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2022 Trafficking in Persons Report: Bangladesh

OFFICE TO MONITOR AND COMBAT TRAFFICKING IN PERSONS

IN THIS SECTION

Bangladesh (Tier 2)

The Government of Bangladesh does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared with the previous reporting period, considering the impact of the COVID-19 pandemic on its anti-trafficking capacity; therefore Bangladesh remained on Tier 2. These efforts included increasing investigations, prosecutions, and convictions against human traffickers, including upholding the dismissal of a member of Parliament involved in a labor trafficking case. In August 2021, the seven Anti-Trafficking Tribunals resumed operations and the Rangpur and Rajshahi tribunals became the third and fourth courts to record trafficking convictions. The government also ratified the protocol to the ILO's forced labor convention as part of efforts against forced labor. However, the government did not meet the minimum standards in several key areas. The government identified fewer potential trafficking victims compared with the previous reporting period and victim care remained

insufficient. The government continued to allow recruitment agencies to charge high recruitment fees to migrant workers and did not consistently address sub-agents conducting illegal recruitment operations, leaving workers vulnerable to trafficking. The government did not uniformly employ standard operating procedures (SOPs) to identify trafficking victims among vulnerable populations, resulting in the penalization of some returning migrant workers and potential sex trafficking victims. In addition, the government pursued policy changes that would force potential labor trafficking victims to go through civil arbitration prior to initiating criminal investigations.

PRIORITIZED RECOMMENDATIONS:

Increase prosecutions and seek convictions for trafficking crimes, particularly of labor traffickers and complicit government officials, while respecting due process.

Take steps to eliminate recruitment fees charged to workers by licensed labor recruiters and ensure employers pay recruitment fees.

Adopt formal victim identification procedures and screening processes to prevent penalization of potential victims and improve case registration.

Disseminate and implement standard guidelines for provision of adequate victim care referral to protective services and build the capacity of service providers.

Expand services for trafficking victims, especially adult male victims, foreign victims, and victims exploited abroad.

Allow NGOs improved access to trafficking victims in government shelters to provide services without a court order and improve overall collaboration with such organizations for more effective partnership on anti-trafficking efforts.

Increase investigations and prosecutions of credible allegations of trafficking of Rohingya, including cases that do not involve movement.

Continue collaboration with the Inter-Sector Coordination Group to implement measures protecting Rohingya from traffickers.

Strengthen the capacity of Anti-Trafficking Tribunal personnel to prosecute and adjudicate human trafficking cases and expand tribunals to heavy caseload areas to improve services for trafficking victims.

Enhance training for officials, including law enforcement, labor inspectors, immigration officers, and health care providers, on identification of trafficking cases and victim referrals to services.

Fully implement and monitor for compliance the registration requirements for recruitment agents, dalals, and brokers who supply labor to recruiting agencies.

Improve quality of pre-departure trainings for migrant workers, including sessions on labor rights, labor laws, and access to justice and overseas assistance.

Ensure potential labor trafficking victims have the right to file complaints under the Prevention and Suppression of Human Trafficking Act (PSHTA) and seek adjudication for criminal offenses rather than restricting cases to labor dispute issues.

Enable labor inspectors to file cases in labor or criminal courts as appropriate.

Establish clear procedures for Rohingya to file complaints in the legal system and train law enforcement and camp management on the procedures.

Improve inter-ministerial coordination and increase monitoring to prevent commercial sexual exploitation of children, particularly children who are experiencing homelessness or use the streets as a source of livelihood, as well as the children of adults engaged in commercial sex in brothels.

Adopt a revised and resourced 2018-2025 National Plan of Action that incorporates greater attention to prosecution and protection efforts, including dedicating resources to enhance victim care.

Establish standard guidelines for investigating transnational trafficking cases.

PROSECUTION

The government increased overall law enforcement efforts. The 2012 Prevention and Suppression of Human Trafficking Act (PSHTA) criminalized sex trafficking and labor trafficking and prescribed penalties of five years to life imprisonment and a fine of not less than 50,000 Bangladeshi Taka (BDT) (\$581). Bonded labor was treated as a separate offense with lesser prescribed penalties of five to 12 years' imprisonment and a fine of not less than 50,000 BDT (\$581). These penalties were sufficiently stringent and,

with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as kidnapping.

The government increased investigations, prosecutions, and convictions against human trafficking, although it did not take adequate steps to address internal sex trafficking or official complicity, both of which remained pervasive. The government investigated 594 cases under the PSHTA, including 132 sex trafficking cases, 182 forced labor cases, and 280 cases for unspecified exploitation, and continued to investigate 449 cases from previous years. This compared with the investigation of 348 cases and continued investigation of 138 cases during the previous reporting period. The police initiated prosecution of 620 suspects (96 for sex trafficking, 166 for forced labor, and 358 for unspecified exploitation)—an increase from the 517 individuals the government prosecuted the previous reporting period, including 184 sex trafficking and 333 forced labor cases. Special tribunals enabled the government to significantly increase the disposal of human trafficking cases. The courts and the Anti-Trafficking Tribunals convicted 18 traffickers in 11 cases, including 18 people for sex trafficking and no convictions for labor trafficking or undefined trafficking crimes. This was an increase from courts convicting seven traffickers the previous reporting year. The government may have reported some non-human trafficking cases in its statistics, including potential cases of migrant smuggling. Although the courts experienced many months of lockdowns due to the pandemic, the government lifted the restrictions in August 2021. The government reported more than 5,000 trafficking cases remained pending investigation or prosecution as of September 2021 but that the case disposal rate increased considerably. The government directed limited resources toward prosecution efforts during the reporting period. The government acknowledged investigations, prosecutions, and convictions for trafficking remained inadequate compared to the scale of the problem. The government continued to train police officers through an anti-trafficking module at the police academy. The government also continued to train and provide in-kind support to international organization- and NGO-run trainings for judicial, immigration, and border officials. The government did not report whether police and other relevant officials received training on the 2017 PSHTA implementing rules.

The seven Anti-Trafficking Tribunals—judges and special prosecutors assigned to hear human trafficking cases and address the substantial case backlog—resumed operations in August 2021 after pandemic- related delays. The tribunals reportedly reduced case

backlogs and achieved significant case disposal rates compared to similar periods in 2020. The Rangpur and Rajshahi tribunals became the third and fourth courts to record convictions for trafficking, following convictions in the Dhaka and Barishal tribunal courts during the previous reporting period.

The government intended to expand the Anti-Trafficking Tribunals to additional high caseload areas, including announcing plans in November 2021 to open an eighth tribunal in Cox's Bazar. Most of the tribunals had manageable caseloads compared to the wider court system. Despite the renewed tribunal activity, officials did not effectively investigate and prosecute cases, and political influence over the courts remained a concern. The government reportedly trained 16 judges and 16 public prosecutors on human trafficking. In addition, observers noted that tribunal judges, prosecutors, and staff may require further anti-trafficking training and incentives to effectively try cases while respecting due process. For cases heard outside of the tribunals, observers had previously noted the government generally did not dedicate sufficient resources to pre-trial investigations and cases languished due to a lack of evidence or case backlogs. The government continued to allow mobile courts, established under the executive branch, to adjudicate labor violations, although the courts could not address labor trafficking claims. Some village courts, five-person panels of local government officials and villagers, adjudicated trafficking cases but could only administer financial penalties.

Some officials did not understand human trafficking and at times conflated it with migrant smuggling. Some officials continued to deny the existence of internal trafficking, especially child sex trafficking, despite ongoing evidence of child sex trafficking in licensed brothels. Police and prosecutors often did not collaborate well with one another during the law enforcement process, which led to delays and the formation of weak cases for prosecution. In cross-border cases, Bangladeshi officials often did not travel abroad to collect evidence and did not know how to request international evidence. However, the Bangladesh police and prosecutors of the Anti-Human Trafficking Tribunals cooperated on transnational cases with agencies in Australia, Canada, India, and South Africa. In one notable case, the government cooperated with Indian police against a transnational group that recruited Bangladeshi girls and exploited the children in sex trafficking in India using TikTok. The government also maintained mutual legal assistance pacts with South Africa and India to support investigations of trafficking cases

and maintained extradition treaties with India, South Africa, and Thailand to ensure that traffickers returned to face trial.

The government did not sufficiently investigate and prosecute trafficking cases involving the exploitation of Rohingya refugees. Despite continued reports of traffickers exploiting Rohingya in forced labor and sex trafficking within Bangladesh, most Rohingya-related cases reported by law enforcement involved movement via boat, cases that might have amounted to migrant smuggling without elements of trafficking. Although the PSHTA includes a provision for non-citizens to file trafficking cases, the government did not establish clear legal reporting mechanisms within refugee camps, which impeded Rohingyas' access to justice and increased impunity for offenders. Police and international humanitarian actors maintained multiple help desks in several refugee camps to provide legal assistance to female and child refugee crime victims, but public distrust of police and security services deterred many victims of crimes, including trafficking, from approaching law enforcement for assistance. International organizations continued to allege some Bangladeshi officials facilitated trafficking of Rohingya, including by accepting bribes from traffickers to gain access to camps.

Official complicity in human trafficking, trafficking-related corruption, and impunity for traffickers remained serious concerns, continuing to inhibit law enforcement action during the year. The government was reluctant to acknowledge or investigate such claims, claiming there was no official complicity during the reporting period. Some law enforcement officers and prosecutors allegedly decided which cases to investigate and try in court based on the political and financial connections of the accused. For example, some labor attachés, local politicians, judges, and police allegedly requested bribes from victims and their families to pursue cases. Recruitment agencies reportedly exploited official corruption to profit from overseas migration, including potential trafficking crimes. Observers alleged some officials from district employment and manpower offices facilitated human trafficking and some traffickers in rural areas had political connections that enabled them to operate with impunity. Observers also said some local politicians convinced victims to accept payment from recruitment sub-agents to not report fraudulent or exploitative labor recruitment actions to police. Other observers reported some police conducted slow and flawed investigations to allow traffickers to evade punishment, including when suspects were fellow officers. Allegations of government corruption included officials working near international border crossings and police

accepting bribes to release victims to their traffickers. In registered brothels, some police charged bribes to ignore abuse within the establishments, to forego checking for the required documentation that each individual was older than 18, and to procure fraudulent documents for girls as young as 10 years old.

Because a number of government officials, including parliamentarians, maintained close ties to foreign employment agencies, there were concerns such officials had conflicts of interest in approving migrant- friendly practices, such as allowing for prosecution of abusive recruitment agencies and increasing protections for migrant workers. In June 2021, the Bangladeshi Supreme Court upheld a High Court verdict dismissing a plea deal that attempted to preserve the parliamentary membership of a Bangladeshi parliamentarian convicted in Kuwait of bribing Kuwaiti officials to bring more than 20,000 Bangladeshi migrant workers into the country. Parliament had previously revoked the member's seat following his conviction and imprisonment in Kuwait for bribery, and it initiated an investigation into the accused's wife, also a member of parliament who was convicted in Kuwait on a related but lesser charge, and other family members. During the reporting period, police also arrested a close associate of the former parliamentarian who allegedly managed the illicit proceeds by moving funds between multiple bank accounts. Media reported that from 2015 to 2018, Malaysian employment agencies and 10 Bangladeshi recruitment agencies bribed officials and politicians in both countries to create a monopoly on recruitment of Bangladeshi workers. The monopoly increased the recruitment fees charged to workers from 37,000 BDT (\$430) to more than 400,000 BDT (\$4,650) per person—higher than the government's legal maximum— which increased Bangladeshi migrant workers' vulnerability to debt- based coercion. In November 2021, police arrested five staff members of recruitment agencies for bribing airport officials and sending workers abroad using false documents. Similar cases demonstrated recruiting agents were directly complicit in labor exploitation by force or deception. The government did not report any other investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

PROTECTION

The government decreased protection efforts. It identified fewer potential victims than in the previous reporting period and maintained severely inadequate victim protection,

especially for Bangladeshi trafficking victims identified overseas. The government identified 1,138 potential trafficking victims, a significant decrease from 6,866 in the previous reporting period; however, the government did not report details of this number and, in the past, had included smuggled migrants in the overall number. In comparison, NGOs and international organizations reported identifying at least 580 sex trafficking victims, 6,378 labor trafficking victims, and 717 victims of unspecified exploitation. Among the sex trafficking victims, organizations reported 429 women, 10 men, 111 female children, 10 male children, and 20 LGBTQI+ individuals, while the labor trafficking victims included 4,328 men, 1,902 women, 93 female children, 41 male children, and 14 LGBTQI+ individuals.

The Ministry of Home Affairs (MHA), the government's lead agency for combating trafficking, had SOPs for proactive trafficking victim identification; however, the government did not report whether the SOPs were widely disseminated or used. Observers noted there was no standard victim identification procedure; many law enforcement agencies attempted to follow the PSHTA with significant misunderstandings and lacked a formal procedure for identifying victims. Some police officers used a checklist to proactively identify victims when they came into contact with individuals in commercial sex establishments; however, the government did not formally adopt or disseminate the checklist, and its use was inconsistent. The government, in partnership with an international organization, developed a rapid victim identification mobile application during the reporting period, although the application was not yet finalized or approved for official use. The government also maintained several general helplines to report crime, including human trafficking.

Law enforcement did not uniformly employ SOPs to identify trafficking victims among vulnerable populations, including individuals engaged in commercial sex and, as a result, may have penalized sex trafficking victims for unlawful acts that traffickers compelled them to commit. Police enforcement operations on hotel-based commercial sex resulted in law enforcement filing many cases under PSHTA sections 12 and 13, accusing young women and girls of criminal behavior without attempting to screen for victimization with trafficking indicators. Similarly, NGOs previously reported law enforcement conducted operations in brothels and arrested foreign national women in commercial sex for visa violations without efforts to screen for trafficking. NGOs reported some authorities detained and fined foreign national trafficking victims in transit for failure to carry a

passport and may have deported some victims without screening for trafficking; officials sometimes identified these individuals as trafficking victims and treated them as such. Law enforcement at the borders intercepted and charged at least 55 people under the penal sections of the passport control order, despite evidence that these individuals had been brought to the Indian border under fraudulent pretenses for the purpose of trafficking. The government previously penalized some returning Bangladeshi migrant workers with substantial indicators of trafficking on ambiguous charges of “damaging the image of the nation” without appropriately screening for trafficking. The government sentenced some of these potential victims to jail terms, although the government eventually granted bail to the victims. The government had previously arrested and charged 81 migrant workers, returned from Vietnam, for damaging the country’s image by protesting their payment of recruitment fees for jobs that never materialized in front of the Bangladesh embassy in Vietnam. A court granted bail to the migrant workers and ordered an investigation, although the government did not report its results. The government previously arrested 219 Bangladeshi workers who had returned from Kuwait, Qatar, and Bahrain for allegedly committing similar ambiguous offenses abroad. In November 2020, authorities released the migrant workers on bail; the government did not provide updates concerning the potential victims. Previously, the government occasionally required victims of labor exploitation, including labor trafficking, to remain at embassies overseas to pursue a civil case against their employers; many victims wanted to return home and thus could not pursue cases. The government did not file any trafficking cases in destination countries but did assist with investigations in Australia, Canada, India, South Africa, and Togo.

Protective services remained strained due to the pandemic and limited government resources. The government had a standard policy to refer victims to services, although it required a court-order mechanism to do so. During the reporting period, the Department of Social Services (DSS) formally adopted comprehensive Survivor Services Guidelines and referral directories to ensure minimum standards of care in government-run shelters. Authorities commonly referred victims to government-run shelter homes for protection services, although the government occasionally referred victims to NGO-run shelters. Though the government referred 5,480 victims to shelters, it did not report how many victims it referred to government shelters versus NGO-run shelters, preventing comparison with the 126 victims referred to government shelters and 167 victims referred to NGO-run shelters in the previous reporting period. NGOs and international

organizations provided referrals to 618 sex trafficking victims, 543 labor trafficking victims, and 446 victims of unspecified exploitation. The government and NGO-operated shelters decreased the services available to trafficking victims in response to pandemic restrictions. For example, social distancing requirements in a shelter in Cox's Bazar reduced the number of survivors who could be assisted to only 10 to 15 individuals at one time. With partial funding from a foreign government, the Ministry of Social Welfare (MSW) operated some longer-term shelters for women and child victims of violence, including trafficking victims, which could provide similar care. MSW shelters, however, required a court order referral. The government also required NGOs and international organizations to obtain a court order to provide additional services to victims in government shelters. Some victims reported abuse within the shelters. In addition, the government required trafficking victims without legal residence in Bangladesh to remain in shelter homes until repatriation to their country of origin. Despite legal guidelines to administer services equitably, the government did not consistently view adult men as trafficking victims, and the government did not routinely identify or provide equitable services to male victims. While some NGO shelters could house male victims, the majority of both government and NGO shelters could not; however, most NGOs could provide non-shelter services to adult male victims. The government did not report how many trafficking victims its police and MSW shelters assisted during the reporting period.

The government provided services to 442 sex trafficking victims, 2,420 labor trafficking victims, and 1,410 victims of unspecified exploitation during the reporting period. In comparison, NGOs and international organizations provided services to 751 sex trafficking victims, 4,656 labor trafficking victims, and 557 victims of other exploitation. The government reported these services included eight victim support centers for women and children that provided free food, clothing, medical care, and education to 34 trafficking victims. Counter Trafficking Committee (CTC) members and police used referral directories developed by a partner organization to refer victims and at-risk individuals to services, although the absence of well-established protocols created challenges referring identified victims to appropriate services. Police operated multiple centers for women and child victims of violence, including trafficking, in each of Bangladesh's eight divisions, offering short-term shelter, medical services, and psychological care. In response to pandemic-related restrictions, the Ministry of Women and Children Affairs created psycho-social support options through cell phone and email. Government-run hospitals also had one-stop centers to assist female victims of crime,

although it was unclear whether and how officials referred women to these centers. The government's NGO Affairs Bureau previously withheld approval for foreign funding to some NGOs working on some human rights or humanitarian issues, which may have affected availability and provision of services to vulnerable populations, including trafficking victims. The pandemic limited resources and strained the ability of NGOs to offer victim services. The PSHTA entitled victims to protection during judicial proceedings, including police security, and allowed victims to provide testimony via video conference. While some victims participated in the investigation and prosecution of their traffickers, the government and NGOs noted insufficient implementation of the protection provision contributed to a lack of participation by most trafficking victims. The government offered free legal services to trafficking victims through public and special prosecutors, as well as legal and financial support through the Bangladesh National Legal Aid Organization. The government allocated funding to provide legal services to trafficking victims through the district offices of the National Legal Aid Service Organization (NLASO). Government-run District Legal Aid Committees could also offer free legal services to victims, although the services were insufficiently publicized among eligible survivors. The government did not provide legal alternatives to removal of foreign trafficking victims to countries where they might face hardship or retribution. However, foreign victims of trafficking were legally entitled to the same benefits as Bangladeshi nationals under the PSHTA. In addition, NGOs and international organizations could care for foreign trafficking victims. NGOs provided temporary care to Rohingya trafficking victims in safe homes, but most returned to the refugee camps, where they remained vulnerable to re-trafficking. The government allowed some NGOs to provide shelter services without a court order in Cox's Bazar, although the organizations needed to first receive permission from officials overseeing the refugee camps.

The Ministry of Expatriates' Welfare and Overseas Employment (MEWOE) maintained 29 labor offices, or labor welfare wings, in embassies and consulates in 26 major destination countries to provide welfare services to Bangladeshi migrant workers through labor attachés trained on trafficking issues. These labor attachés were responsible for reviewing and verifying employment documents. International organizations continued to report these labor wings had neither the staffing nor the resources to assist the large number of migrant workers, especially at embassies in the Gulf with large numbers of Bangladeshi workers. MEWOE operated five safe houses abroad for workers with strong indicators of trafficking who fled abusive employers, but it did not report how many

individuals or victims the shelters assisted. While the government funded some trafficking victim repatriation, it often took so long that victims funded it themselves and incurred additional debt. The government relied on NGOs to support victims upon repatriation. The government made minimal efforts to assist Bangladeshi sex and labor trafficking victims abroad, although the PSHTA included provisions for the repatriation of foreign victims of human trafficking identified in Bangladesh. The government worked with an international organization to repatriate 35 Bangladeshi trafficking victims from Lebanon, Libya, Malaysia, Vanuatu, and Vietnam. The government formed an inter-ministerial committee to identify trafficking victims among deported returnees from Libya. Trafficking victims of Bangladeshi origin are likely to be deported or turned away without screening for trafficking in destination or transit countries, particularly India. The MHA and the Government of India continued to finalize victim identification and repatriation SOPs. The governments facilitated, and NGOs funded, repatriation of trafficking victims from India, but without a final, adopted SOP, the lengthy and complex approval system resulted in some Bangladeshi victims languishing in Indian shelters for years. Both governments coordinated several repatriation initiatives over the previous year, including a group of 21 women and children in 2022. Border closures due to the pandemic temporarily halted repatriation services, often resulting in significant distress for trafficking survivors in shelters waiting to return home from destination countries.

While the 2012 PSHTA mandated creation of a fund to assist victims in seeking compensation from their traffickers, the government had not yet created the fund. Trafficking victims were encouraged to file cases under the PSHTA, although an alternative system of arbitration existed with MEWOE. All trafficking victims could file civil suits seeking compensation, and trafficking victims had the right to pursue restitution from defendants in criminal cases, although restitution through out-of-court settlements between victims and traffickers remained more common. These settlements typically involved victims recanting their testimony, effectively eliminating the possibility of the trafficker facing a criminal conviction. Overseas Bangladeshi workers who secured their employment through MEWOE could lodge complaints with MEWOE to seek restitution for labor and recruitment violations, including allegations of forced labor, through an arbitration process. However, trafficking-related corruption impeded the process, which often yielded minimal awards. At least one NGO reported the Bureau of Manpower and Employment Training (BMET), which facilitated the arbitration, prohibited NGO advocates from accompanying migrant workers, forcing workers to arbitrate claims alone

against both powerful recruitment agencies and BMET. MEWOE reported it settled 22 complaints against recruitment agents in FY 2020-2021, compelling them to pay 1.52 million BDT (\$17,670) to migrant workers, compared with 424 recruitment agents compelled to pay 24.04 million BDT (\$279,530) in compensation in 2020; MEWOE did not report whether any complaints involved forced labor. MEWOE also operated a desk at the Dhaka airport, providing up to 5,000 BDT (\$58) and information on available NGO services to returning female migrant workers, including trafficking victims. Because the government did not consistently initiate criminal investigations into migrant workers exploited abroad and civil remedies remained inadequate, civil society organizations ran alternate dispute resolution systems to assist labor trafficking victims in obtaining some financial remedies.

PREVENTION

The government maintained efforts to prevent trafficking. MHA remained the focal ministry for anti-trafficking efforts and continued to lead the inter-ministerial committee for combating human trafficking, which met bi-monthly to coordinate government activities. During the reporting year, several MHA officials with responsibilities for coordinating anti-trafficking efforts transitioned to new government positions, leading to some loss of institutional knowledge and impeding long-term anti-trafficking efforts. The National Authority, an institution that serves as a government-wide supervisory body on combating trafficking, met regularly, but civil society reported the National Authority was not formally institutionalized. The government considered expanding the National Authority's membership—including to civil society participants—to improve its effectiveness. The government also did not clarify the distinct roles of the National Authority versus the inter-ministerial committee. The government began to revise its 2018-2022 anti-trafficking national action plan (NAP), including extending the NAP through 2025. The government previously harmonized NAP implementation with funded Sustainable Development Goals to cover costs associated with 95 percent of the plan. The government directed most NAP funding toward prevention efforts; thus, observers recommended officials increase the plan's coverage of prosecution, protection, partnerships, and monitoring and evaluation. The government reported that the PSHTA and NAP were developed through a multi-stakeholder participatory process, including anti-trafficking organizations and human trafficking survivors. In addition to the National

Authority, which coordinated intragovernmental efforts, the government supported several other task forces and committees to monitor progress on anti-human trafficking and to harmonize anti- trafficking efforts between government agencies, NGOs, and international organizations. These included the National Coordination Committee to Combat Human Trafficking, Committee to Monitor the National Plan of Action for Combatting Human Trafficking, and the Vigilance Task Force (VTF). The Rescue, Recovery, Repatriation, and Reintegration (RRRI) Task Force primarily focused on trafficking cases involving women and children and coordinated with Indian counterparts. Furthermore, the government continued to support counter trafficking committees (CTCs) at district, sub-district, and union levels to facilitate coordination between local governments and civil society to combat human trafficking. MHA did not make its annual reports on human trafficking public, and anti-trafficking law enforcement data was published online but did not always contain current statistics.

The government maintained 15 bilateral labor agreements, in part intended to protect Bangladeshi workers abroad, and reported that the agreements were fully implemented, although there was no evidence the government enforced the agreements. A Bangladesh and Malaysia five-year agreement, signed in December 2021, anticipates the hiring of one million Bangladeshi workers, although Malaysian authorities sought to limit recruitment to only 25 agencies. The Government of Bangladesh has urged Malaysia to keep the recruitment agency selection process fair and transparent to avoid any form of monopoly. The MEWOE also prepared a draft memorandum of understanding with the Government of Libya to facilitate labor migration following the removal of restrictions in November 2021. At the beginning of the pandemic, the government took steps to prepare for the anticipated repatriation of Bangladeshi workers, including by providing a one-time payment for returning migrant workers and encouraging destination countries to protect migrant worker jobs and provide financial support for workers who had been laid off.

For Bangladeshis who migrated during the pandemic, the government continued to require pre-departure training, including safe migration and anti-trafficking components, and a 30-day pre-departure training course for female domestic workers. The government offered safe migration information through numerous district employment and manpower offices and training centers. However, it was unclear how many migrants were aware of these services and accessed them before traveling abroad. Bangladesh

Overseas Employment and Services Limited (BOESL), the government-run recruiting agency, organized district-level job fairs to increase awareness of ethical recruitment and safe migration methods among potential migrants. The District Employment and Manpower Office (DEMO) and Technical Training Centers also provided pre-departure training for migrant workers on topics such as labor rights, labor laws, and access to overseas assistance. In addition, the government made BMET-certified pre-departure orientation sessions available online for migrant workers. However, BMET reportedly allowed some recruitment agencies to prohibit briefings by NGOs on topics “against recruiting agencies’ interests.”

The MEWOE began the process of amending the Overseas Employment and Migration Act (OEMA), 2013—which will be known as the Overseas Employment and Migration Act, (Revised) 2022—to bring recruiting agents and representatives under greater accountability and transparency. OEMA criminalized fraudulent recruitment and unlawful recruitment fees; however, these provisions still permitted the government to set legal recruitment fees at rates between 85,000 BDT and 262,000 BDT (\$990-\$3,050), high enough to render many migrant workers indebted and vulnerable to trafficking through debt-based coercion, and observers noted many migrants paid more than the legally permissible rates. The government established fixed recruitment fees for 16 labor-receiving countries, with the largest number of Bangladeshi workers. However, workers continued to pay large fees that were greater than the fixed amount to pay for service charges, airfares, passports, visas, medical charges, and other expenses. A research organization reported Bangladeshi migrant workers traveling to Saudi Arabia on average more than 450 percent of the government’s fixed recruitment price for the total labor migration process in 2018. According to the research, the government’s fixed recruitment fee for Saudi Arabia was equivalent to a Bangladeshi worker’s salary for five and a half months, and workers in reality paid fees equivalent to more than two years of salary. Observers assessed the high cost of legal migration drives some prospective migrants to illegal agents who facilitate human trafficking using false promises of overseas employment. The Bangladesh Association of International Recruiting Agencies (BAIRA) acknowledged migrant workers frequently paid sub-agents—or dalals—fees in addition to the legal amount BAIRA agents charged before the workers began the formal recruitment process. Dalals also directly connected workers to overseas jobs by providing fake visas and other documentation and, in some cases, incorrect information about the migration process and the job in the destination country. Observers stated a

migrant worker's financial situation, not skills or abilities, often determined job placement. Although the government did not prohibit worker-paid recruitment fees, some officials have advocated for employer-paid recruitment fee models and ethical recruitment practices.

The government required recruitment agencies or authorized representatives to receive approval to recruit workers for overseas employment. BAIRA oversaw 1,442 licensed labor recruitment agencies. MEWOE had the authority to register recruiting dalals and required brokers to register sub-agents and representatives. MEWOE suspended 183 recruitment agencies in FY 2020-2021 for operating in violation of the law, including breach of employment contracts and recruitment regulations. MEWOE did not report how it was monitoring existing or new agents for compliance. NGOs stated the government needed to do more to bring all recruiting companies into compliance with this directive. MEWOE continued to develop a classification system to rank licensed recruiting agencies into four categories based on compliance with the law, including adherence to government-fixed recruitment fees, number of branch offices, frequency of complaints, and other considerations. The government's VTF—a multiagency effort to monitor and enforce compliance of rules and regulations during the migration process and prevent irregular migration—continued operations against corrupt recruitment agencies, travel agencies, and dalals, who operated in rural locations and connected prospective migrant workers to licensed employment agencies. The VTF-operated mobile courts received complaints, took legal action against agencies and institutions, disseminated migration information to agencies, and prevented human trafficking under the pretenses of labor migration. Mobile courts prescribed fines or imprisonment; fines were inadequate penalties to deter the crime. VTF mobile courts convicted some recruitment agents and issued sentences for varying terms of imprisonment and imposed fines of 950,000 BDT (\$11,050) for labor trafficking-related offenses under the 2013 OEMA, which included sending migrant workers abroad unlawfully, charging unlawful recruitment fees, and fraudulent recruitment.

In October 2021, recruiting agencies petitioned the government to amend the PSHTA to require that workers who receive clearance from BMET, the government agency responsible for preparing and certifying outbound Bangladeshi workers, and travel abroad legally must file any allegations against the recruiting agencies under the OEMA rather than the PHSTA. The home minister affirmed that trafficking complaints by migrant

workers lodged with police should be referred to BMET for resolution. The revised process would prevent potential victims from filing a criminal case with police until BMET failed to resolve the complaints. The revised process would also benefit recruiting agencies because the penalties under the OEMA are less severe than those under the PHSTA. If formally adopted, the change would require handling human trafficking as a labor issue involving negotiation and arbitration rather than a criminal offense. The government's decision to restrict potential labor trafficking cases to arbitration through the BMET prevented law enforcement from arresting recruitment agents who may continue to facilitate migrant transit despite significant risks.

In January 2022, the government ratified ILO P029—Protocol of 2014 to the Forced Labour Convention, 1930, as part of its efforts to declare domestic and export-oriented sectors free of child and forced labor. In March 2022, the government submitted its ratification for the International Labor Organization's Minimum Age Convention, 1973 (No.138), which requires establishing a minimum age for employment and represented a further step to eliminate child labor. The Department of Inspection for Factories and Establishments (DIFE) is the only authority responsible for enforcing labor laws related to child labor and may file cases in labor courts regarding labor law violations, including child labor. However, DIFE only had authority to file cases in labor courts—not criminal courts—and the labor courts have never referred a case to the criminal courts. In 2020-2021, fewer than half of DIFE's positions were filled, and there were no inspectors dedicated to child labor. While international organizations estimated 93 percent of child labor—including forced child labor—took place in the informal sector, inspectors were not empowered to monitor the informal sector. NGOs estimated child labor increased by 30 to 40 percent in 2020, due to the pandemic. Staffing and resources to inspect for labor violations, including forced and child labor, remained severely inadequate, and inspectors regularly conducted announced inspections, which gave employers time to hide children or exploitative conditions. DIFE labor inspectors did not receive routine training on forced labor and labor trafficking. The government has not conducted a child labor survey since 2013. The government continued to conduct national awareness campaigns through print media, television, radio, and text messages, as well as through its sub-district level CTCs, at times in partnership with NGOs. Most campaign materials were only available in Bangla, which presented a possible barrier for foreign victims.

The government continued to allow international organizations and NGOs to provide some assistance to refugees. However, Rohingya refugees did not enjoy freedom of movement in Bangladesh, and access to education remained difficult for Rohingya youth. Though a pilot program to introduce the Burmese national curriculum in the camps to some Rohingya ages 11 to 13 resumed in September 2021 after pandemic-related closures, the government continued to bar Rohingya from Bangla language schools, closed informal schools established by the Rohingya community, prevented Rohingya from working legally, and restricted their movement, all of which increased vulnerability to trafficking. The government collaborated with the Inter-Sector Coordination Group—responsible for coordinating all activities of implementing organizations in the Rohingya camps—to disseminate TIP-related awareness raising messages among Rohingya populations and the host communities. The government facilitated access for international organizations and NGOs to conduct outreach activities, meetings, and anti-trafficking activities in Rohingya camps. However, pandemic restrictions allowed only small-scale programs to continue.

The government provided basic anti-trafficking training to military and police officers prior to their deployment as peacekeepers and provided anti-trafficking training for its diplomatic personnel. The government reported the demotion of one repatriated peacekeeper for a sexual assault involving a child in Haiti in 2017. Commercial sex is legal in registered brothels, and the individuals involved—including foreign nationals—must receive documentation from police confirming their consent and appropriate age. While the government operated a program for women from lower socioeconomic backgrounds who sought to cease participation in commercial sex, it did not make efforts to reduce the demand for commercial sex acts. The government did not make efforts to reduce the demand for child sex tourism, although the government plans to address child sex tourism in its updated National Plan of Action.

TRAFFICKING PROFILE

As reported over the past five years, traffickers exploit domestic and foreign victims in Bangladesh, and traffickers exploit victims from Bangladesh abroad. The effects of the pandemic resulted in increased vulnerability for a wider segment of Bangladeshi society. The most at-risk groups included victims of child marriage and gender-based violence;

poor and marginalized persons; people who lost jobs due to the pandemic; seasonal laborers recruited from northwest districts for destinations in India; poorly educated and unemployed youth and students; people affected by natural disasters and climate change; Rohingya refugees; and people attempting to reach other countries through irregular migration. Pandemic restrictions and revenue losses had devastating economic consequences for Bangladesh's most vulnerable families. As needs increased in both rural areas and urban slums, some families sent their children to beg or exposed them to commercial sexual exploitation.

Bangladesh is the world's sixth largest migrant-sending country and the eighth largest country receiving remittances, according to an international organization. Traffickers exploit some Bangladeshi men, women, and children who migrate willingly to work in the Middle East and Southeast Asia, especially Brunei, Malaysia, and the Maldives, in forced labor. Traffickers also exploit Bangladeshis in forced labor in South Asia, Southern and Eastern Africa, Europe, and the United States. Many Bangladeshis migrate for work each year through illegal channels, and traffickers target them. The number of migrants attempting to reach Europe via the Mediterranean increased significantly during the reporting period, and many migrants fell victim to trafficking before leaving Bangladesh or while en route to Europe. Before departure, many workers assume debt to pay high recruitment fees, imposed legally by recruitment agencies belonging to BAIRA and illegally by unlicensed sub-agents; this places workers at risk of debt-based coercion. Although one study found that the cost of migration has decreased slightly in recent years, Bangladeshi workers continue to pay the highest migration fees in the region. Some recruitment agencies, agents, and employers also commit recruitment fraud, including contract switching; this includes promising women and children jobs and exploiting them in sex trafficking upon arrival. In recent years, authorities identified more than 100 Bangladeshi male forced labor victims in construction in Vanuatu, and officials received thousands of complaints of non-payment of wages and contract switching among the 30,000 Bangladeshi migrant workers in Brunei. More than 69,000 of the 234,000 Bangladeshi workers in Maldives are undocumented, and some report passport retention, underpayment or non-payment of wages, and fraudulent recruitment. In Saudi Arabia, traffickers exploit through labor trafficking a substantial number of the hundreds of thousands of Bangladeshi female domestic workers.

Traffickers exploit Bangladeshi women and girls in forced labor and sex trafficking abroad, including in India, Pakistan, and Gulf countries. Traffickers sold some women—who migrated through Bangladeshi recruitment agencies to Lebanon or Jordan for domestic work—into forced labor. Some People’s Republic of China (PRC) national traffickers force Bangladeshi women, specifically Indigenous women from the Chittagong Hill Tracts, into sex trafficking and domestic servitude through arranged marriages. Some traffickers falsify identity documents to make children appear older than age 18 to send them abroad. The bodies of many deceased Bangladeshi domestic workers have been repatriated from the Middle East, including the body of a 13-year-old girl sent to Saudi Arabia through a labor recruiter with a falsified passport listing her age as 27. A study reported that nearly all the deceased migrant workers had died of unnatural causes in destination countries, including Gulf states. During 2020, NGOs reported traffickers used promises of employment in “COVID-19 free” locations to attract victims. Traffickers have reportedly become increasingly sophisticated at deceiving the families of victims to delay filing of missing persons reports.

Traffickers continue to exploit adults and children from all regions of the country in Bangladesh’s legal brothels, many illegal brothels, and private hotels. Traffickers use false promises of work to lure poor women and children into sex trafficking and fabricate exorbitant debts the women and girls as young as 10 must repay. Child sex trafficking remained widespread; one organization estimated that 30,000 girls are sexually exploited in Bangladesh. Experts estimate that 20,000 children are both growing up in and exploited in commercial sex in Bangladeshi brothels. Several women and girls reported traffickers preyed on them and sold them to brothels, after the women fled abusive child marriages. Other women reported they had grown up in brothels because their mothers were engaged in commercial sex and brothel owners forced them into commercial sex when they were children. In some registered brothels, owners force children to take steroids to appear older. In legal brothels, some police charge bribes to ignore abuse within the establishment, forego checking for required documentation that each individual is older than 18, and to procure fraudulent documentation for children as young as 10 years old. Traffickers have increasingly lured potential victims through social media, including Facebook, Instagram, TikTok, and mobile messages. Some traffickers force sex trafficking victims to become addicted to drugs and use addiction to keep them in sex trafficking and involuntary unlawful acts. Sex traffickers exploit children experiencing homelessness or using the streets as a source of livelihood in exchange for food, shelter,

protection, and money. NGOs describe increasingly widespread job losses, wage cuts, and poverty in rural areas and urban slums due to the pandemic, which forces some children into begging and commercial sex. A study found that child sex trafficking victims are forced to take more clients at lower wages and experience more violence and sickness than adults voluntarily engaged in commercial sex.

Traffickers often used debt-based coercion to compel workers into labor, exploiting an initial debt assumed by a worker as part of the employment terms. Traffickers force adults and children to work in the shrimp and fish processing industries, aluminum, tea, garment factories, brick kilns, dry fish production, and shipbreaking. Traffickers force children younger than 14 years into domestic work, including through torture and restricting their movement. In 2018, a survey by an international organization found more than 400,000 children in domestic work in Bangladesh. A 2021 report found that at least 28 children were tortured and 10 children died while working as housemaids.

Bangladeshi children are at risk for forced labor in tanneries. Traffickers coerce children experiencing homelessness into criminality or force them to beg, and begging ringmasters sometimes maim children to increase earnings. Traffickers force children, especially in border areas, to produce and transport drugs, particularly a type of methamphetamine called *yaba*. A survey found that some Bangladeshi families were subject to debt bondage in shrimp farming. Another study estimated that approximately 40,000 children are enslaved for nine months at dry fish processing units, while their parents receive money advances against the children's salaries. Traffickers use coercive debts to force Bangladeshi families and Indian migrant workers to labor in brick kilns, shrimp farming, and on tea estates. One organization estimated more than 25,000 children work in deplorable conditions in the Keraniganj industrial district's garment factories, including many children who became indentured and serve as collateral for their parents' loans. NGOs allege some officials allow human traffickers to operate at India-Bangladesh border crossings and maritime embarkation points.

Bangladesh hosts nearly one million Rohingya in refugee camps and host communities in Cox's Bazar near the Burmese border and in other parts of the country, approximately 750,000 of whom arrived after August 2017. Traffickers exploit Rohingya men, women, and children from refugee camps in sex and labor trafficking both within Bangladesh and transnationally. Traffickers transport Rohingya girls within Bangladesh to Chittagong and Dhaka and transnationally to India, Malaysia, and Nepal for sex trafficking, sometimes

using false promises of jobs or marriage; some traffickers “trade” these girls over the internet. As reported in previous reporting periods, local criminal networks take Rohingya women from refugee camps at night, exploit them in sex trafficking, and bring them back to the camps during the day. International organizations allege some Bangladeshi officials facilitate trafficking of Rohingya, including accepting bribes from traffickers to gain access to camps. Rohingya girls and boys are recruited from camps and forced to labor as shop hands, fishers, rickshaw pullers, and domestic workers. Some Bangladeshi fishermen use debt-based coercion to exploit Rohingya men if they place their shelter on the fisherman’s land. Some Rohingya men who fled to Bangladesh from Burma decades ago have been trapped in forced labor through debt-based coercion to Bangladeshi fishermen for decades. In 2016, some traffickers sold into forced labor Rohingya and Bangladeshi migrants, who traveled by boat to Southeast Asia and could not pay ransoms. Multiple NGOs and humanitarian officials assess Rohingyas’ statelessness and inability to receive formal schooling or to work legally have increased their vulnerability to traffickers. Tourists increase demand for child sex tourism, including exploitation of Rohingya girls, near Cox’s Bazar.

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