

# Migration, Displacement, and Precarity in a Globalised World



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The discourse of migration, especially labour migration, is dominated by the figures of remittances and assorted benefits that migration accrues. In 2012, according to the World Bank's remittance research unit, officially recorded remittances flows to developing countries reached US\$406 billion, an amount which far exceeds official development assistance figures by many folds and even dwarfs foreign direct investment in several countries. The top ten remittance receiving countries in 2012 were India (US\$70 billion), China (US\$66 billion), Philippines and Mexico (US\$24 billion each), Nigeria (US\$21 billion), Bangladesh and Pakistan (US\$14 billion each), Vietnam (US\$9 billion) and Lebanon (US\$7 billion) (World Bank, 2012). Compare the remittance figures with those of foreign direct investment or FDI. In 2012, however, India received US\$27.3 billion, Philippines, US\$1.5 billion, and Nigeria, US\$5.3 billion in direct foreign investments (UNCTAD, 2013).

These are all well and good. And in many instances governments of the respective countries take credit for the rise of remittance earnings and for promoting labour migration. But behind the notion of migration as a driver for economic growth in several developing countries, remains hidden the narratives of the cost of migration, a subject that does not get due attention. Here we are not only concerned with the economic cost, but also with the social cost of migration. Migration brings prosperity for some, misery to others. The process of migration-led development is paved with precarity.

While billions of dollars are changing hands, thanks to migration. Millions of people around the world are trapped in forced labour. The ILO works to combat the practice and the conditions that give rise to it. Forced labour takes different forms, including debt bondage, trafficking and other forms of modern slavery. The victims are the most vulnerable – women and girls forced into prostitution, migrants trapped in debt bondage, and sweatshop or farm workers kept there by clearly illegal tactics and paid little or nothing. It has been the mandate of the ILO since its inception in 1919 to tackle forced labour and the conditions that give rise to it and has established a Special Action Program on Forced Labour to intensify this effort (ILO, 2012).

In 2005 when the Global Report on forced labour was published by ILO it provided figures showing the truly global scope of the problem. No country was immune from this problem. Some 12.3 million persons worldwide were in some form of forced labour or bondage. Of these, 9.8 million were exploited by private agents, including more than 2.4 million in forced labour as a result of human trafficking. The highest numbers have been found in Asia, some 9.4 million, followed by approximately 1.3 million in Latin America and the Caribbean, and at least 360,000 in the industrialised countries. Some 56 per cent of all persons in forced labour were women and girls. The annual profits, from human trafficking alone, were at least US\$32 billion. Most countries have legislation that deals with forced labour as a

serious criminal offence but it still survives (ILO: 2009). Where do things stand eight years later? In early 2013, ILO estimates 21 million people are victims of forced labour (ILO, 2013). And throughout the world today, around 215 million children work (ILO, 2013) either as full-time or part-time to support their families or for their own survival.

The number of categories that dominate the field of migration studies aiming to understand or explain movement of people from one place to another is often bewildering. Migration is viewed as a voluntary decision on the part of the people to move from one place to another as contrasted with refugees who are forced to leave home. Summarising a good deal of literature, Astri Suhkre presented the following equation. Voluntary + economic = migrant; and involuntary + political = refugee (Suhkre, 1995: 125). Within migration discussion, some look at forced migration as a separate category. When people are forced to move within a nation-state they are referred to as internally displaced persons (IDP). When the displaced persons spill over into neighbouring countries, they become refugees. Since migrant workers transcend national boundaries in order to be migrants the conceptual categories become somewhat indeterminate. Even the concept of class which has not outlived its utility becomes malleable and less usable for the migrant workers who remain divided by gender, ethnicity, nationality, religion and ranks. Besides, sometimes migration also entails deskilling rendering one's class or status position uncertain. A peasant or a farmhand well-versed in the knowledge of agriculture becomes an unskilled worker in a foreign land where he may be employed as a generic labourer in the construction industry or a cleaner. A pediatric nurse in Romania can become an 'exotic' dancer in Canada (Macklin, 2003: 471). It is incumbent on our part to understand migration process as class, status and gender-based located in the machination of international political economy but not at the cost of the nuances that migration process entails. No matter how deeply we understand the psychological and cultural dimensions of the micro-processes of migration, at the end of the day we must pay attention to the macro-structural forces of the world capitalist system.

The discourse of migration, in large part, is a discussion of the causes and consequences of the process as well as the economic benefits that migration process accrues. Recent discussions include a host of other impacts of the migration process, i.e. social and cultural impacts, and even impacts on diplomatic relations. I am not going to dwell on all the multifaceted and layered aspects of the migration process in this paper. What I want to do in the present paper is to outline some of the salient points with empirical details about displacement and precarity that the migration process entails. The displacements caused by the migratory process are not, however, new. This is part of the long-term development of capitalism. Servitude and slavery have been extreme forms of labour exploitation and constitute an integral part of the development of capitalism. Under the present circumstances of the globalised capitalism, the process of displacement has been intensified and servitude normalised at the same time. A number of writers point out the negative consequences, mostly in terms of psychological toll migration take on the families and the migrants and the disruptions it causes on the family structure (Rajan, 2013). But most of the studies on failures of migration are treated as exceptions. For example, the arguments of Rodriguez (2010) that the Philippines state is a broker state in the export of the migrants and by implication not a developmental state remains a powerful, albeit lonely voice in the cacophony of celebration of increased remittances. A large number of empirical cases exist and are often featured on, what is broadly known, as 'second slavery'; this discourse deals with refugee studies, undocumented migrant workers, asylum seekers, child labourers, human smuggling and human trafficking.

The disadvantaged migrants constitute a mixed category of displaced, dislocated, exploited and marginalised groups of people of different gender and age-groups and they all share a common fate of vulnerability and precarity. It is their vulnerability that gives them a common identity. The migrant workers today are the new proletariat of the 21st century capitalist world which is defined by the interpenetrating forces of globalisation. Unlike their counterparts a century or two ago, they are fragmented, disorganised

and lack a grand narrative of working class agenda or movement. They are truly post-modern proletariat and the only common experiences they share with their comrades of the past are privations and exploitation. The trafficked persons are at the bottom layer of the hierarchy of the displaced groups and at the end-point of an exploitation chain.

According to the 2012 *World Disasters Report*, currently there are 73 million forced migrants of whom 49% are women and girls. 46% of the forced migrants are children under 18 years of age. 43 million migrants are forced to leave home due to conflict and violence (World Disasters Report, 2012). These are grim figures which also reveal the interlocking problems of war, violence, and disasters that bedevil the present world.

According to the Trafficking in Persons report of 2012, published by the State Department of the United States of America, an estimated 20.9 million people are victims of human trafficking at any given time (TIP 2012:44). Asia and the Pacific region remains largest in terms of number of victims. Trafficked persons are a variegated group that includes a cross-section of people from men, women and children who are forced to work in dangerous work sites, and women deceived into working in sex-trade against their will to child soldiers who are allured to fight wars that they do not understand. Human trafficking has taken a truly a global turn (Shelley, 2010). According to the Global Report on Trafficking in Persons, victims of human trafficking from 136 nationalities were detected in 118 countries worldwide between 2007 and 2010 (UNODC, 2012). Women and girls put together account for about 75% of the victims. Twenty-seven per cent of all victims are children. Trafficking for the purpose of sexual exploitation accounts for 58 per cent of all trafficking globally, while 36% are used as forced labour (UNODC, 2012).

According to United Nations Office on Drugs and Crime, '(h)uman trafficking is the acquisition of people by improper means such as force, fraud or deception, with the aim of exploiting them.' (UNODC, n.d.). UN Convention against Transnational Organised Crime adopted by the UN General Assembly in

November 2000 states: "Trafficking in persons" shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.' (Quoted in Carmen and Newman, 2008: 4). One of the definitional problems of human trafficking lies in the fact that it often overlaps with forced migration and the line that separates migration from forced-migration is sometimes thin, although there may be a difference between voluntary migration where individuals out of their free will choose to migrate to a destination for advancing his or her career and individuals or families who are driven by extreme poverty to relocate to what they consider a relatively safer alternative destination, usually a nearby city or a neighboring country where they face a higher risk of vulnerability and exploitation. In fact, a large number of unauthorised migration takes place between neighbouring countries (Hujo and Piper, 2010). The difference between legal migration and unauthorised migration is simply a matter of legal technicality. In fact, one who starts as a legal migrant with proper papers and documentation can be slipped into the grey area of unauthorised labourer for all kinds of reasons. In a similar way, a migrant can leave her homeland, say as a domestic help in another country, and subsequently be tricked into a situation of bondage for a variety of reasons some beyond her control. For example, there are instances when a runaway domestic worker has fallen victim or entrapped into conditions of bondage and isolation, a situation that is best understood as enslavement. Human trafficking is the 21st century version of what until mid-nineteenth century was known as slavery and, thus, can be best understood as 'new slavery'.

Although human trafficking can be explained by

a complex set of interacting factors, the underlying cause is extreme poverty. It is important to make a distinction between 'normal' fluctuating poverty and the deep structural poverty, where poverty becomes durable and the options for escaping that poverty for the indigents remain extremely limited. While their desperate need for work as a means of dealing with poverty is the supply side of the problem, the demand side may be more important. As Asis suggests, '(d)emand is actually more critical in migration than supply-side factors.' (Asis, 2008:187). Since global political economy remains a major foundational factor in sustaining structural poverty that pushes a group towards desperation, dislocation – both physical and economic – and disenfranchisement, the onus falls on the processes of politico-economic globalisation. Using vulnerability, human rights and social justice as templates, it is possible to capture all the categories of displaced or mobile people who move or are moved from one geographical space to another.

A Nepalese worker in an interview with Amnesty International stated: 'Migrant workers from Nepal and other countries are like cattle in Kuwait. Actually, cattle are probably more expensive than migrant workers there. No one cares whether we die or are killed. Our lives have no value.' (TIP 2012: 39). The dehumanisation of the worker is the foundation of his or her commodification. It is not only the economic calculus that renders human labour as a commodity in an abstract sense; even viscerally, these humans sometimes become goods, a transferable object as represented in the tragic case of the death of 54 workers – 37 women and 17 men – from Myanmar in Thailand in April 2008. The Burmese workers died from suffocation as they were being transported in the Cold Storage truck meant for carrying perishable goods like fresh fish. Apparently, the driver of the truck forgot to turn the air-conditioner on. The hapless workers died from suffocation and heat in a cramped truck that carried a cargo of 120 illegal Burmese men, women and children. Following this tragedy, a trail of

**Table 1:** Taxonomy of Vulnerability, Human Rights and Social Justice for Mobile People

Category of Mobile Person	Movement Decision	Entitlement to Human Rights	Social Justice	Vulnerability
Highly educated professionals such as Scientists, Ph.D. holders, Physicians, Engineers, etc.	Voluntary	High	Moderate	Very low
Mid-level supervisors, highly skilled technicians, etc.	Mixture of voluntary and involuntary	Moderate	Moderate	Low
Low-skilled workers	Involuntary	Low	Low	High
Unskilled workers and skilled women	Involuntary	Low	Very low	High
Unskilled women and children	Involuntary	Very low	Very low	Very high

discussions followed on the problem of cross-border human smuggling/trafficking between Myanmar and Thailand in particular but also broadly in the region. In such trafficking, there is always collusion between the unscrupulous people on both sides of the borders as well as complicity of the government officials at the local level. Following that tragedy, only eight people, all Thais, were charged for their involvement in the case. In fact, they were accused of providing shelter to illegal migrants and causing death to other persons by recklessness. The sixty-six survivors were charged with illegal entry. Chulalongkorn University law lecturer Vithit Mantraporn said the survivors should be allowed to stay here temporarily and take legal action against the real culprits, instead of being put on trial (Bangkok Post report quoted in Mekong Migration Organisation, May 5, 2008).

This tragedy ignited a variety of debates ranging from legal rights of the undocumented workers to the difference between human smuggling and human trafficking. Incidentally, in the documents on human trafficking in the United Nations as well as the United States this difference between human smuggling and human trafficking is maintained. In the year 2000, the UN drafted two protocols also known as Palermo Protocols to deal with trafficking in persons and human smuggling. Human smuggling involves transferring humans from one country to another illegally where people choose to take part in an illegal transaction. In the case of human trafficking people – often women and children – are taken against their will. The former is a crime against the state, the latter, a crime against a person (Seelke, 2010:7). One writer has argued that war-induced forced migration should be defined as a crime against humanity (Leaning, 2011:458-462). Following the same logic, human trafficking – especially if that results in death – may also qualify as a crime against humanity.

Whether the hapless victims were ‘smuggled’ and were willingly taking a risk or were transported against their will the fact remains that they were victims of a terrible social condition and exploitative system where voluntary decision itself is induced by harsh socio-economic and oppressive political realities. The consequence of both these processes is the same. In both

cases, their basic rights were violated and social justice was denied to these victims. In terms of the literal interpretation of the Thai law, the victims being foreigners and because of their unlawful entry into Thailand were not covered under the Thai law. However, a legal expert of the Chulalongkorn University, Professor Vithit Muntabhorn argued that Thailand has many laws in place that apply to the case since these laws do not state that only Thai people were eligible for protection by the authorities. “The laws cover everybody on Thai soil”, argued Professor Vithit who alluded to the fact that Thailand was a signatory of the United Nations Convention against Transnational Organised Crime with effect from September 29, 2003. Although it was not ratified at that point, Thailand was expected to interpret the law positively for the benefit of the affected people, whereas Thai police and security officials argued that that was a case of human smuggling. Referring to the Article 5 of the 1997 Thai law, Measures in Prevention and Suppression of Trafficking in Women and Children Act, Vithit argued that the people transported in the cold-storage truck ‘were detained, abducted and handed over to death or injury...they were exploited by others’ hence, they were victims. He insisted: Forget if they are willing or not. What we must consider is if they have been exploited. Another Thai academic, Dr Sripapa Petchmeesri, the director of the Human Rights Study Program at Mahidol University, put it that the people, who crossed the borders from our neighbouring countries, whether legally or illegally, have only one status – as ‘human beings’ (Mekong Migration Organisation, 2008).

In another case in 2009, a boat loaded of Bangladeshi and Burmese workers landed in the South of Thailand and rather than providing much-needed succor to the boat-people on humanitarian grounds, the Thai military pushed back the boat in deep waters with little food and water and allowed it to drift without an engine. When the hapless group of people were rescued by the Indian military off the coast of Andaman, the majority of the boat people were dehydrated and starved as they drifted in the seas for nearly two weeks without food or water. One survivor told the BBC: “We were without food and



water. The Thai soldiers clearly wanted us to die on the boats” (BBC, January 15, 2009).

Thailand has been a host, source and transit point of smuggled and trafficked people. There are several cases in the recent past involving people who crossed over into Thailand looking for work as well as the Thai nationals who lost lives, suffered injuries or simply, disappeared due to the negligence of employers or brokers. In one case, a number of fishermen working on fishing trawlers based in Samut Sakhon province died in 2006. ‘Of the 39 who died miserably, nine were Thai and the rest Burmese. Two were buried on Indonesian soil, 36 were thrown overboard along the way from the Indonesian Sea to the Gulf of Thailand, and one died on arrival at the port of Samut Sakhon. Many more sailors arrived injured and sick, some with vitamin deficiencies. Most of them did not get paid for two years.’ (Quoted in Mekong Migration Organisation, 2008).

The testimony of the 61 survivors given to Thai National Human Rights Commission (NHRC) revealed not only of inhumane treatment in total disregard of their minimum human rights but also the times spent in negotiations for compensation to the relatives by the six trawler owners. According to the Mekong Migration News, the fleet, operated by a family-owned company in Thailand, sailed from Mahachai in Samut Sakhon province in 2003 with a crew of 100, mainly Burmese workers who were given false documentation under fake Thai names. Although the workers were supposed to take 45-day rotations in Indonesian waters, many of them spent 35 months on board the vessels working long shifts with only a few hours of sleep in between, and without ever setting foot on land. The six trawlers had permission from the Indonesian government to fish in Indonesian waters for two years. The seamen were resupplied monthly with food and fresh water by boats which also took their frozen catch back to port. After the two-year permit expired, an application for renewal was made. However, in this period the supply ships did not come and the seamen were left with no fresh food or water for more than two months. As they had little money to buy supplies from other ships, they began to get sick and die. Survivors testified they ate

only smelly rice, with no vegetables or other food (Mekong Migration Organisation, 2008).

The Mediterranean Sea has become a veritable death trap for migrants attempting to land Europe illegally. In 2011 alone, according to the estimates of the United Nations High Commission for Refugees (UNHCR), 1,500 people died. In one incident on March 26, 2011 a small boat carrying 72 people left Libya to avoid the murderous civil war. As the engine failed, people on the boat contacted their contact in Eritrea by satellite phone but no rescue was attempted. When waves brought the boat back to the Libyan shores, there were only nine survivors. Sixty three people on the boat died which included 20 women and two babies. Since 1998, 13,500 people died attempting these crossings (Human Rights Watch, August 16, 2012). In recent years, countries like Libya and Morocco have become the launching pad for unauthorised migration to Europe creating an opportunity for human traffickers. A boat carrying 55 would be immigrants drifted around the sea for 15 days and when it was rescued, only one passenger survived the ordeal (Humanity Voice, 2012).

### **Disaster, Displacement and Human Trafficking**

Natural disasters often bring in their wake a variety of human-made disasters under conditions of poverty, deprivation and poor governance. Environmental refugees, according to Myers (1994), are people who are forced to leave their homestead as they can no longer secure a livelihood in their homelands because of a variety of environmental problems ranging from drought, soil erosion, desertification, and other environmental problems, aggravated by pressures of population and poverty. Some writers such as Black (2001) or Castels (2002) are not convinced that environmental degradations or changes alone are responsible for such population movement. Myers (1997; 2002) sees environmental refugees to grow in the twenty-first century. Environmental degradation such as river erosion has been a major factor accounting for rural to urban migration in Bangladesh. Of course, other factors such as poverty and lack of

alternative sources of livelihood compound the causes of migration. In some contexts, as in Sub-Saharan Africa, environmental degradation in conjunction with state repression forced people to migrate (Akokpari, 1998).

Development projects undertaken by the State routinely displaces people. In China, the Three Gorges Dam, the world's largest hydro-electric project, led to the relocation of 1.3 million people during the 17 years that took to construct this damn. Yet, tens of thousands of people may still have to be relocated, according to the Reuters (2012). Some development related displacement of people remains sources of continued conflicts in society. Wars and civil wars displace people and disrupt communities, in addition to creating havoc. The liberation war of Bangladesh displaced over nine million people who were forced to relocate in make-shift shelters in India for over nine months (Khondker, 1995:173). In Syria, which is in the middle of a murderous civil war, by mid-March 1 million Syrians have been forced to cross-over to the neighboring countries and another 2.5 million Syrians have become internally displaced (UNHCR, 2013).

The United Nations High Commissioner for Refugees, Antonio Guterres, said in Geneva that the one-million figure is based on reports from his agency's field offices in countries neighbouring Syria that have provided safe haven for refugees escaping the civil war. 'With a million people in flight, millions more displaced internally, and thousands of people continuing to cross the border every day, Syria is spiraling toward full-scale disaster,' Guterres said (quoted in *Gulf News*, March 6, 2013). Syria's population is about 22 million. In addition, several hundred thousand Syrians who have fled their country have not yet registered as refugees, suggesting the total number well exceeds one million, said Adrian Edwards, a spokesman for the UN refugee agency (*Gulf News*, March 6, 2013).

Oliver-Smith (2006) argues 'that disasters can contribute to political instability that can lead to conflict with the potential to displace people. To the degree that disasters force people to relocate either temporarily or permanently, disaster victims have been seen as

a subset of the category of environmental refugees, a term that has generated a considerable amount of recent debate. As associated with disasters, the phenomenon of forced migration is also complex. Unless explicitly limited to referring to permanent, involuntary transfer to distant locations, the concept of forced migration refers to a variety of demographic movements, such as: flight, evacuation, displacement, resettlement, as well as forced migration'. (Oliver-Smith, 2006:20). Disasters often trigger a complex and compounded sets of problems. And the sequence is presented by Oliver-Smith (2006) as: 'Flight – escape; Evacuation – removal of people from harm's way; Displacement – the uprooting of people from a home ground; Resettlement – relocation of people to new homes; Forced migration – people must move to a new and usually distant place'. To this can be added human trafficking. Following the Asian Tsunami of December 26, 2004 and the tragedies of Haiti, many stories of child trafficking were reported. In Aceh, the effective role of the Indonesian government prevented large-scale child trafficking (*The New York Times*, January 13, 2005). The Tsunami made an estimated 35,000 children lost one of their parents, thus vulnerable to trafficking.

Even prior to Tsunami, the Southeast Asian region, and the so-called Mekong Delta was known as a hotbed of human trafficking. Indo-China grabbed the media attention as a source of trafficked women and children for not only neighboring countries but also as far as Europe and North America. The Greater Mekong Sub-region (GMS) countries – China, Cambodia, Laos, Myanmar, Thailand and Vietnam – have launched a collective initiative known as Coordinated Mekong Ministerial Initiative Against Trafficking (COMMIT) to tackle the menace of human trafficking in that region.

Almost routinely, there are reported cases of attempted illegal crossing from Cambodia to Thailand. 'Battambang provincial police detained four brokers and 51 migrant workers, including 19 minors, who were attempting to illegally cross into Thailand ... , police said,' Police intercepted the brokers who were driving two vans crammed with the 51 villagers, mostly from Pursat province, attempting to illegally

cross the border into Thailand without documentation (*Phnom Penh Post*, 2012). There were four brokers who collected between 2,000 and 3,000 baht [between US\$65 and \$98] for the crossing. The victims – many of them minors – were promised jobs in the factories in Thailand. Sometimes, these undocumented migrants are transported to Malaysia or Indonesia for work. Many are employed illegally in Thailand. Thailand has 2 million legal immigrant workers and perhaps just as many illegal immigrants. The illegals often end of working in the 1 billion dollar shrimp industry. There are several reported cases of abuse, bondage and even murder of the illegal migrants on board the fishing trawlers (*The Economist*, 2013). Sometimes, Cambodian undocumented migrants travel far. In one instance, more than twenty human trafficking victims were enslaved aboard a fishing boat that was intercepted 6,000 kilometers from Cambodia near Mauritius were repatriated. The Cambodian victims later complained that they were tricked by brokers into taking jobs (*Phnom Penh Post*, 2011). ‘Seven victims who were repatriated ... after being tricked into slave labour aboard Thai fishing boats said they were beaten, forced to work almost without rest, force-fed drugs and had witnessed men thrown overboard.’ (*Phnom Penh Post*, 2011).

As economies begin to take off in Vietnam, labour mobility improves too, giving people more opportunities to travel to find better jobs. With such changes grows problems of human trafficking. Vietnam’s economic growth, along with growing inequality, is making people more vulnerable to trafficking. In underemployed rural areas, people want to migrate from their home village to make more money. Vietnam is one of the labour-exporting countries of Southeast Asia. It has an official policy to promote sending temporary labourers abroad. Around 80 to 100,000 Vietnamese workers leave the country, through official channels, every year. Authorities in Vietnam are not neglecting the issue and have passed Anti-Human Trafficking Law in the Parliament. Paradoxically, labour reforms in China caused an increase in abuses among Vietnamese workers who were excluded from the new provisions of better pay and benefits for Chinese nationals that was mandated.

Chinese employers instead hire Vietnamese labourers who are exempt from the provisions. The governments of Vietnam and China cooperate in tackling trafficking in human beings under COMMIT, a sub-regional process involving Mekong sub-regional countries that includes China. (Migration Policy in Vietnam, 2011).

The rise in the number of cases of problems with law trails the flow of migration. Migrants from Bangladesh acculturated in the laxity of law enforcement, thanks to the ‘soft state’ often face trouble in ‘hard states’ as far as law enforcement is concerned. The variability in the strictness of law enforcement and administration of criminal justice present a problem for the migrant workers. Although many migrant workers learn to change their behaviour to fit into the new legal environment, others do not. The following cases present another sets of narratives of vulnerability, displacement and precarity of the migrant workers from another part of the world. February 4, 2012 *The Bangladeshi Chronicle*, a web-based newspaper published the following report titled, ‘32 more Bangladeshis on death row in various Middle East countries’. The report went on to narrate: ‘32 more Bangladeshi workers in various Middle East countries like Kuwait, Qatar, Iraq, United Arab Emirates may meet a fate similar to that of their eight compatriots, who were beheaded in public in Riyadh last year for murdering an Egyptian security guard. These 32 workers are at present languishing in jail in pitiable condition, reports satellite TV channel ATN Bangla today. The channel further added that the families of these accused workers have already submitted letters to the Ministry of Expatriates’ Welfare and Overseas Employment (MEWOE) seeking for the settlement of the issue after discussing with the victim’s families. They fear their dear ones would be executed if timely actions are not taken by the ministry. Last year various rights bodies blamed the ministry for its failure to negotiate the issue of the 8 migrant workers executions in Saudi Arabia’ (Bangladesh Chronicle, 2012).

The public execution of eight Bangladeshi workers in Saudi Arabia in 2011 created a huge hue and cry in Bangladesh. On various talk shows, commentators debated, decried and some even praised such harsh



punishments. In fact, the praise came from some overseas workers who emphasised the importance of following the rules of the land and went on to suggest that such strict punishments should be imposed in Bangladesh to deter the growing trend of crime. In the eyes of modern civil law, clearly the punishment was excessive. Often in such cases, there would be one ring leader and members of the gang with varying degrees of culpability. To send all eight to gallows as in the aforementioned case seems clearly disproportionate. But the deeper problems such cases represent lie in an anomic situation of social dislocation, and displacement. The concerned Ministry responsible for the welfare of the overseas workers' affairs had to face criticisms. In that particular case, the criticisms were not appropriate since Bangladesh did not have any leverage on Saudi Arabia. Besides, Bangladeshi workers in overseas themselves were divided on this issue. Some wanted such punishments to be meted out on a regular basis and without fail so that Bangladeshis learn to abide by the laws of the host country. Given the poor administration of justice in Bangladesh for historical reasons, Bangladeshis in general are used to not abiding by the law – a habit sometimes has costly consequences overseas. Many critics of the government were not aware of the autonomy of the legal systems of the host countries. There were very few legal choices before the accused. Under the Saudi law, the accused could be forgiven only by the families of the victims of the crime.

These downsides of the rosy picture of migration and migration-generated remittance fueling economic development are often ignored or downplayed. This paper deliberately chooses to examine and reflect on the seamy side, the underbelly of the migration. Yet too much emphasis on victimhood may even threaten the agency of the migrant. People break law in their own countries or are implicated in legal problems. What is special about the migrant workers is that they have very little knowledge about the laws of their host countries. An alien language, a foreign culture and a different legal-system impact the less-educated working class more adversely than their middle class compatriots.

Migration is gendered, as it is class, ethnicity and

status based. All these dimensions of migration deserve careful considerations. Also important is asymmetry in the access to information between the middle and the working class migrants. We use the broad category of labour migration to capture both the middle class migration as well as the working class migration. The two classes have different concerns as well as different predicaments. They have different levels of capabilities. The gender issue can hardly be avoided since about 75% of the victims of human trafficking are women, many of whom are traded internationally for prostitution. According to a report in the *Gulf News* (*Gulf News*, 2007), human trafficking has become a global problem and is often tied to organised crime. While at one level it is a global crime, a law enforcement issue, the underlying factors that make it a lucrative trade are more complex. Stories of dislocation of the working class and their brush with the laws around the news media in the Gulf. When a worker gets in to legal trouble leading to incarceration or gets thrown out of work, the impact on the migrants' family is immediate since most these families become heavily dependent on the remittance sent by the migrant workers. Unlike the middle class migrants, the working class migrants are the major providers of the family income back home. It is often from economic necessity that they are prompted to flout the laws.

A typical case would be described in the English language newspaper as follows: Caption: 'Cleaner Denies Running Umm Suqueim Brothel'. Umm Suqueim is a neighborhood in Dubai. 'A cleaner has denied sexually exploiting 11 destitute women and forcing them to have sex in a brothel he ran from a villa in Umm Suqueim. 'I am not guilty and have got nothing to do with prostitution or human trafficking,' said the 40-year-old Indian, C.A., defending himself before the Dubai Court of First Instance on Monday. Public Prosecution records quoted an Asian woman, P.L., who claimed that she was trafficked for Dh3,000 to Dh5,000 (1 US\$ = Dh3.67) before being forced to work as a sex worker in the villa. An anti-human trafficking police sergeant testified that P.L. escaped through a window and took refuge at her country's consulate before she and the diplomats helped the

police raid the villa. A 57-year-old Indian cook also pleaded not guilty and denied violating the human trafficking law when he defended himself before the presiding judge. The Public Prosecution charged C.A. with exploiting the 11 destitute Asian women and forcing them into prostitution. He was also charged with locking up the women against their will in the villa which he was additionally accused of running as a brothel'. (*Gulf News*, February 2, 2009).

Several telling points are revealed in this story. First, the involvement of fellow migrants who are often looking for additional sources of income, legal or illegal; the involvement of the diplomatic missions; and finally the intervention of the police. Since 2006, following the international criticisms and censures, the UAE has taken a leading role in combatting human trafficking. Apart from setting up an anti-human trafficking unit within the police force, the UAE government contributed generously to help study human trafficking under the United Nations Office on Drugs and Crime (*The National*, February 14, 2009)..

The exploitation of the migrant workers by the fellow migrant workers is one of the downsides of the migrant's experience which makes a mockery of the idea of the working class solidarity. Solidarities are often formed among the migrant communities based on the district of the country they come from. In the Bangladeshi community, the solidarity is often based on the village or 'union', a subunit of the District. Moreover, these communities are gender-segregated. In a number of cases, female migrant workers have been tricked into bondage by fellow male migrant workers. In Dubai, home to a large migrant population, in one instance, two Indian men were arrested for running an illegal brothel. They tricked and enslaved three Bangladeshi women to work as sex-workers. One of the women fell into the hands of these men after leaving her employer's home where she was apparently not paid her salaries. An undercover police man pretending to be a customer arrested the two Indian men and freed the women (*Gulf News*, 27 June 2008). In another case, an Indian receptionist was arrested for running an illegal brothel in a hotel where there were 14 Uzbek women who were involved in

sex-work. A Bangladeshi worker, also taken into custody, was responsible for leading customers to these rooms (*Gulf News*, March 9, 2008). It is not clear whether these women were brought in Dubai against their will, i.e., trafficked or they came on their own volition. If these women came on their own to improve their economic position, it would still be illegal because of the violation of various laws proscribing unlawful (sexual) relationship, but would not qualify as human trafficking.

In another case, a woman fell to her death from the fourth floor when she tried to escape from the hands of three alleged human traffickers who forced her into prostitution. A 40-year-old Indian man admitted at the Dubai Court that he ran a brothel in the flat where he pushed the woman to work as a prostitute. He argued that the girl jumped on her own while trying to run away from the flat and he was not responsible for her death. The Indian boss and the two Bangladeshi jobless men, 26-year-old and 25-year-old., were charged with violating Federal Law No 51 of 2006 concerning human trafficking. A.K. was charged with exploiting the woman, locking her up inside the flat and forcing her to have sex with four men. He was also charged with unlawfully detaining her inside the flat against her will. The Public Prosecution additionally charged him with running a brothel in the flat in Al Muraqqabat. M.S. and S.S. were charged with aiding and abetting AK to violate the human trafficking law when they brought the woman to the flat knowing that she will be sexually abused. 'I was cleaning the entrance of the building when I heard the sound of something hitting the floor and I rushed outside and saw her lying in a pool of blood. She was lying on her belly, motionless,' testified the 48-year-old watchman (*Gulf News*, 2009).

## Conclusions

Neither migration nor economic globalisation that sustains it is going to end. And I am not going to blame all the ills of the world on economic globalisation. No one is going to propose that a moratorium should be put on international labour migration. Globalisation has expedited and institutionalised

migration and the demographic futures make it certain that the flow of migration will continue to rise. In the not too distant future, China might be recruiting migrant labourers from Bangladesh if the present population growth rate in China continues.

What is to be done? In the short-term there is ample opportunities and need for improving the mechanisms, processes and institutions of migration. Migration governance should be improved and made a priority. Migration management is one of the major political and humanitarian challenges facing the world in the twenty-first century. In coping with this enormous challenge, the International Migration Organization identifies four main pillars of migration management: migration and development, facilitating migration, regulating migration, and forced migration. Each of these pillars demands multiple research and policy responses.

Migration is a class issue, as it is a gendered issue. The growing feminisation of migration calls for a re-think of the theoretical and empirical 'problems' of migration in a new light. A small number of writers have thought innovatively on this subject (Piper, 2009). Can migration be viewed only as an attempt of the labouring class driven by the need for improving their class position or enhancing their life chances which local conditions tend to impede? Both working class men and women as well as upwardly mobile professional classes are involved in the process of international migration, for similar reasons millions of people are engaged in internal migration. As far as the socio-economic motivations for migration are concerned, there is very little difference between the international and the internal migration. The logic is the same. The main difference arises over the issue of citizenship, human rights and entitlement to social justice. The citizens of a country have a compact with their respective governments on their entitlement to social justice. The legitimacy of the government would be depleted if the government fails to provide them fairness and protect their economic, political and civil rights. How far these rights can be extended depend on the quality of civil liberties and state of democratization in the home country. Yet, no matter whether these rights and entitlements are guaranteed

the citizens do not stop aspiring for these rights. In a foreign land, the host governments run by a different set of obligations restricted to their own citizens or subjects depending on a host of specific circumstances. Here, class issues are often overlaid with citizenship issues. The advent of a broader multifaceted globalisation may bring in its wake a new global compact. For the nation-state, the middle and the upper classes had to pay heed to the demands of the working class paving the way for a democratic society premised on equality of opportunity. Will those processes of history be replayed on the larger canvass of the global system?

The rise of the modern working class, the proletariats, the so-called 'dangerous class' led to centuries of exploitation. Then gradually, the workers got organised, they demanded and fought for improved conditions and their basic rights, and the bourgeoisie and the government heeded to their demands. And a compact was drawn without which modern society would be mired with disruptions and chaos. It is following the same logic that the needs of the new globalised, mobile working class ought to be met to secure peace and social justice. A good many laws and conventions exist which try to navigate the fine line between the sovereignty of the (host) states as well as protection of the rights of the migrants. But it still remains an unfinished project (Nanda 1993). We can expedite the process through generating knowledge, nudging the governments to do a little bit here and there. Every step counts.

A global and holistic approach to the ills of forced labour and human trafficking and all forms of servitude is needed under the sponsorship of an international organization. The ILO agenda of decent work and its achievement through, what it calls, 'fair globalisation', has received widespread international support from both national and global levels, resulting in the 2005 United Nations World Summit of the Heads of State and Government with the participation of the 182 nations. The Declaration stated: 'We strongly support fair globalisation and resolve to make the goals of full and productive employment and decent work for all, including for women and young people, a central objective of our relevant national and

international policies as well as our national development strategies'. The Declaration reaffirmed the universality of ILO's Decent Work Agenda that all 182 members of the organisation must pursue policies based on the strategic objectives of employment, social protection, social dialogue, and rights at work (ILO, 2008). A global commitment of decent work irrespective of cultural and geo-political specificities will pave the way for a decent world community.

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