

Study on Modern Slavery in Bangladesh

Final Report

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INTRODUCTION

Understanding modern slavery in Bangladesh is complicated. There are many forms of exploitation present, and the majority are linked to employment. However, there is an element of agency involved, making it different from coercive or deceptive practices where individuals are forced into slavery-like conditions.

As will be discussed for each focal form of modern slavery, the primary challenge for Bangladesh is work that involves long hours, poor/ dangerous conditions and low pay. Workers tolerate these conditions because there are no or few other options available.

While modern slavery is associated with exploiters earning profits from the exploitation of others, this is not necessarily the case in Bangladesh. The economy is based on the production of cheap goods, and exploitation arises because profit margins are small. The garment sector in particular is buyer regulated, and buyers keep pushing prices down. The competitive nature of the market creates a 'race to the bottom', with the pressure on workers as factories cut corners to remain competitive.

For workers seeking better pay, the trade-off is heightened risk, such as in ship breaking and commercial sexual exploitation. Of course, vulnerability still plays an important role, with vulnerable groups being forced into certain types of work, particularly commercial sexual exploitation, and limited choices effectively forcing individuals into exploitative labour.

At the time of the field research that informs this report, Bangladesh was at risk of being downgraded to a Tier 3 country in the US Trafficking in Persons report. However, it was given a waiver because "the government has devoted significant resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards".¹

The specific dynamics of the Bangladesh case creates particular challenges in responding to modern slavery, as the economy relies on exploitation. Accordingly, effective responses are long-term and structural, targeting the nature of the economy. To inform this thinking, this report sets out a typology of focal forms of modern slavery present in Bangladesh, and then explores five of them in depth – exploitation in the garment sector, tea gardens, domestic work, shipbreaking and commercial sexual exploitation. The report also explores the intersection of modern slavery with the Rohingya community. For each focal form, the patterns and forms; high risk groups and vulnerabilities; and actors and facilitators are discussed with additional resources provided that were identified by the Rapid Evidence Review commissioned by DFID.

Definitions

As per DFID's conceptual framework, the research uses "modern slavery" as an umbrella term for various situations where a person is exploited by others for various forms of gain. The broad definition of modern slavery as per the conceptual framework is:

- » Exploitative gain – the intent to exploit victims for personal gain by compelling them to provide some form or work or service;
- » Involuntariness – the victim has not offered himself or herself voluntarily or has removed their consent;
- » (Threat of) Penalty – the victim is unable to leave due to force or physical threats, psychological coercion, abuse of the legal process, lack of finances, deception or other coercive means;
- » In certain cases, modern slavery may also apply where the victim is deprived of choice of alternatives compelling him/her to adopt one particular course of action;
- » A person does not need to be aware that they are in a state of modern slavery to be considered a victim.

Generally, in the Bangladeshi context it was found that the term modern slavery was not used by stakeholders that were interviewed. Accordingly, appropriate subtypes (i.e. trafficking, bonded labour, etc.) were used.

Modern slavery is a new term that has not readily been absorbed in the political discourse of Bangladesh. Different forms are discussed individually, and any political efforts are focused on a particular form. Similarly, in the CSO/NGO sector similar approaches proliferate as projects focus on single forms. If they had accessed funding it had been through funding based on the focal form rather than under the umbrella of "Modern Slavery". For many organisations rather than addressing modern slavery as defined above, the focus was on employment and human rights.

¹ <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/bangladesh/>

The report refers to modern slavery, however, this is the researcher's interpretation of the situation rather than the terminology used by stakeholders that were interviewed.

This typology table is populated using both primary and/or secondary data. Where inputs are based *only* on secondary data collected via a literature review, these have been marked with (**).

FOCAL FORMS OF MODERN SLAVERY IN BANGLADESH

Focal Forms of modern slavery in Bangladesh						
Type	Control	Movement	Exploitation	Victims	Perpetrators	Location/s
Rice production/village-level agriculture. ^{2**}	Lack of alternative opportunities; community-level coercion; debt (including intergenerational debt).	N/A; mostly localised.	Exploitative labour practices, bonded labour, child labour.	Children and adults from low social statuses.	High-status children and adults.	Pervasive in rural areas.
Tea gardens.	Physical isolation, social exclusion, lack of alternative opportunities, poor land rights.	N/A; localized.	Exploitative labour practices (low, underpaid wages, long working hours, no employment contract).	Minority (mostly Hindu) descendants of plantation workers.	Tea garden owners, managers.	Sylhet division (primarily); Chittagong division.
Shrimp farming.**	Environmental degradation leading to a lack of alternatives; debt.	N/A; mostly localized.	Exploitative labour practices, bonded labour, child labour; exposure to harmful substances.	Low-status, landless rural populations; rice farmers; small-hold <i>gher</i> cultivators.	Mostly large-scale farming and processing businesses.	Coastal areas.
Shipbreaking.	Physical isolation is pull factor of stable employment.	Most shipbreaking workers originate in north-western Bangladesh.	Exploitative labour practices, child labour; extreme physical	Men and children that migrate for work. Rohingya	Employers, recruiters.	Chittagong division.

² "Village-level agriculture" refers to agricultural activities that are not the purview of big agribusiness, usually involving smallholders or absentee landlords, and which may include the production of rice as well as other crops.

This typology table is populated using both primary and/or secondary data. Where inputs are based *only* on secondary data collected via a literature review, these have been marked with (**).

		However, there is an increase in other domestic migrants including Rohingya; up to 50% of child workers may be recruited locally. This situation has been occurring for so long that descendants of ship breaking workers who have settled in Chittagong next to yards now also supply their children as labour.	risk; exposure to toxic chemicals, long working hours, withholding wages.	increasingly involved.		
Tanneries/Leather-Works.**	Lack of alternative opportunities, debt.	Primarily migrant workers from rural areas.	Exploitative labour practices, exposure to toxic chemicals.	Low socioeconomic status internal migrants from rural areas.	Small-hold tanneries.	Hazaribagh and Savar, Dhaka division.
Garment factories.	Lack of alternative opportunities, debt	Primarily migrant workers from rural areas or those from urban centers. Second generation migrant families living in cities supplying labour.	Exploitative labour practices, sexual exploitation, child labour, unsafe working conditions	Unskilled workers, many of whom migrate from rural areas for work. Also, child labour.	Garment factories; particularly in the informal sector, and those that cater to the domestic market.	Dhaka and other peri-urban areas; special economic zones.

This typology table is populated using both primary and/or secondary data. Where inputs are based *only* on secondary data collected via a literature review, these have been marked with (**).

Domestic servitude.	Trafficking, lack of alternative opportunities, not allowed to leave the house, often arranged by family members, psychological abuse, violence.	Typically involves a move from rural-to-urban areas.	Bonded labour, child labour, sexual exploitation, poor working and living conditions.	Low-status rural women and girls.	Family members who 'bond' relatives into servitude; wealthy, urban families	Dhaka, other urban areas.
Commercial sexual exploitation.	Trafficking, lack of alternative opportunities, violence.	Various.	Forced prostitution, violence, intergenerational bondage.	Primarily women and girls, increasingly men are also involved. Rohingya women and girls trafficked into sex work.	Family members who coerce relatives into the industry, brothel owners, pimps, middle men.	Pervasive, particularly in 20 legally-recognised red light districts nationally.
Child labour.**	Cultural acceptance.	Primarily in rural areas and in the service sector in urban areas.	Exploitative practices, bonded labour, child labour; extreme physical risk; exposure to toxic chemicals; sexual exploitation.	Children and teenagers - ages 5-17.	Pervasive.	Pervasive.
Forced marriage**	Cultural acceptance of early marriage in Bangladesh; girls seen as an economic burden.	N/A.	Forced marriage.	Girls from low socio-economic backgrounds.	Pervasive, low-status.	Pervasive.

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Exploitation of migrant labourers.**	Exploit lack of opportunities in Bangladesh, documentation held by traffickers, <i>Kafala</i> bondage in gulf states and Lebanon.	Urban and rural populations that feel they have limited opportunities in Bangladesh.	Extorsion (excessive recruitment fees); forced labour, sexual exploitation.	90% male, who enter construction work or similar; 10% female, mostly domestic work in Gulf states; sex workers.	<i>Adam Bepari</i> (migration brokers), i.e. overseas employment agencies.	Gulf states, Lebanon, Syria, Jordan, Malaysia, Singapore, Hong Kong, elsewhere.
Human trafficking.**	Sold into bondage by family; kidnapping.	Source, transit, and destination country; internal trafficking. Common destinations include India, Pakistan, Gulf States, SE Asia. ³	Sex trafficking, forced marriage, domestic labour, bonded labour.	Primarily women and girls. As destination country, Rohingya refugees especially women and girls, and internal trafficking affecting child and adults. ⁴	Recruiting agents, family members, community representatives, criminal networks.	Pervasive; Rohingya refugee communities in Cox's Bazar district are of new, heightened concern.

³ Bangladesh Institute of Peace and Security Studies. 2011. Human Trafficking: A Security Concern for Bangladesh. Issue Brief, Issue 9, August 2011. Available from: <https://www.files.ethz.ch/isn/164375/Issue%209.pdf>

⁴ US State Department. 2018 Trafficking in Persons Report. Available from: <https://www.state.gov/j/tip/rls/tiprpt/countries/2018/282609.htm>

GARMENT INDUSTRY

Patterns and Forms

While it is recognised that forms of slavery have historically existed in the industry, the government has introduced legislation to safeguard workers which has been strictly enforced. In addition, there has been substantial pressure from the international community to ensure that supply chains adhere to due diligence procedures. This pressure, in turn, has led to a substantial reduction in the prevalence of different forms of slavery in the garment sector.⁵

Exploitation in the Bangladeshi garment sector is linked to the increasingly competitive international garment industry. Initially, a cheap labour force meant that it was possible to gain a substantial portion of the market. But pressure from buyers for cheaper prices has resulted in lower wages and poorer conditions for workers. However, recent efforts to improve due diligence across supply chains has resulted in efforts to identify loopholes in legislation.

Low wages and poor working conditions are invariably the first areas that elicit the attention of industry management. To avoid this attention, outsourcing has become a common phenomenon. There is a burgeoning informal sector that supplies formal sector factories with specific services and goods, which enables “brands” to keep production prices down. By outsourcing to the informal sector, the formal sector of the garment industry can bypass employment laws formulated to protect the interest of workers.

Export Processing Zones (EPZ’s) have provided incentives for international companies to establish factories and expand their presence in Bangladesh. These incentives include tax avoidance schemes, inapplicability of certain national employment laws, health and safety laws, pollution tax, and an inability for workers to unionise. While the working conditions in the garment industry have improved, until recently, this did not include the EPZ’s. For example, in February 2019 H&M employees went on strike for better pay - 7,500 workers were immediately dismissed because the employer’s location within the EPZ meant they were not protected by Bangladeshi labour laws. International pressure is starting to have an impact on EPZ’s also, with a new EPZ Labour Ordinance being passed in January 2019.⁶

The spotlight on the international garment industry has minimised exploitation in factories servicing the international market, but factories producing clothing for domestic markets continue to have high levels of exploitation. Significant differences are also apparent in working conditions between the formal and informal sector that services the domestic market. Exploitation can range from what is effectively bonded labour, where salaries are withheld for several months to prevent workers moving to other factories, to the poor working conditions and low wages that the garment sector more widely used to be notorious for.

High-risk groups and vulnerabilities

There are several layers of vulnerability to exploitation. Competition for jobs forces people to accept employment which can be exploitive. Domestic hardships and other family related pressures exacerbate a fragile situation where people’s choices are often based on a sense of ‘informed consent’ within a highly pressurised environment. While people are becoming increasingly aware of varying forms of exploitation, this awareness does not always allow people to choose a safer alternative, as the pressure of finding employment impels them to work in precarious environments. People can lose employment in garment factories through injury, by protesting working conditions or other reasons which are not protected by employment legislation.

Several interviewees stated that child labour in the informal garment sector is commonplace. Children are employed to work in evenings or nights when there is no risk of police entering the factories. Children often start working when they are orphaned or supporting families where parents are either not working or under-employed. They are usually paid less than other workers.

In addition, efforts to improve due diligence has escalated production costs and paradoxically increased the vulnerability of workers in the garment industry. The increased cost of production in Bangladesh, and the

⁵ Substantial pressure has led to legislation however the implementation of legislation has not been thorough.

⁶ <https://www.steinandpartners.com/en/bangladesh-passes-epz-labour-ordinance/>

opening of EPZ's in other countries, such as Ethiopia, has resulted in some factories relocating, in some cases taking their Bangladeshi managers with them to replicate cost-minimising practices that originally worked in Bangladesh.⁷ The result is job loss for many workers. This is having a disproportionate impact on women, whose roles are also being affected by increasing automation.⁸

Actors and Facilitators

Because of the nature of employment in the garment industry, it is difficult to label employers as perpetrators of modern slavery. Workers are not going to identify employers for fear of losing their jobs. There are other actors who are involved in this exploitative sector. This includes brokers that source employees and transport them from rural areas and act as intermediaries between the employer and employee. The use of brokers in enabling people to find work has a long historical tradition. But over time, their role has become increasingly malicious, creating an ecosystem where workers' rights are undermined, and their capital is commoditised.

There are also brokers that facilitate the movement of workers between different factories to cover shortfalls when there are deadlines for production runs, a paucity of labour, or if a factory is damaged by fire and production needs to be shifted to a new site. Officials on the shop floor, foreman and low-level management are also implicated in exploitation.

On the other side, advocacy by CSOs has had measured success in increasing awareness of workers' rights. As discussed above, international pressure has also increased the enforcement of legislation.

Conclusion

The garment sector has experienced the most success in addressing the exploitation of workers. However, pressure on factory owners and employers to keep production costs low has resulted in various loopholes being identified that continues to place workers at risk. In addition, the competitiveness of the industry creates a paradox where improved salaries and conditions results in factories relocating to other countries and workers losing their jobs, increasing their vulnerability to exploitation as they will need to find work in less regulated sectors.

Additional Resources

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- » Genevieve Lebaron (2018) 'The Global Business of forced labour', SPERI and University of Sheffield: <http://globalbusinessofforcedlabour.ac.uk/report/>
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⁷ <https://www.wsj.com/articles/search-for-ever-cheaper-garment-factories-leads-to-africa-1436347982>; <https://www.thedailystar.net/business/africas-rise-poses-threat-bangladeshs-apparel-export-1434910>

⁸ <https://www.thedailystar.net/business/women-losing-more-jobs-automation-cpd-study-1543222>

LABOUR EXPLOITATION IN TEA GARDENS

Patterns and Forms

In the case of tea garden (tea plantation) workers in Bangladesh, modern slavery manifests itself as the deprivation of choice of alternatives, compelling workers to continue in the tea production industry, rather than explicit coercion and involuntariness that might tie a worker to a tea garden owner. However, living and working conditions closely align to labour exploitation. Exploitation and abuse are reportedly worse in privately-owned tea gardens compared to tea gardens owned by larger companies.

Exploitative employment practices including low wages, unpaid overtime, long working hours and a lack of formal employment contracts characterise poor working conditions for tea garden workers within the tea production industry. It was also reported that domestic workers within the tea production industry were subject to low wages and various forms of abuse, however this was more difficult to explore.

Low wages are the largest concern, and the payment system in tea gardens promotes exploitation and poor working conditions. Tea garden workers are paid according to the weight of tea leaves they pick each day. If workers are not able to pick the required weight, they are not paid or face wage deductions as a punitive measure. If workers pick more than the required weight, they are entitled to additional payment. However, it is common that management will intentionally underpay workers for any additional weight or fail to accurately weigh picked leaves to sufficiently remunerate them.

The Tea Plantations Labour Ordinance 1962 and The Tea Plantations Labour Rules 1977 dictated welfare measures of the tea plantation until Bangladesh Labour Act 2006 was passed. However, tea garden workers were excluded from minimum wage stated under the 2006 Act. As of 2013, tea gardens (both privately-owned and owned by a company) were required to pay workers TK 69 (£0.67) for 23kg of picked tea per day. As of January 2015, “A” class gardens are required to pay workers TK 85 (£0.80), while “B” and “C” class gardens must pay TK 83 (£0.79) and TK 82 (£0.80) per day respectively. They are also required to pay for one rest day on Sunday for workers. However, it was commonly reported that workers were still only paid between TK 60-69 (£0.60-0.67). Regardless, TK 82 (£0.80) for “C” class gardens is not sufficient for basic subsistence and does not meet the National Minimum wage of TK 1500 (£14.17).

As well as exclusion from the national minimum wage under the Labour Act 2006, tea garden workers face additional discrimination. For example, workers in other sectors get 10 days of casual leave while tea workers get none, and other sectors give one day earned leave for every 18 days worked, whereas in the tea sector workers need to work 22 days to earn one day of leave.

The Labour Act 2006 states that tea garden owners are expected to provide adequate food rations, sufficient wages, residential facilities and health and sanitation facilities. However, on the rare occasion that employers and tea garden owners are subject to scrutiny regarding wages paid to tea garden workers they use their provisions of “fringe benefits” to justify the lower wage to workers. Moreover, these fringe benefits are often of a low-to-unacceptable standard for living conditions and maintaining a basic subsistence. Residential facilities are not maintained by tea garden owners and tea garden workers are left to live in unmanageable and inadequate living conditions. Medical and educational provisions are generally not provided for and if they are, are of very poor quality. There is also a lack of access to clean water and inadequate sanitation.

Women largely work as tea pickers, while men are more often employed for work within the factories. This largely skews the prevalence of exploitation to disproportionately affect women, who typically work over eight hours per day in very strenuous working conditions. Despite being provided for under existing labour legislation, women have limited maternity leave and are often required to continue to work throughout the late stages of pregnancy. Verbal abuse is common – encouraged by cultural norms that respectable women work within the house rather than outdoors – but physical and sexual harassment was not widely reported by stakeholders. Women face double the hardship as on finishing the long working day as a tea picker, they are expected to undertake household chores and attend to the family, including the husband.

High Risk Groups and Vulnerabilities

Socioeconomic factors – in particular, discriminatory norms towards ethnic minority groups – create vulnerabilities to exploitation within the tea production industry. While tea garden workers are largely able to leave when they wish, these factors also reinforce an environment that discourages socioeconomic mobility

and exiting the tea production industry to access other livelihoods opportunities. This in turn encourages a culture of silence amongst workers and a lack of access to justice regarding the poor working and living conditions they are subjected to.

Despite this, it was not clear that vulnerabilities amongst tea garden workers created pathways to other forms of trafficking and exploitation. This could be a result of the extreme isolation from mainstream society and the physical confinement (imposed or self-imposed due to isolation and social exclusion) to the tea garden.

While the role of deception, bonded labour practices and physical abuse was prevalent amongst earlier generations of tea garden workers, this has evolved into poor living and working conditions, extreme isolation and social exclusion and to a lesser extent psychological and (even lesser extent) physical abuse. Many reported that slavery-like conditions are today almost non-existent and despite clear exclusion and exploitation, they regard their current situation as progress from the slavery-like conditions earlier generations were subject to

Lack of land rights and land ownership is a significant contributing factor to perpetuating labour exploitation in tea gardens. All tea gardens are required to provide free accommodation to permanent workers although it is more common for land and construction materials to be provided and for a tea garden worker to construct their own home. Given that a majority of workers living within tea gardens today are descendants of previous generations of tea garden workers, they are living on land and in houses that have stayed within the family for multiple generations.

Despite this, tea garden workers have no rights to ownership of this land. Instead it is owned by the tea garden or the government who lease the land to tea garden owners. If families were to cease working in the tea production industry, they would also lose the land they live on. This also creates a sense of intimidation that makes tea garden workers less likely to be disruptive or demand improved working and living conditions for fear they may lose their job and subsequently be evicted from the land.

Limited access to education also makes tea garden workers and their families vulnerable to continued labour exploitation in the tea production industry. Historically there has been little to no access to education with very few schools within the vicinity of the tea gardens, or where education facilities are available the quality has been poor. Without higher education or vocational training, children have limited alternative opportunities outside of the tea gardens. That said, primary completion rates within the tea gardens have risen likely due to the visible efforts particularly by NGOs to increase access to education. Stakeholders inferred there was increasing awareness and willingness amongst parents to send their children to school, however financial constraints often impeded this.

A legacy of the historically limited access to education is the very low literacy rate amongst adult tea garden workers which can make them vulnerable to exploitation in very practical ways. Coupled with a poor understanding of labour laws and rights, illiteracy and lack of basic education significantly reduces workers' bargaining power and ability to identify when they are being exploited. For example, tea garden workers may not be able to count the amount they are paid for tea leaves picked or may not have the skills to calculate how many annual days they are entitled to or have left. An ex-tea garden worker highlighted how most tea garden workers were familiar with the Civil calendar, while annual leave was calculated using the Gregorian calendar which they were unable to read.

Although originally coming from a wide range of ethnic groups, with their own languages, culture and traditions, tea garden workers are a highly marginalised group in Bangladesh. They are heavily isolated from and have very little interaction with mainstream society, which encourages their physical confinement to the tea gardens or immediate vicinity. They are highly discriminated against and have limited access to services provided by the state. Language barriers remain an impediment to integration into broader Bangladeshi society and a hurdle to accessing social services and demanding better working conditions and pay. Nonetheless they portray a strong interest in preserving and protecting their identity and culture.⁹

There are two distinct groups who work as tea garden workers – registered, permanent workers and casual labourers. Each working status comes with its relative benefits and drawbacks, which sees the abovementioned factors of vulnerability play out differently within each group. Socioeconomic factors put in place a number of barriers to prevent permanent tea garden workers from exiting the tea production industry and accessing alternative livelihood opportunities. On the other hand, casual labourers move in and out of

⁹ ILO (2016). A Study Report on Working Conditions of Tea Plantation Workers in Bangladesh. Available online: https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-dhaka/documents/publication/wcms_563692.pdf

the tea production industry based on demand for labour and seasonal work so are more likely to have access to other industries and forms of low-skilled labour. However, the lack of any permanent or registered status makes casual labourers more vulnerable to lower pay and poorer working conditions.

Permanent workers receive “fringe benefits” that – while of a poor standard – do provide a certain level of security. Casual labourers are not entitled to any form of housing, food rations or health facilities. However, given their access to these benefits, permanent workers have a higher dependence on tea garden owners and employment within the tea garden and those who lose access to these benefits do experience a substantial financial shock.¹⁰ Families encourage younger family members to work in tea gardens to maintain their access to benefits and children of tea garden workers get first priority when their position becomes vacant for any given reason. This maintains a cyclical dependence on employment in the tea garden despite the poor working and living conditions.

Actors and Facilitators

While tea garden owners clearly profit at the expense of their workers, it is thought that mid-level management is also able to make small financial gains by exploiting tea garden workers. However, it should be considered in the wider context of Bangladesh’s labour market and dependence on cheap labour, as well as limited implementation of legislation and lack of political will to demand for the better treatment of tea garden workers.

The Bangladesh Cha Sramik Union (BCSU) is the only trade union for tea garden workers, representing 160 tea gardens and over 120,000 workers. It is also the largest trade union in the country. Although the BCSU’s ability to promote the rights of tea garden workers has frequently questioned, the recently obtained right for tea garden workers to vote for their union representatives has increased trust. Traditionally, representatives were selected by community elites and paid by tea garden owners, which often led to the union serving the interest of tea garden owners rather than the workers. However, the union’s effectiveness is still limited by a lack of capacity, political and financial constraints and a lack of unity across the vast number of tea gardens and workers.

Informal mechanisms for dispute resolution have developed. Complaints and disputes can go through up to three union-led committees – the panchayat committee, valley committee and central committee¹¹ – before it goes to the Department of Labour and Employment, who facilitate conciliation between employers and workers. However, lack of awareness of rights and fear of reprisal for making complaints restricts the number of complaints and disputes raised. Additionally, there is no local labour court and to travel to the closest labour court in Chittagong is often physically and financially difficult for many to access.

There are limited interventions to assist tea garden workers. The biggest strides seem to have been made with regards to access to education –a 2015 survey by the Bangladesh Tea Board identified 1054 schools in tea gardens with 678 teachers and 35,562 students. In 2004, there were only 188 primary schools and an unknown number of secondary schools in tea gardens.¹² An assessment by K4D was able to identify one Fair Trade Certified tea garden in northern Bangladesh which supports over 700 workers to earn a living wage while protecting and rehabilitating the environment. Its education programmes have also improved literacy rates by 50%.¹³ It was noted that tea garden workers and community leaders have received some awareness-raising support to better inform them of labour rights and responsibilities. This includes by the Asia Foundation and the Department of Labour and Employment although they are severely constrained by manpower and capability.

Conclusion

While there is clearly space to improve the working and living conditions of tea garden workers, a lack of motivation to do so by tea garden owners. This is further framed in the wider of context of Bangladesh’s labour market which is characterised by reliance on cheap labour to meet demands for low buying prices and extreme economic inequality. If there is interest in delivering interventions in this area, it is potentially

¹⁰ ILO (2016). A Study Report on Working Conditions of Tea Plantation Workers in Bangladesh. Available online: https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-dhaka/documents/publication/wcms_563692.pdf

¹¹ This terminology is only used in the context of tea plantations due to their historical linkages with India. In other parts of Bangladesh, these structures are referred to as village, Wards and Unions.

¹² Bangladesh Tea Board (2015). Statistics on Bangladesh Tea Industry 2015 – Project Development Unit.

¹³ Idris, I. (2018). Modern slavery within the tea industry in Bangladesh. K4D Helpdesk Report.

more productive to explore the role of the private sector in promoting better working conditions, than of the government to protect the rights of workers.

However, there is a legislative framework under which tea garden workers can claim for certain rights that they are currently failing to claim for (e.g. annual leave) due to lack of awareness, lack of bargaining power and poor access to justice. While labour laws and the legislative framework are still weaker than for other industries such as the readymade garment industry, they could be used as a starting point to improve working and living conditions for tea garden workers. A legal and policy analysis should be conducted alongside a “lived experience” study to identify mismatches between rights and rights claimed for, to isolate productive entry points for any kind of intervention.

Additional Resources

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DOMESTIC WORK

Patterns and Forms

The incidence of domestic servitude in Bangladesh is high. Domestic work is considered to be the largest yet most invisible form of labour in the country.¹⁴ Once inside an employer's home, domestic workers are hidden from view. Therefore, any form of abuse and exploitation can take place with little risk of the authorities being aware of the situation. Domestic workers are so commonplace in Bangladeshi society that there is little incentive to monitor working conditions.

It is difficult to get a clear sense of the levels of exploitation faced by domestic workers as it happens in private surroundings, and the employment of domestic workers is such a normalised practice among middle and upper classes that there is a reluctance among employers to talk about it.

Workers can be trafficked into domestic work, but the majority are employed voluntarily. Both people who are trafficked and not trafficked share commonalities. Both are looking for work, or better living conditions. In the case of trafficking, victims will have been deceived by promises of a different working environment. They may have also been the victim of marrying someone who will traffic the victim into domestic work or be sold by a family member – in these cases domestic work becomes domestic servitude.

In the case of children, salaries are often paid directly to the guardian. In the case of adults (and in the case of children), salaries are very low, and deductions are frequently made, typically for expenses such as lodging and food. Moreover, workers are often paid late or in arrears so that they will be forced to persist with the job.

Even for voluntary domestic workers, they are usually neglected and deprived of basic needs. Accommodation and living quarters can be sub-standard, they often receive little food and have no fixed hours, with many expected to be available as needed. This is particularly the case for live-in domestic workers. Accordingly, there is a blurred distinction between domestic work and domestic servitude.

For some workers, domestic work is an acceptable form of work and they are treated well by their employers. However, there is also evidence that working environments can be unsafe with a likelihood of physical injury. Rather than helping workers, employers are more likely to get rid of injured workers without paying the medical costs for their treatment.

Due to the closeness of workers to their employer, the types of abuses they suffer are not just physical, but also emotional and psychological. There is also evidence of sexual abuse that is suffered by female workers in particular. Domestic workers that experience abuse rarely speak out because of fear of telling their families and stigma attached the exploitation. Also, the economic impact on their family if a domestic worker were to lose their job also silences domestic workers.

Domestic work is also evolving, as it is common that workers will not just be confined to working in the home but will also perform duties in the workplace as well as in secondary residences (such as summer homes). In these cases, employers may increase the number of domestic workers. Domestic workers are expected to keep office space clean, cook lunches for staff in addition to their other duties. Domestic workers who work in offices may split their time between the office and the home. The risk of abuse may be reduced while in the office environment.

As with other employment sectors, domestic work is not necessarily exploitative. The best-case scenario is that a domestic worker is employed by a family and engages in salaried work. However, a number of factors, particularly the power differential between employer and employee has the potential to manifest into an abusive relationship. But as with other sectors, the lack of alternative opportunities, and the lack of reporting mechanisms means employees often remain in their job and tolerate abuse, which creates a permissive environment for abuse to continue and even escalate.

High Risk Groups and Vulnerabilities

Historically, domestic work has been dominated by women, but there has been a considerable rise in the number of children who have increasingly become domestic workers over the past twenty years. The

¹⁴ <http://migratingoutofpoverty.dfid.gov.uk/files/file.php?name=wp37-ashraf-2016-public-policy-formulation-a-case-study-of-domestic-workers-in-bangladesh.pdf&site=354>

predominance of women in the domestic workforce is tied to gender specific conceptions of work in Bangladeshi society, as women are seen to be already experienced in carrying out such tasks in their own homes. But children are cheaper to employ in terms of salary but also cheaper to maintain.

Many domestic workers come from poor backgrounds. Research suggests that nearly 33% of all domestic workers are uneducated and that over 50% have only had basic schooling.¹⁵ However, there are also domestic workers that work part time alongside other activities to supplement their income. They tend to live outside of the home, which minimises their vulnerability.

Along with children, who have less work experience and an inadequate understanding of what is acceptable, uneducated domestic workers often have limited awareness of their rights. In addition, manipulation by employers is common and workers are scared of losing their job if they refuse to comply with their unreasonable demands. The stature of the employer is also much higher than that of a worker. Therefore, workers that speak out about the conditions they face are likely to receive scepticism because of the public stature of the employer. But with no structures to report abuse or receive recourse, domestic workers that experience abuse are marginalised and disenfranchised.

There is also a high proportion of elderly domestic workers, who have often been employed by families for years or decades. These workers often develop strong emotional ties as they have been responsible for raising their employers' children. This emotional connection can be used against workers in terms of exploiting loyalty. The Government is in the process of implementing welfare programs to protect domestic workers.

Actors and Facilitators

Employers are almost always from wealthy and middle classes, creating a power dynamic between employer and employee. There is evidence of poorer employers, but even in these cases, there is a power relationship between the employer and worker based on economic mobility.

Entering into domestic work has traditionally been done through the use of contacts. Usually, employment is sourced through informal networking, such as family, friends or through other local contacts. There are examples of family members already employed offering their younger siblings to also work in the home, or for contacts of the employer. For young children who are made to find work, if their parents are still present, they will use the same networks to source work for their children. However, for children who are not living with parents, the mode of finding work is by asking potential employers directly.

Facilitators or brokers can also play a role in linking workers to employers. The facilitator is sourced through networking and can be a close family member, a family friend, or someone of high stature in the community. Facilitators and brokers are usually contracted by families looking for domestic workers and will receive a commission. They are based in the communities in which they recruit and have a high profile. Highly respected and seen as being able to find work for community members, facilitators and brokers will invariably know the families that they recruit workers from. For domestic workers who suffer from physical and sexual abuse from employers, the stature of the facilitator in the community can be a reason not to disclose any abuse suffered. It may bring shame on the family of the worker and prevent the family from being able to find employment through the facilitator in the future.

Conclusion

The use of domestic workers is widespread, but the closeness between employer and domestic worker, and the privacy of the workplace creates a conducive environment for exploitation, turning domestic work into domestic servitude. Particularly for live-in domestic workers, the need for work and accommodation means workers are likely to tolerate abuse. Workers will not speak out about sexual and physical abuse because they want to keep their job, recognise that their employer is almost exempt from prosecution¹⁶, and the shame that this may bring to the victim and the family.

¹⁵ <https://www.dol.gov/ilab/reports/child-labor/findings/2014TDA/bangladesh.pdf>

¹⁶ https://www.academia.edu/30757464/Abuse_of_Domestic_Workers_in_Bangladesh_A_Look_to_the_Ground

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SHIP BREAKING

Patterns and Forms

Bangladesh is the largest ship breaking country in the world. The majority of the industry is clustered on the beaches near Chittagong, employing around 40,000 workers.¹⁷ Salaries are higher than average wages for unskilled work, but this is in exchange for dangerous working conditions. The ILO considers ship breaking as one of the most hazardous occupations.¹⁸ Employers do not provide adequate training or safety equipment, and in the event of injury, and there is no compensation or health care provided. Each year, hundreds of workers are victims of accidents in shipbreaking yards.¹⁹ Accordingly, the working conditions are exploitative, as employers put workers at risk of injury or death to ensure the industry remains profitable.

Workers receive very little formal training and rely on being trained by co-workers. The work involves the use of welding torches, gas canisters and heavy-duty cable to tow heavy metal pieces. Ships being dismantled will often have discarded toxic chemicals.²⁰ Work includes being in spaces where there is little air circulation. Masks, protective boots and gloves are not mandatory, and have to be provided by the worker.

Most workers are cutters or a cutters' helper - they use gas torches to cut up pieces of iron. Some work is done on the shore, as well as on the ships. Working in the ship is far more dangerous, because if there is an accident and they are in the hull, the area would be ensconced by toxic fumes. Some people also work as sweepers removing mud from all the slices and segments of the ship that are collected on the shore. These tasks are dangerous as most are barefoot and cut their feet on sharp shards of steel. Children also move chains, cables and load trucks with steel once it has been cut.

On average, twenty people are reported to be killed each year while working in the ship breaking yards around Chittagong.²¹ Furthermore, there is an alarmingly high number of other injuries suffered by workers in the yards.

¹⁷ NGO Shipbreaking Platform. 2018. *Platform Publishes South Asia Quarterly Update #17*. Available from: <http://www.shipbreakingplatform.org/platform-publishes-south-asia-quarterly-update-17>

ILPI. 2016. *Shipbreaking Practices in Bangladesh, India and Pakistan: An Investor Perspective on the Human Rights and Environmental Impacts of Beaching*. Oslo: International Law and Policy Institute.

FIDH. 2008. *Childbreaking Yards: Child Labour in the Ship Recycling Industry in Bangladesh*. International Federation for Human Rights, Paris/Dhaka.

¹⁸ Young Power in Social Action (YPSA). 2012. *Ship Breaking in Bangladesh*. Available from: <https://www.shipbreakingbd.info/overview.html>

¹⁹ Rabbi, HR & Rahman, A. 2017. *Ship Breaking and Recycling Industry of Bangladesh: Issues and Challenges*. Procedia Engineering, vol.

²⁰ This will include chemical residue from paint, engines and disused electrical equipment.

²¹ The Financial Express. 2018. *New law for ship-breaking industry*. Available from: <https://thefinancialexpress.com.bd/editorial/new-law-for-ship-breaking-industry-1517072357>

High Risk Groups and Vulnerabilities

Around 90-95% of workers originate from outside Chittagong (many now are Rohingya). Most of them come from the poorest areas of northern Bangladesh. Also, a significant number of people come from the poorest areas in close proximity to the shipyards. However, a closer look at these workers reveals that almost all are from migrant families who have arrived in the area in last 25 years from other areas of the country.²² Yards are almost 100% comprised of males. There is a preference to hire older and stronger people as the work requires physical strength, but even children as young as 5-6 can be found doing odd jobs.

Workers are not coerced or forced into working in ship breaking, but they are enticed by the higher salaries than for other forms of unskilled work. While ship breaking is not associated with debt bondage, there are cases where workers are given an advance to pay for their journey to Chittagong. They are then required to work to pay this back. New arrivals are often housed with other workers until they can afford their own accommodation.

The majority of workers in ship breaking are from rural backgrounds. Traditionally, workers have migrated from the north of the country, where the loss of arable land has forced farmers and their families to seek work elsewhere. Although, in recent times, the numbers of migrants coming from these areas has slowed drastically owing to the number of maimed workers returning to their homes without any compensation and little ability to continue working.

With the increasing number of Rohingya arriving in Bangladesh, their numbers in the ship breaking yards has also risen significantly. Interestingly they are at a higher risk than other workers.²³ Rohingya are not permitted to work. Employers can use the fact that they are working clandestinely to force them to accept lower wages, longer working hours and roles in the most dangerous parts of the sector.

Actors and Facilitators

Recruiters are usually former shipbreaking workers who have risen through the ranks of employees in the yards. They return to their village of origin to recruit new workers. Recruiters receive payment from employers based on the number of workers they can bring to Chittagong for work.

Shipyard owners and their association - Bangladesh Ship Breakers Association tend to ignore laws and workers' rights, preferring to buy the silence of people who pose potential threats. Ship breaking yard officials exert pressure, including violence, to protect extremely lucrative businesses from those refusing to comply with this law of silence. Nearly fifty years after the first ship was broken, the ship breaking industry is now a prominent national industry that directly employs around 40,000 people and between 100,000 and 300,000 indirectly.²⁴

It is also noteworthy that shipbreaking is an important source of income for the state. It has become the major supplier of second-hand machineries, various metals and millions of tonnes of recycled steel. Thirty per cent of Bangladeshi steel is sourced from shipbreaking. Ships continue to be dismantled in a hazardous way that regularly leaves workers dead, disabled, or severely ill; in addition, the environment is seriously affected.

Conclusion

Although work in the shipbreaking industry is not coercive, the industry still profits from poor working conditions, and forcing workers to engage in hazardous activities at their own risk, as there is no health and safety equipment provided, and no compensation or health care if a worker is injured. The better pay than other sectors suggests that workers are engaging in this form of work because they have no other options.

²² Ibid

²³ FIDH. 2008. *Childbreaking Yards: Child Labour in the Ship Recycling Industry in Bangladesh*. International Federation for Human Rights, Paris/Dhaka.

²⁴ ILPI. 2016. *Shipbreaking Practices in Bangladesh, India and Pakistan: An Investor Perspective on the Human Rights and Environmental Impacts of Beaching*. Oslo: International Law and Policy Institute.

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COMMERCIAL SEXUAL EXPLOITATION

Patterns and Forms

Prostitution has been legal in Bangladesh since 2000, and while reliable numbers are not available, campaigners claim that there are more than 200,000 sex workers in the country.²⁵ Aside from street prostitution, standalone brothels, and urban red-light districts, one distinctive feature of the Bangladeshi sex trade is the existence of officially sanctioned 'brothel-villages', the largest of which, Daulatdia, is home to more than 1600 sex workers.²⁶ While some women, and even children enter the sex industry voluntarily due to a lack of alternative economic opportunities, those from disadvantaged socioeconomic backgrounds are particularly susceptible to coercion.²⁷

There are two separate pathways into commercial sexual exploitation. Some become involved consensually, as it is seen to be a more lucrative income generator than other work types that are available. Although this is usually the case only when there are no other options available. Others are coerced into the industry, women may be unwillingly sold, or unwittingly tricked into sex work.²⁸ In situations of economic need, families or husbands may sell women into sex work. There are also other forms of trafficking where women are tricked into running away with "boyfriends" or getting married to someone not known to the family. They are then taken to the city and sold directly into sex work. In both cases, the violence, exploitation and stigma is the same.

The individuals that facilitate commercial sexual exploitation use physical and sexual violence, torture, extortion, drugs and other means to control sex workers. Corrupt government officials and the police are also involved exploiting workers through extortion and violence. Sex work is highly stigmatised in Bangladeshi society. While prostitution is legal, legislation has historically failed to recognise the rights of people working in the sector. The media will depict sex workers pejoratively. These factors make it difficult for them to leave and re-integrate into the communities that they lived prior.

Commercial sexual exploitation in Bangladesh has traditionally been brothel based, but the number of brothels has not grown in the last few years.²⁹ Rather, there has been marked growth in street-based prostitution, as well as hotel and residence-based sex work. Although sex workers will often work in multiple settings.

²⁵ Ethirajan, A. 2010. *Bangladesh prostitutes win job title identity ruling*. Available from: <http://www.bbc.co.uk/news/world-south-asia-11003199>

²⁶ Hammond, C. 2008. 'I'm just here for survival'. Available from: <https://www.theguardian.com/world/2008/jan/09/gender.humantrafficking>

²⁷ Quazi ZH, Quazi A & Roy S. 2015. *Lives of Brothel Based Sex Workers in Khulna, Bangladesh*. *International Journal of Social Work and Human Services Practice*. 3, p.131

²⁸ This needs to be contextualized in that women who are trafficked come from backgrounds where there is limited economic mobility. Coming from impoverished backgrounds women are vulnerable to exploitation and trafficking. They can be sold by families or others for profit. They can also be sold by husbands after being tricked into false marriage. In all circumstances poverty and limited opportunities play a role in women ending up being trafficked.

²⁹ https://www.researchgate.net/publication/297769097_Prostitution_in_Bangladesh_An_empirical_profile_of_sex_workers

The working conditions for sex workers are diverse, with some better off than others. Increasingly however, drug abuse (and imposed drug addiction) is becoming a major problem amongst workers.³⁰ Accommodation used for sex work can be basic and is usually the living quarters of workers.³¹ In brothels, workers are subjected to physical and verbal abuse and have their salaries docked or withheld if they are judged to be insubordinate.

Growing urbanisation linked to the growth of a free market economy has increased the demand for sex workers in Bangladesh. Sex work is marginally better paid than other forms of employment which is an attraction for some workers. The perceived potential for economic independence is a driver for some sex workers.

Child sex workers in Bangladesh are commonplace. As is the case with women, most children involved in sex work are from poor families and are uneducated. Children are predominately sold by family members (parents, step-parents, other relatives) who may be unaware of the true situation.³² However, there are families who are aware, but the financial gain is more important than the welfare of the victim being sold into sex work. Others are trafficked into the industry; this is a particular risk for street children or orphans.

For those that become engaged in sex work consensually, they are in principle able to freely leave their work if they decide to. The majority of sex workers stay due to poverty and because their earnings are generally better than what most of the population earn. Extreme poverty and lack of employable skills and alternative occupations may also motivate women and adolescents to accept commercial sex work.

For both trafficked and non-trafficked sex workers, there are deep seated cultural reasons to remain in sex work. Sex workers are stigmatised in Bangladesh and it is difficult for them to re-integrate into Bangladeshi society. Returning to their native community may bring shame on the family of the sex worker as well as the individual. As a result, it may become difficult to find work or have a reliable clientele if opening a small business. Therefore, sex workers will often decide to remain in sex work as they feel safer with their contemporaries. The professional lifespan of female sex workers is limited, and income can be uncertain. When they stop participating in this trade, they may find a way of remaining in it by exploiting other young women. Some women who remain in sex work have the opportunity to become increasingly involved in managing sex workers. Women running establishments or managing other sex workers are often former sex workers who have risen through the community to run brothels and manage other sex workers.³³

High Risk Groups and Vulnerabilities

A strongly patriarchal society means the physical needs of men are placed at the forefront of discourse on gender rights and the rationale for commercial sex work. The societal view is that provision of paid sex helps regulate men's sex drive and keep other relationships healthy.³⁴ In parallel, women are increasingly being put into situations where they need to be a wage earner, and the number of families without a male income earner for the household is also on the rise.³⁵ Lack of any formal education and not having any skills limits the employment options made available to them.

The state and society do not offer a safety net for women who find themselves in vulnerable situations. Women who do not have economic or social security are vulnerable to deception or violent coercion to become a sex worker.

Socioeconomic factors like poverty, lack of employment opportunities, lack of adequate wages, or lack of freedom at home are factors which can lead to women becoming sex workers. The impact of financial strain due to lower crop yields, loss of land due to environmental decay or family's members losing jobs forces families into making difficult survival decisions. These factors apply to both women who engage in commercial sexual exploitation consensually and those that are coerced into it. For the latter, it may be

³⁰ Review of existing and emerging patterns of sex work in Bangladesh in the context of HIV and AIDS: January 2008, A study on behalf of regional support team, Asia and the Pacific, UNAIDS, Sadhana Rout Sanghamitra Iyengar

³¹ Ibid.

³² https://www.ecpat.org/wp-content/uploads/2016/04/A4A_V2_SA_BANGLADESH.pdf

³³ Livelihood at What Price: Sex Workers In Bangladesh, Qurratul-Ain-Tahmina and Shishir Moral, SEHD, Dhaka, 2004.

³⁴ Qurratul-Ain-Tahmina Sex-workers in Bangladesh, Livelihood: at what cost. SEHD Dhaka. 2012

³⁵ During two interviews discussing changing working conditions and additional competition for work, it was mentioned that on one hand there was a growing number of female headed families (with an absent father), pushing women to find work to support the family. It was also noted that where the husband was underemployed or unemployed, women were looking for work to provide additional income to support the family. While they did not provide quantity these trends, this was from observations drawn from working with unions and other workers groups working across industries in Bangladesh.

families or husbands that sell them for their own economic survival. In addition, women from rural areas with very little exposure to the sex trade are vulnerable to being trafficked to urban centres for sex work.

Women may have also been exposed to sexual exploitation at home, or at the workplace, which may have also influenced decisions to enter sex work. There is also a significant number of sex workers who have migrated (primarily from rural areas). Migration may be due to a number of overlapping issues which may include the loss of land and income due to natural disasters and man-made environmental problems which have destroyed the fertility of soil on farms. This may have led to families sending members to urban centres in search of employment. Women in insecure accommodation are particularly susceptible to being forcibly recruited into sex work.

At another level, the changing social environment and increasing the empowerment of women has created aspirations for a better life. The socioeconomic changes and impact of globalisation is bringing women to the cities in search of better livelihood opportunities. Most jobs available are low paid and the comparatively more lucrative income that sex work provides influences the choice to engage in sex work.

The Rohingya population has been particularly vulnerable to sex trafficking, with women and girls transported to Chittagong and Dhaka or even to Nepal and India. There is also evidence of an online trade in Rohingya women and girls. Recruitment may include deception through false job offers or marriage proposals, or kidnapping from the camps, with some taken at night and returned each day.

Children are usually drawn from rural regions where families are faced with minimal survival options. Traffickers exploit the lack of awareness of families by convincing them with promises of a better life for children in urban areas.

The number of men involved in the sex work is increasing. Gay sex workers are one of the most marginalised groups as they suffer stigma and marginalisation as Bangladeshi society rejects homosexuality. This group is unresearched.

Actors and Facilitators

Sex workers are one part of a layered business framework. Apart from middlemen and procurers who source women for commercial sexual exploitation, there are a wide range of people who profit from sex work, including madams, middlemen, pimps and “security”. Further up the chain are more affluent facilitators who ensure that the business continues to flourish and stay outside the purview of any effective legislation that could be imposed in order to protect the rights of sex workers. This group of facilitators include but are not restricted to landlords, local goons, influential politicians, and police and other law enforcement agencies.³⁶

Women enter into commercial sexual exploitation through various informal social networks. This will include using family members - husbands, stepfathers/mothers' relatives - to facilitate the process – this applies to women who consent and those that don't. Outside the family, links within the community will be used to introduce women into sex work. Generally, employers do not need to actively recruit as women are presented to them (madams and other people who manage brothels) by facilitators, and brokers. However, in cases where employers look for workers, they mainly use contacts, employees and friends, and to an extent agents and pimps.

Actors that facilitate sex work are diverse. The brothel model was based on a *sardarni* (madam) with other actors such as *dalals* (pimps) and other brokers. However, with growing diversity in the settings for sex work, traditional actors have changed. Hotel managers and other employees can play intermediary roles. The evolution in communications reduced sex workers dependence on intermediaries. Using mobile phones and the internet allows them to maintain clients and also importantly create communities with other workers, although this is primarily for consensual sex workers. However, the move away from hotels has made sex work less visible. Combined with the reduced need for intermediaries, sex workers may be at an increased risk of violence and manipulation.

Middlemen offer an array of services; they can help ‘recruit’ potential sex workers (primarily from rural areas). They help brothels with clientele and also help sex workers with a supply of clients or other needs such as drugs. These services come at a cost and often sex workers are overcharged by middlemen, but rely on them to maintain their livelihood, particularly if they are operating outside of a brothel. Violent clients are

³⁶ https://www.researchgate.net/publication/297769097_Prostitution_in_Bangladesh_An_empirical_profile_of_sex_workers

common and there are other permanent actors who live or are based in proximity to sex workers who pose a threat.

There has been a marked growth in CSO activity supporting women's rights and expressing solidarity with sex workers. They want to see an end to the physical and mental trauma caused to sex workers. These groups often blame the state for its ambivalence towards women who sell sex. The High Court verdict on the Tanbazar eviction³⁷ has recognised sex workers rights to livelihood. The concerned legislation protects livelihoods and a professional licence would help mitigate the social stigma attached to sex workers.

Conclusion

Forced prostitution is a problem in Bangladesh, with women and children deceived or coerced into commercial sexual exploitation. They may be sold into prostitution by the families, husbands or neighbours, or deceived by false promises of other jobs or marriage proposals. The Rohingya population has been particularly vulnerable. This dimension of commercial sexual exploitation clearly falls into the definition of modern slavery. But even consensual sex work is exploitative to the point of being modern slavery. As with shipbreaking, individuals may engage in sex work as it provides a more lucrative income earning opportunity. However, the stigma attached to the work means that even for those that consent, the work is exploitative and violence, and workers are not protected. Once involved in the industry, there are few options to leave, which eliminates the choice of workers.

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³⁷ Bangladeshi sex workers protested that they were being evicted from their premises. Landlords under pressure from local authorities agreed to close the brothels and as a result forcibly evict sex workers. The case went to the Bangladeshi High Court and resulted in a victory for sex workers to have the right to a livelihood. <https://www.independent.co.uk/news/2000-room-brothel-shut- eviction-1105974.html>

ROHINGYA REFUGEES

Patterns and Forms

For decades the Rohingya have been repeatedly displaced and suffered multiple episodes of violence because of they are not recognised as citizens of Myanmar. The current crisis which began in October 2015, has added layers of complexity to previous rounds of displacement.

Historically, there have been high levels of modern slavery of both local and displaced populations in the region between Cox's Bazar and the Myanmar border. Trafficking is regarded as big business in the region. Historically a large under-employed labour force provided a population susceptible to being trafficked, providing an easy source of income for facilitators. Interviews with local agencies and focus groups with victims of trafficking showed that a growing awareness of the dangers of being trafficked has resulted in a reduction of numbers. However, recent arrivals have meant that there is now a substantial number of people in the region who need work and are at risk of being trafficked. Interviews with local representatives demonstrated that trafficking has always existed in the area. Rohingya have been trafficked internally – to Dhaka and Chittagong – or abroad – to Malaysia, India, Pakistan and Nepal – for sexual exploitation, domestic servitude or labour exploitation.³⁸

Coercion in this region needs to be contextualised by the pressures of poverty and desperation. The local community are historically poor and large numbers have migrated to other areas of Bangladesh in search of unskilled work.³⁹ People desperately in search of work in a saturated market are easy prey for perpetrators. Respondents to the research explained that traffickers will make a lot of promises about ample opportunity if they agree to go with “facilitators”. This comment resonates for both refugees and the local Bangladeshi community. While the local population have become increasingly wary of the perils of being trafficked there are still circumstances that influence decisions of individuals. Families of victims of trafficking have in the past had to pay a ransom to perpetrators. Often families will need to sell land or use the minimal wealth that they possess. As a result, other family members may be vulnerable of being trafficked or more likely migrate in search of work informally elsewhere in Bangladesh. The impact of increasing numbers of Rohingya in the region has also contributed to locals being forced to migrate elsewhere in search of work, which has increased the risk of trafficking.

Interview responses highlighted that the journeys of trafficked persons began with efforts to make truly informed decisions (an extremely important point as to what is exactly a “truly informed decision” and underpins a lack of knowledge which can be both geographical and class-based) in order to help one’s family move away from “vulnerabilities” encountered at home, or responses made to promises of employment and accommodation abroad. These decisions often led to fragmented and protracted journeys that resulted in further “vulnerability”, precariousness and grotesque exploitation. The forms of stigma and discrimination a person confronted both prior to and after trafficking were significant in their potential impacts upon support and recovery, but its significance was underestimated in practice. National statistics were not considered by participants to be either comprehensive or reliable indicators of the prevalence of human trafficking.

Interviews in Ukiya shed light on the impact of the awareness campaigns about trafficking of Rohingya by INGOs. There was substantially more awareness about the situation (which is mirrored internationally) and as a result more vigilance by people who patrol the camps has led to less visible trafficking. There are no adequate statistics on the numbers of refugees who have been trafficked. The evidence is only anecdotal from interviews with INGOs in Ukiya as well as focus group discussions with Rohingya refugees, much based on word of mouth, including from refugees who have chosen to move elsewhere in search of employment. There was much discussion of people disappearing and it was assumed that they had been abducted and then trafficked.⁴⁰

³⁸ <http://www.ipsnews.net/2019/03/human-trafficking-rohingyas-faced-horrific-crimes/>

³⁹ The research found that Rohingya workers are now being employed in ship breaking yards in Chittagong

⁴⁰ Further research in Chittagong demonstrated that there was a growing number of Rohingya working in shipbreaking. There are other sectors where the research heard of the increasing number of Rohingya competing for jobs in unskilled jobs. It cannot be discounted that these migrants without further research may also be considered “disappeared”.

High Risk Groups and Vulnerabilities

While there has been considerable focus on the vulnerability of refugees to trafficking, there is also recognition, albeit often at a lower level, that the local population is also vulnerable to trafficking and other forms of slavery. The challenge, however, lies in the fact that the legal and policy environment has kept responses to the two populations somewhat separate (although this is beginning to change). This reflects the reality that refugees are supposed to remain within the camp and not integrate within the local population. This makes integration of services a challenge. At the same time, the sheer scale and visibility of the refugee crisis has, inevitably, created a strong focus on their vulnerabilities at times at the expense of the local population. Yet, in responding to the situation of trafficking in the Ukiya/ Cox's bazar region the two communities need to be understood alongside each other, not least in order to understand the ways in which they are interlinked, with overlapping patterns and forms of exploitation.

Poverty is a key issue in this regard. The socio-economic situation in Cox's Bazar is extremely challenging and creates an environment in which people are seeking better economic opportunities outside of the community. Since people have been moving out of the area in search of jobs and livelihoods for several generations, stories of the successes of moving away stimulate discussions amongst people living in the region. While there has been considerable attention on cases of trafficking of Rohingya, it is helpful to understand that there is something more subtle in the initial stages of trafficking between victims of trafficking and brokers. Coercion to be trafficked involves manipulation and pressures caused by familial and economic desperation. The number of local individuals who are trafficked has been declining over the last few years due to an aggressive publicity campaign that is alerting people of the many dangers.

While a significant number of international NGOs working in the region have to some extent used the issue of trafficking of Rohingya as part of their policy and advocacy work at the international level, there is a gap in related work that looks at the drivers and dynamics of modern slavery as currently experienced by local communities – in other words, where it is not linked directly to displacement. There is a need, therefore, for INGOs to broaden out their focus on trafficking in the Ukiya region to include the local community. There are a number of national organisations that have local offices in Cox's Bazar and Ukiya that work on trafficking and a number of local community-based organisations that focus on returning victims of trafficking. These organisations, when interviewed, were keen for this focus on the local population.⁴¹

For the Rohingya, the situation is quickly becoming a state of protracted displacement.⁴² With no clear plan for realistic durable solutions, and despite much talk about repatriation, in reality there is little possibility of refugees returning to Myanmar for the foreseeable future. The impact on the local area will be immense. There is little in the form of alternate types of employment beyond agriculture. Already there is little land available for new arrivals and there is a surplus of locals who work in the agricultural sector. Rohingya who do find work in the region often accept wages below the local rates, which creates tensions between the local population and refugees. Given the large presence of international agencies, it is easy for local populations to see refugees as receiving preferential treatment and for resentment to build. Respondents to the research pointed out that refugees are actively looking for work within the region Ukiya/ Cox's Bazar as well as farther north. This includes children and young people.

Actors and Facilitators

Interviews with INGOs demonstrated little knowledge of the nature of trafficking in the region. They thought that traffickers could be Rohingya but were mainly Bangladeshi and that trafficking was being conducted by ship with people being sent overseas. Interviews with local community actors were far more in-depth. They were clear that perpetrators were both Rohingya and Bangladeshi and rings of traffickers were in operation. These rings have operated independently and together on both sides of the border for a long time. It was hard to pinpoint the amount of time, but some people alluded to trafficking existing pre-independence.⁴³

⁴¹ <https://www.hrw.org/news/2019/06/05/rohingya-refugees-theres-no-return-sight>

⁴² <https://www.odi.org/publications/11353-rohingya-refugees-perspectives-their-displacement-bangladesh-uncertain-futures>

⁴³ Interviewees spoke of how trafficking was not a new phenomenon in the area and that it was a part of daily life before Bangladeshi independence. Interviews also produced data on how historically Rohingya had been migrating to the region in search of work since colonial times. Historic labour migration and past flows of refugees and trafficking means there were existing Rohingya communities in the area prior to the 2015 arrival of refugees.

Conclusion

There is a growing body of literature on the situation of the Rohingya in Bangladesh. This research included a prolonged visit to the area to interview a wide range of people from local government, local CSOs, international NGOs as well as key local people comprising of women's groups and Rohingya representatives.

While it is beyond doubt that trafficking is operating in the area, targeting both refugees and the local community. However, it is important to distinguish between people who are moving from the area voluntarily in search of work elsewhere and those who are being trafficked. At the moment, there is little accurate data on the exact number of people who have been trafficked out of the area from both populations. People leaving the area are mainly unskilled and will usually end up working in forms of exploitative labour discussed earlier.

Additional Resources

- » ROSY, Sabiha Yeasmin. Bangladeshi Women Trafficking Survivors Situation in Family and Society: NGO Response towards Their Reintegration. **Multidisciplinary Journal of Gender Studies**, [S.I.], v. 5, n. 1, p. 911-928, feb. 2016. ISSN 2014-3613
<http://hipatiapress.com/hpjournals/index.php/generos/article/view/1572>
- » R. J. Farhana, Md. Easin, SAARC Trafficking Convention and Human Trafficking Crisis In Bangladesh: A Critical Appraisal IOSR Journal Of Humanities And Social Science (IOSR-JHSS) Volume 20, Issue 12, Ver. III (Dec. 2015) PP 67-73, <http://www.iosrjournals.org/iosr-jhss/papers/Vol20-issue12/Version-3/J0201236773.pdf>