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## Conjuring victims into villains

*The charade of trafficked migrants and the country's image*

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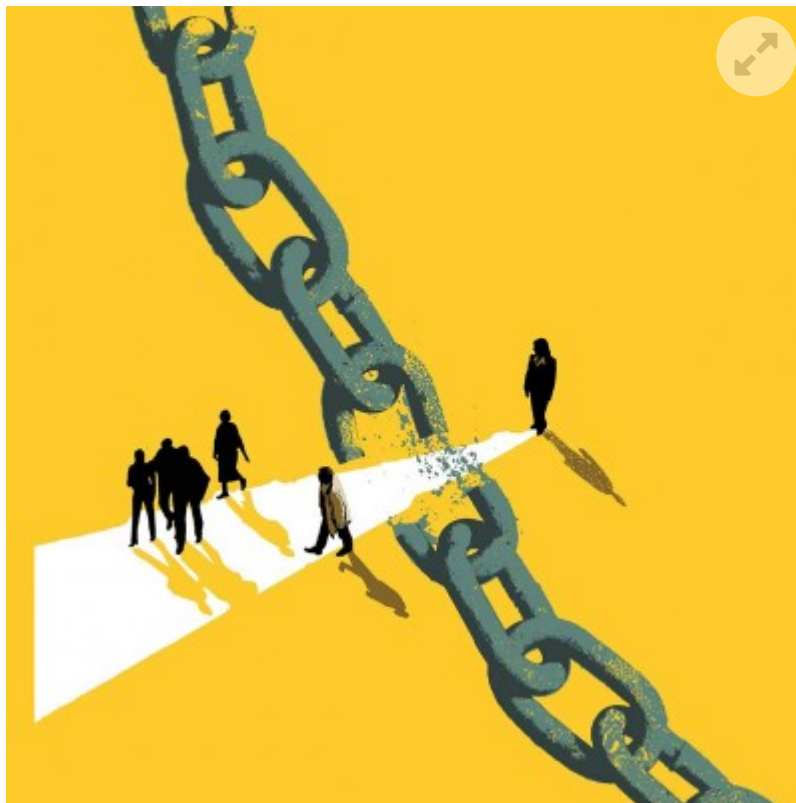


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C R Abrar



It was a repeat performance of some sort. The drama was based on the same script; the acts were played out on the same locations; while the characters representing the state remained almost the same. Their adversaries in this episode arrived from Vietnam.

Quite like the previous episode, the powerful protagonists learned from a "secret source" about "a conspiracy" being hatched by the Vietnam returnees and, without much effort, secured the magistrate's approval in throwing the latter into the dungeon. It was after this blanket internment that they began figuring out who among the lot are the "real culprits", and no less importantly, what crimes have indeed been committed! Until then, all remain in detention. After all, not only have they "tarnished the image of the country", they were on the verge of committing grievous offences "against the state and the government" and also the people.

While the deceived, distraught and disheartened returnee survivors of trafficking serve out their days in detention with the faint hope that someone would soon realise that an error has been committed, and the nightmare would soon be over, in all likelihood the principal protagonists will submit petition after petition for further extension of the detention period that were merrily granted in the first episode. The high-ups in the administrations of law enforcement and justice delivery will not care to monitor the pace and progress of the investigation, notwithstanding the fact that the charges are grave and merit their active engagement.

In the meantime, the distraught loved ones of the survivors run from post to pillar to secure their release; oblivious of the fact that they are not fortunate enough to have the blessings of Tyche, the Greek goddess of fortune and prosperity, or that of Lakkhi (her Hindu counterpart) but also of Astrea, the goddess of justice. Their lived experiences have taught them that goddesses by nature are biased and it is only the rich and the powerful who are eligible for their bounties. For these wretched families it is yet another hurdle, albeit an unexpected and a high one, that they have to overcome.

Moved by the plight of this group of returnee survivors, the respected editor of the largest circulated English daily expressed his utter disappointment at the actions of the authorities. A group of 44 concerned citizens and a platform of 19 migrant rights organisations demanded "the immediate and unconditional release of and compensation for the incarcerated migrants and exemplary punishment for the perpetrators". The question of whether we "the citizens" have been relegated as "subjects" bereft of the rights enshrined in the constitution of the republic (a document the political leadership swore to uphold when taking office and the apex court is committed to protect) haunts the conscientious citizens.



The drama took an interesting turn. As the original play was scripted in the backdrop of the return of the pardoned workers from arid west Asia, someone forgot (or cared little) to contextualise it with the new set of returnees from a lush green land. One of the charges labelled against the returnee survivors of trafficking is that they had served sentences in Vietnam for violating laws there. The sub-inspector of the Turag police station not only asserted that "all of them were in prison", she said Bangladesh police "was instructed from Vietnam" to take action against them. This is a patently fallacious claim. Not only none among the group served time in Vietnam, no one even faced any charge from the authorities. On the contrary many among the lot claimed they unsuccessfully attempted to secure the protection of the Vietnamese police.

Over almost a year, investigative reports of a few national dailies have churned out gory details of the experiences of the victims of labour trafficking to Vietnam and Cambodia. Those reports also provided valuable information about the modus operandi of the errant registered recruiting agencies, informal dalals and travel agencies. The reports confirm that these victims were promised jobs of USD 500-600 for eight hourly work (with promises of USD 1.5 per hour for over time on regular days and USD 2.5 for holidays), free food, accommodation, health insurance, renewal of work permit after two years and air tickets for returning home. On average, they paid USD 4700 to 5900 to the intermediaries as facilitation charges.

In most instances, the aspirant migrants were asked to come to Dhaka a day before the flight and then were forced to sign blank papers. These signed papers were subsequently used to print their "contracts". The unsuspecting migrants were used as mules for money laundering. Each was given a packet of USD 1000-5000 cash with instructions to hand those over to their representatives soon after their arrival at destination. Refusal to sign blank documents or carry the cash was countered with threats that their flights would stand cancelled and money forfeited.

On arrival at the country of destination, contrary to their expectation, instead of representatives of the sponsoring companies they were received by Bangladeshi dalals. Their passports were immediately seized. They were accommodated in small rooms with poor toilet and sanitation facilities. Those lucky to be served with food had to put up with eating pork and frogs among other items. Contrary to their contract, others had to arrange their own food.

None were provided with work permits. Without placing them against the work promised, they were taken to various companies from time to time and paid irregularly. "Work with poor pay and no work, no pay" was the golden rule. For a few who could barely manage to save, inability to avail the services of remittance transfer houses (due



lack of documents) forced them to rely on the same dalals to remit money home, only to find that money never reached their loved ones.

The group members had to fend for themselves if they fell sick. Securing services of a medical professional was out of the question. Generally if someone fell sick, other workers chipped in to buy over-the-counter medication. The victims reported that they were subjected to regular torture and humiliation by their captors and were in a state of constant fear of abuse.

Absence of regular work permits, employment and income, loss of personal documents, atrocious work and living conditions, wanton mistreatment, threat of reprisal from the dalals and inability to secure protection from the local authorities left the workers with little choice. In early June, they escaped and went to the Bangladesh embassy in Hanoi to lodge complaints. As their problems remained largely unaddressed, they staged a sit-in in front of the embassy. Some raised their voices to express their grievances.

Under pressure from these aggrieved victims, the embassy and Vietnam authorities accommodated them in hotels and dormitories before repatriation to Bangladesh. Needless to say, as soon as they finished the mandatory quarantine period, they were arrested and sent to prison.

As in the first episode, the authorities have so far failed to produce any shred of evidence to support its claims that these returnees were "hatching a conspiracy against the state and the government" and planning to commit grievous crimes, including terrorism and sabotage. They were also accused of "tarnishing the image of the state". All these raise a few issues.

Firstly, the allegations that these migrants were in prison is absolutely false. Also, if the returnees (all of whom endured immense trauma in near captive conditions), in expressing their grievances, had violated the sanctity of the embassy premises, why were they not reported to the local authorities? Secondly, how can each and every member become part of a huge conspiracy when in reality, they were under the army's supervision during the quarantine period?

Thirdly, the Bangladesh ambassador to Vietnam is on record saying that there is no employment opportunity for Bangladeshis in that country and despite this, a group of agents with their counterparts in Vietnam are bringing workers to that country. She had repeatedly identified the irregularities that were being committed in sending workers to that country. This raises the question—what concrete actions have the authorities in Dhaka taken to stem this trafficking corridor run by a syndicate of registered recruiting agencies, travel agencies and dalals?



Fourthly, the ambassador further revealed that her office was never contacted by the Bureau of Manpower Employment and Training (BMET) when the latter issued clearances and smart cards to these victims. Why and how was the due procedure of checking the embassy's attestation not followed? BMET claimed it issued some clearances to those who filed applications to go as entrepreneurs. What mechanism does the agency have to assess the veracity of such applications before granting clearances?

Fifth, it is interesting to recall that in mid-March this year after a raid, 80 passports were recovered from the Motijheel office of an alleged trafficking kingpin who preyed on aspirant migrants to Cambodia and Vietnam. Instead of being arrested and prosecuted, why was he let off the hook by paying a meagre fine of three lakh taka?

Sixth, on April 24, 2016 in the BLAST versus Bangladesh case, the Appellate Division of the Bangladesh Supreme Court upheld the judgment of the High Court, with some modifications, that under Section 54, no one should be kept in confinement for more than 15 days. Does the continued detention of the two groups of returnee migrants and trafficked survivors after the 15 day period not constitute a blatant disregard for the law?

And finally, what moral authority do the authorities have in detaining the trafficking survivors and charging them for "tarnishing the image of the state", when one of the members of the parliament belonging to the ruling party is charged with running an organised trafficking syndicate to a Gulf state, and widely known masterminds of drug and human trafficking operate with complete impunity, some with political patronage?

The above narrative clearly establishes that returnees from Vietnam are survivors of trafficking. Detaining them under flimsy grounds is a gross injustice. Instead of wasting resources by pursuing this charade, the authorities would be better advised to immediately and unconditionally release them, and identify the real perpetrators of labour trafficking and hold them accountable. Such acts will not only protect those who chase their dream to migrate but will also be a huge boost to the much touted "image of the country".

**C R Abrar is an academic with interest in human rights and migration. He acknowledges reporting support of Porimol Palma (The Daily Star), Niloy Mohiduddin (Prothom Alo) and Owasimuddin Bhuiya (New Age).**

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