

# Neoliberal Globalization: Understanding the Case of Bangladeshi Migrant Workers towards Saudi Arabia

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**How to cite this paper:** Hasin, M. S. D. (2024). Neoliberal Globalization: Understanding the Case of Bangladeshi Migrant Workers towards Saudi Arabia. *Advances in Applied Sociology*, 14, 740-759.  
<https://doi.org/10.4236/aasoci.2024.1412048>

**Received:** November 10, 2024

**Accepted:** December 7, 2024

**Published:** December 10, 2024

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## Abstract

In the era of neoliberal globalization, it was deemed that free movement of international labour force would bring more employment opportunities, economic prosperity and wellbeing. Unfortunately, Bangladeshi migrant workers experience labour bondage, control, coercion, exploitation and abuse that limits migrant workers' labour and human rights. This study examined how the neoliberal globalization affects Bangladeshi migrant workers towards Saudi Arabia. In this regard, qualitative research approach had been applied to examine the labour market operating structure, the causes of Bangladeshi migrant worker's precarity and vulnerability and the challenges with regards to fair migration. This research incorporated three Focus Group Discussions (FGDs) and seven KIIs (Key Informant Interviews) and thematic content analysis had illustrated the respondents' perception and opinion. It appears that the existing labour migration mechanism contains ingrained contradiction that favours the merchant of labour and disregards the requirement and desires of the workforce. To ease the shortfall of neoliberal globalization it is vital to address the challenges of monitoring and regulation, inefficiencies of legal redress mechanism, bilateral issues and coordination. This research suggests that standard labour market operating structure, transparency and accountability in the labour migration process and protective policy measures are crucial to ensure human and labour rights requirements.

## Keywords

Neoliberal Globalization, Bangladeshi Migrant Workers. Saudi Arabia

## 1. Introduction

In the era of neoliberal globalization, overseas employment affects migrant workers

both positively and negatively as it offers labour migration from remote corner of the world at the same time the absence of labour standard limits migrant workers' rights for minimum remuneration, working time, employment security and benefit (Siddiqui, 2021). In Saudi Arabia, the market structure possesses intricate interrelationship between employment contracts (Sponsorship System) and residency regulations (Ikama) that not only causes human rights violation but also obstacles the protection of migrant workers (Almutairi, 2017). The migrant workers' dependency on private recruitment agencies for different services across state boundaries makes them vulnerable to exploitation and abuse (Agunias, 2013). However, protection of migrant workers is not considered into the overall process of labour migration from recruitment fees and unfair working condition to subjugation of employee under the employers (Al Rayes, 2019). Against this backdrop, this study investigates how the era of neoliberal globalization affects the Bangladeshi migrant workers towards Saudi Arabia. Since there is very limited research in regards to consequences of neoliberal globalization affecting labour migration, this study is important as it investigates the way the labour market structure is operating for Bangladeshi migrant workers towards Saudi Arabia, the precarity and vulnerability of Bangladeshi migrant workers, the challenges of fair migration with empirical evidence to find out practical measures to ensure responsible labour migration towards Saudi Arabia. The study provides critical insight on Bangladeshi migrant workers situation that may help to find out measures that ensure their rights and privileges.

### 1.1. Problem Statement

The majority of the Bangladeshi migrant workers in Saudi Arabia are low-skilled labourers who work in industries like oil, construction, hospitality, housekeeping, and so on. Allegations of human rights breaches are a much-debated issue in regard to foreign temporary low skilled workers in Saudi Arabia who very often face serious abuses such as unpaid wages, forced labour, passport retention, unsafe working conditions, physical and sexual abuse, discrimination based on nationality and ethnicity, physical, sexual, and psychological abuse, and insufficient legal protection and weak enforcement of labour laws. On the other hand, Migrant workers are not aware of their rights and are afraid of seeking legal redress in face of obstacles and reprisal from the employers (Mimi, 2024). According to Al Rayes (2019) the spirit of open labour market is in questioned as the system of sponsorship restrict migrant workers' participation in a free labour market as they are tied with their employer/sponsor. Al Rayes (2019) argues that the migrant workers are prevented from finding alternative job though lucrative. Since change of job is difficult and expensive migrant workers accept conditions that violate their rights. In case of job loss, the migrant workers' options are limited; they may need to remain illegally or find other jobs. In fact, the labour receiving countries design the labour recruitment policy in a way that denied migrant workers independent access to and free movement within the labour market (Davidson as cited in Al

Rayes, 2019). Nevertheless, in the neo-liberalistic capitalist system, migrant workers do not receive equal treatment, do not receive equal welfare benefit (health insurance, retirement pensions) rather suffer from racial discrimination, religious and human rights abuse, exploitation of labor, and wage theft. Thus, migrant workers are being physically, mentally, or sexually abused, exploited, and suppressed in an environment where freedom is being seized (Yeon-Hee & Ho Kook, 2020). Again, migrant workers' recruitment in the GCC countries (Saudi Arabia, Kuwait, Bahrain, Qatar, Oman, and the United Arab Emirates) requires sponsorship that incurs the circumstances of visa trafficking, extensive corruption, restriction on movement, loss of liberty, deportation, varieties of abuse and above all forced labour/modern day slavery (Al Rayes, 2019). In fact, there exist different factors that influence the recruitment and working condition of Bangladeshi migrant workers in Saudi Arabia, therefore, the causes of their suffering need to be determined, the labour market operating system is to be reviewed and analyzed, the causes of precarity and vulnerability of Bangladeshi Migrant workers also require critical examination. However, the existing studies have limited focus on political aspect of labour migration; the existing studies principally focuses on economic and social aspect of labour migration that also lacks empirical evidence and details explanation of the situation of the Bangladeshi migrant workers in Saudi Arabia. Therefore, migrant workers' socio-economic integration, freedom of expression, participation in decision making requires in-depth understanding. The absence of fair policy keeps the migrant workers vulnerable to abuse and exploitation (in modern-day slavery) that can be met by exercising standard labour market operating system.

## 1.2. Rationale of the Study

As international labour migration entails risk and hazard, migration governance requires fair policy to safeguard migrant workers' interest. Therefore, it is important to understand the aspect of labour market operating structure for Bangladeshi migrant workers towards Saudi Arabia, the realities of Bangladeshi migrant workers in Saudi Arabia, and the challenges of fair migration to overcome the barriers of responsible labour migration. In the era of neoliberal globalization institutional incapacities (resource scarcity, knowledge gap and lack of commitment) limit protection of migrant workers in the origin country. Inadequate regulatory framework is not only responsible for poor protection mechanism; issues like overriding interest and priorities also matter significantly (Piper, Rosewarne, & Withers, 2016). Again, the structural disadvantage of the origin and destination countries, the dependency on labour migration, the human and social cost of migration jointly contribute to secure overseas employment opportunities. It appears that the government is underselling their migrant workers and thus restrict the choice of migrant workers by bounding them to accept their situation (Piper, Rosewarne, & Withers, 2016). Global Compact for Migration values migrant workers as human beings and advocates their human rights and fundamental freedom

regardless of their status. GCM objectives aim at safeguarding and respecting migrant workers human rights at every stage of migration cycle; such as, authentic information (Objective 3), decent work conditions (Objective 6), alternatives to migration detention (Objective 13), access to basic services (Objective 15), eliminating all forms of discrimination (Objective 17), and sustainable reintegration of migrants (Objective 21) (Val, 2022: p. 3). Hence, this study investigated the real-life situation of Bangladeshi migrant workers in terms of recruitment process, working condition and the prevalent challenges. Since migrant workers vulnerability causes human and labour rights violation, it is essential to understand their situation from a societal lens along with economic benefit. Since the wage earners' basic rights to wage protection, training, legal assistant, remedies and complaint mechanism, bilateral, regional or multilateral agreements, inter-country trade union collaboration require proper consideration, this study covers those issues to support migrant workers to relish a basic level of protection.

### 1.3. Research Objective

The general objective of this research is to understand how the neoliberal globalization affects Bangladeshi migrant workers towards Saudi Arabia. The specific objectives are:

- To understand the way the labour market structure is operating for Bangladeshi migrant workers towards Saudi Arabia.
- To examine the causes of Bangladeshi migrant worker's precarity and vulnerability.
- To find out the challenges with regards to fair labour migration.
- To find out policy recommendation for safe and responsible labour migration.

## 2. Literature Review

International labour migration is a vast discourse that have insurmountable socio-economic and political consequences. For this study purpose the review of literature focuses on migration history, the key aspect of the labour market operating system, realities of Bangladeshi migrant workers in Saudi Arabia. However, it will not consider the socio-economic cost of migration, importance of remittance, back home family management or other aspect of international labour migration.

### 2.1. Overview of Migration History

The labour migration towards the GCC States comprises of different phases; the pre-1970 phase is marked by immigrant primarily from Arab countries, the early 1970s is marked by large scale foreign workers in construction, government and service sectors. The post-1970s phase has witnessed variation in labour flows with significant presence of migrant workers from South Asian countries (Sahu, 2022). According to Ullah (2017) at the beginning of 70s, oil exploration in the GCC countries spurs labour migration from South Asia, especially from Bangladesh to

the Middle East, and Saudi Arabia in particular as local labour supplies are often not adequate to serve the demand of the flourishing construction sector (Ullah, 2017). In hiring foreign workers Saudi Arabia preferred South Asians, especially Bangladeshi to Arab expat workers, because Bangladeshi workers are less likely to settle and much easier to control (Pakkiasamy 2004 cited in Ullah, 2017). However, on the wake of political insecurity, since the 1990s, the Gulf kingdoms have incorporated restrictive policies aimed at preventing the settlement and integration of migrant workers in host societies (Longva 2005; Thiollet 2010 cited in Thiollet, 2016). They have incorporated a set of policies and initiatives in transnational migration management that is called the “Gulf model” (Thiollet, 2016: p. 4) that promotes temporary recruitment of foreign labour based on short-term contracts restricting migrant workers’ family reunification and acculturation, restricting socio-economic rights and incorporating deportation of irregular migrants. The Gulf model is characterized by increase transnational migration, large societal and labour market segmentation, anti-integration policies, and related public and private actors’ engagement in migration management. (Thiollet, 2016). Thus, Over the years with the growing unemployment of the nationals the GCC governments introduce the so-called policy for localization, nationalization or indigenization of labor force referring to different countries as: Saudization, Omanization, Emiratization and so on (Kapiszewski, 2006: p. 5). Although the GCC countries share common practices in the management of transnational migration, Saudi Arabia stands apart due to the size of its population and its economic and geopolitical heftiness compared to micro-city states like Qatar or the UAE (Thiollet, 2016).

## 2.2. Key Aspect of Labour Market Operating System

According to Mahdi (2000) Saudi Arabia labour market structure is segmented between Saudi and non-Saudi workers and they receive different treatment on the basis of income, employability in the labour market, pension and other privileges of employment. The Kafala (sponsorship system) requires to work under particular employee and Ikama (residency regulation) requires to stay in a specific district; these two basic regulations operate the structure of the Saudi Arabia labour market. ILO (2015) maintains that in the GCC countries sponsorship system (Kafala) regulates the recruitment process of migrant workers i.e. all migrant workers require to have an approved sponsor; these sponsors can be individuals or a company that acts as the Kafel (sponsor) for a specific contract period. The basic features of Kafala system include: i) local sponsor is required for the purpose of entry to work; ii) the sponsor is responsible for migrant workers accommodation. Work condition and other benefits; iii) sponsor’s permission is required to change job and to exit (Gardner et al, 2014: Glossary of terms, p. 7 as cited in Kanchana, 2018: p. 3) According to Naithani & Jha (2009), it is mandatory for migrant workers to have written approval from the sponsor to enter, leave or transfer job. The system of sponsorship for visa keeps the migrant workers insecure

and uncertain at the will of the employer and favour the employers who can twist the contract in their favour and the duration of contract depends on the consideration of the employers. [Alsawady et al. \(2022\)](#) point out that in Saudi Arabia change of employers is restricted and migrant workers mobility is not allowed. To change job in Saudi Arabia, the sponsorship system requires employer's written approval. A formal release letter is needed from the sponsor (kafeel) in the form of a no-objections letter. Exit visa is required when migrant workers want to leave the country. Therefore, the sponsorship system does not allow unitary decision in the case of migrant workers when they want to exit the job or the country.

### 2.3. Realities of Migrant Workers in Saudi Arabia

[Pourmehdi & Shahrani \(2021\)](#) show that insufficient policy initiatives contribute to wage discrimination between migrant workers and Saudi nationals, the former are less paid than the latter. In absence of fair immigration and employment policies, migrant workers are vulnerable to secure their rights and privilege ([Pourmehdi & Shahrani, 2021](#)). [Al-Emad and Rahman \(2018\)](#) argue that in Saudi Arabia construction workers have to face issues related to skills requirement in technology-based construction work and also issues related to their everyday social lifestyle adaptation. However, [Naithani & Jha \(2009\)](#) suggest that migrant workers face multiple social and cultural barriers in the Middle East that have protectionist approaches towards natives and limited scope for foreigners. Traditionally, in Arab society, locals have the highest position in the society, followed by skilled westerners, Arabs from other countries and Asians have the lowest position. Within Asians, Indians are more recognized than Bangladeshis and Sri Lankans. Expatriates from different foreign locations receive different social treatment and Asian expatriates do not have the same social status compare to their counterparts from western world. Since cultural and social interaction with each other is restricted, it creates class division in social hierarchy ([Malecki & Ewers, 2007](#) cited in [Naithani & Jha, 2009](#)). In fact, wages and remunerations reflect segmentation by contract and nationality ([Adham & Hammer, 2019](#)). In their study on oil company in Saudi Arabia, [Adham & Hammer \(2019\)](#) show that in the oil companies the rate of payment is different for native and foreign workers; the job grade code and nationality influence the payment of workers. The lowest paid groups are temporary migrant workers who are paid lesser than permanent and skilled employees. However, Female migrant workers also face barriers in terms of employment rights and professional development. In the Middle East, social acceptance of female migrant worker is not the same like the locals, rather in a conservative patriarchal society woman migrant worker suffers in both ways being a woman and a foreigner. ([Rodriguez & Ridgway, 2018](#)). However, the existing literatures ([Naithani & Jha .2009](#); [Rahman, 2011](#); [Shah, 2013](#); [Agunias, 2013](#); [Roy, 2016](#); [Almutairi, 2017](#); [Ullah, 2017](#); [Pourmehdi & Shahrani, 2021](#); [Adham & Hammer, 2019](#); [Siddiqui, 2021](#)) on Bangladeshi migrant workers lack investigation on political aspect and human rights aspects of labour migration. Though, these studies concentrate

on labour market participation of Bangladeshi migrant workers, they do not provide adequate information supported by empirical evidence. Thus, this study covers the gap in existing literature by focusing on the details of working experience, the existing labour migration irregularities, legal redress mechanism, challenges of fair migration so that the empirical evidence could provide practical insights on labour migration. This knowledge is crucial to overcome Bangladeshi migrant workers' precariousness.

### 3. Theoretical Framework and Analytical Perspective

In the 1970s the emerging new world order is defined by the political economist as the neoliberal globalization. In this era multinational companies and international bodies play profound role in reconstructing the new world order. Large scale movement of people take place in search of employment and better life (Wise, Puentes, & Covarrubias, 2010). Unfortunately, this movement of people is marked by poor working condition, unfree and coercion; containerization of worker as freedom of movement is restricted outside the workplace (Gordon, 2018). Thus, neoliberal globalization can be described as an approach to economic globalization (transborder spaces) that is based on the ideology of neoliberalism that supports "wholesale marketization through privatization, liberalization and deregulation." (Scholte, 2005: p. 1). Critics of neoliberalism argue that though it brings economic prosperity it causes unemployment, deteriorating working condition, instability and inequality (Scholte, 2005). However, to understand the current situation of Bangladeshi migrant workers towards Saudi Arabia I consider the theory of Neoliberal globalization an appropriate instrument. Wise & Covarrubias (2012) maintain that in the era of neoliberal globalization, free and self-regulatory market was supposed to pave the ground for a just and equitable society that ensures freedom of movement and opportunity for employment; unfortunately, the migrant workers turn the most miserable segment of global labour force. "The ideology of neoliberalism legitimates migration as a social good in promoting social welfare and wealth creation, the other side of the coin is social stress, not only in the host areas but also in the parent ones. The 'problem' of migration is not to be resolved by adjustments in regulation but by developmental policies in the areas of origin." (Lane, 2023: p. 46).

However, In the new liberal context uneven development of countries cause the migration of disposed, marginalized and excluded people towards high income countries. People get moved from their birth country in search of improved life and social upward mobility. International migration entails risk and hazard; specially in the destination countries migrant worker may experience precarious work condition and social exclusion. Though the United Nation's Universal Declaration on Human Rights (1948) aspires to promote and protect the fundamental rights of human being; the economic and political aspects of neoliberal globalization overlook the issues of human rights (Wise, Puentes, & Covarrubias, 2010). According to Wise & Covarrubias (2013), labor precariousness is a dominant trait of

neoliberal globalization. Cheapening of labor is the main instrument in capitalist production. Army of labor originating from Africa, Latin America, Asia, and the former Soviet Union facilitate the dynamic of capitalization that leads to subsequent advent of trans nationalization, differentiation, and precariousness of labor markets. Again, the incorporation of China and the former Soviet bloc into the global capitalist economy has doubled the world labour force and thus create competition on over employment and resources that create divisions in working class; therefore national, racial, and cultural hierarchies allow large corporations to benefit from cheap and flexible work force (Schierup et al. 2006; Harvey 2007 cited in [Wise and Covarrubias, 2013](#): pp. 1-3). Major outcoming of neoliberal globalization has been mentioned by [Wise \(2015\)](#) as re-launching of imperialism. In the neoliberal globalization capitalism contributes to the monopolization of finance, production, services, and trade that result in labour exploitation. The system of accumulating the cheapest labour for more production for the benefit of corporate profitability has direction towards the re-launching of imperialism recognized as “the political, diplomatic, military, economic and cultural strategy orchestrated by the main capitalist powers of the world to dominate the subordinate social classes and the world’s strategic regions, thus creating new opportunities for the valuing and appropriation of wealth, the control of material production, and the realm of power exercised by the nation-state” (Márquez and Delgado Wise 2011b: 14-15 as cited in [Wise, 2015](#): p. 26). This domination and control reverse the myth of free market to a highly monopolistic market that contains control on the workforce, low salary and social exclusion of labour force and precarious work. Thus, Neoliberal globalization undermines the wellbeing of labour that requires fundamental social changes and the construction of social transformation agent capable of contesting the prevailing imperialist power ([Wise, 2015](#)).

### **Labour Precarity and Vulnerability**

The existing researches ([Rahman, 2011](#); [Sahu, 2022](#); [Battistella & Khadria, 2011](#); [ILO, 2022](#)) show that migration governance and measures incorporate duality as it emphasizes profit over protection of migrant workers. [Rahman \(2011\)](#) refers to criticism of Kafala system as it entails corruption, visa trading, irregular and unethical recruitment outpacing local demand. It is lucrative for local sponsors as a source of extra earning; therefore, the government of the Gulf countries hardly find interest in reform of kafala system. Local influential and business elite ultimately are not in favour of meaningful reform. Again, [Sahu \(2022\)](#) mention that the Kafala system held migrant workers in vulnerable position in dispute settlement as they can be deported for anything with an accusation of “moral wrongdoing”. The root cause of this shortcoming is that it ties employer and sponsor together against migrant workers therefore the former is stronger than the later. In such circumstances the incident of abuse, exploitation, harassment, wage theft is extensive in the case of semi-skilled and unskilled workers. Again, to escape exploitation if the migrant workers run away or over stay the contract they are

being tagged as illegal. Nevertheless, during the recruitment phase low-wage migrant workers are particularly at the risk of abuse and exploitation. The State needs to have adequate regulation that respects and protects migrant workers' rights following international conventions. If the fundamental rights are violated migrant workers irrespective of nationality, legal status, gender, religion, ethnicity, caste or any other social or economic considerations deserve the right to justice and effective remedy (ILO, 2022). However, Battistella and Khadria (2011) argues that labour migration system in Asia is responsible for the non-recognition of migrant workers' rights. The system itself entails scope for violation of migrant workers' rights in the entire migration cycle (pre and post migration). In the recruitment operation, recruiting agencies overcharged the migrants and deploy the migrants in employment that is different from original contract and cause other form of contract violation. In the work place the migrant are deprived of fair working hour, safe working environment, proper rest. The vulnerability of the situation lies in the fact that the migrant workers require clearance from the employer to quit job or to return home. Though this happening cannot be generalized as protection measure varies according to countries; and level of protection increases according to level of employment. Among them domestic workers are more vulnerable. The deficiency in the system appears in its ingrained mechanism that support low level of protection as the system is designed to maximize the benefit and to disregard the requirement and desire of the labour force.

#### 4. Research Methodology

Since the purpose of this research is to understand the impact of neoliberal globalization on the Bangladeshi migrant workers towards Saudi Arabia, I had applied qualitative research approach to get authentic and insightful information in a realistic context. In this regard qualitative research approach was deemed suitable for its ability to explore a wide range of inquiry and to connect context with interpretation (Bryman, 2008). Purposive sampling method was applied that establish a good correspondence between research question and the respondents (Bryman, 2008). Again, in purposive sampling the respondents share common knowledge and characteristics that could support the purpose of the study (Babbie, 2013). To pursue in-depth details understanding of different stake holders in the migration process I conducted three Focus Group Discussions (FGDs) with returnee migrant workers (One male group and another female group) and international recruiting agents of Bangladesh, each group consists of 6 members. I also interviewed 7 key informants (Government and non-government officials, recruiting agency's personnel and experts). Separate sets of Check list/semi-structured interview question based on different background information of the respondents, the recruitment process, the work type and work place situation, government and non-government measures to sustain the situation had been incorporated during the data collection process. In this regard open-ended inquiry/discussion ensured to collect the respondent's personal opinions and experiences. Since this research investigated

labour market participation of Bangladeshi migrant workers in the KSA, only Bangladeshi returnee migrant workers were included in the FGDs. The respondents had been selected to cover different age groups, different areas of work and places that may provide detail background information of migrants, their struggle and their condition in the Saudi Arabia labour market. Thus, for data diversity participants were selected from different working areas like construction, domestic, general services and so on. To avoid homogeneity, participants were selected from both migrant prone or less migrant sending areas of Bangladesh. I included a fair number of female migrant workers so that we could get their opinion and experience in the migration process and working situation.

To contact returnee migrant workers was not an easy job. Usually most of the returnee migrant workers concentrate in industrial areas near Dhaka. Initially, I contacted with field workers of NGO (Non-government organization) to reach returnee migrant workers. I had conducted the FGDs in three separate venues; one was Duaripara, Mirpur, Dhaka and another was Radio Colony, Savar, Dhaka and FGD with Bangladeshi recruiting agents took place in an office ground where it was easy to sit together. In the case of returnee migrant workers, we sited in a community office to conduct the FGDs. As they all are working people, I got moderate time from them. They came from different parts of Bangladesh like Bhola, Patuakhali, Barisal, Narsingdi, Noakhali, Comilla, Tangail, Manikganj. They were mostly engaged in less skilled work having primary/secondary education. During their stay in Bangladesh, they were engaged in informal employment. All of them migrate to KSA through agents/sub-agents. In conducting KII (Key Informant Interview) I contacted them in their workplaces. On the basis of the respondents' expression and opinion, thematic content analysis had been done that entailed coding and categorical indexing to generate theme and pattern (Mason, 2002). Since this research is not based on survey, generalization of findings is not possible. This study focused on the existing situation in details from the perception and opinion of the people who are major actors and are concerned in labour migration from Bangladesh to Saudi Arabia. To ensure ethical code of conduct prior written consent had been taken from the respondents. And to ensure validity and reliability the research process was systematic that ensure extensive literature review following research objectives and experts' opinions were also compared with the emerging theme and pattern.

## 5. Finding and Discussion

Though in the era of neoliberal globalization international labour migration brings socio-economic benefit, the prevalent features demonstrate labour exploitation, unfree labour, abuse and violation of human and labour rights. Deficiencies in arrangement of work contract, wage standard, payment pattern, work time, safety, health and hygiene issues in the workplace are commonly reported incidents in the case of Bangladeshi migrant workers towards Saudi Arabia.

### 5.1. Labour Migration Process towards Saudi Arabia

Recruitment of migrant workers is an important part in the labour migration process from Bangladesh towards Saudi Arabia that includes the operation of private recruiting agencies and migrant network as well. Private recruiting agency and migrant network act as intermediaries between prospective migrant workers and the employer (Rahman, 2011). According to Rahman (2011) in the GCC countries labour recruitment takes place in kafala or sponsorship system (Longva, 1999; Colton, 2010; Shah, 1994b; Baldwin-Edwards, 2011; De Bel-Air, 2011 cited in Rahman, 2011: p. 8). In this system, a migrant is sponsored by an employer who is a GCC citizen and is in economic and legal charge of the employee during the contract period. Kafael/sponsor may be an individual, a placement agency, or a company/institution. Overall, the recruitment system is complex and multi-layered that also includes activities of informal agents who assist the process from different points (Rahman, 2011). One of the respondents stated:

Visa trading is an integral part of the recruitment process. The recruiting agent from Bangladesh procure visa from multiple sources like individual broker or other brokers from India, Nepal and Sri Lanka. To collect prospective migrant workers, they depend on local sub agent. The visa fee increases from \$2000 to \$3500 in the hand of agent, sub-agent and sub-sub agent; in this way the local intermediaries are making more profit in the migration process. Complain arises when the migrant workers are paying high for overseas employment but receiving low salary.

However, work contract is important to secure promised pay, work condition and work type. The respondents of Focus Group Discussion (FGD) with returnee male migrant workers opined as:

Contract violation contribute to migrant workers' suffering and untimely return. Upon arrival in Saudi Arabia, the employment type sometimes deviates from the written contract and verbal promise. The replacement of promised indoor work with odd outdoor work create frustration and grievances among the migrant workers. In that case, they cannot but accept the situation. When someone does not get the promised job s/he may not be able to coup with hazardous work, as a result they find no alternative other than untimely return.

However, Agunias (2013) points out that though unscrupulous recruiting agencies are responsible for the suffering of migrant workers by charging extra fee for placement and burdening them with excessive loans, more tough regulation may contribute more to their illegal activities. In a restrictive situation corruption and abuse may increase. They may prefer irregular channels as happen in Philippines, the law breaker recruiting agents ensure their profit by charging more and strike with other recruiters. As they lose their place in formal market, they work in informal market charging extra fee to encounter stringent regulation. Therefore, it is essential to establish a balanced set of regulation that promotes safe and ethical

migration. To protect migrant workers from abusive recruitment discussion on fundamental protection require to focus on origin, transit and destination countries' practices. International and Regional forum like Abu Dhabi Dialogue can tie the gap between origin, transit and destination countries.

## 5.2. Simultaneity of Opportunity and Challenges

The juxtaposition of opportunity and challenge marks labour migration from Bangladesh towards Saudi Arabia. *Castles (2011)* maintains that in the neoliberal era shared affluence and material wellbeing undermine the incident of labour exploitation. Though workers movement play important role in world economic order, there exists opposing situation; it offers cosmopolitan mobile world for the elite and a world of barriers, exploitation and control for the rest. Apparently, it seems to reduce migration flow but with time the long term economic, social and demographic factors compel the migrant to accept job-loss and less-income as the migrant workers have developed a type of resistance that includes individual and community. Nevertheless, labour migration has both explicit and implicit benefits. National economic growth depends much on remittances; remittances have significant contribution in local economy as it creates employment opportunities and helps to run local business. It also helps human capital development, as money sent back home are spent on children's education (*Afsar et al., 2002*). On the other hand, migrant workers importantly irregular migrants trapped into vulnerable situation in absence of rights-based approach to migration governance. Fearing deportation, detention or expulsion the foreign workers do not even courage to speak out their suffering (*Val, 2022*). In this study majority of the respondents complain about irregular payment, reluctance in renewal of Iqama, hardworking but low salary, additional duty without payment, denial of leave permission for country visit, inadequate health facility in work place, lack of job on arrival, inability to complain to country's labour office, problem in filing complain in labour court, contract violation in terms of facility, salary, work time and duty, denial of payment for overtime, denial of increment in salary, violation of words/ instruction, high recruitment cost, problem of food and accommodation, misconduct of employer, a sense of uncertainty and fear of job loss. As participants of FGDs with returnee migrant workers both male and female opined:

We are weak country; my country is not strong enough, that is why I can't claim my right, to continue my job I can't but adjust to the situation. They (the employer) consider as misqueen (beggar), they treat us with no respect. We don't know where to complain, whom to complain. Even, the officers, working in the embassy are afraid of dealing with our problem in fear of job loss.

Again, the very unique problem of domestic worker is that they do not get support network, they cannot contact with outside people. They are not allowed to go outside of home or visit friend, they are not even allowed to go for a walk outside the place of residence. Thus, in their social isolation and vulnerability in contract

violation they suffer in the hands of recruiter, employer and government official. And the sending and receiving countries are unwilling to have polices that ensure legal safeguard for migrant workers as their main interest is profit maximization, service and business and economic benefit of labour migration (Manseau, 2007).

### 5.3. The Causes of Bangladeshi Migrant Worker's Precarity and Vulnerability

In absence of fair legal redress mechanism Bangladeshi migrant workers suffer from discrimination, exploitation, wage deprivation, physical and mental abuse. Labour migration related irregularities can be categorized as high migration cost, workers indebtedness, contract violation, wage theft, physical and mental abuse, threat of deportation, forced labour and many more human and labour rights violation (Siddiqui, 2021). The statistics of complains and disposal of complains reflects that the grievances redress mechanism is not very satisfactory.

The following **Table 1** shows the performance of grievance redress mechanism.

**Table 1.** Grievance Redress Statistics, (Bureau of Manpower, Employment and Training).

Year	Number of complain	Number of Disposal	Percentage of Disposal	Amount of Compensation
2023	2380	865	36%	48,791,000
2022	1240	339	27%	16,000,000
2021	528	240	45%	18,200,000
2020	905	424	47%	24,041,000
2019	732	375	51%	25,692,000
Total	5785	2243	39%	132,724,000

Source: Shafikul Islam Banik Barta, 27 April, 2024 (Islam, 2024).

After interviewing 110 returnee female migrant workers Islam (2019) points out that among them 61% faced physical torture, 14% sexual abuse, 52% obliged to work extra hours, 63% returned with illness because of the abuse and exploitation and 86% did not receive due salaries. The major challenges in accessing justice are the weakness of laws, ignorance of laws, financial incapacity of migrant worker in contesting legal disputes, lack of evidence and again official lacks expertise, there is no details operational guidelines, migrant workers do not get adequate representation to contest their case, further the compensation is not justified in arbitration mechanism. Therefore, institutional justice mechanism needs to be reinforced to ensure migrant workers' right (Islam, 2019).

One of the key informants mentioned:

The migrant workers fail to seek justice as they don't keep the important documents like passport, employment contract, payment slip etc.; as a result, in lack of evidence they lose the legal contest; sometimes they don't even know the name of the recruiting agency, they only know the sub agent/local intermediary. And lack of evidence and manpower shortage are responsible for delay in compensation.

Though migrant workers face multiple barriers in securing justice, their prime concern is to retain the job that provide their basic need and support maintenance of their family. Therefore, the labour migration decision is crucial as one of the respondents (female migrant worker) mentioned.

“We need to do almost all household chores, no provision for rest, no treatment for illness. They do not pay regularly, withhold pay, very often do not give full payment. They treat us like slave; rude behaviour, physical tortures are common incidents, the employer don’t even give proper food and it is heard that sexual abuse with female domestic workers takes place.”

According to ILO (2022) to ensure human and labour rights of migrant workers it is essential to ensure access to justice. Based on the spirit of non-discrimination the basic requirements are equal treatment and protection of law, the rights to impartial and public hearing, rights to accessible, affordable, adequate and timely remedy and fair treatment in all phases of trials. However, in accessing justice migrant workers can experience several barriers like legal barriers, accessibility barriers and enforcement barriers. Legal barriers may put migrant workers in a situation where relevant laws are not sufficient to protect them or they do not entail the coverage. Accessibility barriers include lack of language skills, incapacity to pay fees, lack of knowledge of legal system, longer proceeding, insufficient stay to follow judgement, biased attitude of government officials that may hinder remedy mechanism. Enforcement barriers refer to inadequate enforcement mechanism to execute court order or verdict particularly in the case of returnee migrant workers. These barriers are sometimes overlapping and increase migrant workers’ and their families’ economic and mental suffering. These barriers can affect migrant workers in three ways; firstly, workers may abandon their claim to compensation and reimbursement; secondly, they are compelled to settle for less than their actual due; thirdly, rights violation may go unpunished amidst vast variety of cases having nothing to abstain from further abuse and exploitation (ILO, 2022).

#### 5.4. Gap between Expectation and Reality

To secure migrant workers safety and protection the government of Bangladesh has formulated a number of well-intentioned policies, laws and regulations (Islam, 2019). Among them the Overseas Employment and Migrants Act in 2013; the Overseas Employment and Migrants Act (Amended), 2023; the Expatriate Welfare and Overseas Employment Policy, 2016; the Overseas Employment and Migration Management Rules, 2017; Recruiting Agents License & Code of Conduct Rules, 2019 and the Wage Earners’ Welfare Board Act, 2018 are remarkable. These laws are mean to safeguard migrant workers, many of them fail to access justice in spite of being vulnerable due to abuse and exploitation. (Islam, 2019). In Saudi Arabia, in spite of different regulations and laws regarding employment relationship and safeguarding foreign workers, human rights violation take place as the irregularities arise from employment contract and residency regulation. In both

cases temporary foreign workers have dependency on the employer who exploit the conditions in their favour, as a result the existing legal structure fail to address temporary foreign workers complains adequately (Almutairi, 2017). Again, in the context of Bangladesh' labour migration private recruiting agencies play dominant role who prefer policies that help maximize their profits. They pursue government in policy formulation and implementation to ensure less government interference and ultimately that result in minimum protection of migrant workers' right and contest between political and social forces influences the execution of the right-based approaches for the safety of migrant workers' rights (Roy, 2016).

According to experts and stakeholder interviewed in this research it seems that a number of issues are related to the migrant workers' precarity. The labour market operating structure includes different formal and informal actors. Since the workers follow different routes along with hide and seek tendency the appropriate observation of regulation appears difficult. One of the officials dealing with complain management reported:

“When physical abuse takes place with female migrant workers in the destination country, it is difficult to give justice in absence of eye witness. After physical verification if we find the sign of abuse, we could fine the recruiting agency. Though in no way compensation is enough in such kind of situation.”

Thus, it is hard to determine the nature of offence and the real offender. If the offence is caused by the employer in Saudi Arabia, in Bangladesh the system is not entitled to punish Saudi nationals for the offence that happens in Saudi Arabia, in that case the proper authority in Bangladesh can only charge the local recruiting agent or sub agent. Complete judgement is not possible because of the involvement of enter border people and of formal and informal means and media.

By focusing on the case of Kuwait Al Rayes (2019) pointed out that countries have policies to end visa trading and trafficking but policy implementation faced difficulties as visa trading and trafficking are profitable business. Thus, in realities, execution of penalties in case of irregularities are unseen to curb this “multi-million dollar” business. Again, corruption of government officials is another reason for less monitoring of the affairs. Usually, the courts give verdict in favour of the employees but there is no legal enforcement mechanism to execute the judgements. In fact, Employers are not under compulsion to obey court order or pay the workers' compensation. It is reported that the employer also forces the employee to withdraw the case by confiscating their passports, police pressure and coercion, intimidating deportation, and filing criminal complaint against the workers (Al Rayes, 2019).

## 6. Recommendation

International labour migration is significantly important for Bangladesh as a source of earning for families and of foreign exchange for the government (Shah,

2013). To promote labour migration from Bangladesh to Saudi Arabia, it is crucial to protect migrant workers' right and privilege. Naithani & Jha (2009) suggest that more stringent labour laws, simplification of work visa rules, diminution in salary bias, promotion of female expatriates' participation are important to secure expatriate workers' right and privilege. The major findings of this research indicates that at the recruitment stage, Bangladeshi migrant workers are vulnerable due to lengthy, complex and multi-layered recruitment process that increases migration cost and time and also causes untimely return and debt bondage. At the work place, Bangladeshi migrant workers are vulnerable at the hand of sponsor/employer who twist the employment contract and labour law in their favour as Bangladeshi migrant workers are ignorant of local law and language and lack necessary skill and communication to sustain in an unfavourable working condition. To address the challenges experienced by Bangladeshi migrant workers the flowing measures are important on the basis of existing literature and respondents' opinions and experiences.

**Short-Term:**

- Digitization and process simplification of service delivery.
- Labour inspection and exercise of regulation.
- Emphasize on minimum education and skill requirements along with language and other essential soft skills.
  - Awareness campaign to promote fair migration.
  - Effective implementation of PDO (Pre-departure Orientation) training.
  - Strengthen the legal support system for migrant workers by strengthening the complaint mechanism.
    - Regular meeting of join working committee comprising of labour sending and receiving countries.

**Medium-Term:**

- Concrete guideline for safe migration and workplace safety.
- Government can develop standard operating procedure.
- Developing robust legal frameworks and ensuring their enforcement.
- Adequate consular services in destination countries and train the staff with adequate knowledge of migration management.
  - Institutional development and capacity enhancement (establishment of one stop service centre, hotline number to provide 24/7 service in case of emergency).
    - Implementing best practices of neighbouring countries.

**Long-Term:**

- International market demand-based education policy and skill training programme.
  - Gender-responsive migration policies.
  - Provision for BLA (Bilateral Agreement) and MOU (Memorandum of Understanding).
    - Transnational cooperation between sending and receiving countries.
    - Multi-lateral Framework for fair migration.
    - Sustainable reintegration programme.

## 7. Conclusion

The Bangladeshi migrant workers towards Saudi Arabia face insufficient protection that causes rejection of their recognition and respect in terms of rights. Though labour migration is crucial and beneficial for earning and better life, it is not beyond risk and hazards. Capitalist element of market competition turns unfair when profit is considered above labour exploitation and abuse. Major irregularities arise from unethical practices in the recruitment process, lack of education and awareness, lack of governments' policy measures that require rigorous application of regulation and monitoring along with awareness campaign. Since Saudi Arabia is the top destination country for Bangladeshi migrant workers critical insight on labour migration process, understanding the causes of Bangladeshi migrant worker's precarity and policy approach are required to remove the ingrained inconsistency between expectation and reality. It is important to maintain standard labour market operating system, standard labour contract, standard bilateral agreement that ensures freedom of movement, freedom of association and trade union, living wage, access to basic rights at work, protection against unemployment and other human and labour rights components.

## Conflicts of Interest

The author declares no conflicts of interest regarding the publication of this paper.

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