felix Heiduk and Antje Missbach, "Risking Another Rohingya Refugee Crisis in the Andaman Sea", *SWP Comment*, no. 30 (June 2020).

²⁶⁶ International Organization for Migration, *World Migration Report 2020* (Geneva, Switzerland, 2019).

²⁶⁷ Frontex, "Detections of Illegal Border-Crossings", FRAN and JORA Database. Available at <https://frontex.europa.eu/we-know/migratory-map/> (accessed on 26 September 2022). Between January 2015 and May 2021, a total of 30,556 Bangladeshis were detected along the Central Mediterranean sea route by Frontex. Of known citizenships, this accounted for 5.82 per cent of all migrants along this route.

Figure 12: Routes of irregular border crossings into the EU, (January 2015 to May 2021)



Source: UNODC elaboration of Frontex data.

*FRONTEX uses the term “Illegal Border Crossings” that refers to attempted entries into the European Union.

The Central Mediterranean Route leads from Libya and Tunisia to Italy. In recent years, increasing numbers of Bangladeshi migrants have been recorded in Libya.²⁶⁸ While the desired final destinations are often countries in Europe, many Bangladeshis remain in Libya for some period of time for many reasons, including working to pay smugglers for their journey or to find seasonal work in coastal areas in the construction sector.²⁶⁹ For example, in the northern coastal regions of Al Jabal Al Akhdar and Almarj, Bangladeshis were in the top four migrant citizenships, the others all being from North African or Middle Eastern countries.²⁷⁰ In 2021, IOM detected 20,351 migrants (4 per cent of total migrants) from Bangladesh in Libya, most of them having travelled through Turkey or the UAE by air.²⁷¹

This growing presence in Libya is further evidenced by Bangladeshis who have been found to be active in migrant smuggling operations in the country. According to a 2018 study by

UNODC, Bangladeshi smugglers have been active in migrant smuggling operations in Libya, working with a network of intermediaries, generally of Sub-Saharan Africans, to smuggle Bangladeshis and migrants of other citizenships.²⁷²

Labour Migration Links to Trafficking in Persons and Smuggling of Migrants

In the case of Bangladesh, the emigrant community particularly at risk is workers who seek employment outside the country – both by irregular and regular means. As discussed, (see section on *Risk Factors*), the regulatory framework on labour migration in Bangladesh and how it is circumvented by recruiters, smugglers and traffickers to earn profit, creates an environment of risk for the workers. In its last Five-Year Plan (2016-2020), Bangladesh recognized emigration as an integral aspect of development to create employment for a large number of workers.²⁷³ Yet, the framework of

²⁶⁸ International Organization for Migration, *Libya’s Migrant Report: January – February 2021* (Libya, DTM, 2021).

²⁶⁹ Ibid.

²⁷⁰ Ibid, p. 22.

²⁷¹ Ibid, p. 25.

²⁷² United Nations Office on Drugs and Crime, *Migrant Smuggling in Asia and the Pacific: Current Trends and Challenges, Volume II* (Bangkok, Thailand, 2018).

²⁷³ International Organization for Migration, *Bangladesh Migration Governance Framework* (Dhaka, Bangladesh, 2020), p. 1.

labour migration often results in exploitation and an absence of social protection.

Besides the risks already presented that are inherent in the system, first, the migration costs assigned to those workers seeking to migrate are among the highest in the world and on average, depending on the destination, around 300,000 takas (\$3,523)²⁷⁴ – far higher than the minimum wage of low-skilled Bangladeshis. Moreover, the majority of those emigrating for work are semi- and low-skilled workers.²⁷⁵ As a consequence, migrants are at risk of exploitation in a scheme of debt bondage by recruitment agents and intermediaries.²⁷⁶ Second, low-skilled workers are often compelled to take dirty, demeaning and dangerous (“3D”) jobs, which, by their nature, expose them to exploitation and abuse.²⁷⁷

People who migrate from Bangladesh irregularly are at risk of exploitation, particularly if they use migrant smuggling services. According to IOM, in general, when migrants make use of smuggling services,

*“They may find themselves in situations of relative disempowerment due to their lack of resources (such as vehicles, mobile phones or access to food, water and shelter), lack of knowledge (such as about which officials are amenable to bribery or gaps in the surveillance system), and their desire to remain hidden from the authorities. This increases their vulnerability to exploitation by smugglers and by unrelated criminal groups who prey on migrants when they are unprotected by State authorities”.*²⁷⁸

Smugglers of Bangladeshis charge high fees between 10,000 (\$117) and 100,000 (\$1,175) takas to smuggle them to Malaysia.²⁷⁹ Once at sea, smugglers have been reported to demand between 220,000 (\$2,584) and 250,000 (\$2,936) in ransom fees, that, if unpaid, result in abuse, exploitation and even killings.²⁸⁰

Beyond the smugglers exploiting the migrants during the journey, migrants from Bangladesh have also been reported to face risks of trafficking in persons and exploitation once at the destination. Bangladeshi migrants who have been smuggled into Malaysia and Pakistan have reported that due to their irregular status, some employers *“underpay them, confiscate their documents or create a situation of debt bondage”*.²⁸¹

²⁷⁴ International Labour Organization, *The Cost Causes of and potential redress for high recruitment and migration costs in Bangladesh* (ILO Country Office for Bangladesh, 2014).

²⁷⁵ International Labour Organization, “Application of Migration Policy for Decent Work for Migrant Workers – Phase II”, Identification of additional occupations for women migrants and short training modules aligned to NTVQF of Bangladesh and/or destination country demand (2020).

²⁷⁶ Ibid.

²⁷⁷ International Labour Organization, *Skilling the workforce: Labour migration and skills recognition and*

certification in Bangladesh (Dhaka, Bangladesh, ILO Country Office for Bangladesh, 2014).

²⁷⁸ International Organization for Migration, *Migrants and their vulnerability to human trafficking, modern slavery and forced labour*, (International Organization for Migration, Geneva, Switzerland, 2019), p. 29.

²⁷⁹ United Nations Office on Drugs and Crime, *Migrant Smuggling in Asia and the Pacific: Current Trends and Challenges, Volume II* (Bangkok, Thailand, 2018), p. 64.

²⁸⁰ Ibid.

²⁸¹ Ibid.

THEMATIC FOCUS: TRAFFICKING IN PERSONS AND FORCED LABOUR (ILO CONTRIBUTION)

Trafficking in persons and forced labour are intrinsically connected.”²⁸² The Constitution of Bangladesh²⁸³ categorically prohibits any form of forced labour. Article 34 of the Constitution provides that ‘All forms of forced labour are prohibited, and any contravention of this provision shall be an offence punishable in accordance with law’.²⁸⁴ Moreover, Article 15 of the Constitution states that the citizens will have the right to work and further elaborates the meaning of right to work as a guaranteed employment at a reasonable wage which is commensurate with quantity and quality of work. The Constitution protects workers from all kinds of exploitation under Article 14. Apart from this, Article 18 of the Constitution states that the state shall take measures to prevent prostitution.

Similarly, in national legal instruments, forced labour is prohibited. The PSHTA provides a comprehensive mechanism that facilitates bringing people to justice who illegally traffic people both internally and externally for the purpose of forced labour.²⁸⁵ Section 374 of the Penal code states that “whoever unlawfully compels any person to labour against the will of that person, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.”²⁸⁶ Special provisions for children are discussed in details in

the Labour Act (2006), as it obligates both the employer and parents not to engage any children under 14 years in any industry or establishment.²⁸⁷ By prohibiting child labour up to 14 years, the Labour Act, 2006 offers protection to this sub-set of children from exploitation and forced labour. Notwithstanding all these commitments and legal instruments, there is a formidable presence of forced labour in the context of human trafficking.

Situation of Forced Labour in Bangladesh

Studies reflect that current trends of human trafficking are predominantly international labour trafficking. Bangladeshi migrants are exploited abroad as they lack opportunities in Bangladesh for fair recruitment and in many of the GCC countries their documentation is held by traffickers under the *Kafala* sponsorship system.²⁸⁸ One study mentions forced labour as an outcome of such mobility restrictions.²⁸⁹ IOM has identified some of the sectors in which the trafficked individuals are exploited at home and foreign destinations. Among others the list includes manufacturing, agriculture, sex work, brick manufacturing, forced begging, construction, forced marriage, domestic work, electronics manufacturing, tea plantations and removal of organs.²⁹⁰

²⁸²Marley S Weiss, ‘Human Trafficking and Forced Labor: A Primer’ (2015) 30 (1) ABA Journal of Labor & Employment Law 1

²⁸³ The Constitution of the People’s Republic of Bangladesh 1972.

²⁸⁴ Ibid, article 34 (1).

²⁸⁵KII, Academic and Legal Empowerment at Centre for Peace and Justice, BRAC University, 07 October 2021; KII, Advocate Supreme Court of Bangladesh, 09, October, 2021.

²⁸⁶The Penal Code 1869, Sec 370.

²⁸⁷ Bangladesh Labour Act, 2006 (BLA), s 2(63).

²⁸⁸ Migrant Forum Asia, Policy Brief-2, Reform of the Kafala System (not dated), available at <https://www.ilo.org/dyn/migpractice/docs/132/PB2.pdf> (accessed on 26 September 2022).

²⁸⁹Fraser Murray, et. al., *Study on Modern Slavery in Bangladesh* (DAI, August 2019).

²⁹⁰IOM X; Human Trafficking Snapshot; 2018; available at <https://iomx.iom.int/resources/human-trafficking-general/factsheets/iom-x-country-snapshot-bangladesh> (Accessed on 26 September 2022).

The Country Report on Human Trafficking, MoHA, 2018²⁹¹, informs that: “Many migrant workers are in debt as they have to pay high recruitment fees charged by recruitment agencies and unlicensed sub-agents which place migrant workers at risk of debt bondage and slavery. Majority of migrant women domestic workers are vulnerable to forced labour, abuse and sexual exploitation.” Thus, the country report notes the vulnerability of “majority of women domestic workers” to “forced labour” situations at destination countries. However, the report does not present any concrete data on actual prevalence of forced labour among the migrant population other than a vague indication of vulnerability of a majority of women migrant domestic workers to such risks.²⁹²

Some studies provide evidence on forced labour among children. Boys can be trafficked to the fishing sector for forced labour.²⁹³ In Bangladesh, there are reported cases of children below the age of 15 years being employed to load-unload fish from vessels operating fixed bag-nets in Sundarbans, and in sorting, loading and drying them.²⁹⁴ A recent study on the dry fish sector in Cox’s Bazar considered a child to be in forced child labour if their parent obtained an advance from the employer or the child reported coercion such as not being able to quit due to fear of their employer, not receiving payment for previous

work, or not receiving wages or other benefits that they were promised when they were employed. Using this definition, 23% of the children surveyed are considered to be in forced labour, including 28% of boys and 19% of girls.²⁹⁵ A recent survey, conducted by ILO in collaboration with a national research agency, estimated that around 33 per cent of all domestic workers in Bangladesh were children.²⁹⁶ Domestic workers can be extremely vulnerable to forced labour because of the unprotected nature of their work and the highly personalized relationship between the worker and employer.²⁹⁷

There is a growing trend of trafficking in the context of emigration from Bangladesh. Smugglers of migrants are often linked with trafficking which exposes the irregular migrant to the risk of forced labour. One of the key informants explained that informal and unscrupulous recruiting agents take advantage of the poverty and helplessness of the victims. They give false hope and dreams only to win trust and entrap the victims.²⁹⁸ The trade union leaders and migrant rights activists noted that migrant women working as domestic workers can be exposed to contract replacement. In such a case, they do not have any option but to comply with the new contract imposed upon them, as their passports are retained by the recruiting agents at

²⁹¹MoHA, The Country Report on Human Trafficking 2018, Dhaka (page-1)

²⁹² Bangladesh Country Report ,2018, Combating Human Trafficking, Ministry of Home Affairs, GoB, available at [https://mhapsd.portal.gov.bd/sites/default/files/files/mhapsd.portal.gov.bd/annual_reports/0cc28f8e_1dcf_4b4e_9a38_264aaa42510c/Final%20_%20Country%20Report%202018%20_%2018.12.19%20\(2\).pdf](https://mhapsd.portal.gov.bd/sites/default/files/files/mhapsd.portal.gov.bd/annual_reports/0cc28f8e_1dcf_4b4e_9a38_264aaa42510c/Final%20_%20Country%20Report%202018%20_%2018.12.19%20(2).pdf) (Accessed on 26 September 2022).

²⁹³ FAO and ILO. (2013). Guidance on addressing child labour in fisheries and aquaculture. Available at https://www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_22655/lang-en/index.htm (Accessed on 26 September 2022).

²⁹⁴ Mahmud, K.H.and Hasan F.F. (2002). Dubla Dulabhanga: Forced Labour in Fishing Industry. Bangladesh: Action Aid / Karim M, R; Saadi, A; Tamanna, T; Labour in fishing sector in

Bangladesh: Mapping, Status and Awareness about Rights, BIDS, 2015; Available at <http://bilsbd.org/wp-content/uploads/2018/01/Labour-in-Fishing-Sector-of-Bangladesh.pdf> (Accessed on 26 September 2022).

²⁹⁵ SUI-CLIMB, Comprehensive mixed method research on child labour in the dried fish sector in Cox’s Bazar,2020

²⁹⁶ Joana Nomrata Mazumder, ‘Child domestic workers need more protection’ *The Daily Star* (Dhaka, 7 October 2019), available at

<https://www.thedailystar.net/opinion/human-rights/news/child-domestic-workers-need-more-protection-1810366> (Accessed on 26 September 2022).

²⁹⁷ILO; Global Report under the Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work; Geneva, Switzerland, 2005.

²⁹⁸Key Informant Interview with representative of Power in Social Action (YPSA), July 2021.

destinations. This constitutes trafficking for forced labour.^{299&300}

In case of irregular cross-border mobility there is no written agreement (mobility and employment take place without any formal contract). When the verbal agreement is violated at destination, the victims are unable to seek legal remedies. Moreover, Illegal status (in case of irregular border crossing) and threats of the traffickers lead to lack of choice and voice of the victims who are exploited in forced labour situations.³⁰¹

Causes of Human Trafficking for Forced Labour

In Bangladesh, invisible economic ties and labour management approaches are at play to silence the voices of the workers. From this wider perspective, the prevailing employment conditions in a large number of sectors match forced labour indicators. Forced labour clearly emerges as predominantly a demand-driven outcome. In other words, trafficking often takes place to meet the demand for cheap and easy-to-control labour.

Gaps in Addressing Forced Labour

There are some critical gaps with respect to the definition of forced labour across the national legal instruments. These include: a) Lack of clarity in the definition of forced labour in the Labour Act (2006), PSHT Act 2012, Children's Act 2013 and

the Penal Code, making it difficult to address forced labour comprehensively. There are also gaps in institutional procedures to prevent forced labour; b) There is no national body, authority or commission to exclusively address the problem of forced labour. As a result, cross-ministry coordination and multi-stakeholder cooperation to protect people from being trafficked into forced labour are less effective, while victims of forced labour may not be able to access justice.

There are also gaps in the enforcement of existing provisions. In Bangladesh, MoSW, MOHA, MOLE/DIFE, MoWCA, MoEWOE, MOLJPA, MoYS and MOE are considered as key government stakeholders in addressing forced labour. To this end, there exists a critical gap in coordination. Similarly, existing partnerships of NGOs with different groups of stakeholders are not well-structured or broadly-based.

Data Gaps

The study identified a dearth of information on forced labour of Bangladeshi citizens both within and outside the country. There is currently little or no information on forced labour in the government data channels. The Bangladesh Labour Force Survey and the national child labour survey of the country do not have any specific section or set of indicators to identify "forced labour".³⁰²

²⁹⁹FGD with trade union activists, Dhaka, 19th July 2021.

³⁰⁰KII with representative of AWAJ Foundation, September 2021.

³⁰¹KII with representatives of CWCS.

³⁰²Bangladesh Labour Force Survey, 2016-2017, Bangladesh Bureau of Statistics, Ministry of Planning, January 2018,

available at https://mole.portal.gov.bd/sites/default/files/files/mole.portal.gov.bd/page/ac7088c7_a211_4905_9ff3_1e62af00c837/LFS_2016-17_compressed.pdf (Accessed on 26 September 2022).

NATIONAL RESPONSE

Over the years, the Bangladeshi national authorities have launched several initiatives aimed at addressing trafficking dynamics and its underlying causes. A comprehensive national response to trafficking in persons in Bangladesh is provided through the criminal justice system, further assisted by social programs and services focusing on victim protection and recovery. A legal framework provides the basis for the national response, with a dedicated anti-trafficking law introduced in 2012. While trafficking in persons has gradually received increased attention among national actors, civil society and international partners, central challenges remain.

Legal Framework

The criminal justice response to trafficking in persons in Bangladesh is anchored in national legislation in two central instruments. The Constitution of Bangladesh provides the mandate by which all trafficking laws are authorized. Article 14 confers upon the state the responsibility *“to emancipate the toiling masses, the peasants and workers and backward sections*

of the people from all forms of exploitation”. Second, Article 34 provides that *“all forms of forced labour are prohibited, and any contravention of this provision shall be an offence punishable in accordance with the law”*. Articles 27 and 31 provide that victims of trafficking are entitled to legal protection.³⁰³ These articles set out the legal basis for the prevention and prosecution of the crime along with the protection of victims of trafficking in persons.

The Prevention and Suppression of Human Trafficking Act (PSHTA) of 2012 is the legislation specifically addressing prevention, protection of victims, and prosecution of trafficking offences in Bangladesh, and is in line with the UN Trafficking in Persons Protocol.³⁰⁴

The Act defines trafficking in persons using an “acts, means, purpose” model. The consent of the victim is irrelevant if the means are in evidence. Furthermore, the means element is irrelevant under the Act if the victim is a child – defined under the PSHTA as any person under eighteen years of age.³⁰⁵

³⁰³ In 1997, the High Court Division of the Supreme Court of Bangladesh ruled in *Abdul Gafur v Secretary, Ministry of Foreign Affairs* (Writ Petition No. 4031 of 1997, Judgement, 14 August 1997) that victims of trafficking are entitled to the legal protection and government agencies must protect their citizens in any part of the world as stemming from Articles 27 and 31 of the Constitution.

³⁰⁴ See Article 3(2) of the PSHTA. See also, Article 3(c)-(d) of the United Nations Trafficking in Persons Protocol. Besides the PSHTA, there are other laws in Bangladesh that address trafficking and related offences. These include the Penal Code of 1860, the Bangladesh Labour Act of 2006, the Overseas Employment and Migrants Act (OEMA) of 2013, various citizenship laws, the Prevention of Human

Trafficking (PSHT) Rules and Fund Rules of 2017 and the National Anti-Human-Trafficking Authority Rules of 2017.

³⁰⁵ See Section 2. Article 3(b) states that the consent of the victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used. Furthermore, it should be noted that consent is defined as that which is given freely, consciously, and not arising out of a person’s vulnerability (socioeconomic, age, sex, etc.). Therefore, even if an exploitation falls outside those listed in the PSHTA, it will not be deemed consent if influenced by vulnerability as mentioned.

THE ELEMENTS OF TRAFFICKING IN PERSONS UNDER THE PSHTA

ACTS	MEANS	PURPOSE
Recruitment	Threat or use of force	Exploitation through prostitution or other forms of sexual exploitation, including pornographic material
Transportation	Forms of coercion	Forced Labour
Transferring	Abduction	Slavery or similar practices, including debt bondage
Harbouring	Fraud	Fraudulent marriage
Receipt of Persons	Deception	Forcible engagement in the amusement trade
Buying	Abuse of power or vulnerability	Forced Begging
Deporting	Giving payments or benefits to a person in control of the victim in order to achieve consent	Removal of organs
Sending		
Confining		

In terms of legal process, the PSHTA provides for protection of victim-witnesses at different stages. This involves victims being provided with identity protection,³⁰⁶ given government protection in the form of secured travel to and from legal proceedings, and protected residence,³⁰⁷ and they may be provided financial assistance.³⁰⁸ For child victims, special provisions include the use of law enforcement officers trained in the well-being of children and other “best interests” practices.³⁰⁹ Under these provisions, agencies have an obligation to ensure victims are neither convicted nor punished.³¹⁰

The PSHTA also provides a framework of liability that allows the state to prosecute individuals and corporate entities, including companies and firms.³¹¹ In the case that an offence listed under

the PSHTA is committed by a company or firm, it is considered to also have been committed by the respective proprietors, directors, managers, secretaries or agents, unless culpability cannot be established.³¹² These provisions are of particular importance in the investigations and prosecutions of labour migrant recruitment agencies associated with trafficking.

Finally, the PSHTA encourages cooperation with other states and allows the government to enter agreements or sign memorandums of understanding with peer states for the purposes of legal and police cooperation.³¹³ This assistance extends to investigation into trafficking offences, examination of witnesses, and repatriation and exchange of victims. Under certain circumstances, offences outside Bangladesh may

³⁰⁶ Section 37 prohibits the publication of identity of victims without the permission of the Anti-Human Trafficking Offences Tribunals.

³⁰⁷ Section 37(2).

³⁰⁸ Section 40.

³⁰⁹ Section 38.

³¹⁰ Section 37(1).

³¹¹ Section 2.

³¹² Section 44.

³¹³ Section 41.

be prosecuted as if they were committed within national borders. In line with the United Nations Convention on Transnational Organized Crime (UNTOC), this applies if any act is committed against a Bangladeshi national abroad.³¹⁴

Criminal Justice Response

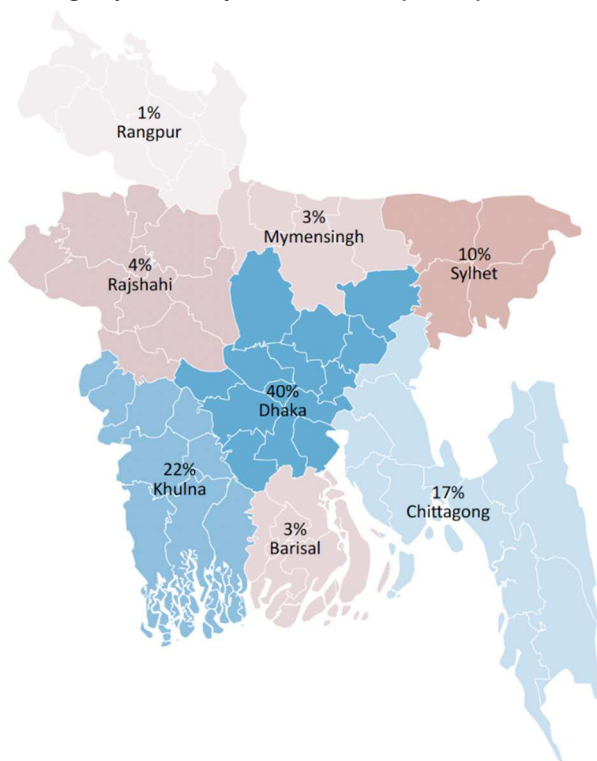
The criminal justice response in Bangladesh is provided by several institutions. Common to all these institutions is that the responses to trafficking in persons are anchored in the PSHTA, which outlines the legal basis for investigating, prosecuting, and convicting trafficking in persons cases. While the caseload across the country has been gradually increasing, so too have the challenges for processing cases either by the police or through the court system. The criminal justice sector has also gradually been expanded, and in 2020, anti-trafficking tribunals were

established with the mandate to prosecute cases across the country. The tribunals constitute some of the most essential building blocks for the criminal justice structures for combatting the crime through dedicated law enforcement responses.

Overview of Filed Cases

Central for the functioning of the criminal justice system in the country is the ability to initiate trafficking in persons cases. The case registries are configured in several ways, allowing for individuals to file cases directly to the competent police authorities, such as at police stations, or by approaching the courts to file complaints there instead.³¹⁵ Hence, cases are detected in several ways in Bangladesh. Across the country, many cases are filed through the General Register directly via the police either by victims or relatives, or through the court register.³¹⁶

Map 5: Filed cases of trafficking in persons by division, 2020 (n=730)



Source: The Ministry of Law, Justice and Parliamentary Affairs.

³¹⁴ This extraterritorial application is in line with Articles 15(2)(a) and 15(2)(c) of the UNTOC, respectively.

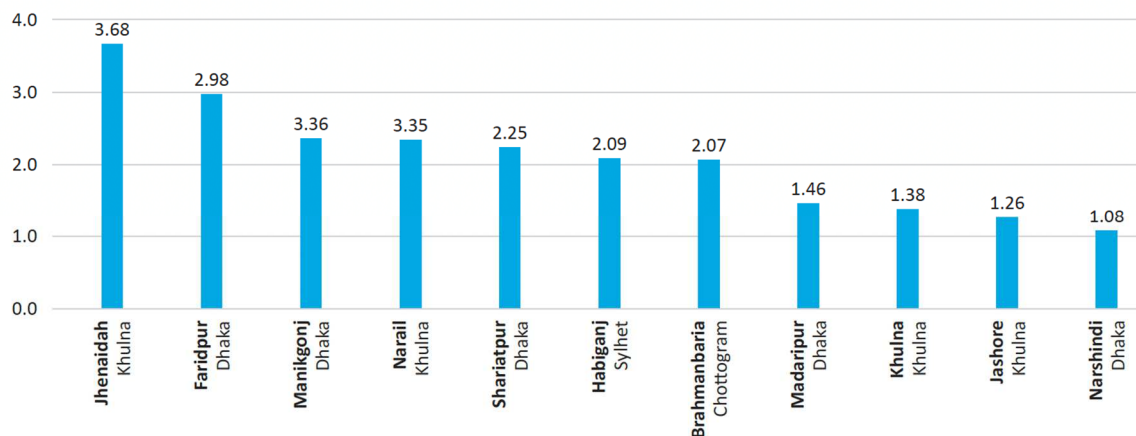
³¹⁵ Focus Group Discussion, FGD_BGD_05

³¹⁶ Ibid.

The caseload is relatively high across the country, indicating how the PSHTA is being used regularly for filing complaints. Higher numbers of cases per 100,000 population have been filed in certain

districts, generally concentrated along the border areas and around some of the major urban centres.

Figure 13: Number of filed cases by 100,00 population, top districts, 2020



Source: UNODC Elaboration of Data from The Ministry of Law, Justice and Parliamentary Affairs and Population Statistics from the World Bank.

At the division level, the highest number of cases have been filed in the capital of Dhaka. Further, the districts most affected by trafficking in persons include Khulna, Dhaka and Jashore (Khulna).³¹⁷ Literature and previous studies document the prevalence of trafficking in persons in the divisions with the highest caseloads to be of significant magnitude.

In March 2020, a total of seven (7) anti-trafficking tribunals were established in the Divisions of Dhaka, Chittagong, Rajshahi, Khulna, Barisal, Rangpur, Sylhet. The tribunals are operational, and cases are being transferred to their jurisdiction.

Investigations, Prosecutions and Convictions

Several courts in Bangladesh are reported to have TIP cases in the thousands, filed by either individuals or initiated by the Government of Bangladesh. However, the number of cases

successfully investigated and prosecuted, leading to convictions, has been limited. In 2020, there was only one conviction recorded, which may be ascribed to reduced capacity caused by the COVID-19 Pandemic restrictions. Nevertheless, the number of convictions from previous years illustrates an equally low level compared to a much higher number of arrests.

As part of the research process, focus group discussions with judges and prosecutors were organized by UNODC research staff based in Dhaka. Judges indicated that they believed that a high number of filed cases were wrongly filed as many officers at police stations and courts conflate trafficking in persons with other offences such as sexual abuse.³¹⁸ There were examples of how sexual abuse and trafficking in persons cases often overlapped and were difficult to distinguish, and one judge assessed that a significant share of cases would not be able to stand trial. When prosecuting cases, it was often

³¹⁷ FGD_BGD_01, Bangladesh, 1 November; KI_BGD_08, Bangladesh, 17 December 2020.

³¹⁸ FGD with judges.

challenging to ensure physical evidence as some victims were illiterate and had no evidence of their exploitation, as explained by one judge,³¹⁹

“When I conducted an inquiry for filing, I asked them to show the documents [evidence]. Do they have the air ticket documents? No. They are so callous because of poverty and so during filing in court, we get embarrassed.”³²⁰

In situations of trafficking in persons where the perpetrators had been arrested abroad, it often proved challenging to ensure evidence through diplomatic channels. A prosecutor described how a request to retrieve relevant case files from another country was pending with the diplomatic representation of the country in Bangladesh for several months. In yet other cases evidence may have been secured, but where the administrative procedure for coordinating between government bodies, as well as with the police in charge of investigations, ended up slowing down and the opportunity to secure additional evidence diminished.³²¹

NUMBER OF ARRESTS AND CONVICTIONS OF OFFENDERS OF TRAFFICKING IN PERSONS, 2018-2020



Source: The Ministry of Law, Justice and Parliamentary Affairs.

According to the PSHTA, trafficking cases should be closed within 180 working days. However, in practice, the process may be far more protracted due to a lack of resources. According to data from the Supreme Court of Bangladesh, the previous caseload was significant, with over 5,025 cases carried over from previous years into 2020. As a

result of backlogs, in 2020, the seven specialized tribunals were established, immediately tasked with handling caseloads in the hundreds.³²²

Investigations are further hindered by high levels of corruption. According to police assessments, some traffickers avoid detection and arrest by

³¹⁹ FGD with judges, FGD_BGD_05
³²⁰ Ibid.

³²¹ Ibid.
³²² Ibid.

bribing.³²³ These factors further impede police investigations, especially with inquiries into high-level trafficking, often proving difficult to initiate, much less to complete.

Other challenges tied to the low conviction rate relate to the challenges of securing sufficient evidence for completing a court case. In interviews conducted by UNODC, criminal justice professionals stated that in cases with victims of alleged trafficking in persons returned from abroad, many had been deceived into signing declarations that they had been overseas voluntarily in order to be allowed to return to Bangladesh.³²⁴ Bangladeshi criminal justice actors lack the resources to travel abroad to collect evidence tied to international trafficking.³²⁵ Moreover, a lack of standing and operational agreements for the exchange of evidence makes it difficult, if not impossible, for authorities to consult with destination countries where Bangladeshi victims were exploited.³²⁶

Actors, Roles and Responsibilities

The criminal justice response in Bangladesh is provided by a multitude of actors and

stakeholders tasked with curbing and responding to trafficking in persons in the country. As part of this study, many actors were identified who have different roles and responsibilities. While some actors are directly involved in the official national criminal justice response, initiating and processing prosecutions and convictions, other actors, especially within the wider civil society sector, provide support and assistance to identified victims.

Law Enforcement Authorities

State actors include ministries and their subordinate authorities such as law enforcement institutions, involved with the full justice chain tasked with identification of cases, investigation, prosecution and conviction. Police authorities fall under the purview of the Ministry of Home Affairs and judges and prosecutors falls under the Ministry of Law, Justice and Parliamentary Affairs. Other supportive functions such as the provision of public information, awareness raising, and coordination of international labour movements and migration are also involved in the execution of national responses.³²⁷

³²³ FGD with judges, FGD_BGD_05

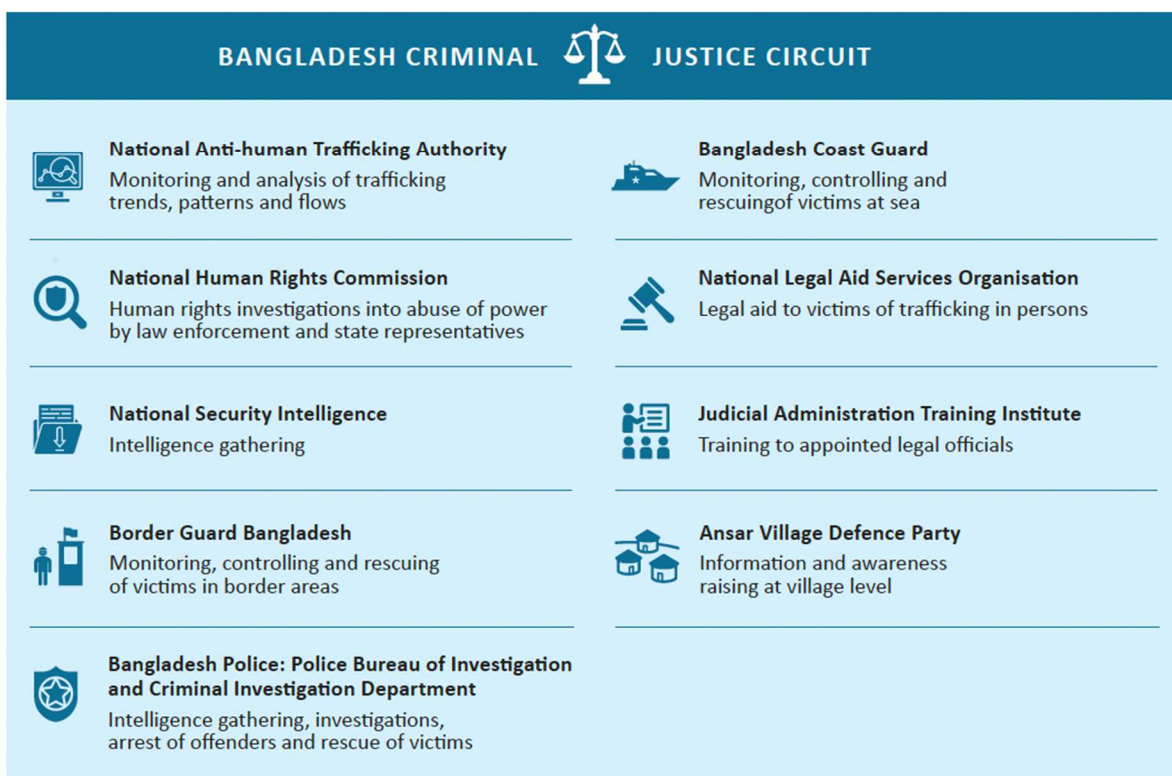
³²⁴ Ibid.

³²⁵ Ibid.

³²⁶ Ibid.

³²⁷ For example, the Ministry of Social Welfare, the Ministry of Primary and Mass Education, the Ministry of Women and Children Affairs, the Ministry of Fisheries and Livestock, and the Ministry of Religious Affairs.

BANGLADESH CRIMINAL JUSTICE CIRCUIT



Law enforcement operations are supported by intelligence gathering, monitoring of trends, and analysis of ongoing patterns of operations of traffickers. Several authorities are tasked with information gathering which is actively used in investigations. Information provided by the National Anti-Human Trafficking Authority, for instance, is used in support of fielding anti-trafficking operations carried out by the police.

Several authorities are tasked with conducting investigative operations to provide evidence used to prosecute perpetrators. The Criminal Investigation Department (CID) and the Trafficking in Human Beings Squad use different strategies for conducting their operations involving forensic evidence and information technology. Investigations are carried out proactively and reactively. Different authorities have the responsibility for carrying out operations, while others also involve victim identification and rescue. In particular, the Border

Guard of Bangladesh and the Coast Guard of Bangladesh are tasked with the identification of victims in both land and sea border areas. Both agencies report on ongoing trafficking activity and occasionally launch rescue operations.

International and National Non-State Actors

The non-state actors involved in anti-trafficking in persons efforts in Bangladesh vary greatly. Organizations provide different services, especially to victims of trafficking in persons. Services may include financial support, vocational training or legal aid. Other NGOs provide shelter options or various forms of accommodation for victims of trafficking in persons. While some NGOs are based in urban centres, other NGOs work in rural areas where they may also engage in awareness-raising, campaigning and similar activities.

One of the primary activities of the civil society actors in Bangladesh is to provide victims with protection and rehabilitation. NGOs are engaged in the provision of shelter as well as rehabilitation programmes focusing on vocational training, psychosocial support, care and financial aid.³²⁸

Yet other NGOs are tasked with the provision of legal aid to victims of trafficking in persons. Activities involve legal support, gathering evidence and financing court proceedings. Legal aid also involves education and awareness raising on the rights of the victims to empower and encourage them to file complaints.

The role of non-state actors as part of the national response to trafficking in persons is expansive and is designed to focus on the needs of victims. Activities of civil society actors include a series of functions that are necessary for a sustainable justice chain.

³²⁸ Interview with NGO.

ANNEX: DATA AVAILABILITY ASSESSMENT

Most of the data introduced in the report stems from criminal justice institutions of Bangladesh. While a significant number of cases have been filed with courts and police of the country, data on sex and age profiles of victims and perpetrators are not available in all instances.

There is limited data on detected victims by districts, but there is some data on repatriated victims from abroad. The below table provides an overview of data made available or compiled by national institutions of Bangladesh.

Data on Cases

Indicator description	Coverage	Responsible authority	Comment
Number of offences (cases)	Yes	Ministry of Law, Justice, and Parliamentary Affairs	Coverage to be used as best practice, recording cases by division and district.
Number of arrests	Partial		Data on number of convictions but can be expanded to include disaggregation by sex and citizenship.
Number of prosecutions	Partial		
Number of convictions	Partial		

Data on Offenders

Indicator	Covered Yes/no	Responsible authority	Comment
Number of offenders	No	MOHA	
Number of offenders by sex and citizenship	No	MOHA	
Number of offenders of trafficking by forms of exploitation and sex of the offender	No	MOHA	

Data on Victims

Indicator	Covered Yes/no	Responsible authority	Comment
Number of detected victims by district and division	Partial	MOHA	Only data on victims repatriated from abroad. No data on domestically detected victims.
Number of victims by sex and age	Partial		
Number of victims by sex, age and forms of exploitation	Partial		
Number of victims repatriated from other countries	Yes		Data available on country of repatriation of victims (and by district repatriated to).
Number of identified victims by citizenship	No		No available data on detected victims by citizenship.
Number of offenders identified by citizenship	No		No data on identified offenders of trafficking by citizenship.

ANNEX: TERMS OF REFERENCE FOR THE ADVISORY GROUP

National Study on Trafficking in Persons in Bangladesh **Terms of Reference (ToR) for the Advisory Group**

Background

The National Study on Trafficking in Persons in Bangladesh is a state-of-the-art publication undertaken under the GLO.ACT - Bangladesh. The Study aims at mapping and analyzing trends and patterns of Trafficking in Persons within the country and internationally. The Study will make use of a mixed method approach relying on qualitative and quantitative techniques and incorporate findings from other available data sources, secondary literature and court cases. The Study will be done in partnership with the national authorities of Bangladesh who will be consulted throughout the process.

The Advisory Group

To guide the development of the Study, an Advisory Group will be formed. The purpose of the Advisory Group is to support the coordination and preparation of the Study by substantive input and guidance, promote agency and ensure validation of results emerging from the research.

Purpose and key responsibilities

Specifically, the Advisory Group will:

1. Review and revise study methodologies during the implementation process including:
 - a. Interview guides and other material for conducting semi-structured and expert level interviews
 - b. Standardized questionnaires to be shared with National Authorities.
2. Consider and ensure issues related to ethics are properly addressed.
3. Ensure that the timeline is kept and that all stakeholders are informed about the progress.
4. Undertake quality assurance and progress monitoring.
5. Review and comment on research findings.

6. Provide input for policy implications and recommendations based on the research.
7. Provide guidance on relevant stakeholders to consult.

Membership

The following institutions are proposed for membership for Advisory Group. The aim of the Advisory Group is to represent relevant actors relevant for the study of trafficking in persons, yet at the same manageable to create the optimum working environment for efficiency and effectiveness.

The Advisory Group consists of representatives from the following institutions:

- The Ministry of Foreign Affairs;
- Ministry of Home Affairs;
- Ministry of Law, Justice and Parliamentary Affairs;
- The Ministry of Expatriates' Welfare and Overseas Employment
- The Ministry of Social Welfare
- Ministry of Labour and Employment
- Ministry of Women and Children Affairs
- Bangladesh Police Head quarter
- The Bangladesh Bureau of Statistics (BBS)
- Department of Immigration and Passports
- Office of The Refugee Relief and Repatriation Commissioner
- UNODC (carrying the role as secretariat);
- Such other members as the Advisory Group may co-opt.

Working procedure

The Advisory Group will convene on an ad hoc basis. Meetings will be convened by UNODC serving in a capacity as secretariat for the Advisory Group. Any material necessary for review and/or discussion by the Advisory Group will be shared in reasonable time for each member to prepare.

ANNEX: LIST OF INTERVIEWS AND FOCUS GROUP DISCUSSIONS

Reference	Profile	Date
BD_O_001	Judge, Anti-Human Trafficking Offence Tribunal	12.07.2021
BD_O_002	Judge, Anti-Human Trafficking Offence Tribunal	26.07.2021
BD_E_003	Academic researcher, university (Australia)	28.07.2021
FGD_BGD_01	Focus Group Discussion with Representatives from International NGOs	1.11.2020
FGD_BGD_02	Focus Group Discussion with representatives from Criminal Investigation Department of Bangladesh Police and Police Bureau of Investigation of Bangladesh	2.3.2021
FGD_BGD_03	Focus Group Discussion with Ministry of Home Affairs	9.2.2021
FGD_BGD_04	Focus Group Discussion with NGOs	15.10.2020
FGD_BGD_05	Focus Group Discussion with judges and prosecutors from the Anti-Human Trafficking Offence Tribunal	6.3.2021
FGD_BGD_06	Focus Group Discussion with UN agencies (UNHCR, ILO, UNW, IOM, UNDP)	5.11.2020
KI_BGD_01	NGO representative	-
KI_BGD_02	Academic researcher	-
KI_BGD_03	INGO representative	13.1.2021
KI_BGD_04	Former government official	3.2.2021
KI_BGD_05	INGO representative	18.1.2021
KI_BGD_06	IOM representative	23.1.2021
KI_BGD_07	NGO representative, shelter	17.12.2020
KI_BGD_08	NGO representative, shelter	7.12.2020
KI_BGD_09	Government Official, Ministry of Law, Justice and Parliamentary Affairs	-
KI_BGD_10	NGO representative, general assistance	19.11.2020
KI_BGD_11	IOM representative	18.1.2021
KI_BGD_12	NGO representative, prevention and protection	13.1.2021
KI_BGD_13	IOM representative	1.2.2021
KI_BGD_14	Academic researcher	-
KI_BGD_15	NGO representative, legal support	18.11.2020

ANNEX: STAKEHOLDERS CONSULTED

List of stakeholders consulted, presented in alphabetical order. Stakeholders marked with an asterisk are also members of the Advisory Group guiding the development of the *Study*.

National Actors
Anti-Human Trafficking Offence Tribunals
Bangladesh Bureau of Statistics*
Bangladesh Police Head Quarters*
Criminal Investigation Department of Bangladesh Police
Department of Immigration and Passports*
Ministry of Expatriates, Welfare and Overseas Employment*
Ministry of Finance (Economic Relations Division) *
Ministry of Foreign Affairs (UN Wing) *
Ministry of Home Affairs (Including Public Security Division) *
Ministry of Labour and Employment*
Ministry of Law, Justice and Parliamentary Affairs (Including law and justice division) *
Ministry of Social Welfare*
Ministry of Women and Children Affairs*
Office of the Refugee Relief and Repatriation Commissioner*
Police Bureau of Investigation of Bangladesh
International Organizations
International Labour Organization (ILO)
International Organization for Migration (IOM)
UN Women
United Nations Development Programme (UNDP)
United Nations High Commission for Refugees (UNHCR)
Civil Society Organizations
Bangladesh National Woman Lawyers' Association (BNWLA)
Centre for Women and Children's Studies
Human Rights and Legal Aid Service Program (BRAC)
Integrated Community & Industrial Development Initiative in Bangladesh (INCIDIN)
Justice and Care
Rights Jessore
Social and Economic Enhancement Programme (SEEP)
University of Dhaka, Independent Experts
WARBE Development Foundation
Winrock International

ANNEX: INTERVIEW PROTOCOLS

The research included interviews and focus group discussions with key informants following a semi-structured interview approach. The following guidelines were prepared for the interview of individuals within the segments of a) Law Enforcement, b) Justice Professionals, c) Humanitarian Staff and Social Workers and d) National Experts.

A: Law Enforcement Representatives

Starting the Interview (15 minutes)

1. Feel free to introduce yourself and explain what you do.
2. How long have you worked in your position?
3. What kind of trafficking cases have you worked on?

Profile of Victims (10 minutes)

4. How would you describe the social background of typical trafficking victims?
5. How do you identify victims of human trafficking in your work?
6. (what are some typical red-flags, indicators you look out for)
7. How would you describe the profile of identified victims?
8. (what are some common characteristics – age, sex, nationalities, ethnicities, socio-economic background, family background, etc.)
9. How would you describe the barriers victims may face in deciding to report being trafficked?
10. (Could some of the barriers include: fear of reprisal; negative stereotypes of victims of trafficking; perceived access to justice; low trust in law enforcement)

Perpetrators (15 mins)

11. How would you describe the background of a typical trafficker?
12. *(What are typical characteristics – age, sex, nationality, ethnicity, socio-economic background, family background, previously victimized, etc.? How do people end up as traffickers?)*
13. How do traffickers' profit on their activities?
14. *(What are their spending habits? What is their personal expenditure? Do they re-invest money into trafficking)*
15. What are the typical final destinations of trafficking?
16. *(Are there specific places in Bangladesh/abroad; What is the typical mode of transportation? Is regular or irregular migration used or a combination of the two? Does transport take place by sea/land/air)*
17. How do traffickers get in contact with their victims?
18. *(Are victims offered false jobs offer? Do they use recruitment agencies? Is there family pressure to embark on migration journeys and seek employment abroad? Do traffickers have pre-existing relationships with their victims, and already have established trust?)*
19. How do traffickers maintain control over their victims?
20. *(Is violence committed (by whom, against whom)? Are threats used – if so, what kind? Is deception/fraud used? Are documents ever confiscated? How they assert control from first contact, to their arrival in the final destination, and during exploitation)*

Trafficking and Organised Crime (15 mins)

21. How are traffickers organized?
22. (Can you describe individuals and their ways of working, either together or alone? Do you see structured networks? Are networks of traffickers on a national or international scale? How do traffickers work together? Who are the leaders?)
23. To what extent would you say traffickers are capable of evading law enforcement?
24. *(Do you see coordination with other criminal groups? Is money laundering and other crimes (e.g. drugs trafficking) prevalent committed by human traffickers?)*

Exploitation (15 mins)

25. How are the victims typically exploited?
26. *(What types of exploitation do you see?)*
27. How would you describe a typical case of sexual exploitation?
28. *(how are victims exploited? where does the exploitation occur? are victims compensated/receive anything?)*
29. How would you describe a typical case of labour exploitation?
30. *(how are victims exploited (deception, force, blackmail)? What are common industries? Are victims compensated/receive anything?)*
31. Have you encountered any other forms of exploitation?
32. *(child labour; child exploitation; forced surrogacy; forced begging; organ removal; forced criminal activities, forced marriage; ask for specific details – gender, age, perpetrator (trafficker or other), location)*

Concluding Questions (5 minutes)

33. Are there any other organisations or individuals that should be interviewed?
34. Do you have anything to add?
35. Do you have statistics or reports you would like to share?
36. We would like to follow up if we have any additional questions. Is that okay?

B: Justice Professionals

Starting the Interview (15 minutes)

37. Feel free to introduce yourself and describe your profession.
38. How long have you worked in your position?
39. How do you work with in trafficking in persons?

General questions (10 minutes)

40. How would you describe the trafficking situation in the country?
41. How would you describe the main challenges for delivering justice on trafficking in persons?
42. Are there any challenges with the current trafficking legislation?

Prosecution and conviction (15 minutes)

43. What are the main challenges for prosecuting cases of trafficking in persons?
44. What type of cases are most often tried in court?
(what types of exploitation? How many victims per case? DO these cases have organized criminal networks?)

45. Why are some cases prosecuted more successfully than others?

Evidence (15 minutes)

46. What types of evidence are most often used in court proceedings?

47. What are some of the challenges with providing enough evidence?

48. Are there challenges with having victims testify?

(Do challenges include stigma? Is witness protection an issue? Are victims aware that they are victim of a crime? Are there challenges in identifying victims?)

Access to justice (15 minutes)

49. Are there some regions of the country where there are more cases than others?

50. *(why is that? What regions have more cases? What are the characteristics of the regions with cases in terms of poverty, kinds of economic inequalities, ethnicities, effectiveness of victim witness protection)*

51. How would you describe the capacity to prosecute trafficking cases across national jurisdictions?

52. *(Is interagency cooperation present? If yes, does it enhance or decrease capacity to prosecute trafficking)*

53. Are you cooperating with other countries in the region, or internally with other jurisdictions on prosecutions?

54. *(Are you aware of mutual legal assistance and SOPs? Does mutual legal assistance and SOPs apply in these cases?)*

Closing the interview (5 minutes)

55. Do you have anything you want to add?

56. Do you have any transcripts of court cases that you can share with us?

57. Are there any individuals you would suggest we interview as well?

C: Humanitarian Staff and Social Workers

Starting the Interview (15 minutes)

58. Feel free to introduce yourself

59. How long have you worked in your position?

60. How do you work with in trafficking in persons?

General questions (15 minutes)

61. How would you describe the trafficking situation in the country?

62. What do you think are the main challenges in aiding victims of trafficking in persons?

63. What would you say are the main challenges for raising awareness about the risk of trafficking in persons?

Functions of your organization (10 minutes)

64. What kind of services does your organization provide?

65. Do you coordinate your work with other actors?

66. What would you say is your advantage, compared with other organisations?

Victim identification (10 minutes)

67. How do you identify victims of trafficking in persons?
68. What would you say characterizes typical trafficking victims?
69. Do you know if the type of victims is different from region to region?
70. What are some of the main vulnerabilities affecting trafficking victims?

Exploitation (10 minutes)

71. What are some of the main forms of exploitation reported in your line of work?
72. Through your work, are you aware of which industries are victims most often exploited?
73. How would you describe the state of victims when they are identified by your organization?

Assistance and social work (15 minutes)

74. What happens to victims when you have identified them?
75. (do you always intervene? are there any programs for reintegration or for providing additional support)
76. What are the most acute needs of victims while they are still involved in the trafficking situation?
77. What are the most acute needs of victims after they have left the trafficking situation?
78. What would you say are the main challenges for victims when no longer controlled by their traffickers?

Closing the interview (5 minutes)

79. Anything you want to add?
80. Do you have any reports, statistics or documentation you want to share?
81. Is it okay if we follow up with clarifying questions?

D: National Experts

Starting the Interview (15 minutes)

82. Feel free to introduce yourself and explain what you do.
83. How long have you worked in your position?
84. How do you work with trafficking in persons?

General (10 minutes)

85. How would you describe the trafficking situation in your country?
86. (*prevalence; COVID, Rohingya; adult/child; forms of exploitation*)
87. Are there some regions that are more affected by trafficking than others?
88. (*which regions; reasons: poverty, economic inequality, ethnicity, mass migration; type of victim?*)
89. How would you describe national reporting on trafficking in persons?
90. (*reporting in media, dark numbers, undetected vs detected cases, estimates*)

Victims and Vulnerabilities (10 minutes)

91. How would you describe the typical profile of trafficking victims?

92. *(age, sex, gender identity, disabilities, economic status, migration experience; specific vulnerabilities)*

93. In what situations do traffickers target victims?

94. *(What are common places and locations? Are there known hotspots for traffickers? What are typical industries where victims work? What are some typical vulnerabilities of victims? significance – what are the effects?)*

Interventions (15 minutes)

95. What are the main challenges for the criminal justice system to investigate and prosecute the crime?

96. What are the main challenges for victim's assistance in the country?

97. *(How does the recovery process typically go? Is psycho-social support accessible? Is there social stigma in accessing assistance? Is repatriation typically offered to victims? How are the root causes addressed or not addressed, such as poverty, gender inequality, corruption)*

98. What are the main challenges for preventing trafficking in persons?

Legal framework (10 minutes)

99. How would you describe the national legislative framework on trafficking in persons, considering its strengths and weaknesses?

100. *(loopholes in legislation? What are the challenges to filling the gaps?)*

101. How does the national policy on human trafficking function?

102. *(is it successful? Does it enable effective prevention and prosecution in practice?)*

Closing the Interview (5 minutes)

1. Anything you want to add?

(share reports, documents, statistics)

2. Is it okay if we follow up with clarifying questions?

