

Case Study Series 1 : Learning from Innovative Civil Servants

Case Title:

Addressing the Plight of Irregular Migrant Workers

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The cases for this series are collected by interviewing the civil servants working in different South Asian countries. This collection initiative is an attempt to document different innovative initiatives taken by different civil servants and encourage other civil servants to be more proactive and innovative through the ideas of these cases. If you know of any innovative case, then please send us an email (hossainsaadia@gmail.com), we will communicate with you for further details.

Addressing the Plight of Irregular Migrant Workers

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Expatriate Circumstances and Irregular Residency

A significant number of Bangladeshi citizens prefer Gulf countries, such as Kuwait, for employment opportunities. Most of these migrant workers are unskilled with limited education and often fall into a predicament of irregular residency in these countries due to a multitude of reasons. Some migrants are deployed to remote work sites and are not well-informed about visa rules and expiration dates, while others engage in cross-border migration without a valid visa for the new country. Company bankruptcies that result in layoffs contribute to another group of irregular residents, as these individuals remain in the country without a valid work visa. Finally, a key contributor to irregular residency status of Bangladeshi migrants are fraudulent middlemen, known as Adam Babshahis (Human Traffickers). These people prey on the less educated Bangladeshis who are eager for job opportunities abroad, but lack understanding of the complex visa systems. Adam Babshahis take advantage of this ignorance, offering these individuals tourist visas under the guise of work visas. The unsuspecting migrants then arrive in foreign countries unaware of the significantly shorter residency time frame and prohibition of employment under their tourist visa status, ultimately rendering them illegal residents once the visa expires.

Amenities and Initiative by the Bangladeshi Embassy

Eventually, host governments are unable to handle the multitude of illegal residents, and resort to ultimatums that often lead to jail time or significant financial penalties. However, an alternative offered by these governments allows the illegal residents to remain in the country if they possess valid passports and find new employment. In 2018, the Kuwaiti Government offered this opportunity to all illegal residents in the country. Mr. X, who was stationed at the Bangladesh Embassy, capitalized on this opportunity and disseminated a circular encouraging all Bangladeshis with expired passports or visas to come forward. The Embassy utilized various means, such as Bengali language newspapers, leaflets, and local social and political organizations, to disseminate information about these initiatives. Teams were dispatched to regions with a significant Bangladeshi presence to identify and categorize individuals into four groups based on the status of their documents.

Problem

Large unit of migrant workers stranded in foreign land as illegal residents due to visa or passport expiration

Solution

Origin country embassy in host country took initiatives and designed alternatives means to verify the identities and re-regularize the illegal migrant workers

Outcome

The embassy successfully reissued passports to the migrant workers, allowing them to renew visas and find employment opportunities

Innovative Measures and Challenges

The first two categories were those with an expired visa but an active passport, and those with both expired documents but in possession of at least the passport. For these groups, the process of visa-renewal was relatively straightforward since all documents were at hand. However, the last two groups, consisting of those who had only photocopies of their passports and those without any documents posed significant challenges, as Embassy policies barred them from issuing new visas without first obtaining the original document.

To overcome these policy barriers, Mr. X first had to convince his superiors that there were alternative means of identity verification, which was the primary concern during renewal processes and rendered the possession of original government-issued documents so important. To confirm the identities of those with only passport photocopies, the Embassy sent letters to their respective Upazilla Nirbahi Officers (UNO) in Bangladesh, used village networks, cross-referenced passport issue dates, and even contacted their relatives back home to verify their identity. The individuals were then asked to obtain a 'chairman certificate' from local union parishads to authenticate their family relations, date of birth, and address.

For the last group, the process was especially arduous. It started with basic language testing, and moved to a more complex process of personal and financial cross-verification. For the latter, Mr. X first obtained details of how the migrants sent money back home and to whom. Then cross-referencing the information with exchange houses and in many cases by contacting the recipients in Bangladesh, he was able to verify the identities of the those who did not have any documents. Despite these measures, the legal hurdle of issuing passports without proper documents persisted. To convince the Home Ministry, the Embassy proposed a system of random sampling and verification.

Outcomes and Beneficiary Impacts

This comprehensive process, spanning six to eight months, enabled the Embassy to regularize a large cohort of Bangladeshi migrants, turning them from illegal immigrants to contributing workers within Kuwait. The Embassy even went a step further and matched the skill sets of these individuals to appropriate companies.

These efforts led to palpable emotional relief among the Bangladeshis, who had previously lost all hope of legalizing their status or even returning home. This initiative serves as a beacon for other Embassies to leverage opportunities in host countries to safeguard the interests of their expatriate workers."

Declarations

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Khair, R. (2020), "[Participatory Policy Process in Bangladesh: Efforts in Search of Participatory Governance](#)" in Nizam U. Ahmed (ed) Parliament, Public Policy, Local Government and Public Service Delivery in Bangladesh, University Press Ltd., Dhaka.

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