



## Bangladeshi Migrant Workers' Rights on the Frontlines of Covid-19 Epidemic: A Socio-legal Approach of Kafala System in Gulf Cooperation Council (GCC) Countries

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**Abstract.** The global shutdown resulting from the Covid-19 pandemic led the manpower industry to go through the toughest time in its history. As a result, Bangladeshi workers, on whom the wheel of the economy of Bangladesh is heavily dependent, are facing racism and systematic abuse of human rights across the Gulf Corporation Council (GCC) countries. Even prior to the pandemic, they were either exploited or not provided the working conditions and remunerations that they were promised. In this context, this study focuses to address the violation of human rights of migrant workers, including their families, due to the after-effect of Covid-19 epidemic and identifying the barriers they are facing in GCC countries. Using qualitative research method, this study will explore whether there is any legal solution for those migrant workers and their families and what sorts of rights need to be protected under National and International laws. In addition, this study will also focus on the responsibilities of their home and host states to fulfill them. Based on the findings, this study will provide various recommendations that could be considered by the Government of Bangladesh either by building skilled workers or by improving the enforcement of existing legislation or by bilateral investment treaties (BITs) with the Gulf State.

**Keywords:** Migrant Workers, Covid-19, Domestic or Irregular Migrants, Kafala System, Violation of Rights



**Abstrak.** *Shutdown global akibat pandemi Covid-19 membuat industri tenaga kerja mengalami masa terberat dalam sejarahnya. Akibatnya, pekerja Bangladesh, yang sangat bergantung pada roda ekonomi Bangladesh, menghadapi rasisme dan pelanggaran hak asasi manusia secara sistematis di seluruh negara Dewan Perusahaan Teluk (Gulf Corporation Council/GCC). Bahkan sebelum pandemi mereka dieksploitasi atau tidak diberikan kondisi kerja dan remunerasi yang dijanjikan. Dalam konteks ini, studi ini berfokus pada penanganan pelanggaran hak asasi pekerja migran termasuk keluarganya akibat dampak lanjutan dari epidemi Covid-19 dan untuk mengidentifikasi hambatan yang mereka hadapi di negara-negara GCC. Dengan menggunakan metode penelitian kualitatif, penelitian ini akan mengeksplorasi apakah ada solusi hukum bagi para pekerja migran dan keluarganya, dan hak-hak apa yang perlu dilindungi berdasarkan hukum Nasional dan Internasional. Selain itu, studi ini juga akan fokus pada tanggung jawab negara asal dan tuan rumah mereka untuk memenuhinya. Berdasarkan temuan tersebut, studi ini akan memberikan berbagai rekomendasi yang dapat dipertimbangkan oleh Pemerintah Bangladesh baik dengan membangun pekerja terampil atau dengan meningkatkan penegakan undang-undang yang ada atau dengan perjanjian investasi bilateral (bilateral investment treaties/ BIT) dengan Negara Teluk.*

**Kata kunci:** *Pekerja Migran, Covid-19, Migran Domestik atau Ilegal, Sistem Kafala, Pelanggaran Hak*

## 1. Introduction

The People's Republic of Bangladesh, located in South Asia, despite having a higher economic growth in recent years, failed to offer its citizens enough employment possibilities, and for that reason, heavy unemployed and poor people started to move Gulf Corporation Council countries (Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, and the United Arab Emirates) for better economic opportunities and support their families financially. Thus, Bangladesh is considered one of the largest labor-sending countries in the world, with approximately 4.5 million Bangladeshis outside the Gulf States to work either in construction or mining, agriculture, tourism industry, domestic work, and other unskilled labor.<sup>1</sup>

However, Migrant workers refer to a person who, by leaving his origin country, lives in a state temporarily or permanently intending to work in that country where he is not a citizen. "Article 2(1) of the International Convention on the Protection of all Migrant Workers and their families has defined migrant workers as a person who is to be engaged or has been engaged in a remunerated activity in a state of which he or she is not a national". These workers significantly contribute to Bangladesh's development by sending remittances to its economy, which plays an essential role in strengthening foreign reserves and keeping the nation's economy dynamic. But since Covid-19 spread worldwide, the job market in the Gulf state has collapsed, and thousands have become undocumented who are more vulnerable in this situation. On the other hand, the pre-existed kafala system hit the migrant workers hardest in this challenging period of Covid-19. Therefore, if this situation persists for a long time, then the plight of the economy of Bangladesh will be in dire straits.

Previous studies have highlighted the impact of Covid-19 on Bangladeshi migrants. They mainly focused on the socio-economic impact of the pandemic.<sup>2</sup> There is a disproportionate division of responsibilities between the South Asian and Gulf countries in terms of the assimilation of migrant workers, their return

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<sup>1</sup> BMET/Bureau of Manpower, Employment and Training. *Overseas Employment and Remittance from 1976-2020 (February), 9th May 2020*. 2020, Available at: <http://www.old.bmet.gov.bd/BMET/statisticalDataAction>.

<sup>2</sup> Mohammad Rezaul Karim, Mohammad Tarikul Islam, and Bymokesh Talukder. "COVID-19's impacts on migrant workers from Bangladesh: In search of policy intervention." *World Development* 136 (2020): 105123.

and reintegration, and how this affects their well-being during the pandemic.<sup>3</sup> In this context, this paper used the case of the Kuwait Amnesty and other examples during the Covid-19 pandemic. And it finds that the governance framework of the GCM can be harnessed towards addressing the disproportionate division of responsibility towards South Asian migrant workers in the Gulf and improving their assimilation in the countries of destination, thereby ensuring more successful and efficient implementation of return and reintegration efforts by the countries of origin. In this regard, many low-income Bangladeshi migrant workers in the United Arab Emirates (UAE), who live at the borders of mainstream Arab society, define, construct and negotiate health issues. This study is based on the culture-centered approach.<sup>4</sup> Some also explored the negative effect of Covid-19 on remittance inflow, ultimately on GDP growth.<sup>5</sup> All the above literature has focused either on the impact of this pandemic on the global economy or remittances inflow or on the health of the migrant workers. However, none of the articles focused on migrants' rights which are being violated due to the global shutdown induced by Covid-19 pandemic and what are the available legal phenomena for the protection of the migrant workers and their families, and what sorts of responsibilities, the origin country, and the destination countries have to fulfill. Hence, the current study will focus on certain issues.

## **2. Methodology**

The aim of this study is to find out how this Covid-19 pandemic has spiked the abuse of migrant workers' rights in the home and in six the GCC countries (Bahrain, Kuwait, Qatar, Oman, Saudi Arabia, and the United Arab Emirates). This study has been made on qualitative research method by using secondary sources of data. The secondary sources of data were collected from different legal journals,

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<sup>3</sup> Bilesha Weeraratne. "Return and reintegration without assimilation: South Asian migrant workers in the gulf during COVID-19." *Institute of South Asian Studies. Working Paper 327* (2020). <https://www.isas.nus.edu.sg/wp-content/uploads/2020/06/327.pdf>.

<sup>4</sup> Raihan Jamil, and Rati Kumar. "Culture, structure, and health: Narratives of low-income Bangladeshi migrant workers from the United Arab Emirates." *Health Communication* 36, no. 11 (2021): 1297-1308.

<sup>5</sup> Bijoy Chandra Das, and Soma Rani Sutradhar. "The impact of COVID-19 Pandemic on the Inflow of Remittances: Perspective of Bangladesh." *Available at SSRN 3632881* (2020).

books, report and various publications. However, by using the qualitative method, we have tried to find out what sorts of rights have been violated during the pandemic as well as the existing legal phenomena towards the rights of migrant workers and the measures taken by the government to protect them during the pandemic situation.

### **3. Results and Discussion**

#### **3.1. Covid-19 War in the Gulf-State and Violation of Human Rights**

We know that to expand its Gulf Economy further, the Gulf Corporation Council (GCC) depends heavily on migrant labor. However, since the coronavirus pierced their territory, these states face so many unanticipated issues in their region that have placed migrant laborers in the worst environment. The most vulnerable migrants during this situation are those who came to the country on leave and could not go back despite having legal work permits and papers, those who could not migrate even after completing all the procedures, and those migrant workers who have lost their jobs and stayed in the destination countries especially domestic workers and irregular migrant workers. Inadequate health care, worse economic conditions, and overcrowded living conditions are the main reason which put them at greater risk of infection. Being a low paid worker, they frequently live in overcrowded and unhygienic dormitory-style labor camps. In addition, they often tend to share communal bathrooms and kitchens that are often unsanitary and insufficient for them, and these kinds of situations have made them prone to Covid-19.<sup>6</sup> For example, till July 2020, more than 40 thousand Bangladeshis have been affected in six GCC countries, according to the BRAC survey.<sup>7</sup> On the other hand, Bangladesh government does not verify the cause of death of any Bangladeshi worker. Even in case of any unusual death, the embassy of Bangladesh has no concern. In this situation, if the government does not take appropriate action, they could fabricate the reason for death in this coronary period.

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<sup>6</sup> Amnesty International. COVID-19 Makes Gulf Countries' Abuse of Migrant Workers Impossible to Ignore. 2020, Available at: <https://www.amnesty.org/en/latest/campaigns/2020/04/covid19-makes-gulf-countries-abuse-of-migrant-workers-impossible-to-ignore/>

<sup>7</sup> Bilesha Weeraratne. *Op.Cit.*,

Further, all migrant workers are intimately linked to the renowned kafala system in the Gulf States, which adversely affected them throughout this particular time. It was systematically abused even before the epidemic and established a sort of enslavement for them. Even many employers took advantage of this control by taking passports, forcing them to work excessively for hours, and neglecting their wages which led to thousands of workers fleeing their employers and becoming undocumented.<sup>8</sup> Thus, they do not have the right to move, travel, or change work, the right to health care, etc. which may lead them feeling forced to work in any situation due to the fear of losing their pay or their job. In the gulf countries, migrant workers cannot even leave the country without such permission. Hence, they may have to choose between their health and wage during the epidemic. In a report it has been documented that at the beginning of the coronary phase, around two lac expatriates came on holiday, and they could not go back. Even one lac new workers could not migrate even after completing all the procedures due to strict mobility restrictions.<sup>9</sup> As such many of our migrant workers have become undocumented and compelled by this circumstance to remain where they live. In addition, Gulf state's labor law does not cover the domestic workers which put them at greater risk and thus, they are excluded from the key protections and legal aid such as, limits to working hours and restrictions on salary deductions, rest days and mechanisms for resolving labor disputes. Some workers had even been subjected to physical and sexual abuse. Considering the situation, if the kafala system is not made flexible, the migrant workers will be in more danger.

However, in order to respond to the crisis, the GCC countries have forced and pressured Bangladesh to repatriate their migrant workers, which could overwhelm the country's economy amid this situation.<sup>10</sup> In normal times, an average of 60,000 workers were used to go abroad by month, but during the coronary period, that number of workers has been surpassed in case of returning home. According to the statistics from the Ministry of Expatriate Welfare and Overseas Employment, approximately one lakh fifty thousand Bangladeshi migrant workers returned home

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<sup>8</sup> The Times of India. *Saudi Arabia reforms its 'kafala' system for foreign workers*. 2020, Available at: <http://timesofindia.indiatimes.com/articleshow/79053554.cms?>

<sup>9</sup> Mohiuddin. *4 lakh expatriates are poor, more are coming*. 2020, Available at: <https://www.prothomalo.com/bangladesh>.

<sup>10</sup> Sorkar, M. N. I. "COVID-19 pandemic profoundly affects Bangladeshi workers abroad with consequences for origin communities." *Migration Information Source*, July 9, 2020. Available at: <https://www.migrationpolicy.org/print/16798>.

from the Gulf States during the midst of the emergency situation. Among them, more than half of the returnees came from the two largest labor markets, the United Arab Emirates and Saudi Arabia. In some cases, employers have sent them back, promising to take them back if the situation is normal. But unfortunately, nobody knows when this situation will be regular and migrant workers will return to work. Most of the workers returned home either after losing their jobs, or due to the non-renewal of permits and employment, or at the end of their contracts, and many returned after being jailed for engaging in illegal activities. But those workers who remain in the Gulf States have survived by taking loans from their fellow mates and Bangladeshi relatives.

Again, in their own countries, the migrants, particularly those who tried to return to their jobs, are misled due to the fake test report, high airfares and flight scarcity<sup>11</sup>. By taking advantage of this situation, a cycle is looting crores of money in the guise of recruiting at Shahjalal International Airport's third terminal from expatriates stranded in the region who want to travel outside. Hence, our irregular migrant workers and their families are passing their days in deep distress. In this circumstance, the situation will become a humanitarian disaster unless the host government offers aid.

### **3.2. Legal Aspects regarding the Protection towards the Rights of Migrant Workers including their Families with its Critical Evaluation**

There are two areas that we need to analyze for the legal protection of migrant workers, and these are international documents and our National Constitution. In International area, there are various international documents where the rights of the migrant workers have been described as a human right. For example- UDHR, ICCPR and ICESCR. Further, a number of other UN instruments and ILO fundamental conventions are also available for the protection of migrants from discrimination and exploitation on grounds other than their non-national status. Such as, the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the International Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

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<sup>11</sup> O. Saddif. 64,000 *Bangladeshi migrant workers return home due to Covid-19 pandemic*. Dhaka Tribune. 19th August 2020. Available at: <https://www.dhakatribune.com/bangladesh/2020/08/19/64-000-bangladeshi-migrant-workers-return-home-due-to-covid-19-pandemic>.

(CAT), the International Convention on the Rights of the Child (CRC), Forced Labor Convention (1930), Minimum Age Convention (1973), Worst Forms of Child Labor Convention (1999) etc. All these instruments and conventions are signed by Bangladesh and the Gulf States<sup>12</sup>. But there is another UN instrument that is directly relevant to the rights of migrants is, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, 1990. So, all the migrant workers whether documented or undocumented can enjoy it. However, it has been described several basic human rights for the migrant workers including their families such as- right to life, prohibition of torture or cruel, inhuman or degrading treatment, prohibition of slavery, freedom of thought, conscience and religion, right to security, freedom of expression etc.

In Article 1(2) of the Convention, it has been specified that the Convention applies to the entire migration process of migrant workers and member of their families which comprises preparation for migration, departure, transit and the entire period of stay and remunerated activity in the State of employment as well as return to the State of origin or the State of habitual residence. In Article 5, it is said that the Convention shall protect both the documented and non-documented migrant workers.

Thus, ICRMW foresees the protection of some human rights for all migrant workers irrespective of their status and thereafter additional rights to migrant workers who are documented or are in a regular situation. These rights include right to leave and stay, right to life, right to free from torture, cruel, inhuman or degrading treatment, freedom from slavery, freedom from forced labor, freedom of expression, freedom of thought, conscience, and religion, right to hold opinions without interference, right to protection of law, right to liberty and security of person, freedom from arbitrary arrest and detention etc. However, this convention is ratified by most of the labor sending countries including Bangladesh, but the surprising thing is that the Gulf States, did not ratify this Convention, which implies that the gulf government is not obligated by international laws to safeguard

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<sup>12</sup> International labor Organization. *How immigrants contribute to developing countries' economies*. 2018, Available at: [https://www.ilo.org/global/topics/labour-migration/projects/WCMS\\_616038/lang--en/index.htm](https://www.ilo.org/global/topics/labour-migration/projects/WCMS_616038/lang--en/index.htm).



the rights of migrant workers<sup>13</sup>. Therefore, there is no solid legal or institutional framework developed in the host countries to protect them. As such, their rights will not be realized in the real sense.

On the other hand, in our national Constitution, the preamble firmly declares that the aim of the State is to establish a society free from exploitation based on the rule of law and underpinned by the respect for fundamental human rights and freedoms. They can enjoy right to life, right to liberty and security of a person, freedom from slavery or torture, the right to equal protection of the law and freedom from discrimination, freedom from arbitrary arrest and detention, and freedom of association, religion and expression etc. Furthermore, as Bangladesh has signed this Convention, it has endorsed the principles laid down in the 1990 Convention by enacting the Overseas Employment and Migrants Act, 2013 where it has set rules for the process of migration, overseas employment, recruiting agencies, registration of workers and issuing smart cards by government institutions, job contract and its nature, functions of migrant's welfare wing, rights of migrant workers and crime and punishment.<sup>14</sup> According to this Act, all the workers, including domestic workers, are guaranteed fundamental labor rights. And equality and non-discrimination are the essential features of the Act. They have the right to legal remedy, and they can access labor courts, mobile courts, and other courts and the Bureau of Manpower, Employment and Training (BMET).<sup>15</sup>

But this Act has been criticized with some gaps. The Overseas Employment and Migrants Act does not cover the rights of workers engaged in overseas employment through informal channels and are in an irregular status who are more vulnerable in this situation. Again, as of Article 34 of the Act, the local police, TNO, elected local representatives, ministry of Expatriate Welfare and Overseas Employment and other related ministries, BMET and BAIRA were empowered to file cases against culprits. It is crucial that cases are filed under this law and that

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<sup>13</sup> T. Aminul. *Protecting legal rights of migrant workers*. The Financial Express. 29th March 2020.2020, Available at: <https://www.thefinancialexpress.com.bd/views/protecting-legal-rights-of-migrant-workers-1553869450>.

<sup>14</sup> M. Haider. *Labor rights in domestic and international arena*. 2020, Available at: [https://www.thedailystar.net/law-our-rights/rights-advocacy/labours-right-domestic-and-international-arena-1401559#:~:text=The%20Universal%20Declaration%20on%20Human,2\)%26\(3\)](https://www.thedailystar.net/law-our-rights/rights-advocacy/labours-right-domestic-and-international-arena-1401559#:~:text=The%20Universal%20Declaration%20on%20Human,2)%26(3)).

<sup>15</sup> Overseas Employment and Migrants Act. (2013). Available at: <https://www.ilo.org/dyn/migpractice/docs/169/Act.pdf>

offenders be charged and face consequences. But it is unfortunate that till now no such case has been filed under this law. Politicians, local level government representatives, administration, and law and security forces have conveniently shut their eyes and let such a heinous crime happen.<sup>16</sup>

However, despite having these different International and National laws, policies and treaties the violation of the rights of migrant workers is still there because the problem lies in the proper implementation and enforcement of these laws and policies.

### **3.3. State Responsibilities of their Home and Host State**

Protecting migrant workers, including their families, is the core responsibility of their home and host state since they are directly contributing to the development through remittances, skills, and social networks. Even in many countries as well, they represent a significantly larger share of workforce which have made an important contribution to societies and economies.<sup>17</sup>

According to the 1990 Convention, as per-Article 7- the state parties shall respect and ensure all the migrant workers and including their families within their territory or subject to their jurisdiction the rights provided for in the present Convention without distinction of any kind, Article 83 - state parties shall ensure that migrant workers whose rights have been violated shall have an effective remedy, Article 84 – it shall adopt the necessary measures to implement the provisions of the Convention, Article 73- it shall submit regular reports to the Committee on Migrant Workers on how the rights are being implemented.

However, as Bangladesh has ratified this convention, it has more significant responsibilities towards them. Recently, the Bangladesh government has taken certain measures to provide loans to returnee migrants to help them start their enterprises. For example, the Govt. of Bangladesh has set up a fund of total BDT seven billion for returnees and has allocated BDT 200 million in cash incentives for stranded workers through Bangladesh missions. The returnees can take loans of up to BDT 500,000 at 4% interest rate from Probashi Kalyan Bank. The fund is intended to train migrants so that they can find better jobs abroad once the

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<sup>16</sup> S. Tasneem. *Where is the Migration Law 2013?* The Daily Sun, 2014. Available at: <https://www.thedailystar.net/where-is-the-migration-law-2013-52917>.

<sup>17</sup> International labor Organization. *Op.Cit.*,

situation returns to normal.<sup>18</sup> Though we have seen some beneficial changes in recent years, the infringement of rights has not yet been curtailed due to the improper implementation and corruption in the administrative area. For example, the Bangladesh government does not verify the cause of death of any Bangladeshi worker. Even in case of any unusual death, the embassy of Bangladesh has no concern. Although the number of unnatural deaths has been increasing year after year, no one is taking any responsibility for preventing it including compensation for accidental deaths in the workplace. In this situation the government should take appropriate action to prevent this.

On the contrary, migrant workers are relentlessly working to keep their vital services functioning in their host countries as well. Therefore, the Gulf Corporation Council countries also have certain obligations and responsibilities to protect their rights and ensure the welfare of them. In the Gulf, foreign missions were also directed to give emergency food aid to migrants in need. Additional services were provided to Bangladeshi migrants living in Saudi Arabia by utilizing an IMO app where they can contact and be connected to registered Bangladeshi expatriate doctors in Saudi Arabia.

Again, Qatar and Saudi Arabia, have made groundbreaking changes to its labor laws to give fair rights to the expatriates. According to the amended law, the workers can change jobs without a No Objection Certificate (NOC) which was required earlier. The minimum wage for workers has been fixed at one thousand riyals and another eight hundred riyals for accommodation and food. In Qatar, the changes apply to all migrant workers but in Saudi Arabia, it applies only in some cases which means that although the kafala system has been amended, but it does not completely protect the rights of migrant workers through the new amendment. We should not forget about the irregular migrants as well as domestic migrants who are among the most vulnerable group of migrant workers. In the Gulf States labor law does not cover the domestic workers which place them at greater risk. They are excluded from the key protections and legal aid such as, limits to working hours and restrictions on salary deductions, rest days and mechanisms for resolving labor disputes. Some workers had even been subjected to physical and sexual

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<sup>18</sup> UNDP. *Covid-19: an uncertain homecoming for Bangladeshi migrant workers*. 2020, Available at: <https://www.bd.undp.org/content/bangladesh/en/home/stories/covid-19--an-uncertain-homecoming-for-bangladeshi-migrant-worker.html>.

abuse.<sup>19</sup> As such the gulf government and employers should take responsibility together to protect the domestic workers from violence, abuse and discrimination. They should include them in labor laws in order to guarantee their labor rights which include limited working hours, day off, overtime pay and freedom of movement.<sup>20</sup>

Therefore, they should come forward to provide crucial support to the migrant workers during any pandemic situation. The responsibilities of the destination countries can be carried out through bilateral arrangements with specific guidance on job conditions, such as working hours, rest and leisure, wages, overtime, leave, health care, freedom of movement and legal support for employees should be one of the key priorities of the mechanisms of labor sending countries. The government of Bangladesh should petition the host government for monitoring violations of contract by employers and recruiting agents, facilitating legal support, collecting compensation of the deceased, and providing shelter to those who are in need can ensure progress. In that case there is a need for specific arrangement to look after the welfare of migrant workers including visiting their workplaces, responding to their queries and complaints, extending consular services to expatriate workers, increasing financial assistance for stranded workers waiting to be repatriated, emergency treatment for the distressed, and burial of the deceased workers abroad.<sup>21</sup> Further, it can also discuss in various UN forums and put pressure on the gulf states to ratify the 1990 UN Convention by highlighting the torture, misery and human rights violations of Bangladeshi workers so that they protect international standards and the rights of migrant workers by making laws. Only then our migrant workers will be able to take recourse to the courts of law if their rights are violated in those countries and will be able to get a fair wage for their labor.

From the above discussion, the following findings have been identified. In the Gulf States domestic workers are excluded from the labor protection. As such

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<sup>19</sup> BBC. *Saudi Arabia eases 'kafala' system restrictions on migrant workers*. 2020, Available at: <https://www.bbc.com/news/world-middle-east-54813515>.

<sup>20</sup> Amnesty International. *COVID-19 makes Gulf countries' abuse of migrant workers impossible to ignore*. 2020, Available at: <https://www.amnesty.org/en/latest/campaigns/2020/04/covid19-makes-gulf-countries-abuse-of-migrant-workers-impossible-to-ignore/>.

<sup>21</sup> H. Sheepa. *Protecting migrants' welfare*. 2018, Available at: <https://www.thedailystar.net/supplements/building-modern-economy/protection-of-bangladesh-migrant-workers-rights-and-welfare-1536514>

women employed in domestic service are particularly vulnerable. Though recently Saudi Arabia has reformed their labor law, it also excluded domestic workers within the new reformation. Any of Gulf Corporation Council countries did not ratify the International Convention on the Rights of Migrant Workers and their Families, 1990 which is directly related to the rights of the migrants irrespective of their legal status.

While the kafala system provides the state with an important means of monitoring labor flow, these policies can infringe workers' rights as they are often used to deny them justice and basic protection. In Bangladesh there is an Act namely, Overseas Employment and Migrants Act, 2013 available for migrant workers but it is surprising that there is no such case has even been filed under this Act. Withholding wages and confiscating passports appears to be rampant but the authorities do nothing to stop it. Even there is no system to make sure these vulnerable migrant workers can actually recover both their passports and wages. A major problem in the gulf state is that most of the Bangladeshi migrants are unskilled labor and they do not speak Arabic which is the official language in all GCC countries. As such they cannot access accurate information timely about Covid-19 including what they can do to protect themselves. Bangladesh government has introduced many impressive plans for the migrant workers in distress during the Covid-19 pandemic but unfortunately there is no such news of migrant workers receiving this governmental relief.

Based on the findings, we have some recommendations here. Bangladesh government needs to discuss in various UN forums and convince them to ratify the International Convention on the Rights of Migrant Workers and Their Families, 1990 by the Gulf States. The new reformation in labor law of Saudi Arabia should cover all the Bangladeshi migrants including domestic workers. In case of employment, the gulf government and employers should ensure that migrant workers are always paid on time and in full. Both the government and employers should put a system in place where migrant workers have access to accurate information in languages they understand about their rights regarding working and living conditions, social protection and access to health care as well as laws and regulations.

As an origin country Bangladesh government should expand public awareness raising programs for prospective domestic migrant workers. On the other hand, the Gulf States should extend labor protection to domestic and irregular workers. The notorious kafala system in the Gulf state must be reformed or abolished so

that workers' visas are no longer tied to individual sponsors, and they can transfer their employment or leave the country without losing legal status.

An inspection body should be created to monitor the activities of recruitment agencies rigorously. The government should provide training to the law enforcement forces or immigration police for dealing with migrant cases with sensitivity. The government must ensure the strong implementation of existing laws and regulations available to migrant workers and must ensure legal aid for migrants for dealing with legal cases abroad under the Overseas Employment and Migrants Act, 2013. The government has to ensure that all the plans taken for the migrant workers are properly implemented and even need to pay special attention to whether the migrants in distress are getting governmental relief during the coronary situation or not.

#### **4. Conclusion**

Our flourishing economy is built on the shoulders of migrant labor. Creating qualified personnel is the only way they can be able to get employment in different places. On the other hand, to protect the rights of migrant workers, including their families, the Gulf government needs to ratify the 1990 UN Convention, which is relevant to them. In addition, their labor law protection should extend to domestic workers and irregular migrant workers who are more vulnerable to any economic shutdown. Therefore, the government of Bangladesh must make long-term strategies to safeguard their workers in other countries and set out a comprehensive plan to protect them so that Bangladesh can sustain its foreign reserve and address the economic shock in the future.

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