

**Illegal Migration, Human Smuggling and  
Trafficking: From Bangladesh  
to Pakistan and Beyond**

**By**

**Syed Sikander Mehdi**

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## **Abbreviations**

ADB	Asian Development Bank
AFP	Agence France Presse
BDR	Bangladesh Rifles
BEFARe	Basic Education for Awareness, Reforms and Empowerment
BMET	Bureau of Manpower Employment and Training
BNWLA	Bangladesh National Woman Lawyers' Association
CAT	Convention against Torture
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CRC	Convention on the Rights of the Child
CSOs	Civil Society Organizations
GCC	Gulf Cooperation Council
GCIM	Global Commission on International Migration
GDP	Gross Domestic Product
HRCP	Human Rights Commission of Pakistan
HUJi-B	Harkat-ul-Jihadi-i-Islami, Bangladesh
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Convention on Economic, Social and Cultural Rights

IDPs	Internally Displaced Persons
INGOs	International Nongovernmental Organizations
IOM	International Organization for Migration
LHRLA	Lawyers for Human Rights and Legal Aid
MRC	Migration Research Centre
NADRA	National Database and Registration Authority
NARA	National Alien Registration Authority
NGOs	Nongovernmental Organizations
PACHTO	Prevention and Control of Human Trafficking Ordinance
PILER	Pakistan Institute of Labour Education & Research
RCSS	Regional Centre for Strategic Studies
RMMRU	Refugee and Migratory Movements Research Unit
SAARC	South Asian Association for Regional Cooperation
SDPI	Sustainable Development Policy Institute
SPDC	Social Policy and Development Centre
SAF-VAC	South Asian Forum against Violence against Children
UAE	United Arab Emirates
USCRI	US Committee for Refugees and Immigrants

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# **I Introduction**

## **1.1 : The Issues**

Issues concerning illegal migration of people from one country to another and smuggling and trafficking of persons within the states and across the borders are at the centre of contemporary migration discourse at international, regional and national level. These are also among the major concerns of the receiving, transit and sending countries, evolving international migration and human rights regimes, concerned civil society organizations (CSOs) and teaching and research institutes focusing on such matters. Small wonder therefore that serious efforts have been made in the recent years to study their causes and consequences and examine the relevance and effectiveness of the strategies adopted in different countries and regions to control and prevent illegal migration in all its forms. With the growing realization that the approach to build legal walls in and around the receiving states and mining the borders is a dehumanizing approach and it has not produced the desired result, efforts have been intensified to explore fresher perspectives and innovative approaches.

In addition, the realization is growing that demand for the labour force will continue to grow in the coming years and decades. This is, after all, the demand of this age of globalization. Furthermore, the number of countries interested in sending their labour force abroad for work is on the rise. As a result, the international job market is much more competitive today than it ever was. It is therefore very likely that the labour force reputed to be professional, hard working and dedicated and belonging to countries known for being relatively peaceful, secular, democratic and forward-looking will be preferred by the labour importing countries and demand for work force from countries known for being violent, corrupt, retrogressive and poorly governed will gradually decline. Especially the work force from the countries widely censored for not doing enough to combat and prevent illegal migration, smuggling and trafficking of their own citizens and the citizens of other countries will not be welcomed by the international job market. In all probability, the countries not doing enough to resolve the issue of 'undocumented migrant warehousing' (1) in their midst would also be affected.

## **1.2 : Bangladesh, Pakistan and the challenging times**

For the 'migration states' (2) like Bangladesh and Pakistan, these are very challenging times. However, these are also times of enormous opportunities for them. There is lot of space in the international job market for their labour force. Being hugely labour surplus and poor countries, they aspire to export more work force to earn more remittances and reduce the level of unemployment at home. To achieve the objective, they need to provide quality training and education to their citizens and invest in the people and build up their reputation as supplier of professional, hard working, honest and cooperative labour force. They also need to establish their credentials as countries not only opposed to illegal migration, human smuggling and trafficking, but also as countries doing whatever they can to combat these evils. In addition, Bangladesh and Pakistan need to understand the dynamics of the changing times, prepare themselves to grab the

opportunities being offered by the expanding job market, work together to control and prevent the illegal migration of Bangladeshis to Pakistan and their smuggling and trafficking into the country and beyond and help clear the ‘undocumented Bangladeshi migrant warehousing’ in Pakistan.

### **1.3: Undocumented Bengalis/Bangladeshis in Pakistan**

Though reliable data regarding ethnic Bengalis living in Pakistan is not available, the figure is estimated to be a little over 2 million. Most of them live in abject poverty in the slum areas of Karachi. Among them are the Bengalis who had settled down in the western wing during the united Pakistan days. Then there are those who came to Pakistan in the 1980s and 1990s-illegally-and those who were smuggled or trafficked into Pakistan. Over one million Bengalis/ Bangladeshis are estimated to be living in Karachi illegally. The government of Pakistan requires the Bengalis to apply afresh for Pakistani citizenship and it calls upon the undocumented ones to apply for registration as alien workers. Having reservations regarding these moves and having fears of all kinds, the Bengalis /Bangladeshis in Pakistan have shown least interest in applying for Pakistani citizenship or in getting registered as foreign workers. The end result is the ‘warehousing’ of the Bengali/Bangladeshi migrants in Pakistan. How can this problem be resolved?

The other problem concerning illegal migration, human smuggling and trafficking from Bangladesh to Pakistan is the temptation to pass through Pakistan to the Gulf and the Middle East and beyond. True enough that the Bangladeshis’ illegal migration to Pakistan has considerably declined, since Pakistan is no longer an attractive destination state. However, it remains an attractive transit state. As such, illegal migration, smuggling and trafficking of Bangladeshi men, women and children into Pakistan reportedly continues to thrive as the Gulf and the Middle Eastern countries are allegedly having considerable demand for children (for camel races, domestic work and sexual abuse) , for young girls and women (for sexual exploitation and domestic work) , and for men (for slave labour) . While both Bangladesh and Pakistan claim that they have been taking strong preventive measures, there is clearly the need to do more. What else can be done in this regard and what are the constraints to policy formulation and implementation?

### **1.4: Initiatives for research and study and the constraints**

Clearly there are constraints and these need to be attended to. One major constraint is the unavailability of scientific and reliable data. While it is true that reliable data regarding illegal migration, human smuggling and trafficking just cannot be prepared because of the clandestine nature of people’s movement. However, preparation of approximate data and its continuous updating is needed as it will be helpful. For instance, the changes taking place in the migratory trends may be discerned from such exercises. In addition, there is a need for continuous awareness campaign regarding these issues. The need is also there to share and understand the viewpoint of the Bengalis living in Pakistan and realize that the problem is not simply a security problem or a legal issue: it is also a human issue.

The other problem is the dearth of critical and analytical studies on issues concerning illegal migration, human smuggling and trafficking with particular reference to Bangladesh and Pakistan. This is not to suggest that the two countries have no interest in research and study on such matters. Far from it. In fact, serious efforts were made in both the countries especially since the 1990s to study various aspects of the issues and a number of international, regional and national seminars, workshops and conferences were organized during the decade and after. During the same period, important works were published in Bangladesh and a number of very vocal and active advocacy groups launched campaigns to combat and prevent human trafficking in particular. In comparison to Bangladeshi research and advocacy organizations focusing on illegal migration, human smuggling and trafficking, those in Pakistan are smaller in number, their research studies are fewer and their involvement in social mobilization is rather limited. Nevertheless, some of the initiatives taken by the government and certain CSOs of Pakistan did help enhance awareness regarding these issues in the country. As a matter of fact, the governments and CSOs of both the countries as well as important international donor agencies, research organizations and advocacy groups have contributed to the campaign in Bangladesh and Pakistan against illegal migration, human smuggling and trafficking. While their contribution has been discussed elsewhere in this study and this contribution is not insignificant, one has to concede that the discourse between the government and the civil society on the issues concerned is still at its initial stage. Again, a number of studies on the issues are rather descriptive. Some of these are more like government reports, usually reflecting government's viewpoint. Worse still, even such works are neither widely circulated nor discussed. In the absence of serious research works- works having analytical, creative and problem-solving approach- the policy makers of both the countries remain contended with their bureaucratic approach and succumb to securitizing and criminalizing the issues. As such, the warehousing of the undocumented Bengali/Bangladeshi migrants in Pakistan continues and no breakthrough takes place.

### **1.5: Objectives**

Given the context, this study attempts to examine and explain the complexities, challenges and multi-dimensional aspects of the issues and studies them in a broader and critical perspective. Taking the position that the issues cannot be resolved simply by resorting to legal, legislative and security-obsessed initiatives for the prevention of illegal migration, human smuggling and trafficking from Bangladesh to Pakistan and through Pakistan to the Gulf region and beyond, and also maintaining that the complex issues cannot be resolved by simply securitizing the issues, this study aims at presenting the viewpoint of the Bengalis/Bangladeshis as well. Furthermore, highlighting the importance of a futuristic and problem-solving approach, this study suggests the initiation of a dialogue between the government of Bangladesh and Pakistan to amicably resolve the problem and move forward to work together to control and prevent the illegal migration of Bangladeshis to Pakistan and their smuggling and trafficking into the country and beyond.

## 1.6: Research methodology

This study is not intended to be a situational report on the Bangladeshis' illegal migration to Pakistan and their smuggling and trafficking into the country and the adjoining regions and beyond. As such, it doesn't follow the descriptive approach. Instead, critical and analytical approach has been followed throughout the study. Again, though this work benefits from several internet sources, its reliance on the primary and secondary sources is rather more pronounced. Furthermore, the present study has benefited from a week-long field trip to Bangladesh in March 2010, from a number of trips to the scattered Bengali settlements in the slums of Karachi and from very insightful interviews with the subject experts, civil society people, government officials, personnel of law enforcement agencies and security bodies in Bangladesh and Pakistan and some members of the Bengali community living in Karachi.

While preparing the study, this writer was involved in organizing two seminars on related issues: one in Dhaka, Bangladesh and another in Karachi, Pakistan. The one at Dhaka was organized in collaboration with the Department of International Relations, University of Dhaka on 21 March 2010. The Chairman of the Department, Professor Delwar Hossain, was the moving spirit behind this seminar. The theme of the seminar was: "International Migration: Trends and Challenges". Several presentations were made and the follow up discussion covered the complex issues of migration with particular reference to Bangladesh and Pakistan. The second seminar was held on 25 March 2010 at the Shaheed Zulfikar Ali Bhutto Institute of Science and Technology (SZABIST) and its theme was: "Illegal Migration, Human Smuggling and Trafficking: Pakistan's Concerns". A number of presentations were made in the seminar and the follow up discussion was very candid, informative and thought-provoking. This study has benefited a lot from these seminars.

Finally, this research work has deliberately avoided the use of usual research tools like tables, graphs and figures for two main reasons: first, most of the statistical details regarding the concerned issues are speculative and not very reliable; and second; two excellent studies contain lot of updated data and statistical details. Prepared recently for a Peshawar-based NGO actively involved in migration study, research and training programme -BEFARE – and ActionAid Pakistan, these are: 1) *Baseline Study on Illegal Migration, Human Smuggling and Trafficking in Pakistan* prepared by Enterprise for Business & Development Management (EBDM); and 2) *Human Trafficking, Human Smuggling and Illegal Migration to and from Pakistan: Review of Government Policy and Programmes* by Farooq Azam. These may be accessed by visiting the BEFARE website: <http://www.befare.org/> and ActionAid website: [www.actionaid.org/pk](http://www.actionaid.org/pk)

## 1.7: Organization of the study

This study comprises five chapters. Immediately following the introduction, chapter II discusses, briefly though, the global migratory trends and describes the pattern of illegal migration, human smuggling and trafficking. It also attempts to contextualize

the related issues with particular reference to Bangladesh and Pakistan. Chapter III provides an overview of the experience of these two countries as migration states and refers to the migratory trends in influencing their perceptions and policies. Chapter IV gives a brief account of the life and living of the Bengalis/Bangladeshis in Karachi and their problems especially relating to identity and citizenship issues. It also calls upon both the countries to work together for the resolution of migration-related issues concerning the Bangladeshis in Pakistan. The next chapter, chapter V, the concluding part of this study, suggests that both the countries should take the extra mile, weave a common migration future and work together to combat and prevent illegal migration, human smuggling and trafficking from Bangladesh to Pakistan and beyond.

## II Many Faces of Migration

### 2.1: Introduction

According to Greek mythology, more than three thousand years ago, a man named Daedalus wished to flee from the kingdom of King Minos on the island of Crete and fly into freedom. He was a brilliant architect and sculptor and a renowned inventor from Athens. On the request of the King, he built the famous labyrinth, a castle of maze to house the Minotaur, a half man and half bull. Daedalus was later imprisoned in the labyrinth. Wishing to escape, he began studying the birds flying and was soon able to make flying wings fashioned with feathers and held together by wax. He made these flying wings for himself and his son Icarus, who was also with him in the prison. Teaching Icarus how to fly, he advised him not to fly too high and not to go near the sun, as the wax could then melt. Wearing the flying wings, the father and the son made to the skies one day. However, while Daedalus managed his flight to freedom, Icarus couldn't as he flew too near the sun and the sun melted the waxed wings. Icarus fell into the sea and died( Durant,1995:7).

Flight from captivity to freedom, escape from unbearable existential hazards and journeying in quest of the promised lands are the undertakings prompted by natural urge and desire. Such undertakings are characteristic of all historical eras and their commencement dates back to the time when began the human migration from one place to another, from one country to another and from one region to another. Over the vast span of time, this migration has become an accepted way of life and a sort of inevitability: humans have to move as they have to move and nothing, not even the fear of death on the way and on the borders, can stop them from moving from one place to another.

With the passage of time, and fashioning of exclusive identities, rising fear of the *unknown* and the *other*, shrinking will to co-flourish and co-develop, and increasing threat of the hordes at the gates to gatecrash and get in at any cost and at all costs, migration, especially illegal migration, is becoming all the more problematic. The dilemma of the receiving developed world is that it needs extra human resources and needs badly, but it is fearful that the newcomers would critically upset the economic, political, cultural and security order crafted so painstakingly over a long period of time. They fear most the arrival of the illegal, trafficked or smuggled into their homes and homelands. On the other side are the sending states. Being unable or unwilling to create conditions for their nationals to stay on and prosper in their own countries with dignity, equal rights and peace, they become a party- directly or indirectly-in prompting their citizens to venture across the borders and beyond-legally or illegally.

Hence the challenge of the contemporary times is as to how to benefit from the bounties and blessings of *regulated* migration in this age of globalization and how to diminish the temptation for illegal migration and control illegal migration, human smuggling and trafficking. This is a challenge for all: the sending, transit and receiving societies, as subsequently all of them suffer along with the victims. However, awareness

regarding this challenge is rather slow to grow in many countries including Bangladesh and Pakistan.

The issue of illegal migration of Bangladeshis to Pakistan and their smuggling and trafficking into Pakistan or their flight through Pakistan into the adjoining regions and beyond is part of a larger issue concerning almost all the countries of the world and the entire humanity. It is, indeed, part of a larger issue of human slavery, prostitution and dehumanization of the humans. Directly or indirectly, it challenges the evolving global, regional and national human rights regimes and structures and retards the pace of humanizing and democratizing process at local and international level. Keeping this in view, it is important for both Bangladesh and Pakistan that they deal with the issue with mutual understanding, cooperation and determination, and with care, empathy and creativity. Another imperative is to study the issue in a broader perspective and in the background of contemporary migratory trends and categorization of migration.

## **2.2: Migratory trends**

To begin with, human beings have always been on the move and their migration due to a variety of factors including wars, conflicts, violence, environmental hazards, hunger, disease, indignity and quest for a better future have been both voluntary and forced and regulated and unregulated. In the recent times, the period between 1870 and the First World War witnessed migration on a massive scale and more than 50 million Europeans left Europe for USA, Canada, Latin America, Australia and New Zealand. In addition, some 50 million immigrants from Asia moved to West Indies, Africa and elsewhere. Things have changed a lot during the last forty years or so. “Today”, observes the *IOM World Migration Report 2008*, “the patterns of movement are such that most countries are simultaneously countries of origin, of transit and of destination”. “At the same time”, the report adds, “there has been a diversification of migratory behaviour to include short-term relocation, longer-term temporary assignments, permanent migration itineraries leading back to the point of origin”( IOM,2008:2).

Furthermore, the number of international migrants has considerably increased. According to a UN estimate, the number more than doubled during the past 40 years. Presently, there are 191 million international migrants worldwide (defined as people living outside their country of birth for at least 12 months), nearly two and a half times the figure in 1965. Terming the growth in the number of people migrating over the last thirty years as ‘striking’, Catherine Withol de Wenden lists the figure thus: 77 million in 1965, 111 million in 1990; 140 million in 1997, 150 million in 2000, and 190 million at present (Withol de Wenden,2007:55).This figure includes the Bangladeshis and Pakistanis living and working in foreign countries, including Saudi Arabia, Libya, United Arab Emirates (UAE), Great Britain, USA, Canada, Malaysia and Japan. Again, and as pointed out by Withol de Wenden, migration-until recently-was confined to a small number of host countries and regions of origin, often connected by a colonial past, but now the “migratory trajectories are globalizing: the number of countries of destination and origin is constantly increasing, gradually blurring the importance of former colonial links and changing the bilateral nature of migratory flows” (ibid: 54).

Another important characteristic is the increasing feminization of migration. According to IOM's report for 2008, almost half of all migrants are women (49.6%), with only slightly more working in the developed than in the developing countries. The report further says that more women are now migrants than men in every region of the world, except in Africa and Asia. Again, more women are now migrating on their own as the primary bread earners for their families (IOM, 2008: 9-11). Among the migrant women are skilled workers working especially in the health and education sectors, but majority of them work in low- skilled sectors like domestic service, manufacturing and entertainment. While the Pakistani society is still not very favorably disposed towards sending the female workers abroad to work, Bangladesh has, in fact, been encouraging its female population to go and work abroad. However, Pakistan is believed to be an attractive place for the sale of Bangladeshi women and children and women and young children belonging to other countries. The country is also attractive for their legal and illegal transfer to the Gulf and beyond for slave labor and commercial sexual exploitation. However, while feminization of Bangladeshis' regulated migration is quite visible, the increasing feminization of Bangladeshis' illegal migration is not so much visible (1).

A yet another feature of contemporary migration is the significant rise in South-South migration. Dilip Ratha and William Shaw estimate that 74 million, i.e. nearly half of the current international migrants from developing countries reside in other developing countries and 80 per cent of South-South migration takes place between countries with contiguous borders (Ratha and Shaw, 2007:2). A prominent scholar on migration, Stephen Castels, contests this estimate. According to him, sixty per cent of the migrants now live in the developed world and three in ten persons are migrants there, compared with one in 70 in the developing countries. Pointing out that the number of migrants increased by 14 per cent during the 1990s, he observed: "The total net growth took place in developed countries: Europe, North America, Australia, New Zealand and Japan registered an increase in migrant stock of 23 million, while the migrant population of less-developed regions fell by 2 million". As such, "the trend is towards an acceleration of South-North migration" (Castles, 2007:38-39). Likewise Withol de Wanden says that "migration is unevenly distributed around the world" and "90 per cent of the world's migrants live in just fifty-five countries, mostly in the industrialized nations"(Withol de Wenden,2007: 55). One may, however, add here that most of the developed countries are thinly populated. As such, the impact factor of the arriving migrants on them is much more in comparison to impact factor on the developing countries having large local population. Again, the dissolution of the Soviet Union and Yugoslavia and opening of the world around the former Soviet satellites in Eastern Europe had caused significant population movements in Europe in the 1990s. This migratory pattern is much more stabilized now. An argument put forward in support of legal and illegal migration to the West from the developing world to the West is based on historical experience. The argument, in brief, is: We have a right to go and settle down in the West, because the West had colonized us for two hundred years or more.

In contrast, the developing regions are now experiencing the increasing pressure of the populations on the move. “The number of people legally crossing borders throughout the Southern African region has”, according to Sally Peberdy and Jonathan Crush, “exploded in the last decade”. They point out that the annual number of border crossing in South Africa by visitors increased from around 1 million to over 6.5 million between 1990 and 2002 and Africans constituted the overwhelming majority of these visitors. To be more specific, border crossing into South Africa by African visitors increased from 550,000 in 1990 to over 4.5 million in 2002 (Peberdy and Crush, 2007: 178).

Likewise, large-scale population movement has taken place in different Asian regions in the recent years. In the Gulf Cooperation Council (GCC) subsystem, for example, the foreign population increased from 8.6 million in 1990 to 12.8 million in 2005. It registered an increase of 48.5 per cent. Among the Gulf states, the proportion of foreigners to total population of Saudi Arabia is 25.9 per cent, that for Kuwait 62.1 per cent and 71.4 per cent for the UAE. The Bangladeshis and Pakistanis constitute a significant proportion of the migrants living and working in this region and this also includes those Bangladeshis and Pakistanis who illegally migrated to the Gulf or who were smuggled or trafficked into the region.

The Indo-Chinese system is another Asian region hosting a large number of foreigners. This region includes important host countries like Singapore, Malaysia and Thailand. There is a high proportion of migrants in the labour force of these countries: Singapore (28 per cent) and Malaysia (16 per cent). Putting it differently, Singapore had 1.8 million foreigners and at least 600,000 migrants in 2006, and as of July 2006, some 1,823,431 foreign workers from 22 countries were employed in Malaysia. Many of the foreign workers in these countries are from Bangladesh and Pakistan. South Asia is another Asian region where there is a large concentration of migrant workers, refugees, IDPs, illegal migrants and smuggled and trafficked people. Among the countries of the region, India and Pakistan together host a large number of such people (Battistella, 2007: 205-206).

### **2.3: Illegal migration, human smuggling and trafficking**

Equally importantly, if not more, these migrations are not always regular, documented and regulated. Illegal migration, human smuggling and trafficking are important constituents of the contemporary globalizing migration. Both South-North and South-South migrations are affected by such practices. Presenting a paper entitled ‘Can Migration be an Instrument for Reducing Inequality’ at a conference in Melbourne in October 2007, Castles said that there were 12 million undocumented migrants in the US and 4 to 7 million in the European Union and added:

‘Undocumented workers have no choice but to accept sub-standard wages and conditions. Some employers prefer them to legal workers, because they cannot complain.

Undocumented work is not the result of criminal behaviour by migrants.

It is the result of policy of denial by the rich and powerful. The contrast between the non-recognition of the need for lower-skilled Labour by the governments and strong demand by employers makes undocumented migration inevitable' (Castles, 2007: 3).

Perhaps migration without valid documents is more rampant in the South-South migration because of a variety of factors, including existence of unclear rules governing immigration in the developing world and/or their weaker implementation, inability of the countries to police their extensive borders due to lack of sufficient resources and trained manpower, unholy links between and among the migrants, borders security forces and international gangs of human smugglers and traffickers and powerlessness of the civil societies in the South in particular. The net result is that illegal migratory flows criss-cross the regions and continents and virtually put the individuals and families at the mercy of smugglers, traffickers and callous and corrupt government officials.

By any count or criterion, the prevalent situation is really very disturbing. A number of victim surveys indicate that most illegal migration, human smuggling and trafficking originate in the developing regions. In sub-Saharan Africa, for instance, irregular and illegal migration is probably the dominant form of migration. Here the children are trafficked for farm labour and women for sexual exploitation. It is estimated that up to 200,000 children are trafficked each year in Western and Central Africa alone. According to an estimate, by the end of 1990s, around 400,000 people had entered the European Union as a result of human smuggling and trafficking. "This figure", observes Mehmet Ugur, "represents a four-to-eight fold increase compared to estimates at the beginning of the 1990s and does not include overstayers or other types of irregular migrants" (Ugur, 2007: 85). South-South illegal migration has also increased manifold and a large number of developing countries complain against the arrival and stay of illegal migrants from the neighboring countries in particular. Among such countries, India, Pakistan and Malaysia are well-known for hosting a number of illegal Bangladeshi migrants including those smuggled and trafficked from Bangladesh. These countries are also well-known for their use as transit countries by the illegal Bangladeshi migrants and their smugglers and traffickers.

The desire to achieve a better future for themselves and their family members, the desperation to go abroad at any cost, and almost total unawareness regarding what the smugglers and traffickers could do to them and what are the challenges on the way and later, a large number of desperate migrants reportedly land into very tragic situations. "Undocumented migration", Antonie Pecoud and Paul de Guchteneire point out, "has become a dangerous process; it is estimated that at least one migrant dies every day at the U.S.-Mexico border, mostly because of hypothermia, dehydration, sunstroke or drowning"(Pecoud and De Guchteneire,2007:4). In the recent years, the number of those illegally crossing the U.S. -Mexican border and getting killed has increased. Specifically speaking, 390 persons lost their life in the year 2008 and 417 in 2009. Again, some 705,022 persons were arrested while trying to cross the border illegally (Daily *Jang*, Karachi, 7 May 2010). Citing various sources, Pecoud and de Guchteneire inform that at least 920 migrants died trying to reach Europe between 1992 and 1997 and more than

4,000 deaths took place between 1992 and 2003. They also refer to a 2002 statement of the Human Rights Advocates International to the UN Secretary General, which claims that over 3,000 migrants died between 1997 and 2000. They died while attempting to cross the European borders illegally. Most of them died while crossing the Strait of Gibraltar (Pecoud and De Guchteneire, 2007:4).

Besides those who are challenged, chased, arrested or killed by the patrolling security forces on the deadly borders, there are hundreds of thousands of those who are smuggled and trafficked into foreign lands and condemned to live the life of slaves. Women, young girls and young boys constitute the majority forced into slave labour and sex slavery. Of course, the trafficking of women and sexual slavery is not always the same thing, but these are inter-related and as Louise Brown points out in *Sex Slaves: the trafficking of women in Asia*, “trafficked women are the easiest target for the sex industry and form its most reliable supply of sex slaves”. Brown adds: “People-men, women and children are trafficked in order to channel them into exploitative form of labor...By transporting people from their homes, and often out of their original countries, traffickers make these vulnerable people even more vulnerable” (Brown, 2005:22).

What is equally distressing is the fact that human smuggling and trafficking are some of the fastest growing areas of international criminal activity. “Trafficking in person”, according to a report prepared by the Smuggling and Trafficking Center, “can be compared to a modern day form of slavery. It involves the exploitation of people through force, coercion, threat, or deception and includes human rights abuses such as debt bondage, deprivation of liberty, or lack of control over freedom and labour. Trafficking can be for purpose of sexual exploitation or labor exploitation”(The Human Smuggling and Trafficking Center, Fact Sheet, January 2005:1). The exploitation could also be in the form of organ removal (UN. Gift, Background Paper, 2008).

It may be added here that despite punitive, preventive and restrictive measures taken by different countries to counter trafficking, the number of the trafficked persons remains alarmingly high. According to an estimate of the U.S. government, for example, between 800,000 and 900,000 victims are trafficked globally every year and between 17,000 and 18,500 are trafficked into the U.S. each year. Again, human smuggling and trafficking is not confined to a few countries. It is widespread. It cuts across bilateral, regional and continental boundaries and affects a large number of developed and developing countries. According to April 1985 ILO study entitled *ILO Minimum Estimate of Forced Labour in the World*; the minimum number of persons in forced labor, including sexual exploitation, as a result of trafficking was at least 2.45 million. This figure represents about 20% of total forced labour. The report points out that the highest number of trafficked people end up in forced labour in Asia and the Pacific(1.36 million), followed by industrial countries (270,000), Latin America and the Caribbean (250,000), and the Middle East and North Africa(230,000), Transition Economies (200,000) and Sub-Saharan Africa (130,000) (Belser, et.al., 2005:4-5). Another report, the John Hopkins University’s Protection Project Review of the Trafficking in Persons, released in June 2009 points out that trafficking for the purpose of forced labor and sexual

exploitation occurs in 156 out of 175 countries included in the TIP Report. (John Hopkins University, 2009).

Worse still, powerful international mafia groups are operating at global, regional and national level and they usually work in concert with immigration officials, border security forces and officials of other government agencies in different countries. As such, unilateral or even bilateral measures to control and counter illegal migration, human smuggling and trafficking may not produce the desired result. Human smuggling and trafficking is an octopus issue having many tentacles, but merely hitting at some of the tentacles will not be enough. There is a need to act globally, regionally, bilaterally and locally-all at the same time. This point needs to be kept in view while discussing, suggesting, formulating and implementing strategies to counter Bangladeshis' illegal migration to Pakistan and their smuggling and trafficking into Pakistan and via Pakistan into the adjoining regions and beyond.

Likewise, it should be remembered that trafficking is a highly lucrative business. ILO estimates that the annual profit made from the exploitation of all trafficked and forced labor is about 31.7 billion US dollars. Writing the foreword to the path-breaking study of Patrick Besler, Roger Plant, Head, Special Action Programme to Combat Forced labour, In Focus Programme on Promoting the Declaration, refers to the important findings of the work and says: "The paper's main estimate is that global profits made from forced labourers exploited by private enterprises or agents reach US\$ 44.3 billion every year, of which US\$ 31.6 billion from trafficked victims. The largest profits-more than US\$ 15 billion-are made from people trafficked and forced to work in industrialized countries. These figures show that profits are possibly much larger than so far recognized in the estimates of other national or international organizations. They also support the view that trafficking thrives because it is lucrative and that policy measures to combat this scourge must include the confiscation of the financial assets of those involved in trafficking across or within borders". The title of Patrick Besler's excellent study is *Forced Labour and Human Trafficking: Estimating the Profits* and it was published in March 2005 by ILO (Besler, 2005).

Another study, based on an analysis of 538 cases of human smuggling and trafficking, by Melonie Petros presents a well-researched paper on the issues and gives details regarding the cost of the routes taken up by the smugglers and traffickers. Table II. 1 on the cost of the routes indicates as to how much costly the illegal migration can really be. It also suggests as to how well-organized and well-connected the transnational groups facilitating illegal migration, smuggling and trafficking must be.

**Table II.1: Global Costs for Human Smuggling and Trafficking**

<u>Routes</u>	<u>Mean costs (US D)</u>
Asia-Americas	26, 04
Europe-Asia	16, 462
Asia-Australasia	14,011
Asia-Asia	12, 240
Asia-Europe	9, 374
Europe-Australasia	7, 400
Africa-Europe	6, 533
Europe-Americas	6, 389
Americas-Europe	4, 528
Americas-Americas	2, 984
Europe-Europe	2, 708
Africa-Americas	2, 200
Africa-Australasia	1, 951
Africa-Africa	203

Source: Petros, Melanie Petros.2005. 'The costs of human smuggling and trafficking', Global Migration Perspectives No. 31, Global Commission on International Migration(GCIM),PP.4-5. [www.gcim.org/attachments/GMP%20No%2031.pdf](http://www.gcim.org/attachments/GMP%20No%2031.pdf)

In the light of the above, any strategy to control, combat and prevent the illegal migration, human smuggling and trafficking from Bangladesh to Pakistan and through Pakistan to the Gulf and Middle Eastern region and beyond needs to take note of two important points: first, it cannot be controlled through unilateral, preventive and punitive measures by Pakistan alone or through the bilateral efforts of Bangladesh and Pakistan only; and second, there are many stake holders in this business of illegal migration, human smuggling and trafficking. Again, important though it is to have a clear idea of the conceptual and definitional aspects of the three terms-illegal migration, human smuggling and trafficking, an equally important task is to enquire if an understanding of the subtle differences between and among them makes any difference in enabling Pakistan to handle the related issues.

**2.4: Illegal migration, human smuggling and trafficking: definitional aspects**

To begin with, illegal migration may be described as a sort of blanket term, including different kinds of illegal and criminal activities associated with migration. A common practice is to get into a country clandestinely, without any notice or inspection. Another practice is to enter a country with the help of false or fraudulent documents. A yet another practice is to enter a country with proper and legal documents, but willfully overstaying the period of legal stay. Often the practice is to enter a country with proper documents, but then violate the terms and conditions of the visa by doing job in the host country.

Of course, illegal migration includes human smuggling and trafficking, but one should note that while all trafficking and human smuggling are essentially illegal, all illegal migration is not human smuggling, nor is it trafficking. The main issue is the issue of consent or its absence (Table II.2). A person, for instance, may decide to enter into

**Table II.2: Differences between Human Trafficking and Smuggling**

<u>Trafficking</u>	<u>Smuggling</u>
a) Must contain an element of force, fraud or coercion (actual, perceived or implied), unless under 18 years of age involved in commercial sex acts.	a) The person being smuggled is generally cooperating.
b) Forced labour and/or exploitation	b) There is no actual or implied coercion.
c) Persons trafficked are victims	c) Persons smuggled are violating the law. They are not victims.
d) Enslaved, subjected to limited movement or isolation, or had documents confiscated.	d) Persons are free to leave, change jobs, etc.
e) Need not involve the actual movement of the victim.	e) Facilitates the illegal entry of person(s) from one country to another.
f) No requirement to cross an international border	f) Smuggling always crosses an international border.
g) Person must be involved in labour/ services or commercial sex acts, i.e., must be “working”	g) Person must only be in country or attempting entry illegally.

Source: Human Smuggling and Trafficking Center. January 2005. *Fact Sheet: Distinctions between Human Smuggling and Human Trafficking*. P.4. [http://www.gov/crt/crim/smuggling\\_trafficking\\_facts.pdf](http://www.gov/crt/crim/smuggling_trafficking_facts.pdf)

another country clandestinely, use fraudulent documents for entrance, overstay or take up a job not allowed by the terms and conditions of the visa. These are acts of illegal migration based on consent or willingness to take the risk. “ Human smuggling”, Jorgen Carling points out, “is often the result of an agreement between two parties: a prospective immigrant who lacks the opportunity to immigrate legally, and a human smuggler offering his services in the form of forged documents and/or transport against payment and the immigrant gets to enter the country as intended”. “Today it is nearly a necessity”, Carling adds, “for people who wish to apply for asylum in Europe to use human smugglers to reach European territory and present their application for asylum” (Carling, 2006:9).

Contrary to human smuggling, trafficking in persons involves by definition an element of force, coercion, deception and exploitation. Signed in 2000, the UN Palermo Protocol or the United Nations Protocol to Prevent, Suppress, and Punish Trafficking in Persons, provides the most widely used definition of trafficking. It is as under:

“Trafficking in persons ' shall mean the recruitment, transportation, transfer, harboring 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 labor or services, slavery or practices similar to slavery, servitude or the removal of organs”.(ibid: 10).

It is possible that the trafficked persons may travel with legal documents, legally enter the destination states and may then be coerced, intimidated and commanded to do things against their will. Many women, for instance, enter a country as wives and then they are subjected to forced labor including prostitution. Likewise, “deception and exploitation”, Bridget Anderson and Julia O’Connell Davidson point out, “are also features of legal labor migration schemes, both during the process of migration and at the point of destination”. They further point out that there is reportedly an increase in the incidence of unpaid wages, confiscated passports, confinement, lack of job training and even violence against migrant workers, even when they may be staying legally in a number of countries and working under various work permit schemes. Anderson and Davidson also maintain that the workers may often be vulnerable to such abuses precisely because they had migrated legally under work permits schemes that tying them to a certain employer. They also say that the Palermo Protocol is not fully successful in resolving as to who should be counted as a ‘trafficked’ person and who shouldn’t as this question is “clouded by the fuzzy and unworkable distinction between trafficking, smuggling and migration” (Anderson and O’Connell Davidson, 2003: 7).

## **2:5: Contextualizing illegal migration, human smuggling and trafficking**

There is absolutely no agreement regarding the number of Bangladeshis who had, over the last forty years or so, entered Pakistan illegally or who had overstayed in Pakistan or who were smuggled or trafficked into Pakistan or who were later transported into the Gulf region and beyond-illegally. However, and by and large, the international as well as Pakistani and Bangladeshi sources do agree that the illegal migration of Bangladeshis to Pakistan had taken place during the 1980s and 1990s in particular and a number of them were smuggled or trafficked into Pakistan. However, a related issue which never acquired importance and which is an important issue is this: does it really matter to Pakistan whether a Bangladeshi citizen’s entry was a case of illegal migration or a case of smuggling or trafficking? Here the brilliant observation of Bridget Anderson

and Julia O' Connell Davidson, a sort of general observation and not specific to Bangladeshis' illegal migration, smuggling and trafficking, is worth quoting:

“There are strong political pressures to divorce the debate on “trafficking” from the more general phenomenon of migration, and to treat “smuggling” and “trafficking” as distinct phenomena. However, if the primary concern is to locate, explain and combat the use of forced labour, slavery, servitude and the like, then there is no moral or analytical reason to distinguish between forced labour involving “illegal immigrants”, “smuggled persons” or “victims of trafficking”. The distinction between trafficking and smuggling may be clear to those who attach political priority to issues of border control and national sovereignty, but it is far from obvious to those who are primarily concerned with the phenomenon and protection of the rights of migrant workers. Indeed, it is widely believed that the trafficking/smuggling distinction represents a gaping hole in any safety net for those whose human rights are violated in the process of migration” ( ibid:7).

Citing various sources, Anderson and Davidson further observe that the “ policies designed to control and restrict immigration can actually fuel markets for “ trafficking” and “ smuggling” and contribute to the construct of irregular migrants” (ibid).

These observations are relevant in the context of Bangladeshis' illegal migration, smuggling and trafficking into Pakistan and their onward transportation to the adjoining regions and beyond and they may help us understand as to why it wouldn't be very helpful if the issue is not approached in totality and only strong and harsh police and legal measures are recommended to deal with the undocumented Bangladeshis in Pakistan. The issue is clearly not an issue of border control only or that of state security only. True enough that security issue is important as Pakistan is being rocked and shaken to its foundation due to widespread terrorism within the country and beyond (this aspect has been discussed elsewhere in this study), yet it would be wrong to merely securitize the issue. We need to understand that there are currents, cross-currents and under-currents that induce illegal migration, human smuggling and trafficking from Bangladesh to Pakistan and beyond; there are the stake holders; there are the criminal and unholy local, regional and global connections; there is the irresistible desire of the deprived and marginalized to migrate legally or illegally and at any cost; and there are the policies and priorities of these two migration states: Bangladesh and Pakistan. An overview of the experiences and policies of both Bangladesh and Pakistan as migration states and a brief on their experience may help put into proper perspective the issue of illegal migration, human smuggling and trafficking from Bangladesh to Pakistan and through Pakistan to the Gulf and the Middle East and beyond. The next part of the study provides such an overview.

## **III Bangladesh and Pakistan as Migration States**

### **3:1 Introduction**

Whether the number of illegally migrating Bangladeshis to Pakistan or the number of those smuggled and trafficked into Pakistan are provided by international organizations, concerned governments or international, regional or national CSOs, the figures can always be challenged for being speculative, unauthentic and inaccurate. However, what cannot be challenged is the fact that illegal migration of Bangladeshis to Pakistan did take place in the past and the Bangladeshis were also smuggled and trafficked into Pakistan and through it to the adjoining regions and beyond. Again, whether the number of illegally migrating Bangladeshis to Pakistan or the number of those smuggled or trafficked into Pakistan is small or large, the issue is serious for the victims and their families, for Bangladesh and Pakistan and for the world at large. Finally, however challenging the task to tackle the issue be, serious, sustained, concerted, and coordinated efforts at international, regional, bilateral and national level are needed to be undertaken. In this context, the role of Bangladesh-the sending state- and Pakistan-the transit and receiving state-is crucial. To what extent are they willing and capable enough to tackle this issue? An overview of the experience of Bangladesh and Pakistan as migration states may help assess their approach toward illegal migration, human smuggling and trafficking.

Keeping this in view, this part of the study provides such an overview. It is divided into three sections: the first highlights the importance of the issue in the context of war on terrorism; second gives a brief account of Bangladesh's experience as a migration state; and third describes Pakistan's experience as a migration state. The experience of both Bangladesh and Pakistan are discussed in the context of illegal migration, human smuggling and trafficking.

### **3:2 Illegal migration, human smuggling and trafficking: a grave issue**

The illegal migration of Bangladeshis to Pakistan, like that of the Pakistanis and citizens of other countries to other countries, and the smuggling and trafficking of the Bangladeshis to Pakistan, like the smuggling and trafficking of Pakistanis and citizens of other countries to other countries, is a grave issue on several counts. First, migration has come to stay and migration of the people in the coming years and decades will continue to increase. As such, there is a need for regulated, documented, and properly planned migrations. Second, Pakistan-like other receiving states- has a right to acquire adequate information about the people legally and illegally coming from Bangladesh and other countries and ensure that they follow and respect the norms, customs, culture, and laws of the land. Third, illegal migration, human smuggling and trafficking from Bangladesh to Pakistan do raise economic, cultural and security concerns for Pakistan. They also violate several universally accepted human rights. Further, the issue becomes all the more challenging and problematic when viewed in the perspective of rising Islamist extremism in South Asia and increasing incidence of religious and sectarian violence in both Bangladesh and Pakistan.

Bangladesh, one may point out, is a predominantly Muslim majority state. It was part of Pakistan between 14 August 1947 and 16 December 1971. During this period, a number of powerful, popular, and mass supported movements for political, economic, and cultural rights were launched in the majority province of the Federation of Pakistan: East Pakistan (now Bangladesh). Almost all these movements were led by modernistic, progressive, nationalist and secularist political parties and forces and they were opposed by the conservative including some religious parties. The last phase of the liberation struggle-from March to December 1971- was a bloody, armed struggle and it was led by the nationalist, secularist party- the Awami League of Sheikh Mujibur Rehman. The forces and parties which had supported the Pakistan military action in the former East Pakistan and collaborated with the military in its action became very vulnerable by end-1971. On the eve of Bangladesh's independence on 16 December 1971 and after, such forces were forced to be defensive and wear a low profile because of widespread hatred and anger of the common Bangladeshi people against their role during the freedom movement of Bangladesh. Such people including hundreds and thousands of ethnic Bengalis had to run for their life, get into India illegally and arrive in Pakistan after clandestinely and illegally crossing the Indo-Pakistani borders.

However, the extremist Islamist forces in Bangladesh did not take long to gather strength and make their presence felt as the succeeding civilian and military governments used Islam for political purposes there. To be more specific, the Islamization process began in 1975, when General Ziaur Rahman lifted the ban on Jamaat-i-Islami Bangladesh and replaced a number of secular features of the constitution by inserting Islamic provisions. Again, during the rule of General Hossain Mohammad Ershad, Islam was declared the state religion and Friday was declared the weekly holiday. In due course of time, religious militancy and extremism gained momentum. Over the year, the constituency has grown in strength and it is often accused for involvement in terrorist activities within the country and across the borders. Is it possible for such elements to leave Bangladesh and enter Pakistan-via India- illegally and take part in terrorist activities in Pakistan or in the neighbouring Gulf region or beyond? It seems very unlikely, because such elements will not be welcomed in Pakistan. Being at war with the terrorists and being a victim of terrorism, Pakistan will not provide safe heaven to such elements coming from Bangladesh or from elsewhere. However distant the possibility of Bangladeshi terrorists' illegal migration to Pakistan may be, the securitization of the issue concerning illegal migration, human smuggling and trafficking from Bangladesh does take care of this aspect as well.

Isn't there a need to look at the issue in its broader perspective by both Bangladesh and Pakistan? Would Bangladesh and Pakistan be able to contain and control these illegal migrations? A brief on these countries as migration states may indicate as to how serious are these states in tackling the issue and how much capable are they in meeting the challenge. Such a brief is placed below.

### 3:3 Bangladesh as a migration state

Bangladeshis' migration has a long history and people have always moved across the borders as single persons or as part of smaller or larger migrating groups. In recent times and especially in the twentieth century, a series of large-scale population movements took place from the country. For instance, CS Mullen, a British officer and then Census Commissioner of Assam, refers to the massive migration of Bangladeshis in the early 1920's to Assam and says that the migration looked like a "marvel of administrative organization on the part of the government but it is nothing of the kind: the only thing that can be compared to is the mass movement of a large body of ants." (Joseph, 2006:5). Assam, Josy Joseph points out, is the largest of the North Western states of India and "one of the biggest victims of the illegal migration." The writer further points out that the first wave of the migrants from Bangladesh to Assam was noticed in the 1920's in Goal Para, a place close to the present day Indo-Bangladesh border. In the next 10 years, Joseph adds, the population of Bangladeshi settlers increased to half a million. During the 1930's and 1940's, when communal riots erupted in Calcutta and Bihar and especially after the creation of Pakistan as an independent state in August 1947, the migration of the Hindus from Bangladesh to India began on a regular basis. However, the most massive migration of the Bangladeshis to India took place between March and December 1971.

This was the period when the crisis in former East Pakistan worsened and exodus of Bangladeshis to India took place (Hossain & Mehdi, 2010). It was a big population movement. After the creation of Bangladesh in December 1971, these refugees returned home, but there were hundreds of thousands of those Bangladeshis- especially Hindu Bangladeshis- who stayed back in India. India considers them illegal migrants. Over the years, the illegal migration of the Bangladeshis to India and their smuggling and trafficking into India has continued and it is estimated that about 20 million illegal Bangladeshi migrants live in India today.

Here, it is desirable to clarify certain points. First, it is not the Hindu Bangladeshis only who have illegally migrated to India and settled down there. A number of very poor Muslim Bangladeshis have also illegally migrated to India. Likewise, Muslim Bangladeshi men, women and children have also been smuggled and trafficked into India. Second, and as pointed out by Sujata Ramachandran in her study *Indifference, Impotence, and Intolerance: Transnational Bangladeshis in India*, established patterns of migration have transformed and intensified in recent years and Bangladeshis are now moving away from the border areas into relatively affluent parts of north and north western India. "Specifically, a steady stream of migrants," she points out, "is moving into affluent areas like New Delhi and Mumbai (formerly Bombay) where there is a constant demand for cheap labor." She adds that even in such urban areas, they generally occupy "the lowest social echelons," and join the vast ranks of the urban poor living in slums and shanties in these cities. "While the male Bangladeshis work here as laborers, rickshaw pullers, or rag pickers salvaging the re-salable material out of garbage, the women work as maids or domestic servants in the middle-class Indian households" (Ramachandran, 2005:6). Third, the illegal Bangladeshi population includes a considerable number of

women and children. Fourth, the resentment against Bangladeshi migrants is on the rise in India. While this resentment has not mounted to the scale of a xenophobic political movement as witnessed in Assam, the provocative discourses against them in the regional and national print media render them very insecure. Fifth, and as pointed out by Ramchandaran, the Hindu and Muslim Bangladeshi migrants are treated differently by the Hindu nationalist parties, which are now increasingly vocal and assertive. While the Hindu Bangladeshis have been unofficially classified by successive Indian governments as ‘refugees; escaping persecution from an Islamic Bangladeshi state’, the Muslim Bangladeshi migrants are viewed with hostility or indifference and their growing number is projected as “invisible, silent invasion” and “demographic aggression.” (ibid, 13-14). Furthermore, Kolkata, New Delhi, and Mumbai are the mega cities of India. These are also the cities hostaged by the gangs and syndicates of international criminals, including the drug mafia, weapon sellers, and human smugglers and traffickers. A number of these illegal Muslim Bangladeshis, including the Bangladeshi women and children, may be induced, seduced, or forced to move on to Pakistan and other neighboring Muslim countries. Moreover, the rising tide of Hindu extremism in India may also induce some of the Bangladeshis living in India to illegally cross India-Pakistan borders and settle down in Pakistan, a predominantly Muslim society. Finally, the desperation to move to Pakistan or some other Muslim countries may progressively increase if insecurities pertaining to their stay in India increases and their vulnerability because of their Muslim identity escalates. Again, the likelihood is there that the Bangladeshi children living in India may be smuggled or trafficked to Pakistan for their onward transportation to the Gulf to take part in the camel races. The Bangladesh government has often expressed its concern over the issue of Bangladeshi children being taken to the Gulf for participation in the camel races, but its position on the Bangladeshis illegally living in India and Pakistan is quite different.

As a migration state, Bangladesh has a clear, unequivocal, official position on the issue of illegal migration of the Bangladeshis to India and Pakistan: ‘there is no illegal immigration from Bangladesh to India or Pakistan’. However, the fact of the matter is that there are illegal Bangladeshi immigrants in India (Van Schendel, 2000). They are also in Pakistan and in several other countries. Bangladesh should accept its responsibility towards its citizens presently illegally staying in other countries. Moreover, the country should also discourage their further migration to other countries including Pakistan. Likewise, the state of Bangladesh has a responsibility toward the Rohingya refugees it is still hosting and it should do whatever it can to prevent their further illegal movement, smuggling or trafficking to other countries including Pakistan.

The Rohingya refugees belong to Burma, a country which shares 200 kilometers long land border with Bangladesh, and which was administered-until 1936- from New Delhi under the Governor General. Two of the Northern districts of Arakan province of Burma were then under Chittagong Division. As such, and as Mahendra Lama points out, there was hardly any restriction on crossing from one area to another. The Rohingyas from Burma, Lama adds, are mostly Muslim farmers and laborers from Rakhine region of Burma and they are very often considered as “illegal immigrants” and “not included in the national races of Myanmar.” (Lama, 2008:8). As a result, the Rohingyas had to face a

series of unfavorable conditions including “withdrawal of citizenship, institutional restrictions on movement, forced labor, and forced relocation of villages.” In addition, they were subjected to religious persecution and various kinds of discrimination ensuring their exclusion from civil and military jobs (Abrar, 2005:41). The unbearable living conditions caused especially during and after the Operation Dragon King in Burma forced about 250,000 Rohingyas to seek shelter in the adjoining towns like Teknaf-Cox’s Bazar of Bangladesh. During 1991-1992, another refugee influx from Burma took place. Though 250,000 Rohingyas were taken back by Burma following the UN- brokered deal, persecution of the Rohingyas continued in Burma. As a consequence, their influx into Bangladesh also continued and their sufferings lingered on. Described by the UN as one of the most persecuted minorities, the Rohingyas demand restoration of their citizenship and call for the withdrawal of restrictions on practicing their religion and on their movement from one place to another in their own country. (AFP, 30 December 2009). According to the Agence France Presse (AFP) report, between 300,000 to 400,000 Rohingyas are still there in Bangladesh. However, only 28,000 of them have been granted refugee status and they are allowed to stay in the UN-assisted camps in the country’s Cox’s Bazar districts- just miles (kilometers) across the Myanmar border (ibid). Who is taking care of the remaining Rohingyas in Bangladesh?

Bangladesh, one may point out, is one of the poorest countries of the world and it is clearly not in a position to take care of all these Rohingyas for an indefinite period. On a number of occasions, therefore, it demonstrated refugee fatigue and reportedly also used strong measures to force their repatriation. Furthermore, the fact of the matter is that the Rohingyas do not matter in regional and global politics. As such, these dispossessed citizens of Burma are condemned to suffer deprivations of all sorts. In addition, they have the wounded feeling of being denied religious rights in their own country. Many among them desperately look for safe havens and better prospects for themselves and their families. These are also the people who look like Bangladeshis and who, as Nishat Chowdhry, National Program Officer of IOM at Dhaka, Bangladesh, pointed out, speak a dialect closer to the dialect used by the local people of Cox’s Bazar/Chittagong. These are the Burmese citizens who may be mistaken to be Bangladeshis.

Many of these Burmese are already in Pakistan and especially in Karachi. How many of them arrived Pakistan in the recent years?; how many entered Pakistan illegally and clandestinely ; and how many were smuggled or trafficked into Pakistan? Answer to these questions couldn’t be obtained while doing research in Pakistan (February-June 2010) or while availing a field trip of Bangladesh in March 2010. However, these important questions ask for satisfactory answers.

Another area of concern in the context of Bangladeshis’ illegal migration, smuggling and trafficking is paradoxically related to certain aspects of the country’s regulated international migration itself. The enormous increase in the number of Bangladeshi workers migrating abroad is one such aspect. The increase in the number is indeed very impressive. In 1976, the year when the Bureau of Manpower Employment and Training (BMET) was established by the government, the total number of Bangladeshi workers sent abroad through official channels was only 6087. It rose to 100,

000 by 1990 and to 200, 000 by 1996. “Cumulatively, the stocks of migration”, points out Zahid Zamir, a Bangladeshi scholar based in Malaysia, “increased 136 times from 1976 to 1990 and 327 times in 1996” (Zamir, 2006:12). According to another estimate by Tasneem Siddiqui, a leading Bangladeshi scholar on migration issues, more than 3 million Bangladeshis migrated overseas for employment between 1976 and 2002 (Siddiqui, 2003:10). In 2006, the stock of short term contract migrants stood at 4.4 million (Siddiqui, 2008:7-8). Likewise, the net flow of remittances has also registered a significant increase. According to RMMRU, official remittance flows increased from US \$ 23.71 million in 1972-73 to US \$ 6.4 billion in 2007. Thus remittances and not the ready made garment industry has now emerged as the highest net foreign exchange earning sector (RMMRU, March2008:1). The remittances arriving in the year 2005-6, according to Iftikhar Ahmed Chowdhery, former advisor for Bangladesh’s Ministry of Foreign Affairs, Ministry of Expatriate Welfare and Overseas Employment, represented 7.6 percent of the country’s GDP. He adds that the remittance transfers were approximately four times higher than the net flow of aid to Bangladesh and more than nine times higher than foreign direct investment (Abrar, 2008:11).

The tremendous increase in the number of Bangladeshis’ migration to the overseas during the last couple of decades is significant enough for the state as well as for the people of the country. Bangladesh earns a substantial amount through remittance flows every year and the flows are contributing to the economy of one of the poorest countries of the world. According to the *Global Economic Perspective Report 2006* of the World Bank, remittance inflow has helped Bangladesh reduce poverty by 6 per cent. Furthermore, the outmigration is also easing pressure on Bangladesh’s employment market itself. Observing that the migrant workers were taking themselves off from the employment market of the country, Mohammad Touhid Hossain, Secretary Ministry of Foreign Affairs said at a policy dialogue held in Dhaka on 10 June 2007: “Just imagine 5 million extra people looking for jobs here. I think it needs to be thought carefully with deep appreciation” (RMMRU, 2008:17). Keeping in view the significant contribution of Bangladeshi migrant workers overseas to the country’s economy and its market, wouldn’t it be tempting for the policy makers and concerned officials and authorities of Bangladesh to go soft on the Bangladeshis illegally migrating to other countries and on the private recruiting agencies and illegal migration networks involved in the smuggling and trafficking of the Bangladeshis to foreign countries including Pakistan?

Again, the temptation to venture abroad at any cost may be aroused among the ones staying back in the country. The sudden improvement in the quality of life and standard of living of the families of the migrants because of remittance inflows may exercise irresistible pressure on hundreds of thousands of families condemned to live, generation after generation, with very low income, meager resources and little hope for change for better in their life time. Many among such families would be tempted to opt for illegal migration and even for getting smuggled into other countries. Many could also become easy prey to the traffickers perpetually on the look for the victims. The memory of the strong links which Bangladesh had with Pakistan during the united Pakistan days (1947-1971) could act as another motivating factor. Again, the very thought that the port city of Karachi hosts hundreds of thousands of Bengalis who could provide help,

assistance and shelter and the hope that an illegally arriving Bangladeshi individual or family could escape the reach and catch of the Pakistani police and immigration officials and get lost in the crowd of millions in Karachi could induce many more to gaze lustily in the direction of Karachi/ Pakistan. The growing feminization of Bangladesh's international migration and the attraction of lucrative jobs in the Gulf and beyond may also induce a number of female workers to opt for illegal migration to Pakistan and through Pakistan to the Gulf and the Middle East. Mesmerized by the amazing prospects in the Arab countries, many of them may walk into the traps set by the smugglers and traffickers.

Here it may be pointed out that the migration of female workers from Bangladesh to overseas for employment is a recent development. It was during late 1950s and early 1960s that the Bangladeshi women began migrating to foreign lands. They then overwhelmingly went to the UK, the country to which most of the Bangladeshi workers went for work those days. The main objective of their migration was family integration and not employment. Again, this traditional female migration was almost entirely permanent in nature. However, over the years, significant changes in the nature of female migration have taken place. Since the early 1970s, the Bangladeshi women's migration for jobs in other countries began. UK was no longer the main destination: it was the oil-rich Arab countries and later the newly industrializing South East Asian countries including Malaysia and South Korea. Furthermore, migration was usually time bound and it was for a short duration. The workers had to return after the expiry of the contract period. Only those could stay whose contracts were renewed or extended. However the number of Bangladeshi women migrating overseas remained insignificant for several years and they entered the international labor market "as principal migrants, not simply as spouses" in the 1990s (Siddiqui: 2001:28). However, the number was still very modest in the 1990s. Specifically speaking, between 1991 and 1999, a total of 13,544 women migrated through official channels, and up to 2003, the percentage of the female workers was less than one percent of the total flow. The number significantly increased in the later years. Now it has risen to 6 percent. Most of these women are doing modest jobs and earning their livelihoods as domestic workers. Then there are those involved in sex work.

The Bangladeshi society is now opening up. It is gradually becoming more favorably disposed towards women going abroad for work. The government is also encouraging female workers to go overseas for employment and there is an increasing degree of willingness and readiness among family members to allow women to work abroad. The trend is set now and the number of female workers going abroad for work or getting psychologically, financially and socially prepared for work overseas is clearly on the increase. The temptation is also there to go overseas at any cost. Hence, as the number of Bangladeshi female workers is increasing, so is the number of those desiring to go abroad. Furthermore, many women contact the private recruiting agencies or repose trust in their near or distant family members or acquaintances, who assure them of a better future, a good salary and a job with dignity and security. Again, the temptation for a job overseas also increases because of its being a contracted job and limited for a couple of years or so. Sometimes and for some aspiring women/families, the temptation

becomes so irresistible that they agree for illegal migration and even agree to get smuggled into countries like UAE, Kuwait, Malaysia and so on. Often the temptation and impatience pushes quite a few into the inviting, seducing traps of the traffickers. For such people, Pakistan as a transit country holds great attraction.

A yet another aspect relating to Bangladeshis' international migration, and which deserves our consideration especially in the context of their illegal migration, smuggling and trafficking to Pakistan is the destination and intended destinations. Up to the year 1975, some 27, 969 Bangladeshis were working in the Middle East. It constituted 14.4 percent of the total Bangladeshi migration up to 1975. While some 165, 900 Bangladeshis or 85.6 percent of the total Bangladeshi migrant workers worked up to 1975 in the rest of the world, there was hardly any migration from Bangladesh to East Asian countries. Again, up to the year 1975, 90 percent of the migrant workers were working in the countries excluding the Middle Eastern countries. They went to UK in particular. The destination map underwent a great change in the next two decades or so. Up to 1996, some 1,767, 917 Bangladeshi migrant workers (74.3 per cent of the total migration from Bangladesh) were working in the Middle East and 256,308 (10.8 percent of the total migration from Bangladesh) were working in East Asia (Zeitlyn,2006:9).According to another study on labour mobility from Bangladesh published in 2008, 94 percent of all migrants now travel to West Asia and over half of all migrants from Bangladesh went to Saudi Arabia in 2004(Mistry,2009:48).The situation becomes more revealing when looked at from the angle of remittance inflows. During the year 1998-99, Bangladesh received US \$ 1705.74 million through remittance inflow. Out of it, the migrant workers working in Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, U.A.E, Libya and Iran sent US \$ 1236.19 million. After a decade, by 2008-09, the net inflow increased to US \$ 9689.26 million, out of which US \$ 6380.4 million was sent by the migrant workers working in Muslim countries mentioned above. Meanwhile, remittance inflow from Malaysia increased from US \$ 67.52 million in 1998-99 to US \$ 282.22 million, while the remittance inflow from Saudi Arabia increased from US \$ 685.49 million in 1998-99 to US\$ 2859.09 in 2008-2009. The reasons for tremendous increase in labour migration from Bangladesh, Pakistan, India, the Philippines and other major labor exporting countries to the Gulf and Middle East during the last three decades or so are well known and need not be repeated here.

However, there are two related matters which call for our attention: first, by and large, the major Bangladeshi migrant worker receiving countries in West Asia as well as Malaysia in East Asia are Muslim states and some of them are widely criticized for authoritarian governance, widespread human rights violations, religious conservatism and intolerance. To what extent would the Bangladeshi migrant workers staying in such countries remain immune from the political, cultural and religious influence of such countries? Wouldn't some of them, if not many, be influenced to the extent that they would have soft corner for the extremist Islamist constituencies? Would not some of them, be tempted enough to enter Pakistan illegally and join the terrorist forces? Such ideas may be rather too far fetched and highly speculative, but reason doesn't dominate the terrorists' discourse and action. Thus, will argue the constituencies favouring securitization of the issue.

Equally importantly, the labour importing countries in the Gulf and the Middle East and the over all social and political environment in such countries may influence the thinking and perceptions of the foreign workers working there and these migrants may, in so many ways, pressurize their home countries to go for discriminatory and retrogressive changes in their migration and other policies. The point may be illustrated by referring to a change in the migration policy of Bangladesh during the 1980s-1990s. Migration expert from Bangladesh Tasneem Siddiqui provides details of this development in her study *Transcending Boundaries: Labour Migration of Women from Bangladesh*. “ In early 1980, through a Presidential Order”, Siddiqui points out, “certain category of workers was barred from migrating overseas on employment” and said: “ The Order stated that professional and skilled women could migrate as principal workers but semi- skilled and unskilled women could not go overseas without a male guardian”.

Maintaining that “it is not known as to what prompted the government to take such a decision”, Siddiqui refers to the claim made by Ali Ashraf Khan, President of the Iraq Kuwait Returnee Migrant Association , at a consultation on the ‘ Effective Use of Migrant Workers Welfare Fund’ organized by RMMRU on 23 September 1999 at the Dhaka University and informs that “ in 1980 the then Bangladeshi association of migrant workers of Kuwait placed a Memorandum to a visiting Minister of the Bangladesh government”. She adds:

“In the Memorandum, among other things, the Association strongly demanded that the government put a bar on migration of women on employment. It was further claimed that, on the basis of their demand, the Minister convinced the cabinet to impose this ban on the migration of unskilled and semi-skilled women.

The measure was justified on the ground that dignity of woman was protected by it. In 1988 the government slightly modified its position. It withdrew the ban and imposed a restriction on the migration of unskilled and semi-skilled women. This implies that, on principle, the government still holds the position that these categories of women should not be allowed to migrate on their own. However, it will consider specific cases and let them migrate under special permission. This restriction prevailed till 1997” (Siddiqui, 2001:58-59).

Finally, illegal migration, human smuggling and trafficking from Bangladesh to India, Pakistan and other countries is not something which can be wished away by the statements of denial issued by the succeeding Bangladeshi governments. Neither can the issue be trifled away through legal battles over definitional and procedural matters. Nor can one ignore the fact that Bangladesh is not only one of the poorest countries of the world, it is also one of the most corrupt countries of the world. In addition, it suffers from institutional and infrastructural weaknesses. Therefore the state is prevented from taking decisive and firm steps to control and counter illegal migration of Bangladeshis and their smuggling and trafficking to Pakistan and other countries

What about Pakistan? Is Pakistan capable enough to handle the situation at its end? Or does it also suffer from the credibility gap as Bangladesh does? The following section on Pakistan as migration state attempts to deal with these and other related issues.

### **3.4: Pakistan as a migration state**

Though rarely noticed and highlighted, there is a linkage between Pakistan's vast and varied experience as a migrant state and the illegal migration, human smuggling and trafficking of people from and via India to Pakistan and through Pakistan to other destinations-near and afar. In fact, migration and post colonial state of Pakistan have been traveling together for many decades and influencing each other. As a matter of fact, even months before its birth as an independent sovereign country, it had begun to feel the pangs and pressures of migration. To be more specific and for a variety of compelling factors and circumstances, the Sikhs and the Hindus living in the territories now comprising Pakistan and the Muslims of British India- especially those living in Uttar Pradesh, Bihar, West Punjab and some princely states including Hyderabad- felt absolutely dispossessed by the people along with whom they had grown up and by the places where they had lived for generations. Finally and equally tragically and due to the rapid spread of communal violence on the eve of partition and after, millions were killed and displaced and thousands of Sikh, Hindu and Muslim women and children were kidnapped, raped and reduced into slaves for the rest of their life. In the wake of this "genocidal partition", 1.3 million human beings were killed and about 15 million were forcibly displaced. Among the displaced, approximately "8 million Hindus and Sikhs were forced to leave their homes in Pakistan and migrate to India and nearly seven million Muslims were uprooted from their homes in India and forced to migrate to Pakistan (Bose,2000:14).

The partition tore the British India into two territorial states: India and Pakistan. It also tore hundreds of thousands of families apart. Among them the vast majority of Hindus and Sikhs stranded in Pakistan preferred to cross the indo-Pakistan borders and get settled in the Indian Punjab and other areas in India. However not all the Muslims living in post colonial Indian state opted to leave India and settle down in Pakistan. As a result, hundreds of thousands of Muslim families became divided families: part of the family members living in India and part in Pakistan. With the passage of time, the agony of missing each other, rising anti-Muslim sentiments in the Hindu dominated Indian state, imposition of visa and other restrictions on the travel of Indians to Pakistan and that of Pakistanis to India and hate campaigns against Hindus and Muslims in India and Pakistan and increasing insecurities for the members of minority communities in the two countries prompted the desperate people to contact informal and illegal channels to cross the international borders between India and Pakistan( Mehdi, 2003). Many Hindu families- especially those from Sindh- left for India during the 1950s and 1960s and crossed the borders illegally. During the same period, a number of Muslim families entered Pakistan illegally. Many, if not all, these Hindus and Muslim families were facilitated in their travel by the agents and their groups, who bribed the border security forces on both sides of international borders and ensured safe and illegal entry of the intending travelers and heavily charged them for their services. The linkage between the Indian and the West Pakistani agents and between them and the border security forces on

both sides of international borders were already established and strengthened by the 1960s.

Meanwhile and during the same period, similar operative alliance and mechanism was forged on India- East Pakistan borders. For a variety of reasons, including the rise of Muslim nationalism in East Pakistan, gross discrimination against the Hindus there and widespread violations of human rights, thousands of Hindu families left East Pakistan during the 1950s and 1960s and entered India illegally. Their travel was usually facilitated by the groups and the gangs operating to ensure safe but illegal migration of the intending Hindu families to India and by bribing the border security forces on both sides of the border. During the same period, a number of Muslim families living in Indian Bengal, Bihar and other areas nearer to East Pakistan and feeling disgusted because of the frequent outbreak of anti Muslim riots in one part of India or another and because of the denial of equal rights to the Muslims and several other factors, opted to leave India for good, paid for and utilized similar channels for their illegal migration to East Pakistan. As a matter of fact, illegal migration from India to Pakistan and from Pakistan to India has a long history and the networks were very much in place in both India and in the two wings of Pakistan for several years. However, these networks were still very small and were not organized enough in the 1950s and 1960s. The coordination among the gangs operative in Bangladesh (then East Pakistan), India and Pakistan (then West Pakistan) was poor and their activities were little noticed by national and international media.

However, a series of very tragic developments began to take place when military action was taken against the agitating Bengalis for political, economic and cultural rights. The action began on 25 March 1971 and on 16 December 1971, a new South Asian state- Bangladesh-proclaimed its independence. During this brief period of nine months (March-December 1971), millions of Bangladeshi people were displaced. Most of these displaced people returned to their homeland after the creation of Bangladesh. This population movement was massive.

At a time when the Bangladeshis were coming back after suffering months of refugeehood in India and had reasons to feel jubilant, a few hundreds of thousands of Urdu speaking people- the people who or whose forefathers had migrated to East Pakistan from India in the 1940s, 1950s and 1960s- had reasons to worry and migrate from the newly created state of Bangladesh. They were called Biharis. They were the federalists and most of the members of this community extended their full support to the government of Pakistan during 1971 and even before. After the creation of Bangladesh as an independent, sovereign state, the Biharis living there felt very insecure and feared reprisals from the government, security forces and the angry crowds of Bangladesh as they had collaborated with the Pakistan government during March-December 1971 in particular (Mehdi 2007; Ilias, 2003; Khan, 1997). The members of this community required safe exit from Bangladesh, safe entry into India and safe passage through India to Pakistan. Also vulnerable were those Bengalis who had joined hands with the extremists, Islamist political parties and forces and collaborated with the Pakistan government. They needed the assistance of the agents for their safe passage through India

into Pakistan and some of them were willing to pay enormous amount of money for this help and assistance.

Small wonder therefore that numerous groups of agents mushroomed from late 1971 till mid-1970s in Bangladesh and on the Bangladesh-India borders and also on India-Pakistan borders to facilitate the safe journey of these highly vulnerable people to Pakistan. This migration was doubtless very dangerous, but for many this was the only passage to safety. By 1975 or a little after, the movement of the Biharis from Bangladesh to India and from India to Pakistan either through Nepal or directly became minimal. By then, all those who could pay for their journey from Bangladesh to Pakistan via India had arrived Pakistan and the other resourceful Biharis had taken the decision to stay on in Bangladesh. As a consequence, a considerable number of agents with considerable amount of experience to facilitate illegal border crossing between Bangladesh and India and between India and Pakistan felt threatened. This was their job and the issue of livelihood was now becoming too challenging to them. They needed new groups of people willing to cross international borders illegally. There were, of course, some other stake holders as well and they also felt uncomfortable.

Any way, these agents and other stake holders were not required to wait for long enough. New developments brought new opportunities to make money and further strengthen the linkages between the agents and other facilitators from the three countries: Bangladesh, India and Pakistan. Slowly but surely, a new class of potential migrants was emerging. The war- ravaged and totally destroyed Bangladesh was unable to promise rapid economic recovery and wholesale employment opportunities to the millions of Bangladeshis who had taken part in the armed struggle or were affected by it. Thinking that there is no future for them and their families in Bangladesh, some of them got themselves illegally migrated and smuggled into India, while others went farther and entered Pakistan illegally. Furthermore, a deeper understanding of the features of the evolving Indian society, its people and its culture and deeper acquaintance of some with the red light areas in New Delhi, Mumbai, Kolkatta and in several other cities and towns blazed new future prospects for at least some of the visitors. Trafficking women and children from Bangladesh and selling them in the sex markets of India became an irresistible temptation for a number of gangs with expertise in illegal border crossing activities. In short, there was the demand side in one of the largest sex markets of Asia and the supply side had to be strengthened through illegal migration, smuggling, and trafficking of Bangladeshi women and young children (1).

However, the voluntary and forced migration of the Bangladeshis was not restricted to India alone. A number of glittering, sparkling, inviting destinations had begun to emerge by mid 1970's and a little later. One such destination was Pakistan itself. Soon after the traumatizing and humiliating experience of the debacle in Dhaka in 1971 and after its disintegration, the new Pakistan regained its confidence under the dynamic leadership of Zulfikar Ali Bhutto and marched towards modernization and development. The country attracted and allured many Bangladeshi Muslims who were leading a frustrated life either in Bangladesh or in India. Many of them moved westward and entered Pakistan illegally. Most of these Bangladeshis were unskilled or semi-skilled

male members, who came to Pakistan to earn their livelihood, save some money and send their savings to their families living in Bangladesh. These were the people coming in small numbers and they managed to disappear in the crowds and slums of the largest city of Pakistan: Karachi. Being a port city with moderate climate, already hosting a considerable number of Bengalis and offering job opportunities, the city was an attractive destination. However, the importance of Karachi for the illegal migration of the Bangladeshis and for their smuggling and trafficking increased manifold when oil-rich Arab countries like Saudi Arabia, UAE, Iraq, Kuwait looked for foreign workers in large numbers for their huge and labour-intensive development and modernizing projects. They were the Muslim states offering very attractive salaries.

Pakistan took full advantage of the given situation and encouraged the migration of its work force to the Gulf. On an average, the outflow during 1977-1981 was 132,000 per year (Khawar, March 2005) and by early 1980s, some 2 million Pakistanis had migrated to the Gulf region (Gazdar, September 2003). Besides the documented Pakistani migrant workers working in the oil-rich Arab countries, many also went illegally with the assistance of the agents. The desperate Bangladeshis looked at Pakistan with great expectation, felt tempted to use Pakistan as a transit country and pooled their meager resources to spend on their safe but illegal journey into Pakistan and on their onward transportation to the Middle East. Accordingly, the facilitation network was considerably enlarged. There were the agents and their groups to help illegal border crossing between Bangladesh and India and via India to Pakistan. In addition, there were the agents who managed necessary documents like identity cards, passports, letters of appointment and job offers, and visas and offered facilitation in their travel from Bangladesh to Pakistan via India and from Pakistan to the Gulf through specified and unspecified land and sea routes. With the passage of time, the desire for family reunification grew stronger. Again, the realization also grew that there was considerable demand, especially in the major cities of Pakistan, for Bangladeshi women as domestic servants and as low-paid workers in the factories, hospitals, schools, etc. As such, a number of Bangladeshi women were brought into Pakistan. Many among them entered Pakistan illegally.

Furthermore, closer contacts between and among the agents and their groups facilitating illegal migration from Bangladesh to India and via India to Pakistan, their contacts with relevant people in different government bodies and acquaintance with the people, culture, and society of Pakistan and the Gulf states made them and other concerned groups of people realize that sex markets exist in Pakistan as well as in the Gulf and Arab states and the demand was there for Bangladeshi women and children in these markets. This realization prompted a number of agents and their groups to illegally bring the Bangladeshi women and children into Pakistan. The prospect really induced the smugglers and traffickers to actively engage themselves in these activities. Again, arrangements for illegal migration of Bangladeshi women and children and for their smuggling and trafficking were made by forging good understanding with the government functionaries concerned. Similar arrangements were made for their migration via Pakistan to the Gulf and the Middle East and beyond. This was a sort of invisible migration of Bangladeshi women and children and it was going since 1980s. However, this invisibility was ripped apart when global attention got focused on Afghanistan and

Pakistan because of religious extremism, militancy, and terrorism in these countries and beyond and also because of extensive and intensive international campaigns against smuggling and trafficking of women and children since the 1990s in particular.

The Muslim majority state of Afghanistan is in the neighbourhood of Pakistan. It shares a 1500 long border with Pakistan. There are about 200 passes along the long mountainous border, enabling the people on both the sides to move freely from one end to the other. Though restricted because of the continuing US-led war against terrorism, this free movement of people especially from Khyber Pakhtunkhwa (former North West Frontier Province) and the adjacent Tribal Area to South East Afghanistan and from Afghanistan to Pakistan has a long history of its own. However, a huge change in the migrating trend and pattern took place after the seizure of power in Kabul in April 1978 by a group of urban intellectuals led by Nur Muhammad Taraki. They attempted to establish a radical, modern, progressive socialist state in Afghanistan. Soon followed fierce infighting among the ruling groups and “fearing the loss of an important ally on its Southern border”, the Soviet Union sent its forces in Afghanistan in December 1979, which triggered a massive exodus of refugees. Within weeks, 600,000 Afghans fled to Pakistan and Iran. Refugees continued to flee Afghanistan throughout the rest of the decade (UNHCR, 2000: 116). By December 1990, there were 6.3 million Afghan refugees in the neighboring countries: 3.3 million in Pakistan and 3 million in Iran. (ibid). After the withdrawal of the Soviet forces from Afghanistan in 1988 and especially after the collapse of the Soviet Union and end of the Cold War, large-scale repatriation of Afghan refugees from Pakistan took place. However, over a million Afghans are still staying in different parts of Pakistan.

During the last three decades or so, millions of Afghans have suffered death, destruction of properties, displacement, deprivation, indignities and insecurities of all kinds. Worse still, hope for a better future has been banished from the individual and collective life of hundreds of thousands of Afghans. Despite this despondency, hundreds of thousands of Afghans in Afghanistan, Pakistan and Iran never gave up, continued to hope against hope and desperately looked for an opportunity to build up a new future for themselves and their family members in a new country. Many of these Afghans reportedly got into contact with the agents and their groups, managed to obtain fraudulent identity and travel documents, including national identity card of Pakistan and Pakistani passport and illegally migrated to the Middle East and beyond. In addition, a number of Afghan women and children were smuggled or trafficked from Pakistan to some Arab countries.

The illegal migration of the Afghans to the Middle Eastern, European and North American countries or to countries like Australia, Malaysia and Japan and their smuggling and trafficking to these and other countries is a highly lucrative business and a host of stake holders in Pakistan and outside benefit from this business. In short, these groups consist of highly experienced and professional agents with firm linkages with the border security forces on India-Pakistan borders and on the land and sea borders between Pakistan and the Gulf states. They have also developed deep and functional understanding and relationship with the personnel of several other government bodies in

different countries who provide fraudulent identity and travel documents and facilitate illegal migration, human smuggling and trafficking from Pakistan to the Gulf and beyond. As such, Pakistan remains an attractive transit state for the Afghans, Bangladeshis, and the citizens of the neighbouring Central Asian countries.

Given the state of affairs, it is clear that any strategy to control and counter illegal migration, human smuggling and trafficking from Bangladesh to Pakistan and through Pakistan to the Gulf and beyond should take into account the different related issues discussed in this section. In addition, it should identify the obstacles on the way, and prepare both short and long term plans keeping in view the international, regional, bilateral and local aspects of the issue. It should, moreover, derive strength and power from humanistic and futuristic perspectives and shouldn't exclusively rely on harsh legal and security measures. These are the areas of concern with which the next section of this study deals with.

## **IV Bangladesh and Pakistan: Weaving a Common Migration Future Together**

### **4.1: Introduction**

Can illegal migration, human smuggling and trafficking from Bangladesh to Pakistan and through Pakistan to the Gulf and beyond be combated, controlled and prevented by these two countries? Addressing an international seminar on ‘Strategizing to Combat Trafficking in Women and Children’ in June 2002 in Dhaka and expressing his extreme reservations regarding the way the issue of human trafficking was being tackled in South Asia, John Davies painted a very gloomy future for the region. Davies, one may point out, was then working as Technical Advisor to Child Development: Coordinated Program to Combat Child Trafficking, Ministry of Women and Children Affairs, Bangladesh. He said:

“One of the things I would like to start with is that certainly it is my expectation that trafficking in South Asia will get worst. My expectation is that we will see trafficking is going to reduce in such places as Central Eastern Europe and parts of the Commonwealth. But here in South Asia, we can expect trafficking to get worst no matter what anyone in this room actually does and there are structural reasons for this” (Davies, 2002: 32).

Pointing out that trafficking is a “migration event” “a word, an invention”, a construct “constructed in such a way as to disguise the reality of the event because people want to talk about trafficking, but they don’t want to talk about what, when, where and how trafficking occurred”, Davies said that “trafficking is actually the creation of the first world’s migration policy (ibid). Elaborating the point, he added:

“Trafficking has been created in a space where the first world has refused to acknowledge its need for migrant labor, where it demands migrant labor but actually refuses to protect, regulate or offer safe channels for migrant labor to come to the first world countries. It actually compels people to resort to irregular migration and then creates, as you know, the concept of fortress Europe. We have built a policy of restricted migration around Europe; the policy you can imagine is the wall and our consulates, the offices and all other procedures are sort of front line. But we also have a dirty wall. We have some proxies which we have put out there in the field to make life really difficult for people. In a sense, we created these proxies to really deter and punish irregular migrants. Therefore, if you are a woman and you irregularly migrate to Europe and you get raped it is your own fault because you should have stayed at home. But we need the labor of these women. Italy, Greece and South European countries desperately need the labor of women to enable their own women to leave home, to work in better paid employment and yet we make no provisions for these migrant women to travel safely to Europe. We throw them into the hands of traffickers and then we put our hands up in the air and then say organized crime is doing terrible things to these women” ( ibid: 32-33).

In defense of his thought provoking ideas and position on the issue of trafficking, Davies gives examples from Europe. He says that only a few years ago, people talked about the Hungarian, Czech and Polish women being trafficked but now “they are just not trafficked anymore because Polish, Hungarian and Czech women have visa free travel to the European Union and trafficking disappeared overnight”. He agreed that not all the serious human rights issues relating to the vulnerabilities experienced by migrants are simply because migration without visa and border is now taking place within the European Union, but he insisted that “an awful law and the structural problems” that sustain trafficking be resolved by “realistically changing migration policy” (ibid: 33).

However fascinating, attractive and desirable the idea of establishing a South Asian Union on the pattern of European Union may be, the power elites of the region are still very reluctant for such a leap forward. It is therefore rather unlikely that a migration regime without border can be established in the near future in South Asia and in the Gulf. It doesn't mean that things should be kept as they are and the Bangladeshi men, women and children should be placed at the mercy of criminal agents, smugglers and traffickers, corrupt border security people, and police and immigration personnel. Neither the employers of these workers in Pakistan and in the Gulf and beyond should be allowed to behave like slave owners, nor the migrants should be reduced into cattle to be slaughtered at the garrisoned borders or at the alter of the awful law or on the instruction of insecurity generating national security regimes. However, it also doesn't mean that illegal migration, human smuggling and trafficking be treated as some thing normal which is happening every where. Far from it. Illegal migration, human smuggling and trafficking into Pakistan or any where else should be combated, countered and prevented through all out efforts. Can it be done?

Clearly the task is not easy. It is an uphill task and a huge challenge. Worse still, the issue has been made more problematic because both Bangladesh and Pakistan are in a state of denial: Bangladesh denies the illegal migration of Bangladeshis to India and Pakistan, and Pakistan plays down, if it doesn't out rightly deny, the marketing of Bangladeshi, Burmese, Central Asian, Afghani and Pakistani women and children in the sex market of Pakistan or the involvement of its officials and private citizens in transporting them to the sex markets of the Arab world and in the killing fields of camel races in the Gulf. Again, despite occasional coverage of related issues by the national media and periodic discussion by members of CSOs in both the countries, issues regarding illegal migration of Bangladeshis to Pakistan and the neighbouring regions and beyond haven't entered, as yet, the mainstream of political and social discourse in either country. In fact, and until very recently, the concerned issues were rather marginally touched upon by even gender and migration discourse in both the states. But to be workable and effective, the strategies for control and containment of such categories of migration shouldn't be based on legal and security considerations only. The issue has to be dealt with in its totality and the missing links and neglected /evaded aspects of migration discourse and planning should be taken into account.

This section of the study deliberates upon such issues. It is divided into four parts. The first gives a brief account of Bangladesh's state of denial concerning the illegal

migration, smuggling and trafficking of Bangladeshis to Pakistan and the adjoining regions and beyond; second offers a brief on Pakistan's state of denial regarding these and other related matters; third provides information on the state and status of Bangladeshis in Pakistan; and fourth explores the possibility of weaving a common migration future by Pakistan and Bangladesh.

#### **4.2: Bangladesh's state of denial**

'Bangladesh is pretty serious about its image as a migration state'. This is the impression this writer formed during a week long research trip of Dhaka in March 2010. More importantly, this impression was not formed after meeting the government officials only, but after holding discussions with the leaders of CSOs, migration experts, journalists and teachers and students of Dhaka University. In fact, even prior to the departure for Bangladesh, this writer was cautioned through emails by friends in Dhaka that the discussions in Dhaka as well as his presentation at a seminar in Dhaka University should focus on general aspects of migration and not on Bangladeshis' illegal migration, smuggling, and trafficking to Pakistan and beyond. During his stay in Dhaka, this writer was informed by some NGO people and migration experts that the government of Bangladesh was not comfortable with the country's placement on Tier 2 Watch List in the US government's *Trafficking in Person Report 2009* (TIP) and discouraged the CSOs from sharing information (read damaging information) with the media, civil society bodies and migration experts in particular. The Bangladeshi government, moreover, continues to stick to its position on illegal migration: there is no illegal migration from Bangladesh to India and Pakistan.

This kind of approach will clearly not help combat and prevent the menace of illegal migration, human smuggling and trafficking. Bangladesh will have to look at the root causes of illegal migration of its citizens and do the needful and Pakistan needs to ask itself as to why is the country regarded a safe and reliable transit state and how can its attraction as a transit state be diminished. Moreover, both the countries as well as neighbouring India should not only feel concerned for being placed where they are placed in the annual TIP reports, but should take concrete steps to effectively tackle the issue and join the rank and file of the countries well recognized for credible responses to the challenge of illegal migration, human smuggling and trafficking.

It may be added here that the TIP report is issued every year by the Office to Monitor and Combat Trafficking in Persons, U.S. Department of State and it constitutes part of the US global campaign to end modern day slavery. The report which is being published since 2001 is considered to be a very comprehensive worldwide report on the efforts of governments to combat severe forms of trafficking in persons and it is expected that its findings would enhance global awareness and encourage countries to take effective actions to counter trafficking in persons. The report also places countries in different categories. These are Tier 1, Tier 2, Tier 2 Watch List and Tier 3. The countries are placed in these tiers on the basis of their response to combat trafficking in persons. A brief about the tiers is given below.

Countries in Tier 1 List: Countries whose governments fully comply with the Trafficking Victims Protection Act's (TVPA) minimum standards;

Countries in Tier 2 List : Countries whose governments do not fully comply with the TPVA's minimum standards, but are making significant efforts to bring themselves into compliance with these standards;

Tier 2 Watch List : Countries whose governments do not fully comply with the TPVA's minimum standards, but are making significant efforts to bring themselves into compliance with these standards AND:

- a) The absolute number of victims of severe forms of trafficking is very significant or is significantly increasing; or
- b) There is a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year; or
- c) The determination that a country is making significant efforts to bring themselves into compliance with minimum standards was based on commitments by the country to take additional future steps over the next year;

Countries in Tier 3 : Countries whose governments do not fully comply with the minimum standards and are not making significant efforts to do so(1).

The placement of Bangladesh, India and Pakistan in the TIP's list for different years makes an interesting reading (Table IV.1). It also suggests that these countries should focus on the issue with sustained efforts and all seriousness. It shows that India has not

Table IV. 1 Country placement in Trafficking in Person Report

<u>Name of Countries</u>			
Year	Bangladesh	India	Pakistan
2010	Tier 2 Watch List (WL)	Tier 2 WL	Tier 2
2009	Tier 2 WL	Tier 2 WL	Tier 2 WL
2008	Tier 2	Tier 2 WL	Tier 2
2007	Tier 2	Tier 2 WL	Tier 2
2006	Tier 2	Tier 2 WL	Tier 2
2005	Tier 2	Tier 2 WL	Tier 2
2004	Tier 3	Tier 2 WL	Tier 2 WL
2003	Tier 2	Tier 2	Tier 2
2002	Tier 2	Tier 2	Tier 2
2001	Tier 2	Tier 2	Tier 3

**Source :** U.S. Department of State. *Trafficking in Person Report*, several years.  
<http://www.state.gov/g/tip/rls/tiprpt/>

done enough to get its name removed from the Tier 2 Watch List. It remains in the list since 2004. Bangladesh, on the other hand, was not in this list from 2001 to 2008. It was placed in the Tier 2 Watch List -for the first time -in the year 2009. It has been placed in

the same list in 2010 as well. In comparison, Pakistan has done much better. It was placed in this list-for the first time- in 2004 and was, once again, placed in the list in 2009. Its position has been elevated by the TIP report for 2010. It is no more in the Tier 2 Watch List. The country is now in the general list of Tier 2. What, however, is also clear from the table is the fact that all these countries-Bangladesh, India and Pakistan-are skating on very thin ice. They clearly need to review their policies and go beyond issuing declaratory statements, making laws, signing international conventions and agreements. They need to go for implementation. In addition, they need to look at the issues from regional perspective and from the perspective of the victims, and demonstrate the political will to face the challenge.

Bangladesh continues to be in a state of denial, but the illegal migration of Bangladeshis to India, Pakistan and several other countries can neither be concealed nor denied. With the increasing focus of international civil society on trafficking of women and children around the world and with the increasing focus of international, regional and national organizations on research and study on illegal migration, smuggling and trafficking in South Asia, it is no longer possible to put the matter under the carpet. Meanwhile the issue has become much more problematic as illegal migration of Bangladeshis to India, Pakistan and several other countries has registered manifold increase during the last three decades or so. As a result, an all-India politicization of Bangladeshi issue has also surfaced in India (Navlakha, 1977).

In comparison, the situation is not so bad in Pakistan. There is no hate campaign against the Bengalis in Pakistan and no anti-Bengali riot has taken place in a country, where ethnic conflicts and bloody ethnic riots frequently flare up. However, the Bengalis are still far from being integrated into the society. They just live together with the other communities-separately. However, resentment against them may develop in due course of time. Most of the Bengalis live in Karachi, Sindh and the province of Sindh is very sensitive regarding its changing demographic features and their impact on the economy and politics of the province. It is concerned, because it considers itself a victim of demographic change. There is a feeling of insecurity among the Sindhi speaking people. The partition of India led to the arrival of Urdu speaking people in a large number and Sindh has been torn apart because of the division on linguistic lines. It fears that the Bengali population would further affect their demographic position.

Furthermore, the local people involved in fishery-related activities and business feel threatened and nurse grievances against the undocumented Bengalis. Again, it is not possible to ignore the argument that Pakistan is a poor country, it is already overburdened because of millions of Afghan refugees living here and totally devastated because of the continuing war against religious extremism and terrorism and the unemployment and under-employment rate is very high in this country. How can such a country accept two million or more Bengalis, many of whom are illegal migrants? This line of argument cannot be brushed aside as it carries weight. It is therefore important to keep in view the points raised in such arguments and also listen to the grievances of the Bengalis and do something concrete to resolve the problem. In fact, a lot needs to be done. As a matter of fact, efforts have to be made to ascertain the number of the Bengalis, whose entitlement to

Pakistani citizenship is being contested today. Again, efforts have to be to ascertain the number of illegal Bangladeshi migrants living in Pakistan and the number of those smuggled or trafficked into the country from Bangladesh.

Of course, it is never possible to provide authentic statistical details regarding illegal migrations, because illegal migrations are undocumented migrations. However, general estimates based on reports coming from diverse sources are made from time to time. According to such estimates, there are over 20 million illegal Bangladeshi migrants in India. A majority of this population has settled down in the Indian districts bordering Bangladesh, but a considerable number have also moved to major cities like New Delhi, Mumbai, Kolkata and Bangalore. Furthermore, women and children constitute a sizeable component of this illegal Bangladeshi population in India and among them; there are those who were trafficked to India for the purpose of sexual exploitation, domestic servitude and debt bondage.

According to a 2001 study of the Bangladeshi Woman Lawyers Association (BNWLA), an important Bangladeshi NGO actively involved in the campaign against trafficking within the country and across the borders, in 250 villages in different parts of the country, 7000 women and children become victim of cross border trafficking every year (BNWLA, 2001: 1). India, one may add here, accounts for the largest number of underage sex workers in the world (approximately 15 percent) and many of these young sex workers are from Bangladesh. In her excellent study entitled *Mapping of Missing, Kidnapped and Trafficked Children and Women: Bangladesh Perspective*, Ishrat Shamim, President, Centre for Women and Children Studies, Dhaka, says that over 50 percent of the total sex workers in India are from Nepal and Bangladesh (Shamim, 2001: 9). Moreover, and as the final draft of the study on the review of the SAARC convention on preventing and combating trafficking of women and children indicates, those trafficked from Bangladesh are trafficked into India, Pakistan and the Middle East for both forced labour and commercial sexual exploitation. The study point out that South Asia is now the second most trafficking prone region in the world after Southeast Asia. About 150, 000 persons are estimated to be cross border trafficked every year (IOM & ADB: October 2009).

In fact, illegal migration, human smuggling and trafficking from Bangladesh to India and Pakistan and through Pakistan to the Gulf and the Middle East has been going on for years and this is now being openly accepted. For instance, Farrukh Kabir observes in a paper entitled 'Invisible Traffic Jam: Women and Children' that "for each person who migrates legally, several cross the border illegally" (Kabir, 2004; 80). For illegal border crossing, all three possible routes are used: land, air and water. However, land route is generally used by the traffickers as it is economic and less dangerous.

Bangladesh, one may add here, covers 4, 510 kilometre long land border. It has 288 kilometre long common border with Burma, and the remaining 4,222 kilometre with India. Twenty eight districts of Bangladesh have common borders with India and two districts have common borders with Burma (Bhattacharjee: 60). Among the routes, the traffickers reportedly use 20 main points in 16 districts near the Indian border. These

include Kalaroa, Chanduria, Goga, Magura, Kakdanga, Taluigaji, Debhata, Bhadli, Bhomra, Chack Khali and Sanzia under Satkhira district; and Chowgacha, Mashila, Salkona, Ghiba, Ragunathpur, Sadipur, Beanpole, Gatipara, Doulatpur and Putkhali under Jessore district (Shamim, 2001: 72)(2). It may be noted here that the Bangladesh borders are guarded by the border guards from the Bangladesh Rifles (BDR), but the guards are reportedly “sparse, poorly equipped and under- resourced”. Again, the BDR and police in the border areas are reportedly involved in facilitating illegal migration through a well organized, underground bribe system and the agents who traffic women and children generally use the routes which are used for illegal transportation and smuggling of goods, and the enclaves and camps of stranded individuals are used as collection points by the traffickers and their brokers (Kabir, 2004:79-80). After crossing the first hurdle-crossing of Bangladesh-India border, they move or are moved to the other end of India to get into Pakistan. Usually the land routes through Sindh and the Punjab are preferred. However, the water route via Mumbai to Karachi is also used. There are reports that often an understanding is reached between the agents and the Indian and Pakistani border security forces and immigration officials for illegal border crossing and people are brought in groups by train that runs between Indian and Pakistan. This train is known as *Samjautha* Train or Friendship Train. The train runs between Lahore and New Delhi via Wagha- Attari border.

Given the state of affairs, Bangladesh needs to come out of its state of denial, own the citizens who are staying illegally in countries like India and Pakistan, and enter into meaningful regional dialogue for the return of illegal Bangladeshi migrants and for the return of those smuggled or trafficked into other countries. Likewise, however difficult the task may be, data regarding illegal migration, smuggling and trafficking of Bangladeshis to India, Pakistan, the Middle East and beyond need to be updated regularly and the government and the civil society of the country need to prepare investigative studies on the causes of illegal border crossings, on the criminal networks facilitating such border crossings and on their linkages with similar networks operative in India, Pakistan and the Middle East in particular. Like Bangladesh, Pakistan also needs to come out of its state of denial.

#### **4.3: Pakistan’s state of denial**

In comparison to Bangladesh, Pakistan’s state of denial is much more sweeping. True enough that migration study and research is now attracting the attention of academia and CSOs in the country. Conferences, workshops and seminars on forced migration, illegal migration, human smuggling and trafficking and on internal displacement issues are being held from time to time. Furthermore, the government expresses its determination to take strict action against illegal immigrants and the media occasionally highlights issues relating to illegal migration, smuggling, and trafficking of Pakistani citizens and citizens of other countries to the Gulf and the Middle East and beyond. However, much more needs to be done. Pakistan’s own house has to be in order and the country should wholeheartedly campaign for a regional approach in South Asia and in the Gulf region.

There is no denying the fact that Pakistan has faced a series of challenges ever since the Soviet troops entered Afghanistan in December 1979 and it is now in the forefront waging war against terrorism. Moreover, the country is awfully devastated because of political instability, sagging economy, rampant corruption, a confrontation-like situation between and among the institutions of state power, intellectual bankruptcy, exile of imagination and absence of long term planning. Again, the general tendency is either to put pressing issues under the carpet to let them fester there or jump for surgical operation to resolve the contested issues. The country is also criticized for its Afghan policy and role during the 1980s and 1990s (Mehdi, 2007) No wonder therefore that the issues relating to illegal migration, smuggling and trafficking from Bangladesh to Pakistan and beyond never received the kind of attention they deserved. Likewise, the emergence of Pakistan as a sex market and as a sex and forced labor supplying country is little noticed. However, such a state of denial is not going to help. The contemporary Pakistani is in deep moral, cultural, economic and political crisis today. Writing about the sex industry of Pakistan, Lousie Brown observes:

“In Pakistan new entrants to the sex industry are commonly recruited through the institution of marriage. Superficially, Pakistan is extremely conservative about sex. Apart from a few isolated and dying red light areas in Karachi and Lahore, there is nothing to compare with the large brothels of India and Bangladesh. Pakistan has an extensive and growing trade in high and middle-class prostitution that takes place in well hidden brothels in the suburbs, but down at the lower end of the market, where the vast majority of sex workers operate, prostitution is very much a ‘family affair’. This is the way the system operates: when a Pakistani woman marries, she becomes the property of her husband. The extent and implications of this ‘ownership’ vary according to region, ethnicity and socio-economic class. Many wives are completely at the mercy of their husbands and this is particularly true of women from those areas in which a man will pay bride price for his wife. What the businessmen of the sex trade do is to marry a woman and then pimp her out. What is more, they can legitimately have up to four of these wives. When the wife/prostitute becomes a little too old to attract customers she can be retained to do domestic chores or, just as likely, she can be divorced and a new wife can be recruited” (Brown, 2005: 67-68).

Brown adds:

“Clandestine auctions are held in Pakistan’s North West Frontier Province. Women and girls form the merchandise and they are sold to the highest bidder. Ostensibly they are sold for marriage and the auction process is explained as a simplified and quicker version of the traditional payment of bride price. It is also cheaper. An argument used to rationalize the process is that hardworking men cannot afford to spend large amounts of time searching for a bride and negotiating the financial deal. An auction speeds up this process. It also has a singular advantage: the auctioned girls are highly vulnerable. No one is going to follow a purchased girl’s fate. These girls can be bought for any purpose. And, in practice, they are” (ibid: 78-79).

The above passages regarding certain hidden aspects of Pakistani society have been taken from Brown's study on woman trafficking and sex slaves in Asia. It was first published in the year 2000. Its revelations must have shocked a number of Pakistanis and others and many would read these passages with disbelief even today. However, facts are stranger than fiction and these are often much more tragic. Writing about the auction of women in Pakistan, Brown refers to his discussion on the issue with prominent human rights activists like I.A Rahman and Hina Jilani. Both belong to the widely respected NGO: the Human Rights Commission of Pakistan (HRCP).

Many suspect that the sale of women and children continues even now. According to Safdar( name changed), a taxi driver in Karachi, women are sold in the posh areas of the city and they are also sold in other parts of Pakistan. They are, of course not sold in open markets. The buyers first have to get in touch with the agent through some one known to the agent or by looking for him in the market places or modest hotels. It is important for the potential buyers to gain the confidence of these merchants of sex slaves and forced labourers and convince these agents that they mean business. The buyers are then taken to the houses in fashionable areas, where women and young children are kept like cattle. Besides Pakistanis, Bangladeshi, Burmese, Afghan and Central Asian women are also sold in the sex markets of Pakistan. These markets are reportedly doing very good business in the posh areas as well as in the slums of Karachi and in many other parts of Pakistan. According to Abdul Hai, an official from HRCP, Karachi, women are sold in Karachi and their price varies. A Pathan girl is usually sold for 200, 000 Pakistani rupees, a Bangladeshi girl for 100, 000 Pakistani rupees and a Hindu girl for free. She is sold for a Nikahnama (Muslim marriage contract) only (3).

Among the women and children sold in Karachi or elsewhere in Pakistan are the ones who had entered Pakistan illegally or who were smuggled or trafficked into Pakistan. These include the trafficked Bangladeshi women and children as well. In his study on sex slaves in Aisa, Lousie Brown reports: "Many thousands of women were allegedly transported across the subcontinent but have now apparently disappeared. After working for a spell as prostitutes, these women are now too old to be lucrative sex workers for their pimps. One theory suggests that they have been sold off as wives/slaves to rural Pakistani men. There can be few more terrifying fates" ( Brown, 2005: 67-68).

Pakistan, however, remains in a state of denial. There is no noticeable policy of the government to enhance public awareness regarding the sale of women and children in the country. Occasionally the Pakistani media covers such issues and brain storming sessions are periodically organized by the concerned CSOs. However, issues like sale of women and children in Pakistan, human smuggling and trafficking into Pakistan and smuggling and trafficking of men, women and children from Pakistan to the Gulf, have not received the kind of sustained awareness campaigns as they deserve. Clearly there is a need to investigate as to why is Pakistan a favorite transit state, as to how effectively are the Pakistani and Arab governments combating illegal migration, human smuggling and trafficking across the borders and how and why the agents and their groups continue to thrive. In addition, the narratives of the victims need to be told and retold to challenge

Pakistan's state of denial. Given below is a brief account of the sufferings of some of the victims. It may give an idea as to how pathetic the life of a trafficked Bangladeshi woman can be in Pakistan.

**Case One:** *After admittance to engineering college in Karachi, Southern Pakistan, Ahmed and two college friends rented a comfortable apartment for the duration of their studies. On moving in, they realized they needed to find a cleaner. Unsure as to how to arrange this, they approached a senior student who offered a solution. 'Why don't you buy a woman who could cook, clean the house and then be used for physical comfort as well?' he said and explained how to obtain one. They agreed to the idea, pooled the equivalent of U.S \$500 and bought a young Bangladeshi girl in her early twenties. Zeenat (name changed by IRIN), from Sherpur, Bangladesh, worked for the students for five years. During this period, besides cooking and cleaning, she was made to 'entertain' all three boys and many of their friends. She thought that her ordeal would be over once the boys had completed their education, but to her dismay, after their graduation, she was sold to the incoming group of students. As happens with many of her compatriots, Zeenat was bounded for life (Kabir, 2004:90).*

**Case Two:** *Zubaida grabbed the idea when her jobless husband, her second, returned home one night in 1999 and proposed to travel to Pakistan. There would be plenty of food and jobs for them in Pakistan, the 22 year old woman was told as they had their meals of rice and daal that night.*

*Within days the couple set out for Pakistan to escape hunger and Poverty. When the two reached Pakistan via India, the husband took Zubaida to a slum house that belonged to one Muhammad Ali in Karachi. Having stayed there for a couple of days, the husband, Nur Alam, disappeared and never returned to her. Ali later disclosed to Zubaida that her husband went back to Bangladesh, selling her to him. Ali sexually abused Zubaida until he resold her to another pimp.*

*Hailing from Kanjopara village in Teknaf Thana of Cox's Bazar district, Zubaida was the second among eight children of her poor parents. Like many other girls in Bangladesh, Zubaida could not recollect her correct age when she was married off first. Zubaida who has a daughter from her first marriage was forced back to her father's house for dowry and one day he divorced her.*

*Two years later, Zubaida had her second marriage with Nur Alam, the man who sold her to brothel in Karachi. One day Alam took Zubaida along with her seven years old daughter from her previous marriage to Karachi saying that they would earn more in Pakistan than in Bangladesh.*

*Zubaida was still lucky. Karachi police being informed by neighbors rescued her and her daughter from the clutches of the pimps. And they were finally repatriated to Bangladesh with the help of Bangladesh National Woman Lawyers Association (Rahman, 2004:37-38).*

**Case Three:** *Fatimas's childhood, like many other Bangladeshi girls living in urban or rural areas, was also spent in distress. She lived along with her family in a hut but on the brink of a small river. She was only 12 years old when she got married. Her husband worked in a factory as a labourer with meagre income. To Fatima it was nothing but a change from one poor house to another. After three years of marriage when she was bringing up her two children aged 2 years and 6 months, she was divorced, apparently without any reason.*

*Fatima did not choose to return to her parents for she wanted to take care of her family and children. She was illiterate.....Fatima approached an agent who could arrange for her to cross the border into India or Pakistan. For such services the agents usually charge money. However in the case of Fatima, she promptly joined in a group of about 30 people (of varied ages) without prior settlement of the money involved. Soon the ordeal of hard and difficult journey commenced. The first attempt to cross into India failed and the group was forced back into Bangladesh. An alternate route was chosen with success. A similar situation was faced while trying to cross over to Pakistan. The agent kept himself shrouded in mystery and isolation. After crossing the Pakistan border, the illegal immigrants were separated from one another. The agent took Fatima to Sindh and sold her to a man, who lived near Kalri. She did not know the details of transition. She lived with her Sindhi husband for ten years and had six children with him. When her husband died, she was forced to move to Machar Colony in Karachi as her in-laws occupied all the property and she was forced to leave. The first two sons of Fatima have been married. The third child is a daughter. Fatima is now planning for her daughter's marriage. Now she has passed her difficult time but she is unable to forget the mental pain that she bore in crossing into and living in Pakistan for all these years. She regrets her decision of leaving her home country to Pakistan (Ghause, undated: 79).*

Hundreds and thousands of women and children from Bangladesh, Burma, Afghanistan and Central Asian states, who migrated to Pakistan illegally or who were smuggled or trafficked into the country might be having similar or more horrendous stories to tell. There may be a whole lot of agonizing stories, because professional handling of illegal migration, smuggling and trafficking of the Bangladeshis to Pakistan by the agents and their gangs had begun by the 1970s. Pointing out that some fifty thousand poor and unemployed Bangladeshi men and women migrated to Pakistan in early 1970s, a study by ActionAid- Pakistan entitled *Shattered Dreams and Living Nightmares* observed that it was from this pool of immigrants that a group of people emerged who later became agents and traffickers with links in Bangladesh and in Pakistan. The study claims that it is since early 70s that the Bangladeshi and Burmese women were being brought into Pakistan (Brohi & Awan,2000:41). By early 1980s, forced labour and sex slave trade involving these Bangladeshi as well as Pakistani women and children was flourishing. Ishrat Shamim says:

“As way back in 1983, Ali quoting a foreigner who had witnessed the slave market of young Bangladeshi girls between the ages of 8 to 18 years in a slum area of Karachi explicitly described the flourishing flesh trade. He stated that auctioning of girls had been going on for the past four years

where Bangladeshi, Burmese and Afghan girls were being sold. At night the girls were brought to the slums and auctioning took place indoors. There would be no bidding because there was always an understanding between the procurers and the customers even before the auction started. Usually the younger and more beautiful girls were sold for US\$357 to 500. Also groups of ten to twenty girls were sold for higher rates than single sale ranging from US\$ 1250 to 5000 to brothel owners and pimps. On the other hand, some selected girls are kept aside before the auction to be taken separately to the hostels for wealthy buyers. They were given the opportunity to inspect the girls individually. Men from rural areas also came to seek wives in these auctions. He witnessed a Punjabi who paid US\$ 250 for an ordinary Bengali girl. Once he bought the young woman, she became his wife-cum-slave and was forced to labour for him for the rest of his life. When the auction ended, those who were sold went with the buyers and the rest returned to the place they came from”.

Shamim adds:

“When young women and children are brought to Karachi, they are kept in the dens of the flesh traders whose wives and daughters also keep them in keeping an eye on these women and children. They are not given adequate food and are kept captive in congested rooms. During their stay at the den, their duties were distributed like cooking, washing and laundry, etc. Thus they are abused. In the meantime, the pimps find buyers for these girls. They are then prepared for a *Nikah* ceremony (registered marriage which is usually a farce). The couples are unmatched because the so called husbands indeed buy the girls, but then again sell them to someone else with a profit or the girl is sent to a brothel where she becomes a permanent source of income for a longer period( Shamim,2001:11).

Such was the state of affairs in 1983. With the passage of time, illegal migration, human smuggling and trafficking from Bangladesh to Pakistan and beyond is feared to have increased. The trend is well reflected in several studies prepared in the 1990s and early 2000s by a number organizations, including the Lawyers for Human Rights and Legal Aid (LHRLA) in Pakistan and Bangladesh National Women Lawyers Association (BNWLA) in Bangladesh and international organizations like ActionAid and IOM. It was LAHRLA which had made the sensational and shocking revelation in the early 1990s that on an average; as many as 150 Bangladeshi women were being trafficked into Pakistan every day. Furthermore, according to BNWLA's *Country Report on Trafficking in Children and their Exploitation in Prostitution*, October 1998, on an average, 4, 500 Bangladeshi girls and children were trafficked to Pakistan every year ( Ali, October 1998) LHRLA estimated that 200,000 Bangladeshi women and children were trafficked into Pakistan between 1990 and 2000. Are the Bangladeshis still crossing international borders and entering Pakistan illegally? Are they still being smuggled and trafficked into Pakistan? Are the Bangladeshi women and children still being sold in the sex markets of

Pakistan? While looking for answer to these and several other related questions, one should remember that the times have changed. Moreover, both Pakistan and Bangladesh have covered a long distance since early 1990s and a lot of changes have taken place in both these countries.

Over the years, Bangladesh's economy has shown a steady progress. The literacy rate has increased in both rural and urban areas. Due to the increasing participation of women in the socio-economic development programmes and due to their increasing political activism in the villages and towns, the gradual empowerment of women is noticeably taking place. Again, especially because the efforts of the CSOs, feminists and women rights activists in Bangladesh and abroad, the Bangladeshi women are today much more aware of their political and economic rights and they are much more eager and willing to take up jobs within the country and abroad, raise the living standard of their families and ensure a better future for themselves and their children. Equally importantly, the Bangladesh government is supporting and facilitating the legal migration of men and women for work abroad. However, Pakistan is no more their favourite or major destination. Along with several Gulf and Middle Eastern countries, countries like Malaysia, South Korea, Singapore, Thailand and Japan have emerged as new and preferred destinations.

There are reasons for this shift in the preference. Pakistan's economy is in shambles and not showing any sign of resilience. Issues like rampant corruption, widespread poverty, escalating inflation and unemployment, political instability, unending ethnic and sectarian violence and the continuing acts of terrorism and what is going on in the name of war against terrorism are sufficient enough to dampen the enthusiasm for migration to Pakistan. Moreover, details regarding the tragic experience of Bangladeshi men, women and children, who had migrated to Pakistan illegally or who were smuggled or trafficked into Pakistan, are slowly but surely making rounds in Bangladesh and discouraging the potential migrants for taking a leap to Pakistan. Little wonder therefore that the number of Bangladeshis legally or illegally entering Pakistan for work and the number of those smuggled or trafficked into Pakistan is estimated to be much less in the recent years than what it used to be during the 1980s and 1990s.

It is, however, possible that the above statement may not be telling the whole story. On the surface and apparently, the Bangladeshis' illegal migration to Pakistan may seem to be declining, but the clandestine, illegal migration of the Bangladeshis to Pakistan and their smuggling and trafficking into Pakistan may still be going on. True enough that Pakistan's attraction as a destination state stands considerably reduced today, but its attraction as a transit country remains undiminished. After all, Pakistan has a strategic location. It is in close proximity to the oil rich Gulf and the Middle Eastern region. Furthermore, the country is exceedingly reassuring to the potential Bangladeshi migrants, willing to take risk for illegal entry into the Gulf and the Middle East via Pakistan. The networks in Bangladesh, India, Pakistan and the Gulf seem to be well-organized, resourceful and highly connected and they facilitate illegal migration, human smuggling and trafficking from Bangladesh. They also seem to have very solid and highly reliable contacts in Bangladesh, India, Pakistan and the Gulf offering them firm

and unwavering support in their clandestinely organized travels. One should, however, also remember that the borders are porous and effective policing of all these borders from Bangladesh to the Gulf and the Middle East is just not possible.

Again, the images of the sparkling, glittering, seducing and inviting affluence and richness of the Arab countries may exercise such a magnetic influence on the minds of the potential migrants from Bangladesh and other countries that they may readily agree to take all sorts of risks for their illegal voyage-through Pakistan-to the Arab countries. Images of glowing gold and floating dollars because of ever expanding demand for sex slaves and slave workers and undiminished popularity of camel races in the neighbourhood of Pakistan, in the Gulf and the Middle East, keep the smugglers and traffickers spell bound and induce them to smuggle and traffic the men, women and children from Bangladesh and other countries to the lands of the rich Arabs via Pakistan. The inducement immensely multiplies when firm assurances are received for safe arrangements at the borders and safe stay in Pakistan. One may add here that as long as the Gulf and Middle Eastern countries are not forced through international pressure to do away with the practice of slave labour, sex slavery and children's abuse in camel races, and as long as safe corridors are provided through Pakistan for illegal migration, smuggling and trafficking of Bangladeshis and citizens of other neighbouring countries to the Gulf and Middle East, the issue of Bangladeshis' illegal migration, smuggling and trafficking to Pakistan and beyond cannot be resolved satisfactorily. One may add here that firm and positive steps are being taken in the Gulf to prevent the abuse of children in the camel races. Likewise, strong preventive measures are being taken by Bangladesh and Pakistan to discourage illegal migration, human smuggling and trafficking. However, there is clearly the need to do more by the concerned states individually and collectively. The issue is serious.

The issue is indeed; very serious but there is no simple solution available. For instance, the answer doesn't lie in launching a surgical operation against the entire Bengali community in Pakistan, packing them into planes, ships, buses and trains and dumping them in Bangladesh or elsewhere. Clearly the exercise of this option is very problematic. Again, a ruthless police and military action to scare the community out of the country 'voluntarily' cannot be a solution, as there will be spill over effect in Pakistan and in the neighbouring countries and Pakistan would invite very hostile reaction from the South Asian region, Muslim countries and the developed countries in particular. What should Pakistan do to solve this problem? Is there a solution which should be preferred? Who are these Bengalis who are living in Pakistan today? What is their point of view? Answer to these and other related questions may help appreciate the issue in its broader perspective and explore options for its resolution. The following section is an attempt in this direction.

#### **4.4: Bengalis/ Bangladeshis in Pakistan**

Twenty five years is not a long time in the life of a nation. However, the years between 1947-1971 were too overwhelming for the Bangladeshis. During this brief period, their identity underwent critical changes. Prior to August 1947, they were part of Bengal in united India and they lived under the British colonial yoke. At midnight on 14 August 1947, India was partitioned and India and Pakistan emerged as two independent, sovereign states. In 1947, the territories now comprising Bangladesh became the eastern wing of Pakistan. It was named East Pakistan. The people living there for several generations, who were Indians for centuries, now became Pakistanis. This was a new identity which did not hold for long. In December 1971, a new state was born in South Asia and Pakistan's eastern wing emerged as independent, sovereign state of Bangladesh. The people living there experienced another identity change: they ceased to be Pakistanis. Now they were Bangladeshis. However, this switching of identity was problematic for those Bengalis who were then living in the former West Pakistan.

They were the citizens of Pakistan and they had come in stages from East Pakistan to the other federating unit of Pakistan: West Pakistan. During the first decade of Pakistan and even a little later, only a small number of Bengalis came to West Pakistan. Many of them lived here for some time and then returned to East Pakistan or went abroad from here. These were mainly government servants who came on transfer and some of them came with their families. Then there were the businessmen, politicians and their secretarial staff, a few students, journalists, lawyers and film artists who made their way to the former West Pakistan. In the late 1960s, migration of Bengalis to West Pakistan was encouraged by the government of General Ayub Khan. According to Haroon Ahmed, an eminent Pakistani psychologist and human rights activist,

“In the name of national integration, peasants from East Pakistan were brought and resettled in rural Sindh. They were given agricultural land and encouraged to bring their families over. However, the wetland rice culture of East Pakistan was very different from dry land farming in Sindh. With little support to adapt them to a different style of farming, most of their farms withered away. The government took no responsibility for them. The Bengalis soon migrated to Karachi, Pakistan's largest city, in search of work.

Thereafter, Bengalis on their own initiative, driven by abject poverty, landlessness and floods, were drawn to Pakistan to fill an expanding job market. Once they found jobs, they sent for their families and settled down permanently” (Ahmed, 1997:346).

A majority of these Bengalis settled down in Karachi for a variety of reasons: a) Karachi was the largest city of the country and it was rapidly modernizing and industrializing. It offered enormous job prospects; b) Karachi was a port city with a big fishing zone. Belonging to the land of rivers and the land of fish, it was but natural for the Bengalis to opt for Karachi; c) Karachi was viewed as a city of opportunities for low income group Bengalis interested in business with modest investments. Opening pan (beetle) shops and small tea cafes on the pavements and in the crowded markets and selling old garments and fish in different localities of Karachi became an instant

fascination for the Bengalis coming from East Pakistan; d) the city also offered job prospects to the female members who could work as domestic servants and also to the male children who could work as helpers in small shops, as mechanics at small vehicle repairing shops and as waiters at the road side small tea shops; e) Karachi was emerging as a city of unauthorized squatter settlements and the prospect of living in such settlements without paying any rent or with minimal payment was a great attraction for the potential as well as the arriving Bengali migrants; and f) Karachi was a city of migrants. It was easier to communicate with them, mix with them and especially share the experience of migration with them.

Unfortunately the future ahead was mixed with deadly uncertainties and soon came 16 December 1971: the day Pakistan was disintegrated and Bangladesh emerged as an independent, sovereign state. While a large number of Bengalis decided to go back to their homeland, certain proportion of the population- mostly poor, illiterate and unskilled- decided to stay back in Pakistan. Several estimates maintain that 90 percent of the Bengalis living in Pakistan before Bangladesh's creation went back to Bangladesh and only the remaining 10 per cent opted to stay on in the new Pakistan. Most of them settled down in Karachi. During the next four decades, the population of the Bengali community in the city has considerably increased. This increase in number is partly due to the fact that the Bengalis usually have large families. On an average, a family looks after 4 to 6 children or more and these Bengali families have been living in Karachi for three generations. Furthermore, the significant rise in the size of Bengali population in Karachi is also because of those who have been coming to Pakistan illegally since early 1980s and those who were smuggled and trafficked into Pakistan during the last two decades or more. As such, Karachi now hosts different categories of Bengalis: first, the Bengalis who came to Pakistan during the united Pakistan days and who stayed on in the country since then. They may be called Bengali-Pakistanis; second, the Bangladeshis who illegally migrated to Pakistan in the 1980s and after; and third, those who were smuggled or trafficked into Pakistan.

In addition, there are the Rohingya people or the Burmese migrants, who are often mistaken as Bangladeshis. These are the people who first migrated to Bangladesh from Burma and then moved to Pakistan illegally. Their population is mostly concentrated in the suburbs of Karachi, including Korangi, Orangi and Landhi. There are also Rohingya settlements in Karachi. These are named after their place of origin, such as "Arkanabad", "Burmi Colony", and "Arakan Colony" (Banerjee, January 2006:78). Many Rohingyas are also living in some Bengali settlements. According to Mohammad Hafizur Rahman, a Bengali-Pakistani and a resident of Rahmanabad, these Burmese, who are usually and mistakenly identified as Bengalis, are the people who came to Pakistan illegally and who are involved in all sorts of unlawful activities. Besides these, there is yet another category of Bangladeshi men, women and children in Pakistan. It is a highly focused group consisting of both documented and undocumented migrants. For such people, Pakistan is not the destination country. It is a transit country. These are the Bangladeshis who arrived in Pakistan with the sole purpose of getting into the rich world of the Gulf and the Middle East via Pakistan. This category of people also includes the Bangladeshis smuggled or trafficked into Pakistan for their further transportation to the Gulf and beyond. They are

supposed to stay in Pakistan for a short while, for a few days or a few weeks and that's all. They then move or they are moved to their dream land- mostly illegally. But many of these migrating Bangladeshi men, women and children end up in their dream lands as slave labourers, sex slaves or camel jockeys. Since most of them carry fake Pakistani documents, they are treated as Pakistanis by the hosting Arab states. From time to time, these states take action against the undocumented migrants and deport them to their respective countries. The Bangladeshis carrying fake Pakistani documents are then deported to Pakistan. The other problem which this category of Bangladeshis-a category that may be termed as "transit migrants" or "migrants- in- waiting" or "temporary arrivals"- poses is this: many of the Bangladeshis intending to go from Pakistan to the Gulf and the Middle East via Pakistan fail to cross the international borders for one reason or the other and remain in Pakistan. Many remain in Pakistan forever and almost all of them settle down in Karachi.

All these categories of men , women and children, directly or indirectly linked with the former East Pakistan or contemporary Bangladesh and whose mother tongue is Bengali, or whose parents' or forefather's mother tongue was Bengali, are often grouped together as ethnic Bangladeshis living in Karachi. Verifiable and authentic data regarding the Bengali population in Karachi doesn't exist. It was never prepared. Estimates are there, but these may be contested. In a paper on migration issues in Pakistan, Haris Gazdar refers to some commentators, who claimed that there were over a million ethnic Bangladeshis and perhaps 200,000 Burmese in Karachi (Gazdar, 2003) According to another report, published on the Hindu website, in 2003, the number of illegal ethnic Bengali immigrant population in Karachi was around 1.2 million ( Refugee Review Tribunal, Australia, 20 February 2008) Quoting an unofficial survey, an article published in the Pakistani *Daily Times* website in 2006 placed the ethnic Bengali population of Karachi between 2.5 and 3 million (ibid).What is the current estimate of ethnic Bengali population in Karachi?

According to a newspaper report, a delegation of the Mutahida Qaumi Movement (MQM), Pakistan's third largest political party with a strong base in Karachi, met the president of Pakistan, Asif Ali Zardari, on 14 June 2010. Led by Farooq Sattar, a prominent MQM leader and currently Federal Minister for Overseas Pakistanis, the delegation discussed the problems being faced by the Bangladeshis in Karachi and informed that there were 2 million Bangladeshis living in Karachi (Dawn.Com, 15 June 2010).This is the latest estimate and officially accepted figure. The rough estimate for illegal Bangladeshi migrants in Pakistan is a little over 1 million. The figure is also estimated to be about 10 percent of Karachi's population. This is clearly an exaggerated figure. The rise in the total population of the city during the last four decades or so has been exceptional and phenomenal because of continuous, sustained and massive migration of people from rest of Pakistan and also because of the arrival and settlement of Afghan refugees in Karachi. It is therefore very unlikely that the ethnic Bangladeshis would constitute 10 per cent of the city's population.

The Bangladeshis usually live in Bengali settlements. While non-Bangladeshis like Punjabis, Pakhtuns, Balochis, Sindhis and Mohajirs also reside in some of these settlements, the ethnic Bangladeshis constitute overwhelming majority in Bengali residential

colonies including Machar Colony, Bangali Para, Moosa Colony, Zia Colony and Rahmanabad. Among the Bengali settlements, which are scattered all over, Machar Colony is the most populated Bengali settlement in Karachi. Most of the settlements sprang up from 1970s onward. The settlements, where the Bengalis live in overwhelming majority, are usually over populated. A large number of people living there live below the poverty line. They live in very small houses constructed out of cement bricks and shallow foundations. Some of these are dangerously stretched up to three stories high. Almost all these settlements are criss-crossed with very narrow passages and lanes and many suffer from lack of basic civic amenities.

By and large, the Bengali community in Karachi is very poor, illiterate, unskilled or semi skilled. It maintains a low profile. Busy with the daily battle for existence, almost dispossessed by the CSOs and because of constant fear of being decitizenized, the community usually doesn't align itself fully with any major political party of the country nor does it have a political party of its own as yet. Those possessing official documents like the national identity card and names listed in the voter's list cast their votes in favour of one political party or another. Usually they are closer to the MQM, but a number of Bengalis support the Jamat- i – Islam, Pakistan People's Party and Pakistan Muslim League (different groups). As a result of political bargains with the parties, especially on the eve of elections for different layers of city government, some Bengalis do get ticket from the parties to contest elections for local bodies and some even get elected as councilors. Efforts are, however, afoot to develop a vocal Bengali political lobby to protect the interests of the Bengali community and to enhance their bargaining power vis-à-vis the political parties and forces and different government bodies. A move is clearly there for the empowerment of the community and a well-organized demonstration of the Bengalis was staged in Karachi recently to express the grievances of the community.

Ever since the birth of Bangladesh as an independent and sovereign state in December 1971, this community has faced a serious problem regarding its legal status and its identity in Pakistan. Irrespective of whether they or their parents came to Pakistan during the united Pakistan days or after 1971, and irrespective of whether they have valid Pakistani documents like national identity cards and passports or not, they live in fear, suffer social and economic marginalization, face all sorts of discrimination and fear decitizenization. Random interviews with the Bengalis from mid-May to mid- June 2010 in different parts of Karachi suggest that the community has strong reservations against government bodies like the National Aliens Registration Authority (NARA), National Database and Registration Authority (NADRA), immigration and custom officials at Karachi airport and at the Wagah border near Lahore, the city police and other law enforcement agencies. They complain that they are harassed by NADRA and NARA in particular and almost any Bengali, including those having valid documents could be harassed and coerced for bribe. On various pretexts, according to them, the police randomly picks them, takes them to the police stations and demands bribe. Complaints are also voiced against police raids in the houses of the Bengalis during the day or at night. Some of the Bengalis also complain that those who do not possess national identity cards are refused medical help and care by the hospitals and clinics of the city. In short,

the impression derived from the random interviews with the Bengalis was that they do not consider illegal migration as the main issue: the issue is greed. According to them, the overwhelming majority of the Bengalis living in Karachi are Pakistani citizens, but these citizens with valid documents are as vulnerable as those without proper documents. Again, there are illegal migrants from Iran, Afghanistan and other countries, but they are not so much targeted for harassment and bribe as the Bengalis are. Hence the real problem, according to them, is not illegal migration, but powerlessness of the Bengali community and almost total apathy and unconcern of the civil society and common people of Pakistan towards their plight and victimization. One may add here that the mega city of Karachi doesn't suffer from xenophobia and there is absolutely no hatred against the Bengalis living here. The Bengalis living in Karachi feel confident of their strong bonds with the city and think that the people of the city have owned them. However, they are not so sure of the government.

Pakistan government's position on the issue of Bengali community in Karachi and on Bangladeshis' illegal migration to Pakistan and their smuggling and trafficking into Pakistan and beyond is quite different. Pakistan is concerned. The country is waging a war against terrorism. It has responsibility towards its own people, the people of South Asia and the Gulf and beyond. It needs to assure itself and others that all possible measures are being taken to uproot terrorism and the terrorists coming from foreign lands would neither be allowed illegal border crossing facility nor provided a safe heaven in the country. Furthermore, as an independent and sovereign country, it has to ensure that the menace of illegal migration, human smuggling and trafficking are effectively combated. Again, Pakistan is expected to have proper record of its citizens and alien. It is also expected to continuously update data on illegal migration of people to Pakistan and about the illegal migration, human smuggling and trafficking of people from Pakistan to the Gulf and beyond. Finally and very importantly, it has to ensure that neither its own citizens, nor the documented migrants, nor even those illegally crossing borders or smuggled or trafficked into the country are targeted for harassment and bribe by corrupt government functionaries or harmed and harassed because of the application of awful laws concerning citizenship, status and identity issues.

The grievances of the Bengalis living in Pakistan need to be attended to by the civil society and the government of Pakistan. The country also needs to review its policy towards the Bengalis and encourage this community to come out of isolation and feel confident and empowered. The community should also be encouraged to play its full role in the drive for economic, political and cultural development of the country. However, there is no denying the fact that the post-1971 Pakistan had to ascertain the legal status of especially the affected population and re-examine its claim to citizenship. The Bengali community in Pakistan was clearly one such affected section of the population and a clear cut policy was required for them. The country accordingly moved forward, allowed and facilitated those who wished to relinquish their Pakistani citizenship and wanted to go back to their home land. Those who stayed back were not forced to leave Pakistan. During the early years of 1970s, their claim to Pakistani citizenship was not challenged. But a significant shift in the policy took place when the Pakistan Citizenship Act of 1951 was amended in 1978. According to it, persons normally domiciled in East Pakistan

before the independence of Bangladesh ceased to be citizens of Pakistan. The amendment thus invalidated the Pakistani citizenship of even those Bengalis who came to Pakistan prior to 1971. However, all the doors were not closed for these Bengalis and they were encouraged to apply for the revalidation of their citizenship. The shift in the policy was not welcomed by the Bengalis. They got panicky and feared decitizenization. They thought that the policy of exclusion was being pursued by the government.

Subsequently, the government of Pakistan made the announcement that it would treat all those as aliens or irregular migrants who did not possess valid citizenship document. It called upon such persons to get registered at NARA. Ever since the introduction of this policy change and its application, the insecurities of ethnic Bengalis in Pakistan have increased manifold, but the government provides its own justification for registration drive. During an interview held on 24 February 2010 at Karachi, a high level NARA official, Muhammad Ali Khan Lodhi said that 90 percent of Bengalis are involved in activities relating to fisheries and they are very active in and around the coastal areas of Karachi and beyond. The official added that if illegal migration of Bangladeshis is not stopped and if they are allowed to move around without registration and without work permit, they would expand out in due course of time in the strategic coastal areas of Sindh and Balochistan and the coastal areas including Pasni and Gawadar would come under their control. Pointing out that the illegal Bangladeshi migrants could be recruited by the terrorists; the official said that their registration is important for the security of the country (4).

As discussed elsewhere in this study, a certain proportion of the population of Bangladesh is widely suspected of holding extremist Islamist views or being in sympathy with such views. In addition, a number of religious political parties are very active in Bangladesh and certain Jihadi groups are suspected to be involved in terrorist activities across the borders. It is quite likely that certain members of the terrorists outfits active in Bangladesh may enter Pakistan illegally and take part in the acts of terrorism in the country or even move to the Gulf and beyond. Hence, it is very important for Pakistan to maintain a proper record of the aliens and illegal migrants living in the country. As such, Pakistan's insistence on the registration of the aliens.

In order to make its alien registration drive attractive and popularly acceptable, the government of Pakistan has offered several incentives. Addressing a seminar organized to sensitize the trade unions for the protection of migrant labour rights in Pakistan in Karachi on 13 March 2010, Ashfaq Parvez Umrani, Director General of NARA, said that the aliens could gain several benefits by registering themselves at NARA. They could, for instance, obtain driving license and telephone connection. They could then also open account in the bank, avail facilities at the hospitals and clinics, get their children enrolled in educational institutions, receive work permit and feel more secure because of their registered legal status.

There is yet another reason for the government's emphasis on the registration of the aliens and illegal migrants living in Karachi in particular. This city is feared to be sharply divided on ethnic and sectarian lines and it suffers frequent outbreak of ethnic

and sectarian violence. It is moreover a city where small arms smugglers, drug traffickers, women and children smugglers and traffickers, extremist Islamist groups and parties and corrupt officials of different government bodies and certain representatives of the power elite of the country have high stakes. In short, Karachi is a kind of a city which is sitting on the volcano all the time. It is very important for such a city to maintain record of its permanent residents and record of those arriving from different parts of the country and from other countries. Record of especially those who settle down in the city after illegal border crossings or after being smuggled or trafficked into Pakistan need to be kept and continuously updated. What, in fact, is needed is to look at the issue in its total perspective and encourage both Bangladesh and Pakistan to weave a common migration future together and mutually benefit by resolving migration-related issues as early as possible.

#### **4.5: Toward a Common Migration Future**

Migration scenarios as projected by the popular international media are usually very scaring. These are all about the human floods rushing from the developing countries to the shores and gates of the developed world and about the powerlessness of the dams built up to beat back these mighty human waves. But there is the other scenario which is rarely projected. To begin with, migration in the contemporary era is neither unprecedented nor on such a scale that it may be termed alarming. Further, over the years, a series of international initiatives have been undertaken to empower the international regime for migrants' rights, condemn the tendency to label undocumented migrants as criminals and ignore the prevalent international, regional and national structures of exploitation and violence forcing people to opt for illegal migration. As such, awareness regarding the rights and plights of the migrants is spreading up and the urgency to fight against the newly emerging slavery in its various ugly forms and shapes is being increasingly acknowledged. In addition, the realization is slowly but surely growing that illegal migration, human smuggling and trafficking are the kind of issues which cannot be tackled through unilateral efforts of the countries. Besides unilateral efforts, the task demands bilateral and multilateral approach to deal with the multi-dimensional aspects of issues like illegal migration, smuggling and trafficking.

It also needs to be appreciated that migration was never stoppable and it is more unstoppable in this era of globalization, information explosion, rapid modes of transportation, fast means of communication and remarkable expansion of job opportunities in different parts of the world. It should also be appreciated that the people migrating out or migrating in can be transformed into moving engines for progress in the sending and receiving states. Hence, the migrants shouldn't be unwelcome or feared and a policy of inclusion should be pursued by the receiving countries to ensure their full participation in the development drives of the countries. For this, a change of approach and a shift in migration policy is required. In short, what is required is the weaving of a common migration future together and joint sharing of the fruits of globalization, development and migration by demolishing the unnecessary legal and other walls between the citizens and foreign migrants and jointly fighting against the groups and forces benefiting from illegal migration, human smuggling and trafficking.

Is it possible for Bangladesh and Pakistan to weave a common migration future together? Can they resolve the issue of illegal migration, human smuggling and trafficking from Bangladesh to Pakistan and the Gulf and the Middle East? Given the state of affairs, it seems to be an uphill task. It is, indeed, a huge challenge, because the general practice of the states is to resort to legal covers and use of force and not to explore innovative possibilities floating in the wonder world of imagination. As such, both Bangladesh and Pakistan would need to rethink migration policy in order to weave a new migration future together.

Both the countries, for instance, can manage to have a great future ahead if they realize their responsibilities as migration states and build up their image as countries seriously committed to regulated and documented migration of their work force for employment abroad. True enough that both the countries have been building up legal regimes to govern the outmigration of their people for jobs in other countries and have created highly specialized administrative and security units to handle the diverse situations of illegal migration, human smuggling and trafficking.

However, the issue of illegal migration of Bangladeshis to Pakistan and their smuggling and trafficking into Pakistan and beyond cannot be handled effectively without the active and serious involvement of neighbouring countries like India, Afghanistan, Iran, UAE and Oman. It should also be noted that it is not enough that laws be made and acts passed and declarations adopted at national and international level. These need to be implemented and there should be wide dissemination and sharing of information regarding initiatives taken in Bangladesh, India, Pakistan, Afghanistan, Iran UAE and other countries and regions to combat illegal migration, human smuggling and trafficking. However, weaving a common migration future will be problematic as long as it is not inspired by imagination and new thinking and not pushed by strong political will.

In the light of the above, the next part-the concluding part-of this study offers recommendations for weaving a common migration future together by Bangladesh and Pakistan and helping resolve the issue of illegal migration, human smuggling and trafficking from Bangladesh to Pakistan and through Pakistan to the Gulf and the Middle East and beyond.

## V Strategizing A Common Migration Future

It is not easy to predict future. Neither is it easy to build up an alternative future. It is, however, desirable to have the visions of preferred futures in sight in order to broaden the range and realm of possible attainments and changes, enlarge the space for innovative thinking and nurse and nurture a positive and proactive approach toward future building. Indeed, the visions of alternative futures may induce people to strategize the future and even go for unconventional options, remove the stumbling blocks on the way and move ahead.

States, like individuals, groups and communities, face problems and challenges. They often get frustrated and overwhelmed. Often they think that the problems they face are irresolvable. They then forget that creation is not possible without imagination and keep on trying conventional solutions, often failed solutions and reach nowhere. In their moments of utter despair and helplessness, they reach out for the last resort: use of force. Being a national security state, Pakistan is usually tempted to use force or pressure for the resolution of the issues it faces. Little wonder therefore that the issue of illegal migration, human smuggling and trafficking from Bangladesh to Pakistan and through Pakistan to the Gulf and the Middle East and beyond has been securitized. However, there is a paradox. On the one hand, Pakistan securitizes the issues and wishes the immediate, whole sale and perhaps forced registration of maximum number of Bengalis living in Pakistan, and on the other, it has failed to evolve a comprehensive policy for doing so. Worse still, efforts for combating and preventing illegal migration, human smuggling and trafficking from Pakistan or through Pakistan to the Gulf region and beyond do not seem to reflect the determination and eagerness of the state to do the needful. In case, the determination and eagerness is there and it is genuine and credible, then such efforts need to be widely publicized. Due to lack of information regarding the government's efforts, the general public remains skeptical about the claims for combating and controlling illegal migration, human smuggling and trafficking.

For instance, the popular perception of the Bengali community in Karachi is that the government wishes to coerce the Bengalis for forced registration with NARA, but the fact of the matter is that no crack down on Bengali settlements has taken place so far. The beetle shops and other small shops run by the Bengalis have never been closed down or dismantled. Neither any forced eviction of the Bengalis from fishery business has been initiated. All that the government wants is to get all those undocumented Bangladeshis registered through NARA, who came to Pakistan in the year 2000 or before. There, of course, may be some petty government officials who might be harassing the Bengalis for bribe, but these things can be checked through administrative measures. After all, the government is not hostile towards the Bengali community. Likewise, NARA's image needs to be improved and the media and the civil society need to go to the Bengali settlements and assure the Bengalis that registration through NARA is in their interest and the media and the civil society would extend its support to them in case of any excess committed by the government machineries. Such steps are required to build bridges between the Bengali community and government bodies and to build up a good image of Pakistan in the world at large.

At the moment, NARA seems to be at the centre of the Bangladeshi migration controversy, but the entire NARA machinery is not involved in harassing the Bengali community for registration, nor is the entire community being harassed. The reported acts of harassments are the acts of some corrupt police, immigration and NARA personnel, it is not a clear cut policy of the government. Nevertheless, the acts of harassment, if any, should be checked by the government. Moreover, NARA in collaboration with the concerned civil society bodies in Pakistan should ensure the Bengalis living in Karachi or elsewhere in Pakistan that it does not have any deliberate policy of harassing and intimidating them. However, NARA, as it is at the moment, is not in a position to do much by itself as it is itself in a state of limbo. It is doubtless an important government organization and it has been assigned very important tasks, but it is hardly in a position to deliver.

The National Alien Registration Authority (NARA) was established by the Federal government vide Ministry of Interior's SRO NO.6(1)2001 dated 4 January 2001. It was assigned the important task of registering the undocumented migrants in Pakistan and issuing work permits to the aliens seeking employment or running business. The idea of registering the undocumented migrants and providing them a chance to legalize their status in Pakistan is, indeed, a very positive step. However, the whole initiative got vitiated as NARA has failed to take off during all these years, but NARA shouldn't be blamed for the failure. It is itself a victim of the nonserious attitude of the government. Even after nine years of its establishment, it doesn't have a permanent staff of its own. All the high officials of the organization have joined it on deputation. They usually work for NARA for three years or so. On the completion of their term, they go back to their respective departments. Furthermore and as reported by *The Frontier Star*, Pakistan in its issue of 11 January 2010, senior posts of NARA including the posts of Director General, Director Registration and Director General Intelligence in the NARA were lying vacant for the last two years. Lamenting that two other senior posts of deputy director were also lying vacant, the paper said that "NARA is running without its senior administration and registration work of foreign migrants in Karachi is badly affected". Pointing out that the number of foreign migrants has increased from more than three million due to the negligence of NARA, the report observed that due to delay in the appointment of senior officials, registration of foreign migrants has been affected (*The Frontier Star*, 11 January, 2010). When the NARA sources were contacted for comments, it was confirmed that the senior officials serve the organization on deputation. The sources, however, denied that they senior posts were kept vacant for two years or more. One may add here that the offices of NARA located in Karachi are very shabby and they do not have even proper infrastructural facilities. As such, it seems as if the succeeding governments almost forgot about this important government body after its establishment. The organization is virtually unable to rise up to its potentials because of the neglect of the government, running of the organization on adhoc basis and through officials on deputation from other government bodies, lack of infrastructural facilities, lack of direction and lack of proper funding for proper training of the staff, and for the capacity building of the institution.

Likewise, there is a need to improve the relations between the concerned government bodies including NARA and the Bengali community living in Karachi. The community needs to be assured that the NARA and other related government organizations are there to facilitate the citizens and the documented and undocumented Bengali and other migrants. Similar message needs to be sent to the governments and the peoples of concerned countries including Bangladesh, India, Iran, UAE and Oman. What is perhaps more urgent to do is to strengthen the bonds between the government bodies and CSOs in Bangladesh and in Pakistan, between the governments of the two countries and between the governments and CSOs of the affected countries to build up a South Asian and the Gulf and Middle Eastern migration regime to combat and prevent illegal migration, human smuggling and trafficking.

Clearly the issue is an irritant in Bangladesh-Pakistan relations at governmental level. The issue has remained unresolved for several decades. Neither Pakistan, nor Bangladesh nor the Bengali community in Pakistan benefits from such a deadlock. It is only the human smugglers and traffickers and agents facilitating illegal border crossing at Bangladesh-India, India-Pakistan and Pakistan-Gulf borders and the some corrupt border security personnel on the borders, some corrupt immigration officials and police personnel and the slave owners in the receiving countries, who benefit from the given situation. The issue, however, shouldn't remain unresolved for ever. Both Bangladesh and Pakistan should review their position on the issue, adopt flexible, creative and problem-solving approach and strengthen the international, regional, bilateral and national regimes to combat and control illegal migration, human smuggling and trafficking.

Let it be clarified here that it would be wrong to maintain that the two countries have done nothing to resolve these and other related issues. Far from it. The two countries have taken several laudable steps to combat and control these menaces. Bangladesh, for instance, is a party to important human rights treaties relating to the prevention and suppression of trafficking. These include International Convention on the Elimination of all Forms of Racial Discrimination (ICERD), International Covenant on Economic, Social and Cultural Rights (ICESCR), Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), Convention on the Rights of the Child (CRC) and Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT). It has also signed the ILO Conventions on Forced Labour and on Abolition of Forced Labour. The country is also party to several anti-trafficking conventions including the 2000 Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. In addition, it has ratified the UN Trafficking Protocol. The country is also active at regional level. It has ratified the SAARC Trafficking Convention and is also party to some less formal regional arrangements, including the 1998 Bangkok Accord and Plan of Action to Combat Trafficking in Women, the 2001 South Asian Strategy against Commercial Sexual Exploitation of Children and Child Sexual Abuse, the 2002 Bali Ministerial Conference on People Smuggling, Trafficking in Persons and Crime, the 2005 South Asia Forum against Violence against Children( SAF-VAC) and the 2007 South Asia Regional Conference on Trafficking for Sexual Exploitation , which adopted the Delhi Declaration

against Human Trafficking in South Asia (ADB & IOM, 2009:35-36). It is also busy firming up the national migration regime. Furthermore, it is in consultation with the civil society and collaborating with the NGOs, INGOs, and donor agencies in order to create anti-trafficking awareness and social mobilization ( ADB & IOM, October 2009: 32-53).

During the same period, a series of initiatives were taken by a number of CSOs in Bangladesh to highlight the related issues, establish proper coordination between the efforts of the government and the CSOs to combat and prevent illegal migration, human smuggling and trafficking and promote research and discourse between and among the stake holders in particular (Rob, et. al, 2008). Because of space constraint, it is not possible to discuss all such activities. Neither is it possible to provide details regarding the contribution of all these civil society bodies. As such, certain randomly selected organizations are being referred here to suggest that important initiatives are being taken in Bangladesh to promote awareness and supplement efforts to combat and control these menaces. One may mention here the Centre for Alternatives in Dhaka. It publishes a biannual Journal entitled *South Asian Refugee Watch* in collaboration with the Sustainable Development Policy Institute (SDPI), Islamabad, Consortium of Humanitarian Agencies, Colombo, Nepal Water Conservation Foundation, Kathmandu, Centre for Developing Societies, Delhi and Regional Centre for Strategic Studies (RCSS), Colombo. The Journal aims at facilitating better communication and promoting awareness of issues pertaining to refugee and displaced persons in the context of the South Asian region.

The other organization, indeed, a very important organization specializing in refugee, migration and displacement issues is the Refugee and Migratory Movements Research Unit (RMMRU). RMMRU is a Dhaka-based organization. It is widely known for its research initiatives. Its recent publications have focused on contemporary women migrant workers of Bangladesh, Rohingya refugees, camp-based non-Bengali minority of Bangladesh, returnees migrant workers of Bangladesh, recruitment and placement of Bangladeshi migrant workers and experience of the Gulf war returnees. Besides these, there are a number of organizations including the Bangladesh National Women Lawyers' Association (BNWLA) and Centre for Women and Children Studies which are highly focused and have been actively involved for years in research and study of issues like illegal migration, human smuggling and trafficking. These Bangladesh-based organizations are also actively involved in social mobilization activities.

Like Bangladesh, Pakistan is also a party to important human rights treaties relating to the prevention and combating of trafficking, including ICERD, ICESCR, CEDAW, and CRC. Again, like Bangladesh, it is also firming up its national legal regime to deal with issues like illegal migration, human smuggling and trafficking. The country has ratified the SAARC Trafficking Convention and it is party to various informal cooperative arrangements addressing human trafficking issues. These include the 1998 Bangkok Accord and Action Plan to Combat Trafficking in Women, the 2001 South Asian Strategy against Commercial Sexual Exploitation of Children and Child Sexual Abuse, the 2002 Bali Ministerial Conference on People Smuggling, Trafficking in Persons and Crime, the 2005 South Asian Forum against Violence against Children and

the 2007 South Asia Regional Conference on Trafficking for Sexual Exploitation, which adopted the Delhi Declaration. In addition to the Prevention and Control of Human Trafficking Ordinance (PACHTO), Pakistan also has a National Plan of Action to Combat Trafficking. Besides these, it has taken a series of other initiatives at governmental level to curb and combat illegal migration, human smuggling and trafficking in Pakistan and through Pakistan to other countries ( ADB & IOM, October 2009: 156-170). As a matter of fact, the government of Pakistan has developed quite elaborate policies and programmes to combat and prevent human trafficking, human smuggling and illegal migration to and from Pakistan and some of the major steps taken include introduction of machine readable Passports, computerized National Identity Cards, establishment of anti-traffic units in Federal Investigation Agency(FIA), installation of Personal Identification Secure Comparison and Evaluation System (PISCES) and formation of Migration Management Cell in the Ministry of Interior. Many of the important steps taken by Pakistan have been discussed detail in an excellent study prepared by an eminent migration expert from Pakistan: Farooq Azam( Azam, February 2009).

In comparison to Bangladeshi research and advocacy organizations focusing on illegal migration, human smuggling and trafficking, those in Pakistan are smaller in number, their research studies are fewer and their involvement in social mobilization is rather limited. However, this study cannot cover the activities of all these Pakistan-based organizations due to space constraint. As such, a handful of organizations are being referred here and these have been randomly picked up. Among the NGOs, which are Pakistan-based and which focus on issues relating to human smuggling and trafficking, the Lawyers for Human Rights and Legal Aid( LHRLA), Karachi, Human Rights Commission of Pakistan(HRCP), Lahore, Sustainable Development Policy Institute, Islamabad, ActionAid Pakistan, Islamabad, Basic Education for Awareness, Reforms and Empowerment(BEFARE), Peshawar, Pakistan Institute of Labour Education & Research( PILER), Karachi and Social Policy and Development Centre(SPDC) Karachi are well known for their significant contribution. The LHRLA, one may point out here, has been working on the issue of trafficking in women and children since 1989. In December 1997, it organized the first regional conference in Pakistan on trafficking in women and children and way back in 1991, it published the widely quoted work *The Flesh Trade: Report on Women and Children Trafficking in Pakistan*. Subsequently it published another study entitled *Trafficking of Women and Children in South Asia and within Pakistan (A national Study)*. Karachi University Professor Khalida Ghaus was the research leader of this project. The project was funded by the Pakistan office of Canadian International Development Agency (CIDA).

However, it is the BEFARE which has emerged as a major organization initiating pioneering research in the concerned areas, organizing policy seminars and bringing together the university teachers, scholars, journalists, lawyers, trade union people, political leaders, government officials and personnel from security and law enforcement agencies to its various important programmes. Recently it sponsored three studies on illegal migration, human smuggling and trafficking with particular reference to Pakistan. These are: 1) *Baseline Study on Illegal Migration, Human Smuggling and Trafficking in*

*Pakistan* prepared by the Enterprise for Business & Development Management (EBDM); 2) *Human Trafficking, Human Smuggling and Illegal Migration to and from Pakistan: Review of Government Policy and Programmes* by Farooq Azam; and 3) *Illegal Migration, Human Smuggling and Trafficking: From Bangladeshis to Pakistan and Beyond* by Syed Sikander Mehdi. These would hopefully fill-in certain gaps in research on the issues they deal with. These are also expected to be of some use to the concerned policy making and policy implementing bodies in Pakistan and abroad.

One may add here that it is largely due to the encouragement and support of international organizations and donor agencies like the World Bank, Asian Development Bank, International Organization for Migration (IOM), and ActionAid that research and study on the concerned issues could be taken up in Bangladesh and Pakistan. Likewise, the advocacy groups and civil society bodies have been mobilized to some extent in these countries due to the support of international civil society and funding bodies. Again, the international support and funding is also helpful in promoting migration discourse among the stake holders in particular and it is due to the concerted efforts of all these bodies that the idea of a regional approach is now being put forward and advocated.

True enough that these and other initiatives taken by Bangladesh and Pakistan and those taken at regional and international level are important and these considerably strengthen the campaign against illegal migration, human smuggling and trafficking. However, it is important and rather urgent for both the countries to focus on the issues concerning the Bengali-Pakistanis living in Pakistan and those Bangladeshis who came to Pakistan illegally or who were smuggled or trafficked into Pakistan. The issue can be resolved to a great extent if it is acknowledged that many Bengalis have rightful claim to Pakistani citizenship as they belong to Pakistan and they have lived here for two to three generations. The Bengali-Pakistanis and those Bangladeshis who came illegally to Pakistan may be given the option, once again, to decide about their future. They should have the right of free choice to obtain the citizenship of Pakistan or that of Bangladesh. May be the government of Pakistan may not agree to accept all these ethnic Bengalis or the government of Bangladesh may not accept those Bengalis who live in Pakistan and who would like to take up Bangladeshi citizenship, but the issue shouldn't remain unresolved for ever. It is in the interest of both Bangladesh and Pakistan that the issue should be resolved in a manner that the solution would be acceptable to all the three parties: Bangladesh, Pakistan and the Bengali community living in Pakistan.

It is therefore recommended that both Bangladesh and Pakistan should enter into serious negotiation to reach a durable solution of the issue. Bangladesh just cannot shy away from its responsibility, saying that the Bengalis living in Pakistan are not the responsibility of Bangladesh. Neither can Pakistan solve the problem by simply decitizenizing the population on one pretext or the other. If imagination, creativity and common sense are allowed their full say, then a day would perhaps come when a regional regime of migration without borders will be established in the South Asian region. Such a regime is not likely to be established in the near future, but the Bengali population in Pakistan cannot be kept in a limbo till the acceptance of the idea of migration without border by the concerned countries of the regions. What else can therefore be done to

resolve the problem of these Bengalis ghettoized in the scattered Bengali settlements in Karachi? And what about those Bangladeshis who have entered Pakistan illegally or who were smuggled or trafficked into Pakistan and beyond?

Perhaps a forward looking strategy would be the grant of dual citizenship to these ethnic Bengalis, allowing them to move freely between the two countries and work where ever they would like to. Though not too far-fetched, neither too impractical, this suggestion may not be acceptable to the territorial states of Bangladesh and Pakistan. As such, a possible option can be to give another chance to the Bengalis to decide whether they would like to accept Pakistani or Bangladeshi citizenship. The necessary documents for citizenship should be readily provided to those who opt for Pakistani citizenship. They should be treated with full respect and should be fully facilitated to bloom and flourish as Pakistani citizens. Those, who opt for Bangladeshi citizenship, should be accepted by Bangladesh as its citizens. They should be properly welcomed and assisted by the government in Dhaka. In case, some of them would like to stay on in Pakistan, despite acquiring Bangladeshi citizenship, they should be allowed to stay on for longer periods and allowed to remain busy with their normal economic, social and cultural activities: they shouldn't be pushed back into Bangladesh.

Along with the initiation of the process to bring the Bengali-Pakistanis and Bangladeshis under proper legal remedial umbrella, the government of Bangladesh and Pakistan should also focus on regional, bilateral and national strategies to curb and combat illegal migration, human smuggling and trafficking within the countries and across the borders. Both Bangladesh and Pakistan should work together to destroy the recruiting agencies and agents' groups facilitating illegal border crossing or collaborating in human smuggling or trafficking. Those held responsible for such crimes should be given exemplary punishment. Proper and dignified arrangements should also be made for the safety and safe return of the victims of illegal migration, smuggling and trafficking to their country: Bangladesh.

Again, both Bangladesh and Pakistan need to convince the world through their efforts, actions, strategic planning and migration policies, that they are genuinely interested in combating illegal migration, human smuggling and trafficking. In this connection, both need to get their own house in order, promote independent research on migration issues faced by them and by the South Asian and the Gulf and Middle Eastern regions in particular, involve the CSOs and academia in migration study, research and discourse and ensure their participation in various stages of policy formulation and implementation.

Both Bangladesh and Pakistan need to realize that enormous opportunities are waiting for them and these are around the corner. The demand for skilled, semi-skilled and unskilled work force is on the rise in different parts of the world and sharper rise in the demand is expected in the developed world in not too distant a future. However, though the demand for work force is there and it is increasing, the number of countries interested in exporting the work force abroad is also on the rise. It is quite likely that the work force from the countries having good image and enjoying good reputation

internationally would be preferred by the hiring organizations/countries. As such, if Bangladesh and Pakistan continue to be tainted by the reputation of being very corrupt, violent and poorly governed societies and as countries just not doing enough to curb and combat illegal migration, human smuggling and trafficking, both the countries will fail to benefit from the harvests of globalization and the international demand for work force from these countries will gradually diminish. Such a development would surely spell a doom for both the countries. Both of them are in the list of very poor countries of the world and remittances from the workers working abroad is a very important foreign exchange earner for them. As such, it is in the interest of both these countries that they join together, resolve their migration-related issues amicably and jointly fight against the menace of illegal migration, human smuggling and trafficking with strong political will.

Would Bangladesh and Pakistan continue to follow the same old approach toward the issue of Bengali/Bangladeshi population in Pakistan and toward their illegal migration, smuggling and trafficking to Pakistan and beyond? Would the Bengali/Bangladeshi community in Karachi continue to fester and vegetate and live in fear? Should the smuggling and trafficking of Bangladeshis into Pakistan continue as it used to be in the past? Or should there be a qualitative change in the national and regional approach to the issue? These are some of the questions with which both Bangladesh and Pakistan would have to be concerned with. Indeed, both the countries may co-develop and co-flourish if they derive inspiration from innovative thinking and guidance from imagination, look at the migration issues in their wider perspective, cooperate and collaborate with one another and summon the political will to weave a common migration future together.

## Notes

### I: Introduction

- 1) The term 'refugee warehousing' is frequently being used in the migration discourse these days. It refers to the pitiable condition of hundreds of thousands of refugees living for several years in different countries and calls upon the international and regional bodies and the sending and hosts countries to look for out of the box solutions to bring their state of refugeehood to an end. The US Committee for Refugees and Immigration (USCRI) is in the forefront in this campaign. According to it, the term 'refugee warehousing' describes "the denial of human rights found in the 1951 Convention leading to the Status of Refugees and other instruments to live lives as normal as possible while in exile, especially the right to earn a livelihood and freedom of movement" (<http://refugeeandimmigrants.org/articles>).

Like the refugees, there are hundreds of thousands of undocumented migrants, who spend the rest of their life as shadows in the host countries and live in perpetual fear. Due to their illegal migration to other countries or because of being smuggled or trafficked into other countries, a lot of them are condemned to work as slave labour or as sex slave in the developed countries, in the Gulf and the Middle East and in other regions. Should they remain in such a state of indignity and insecurity for ever? Isn't there a need to focus on the warehousing of the undocumented migrants as well?

- 2) The term 'migration state' has been derived from the title of James Hollifield's paper 'The Emerging Migration State'. This paper is on the emergence of Germany as a migration state and it highlights the importance of migration especially in the Western world (Hollifield, 2007). The present study on illegal migration, human smuggling and trafficking from Bangladesh to Pakistan and beyond emphasizes the fact that both Bangladesh and Pakistan had to suffer traumatic migratory experiences during their struggle for independence and after. Furthermore, both are major labour-supplier states and both may benefit as migration states if they help build up a regional migration regime in South Asia and in the Gulf and Middle East and work together to combat and prevent illegal migration, human smuggling and trafficking in South Asia and in the Gulf and the Middle East.

### II: Many Faces of Migration

- 1) Due to lack of information regarding overseas employment procedures and job opportunities, lack of confidence in government functionaries and bodies for facilitation and support, and heavy dependence on close family members and other people known to the families, a number of Bangladeshi female workers prefer to get in touch with the family members, socially active community leaders and known people in their areas of residence or work for arrangements

regarding documentation, job procurement and travel abroad. Likewise, a number of them are roped in by recruiting agencies with doubtful credentials. In addition, many Bangladeshi girls and women get abandoned or pimped out by their so-called husbands and end up in foreign countries as trafficked persons. Such categories of girls and women are usually not listed in government reports and studies. As such, the feminization illegal migration from Bangladesh remains less visible.

### **III: Bangladesh and Pakistan as Migration States**

- 1) There is a growing demand for young girls and women in different regions of the world and especially in the affluent world of the North and South. One such region is the Gulf and the Middle East. The demand is very high there. Among the South Asian states, the demand for young girls and women is pretty high in India. These are the sex markets and these offer tremendous inducement to the children and women smugglers and traffickers. Hence, strategies and initiatives to control and prevent illegal migration, human smuggling and trafficking from Bangladesh to Pakistan and beyond have to recognize the critical role that the neighbouring countries like UAE and India can play for the reduction of the demand in their respective countries.

### **IV: Bangladesh and Pakistan: Weaving a Common Migration Future Together**

- 1) Explanation regarding different tiers and information about the implications for a country placement in one tier or the other are available in a report prepared by the US Department of State. The *Trafficking in Person Report* is, indeed, an important study and it is released every year in the month of June (<http://www.state.gov/g/tip/rls/tiprpt/>).
- 2) For details, see the excellent study of Ishrat Shameem- *Mapping of Missing, Kidnapped and Trafficked Children and Women: Bangladesh Perspective*, PP.67-69.
- 3) This sarcastic remark has been made by a human rights activist of Karachi to emphasize the powerlessness and vulnerability of Hindu minority girls and women in Pakistan. It essentially suggests that one may just bring in a Hindu girl or woman, force upon her the Muslim marriage contract and force her to accept her new status without any complain or protest. Many may challenge this statement on three counts: first, the civil society in Pakistan is now very active to protect and promote the rights of minorities including the rights of young girls and women from Hindu community; second, Hindu girls and women are sold in Pakistan as other Pakistani and foreign girls and women are and they also carry a price; and third, the whole issue of the sale of young girls and women in Pakistan is a sort of blown up issue. It is possible that at certain period of time and at certain places,

women sale had taken place, but this is not some thing which is happening now or happening all the time. Many think that the reports regarding women sale in Pakistan is highly exaggerated.

4)

It seems that the involvement of Bangladeshis in terrorist activities in Pakistan is highly speculative. The Pakistani media- covering acts of terrorism in Pakistan for several years- doesn't seem to have raised its accusing fingers towards the Bengalis living in Pakistan. Neither has the government of Pakistan. However, the possibility cannot be ruled out and there is no guarantee that an individual Bangladeshi or a group or an extremist Islamist organization in Bangladesh would not be interested in the acts of terrorism in Pakistan or elsewhere. As such, Pakistan is clearly not unjustified if it insists on maintaining a record of its citizens and the foreigners and having a watch especially on the people entering the country illegally or on those smuggled or trafficked into the country.

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