

“Protection of human rights of Bangladeshi migrant workers’ in Saudi Arabia: challenges and way forward”

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Abstract:

This research paper aims to examine the protection of human rights for Bangladeshi migrant workers in Saudi Arabia, focusing on the challenges they face and proposing recommendations for improvement. The objectives of this study are to explore the legal regime governing the rights of migrant workers, analyze its gaps and weaknesses, identify the challenges encountered by Bangladeshi migrant workers, and provide policy recommendations for enhancing the protection of their human rights. The scope of the research encompasses 4 aspects of human rights, including the right to equal treatment and non-discrimination, the right to freedom of movement, the right to fair and just working conditions, and the issue of sexual harassment faced by women workers. By investigating the legal framework and practices surrounding these rights, this study seeks to shed light on the existing deficiencies and areas for improvement. The research methodology employed in this study is qualitative, relying on the analysis of relevant literature, reports, newspapers, UN websites and case studies. This approach allows for an in-depth examination of the subject matter, enabling a comprehensive understanding of the challenges faced by Bangladeshi migrant workers in Saudi Arabia. Based on the findings, several recommendations are proposed to enhance the protection of human rights for Bangladeshi migrant workers. These include strengthening the legal framework and enforcement mechanisms, implementing awareness and training programs to educate both workers and employers about their rights and responsibilities, providing consular support and assistance to workers in distress, establishing bilateral agreements and cooperation between Bangladesh and Saudi Arabia, and establishing effective monitoring and reporting mechanisms to ensure compliance with human rights standards.

KEYWORDS: Bangladeshi Migrant Workers’, Discrimination, Lower Wage, Vulnerable Working Conditions, Non-Awareness.

Preliminary Introduction

1.1 Background of the Study

Two of the holiest places for Muslims worldwide are **Makkah** and **Al-Madinah**, which Saudi Arabia holds due to its strategic location on the Arabian Peninsula. In recent years, this region

has become one of the world's leading destinations for migrant workers, and the number of migrants has increased significantly. 58 percent of the labor force is non-Saudi. The ratio of foreign workers to native workers is among the highest in the world. The majority of these migrant workers are low-skilled laborers in industries such as oil, construction, hospitality, and housekeeping. Migrant workers in Saudi Arabia have been the target of international attention and criticism due to allegations of human rights breaches. The issue of human rights violations against migrant workers in Saudi Arabia has been a longstanding concern. Workers from countries like Bangladesh, India, Indonesia, and the Philippines, which are among the least developed in South and Southeast Asia, make up a large portion of this workforce. In Saudi Arabia, Bangladeshi migrant workers face serious abuses such as unpaid wages, forced labour, passport confiscation, unsafe working conditions, and physical and sexual abuse, according to a report by Human Rights Watch.¹ Apart from Bangladesh, most of the violations are regarding discrimination based on nationality and ethnicity; physical, sexual, and psychological abuse; and lack of legal protection and weak enforcement of labor laws. Though Saudi government has taken some steps to address these concerns, including the introduction of new labor laws and the establishment of a special committee to investigate labor violations. Still, migrant workers are facing numerous human rights violations, despite the implementation of labor laws aimed at protecting them. Many workers are not aware of their rights, and those who do try to seek redress often face obstacles and retaliation from their employers. Even though the Saudization process has a pretty big support still they are recruiting several migrant workers for cheap labor.

1.2 Significance & Rationale of the Study

1.2.1 Significance

Migrant workers contribute significantly to the development of their destination countries and send vital remittances home to their families and communities, but many of them face a variety of obstacles to decent work. According to a report of Human Rights Watch highlights that the Saudi government has failed to protect migrant workers from abuse and exploitation. The protection of migrant workers' rights is an important aspect of human rights, particularly in countries like Saudi Arabia, where the number of migrant workers is significant. The entire foundation of the modern Saudi Arab is built by migrant workers as per statistics. But at the end of the day migrant workers are vulnerable to various forms of human rights violations, including exploitation, abuse, and discrimination. Therefore, studying the legal and institutional framework for protecting migrant workers' rights is crucial to ensure that they are not deprived of their basic human rights. This study is significant because **it sheds light on the**

¹ Human Rights Watch

legal and institutional mechanisms that are currently in place in Saudi Arabia for the protection of migrant workers' rights. By critically analyzing the existing framework, the study identifies the gaps and weaknesses, and proposes recommendations for strengthening the protection of migrant workers' rights in Saudi Arabia.

1.2.2 Rationale

Being one of the largest recipients of migrant workers, it's a moral responsibility of a host country to be responsible for each migrant's welfare. Instead, migrant workers in Saudi Arabia often face numerous challenges, including contractual disputes, low wages, poor working conditions, and lack of access to basic services. These challenges often lead to human rights violations, such as forced labor, trafficking, and abuse. While there are legal and institutional mechanisms in place for protecting migrant workers' rights, there are still significant gaps and challenges in the implementation of these mechanisms. Therefore, it is essential to critically examine the existing legal and institutional framework to identify these gaps and challenges and propose recommendations for improving the protection of migrant workers' rights in Saudi Arabia. The rationale for this study is to contribute to the literature on human rights and migration by providing a critical analysis of the legal and institutional framework for the protection of migrant workers' rights in Saudi Arabia. The study aims to provide insights for policymakers, scholars, and practitioners working towards improving the protection of migrant workers' rights in Saudi Arabia and other countries with significant numbers of migrant workers.

1.3 Literature Review

The human rights framework is a body of rules and regulations that establishes people's freedoms and rights and guards against oppression, abuse, and discrimination. In international treaties, conventions, and declarations, these principles are enshrined. The following are a few of the most significant international agreements and treaties that make up the human rights framework:

“EMPLOYER-MIGRANT WORKER RELATIONSHIPS IN THE MIDDLE EAST” by- Human Rights Watch:

Governments in the Middle East are re-evaluating the current functioning of their sponsorship systems in light of declining oil revenues, high rates of youth and women's unemployment among nationals, massive influxes of refugee movements, mounting international concerns over the sponsorship systems under which migrants work, and increasing evidence of the benefits of allowing internal labor market mobility for (migrant) workers. Many migrant workers in the Middle East face high levels of vulnerability as a result of inefficient labour

markets, undersubscribed nationalisation programmes, inadequate working conditions, and a lack of protections for workers' rights. So the trapped system of Kafala System will be criticized through this study.

**'Breaking the Chains: Slavery and Forced Labor in Modern Times' (2019)
by the Human Rights Watch:**

This report examines the conditions faced by migrant workers in Saudi Arabia, including forced labor, debt bondage, and trafficking. The report highlights the Kafala system as a key factor contributing to these abuses, as it ties workers' legal status to their employers and leaves them vulnerable to exploitation. The report calls on the Saudi government to reform the Kafala system, strengthen labor laws, and take steps to protect migrant workers from abuse and exploitation.

**'Migrant Workers in Saudi Arabia: Invisible Victims of an Economic Boom'
(2017) by Migrant-Rights.org:**

This report documents the challenges faced by migrant workers in Saudi Arabia, including poor living and working conditions, low pay, and limited access to legal protections. The report argues that the Kafala system, which places significant power in the hands of employers, creates a system of exploitation and abuse that is deeply entrenched in Saudi society. The report calls on the Saudi government to reform the Kafala system, improve working conditions, and provide greater legal protections for migrant workers.

1.4 Research Objectives

1. To explore the legal regime.
2. To analyze the gaps and weaknesses of the legal regime.
3. To identify the challenges.

1.5 Research Questions

These research questions aim to provide a nuanced and comprehensive analysis of the legal and institutional framework for protecting migrant workers' rights in Saudi Arabia, as well as the experiences and perceptions of migrant workers themselves. By answering these questions, the research can contribute to efforts to strengthen the protection of migrant workers' rights in Saudi Arabia and advance broader conversations about human rights and migration.

1. What is the legal regime on the protection of Human Rights for the Bangladeshi Migrant Workers' in Saudi Arabia?
2. To what extent the existing legal regime is compatible with the International Human Rights standards on the protection of Migrant Workers?
3. What are the gaps and weaknesses in the existing legal regime on the protecting migrant workers' rights in Saudi Arabia?
4. How those short comes and challenges can be overcome for the better protection of Human Rights of the Bangladeshi Migrant Workers'?

1.6 Scope of the Study

1.6.1 Inclusion

The entire study is based on Bangladeshi workers facing challenges and their protection as migrant workers.

The concerning human rights Violation this study will be addressed. Such as “**Right to equal treatment and non-discrimination**”, “**Right to freedom of movement**”, “**Right to fair and just working conditions**”, “**Sexual Harassments of the Women Workers**”

1.6.2 Limitation

- A. This particular study will not address the situation of other countries' migrant workers and relevant statistics regarding that.
- B. The statistical data portrayed in this research is upto 2021. The latest updates are not from authentic source.

2. Theoretical and Analytical Framework

2.1 Introduction:

A conceptual and analytical framework will be created to give the study a theoretical foundation in order to accomplish this goal. The conceptual and analytical framework that will direct the research process will be presented in this chapter. The theoretical underpinnings for comprehending the various ideas pertaining to the protection of migrant workers' rights will be provided by the conceptual framework. This will involve defining important concepts like **protection, migrant workers, and human rights as well as looking at the various international frameworks and conventions** that are pertinent to this issue.

The data gathered throughout the research process will be analyzed using the analytical framework. To do this, it will be necessary to pinpoint the crucial elements and elements that affect how Saudi Arabia protects the rights of migrant workers. Additionally, it will entail

analysing the institutional and legal frameworks currently in place in Saudi Arabia to safeguard the rights of migrant workers and determining how effective they are in actuality.

2.2 Definitions:

2.2.1 Definition of Human Rights

Human rights are rights that belong to an individual or group of individuals simply for being human, as a consequence of inherent human vulnerability, or because they are requisite to the possibility of a just society. Whatever their theoretical justification, human rights refer to a wide continuum of values or capabilities thought to enhance human agency or protect human interests and dignity.²

2.2.2 Definition of Migrants:

According to the International Organization for Migration (IOM), an international migrant is someone who changes his or her country of usual residence, irrespective of the reason for migration or legal status.³

2.2.3 Definition of Migrant Workers:

The International Convention on the Protection of the Rights of Migrant Workers and Members of their Families (ICRMW) defines a migrant worker under Article 1 as “a person who is to be engaged, is engaged or has been engaged in a remunerated activity in a State of which he or she is not a national.”⁴

2.3 Relevant Theories

2.3.1 Push and Pull Theory

The push and pull theory is often used to explain migration patterns, including the movement of migrant workers. In the 1880s, the **German-English geographer cartographer E. G. Ravenstein** established the patterns of human migration.⁵ It suggests that people are motivated to migrate due to a combination of factors that either "push" them away from their current location or "pull" them towards a new destination.

² Bums H. Weston, Britannica, <<https://www.britannica.com/topic/human-rights>> accessed date 18 May 2023

³ UN General Assembly, Report of the Secretary-General, 'Safety and security of humanitarian personnel and protection of United Nations personnel' (17 June 2016) A/71/354 <https://refugeesmigrants.un.org/definitions> accessed 7 May 2023.

⁴ The International Convention on the Protection of the Rights of Migrant Workers and Members of their Families (ICRMW) Article 1 Definition of Migrant Worker

⁵ The Study of Jewish Refugees in China (1933-1945), Guang Pan, Chapter 1

Push factors are the circumstances or conditions in a person's home country or current location that make them want to leave. These factors can be negative and can include economic, social, political, or environmental issues. For migrant workers, some common push factors include:

Economic factors: Lack of job opportunities, low wages, poverty, and unemployment in their home country or region can push workers to seek better employment prospects elsewhere.

Social factors: Social instability, discrimination, lack of social services, or limited access to education and healthcare can contribute to the decision to migrate.

Political factors: Political instability, oppressive regimes, human rights abuses, or lack of freedom and safety can motivate people to leave their home country.

Environmental factors: Natural disasters, climate change impacts, droughts, or other environmental challenges can force people to migrate in search of safer and more sustainable living conditions.

Pull factors, on the other hand, are the attractions and opportunities that exist in the destination country or region, which draw migrants towards it. These factors can be positive and can include:

Economic opportunities: The promise of better wages, job prospects, and overall economic conditions can act as a significant pull factor for migrant workers.

Better living conditions: Access to improved healthcare, education, social services, infrastructure, and overall quality of life can be attractive to migrants.

Political stability: A stable political system, democratic governance, and respect for human rights can be appealing to individuals coming from politically unstable regions.

Family reunification: The desire to be reunited with family members who have already migrated or settled in the destination country can act as a strong pull factor.

It is important to note that the push and pull factors are interconnected and can vary in their relative importance depending on the specific circumstances and individual motivations. Additionally, the push and pull theory does not account for all migration scenarios, as there may be other complex factors involved in people's decision to migrate, such as personal aspirations, cultural ties, or historical factors.

2.3.2 Universalism Theory

The universality theory, also known as universalism, is a perspective that emphasizes the inherent rights and equal treatment of all individuals, regardless of their nationality or immigration status. When applied to migrant workers, the universality theory advocates for the

recognition and protection of their fundamental rights and dignities, irrespective of their migrant status.

According to the universality theory, all individuals, including migrant workers, possess certain universal human rights that should be upheld and respected. These rights include:

Equal treatment and non-discrimination: Migrant workers should be treated without discrimination based on their nationality, race, gender, or any other characteristic. They should have access to the same legal protections and opportunities as citizens of the host country.

Labor rights: Migrant workers should enjoy the same labor rights as domestic workers, including fair wages, safe working conditions, reasonable working hours, and the right to join trade unions.

Social rights: Migrant workers should have access to social services, such as healthcare, education, and social security, on an equal basis with citizens. They should not be denied these services based on their immigration status.

Legal protection: Migrant workers should be protected by the law and have access to legal remedies in case of labor exploitation, abuse, or violation of their rights. They should be able to seek justice and report any grievances without fear of reprisal or deportation.

Family reunification: Migrant workers should have the right to be reunited with their family members, including spouses, children, and parents. Family unity should be respected, and policies should facilitate family reunification.

Access to justice: Migrant workers should have access to a fair and impartial legal system, regardless of their immigration status. They should be able to seek legal representation, understand their rights, and have their cases heard in a transparent and just manner.

The universality theory challenges the notion of differential treatment or unequal rights based on immigration status. It recognizes the inherent dignity and worth of all individuals and seeks to ensure that migrant workers are not marginalized or exploited due to their status. It promotes a human rights-based approach to migration, emphasizing the importance of upholding and protecting the rights of all individuals, regardless of their migratory status.

2.3.3 Monism and Dualism

Monism and dualism are two contrasting legal theories that address the question of how international and domestic laws interact in relation to the rights and treatment of migrant

workers. These theories have implications for how the rights of migrant workers are recognized and protected within national legal systems.

Monism: Monism is a legal theory that holds that international law and domestic law are part of a single, unified legal system. According to monism, international law automatically becomes part of a country's domestic legal system upon ratification or adoption, and it has direct effect within the national legal framework. In the context of migrant workers, monism advocates for the direct application of international human rights and labor standards to protect the rights of migrant workers within national legal systems.

Under monism, the rights and protections enshrined in international instruments, such as the International Labor Organization (ILO) conventions or the Universal Declaration of Human Rights, are directly enforceable within a country's domestic legal system. This means that migrant workers can rely on these international standards to claim and defend their rights in domestic courts or administrative bodies. Monist approaches prioritize the harmonization of national laws with international standards to ensure the protection of migrant workers' rights.

Dualism: Dualism, on the other hand, is a legal theory that treats international law and domestic law as distinct and separate legal systems. According to dualism, international law must be explicitly incorporated into domestic legal systems through legislation or other domestic mechanisms before it can be applied and enforced. In the context of migrant workers, dualism requires that national laws explicitly recognize and incorporate international human rights and labor standards to protect the rights of migrant workers.

Under dualism, international human rights and labor standards do not have direct effect within the domestic legal system unless they have been specifically incorporated into national laws. This means that migrant workers' rights may not be protected solely based on international standards but rather require domestic legal recognition and implementation. Dualist approaches place the burden on national governments to enact legislation or take other measures to align domestic laws with international standards to protect the rights of migrant workers.

It's important to note that the application of monism or dualism can vary between countries, as legal systems differ across jurisdictions. Some countries may adopt a more monist approach, recognizing the direct applicability of international law, while others may adopt a more dualist approach, requiring specific domestic implementation. The choice of theory can have implications for the extent to which migrant workers' rights are safeguarded and the level of legal protection they can access within a particular country.

2.3.4 Capability Approach Theory:

Theory of Capability is developed by **economist Amartya Sen** and **philosopher Martha Nussbaum**. The Capability Approach emphasizes the significance of individual capabilities

and opportunities for the realization of human rights.⁶ The capability approach contends that human rights must consider not only fundamental needs but also the capacity of individuals to pursue their own goals and aspirations. This theory acknowledges the diversity of human needs and aspirations and stresses the importance of establishing social and economic conditions that allow individuals to develop and exercise their abilities.⁷

2.3.6 Cultural Relativism Theory

This theory contests the universality of human rights and argues that different cultures may have different values and norms that must be respected. Human rights cannot be imposed from the outside but must be understood and developed within the cultural context in which they are applied, according to cultural relativism.⁸ This theory emphasizes the significance of cultural diversity and the necessity of respecting diverse cultural practices and traditions, even if they contradict Western notions of human rights.⁹ However, cultural relativism has been criticised for having the potential to justify violations of human rights in the name of cultural tradition.

2.3.7 Critical Theory

This theory is closely related to the social contract theory, which proposes that individuals surrender some of their rights in exchange for state protection. This theory focuses on the social and economic structures that generate and perpetuate violations of human rights. Human rights cannot be fully realised under capitalism and other oppressive systems that perpetuate inequality and injustice, according to critical theorists. Human rights, according to critical theorists, are not only legal or moral concepts, but also political and economic ones, and their full realisation requires the transformation of social and economic structures. This theory emphasises the need to address structural inequalities and power imbalances to achieve a more just and equitable society.¹⁰

⁶ Amartya Sen's Capability Theory Approach, CMI Universal 4 November 2022 <https://www.cmiuniversal.com/en/amartya-sens-capability-theory-approach/>

⁷ Stanford Encyclopedia of Philosophy, 'Capability Approach', December 10 2020, <https://plato.stanford.edu/entries/capability-approach/>.

⁸ Simply Psychology, 'Cultural Relativism', Simply Psychology, accessed 7 May 2023 <https://www.simplypsychology.org/cultural-relativism.html>.

⁹ ThoughtCo, 'Cultural Relativism: Definition and Examples', ThoughtCo, accessed 8 May 2023 <https://www.thoughtco.com/cultural-relativism-definition-3026122>.

¹⁰ Britannica, 'Critical Theory', accessed 6 May 2023, <https://www.britannica.com/topic/critical-theory>

2.4 Analytical Framework

2.4.1 Nature of Research:

Qualitative research is carried out to fulfill the dissertation's goals. The findings of the research will be useful for policymakers and stakeholders in identifying areas for improvement in the legal and institutional frameworks to ensure the protection of migrant workers' rights under human rights.

The methodology followed throughout the research monograph will be pointed out below-

2.4.2 Data Source:

The data collection process will involve a comprehensive literature review of books, journals, UN websites, and publications related to the research topic. Here I will analyze the information obtained from these sources to gain an understanding of the legal and institutional frameworks in Saudi Arabia for the protection of migrant workers' rights under human rights.

2.4.3 Data Analysis:

The data analysis process will involve the identification of key human rights violation and patterns within the data collected. Here I will analyze the data, address the factual problem as well as the legal loopholes, drawbacks and proper recommendation to draw conclusions and insights related to the research questions.

2.4.4 Data Interpretation:

The data interpretation process will involve a critical examination of the findings of the data analysis. I will interpret the results of the data analysis in light of the research questions and draw conclusions related to the effectiveness and loopholes of the legal and institutional frameworks in Saudi Arabia for the protection of migrant workers'. I will also identify key challenges faced by migrant workers in Saudi Arabia and discuss the impact of these challenges on their rights.

The National Legal Regime I will address are:

- The Labor Law,
- Domestic Workers Regulation,
- Wage Protection System, and
- Anti-Trafficking Law.

The International Legal Regime I will address are:

- i. Universal Declaration of Human Rights,
- ii. International Covenant on Civil and Political Rights (Saudi Arabia is not a signatory, but

they have to maintain certain duties- non-performance of those duties can lead them to face international accountability),

iii. International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,

iv. International Labour Organisation Mandate

Analyzing the legal and institutional framework for protecting migrant workers' rights in Saudi Arabia (Domestic and International Laws related to human rights and migrant rights)

Domestic Laws: 1.

a. Royal Decree No M/51 of 23 Sha'ban 1426 Hejra (corresponding to 27 Sep-tember 2005), which entered into force on 26 April 2006¹¹

3. Migrant Workers in Saudi Arabia from Bangladesh: An Overview

3.1 Introduction

For decades, migrant workers have traveled to Saudi Arabia to work in industries such as oil, construction, domestic work, and hospitality. The origins of migrant labor in Saudi Arabia date back to the 1950s, when the country experienced rapid economic growth. To aid in the economic development of the country, the government encouraged foreign workers to come and work there. The number of migrant workers in Saudi Arabia has continued to rise since then.

Following the 1991 Gulf War, Saudi Arabia experienced a period of rapid economic growth and development, which led to an increase in the demand for foreign workers to fill labor shortages in various industries. Consequently, the number of migrant workers in Saudi Arabia increased dramatically, with many coming from India, Pakistan, Bangladesh, and the Philippines.

During the 1990s and early 2000s, the legal framework governing migrant workers in Saudi Arabia was predominately based on the Kafala system, which tied workers' legal status to their employers and gave sponsors significant power. As workers had limited legal protections and were susceptible to forced labor, debt bondage, and other forms of exploitation, this system was frequently criticized for fostering exploitation and abuse.

3.2 Job Sectors in Saudi Arabia

¹¹ OPS, 'Saudi Arabia Labour Law' (Accessed on Day Month Year) <https://ops.ae/saudi-arabia-labour-law/>.

In Saudi Arabia, the overall proportion of Saudi labor force in the private sector has increased from 11.6% in 2005 to 18.6% in 2017. At comparable levels of education, private sector wages are lower for non-Saudi workers than for Saudis. Easy access to low-skilled foreign workers with low wages has meant that sectors such as wholesale and retail trade, personal services, transport, and construction have been the main drivers of private sector growth.

Increasing trend of proportion of Saudi labour share and drastically increasing growth rates of Saudi labour forces in all sectors is the result of labour market reforms in Saudi Arabia.

3.3 Labor Market Structure in Saudi Arabia

There are many features characterizing labour market in Saudi Arabia. First, the public sector tends to absorb the large share of nationals entering the market, while the private sector relies heavily on foreign labour. On average, citizens usually have better education level compared to foreigners and prefer working on the public sector, where they are well-paid, have job security, have more benefits, and work less hours compared to work in the private sector. Most of expats usually are employed in the private sector and concentrated in sectors such as wholesale and retail, agriculture, trade, personal services, transport, and construction. Expats working in these sectors usually are low-skilled and paid less wages; they also may work for longer hours. Second, significant wage gap in the private sector shifts labour demand towards expats as Saudis are paid higher than non-Saudis. Indeed, there is also significant wage gap between nationals and foreigners working in the public sector.¹²

3.4 International Labour Organizations Report Regarding Migrant Workers

The Committee on Migrant Workers (CMW) outlines ICRMW's minimum rights accorded to migrant workers, States may expand the scope of these rights, including with regard to irregular migrants. In addition, the Committee stated that parties to the ICRMW must interpret their obligations towards migrants in accordance with other ratified human rights and international treaties.¹³

The accelerating rate of economic globalization has produced a record number of migrant workers. Unemployment and rising poverty have prompted many individuals in developing nations to seek employment abroad. According to estimates, 73% of migrants are employed. The demand for labor, especially unskilled labor, has increased in industrialized nations. In

¹² International Labour Organization, 'Report on the Protection of Human Rights of Bangladeshi Migrant Workers in Saudi Arabia' (2021) https://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/genericdocument/wcms_210614.pdf accessed 20 May 2023.

¹³ ILO, 'Migrant Workers', International Labour Organization <https://www.ilo.org/global/standards/subjects-covered-by-international-labour-standards/migrant-workers/lang--en/index.htm> accessed 6 May 2023.

recent years, considerable efforts have been made to collect reliable and comparable data on labor migration.¹⁴

Indicators	2021 Q1			2021 Q4			2022 Q1		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
Unemployment rate	3.7	16.1	6.5	3.3	18.7	6.9	3.1	16.2	6.0
Saudi	7.2	21.2	11.7	5.2	22.5	11.0	5.1	20.2	10.1
Non-Saudi	1.3	5.5	1.9	2.0	9.0	2.9	1.6	6.4	2.2
Employment-to-population ratio	76.8	28.2	57.2	76.8	28.4	57.3	76.3	28.0	56.8
Saudi	61.4	25.4	43.8	63.3	27.6	45.8	62.7	26.8	45.1
Non-Saudi	91.8	34.9	75.7	90.2	30.3	73.2	89.9	30.8	73.1
Participation rate	79.7	33.6	61.1	79.5	34.9	61.5	78.7	33.4	60.4
Saudi	66.2	32.3	49.5	66.8	35.6	51.5	66.0	33.6	50.1
Non-Saudi	93.0	36.9	77.1	92.0	33.3	75.4	91.4	32.9	74.8

Source: estimated data from LFS - General Authority for Statistics

Table no. 1

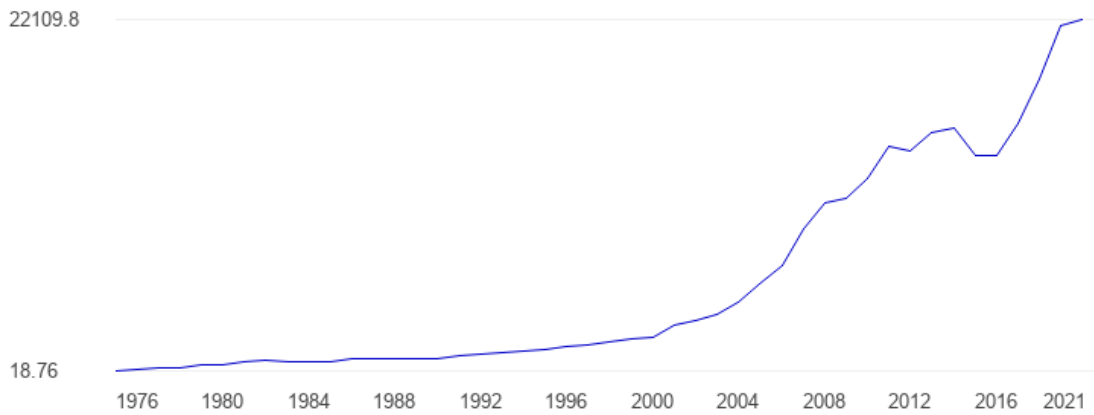
As a result, the ILO has released global and regional estimates of migrant workers. According to these estimates, there are approximately **244 million migrants** in the world today, which represents **3.3% of the global population**. Women constitute nearly half of all migrants. Migrant workers contribute to the economies of their host countries, and the remittances they send home contribute to the economies of their home countries. Nonetheless, migrant workers frequently receive insufficient social protection and are susceptible to exploitation and human trafficking. Skilled migrant workers are less susceptible to exploitation, but their departure deprives some developing nations of the valuable labor required to sustain their economies. The ILO's migration standards equip both countries of origin and countries of destination with the means to manage migration flows and provide adequate protection for this vulnerable category of workers.¹⁵

3.5 Remittance History of BD workers:

From 1976 to 2021 the average value for Bangladesh during that period was 5507.38 million U.S. dollars with a minimum of 18.76 million U.S. dollars in 1976 and a maximum of 22109.8 million U.S. dollars in 2021. The latest value from 2021 is 22109.8 million U.S. dollars.

¹⁴ IBID

¹⁵ Freedom United, 'Bangladeshi Women in Saudi Arabia' (n.d.) Freedom United, URL (Accessed 20 May 2023).



Source: World Bank

Bangladesh	Remittances, Million USD
Latest Value	22109.8
Reference	2021
Measure	Million U.S. Dollars
Source	The World Bank

Table no. 2

We can see a handsome amount in our remittance sector, but the hard work and sacrifices behind these hard earned money, the non-ethical, ruthless approach towards the worker, is always behind the scene.

3.6 Reason of Massive Recruitment of Bangladeshi Migrant Workers in Saudi Arabia

There are several factors that may explain why Bangladeshi people are more interested in working in Saudi Arabia than in other countries:

Economic Factors:

Saudi Arabia offers comparatively high salaries and benefits for workers, which is a major attraction for Bangladeshi workers. The country's oil industry and construction sector are major employers of migrant workers, providing employment opportunities in various job roles such as engineers, laborers, drivers, technicians, and domestic workers.

Religious Ties:

Saudi Arabia is the birthplace of Islam and is home to the two holiest sites in Islam - Mecca and Medina. As a predominantly Muslim country, it holds a special place in the hearts of many Bangladeshis who seek to work in a Muslim-majority country where they can practice their religion freely.

Historical Ties:

Saudi Arabia and Bangladesh have maintained close diplomatic ties for many years. The Kingdom has provided significant economic assistance and aid to Bangladesh, which has helped to strengthen the relationship between the two countries. This has led to increased opportunities for Bangladeshi workers to find employment in Saudi Arabia.

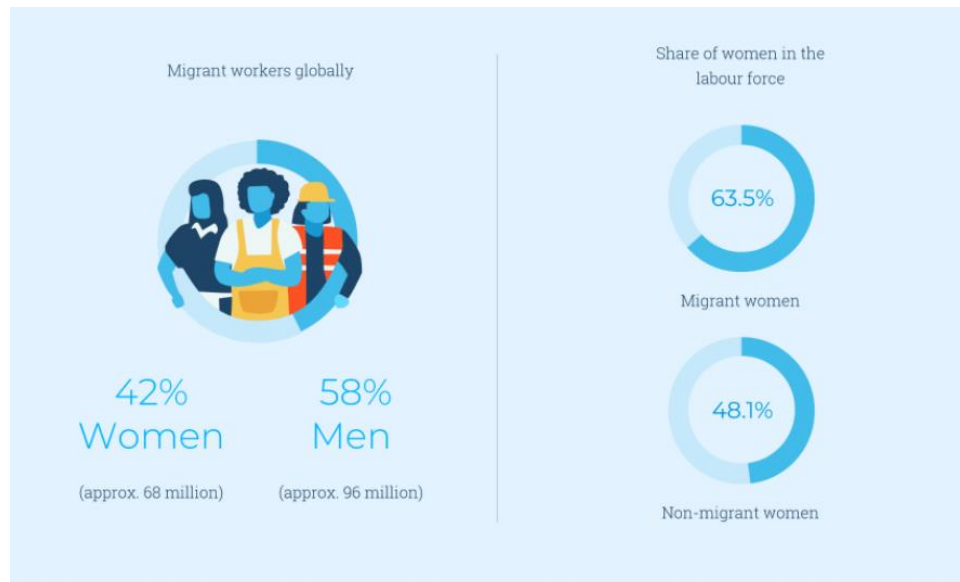
Accessibility:

Saudi Arabia is easily accessible from Bangladesh by air, which makes it a convenient destination for Bangladeshi workers seeking employment abroad. Additionally, many recruitment agencies in Bangladesh have established networks and contacts in Saudi Arabia, making it easier for workers to find employment opportunities in the country.

Cheap Cost to Process for Visa:

Most of the agencies keep visa processing charges from BDT 15,000 to BDT 1,00,000. In European countries, it costs more due to work permit fees and managing New Delhi's logistical fees as well. But in the case of Saudi Arab, the cost most of the time reduces for not having any extra logistical charge.

3.7 Women Migrant Workers and their Sufferings



Source UNWOMEN

Women have immense contribution in Remittance of Bangladesh. From 1991 around 300,000 Bangladeshi women have traveled to the Saudi kingdom and were mainly hired as domestic workers, according to Dhaka government statistics.

Here I would like to mention real life stories:

Story of Julekha Begum (Maiden Name):

When Julekha Begum left the country in mid-February for a housekeeper job in Saudi Arabia, she promised her seven-year-old son of better days.

The wage of 1,000 Saudi riyals (about Tk 26,000) for two years seemed attractive to her poor family in Kamolganj, Moulvibazar.

"But I returned home empty-handed four months later, barely able to walk as my employer beat me up with a rolling pin and fractured my leg," the 40-year-old woman told The Daily Star.

Julekha said she was treated in Riyadh for a month before the family of her employer sent her home to avoid a lawsuit. "When I worked there, my female employer would beat me up over trifles and they paid me in full only for two months."

Like Julekha, many Bangladeshi women return home after enduring torture and abuse at the hands of their employers in the Gulf state.

Story of Jarina Akhter (Maiden Name):

I went there as domestic worker. The house was of a Saudi Citizen. They are 5 members in the family. Among them there are 4 males. The Father and their 2nd child used to rape me. The 3rd child is to throw me from the upper stairs. I got pregnant, and I don't know who the father is, it's either the homeowner or their 2nd son. When I was pregnant, they used to beat me up for having natural abortion.

3.8 Steps received by Bangladeshi Govt.

The Obhibashi Karmi Unnayan Programme (Okup) which provided reintegration support to Saudi-returnee women migrants between April 2020 and July 2022 found that 80 of the 156 women returned home before completion of the two-year contract while 50 of them returned within a year.¹⁶

A 2019 expatriates' welfare ministry report found that 102 women returned from Saudi Arabia before completion of their two-year contract and 84 of them returned in less than one year. Only 16 returned on completion of the full tenure.

The report, submitted to the parliamentary standing committee on the expatriate welfare ministry, identified nine causes for female migrants' early return from Saudi Arabia with irregular payment (48 cases) topping the list followed by physical and sexual abuse (38 cases), inadequate food supply (23 cases), physical illness (10 cases), and being forced to work in more than one homes (seven cases).

It is a painful and shameful revelation that some 709 women migrant workers have died in different countries in the last five years (from 2017 to 2022). According to a report by Bonik Barta, after analysing the death certificates of the 691 workers arriving by October 2021, around 69 percent of the deaths were found to be due to "natural" causes like illness, while 31 percent were due to "unnatural" causes like suicides and accidents. In case of Saudi Arabia, suicides accounted for 24 percent of deaths.¹⁷

¹⁶ The Daily Star, 'Turn Dirty Power Plants into Clean Ones' (2023) The Daily Star (20 May), <https://www.thedailystar.net/opinion/editorial/news/turn-dirty-power-plants-clean-ones-3324231> accessed 20 May 2023.

¹⁷ The Daily Star, 'Protect women migrant workers from abuse', The Daily Star (20 May 2023) <https://www.thedailystar.net/opinion/editorial/news/protect-women-migrant-workers-abuse-3239511> accessed 20 May 2023.

Death of Bangladeshi women workers abroad



2016	52 People
2017	94 People
2018	110 People
2019	139 People
2020	80 People
2021	122 People
2022	117 People

More death in the country

Saudi Arabia	202 People
Jordan	96 People
Lebanon	78 People
Oman	58 People

Source: BRAC

Cause mentioned in death certificate

Natural

37%

Brain hemorrhage

19%

Suicide

16%

Accident

15%

Other

13%

A study by the **Refugee and Migratory Movements Research Unit (RMMRU)**, which interviewed these families, has revealed this heart-breaking picture. These women, who mostly worked as domestic workers, were in contact with their families; they talked about the harsh conditions in which they worked, including inhuman working hours, physical, mental or sexual

abuse, etc. In 2019, the dead bodies of 130 women migrant workers came to Bangladesh; 24 of them had apparently died by suicide.¹⁸

4. National and International Legal Framework

4.1 Introduction

As a nation that heavily relies on foreign labor, the treatment of migrant workers is an essential aspect of Saudi Arabia's human rights record. In this context, it is essential to comprehend the national and international frameworks governing the rights of migrant workers and the mechanisms in place to protect these rights. This chapter will provide an overview of Saudi Arabia's applicable national laws and policies, as well as the international conventions and treaties it has ratified. It will also examine the role of international and non-governmental organizations in monitoring and advocating for the rights of Saudi Arabia's migrant workers. By examining these frameworks, this chapter aims to shed light on the complex challenges and opportunities for advancing migrant workers' human rights in Saudi Arabia.

4.2 National Legal Framework: Saudi Arabia

4.2.1 Domestic Laws:

Royal Decree No M/51 of 23 Sha'ban 1426 Hejra (corresponding to 27 September 2005), which entered into force on 26 April 2006. This law sets out the legal framework for employment relationships in Saudi Arabia, including provisions related to working conditions, wages, social insurance, and termination of employment, among other topics.

4.2.2 Labor Law:

The Labor Law in Saudi Arabia provides several protections for both Saudi and non-Saudi workers. It prohibits employers from discriminating against employees based on their nationality, race, or gender. The law also requires employers to provide basic facilities and services, such as adequate housing, medical care, and access to clean drinking water, to their employees. Additionally, the law mandates the payment of a minimum wage and limits

¹⁸ The Daily Star, 'Female Migrants to Saudi Arabia: From the Lure of Good Days to the Nightmare' (2021) <https://www.thedailystar.net/nrb/migration/news/female-migrants-saudi-arabia-lure-good-days-lands-them-nightmare-3116061> accessed 20 May 2023.

working hours to eight hours per day and 48 hours per week.¹⁹

- the Social Insurance Law
- the Law of Workmen's Compensation, and
- the Saudization Program

4.2.3 Domestic Workers Regulation:

The Domestic Workers Regulation, which was introduced in 2015, provides specific protections for domestic workers, such as nannies, maids, and drivers. The regulation requires employers to provide their domestic workers with a written contract that outlines their rights and obligations. The regulation also mandates that employers provide their domestic workers with adequate food, accommodation, and medical care.

4.2.4 Wage Protection System:

The Wage Protection System was introduced in Saudi Arabia in 2013 to ensure that all workers, including migrant workers, receive their salaries on time. Under this system, employers must deposit their employees' salaries into a bank account, which is linked to the Ministry of Labor and Social Development. The system also allows workers to file complaints if they do not receive their salaries on time.

4.2.5 Anti-Trafficking Law:

The Anti-Trafficking Law, which was introduced in 2009, provides specific protections for victims of human trafficking, including migrant workers. The law criminalizes all forms of human trafficking, including forced labor, and provides for severe penalties for those found guilty of these crimes. The law also provides for the protection of victims and their families, including legal assistance and access to medical care.

It is worth noting that while these laws provide some protections for migrant workers in Saudi Arabia, there are still gaps and challenges in their implementation. Additionally, there are several areas where the laws could be strengthened to provide more comprehensive protections for migrant workers.²⁰

¹⁹ Pinsent Masons. "New Immigration Rules Around Saudi Labour Law Reforms." (accessed [insert date accessed]). Available at: <https://www.pinsentmasons.com/out-law/analysis/new-immigration-rules-around-saudi-labour-law-reforms>.

²⁰ Arab News, 'Saudi Arabia gets recognition for its efforts to fight human trafficking' (2020) <<https://www.arabnews.com/node/1701916/saudi-arabia-gets-recognition-its-efforts-fight-human-trafficking>> accessed 20 May 2023

4.3 National Frameworks: Bangladesh (Rules and regulations for Recruiting Agency, for protection of Migrant Workers Rights)

In Bangladesh, the recruitment and employment of migrant workers are governed by several national frameworks and legislation. Here are some key laws and regulations related to the recruitment of migrant workers:

4.3.1 The Constitution of Bangladesh:

The Constitution of Bangladesh guarantees fundamental rights and freedoms to all individuals, including migrant workers. These rights include the right to equality, non-discrimination, protection from exploitation, fair wages, and access to justice. The Constitution provides a foundation for the protection and promotion of migrant workers' rights.²¹

4.3.2 Emigration Ordinance, 1982:

The Emigration Ordinance provides the legal framework for regulating the emigration and overseas employment of Bangladeshi workers. It outlines the procedures and requirements for recruitment agencies, licensing, and documentation of workers going abroad.²²

4.3.3 Overseas Employment and Migrants Act, 2013:

The Overseas Employment and Migrants Act is a comprehensive legislation that regulates overseas employment, migration, and the welfare of Bangladeshi migrant workers. It covers various aspects, including recruitment, contracts, pre-departure training, welfare measures, and dispute resolution mechanisms.

4.3.4 Bangladesh Overseas Employment Policy:

The government of Bangladesh formulates an Overseas Employment Policy periodically to guide and regulate overseas employment and protect the rights of migrant workers. The policy outlines the principles, objectives, and strategies for promoting safe and orderly migration, ensuring fair recruitment practices, and safeguarding workers' rights.

4.3.5 Rules and Regulations under the Emigration Ordinance and Overseas Employment and Migrants Act:

The government has also formulated rules and regulations under the Emigration Ordinance and Overseas Employment and Migrants Act to provide detailed guidelines and procedures for various aspects of recruitment, including licensing of recruiting agencies, employment contracts, terms and conditions of service, and protection of workers' rights.

²¹ BD Ministry of Law

²² IBID

4.3.6 Standard Employment Contracts:

The government has prescribed standard employment contracts for different categories of workers going abroad. These contracts specify the terms and conditions of employment, wages, working hours, leave entitlements, and other rights and benefits to be provided to migrant workers. The standard contracts aim to ensure transparency and protect workers' rights during their employment abroad.

4.3.7 The Foreign Employment Policy:

The government formulates a Foreign Employment Policy to guide the management of overseas employment and protect the rights of Bangladeshi migrant workers. The policy outlines the principles, objectives, and strategies for promoting safe migration, ensuring fair recruitment practices, protecting workers' rights, and providing welfare and support services to migrants.

Various labor laws and regulations in Bangladesh also provide protection for migrant workers. These include the Bangladesh Labor Act, which covers aspects such as minimum wage, working hours, leave entitlements, occupational health and safety, and social security provisions. Migrant workers are entitled to these rights and protections, similar to domestic workers.²³

4.4 Saudi National Institutions for the Welfare of Migrant Workers: Gaps and Weakness

In Saudi Arabia, there are several national institutions and bodies that are involved in promoting the welfare of migrant workers. Here are some key institutions:

4.4.1 Ministry of Human Resources and Social Development:

The Ministry of Human Resources and Social Development is responsible for formulating and implementing labor policies and regulations in Saudi Arabia. It plays a vital role in safeguarding the rights and welfare of all workers, including migrant workers. The ministry oversees labor contracts, addresses labor disputes, and promotes fair and just working conditions.

²³ Asian Development Bank, 'Overseas Employment of Bangladeshi Workers' (2019) <https://www.adb.org/sites/default/files/publication/190600/overseas-employment-ban-workers.pdf> accessed 20 May 2023

Unfortunately as per human rights watch they have failed to maintain the monitoring sector regarding working conditions, wage structure etc.²⁴

4.4.2 General Organization for Social Insurance (GOSI):

GOSI is a government agency responsible for social insurance in Saudi Arabia. It provides social protection and benefits to workers, including migrant workers, in the form of insurance coverage for work-related injuries, disabilities, and pensions. GOSI ensures that workers have access to social security benefits during their employment in Saudi Arabia.²⁵

The benefits migrants worker received is non other than harassment, and outcomes of mental exhaustion.

4.4.3 Saudi Human Rights Commission (HRC):

The Saudi Human Rights Commission is an independent organization that monitors and promotes human rights in Saudi Arabia. It plays a role in addressing human rights issues, including those concerning migrant workers. The HRC investigates human rights violations, provides recommendations, and collaborates with other relevant institutions to protect the rights and well-being of migrant workers.²⁶

It's quite visible that the massive violation of human rights is done by the Saudi Employers. The monitor and promotion they did has zero outcomes. Bangladesh have received 741 corpses of Migrant workers due to their negligence.²⁷

4.4.4 Saudi Arabian General Investment Authority (SAGIA):

SAGIA is responsible for promoting foreign investment in Saudi Arabia. It works to create a favorable business environment and attract foreign companies. SAGIA collaborates with other entities to ensure that companies operating in Saudi Arabia adhere to labor laws and regulations, including those related to the rights and welfare of migrant workers.

²⁴ Saudi Arabia, Ministry of Human Resources and Social Development, "Home," available at: <https://www.hrsd.gov.sa/en>

²⁵ 1 GOSI, 'About the Portal' [2023] GOSIOnline https://www.gosi.gov.sa/GOSIOnline/About_Portal&locale=en_US accessed 20 May 2023.

²⁶ Government of Saudi Arabia (n.d.) 'Agency Details', MyGov.sa, https://www.my.gov.sa/wps/portal/snp/agencies/agencyDetails/AC156!/ut/p/z0/04_Sj9CPykyssy0xPLMnMz0vMAfljo8zivQIsTAwdDQz9LQwNzQwCnS0tXPwMvYwNDaz0g1Pz9L30o_ArAppiVOTr7JuuH1WQWJkHm5mXlq8f4ehsaGqmX5DtHg4A6D1KYw!!/ accessed 20 May 2023.

²⁷ Prothom Alo, 714 Women return as CORPSE, Mansura Hossain, Date 30 Jan 2023
<<https://en.prothomalo.com/bangladesh/87ot8fmapn>>

There is no proper monitoring system regarding the recruitment before doing the investments. The proper foundation is not maintained regarding the working condition, wage structure before doing any investment.

4.4.5 National Committee for Labor Associations:

The National Committee for Labor Associations represents workers' interests in Saudi Arabia. It aims to protect workers' rights, including those of migrant workers, and promote their welfare. The committee facilitates dialogue between workers, employers, and government authorities to address labor-related issues and advocate for the rights and well-being of workers.

These national institutions in Saudi Arabia play a crucial role in promoting the welfare of migrant workers, ensuring their rights are protected, and providing support and assistance when needed. But at the end of the day, they failed to ensure Migrant Workers' right, who are the foundation of Modern Saudi Arab.

The welfare of this committee has done is quite visible. People left Saudi Arab with immense mental exhaustion, zero money, lower wage, nasty physical condition.

4.5 National Institutions for Migrant Workers: Bangladesh

In Bangladesh, there are several national institutions and bodies that are involved in protecting and promoting the rights of migrant workers. Here are some key institutions:

4.5.1 Bureau of Manpower, Employment and Training (BMET):

BMET is the central authority responsible for regulating and overseeing the management of overseas employment and the welfare of Bangladeshi migrant workers. It plays a crucial role in the recruitment, training, and welfare of workers going abroad. BMET is responsible for ensuring compliance with the laws and regulations related to migrant workers' rights.²⁸

4.5.2 Wage Earners' Welfare Board (WEWB):

WEWB operates under the Ministry of Expatriates' Welfare and Overseas Employment. It provides various support services and welfare measures for Bangladeshi migrant workers. This includes financial assistance, healthcare services, social welfare programs, and repatriation support.

²⁸ Bangladesh Bureau of Manpower Employment and Training (BMET)", [Year], Bangladesh Bureau of Manpower Employment and Training (BMET) (<http://www.bmet.gov.bd/>) (accessed 20 May 2023).

Due to non-acknowledgement of such Welfare Board many of the migrant workers don't receive their deserving ground. So, this committee must adopt the marketing strategy to make the welfare structure visible to the upcoming and existing workers.

4.5.3 Ministry of Expatriates' Welfare and Overseas Employment (MEWOE):

MEWOE is responsible for formulating policies, regulations, and programs related to overseas employment and the welfare of Bangladeshi migrant workers. It works towards ensuring the protection of workers' rights, addressing their grievances, and promoting their well-being.

4.5.4 Ministry of Foreign Affairs (MOFA):

MOFA plays a vital role in safeguarding the rights and interests of Bangladeshi migrant workers through its diplomatic missions and consular services in destination countries. It provides assistance to workers in distress, handles labor disputes, and works towards resolving issues related to migrant workers' rights.

4.5.5 National Human Rights Commission (NHRC):

The NHRC in Bangladesh is an independent statutory body mandated to protect and promote human rights across various sectors, including migrant workers' rights. It investigates human rights violations, provides recommendations, and works towards ensuring the protection of human rights, including those of migrant workers.

These national institutions in Bangladesh work collectively to address the needs, rights, and welfare of Bangladeshi migrant workers. They strive to protect workers' rights, enhance their well-being, and provide necessary support and assistance throughout the migration process.

4.6 International Legal Frameworks

The protection of migrant workers' rights is addressed at the international level through various frameworks and conventions. Here are some key international instruments that focus on the rights and protection of migrant workers:

4.6.1 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICMW):

The ICMW, adopted by the United Nations in 1990, is the most comprehensive international instrument specifically dedicated to the protection of migrant workers' rights. It sets out a wide range of rights for migrant workers, including equality before the law, fair working conditions,

access to justice, and social security. The convention also recognizes the rights of migrant workers' families.

4.6.2 International Labour Organization (ILO) Conventions:

The ILO has developed several conventions related to migrant workers' rights, including:

- a. Convention No. 97: Migration for Employment Convention (Revised), 1949, which addresses the conditions of migrant workers, including recruitment, employment contracts, and social security.
- b. Convention No. 143: Migrant Workers (Supplementary Provisions) Convention, 1975, which covers issues such as migrant workers' rights in case of termination, remittances, and family reunification.
- c. Convention No. 189: Domestic Workers Convention, 2011, which provides specific protections for domestic workers, many of whom are migrant workers.

4.6.3 Universal Declaration of Human Rights (UDHR):

The UDHR, adopted by the United Nations General Assembly in 1948, enshrines the fundamental human rights and freedoms that apply to all individuals, regardless of their migratory status. It includes provisions such as the right to equality, non-discrimination, fair treatment, and freedom from exploitation, which are applicable to migrant workers.

4.6.4 United Nations Convention on the Elimination of All Forms of Racial Discrimination (CERD):

CERD, adopted in 1965, prohibits racial discrimination in all its forms, including discrimination against migrant workers. The convention obligates states to ensure equal treatment and protection against racial discrimination for all individuals, including migrant workers.

4.6.5 United Nations Sustainable Development Goals (SDGs):

The SDGs, adopted by the United Nations in 2015, include several targets related to migration and the protection of migrant workers' rights. SDG 8, in particular, focuses on promoting decent work and economic growth, which encompasses the rights and well-being of all workers, including migrant workers.

These international frameworks provide a basis for countries to establish laws, policies, and practices that protect and promote the rights of migrant workers. They emphasize the importance of fair treatment, non-discrimination, access to justice, and social inclusion for migrant workers, aiming to ensure their rights are respected and fulfilled across borders.

5. Major Findings

5.1 Core Violations Done by Saudi Arabia towards Bangladeshi Migrant Workers:

Working conditions: Migrant workers in Saudi Arabia often work in hazardous and unhealthy conditions, with long working hours and low wages. Many workers are forced to work in extreme heat without adequate protection, leading to illnesses and even death.

Discrimination: Migrant workers in Saudi Arabia face discrimination based on their nationality and ethnicity. Many workers from poorer countries are subject to worse conditions than workers from wealthier countries.

Abuse and exploitation: Migrant workers in Saudi Arabia are often subjected to physical, sexual, and psychological abuse by their employers. They are also frequently exploited, with employers withholding wages and passports, forcing workers to work long hours without breaks, and subjecting them to other forms of abuse.

Lack of legal protection: Despite the Saudi government's implementation of labor laws aimed at protecting migrant workers, enforcement of these laws is weak. Many workers are not aware of their rights, and those who do try to seek redress often face obstacles and retaliation from their employers.

The human rights violations against migrant workers in Saudi Arabia are a serious concern. Addressing these issues requires stronger enforcement of labor laws, better working conditions, and an end to the kafala system. Additionally, it is important to raise awareness about the rights of migrant workers and ensure that they have access to legal protection and support.

Recommendation:

1. Strengthening Legal Framework and Enforcement:

a. Enhance the legal framework in Saudi Arabia to align with international human rights standards, specifically addressing the rights to equal treatment, non-discrimination, freedom of movement, fair and just working conditions, and combating sexual harassment.

The minimum wage should be 15,000 Saudi Rial Equivalent to BDT 470,212.07 (Source: xe.com)

b. Conduct a comprehensive review of existing laws and regulations pertaining to migrant workers' rights and propose necessary amendments or new legislation to address the identified gaps and weaknesses. Strengthen the enforcement mechanisms to ensure effective implementation of the legal provisions.

2. Awareness and Training Programs:

a. Establish comprehensive awareness and training programs for both Bangladeshi migrant workers and Saudi employers to educate them about human rights, legal protections, and responsibilities.

b. Develop educational materials, conduct workshops, and training sessions targeting both migrant workers and employers. These programs should focus on raising awareness about the rights of workers, promoting non-discrimination, preventing sexual harassment, and creating a safe and inclusive work environment.

3. Immediate Access to Consular Support and Assistance:

a. Enhance the opportunity immediate consular services and support for Bangladeshi migrant workers in Saudi Arabia to address their grievances and provide assistance when needed.

Immediate Action should be applicable for-

b. Strengthen the role of Bangladeshi diplomatic missions in Saudi Arabia to provide accessible and effective support to migrant workers. This may include establishing dedicated helplines, legal aid services, and counseling centers to address issues such as exploitation, abuse, and discrimination.

Bilateral Agreements and Cooperation:

Foster enhanced bilateral agreements and cooperation between Bangladesh and Saudi Arabia to protect the human rights of Bangladeshi migrant workers.

Promote dialogue and collaboration between the two countries to address the challenges and gaps in the protection of human rights. This can include establishing joint committees, sharing best practices, and exchanging information to ensure the effective implementation of protective measures.

Monitoring and Reporting Mechanisms:

Establish robust monitoring and reporting mechanisms to track and document human rights violations against Bangladeshi migrant workers in Saudi Arabia. Blacklisting the abusive employer. Terminating their license. Make the recruiting firms liable as well.

Develop a comprehensive system for collecting data on human rights violations, ensuring confidentiality and protection for those reporting abuses. This data can be used to inform policy-making, assess progress, and hold accountable those responsible for violations. Encourage collaboration with international organizations, NGOs, and human rights bodies to strengthen monitoring efforts.

Conclusion:

In conclusion, the research on the protection of human rights of Bangladeshi migrant workers in Saudi Arabia has shed light on the numerous challenges they face and the crucial need for improvement. The analysis of the legal regime revealed gaps and weaknesses that hinder the effective safeguarding of their rights. The study also highlighted specific areas of concern such as equal treatment, freedom of movement, fair working conditions, and sexual harassment of women workers.

To address these challenges and pave the way forward, several recommendations have been proposed. Strengthening the legal framework and enforcement mechanisms is vital to ensure the protection of human rights. Awareness and training programs can empower both workers and employers, promoting a culture of respect and understanding. Consular support and assistance must be readily available to provide guidance and aid in times of need. Bilateral agreements and cooperation between Bangladesh and Saudi Arabia can foster collaboration and exchange of best practices. Lastly, establishing effective monitoring and reporting mechanisms will serve as a crucial accountability measure. By implementing these recommendations, we can work towards a future where Bangladeshi migrant workers in Saudi Arabia are afforded the full protection of their human rights. It is essential for governments, international organizations, and relevant stakeholders to collaborate and take decisive action to ensure the well-being and dignity of these individuals. Only through collective efforts can we create an environment that upholds the principles of equality, justice, and respect for all workers, regardless of their origin.

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