



# ► Promising practices for fair recruitment

April 2021

## Bangladesh – Government capacity enhanced to promote fair recruitment in bilateral negotiations and arrangements

### Key points

- A research guide on bilateral agreements and memoranda of understanding on labour migration may assist multiple stakeholders
- Training of government officials on labour migration diplomacy ahead of negotiations of BLAs
- Online reporting system for labour attachés in countries of destination covers migrant worker contracts, complaints and settlement
- A Vigilance Task Force oversees the fair recruitment process and conducts inspections at the offices of recruiting agencies and at ports of departure

### Focus

**FRI pillar:** Improving laws, policies and enforcement

**Sectors:** All

**Country:** Bangladesh

**Responsible organizations:** ILO with Government of Bangladesh through Ministry of Expatriates' Welfare and Overseas Employment (MEWOE)

## Description of the practice

In 2016, the Government of Bangladesh (GoB) adopted the Overseas Employment Policy to safeguard the rights of migrant workers. Subsequently, the government engaged with ILO for capacity building assistance on fair recruitment and safe migration.

The ILO Bangladesh Migration Project contributed:

- Technical support to a joint committee on Memoranda of Understanding (MOU) resulting in the GoB reviewing three MoUs signed with Lebanon, United Arab Emirates and the Maldives and developing a standard contract as Annex;
- A set of guidelines and good practice examples on bilateral agreements (BLAs) and MoUs, which prepared the ground for a sustainable and institutional approach to ensure protection of rights of migrant workers in their preparation and in standardising their contracts;
- Rights based contributions to a standardized contract for domestic workers in compliance with CEDAW and ILO Convention 189;
- Training of government officials on labour migration diplomacy (including attention to drafting and negotiating MoUs and BLAs), orientation of recruiting agencies on fair recruitment principles and guidelines;

- Support to institutionalize the online reporting system for labour attachés in countries of destination. The system includes reporting on the monitoring of employment contracts, and monitoring of an online system for migrant worker complaints and settlement.



A migrant garment worker looks at the camera during her lunch break in a clothing plant in Jordan. © Marcel Crozet, ILO

## Proof of impact/progress

A wide range of migration stakeholders in the government, private sector, think tanks and trade unions agree that the cost of migration (including recruitment) can be reduced and fair recruitment practices can be promoted on the basis of the MoUs and BLAs.

The Ministry of Expatriates' Welfare and Overseas Employment (MoEWOE) set up a unit to discuss and monitor regularly on fair recruitment.

The Ministry has fixed a threshold for possible costs of migration to several destinations through a Ministry circular entitled 'fixing service charge and cost' (14 June 2017).

A Vigilance Task Force oversees the fair recruitment process and conducts inspections at the offices of recruiting agencies and at ports of departure.

The governments of Bangladesh and the United Arab Emirates agreed to cooperate in documenting the costs related to recruitment and employment of Bangladeshi workers, and in raising awareness among workers about hiring guidelines before and after their arrival to the UAE.

With ILO support, the GoB developed a standardized contract for domestic workers in compliance with CEDAW and ILO Convention 189, which is under negotiation with the authorities in Lebanon (reported in March 2021).

The GoB has also improved the complaint and settlement mechanism for migrant workers as labour attachés now report regularly on complaints to the Ministry, and their role has been revisited to enable them to contribute better to resolution of labour disputes.

Key fair recruitment principles were considered during the preparation (in 2020 and early 2021) of an amendment to the Act of Overseas Employment and Migrants Act (2013) (i.e. regarding definitions, accountability of sub agents, transparency of contract, and contract substitution). The amended Act is envisaged to be ready for Cabinet approval during the 2nd quarter of 2021.

## Other promising features

### Potential for replication or extension

A 'research guide on bilateral agreements and memoranda of understanding on labour migration' provides a review of 20 good practices of regional economic communities including 4 bilateral migration agreements and MoUs and suggested measures to be taken regarding governance, protection and development. The guide may assist multiple stakeholders beyond the GoB in their considerations pertaining to MoU/BLAs.



A specialised garment employee is seen working in a clothing plant in Bangladesh. © Marcel Crozet, ILO

### Five years of the Fair Recruitment Initiative

- ▶ This promising practice is part of a series, and results from a stocktaking exercise undertaken five years after the launch of the Fair Recruitment Initiative (FRI).
- ▶ The FRI aims to ensure that recruitment practices nationally and across borders are grounded in labour standards, developed through social dialogue, ensure gender equality. Specifically, they:
  1. Are transparent and effectively regulated, monitored, and enforced;
  2. Protect all workers' rights, including fundamental principles and rights at work (FPRW), and prevent human trafficking and forced labour; and
  3. Efficiently inform and respond to employment policies and labour market needs, including for recovery and resilience.

### Resources

[An Assessment Guide for Bilateral Agreements and Memoranda of Understanding on Labour Migration, with a Special Focus on Bangladesh.](#)

[The Core Elements of a Bilateral Agreement or a Memorandum Of Understanding on Labour Migration.](#)

[Good Practices and Provisions in Multilateral and Bilateral Labour Agreements and Memoranda of Understanding.](#)

[ILO General Principles and Operational Guidelines for Fair Recruitment and Definition of Recruitment Fees and Related Costs \(GPOG\).](#)

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