1. INTRODUCTION

In recent times, voluntary and forced migration has become an important global issue. Refugee crisis in Europe and arrival of boat people have created the impression that ‘migration is threatening to spin out of control’ and immediate actions are needed to curtail uncontrollable influx of migrants. This has led to rise of extreme nationalist parties in Europe while business, human rights organisations and liberal parties highlight that migration tends to be beneficial for both origin and destination countries. It is in this context Bangladesh has to pursue its foreign policy keeping in mind its dual interest as a source country of labour as well as refugee receiving country. Pursuing such goals is a major foreign policy challenge for Bangladesh.
This paper focuses on recent global human mobility from and to Bangladesh, both forced and voluntary, and its implications for the country’s foreign policy. The paper is mostly based on secondary information. However, a few interviews of government functionaries have been taken in areas on which information is not available. It is divided in two broad sections; these are international labour migration from Bangladesh and Rohingya refugee influx to Bangladesh.

2. CONCEPTUAL ISSUES

Foreign policy is a means for any state to pursue its national interest. National interest is a set of principles that define the priorities of the state in order to achieve and strengthen its economic, political and social goals. It is traditionally linked to the foreign policy objectives of the state, in which a state is defined and treated as a unitary actor. The major elements of national interest are economic means, alliance, treaties, diplomacy, etc. Since its independence Bangladesh pursued a policy of ‘friendship towards all, malice towards none’. Islamic brotherhood is an important binding factor in Bangladesh’s relationship with the Gulf, other Arab states and Malaysia. In view of these countries being important destination of Bangladeshi workers, Bangladesh pursues its policy vis-à-vis these countries with care and sensitivity. Labour migration has become an integral part of the country’s national interest once its contribution to national economy has been recognised. Conduct of diplomacy with these states is essentially guided by accessing their labour markets. Therefore, economic diplomacy figures prominently in pursuance of foreign policy.

The transition to democracy in Myanmar and concomitant opening up of its economy created important opportunities for Bangladesh to engage with its eastern neighbour. Despite Myanmar’s periodic expulsion of Rohingyas to Bangladesh, the latter refrained from taking a firm stand on the issue, as it would have undermined long term good neighbourly relationship with the former. In this regard, Bangladesh pursued trade and connectivity issues more rigorously
with the hope that Rohingya issue would be eventually settled amicably. The unprecedented large-scale influx of Rohingyas in August 2017 has forced Bangladesh to engage in humanitarian diplomacy to offset the burden of Myanmar refugees. Humanitarianism is an ideology committed to the cause of human welfare or social welfare. It makes people realise the need for attending those in need of humanitarian assistance. Humanitarian assistance is generally accepted to mean the aid and action designed to save lives, alleviate suffering and maintain and protect human dignity during and in the aftermath of man-made crises and natural disasters, as well as to prevent and strengthen preparedness for the occurrence of such situations.

3. INTERNATIONAL LABOUR MIGRATION

Bangladesh is a major participant in the supply side of global short term international labour market. In 2017 around 1 million workers migrated for overseas employment. 12.08 per cent of these workers were women. Saudi Arabia was the most important labour receiving country in 2017, followed by Malaysia, Oman, Qatar and Singapore. In 2017, the country received US$ 13.53 billion as remittances.

Remittances sent by the migrants is one of the major driving forces of the economy. In 2016, the volume of remittances was seven times more than foreign development assistance and nine times more than foreign direct investment. Remittance figures were equivalent to about 10 per cent of GDP in several years. Although in recent years Bangladesh is experiencing negative growth in remittance flow, it is still the major source for keeping the country’s current account balance positive for decades.


Studies have shown\(^3\), along with the national economy of Bangladesh, the migrant households, their communities and also the local economies benefit greatly from both internal and international migration. International migration plays a significant role in reducing poverty. Both male and female migrants contribute to the reduction of household level poverty; of course, the scale of impact differs between the genders. Compared to non-migrant households, the migrant households enjoy better living standards, in respect to, housing, sanitation, sources of drinking water, access to energy for lighting and cooking. More importantly, international migrant households spend almost double in securing health services compared to non-migrant households. The same study also finds that in comparison to internal and non-migrants, international migrant households contributed more to local level development through investment, consumption, and community development work. In the absence of working age male, the migrant households end up employing members of non-migrant households for agricultural and other work. In other words, they contribute to create employment for local non-migrant households. More interestingly, the benefits of international migration are distributed among non-international migrant producing areas through creation of employment for seasonal migrants in international migrant sending areas.

However, international migration has a dark side as well. A major target of the foreign policy of Bangladesh in respect to international labour migration is to reduce the negative outcomes of migration and enhance the positive ones. International labour migration from Bangladesh mostly takes place from the rural areas. A large number of households who participate in international labour migration are regularly cheated in the process. A recent RMMRU near-census of 5400 households finds, 51 per cent of aspirant, current and returnee migrant households faced fraudulence, harassment, inhumane and degrading treatment.\(^4\) Among this group 19 per cent could not migrate


even after making partial or full payment of migration cost. On an average, they had lost around BDT200,000 while attempting to migrate.

The rest 32 per cent faced fraudulence, inhumane and degrading treatment in the country of destination. Seven per cent of these, who faced fraudulence and inhumane treatment in destination, experienced jail and detention camp, rest 93 per cent of course did not face it. Six per cent were subjected to extortion and blackmail whereas other 94 per cent did not report it. Nine per cent reported non or irregular payments of wages. Ten per cent reported police harassment. Fourteen per cent faced physical and mental torture. Two per cent reported inhuman life in desert, jungle and remote islands. One per cent experienced forced return. 52 per cent complained about poor quality of food and accommodation. Usually problems which migrants face in Bangladesh are treated as responsibility of the Ministry of Expatriates’ Welfare and Overseas Employment (MoEWOE), while the Ministry of Foreign Affairs (MoFA) is seen as the lead organisation in mitigating the problems and challenges faced in the countries of destination. However, a deeper analysis on recruitment practices in Bangladesh shows that recruitment problems manifested in Bangladesh are interlinked with recruitment practices in the countries of destination. Therefore, policymakers of Foreign Office have to provide leadership in pursuing an integrated action that looks into all aspects of labour migration, ranging from market research, bilateral negotiations, attestation of foreign recruiting firms, to procurement of work permit and verification of visa in the countries of destination, etc.

---

5 Thirty-two per cent of the total migrant households faced fraudulence in destinations. Each of these respondents were asked to describe their experience in the destinations and above are the response. In this response, the 32 per cent is treated as 100 percent and each category of response represent response of these 100 per cent who faced problem in destination.

4. FOREIGN POLICY CHALLENGES

In promoting national interests in protecting and expanding labour markets as well as ensuring labour rights Bangladesh pursues active economic diplomacy with the current and potential countries of destination. In doing so, it faces multifaceted challenges. Some of the challenges that Bangladesh faces in the countries of destination are visa trading, high cost of migration, abuse of Kafil system, contract substitution, restriction on movements, etc. In some cases all these can be seen as inhumane and degrading treatment of workers.

4.1 Protection and Expansion of Markets

In its successive national development plans i.e., Sixth and Seventh Five Year Plans, National Skills Development Plan 2011, Ten Year Perspective Plan, the government pledged to protect its traditional labour market and expand new markets. Foreign missions are in charge of achieving these goals in collaboration with other relevant ministries. MoFA and the line Ministry of EWOE have successfully negotiated standard contracts with due protection of workers in South Korea and Hong Kong. Contracts of workers who take up employment in South Korea can be extended up to five years. Hong Kong mostly receives female workers. The Ministry of EWOE and employing companies of that country jointly organise training of female workers prior to their recruitment. There are no major protection and salary issues for those who go to these countries. The market for Bangladeshi labour in Qatar, Oman and Bahrain has remained stable for quite a number of years.

International short-term contract labour market has become increasingly competitive with the entry of new countries of origin. Compared to the past, at present destination countries have more options to source workers. Under these circumstances, it has been difficult for Bangladesh to hold on to some of its traditional labour markets. Upto 2009, Saudi Arabia used to annually receive around 50 per cent of those who migrated abroad from Bangladesh for work, but from 2010 to 2016 the market was closed for male workers. Migration to UAE also reduced
significantly for quite a few years. In April 2018, a new agreement has been signed with the UAE. The agreement stipulates that UAE will recruit Bangladeshi workers in 17 trades. Initially UAE will recruit domestic workers. It was expected that a large number of migrants would find work in Malaysia after the signing of Government to Government (G2G) agreement. However, G2G did not work out and later government amended it to G2G plus by incorporating the private recruiting agencies. Nonetheless, migration to Malaysia did not increase in any significant manner until 2017. In 2018, there has been a significant increase in the labour flow to that country. The discussion on labour market brings to the fore the importance of diplomacy in retaining the existing labour markets and accessing new ones.

4.2 Exploitation of Kafil System

Since the 1950s, labour migration is managed in Gulf countries under the Kafala system (sponsor system). Individual countries have specific variations of the system. The Kafala system arrived from the Beduin principles of hospitality that sets obligation in the treatment and protection of foreign guests. Kafils are meant to pay the placement fee, if any, to government, air ticket of the workers, commission to the recruiting agency if they avail their service and cost of medical check-up, but large numbers of Kafils have transformed the system into an avenue to earn money. In Saudi Arabia, a citizen can employ eight persons in his/her house as driver, gardener, cook, etc. It is alleged that sub-agents or labour supply companies operating in the Gulf countries buy or manage such visa from Arab citizens, then sell them to recruiting agencies of different labour origin countries.

4.3 Visa Trading

In most of the Gulf countries, the Ministry of Labour issues employment permit. Work visas issued by the government on many occasions end up in the markets. It is alleged that the recruiting

---

agencies/intermediaries of the destination countries book those job visas with partial payment of placement fees. Once the booking is made, based on the agreement signed between the authorities and those who booked them, the latter usually sell the visas at a higher price to the next tier of intermediaries in the destination countries. The recruiting agents or the intermediaries make large profit by selling them and from that they make full payment to the concerned authority. The second tier of intermediary, who could be a local or other nationality, then sells those visas to the highest bidding recruiting agencies in the country of origin. There are evidences of the existence of the third and fourth tiers of intermediaries. Another added challenge in dealing with recruitment is involvement of a section of Bangladeshi workers at the bottom tier of visa trading. These workers purchase visa from the intermediaries of destination countries and then sell them through their families or local intermediaries, popularly known as dalals, in their localities. This shows that the problem that begins in the country of destination has to be dealt with in Bangladesh. It raises added challenge for the Bangladesh missions abroad.

Shah provides some evidences on the practice of visa trading in some of the GCC (Gulf Cooperation Council) countries. She quoted the Saudi Minister of Labour, who acknowledged that 70 per cent of the visas issued by the government are sold in the black market and his government was determined to crack down on this. The Bahraini Minister of Labour and Social Affairs regretted that the practice of visa trading has plagued the Bahraini job market for the last 20 years. As early as 1997, the Kuwait Human Development Report identified the presence of visa trading as one of the factors that promoted the influx of foreign workers in Kuwait and advocated for curbing the practice. As part of economic diplomacy Bangladesh missions abroad have to deal with such sensitive issues. It has to delicately balance between the sensitivities of the destination countries and at the same time rein in the

---

intermediaries whose actions contribute to increase in the hidden costs of migration.\textsuperscript{10}

4.4 Contract Substitution

Contract substitution is another right curtailing measure practiced by some employers. In such case, the workers are made to sign a second contract with reduced wage, living and working conditions once they reach the country of destination. On some occasions, workers are given a different job than that stipulated in the contract. In Malaysia, some of the workers end up working on plantations while their original contracts were to work in factories. In Saudi Arabia, workers are often hired as cooks and security guards, and are then sent to work as agricultural labourer. In Singapore, labourers hired to work in aluminium fixture ends up working in land piling. Because of extreme hardships, a good number flee these jobs to seek other types of employment. As they desert jobs for which they had obtained visas, they become undocumented workers, vulnerable to other forms of exploitation including jail and deportation. Through effective diplomatic engagement the GoB has to act to protect the labour market and at the same time reduce the ill effects of the Kafala system, visa trading and contract substitution.

4.5 Visa Tied to Job and Restriction on Movement

To reduce the scope of attempt of job change by the workers, the employers withhold all their documents such as passport, visa and job contracts. In their negotiations with the origin countries, the destination countries ensure that the occupational mobility of the workers is minimal. Under such circumstances, the workers' power to negotiate in the labour market becomes restricted. Workers who do not have documents in his or her possession have major problems to seek legal

redress when conditions of contracts are not honoured by the employers.

Lack of possession of documents also curtails workers’ rights to move freely in the country of employment. Particularly in Malaysia, workers are harassed routinely by the law enforcement agencies. They are under pressure to produce identification documents whenever demanded. Movement of domestic workers in Bahrain, Kuwait, Lebanon and UAE is strictly controlled. Along with restriction on movement access to telephone, correspondence and opportunity to make new friends are also monitored. In recent years, these issues are highlighted in different multilateral forums. The governments of destination countries are also realising the problems and are initiating different reforms.

5. ROLE OF DIPLOMACY IN FACING CHALLENGES

The GoB is trying hard to address the problems through bilateral, regional and multilateral diplomatic means. This section provides an overview of different actions pursued by Bangladesh in this respect. It will commence with a discussion on bilateralism.

5.1 Bilateralism

Ideally bilateral agreements should be the major instruments to guide labour movement between origin and destination countries. Bilateral agreements which include labour agreement and memorandum of understanding are arrived at, to protect the rights of all parties, who are receiving workers, who are sourcing them and the migrant themselves. Various international instruments including those of the

---

11 Ibid.
12 Piyasiri Wickramasekara, “Labour Migration in Asia: Role of Bilateral Agreements and MOUs”, paper presented in the Workshop on International Migration and Labour Markets in Asia, organised by The Japan Institute for Labour Policy and Training (JILPT), Tokyo, on 17 February 2006.
ILO, recommend bilateral agreements as good practice in this respect. According to Wickramasekara, compared to the past Middle Eastern countries are now more open to sign bilateral agreements with origin countries. However, Srivastava and Pandey argue that the agreements that are arrived at are not “full fledged bilateral agreements”. In reality, those are loose memorandum of understanding. The MoUs on labour recruitment usually have many restrictions on migrants’ rights including permission for employer to withhold the passport of the migrants. So far, Bangladesh has signed two bilateral agreements, eleven MoUs and one Memorandum of Cooperation (MoC). Bilateral Agreements are with Kuwait and Qatar. MoUs are with Malaysia, UAE, Singapore, South Korea, Oman, Libya, Jordan, Bahrain, Saudi Arabia, Cambodia and Maldives and the MoC is with Japan.

The Korean EPS and the 2012 Bangladesh-Malaysia agreement are some of the best practices of MoUs. Unfortunately, in recent years, some traditional labour receiving countries of Bangladesh are not willing to sign MoUs. Instead, they prefer to address them as MoC. Compared to the past, the stipulated wage of migrants are going down, cost of health care has been indirectly transferred to the migrants and food and accommodation facilities are also getting restricted. In case of female migration, however, some changes are reflected in new memorandum of cooperations. The agreement of female migration between Bangladesh and Saudi Arabia has allowed women to keep mobile phone. In case of both male and female workers agreement with UAE stipulates payment of salary/wage through bank account. Nonetheless, the origin countries are convinced that bilateralism provides extra leverage to the destination


15 Author’s interview with Dr. Nurul Islam, Director, Bureau of Manpower, Employment and Training (BMET) on 31 April 2018.

countries. The origin countries are in a weaker position. Under these circumstances, many felt the need for pursuing multilateralism.

5.2 Multilateral Processes

Since the new millenium various multilateral forums have been initiated both by the UN as well as labour origin and destination countries, e.g. Global Commission on International Migration (GCIM), High-level Dialogue (HLD), Global Forum on Migration and Development (GFMD), Global Compact on Migration, etc. Besides these some regional consultative forums such as the Colombo Process, Abu Dhabi Dialogue and Bali Process have also been functioning from many years.

The 1990 UN International Convention on Protection of Rights of all Migrant Workers and Members of their Families is the most important international instrument to safeguard the rights of migrants in origin, transit and destination countries. For the first time it defined migrant workers. According to this Convention a migrant worker refers to “a person who is to be engaged, is engaged or has been engaged in remunerated activity in a state of which he or she is not a national”. It covers the rights of both groups of migrants: regular and irregular. The Convention recognises the importance of women as migrant worker in their own right. Bangladesh signed the treaty as early as 1997. For quite a while on the advice of the legal department of foreign office and the Law Commission Bangladesh refrained from ratifying the instrument. It was only after a prolonged and robust civil society advocacy that included facilitation of the visit of the Chair of the UN Committee of Migrant Workers that the Ministry of EWOE took the initiative to ratify the treaty. Following the Cabinet approval, MoFA took necessary

---

17 As part of a campaign for ratification of the 1990 Convention, Refugee and Migratory Movements Research Unit (RMMRU) invited Abdullah Jamry, the UN Committee Chair on Migrant Workers to Bangladesh. During a national consultation on ‘Case for Ratification of the 1990 Convention’, the Law Minister and Secretary of the EWOE declared that Bangladesh would soon ratify the Convention.
initiative to deposit the accession instruments to the UN. In 2013, the Ministry of EWOE framed the Migration and Overseas Employment Act, 2013, reflecting the obligations under the 1990 Convention.

GCIM is the first-ever global panel addressing international migration. It was launched by the United Nations Secretary General and a number of governments in 2003. It was composed of 19 members, drawn from all regions and bringing together a wide range of migration perspectives and expertise. The aim of the commission was to promote a comprehensive debate on international migration. The Commission sought to develop a broader understanding of international migration. Issues identified were trade, human security, demography, forced displacement, migrant remittances, international cooperation, private sector involvement, etc.

The UN also held HLD on Migration in 2006 and 2013. Both the permanent mission of Bangladesh in Geneva and the civil society of Bangladesh played active roles in deliberations of both GCIM and HLD. The countries of origin expected that a specialised UN body on migration would emerge out of the GCIM and HLD processes. However, in their place, a non-binding process, GFMD was initiated. Since 2006, GFMD became the largest annual congregation of governments and the global civil society on migration. The event is alternately hosted by an origin and a destination country.

In December 2016, Bangladesh successfully hosted the 9th GFMD. More than 600 delegates from 130 countries and over 200 members of international civil society and representatives of 30 international organisations participated in this forum. Migration governance, social costs of migration and multistakeholder action to deliver the 2030 agenda were the issues championed by Bangladesh at this Forum. Although GMFD has been successful in promoting dialogues on migration, highlighting the contribution of migration in development, inclusion of the issue of migrants' rights in various SDGs. GFMD is a

---

The GFMD process has successfully highlighted the contribution of migrants into the development process of both origin and destination countries, create conditions to dispel negative mindset about migrants in the destination countries, need for designing effective policies for integration of the long-term migrants in host communities and the reduction of the cost of migration for short term contract workers. The GFMD process also took on board the need for setting up a regime that protects the rights of migrants in the destination countries; particularly those of female migrants. As it has emerged as one of the most important multilateral avenue, it is very much in Bangladesh’s national interest to strengthen this forum. There are quite a few important outcomes in the destination countries that can to some extent be attributed to GFMD dialogues. In 2016, Qatar reformed its Kafala system (law no. 21) which allows greater flexibility to the workers in changing employer. Kuwait government has fixed minimum wage for the domestic workers. In UAE, the responsibility and oversight of domestic workers moved from the Ministry of Home Affairs to the Ministry of Labour in UAE.

One of the more recent initiatives with respect to migration by the UN that covers both refugees and labour migrants, are the Global Compacts. At the UN Summit on 19 September 2016, the member states reached an agreement by consensus on an outcome document. The Declaration reaffirms the importance of international refugee regime and represents a commitment by the member states to strengthen and enhance mechanism to protect people on the move. It paves the way for the adoption of these two global compacts in 2018: a Global Compact on Refugees and a Global Compact on Migration. Bangladesh played a key role in articulating the demand for a separate compact on migration. The Prime Minister of Bangladesh in her address to the UN in September 2016 demanded that along with the compact on refugees, a separate compact on migration should be framed. In December 2017, the United States withdrew from the

---

19 Ravi Srivastava and Arvind Kumar Pandey, op. cit.
compact process. The decision has been viewed as a major set back for the compact process.

5.3 Regional Processes

Bangladesh has always been an active participant in different regional processes on migration. The Regional Consultative Process on Overseas Employment and Contractual Labour for Countries of Origin or the Colombo Process is one such important process in which Bangladesh has been playing an active role from its inception. Colombo Process is a ministerial level consultative forum initiated by International Organization for Migration (IOM) in 2003. The Process aims to provide a forum for Asian labour-sending countries to: (a) share experiences, lessons learned and best practices on overseas employment; (b) consult on issues faced by overseas workers, labour sending and receiving states, and (c) optimise development benefits from organised overseas employment, and enhance dialogue with countries of destination. Although the Colombo Process is non-binding and is yet to deliver any common minimum standard, the dialogue and experience sharing help member states to face the governance challenges of international migration. In the Dhaka Declaration of the Colombo Process 2011, Bangladesh played a key role in drawing a recommendation on the specific needs and concerns of vulnerable groups of migrant workers, especially women domestic workers, low skilled and low wage workers.

The Abu Dhabi Dialogue launched a collaborative approach to address development in temporary labour mobility in Asia. It was initiated to broaden the base for common understanding of issues and to influence practices and policies in the area of contractual labour for the region. The Abu Dhabi Dialogue focuses on developing four key, action-oriented partnerships between countries of origin and destination for development around the subject of temporary contractual labour. Included among those are (a) a notion of partnership and shared responsibility, (b)

---

developing and sharing knowledge on labour market trends, skills profiles, workers and remittances policies and flows, and the relationship to development; (c) building capacity for more effective matching of labour supply and demand; (d) preventing irregular recruitment and promoting welfare and protection measures for contractual workers; and (e) developing a framework for a comprehensive approach to managing the entire cycle of temporary contractual work that fosters the mutual interest of countries of origin and destination.

Both Colombo and Abu Dhabi processes have been successful in creating scope for dialogue. Both, however, need to produce concrete results. Colombo Process began with the aim of developing a common minimum labour standard to be adhered to by the origin countries. Decent work conditions such as common minimum wage, standard working hours, social protection, portability of rights and scope for social dialogue are the areas where origin countries could have agreed. Unfortunately, till date each member country of Colombo Process pursues negotiation with destination countries bilaterally. In this process, countries are undercutting the aspired labour standards to the detriment of others. At the end, wage remains low, work condition remains poor for the workers of all the member countries of the Colombo Process.

Discussion on international labour migration from Bangladesh reveals that the government has taken it as an important issue of national interest. However, with best of its intention, some of the problems are beyond the jurisdiction of the Bangladesh state. It has to depend on the will of the destination countries. It also provides ample rationale for multilateralism vis-à-vis bilateral negotiations. In the following section, we will look into the role of foreign policy of Bangladesh in the area of forced migration of Rohingya population from Myanmar to Bangladesh.

6. ROHINGYA REFUGEES IN BANGLADESH

Rohingya refugee issue is the most important challenge facing Bangladesh foreign policy today. Almost 821,000 refugees have arrived
in Bangladesh from the northern townships of Rakhine State.\textsuperscript{21} It is estimated that 160,000 Rohingays remained in Myanmar. Bangladesh shares 170 miles border with Myanmar. Migration between the two countries can be traced back to almost 800 years. At different points of history, Arakan was part of Bengal or Chattogram was part of Arakan. However, problem of Rohingya population in Myanmar is a creation of their own political process particularly since the military take over of the country in 1962.

Rohingya refugee influx to Bangladesh is not a new phenomenon. In 1978, some 252,000 Rohingyas crossed the border. Burma disputed the figure. It claimed 143,900 Rohingyas had fled the country to escape Operation Nagamin. Following bilateral negotiations between the two governments in June-July 1978 an agreement was reached on the repatriation of Rohingya refugees to Myanmar. The repatriation operation commenced on 01 August 1978 and ended on 29 December, 1978. Almost all the refugees were taken back.\textsuperscript{22} Subsequently in 1982, the Myanmar Government reformed its citizenship law taking away the citizenship rights of the Rohingya community.\textsuperscript{23}

In 1991, Bangladesh witnessed another influx of Rohingya refugees into its bordering region. The figure soon escalated to 270,000. Again following bilateralism, the then Government of Bangladesh signed a joint statement with State Law and Order Restoration Council (SLORC) of Mymanmar on April 1992.\textsuperscript{24} The first repatriation took place on September 1992. In November 1993, UNHCR signed a MoU with Myanmar that assured returnees will be allowed to go back to their places of origin from the UNHCR assisted camps in

\begin{itemize}
\item Ibid.
\end{itemize}
Bangladesh. Involvement of UNHCR created opportunity for voluntary repatriation. Since then it took more than two years to repatriate 204,000 Rohingyas. On an average, 15 to 18 thousand Rohingyas were repatriated per month. However, as the situation did not change in Myanmar and the persecution of the Rohingya population continued, soon after the return process ended many of them started to come back again. By July 1996, fresh influx of Rohingyas to Bangladesh were reported by the media albeit at a lower number. The government as well as UNHCR did not accept them as refugees and thus refused them to give shelter in the UNHCR managed refugee camps. The general people gave shelter to them. They managed informal jobs particularly in Cox’s Bazar and surrounding areas of Chattogram. A small number of them managed to move on to third countries. Some went by securing Bangladeshi passport obtained through fake identification or through taking recourse to path of irregular migration. Due to religious affinity, a few Gulf and South East Asian countries were sympathetic to the Rohingyas. They were less strict in detecting their irregular entry as they were persecuted in Myanmar. Saudi Arabia and Malaysia were the two major destinations of the Rohingyas. Some Rohingyas migrated to those countries from Bangladesh, others had done so directly from Myanmar.

The experiences of 1991 repatriation informs that bilateral arrangement is not ideal and it is important to engage the global community to ensure sustainable return. It also demonstrates that unless the root causes of refugee flow are addressed return may not be sustainable. It further shows that without any form of legal status and documentation the returnees continue to live in untenable conditions that make them prone to cross border again.

In May 2012, Bangladesh experienced another large in-flow of Rohingyas. This flow was the result of indifference of the Myanmar authorities on the violence committed by the majority Buddhist

---

community that resulted in the killing of at least 50 Rohingyas and displaced 30,000 more. The event was triggered following the alleged rape and murder of a Rakhine woman by three Rohingya men. There appears to be a discernible shift in Bangladesh’s approach to Rohingya influx. Bangladesh for the first time refused to accord shelter to the persecuted Rohingyas. This shift was justified by the government on the ground that its own socio-economic condition would not allow to bear such a big burden of protracted refugee situation. Another important reason assigned by the government was that allowing entry to incoming Rohingyas will only help the Myanmar authorities implement their plans to depopulate Rohingyas from the Rakhine region. It provided basic relief and sent them back to Myanmar on the ground that Bangladesh was incapable to take the responsibility of new refugees. Although during this period circumventing the official position many Rohingyas took shelter unofficially, using their pre-existing social network. Their number is also significant.

A parallel process of securitisation of the Rohingya issue was experienced in Bangladesh during this period. A section of academia, retired government and military personnel and electronic and print media started portraying Rohingya refugees as national security threat. This group tried to link Rohingyas with global Islamic militancy discourse with the potential for destabilising the region. The Rohingyas were held responsible for deterioration of the law and order situation, deforestation and spiraling of unemployment in Teknaf and Cox’s Bazar region. They were also accused of illegally securing Bangladeshi passports for going to the Gulf States and tarnishing the image of Bangladesh in those countries by committing crimes. However, these claims were not backed by empirical evidence. On the contrary, as Rohingyas had the weakest voice among the labour migrant communities, almost all blames against the Bangladeshi migrants were passed on to the Rohingyas. As part of anti migrant psyche, different quarters of receiving countries often identified Bangladeshi workers for committing petty theft, doing business unlawfully, changing jobs without the knowledge of the authority, etc. Bangladesh authorities
again without due investigation started claiming that those who were committing crimes were not Bangladeshis but Rohingyas who have illegally managed to secure Bangladeshi passports.

Until 2013, no information was available on the number of Rohingyas who entered Bangladesh informally. The government carried out a headcount with the help of the Bangladesh Bureau of Statistics (BBS). The headcount informs that since 1992, 200,000 to 300,000 Rohingyas may have entered Bangladesh and through marriage and other methods (securing passports) tried to ensure their survival in Bangladesh and a section of them were exploring avenues for migration to a third country.

The influx of August 2017 has broken previous all records of rate of influx of Rohingyas to Bangladesh. High UN officials have claimed that the Myanmar government's actions against Rohingya population had borne "the hallmarks of genocide," others termed it as "ethnic cleansing". The People's Tribunal of State Crimes of Myanmar in its final session in Kuala Lumpur in September 2017 unequivocally termed this as "genocide".26

Faced with a humanitarian problem of monumental scale the Government of Bangladesh put aside its non-admission policy and opened the border to the Rohingyas. According the UN Office for the Coordination of Humanitarian Affairs (OCHA), 2017 the total number of Rohingyas stood at 821,000 from 25 August to 05 November 2017. Providing humanitarian assistance to this huge refugee population has been a major responsibility to shoulder. At the same time the government has to pursue its foreign policy to ensure return of the Rohingyas to their places of origin. Currently foreign policy of Bangladesh regarding the Rohingyas has three distinct pathways: (i) securing humanitarian aid, (ii) mobilising global support and (iii) negotiations with Myanmar.

6.1 Securing Humanitarian Aid

Managing the refugee flow is a massive humanitarian challenge. Almost all global and national entities have appreciated Bangladesh for setting a shining example as a compassionate member of the global community. Two foremost functions of MoFA in this respect are, mobilisation of relief from international community and extend support to international relief efforts. The United Nations, IOM, UNHCR, OCHA along with co-hosts Kuwait and the European Union (EU) pledged for US$434 million for humanitarian assistance of the Rohingyas. A second appeal was launched in March 2018. Under the leadership of the Ministry of Disaster Management and Relief, various national and international organisations are involved in rendering humanitarian assistance to the Rohingya. The UNHCR and IOM have been assigned the task of coordinating the joint working group. The onset of monsoon and the likelihood of landslides have thrown fresh challenges for this operation. In the camps, 86,000 refugees are at risk of flood and another 35,000 at risk of land slide. There is no space in the existing camps to relocate those at risk. Additional land is required. Plans are underway to shift the vulnerable population from the landslide and flood prone areas to other safe zones. In addition, the government has designated the Bhashanchar Island for hosting around 103,000 refugees. The government has generated the fund from its own source and assigned the responsibility to Bangladesh Navy to protect the island from cyclone and other natural disasters and develop the infrastructure.

6.2 Global Engagement

Since the current influx, the GoB has also engaged in a sustained effort to highlight the plight of the Rohingya. It is showcasing the world the burden that the country faces in supporting the refugees and the need for global support in seeking a durable solution to the problem. It is a major burden for the country and there is a compelling need for a durable solution of the

---

27 UNHCR, op. cit.
Changing Global Dynamics: Bangladesh Foreign Policy

problem. An important landmark in this effort has been Bangladesh Prime Minister's 5-point proposal to the UN General Assembly.\(^\text{28}\) It included the Myanmar authorities to immediately cease violence and ethnic cleansing, send a Fact Finding Mission by the Secretary General, establishment of safe zones to ensure protection of all civilians, ensure sustainable return of all forcibly displaced Rohingyas and implementation of the Kofi Annan report. The GoB eased the entry of international relief workers and journalists. The latter particularly helps keep the global community informed about the Rohingya issue. The civil society of Bangladesh is also actively contributing in highlighting the Rohingya plight in various global forums. While international conferences are being organised by civil society organisations, others take initiative to bring three women Nobel Peace laureates to visit the refugees.\(^\text{29}\) The GoB extended its support to these initiatives.

6.3 Negotiations with Myanmar

Along with internationalising the issue, the GoB has been pursuing bilateral negotiations with the Myanmar authorities from the very beginning. In October 2017, the governments of Bangladesh and Myanmar signed two agreements one on security and the other on border cooperation. These two governments have also agreed that they would take concrete efforts and measures for safe, dignified and secured return of the Rohingyas. Bringing in normalcy in Rakhine state was also discussed to enable displaced Myanmar citizens to return. On 23 November 2017 and 16 January 2018, Bangladesh and Myanmar at bilateral meetings of a Joint Working Group on Returns have reached agreement on repatriation of Rohingya refugees. These meetings only discussed the case load of Rohingyas who came after August 2017. In order to make progress in negotiations, Bangladesh showed its


\(^{29}\) On 29 October 2017, RMMRU organised a conference on 'Ending the Slow Burning Genocide in Myanmar' in collaboration with Euro-Asia. Naripokkho, a women’s rights group, facilitated the visit of 3 female Nobel laureates in the end of February 2018.
goodwill by refraining from raising the issue of those Rohingya who came to the country prior to 25 August 2017 to avoid persecution of military regime and the xenophobic Buddhist militants of Rakhine.

The UN has taken the issue seriously. Senior functionaries of the organisation have termed it as ‘ethnic cleansing’ since August 2017. However, the UN is yet to demonstrate its leadership that brings about a concrete resolution in establishing the legitimate rights of the Rohingya in their own land. Likewise, the few developed countries who have expressed concern on the issue have thus far failed to initiate any meaningful response to bring about a resolution of the issue. The response of ASEAN has been particularly weak. Except Malaysia no other member state is willing to introduce the issue in the forum.

It is in such an international context that Bangladesh had to engage in bilateral negotiations with Myanmar. As early as in February 2017 head of UNHCR felt that “conditions are not yet conducive for voluntary repatriation of the Rohingyas”. In the negotiation, Bangladesh could not incorporate addressing the root causes of the problem including of restoration of citizenship that would allow sustainable return of the Rohingyas. The negotiated document mostly discussed physical infrastructure and modalities of repatriation. Under the agreed term, the final verification rested with Myanmar. Emphasis on providing documentary evidence still remained one of the important conditions for repatriation. Given the context in which Rohingyas fled the land, in all likelihood they are unlikely to retain such documents. The agreement also could not ensure adequate provision for international monitoring and protection of returned Rohingyas. Another important gap in the agreement has been the absence of any timeframe to complete the repatriation process.

As per the agreement, repatriation was to begin as early as 23 January, 2018. However, thus far no repatriation had taken place. A week before the stipulated date for repatriation, Myanmar imposed condition that family wise lists should be provided to them. This was a time-consuming process. However, eventually Bangladesh complied with
the request. Even then Myanmar only cleared about 600 cases from the 8030 names that Bangladesh had provided. Myanmar also engaged in a dilatory tactics for verification. While the onus of non-repatriation lies exclusively on Myanmar, the country accused Bangladesh of not adhering to the terms of the agreement in preparing the list.

This only demonstrates the lack of interest of Myanmar government to take back the Rohingya. The Bangladesh Prime Minister expressed her frustration about the stalemate on repatriation of Rohingyas. “We have been making various efforts... but there has been virtually no progress”, she observed. Her adviser for foreign affairs called for re-imposition of sanctions against Myanmar. “If Myanmar is not secure, Rohingyas will not go back”, he noted. “If Myanmar can get away there will be no security of minorities anywhere in the world”, he further observed. Voluntary repatriation seems a long time goal.

Discussion on Rohingya crisis reveals that so far it is the largest challenge faced by the country since its independence. It is very much in Bangladesh’s interest to resolve the issue through diplomatic means. The Government of Bangladesh as well as its civil society are playing a proactive role in this respect. However, the international community needs to do more. If Bangladesh, the global community and Myanmar fail to establish the citizenship of the Rohingya population and ensure durable solution to the problem, then it may lead to cross-border low intensity conflict. In the long run, this ethno-nationalist situation can transform into religious conflict. If their prospect of going back to their homeland become less feasible, then irregular migration to third countries would increase significantly. It is in the interest of global community that the Rohingya problem is addressed without delay.

7. CONCLUSION

The discussion on labour migration reveals that migration is complex and its challenges are multi-dimensional. Bangladesh has treated labour
migration as an important element of national interest in pursuing its foreign policy. However, over the years, the destination countries have gained more control over labour recruitment in general. Like other origin countries, Bangladesh is also facing difficulties in attaining balanced bilateral agreements or MoUs. In such a situation, multilateralism has to be pursued more vigorously. Unfortunately, global multilateral regimes are yet to produce any mechanism that is binding. Nonetheless, these forums along with consultative processes have been quite successful in bringing some of the contentious issues in discussion table. Destination countries are initiating reforms in some of the areas.

The discussion on Rohingya refugee influx demonstrates that for a long time Bangladesh was patiently pursuing good neighbourly relationship with Myanmar. Maintaining stability in the region, pursuing economic interest through trade and commerce as well as facilitating regional cooperation were major guiding forces of its foreign policy. However, Bangladesh had to change its foreign policy direction when an unprecedented number of Rohingya refugees entered Bangladesh due to genuine fear of persecution. Its foreign policy is now guided by humanitarianism. The government has been successful in securing commitment for relief from international community. In negotiating return of the Rohingyas to their country of origin, Bangladesh pursued both bilateral as well as multilateral avenues. It seems that the government is realising that bilateralism so far failed to produce desired outcome; therefore, multilateralism needs to be pursued more rigorously.