

AN APPEAL TO THE GOVERNMENT OF BANGLADESH TO RELEASE THE 255 RETURNED BANGLADESHI MIGRANT WORKERS ACCUSED OF SUSPICIOUS ACTIVITIES



**LAWYERS
BEYOND
BORDERS**

In the 18 August 2020 edition of the online newspaper, The Daily Star¹, it was reported that at least 255 Bangladeshi migrant workers who have completed their quarantine for COVID-19 after their deportation from Qatar, Kuwait and Bahrain, are now being detained in the Kashimpur jail in Bangladesh allegedly for violation of Section 54 of the Code of Criminal Procedure for “suspicious activities”.

According to the report, except for 1 or 2 murder convicts, these 255 deported Bangladeshi migrant workers were previously arrested in Qatar, Kuwait and Bahrain for committing administrative infractions (such as, overstay of visa or work permit) or petty narcotics charges, consumption of alcohol, and other petty crimes such as robbing a tire or selling cellphone talk time. Thereafter, they all obtained State pardon in host countries after serving at least two-thirds of their sentences.

These returned Bangladeshi migrant workers are now being detained in the Kashimpur jail in Bangladesh and are now being investigated for allegedly conspiring and tarnishing the image of Bangladesh abroad.

If these 255 returned Bangladeshi migrant workers are being detained solely for “suspicious acts” during their period of quarantine and “for tarnishing the image of the country” for acts they committed in Qatar, Kuwait and Bahrain, and for which reason they were charged, imprisoned, and subsequently pardoned by those states, we in Migrant Forum in Asia (MFA) and the Lawyers Beyond Borders (LBB) Network, an international network of lawyers assisting migrant workers and their families, would like to appeal to the Government of Bangladesh to immediately cause the release from imprisonment of these 255 returned Bangladeshi migrant workers for they have not committed any new crime and they have already been punished, and thereafter, pardoned, for their alleged infractions committed within the territory of the Kingdoms of Qatar, Kuwait and Bahrain.

We are in a time where the human rights and dignity of persons must be at the forefront and high priority of our immediate response. As the situation of the migrant community becomes aggravated during this time of pandemic, it must be recognized that there should be no space for depriving these individuals of their liberty, particularly when have they been placed in situations of exacerbated vulnerability, have been forced out of their jobs, and have been forced to leave behind the livelihood their families depend on. The Office of the United Nations High Commissioner for Human Rights (OHCHR) Guidance for COVID-19 explicitly states that people detained without legal basis should be released. As such, the guidance highlights that states should urgently explore options for release and alternatives to detention to mitigate the risk of harm within places of detention. Such an egregious injustice must be prioritized justly and with urgency. As one of the country signatories to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Government of Bangladesh is duty bound to protect the human rights of migrant workers and members of their families.

¹ <https://www.thedailystar.net/opinion/news/pardoned-host-countries-incarcerated-bangladesh-1946653>

<https://www.thedailystar.net/frontpage/news/pardoned-abroad-punished-here-1932529>