

Rapporto di ricerca COI Realizzato dall’Ufficio Immigrazione di ARCI nazionale  
-aggiornato al 18 aprile 2023

CONTESTO		NOTE
Paese di origine	Bangladesh	N/D

QUESITO COI	NOTE
Tematica	Società
Formulazione quesito COI	Migrazioni di ritorno
	<p><b>1. Informazioni sulla protezione statale disponibile per le vittime di tratta lavorativa all’estero</b></p> <p><b>2. Risultano informazioni su fenomeni di stigmatizzazione dei migranti di ritorno in Bangladesh (in particolare sulla esistenza di una figura socialmente identificata, atteggiamento sociale ecc)?</b></p>

### Disclaimer metodologico

1. Il primo quesito è stato indagato ponendo attenzione in maniera particolare alle vittime di tratta lavorativa all’estero, tenendo in considerazione il profilo medio di un migrante adulto di sesso maschile. In questo senso non state toccate tematiche specifiche, che tuttavia godono di una complessità autonoma. In particolar modo, non sono stati approfonditi i profili di tratta maggiormente collegati alla età al genere: quali ad esempio la tratta dei minorenni o delle donne a scopo sessuale;
2. Allo stesso tempo è da sottolineare come, sempre rispetto al primo quesito, si sia rinviato in maniera sostanziale al rapporto USDOS 2022 dedicato alla tratta di esseri umani in Bangladesh. Ciò considerando la completezza e l’attualità della analisi lì riportata, non integralmente citata nella presente ricerca;
3. Il secondo quesito è stato analizzato tenendo in considerazione il profilo del migrante di ritorno all’esito di una migrazione cd. “fallita”, ossia che non ha raggiunto gli scopri prefissati. Ciò senza distinguere in maniera analitica se il rimpatrio del cittadino sia conseguenza di una libera scelta del singolo o di una disposizione coattiva del Paese di destinazione o di transito;
4. Il presente Ufficio resta a disposizione per confrontarsi relativamente alle fonti e ai contenuti citati, oltre che per eventuali approfondimenti rispetto ai quesiti posti e le risultanze emerse

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### 1. Informazioni sulla protezione statale disponibile per le vittime di tratta lavorativa all’estero;

Dalle fonti emerge in maniera unitaria e conforme come la tratta di esseri umani sia un problema centrale in Bangladesh, che risulta essere una delle nazioni maggiormente esposte, considerando la numerosa popolazione che vive in condizione di povertà cronica, disuguaglianze di genere e disastri naturali:

“...Trafficking is indeed a growing problem in Bangladesh. Bangladesh is one of the vulnerable countries for trafficking because of its large population and large population living in a conditions of chronic poverty, regular natural disaster and gender inequality73...”<sup>1</sup>

Similmente, in via generale, Freedom House conferma come il Bangladesh rimanga un importante fornitore e punto di transito per le vittime della tratta. Le donne e i bambini vengono trafficati sia all'estero che all'interno del Paese a scopo di servitù domestica e sfruttamento sessuale, mentre gli uomini vengono trafficati principalmente per lavorare all'estero. Una legge anti-tratta del 2013 fornisce protezione alle vittime e aumenta le pene per i trafficanti, ma l'applicazione della stessa è considerata inadeguata<sup>2</sup>:

“...Bangladesh remains both a major supplier of and transit point for trafficking victims. Women and children are trafficked both overseas and within the country for the purposes of domestic servitude and sexual exploitation, while men are trafficked primarily for labor abroad. In the 2022 edition of its *Trafficking in Persons Report*, the US State Department noted that antitrafficking tribunals resumed operating in 2021 but said that the government had lowered its protection efforts during the reporting period. A comprehensive 2013 antitrafficking law provides protection to victims and increased penalties for traffickers, but enforcement remains inadequate...”<sup>3</sup>

In tema di tratta a scopo lavorativo, l'analitico rapporto USDOS 2022<sup>4</sup> sottolinea le principali criticità nella azione del Governo per contrastare i fenomeni di tratta di esseri umani. In questo senso, sebbene si dia conto di come della ratifica il protocollo alla Convenzione sul lavoro forzato dell'ILO per contrastare il lavoro forzato, allo stesso tempo si richiama una minore identificazione di potenziali vittime rispetto al 2021, e l'assistenza alle vittime viene descritta come insufficiente. Ancora, si richiama come il Governo avrebbe continuato a permettere alle agenzie di reclutamento di addebitare ai lavoratori migranti commissioni di reclutamento elevate, e non avrebbe affrontato il tema dei sub-agenti che conducono operazioni di reclutamento illegali, lasciando i lavoratori vulnerabili alla tratta. Similmente, da un punto di vista procedurale, il Governo non avrebbe utilizzato in modo uniforme le procedure operative standard per identificare le vittime di tratta tra le popolazioni vulnerabili, con conseguente penalizzazione di alcuni lavoratori migranti di ritorno. Inoltre, il Governo ha introdotto delle modifiche procedurali, che potrebbero indirettamente costringere le potenziali vittime della tratta di esseri umani a sottoporsi a un arbitrato civile prima

- 1 IRE Journals, Current Scenario of Women and Children Trafficking in Bangladesh: A Way Forward, 2021, available at: <https://www.irejournals.com/formatedpaper/1702969.pdf>, accessed on 18 April 2023
- 2 Per una analisi diffusa e dettagliata sulla legislazione in Bangladesh sul tema si veda: IRE Journals, Current Scenario of Women and Children Trafficking in Bangladesh: A Way Forward, 2021, available at: <https://www.irejournals.com/formatedpaper/1702969.pdf>, accessed on 18 April 2023
- 3 Freedom House: Freedom in the World 2023 - Bangladesh, 2023 <https://www.ecoi.net/en/document/2088488.html>, accessed on 18 April 2023
- 4 In questo senso si noti la classificazione del Bangladesh nel “Tier 2” in materia di contrasto alla tratta umana: “...Bangladesh has maintained its Tier 2 ranking from the previous year in the US Trafficking in Persons (TIP) report for 2022. In 2018, 2019, and 2020, Bangladesh was classified Tier 2 Watch List, which is worse than Tier 2. The TIP is divided into three categories: Tier-1, Tier-2, Tier-2 Watch list, and Tier-3. Tier-1 is in the best position to combat human trafficking, while Tier-3 is in the poorest situation. Any country falling in the category of Tier-3 faces sanctions on development assistance. The 2022 TIP report is the 22nd instalment and covers 188 countries, including the US...”The daily star, 2022, "Bangladesh making efforts to end trafficking, yet to meet basic standards", available at: <https://www.thedailystar.net/news/bangladesh/news/bangladesh-making-efforts-eradicate-trafficking-yet-make-minimal-requirements-3074726>, accessed on 18 April 2023

di avviare le indagini penali:

“..The government also ratified the protocol to the ILO’s forced labor convention as part of efforts against forced labor. However, the government did not meet the minimum standards in several key areas. The government identified fewer potential trafficking victims compared with the previous reporting period and victim care remained insufficient. The government continued to allow recruitment agencies to charge high recruitment fees to migrant workers and did not consistently address sub-agents conducting illegal recruitment operations, leaving workers vulnerable to trafficking. The government did not uniformly employ standard operating procedures (SOPs) to identify trafficking victims among vulnerable populations, resulting in the penalization of some returning migrant workers and potential sex trafficking victims. In addition, the government pursued policy changes that would force potential labor trafficking victims to go through civil arbitration prior to initiating criminal investigations...”<sup>5</sup>

Più nel dettaglio, rispetto alla repressione delle reti criminali di tratta umana, le fonti sottolineano come non sia stata intrapresa alcuna azione radicale contro i vertici delle stesse, a causa degli stretti legami con il Governo e il partito al potere. Differentemente, gli arresti si sarebbero limitati agli intermediari di livello locale:

“...Although the government claims that the country’s economic growth rate has increased, the disparity between rich and poor is widening. As a result, every year many people from Bangladesh migrate abroad in search of work by selling land or taking loans. Many risk their lives to migrate abroad with the help of unscrupulous ‘agents’ and human traffickers. The human trafficking groups in Bangladesh have been deceiving the ordinary people for many years and pushing them to death. No action has been taken against the higher level leaders of the human trafficking ring as they have close connections with the government and the ruling party.<sup>273</sup> All those arrested for trafficking so far were brokers at the local level...”<sup>6</sup>

In questa ottica si pone il tema della corruzione e la complicità di agenti pubblici, ufficiali e politici locali, che comprometterebbe la effettiva implementazione delle normative anti-tratta. Ad esempio, alcuni ufficiali, giudici e poliziotti avrebbero chiesto tangenti alle vittime e alle loro famiglie per portare avanti le indagini:

“...Official complicity in human trafficking, trafficking-related corruption, and impunity for traffickers remained serious concerns, continuing to inhibit law enforcement action during the year. The government was reluctant to acknowledge or investigate such claims, claiming there was no official complicity during the reporting period. Some law enforcement officers and prosecutors allegedly decided which cases to investigate and try in court based on the political and financial connections of the accused. For example, some labor attachés, local politicians, judges, and police allegedly requested bribes from victims and their families to pursue cases.....”<sup>7</sup>

5 USDOS, 2022, Trafficking in Persons Report: Bangladesh , available at: <https://www.state.gov/reports/2022-trafficking-in-persons-report/bangladesh/> , accessed on 18 April 2023

6 Odhikar, 2021, ANNUAL HUMAN RIGHTS REPORT 2020 BANGLADESH , available at: [https://www.fidh.org/IMG/pdf/annual-hr-report-2020\\_eng.pdf](https://www.fidh.org/IMG/pdf/annual-hr-report-2020_eng.pdf) , accessed on 18 April 2023

7 USDOS, 2022, Trafficking in Persons Report: Bangladesh , available at: <https://www.state.gov/reports/2022-trafficking-in-persons-report/bangladesh/> , accessed on 18 April 2023

Similmente, sempre USDOS segnala come alcuni funzionari degli uffici distrettuali per l'impiego e la manodopera facilitino essi stessi il traffico di esseri umani, e che alcuni trafficanti nelle aree rurali hanno legami politici che gli consentono di operare impunemente. In misura ancora più grave, sembrerebbe che alcuni politici locali abbiano convinto le vittime ad accettare pagamenti da parte di sub-agenti di reclutamento per non denunciare alla polizia azioni di reclutamento fraudolente o di sfruttamento del lavoro, o che alcune forze di polizia hanno condotto indagini lente e lacunose per consentire ai trafficanti di eludere le punizioni. In questo senso, ancora, risulterebbe che alcuni funzionari governativi, compresi i parlamentari, abbiano mantenuto stretti legami con le agenzie di collocamento straniere, creandosi un conflitto di interesse nella creazione e implementazione della legislazione anti-tratta:

“...Recruitment agencies reportedly exploited official corruption to profit from overseas migration, including potential trafficking crimes. Observers alleged some officials from district employment and manpower offices facilitated human trafficking and some traffickers in rural areas had political connections that enabled them to operate with impunity. Observers also said some local politicians convinced victims to accept payment from recruitment sub-agents to not report fraudulent or exploitative labor recruitment actions to police.

Other observers reported some police conducted slow and flawed investigations to allow traffickers to evade punishment, including when suspects were fellow officers. Allegations of government corruption included officials working near international border crossings and police accepting bribes to release victims to their traffickers.[...]Because a number of government officials, including parliamentarians, maintained close ties to foreign employment agencies, there were concerns such officials had conflicts of interest in approving migrant-friendly practices, such as allowing for prosecution of abusive recruitment agencies and increasing protections for migrant workers.”<sup>8</sup>

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## Protezione

Stando sempre al rapporto USDOS 2022, il Governo avrebbe ridotto gli sforzi di protezione, identificando un numero inferiore di potenziali vittime rispetto al periodo di riferimento precedente e avrebbe mantenuto una protezione delle vittime gravemente inadeguata, soprattutto con riguardo alle vittime di tratta del Bangladesh identificate all'estero:

“...The government decreased protection efforts. It identified fewer potential victims than in the previous reporting period and maintained severely inadequate victim protection, especially for Bangladeshi trafficking victims identified overseas. The government identified 1,138 potential trafficking victims, a significant decrease from 6,866 in the previous reporting period; however, the government did not report details of this number and, in the past, had included smuggled migrants in the overall number...”<sup>9</sup>

Ciò nonostante le iniziative governative volte a identificare tempestivamente le vittime di tratta (attraverso la creazione di “app” e “checklists” dedicate). In questo senso le fonti imputano parte della inefficienza alla confusa e/o mancata applicazione di linee guida e criteri standard (le

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8 USDOS, 2022, Trafficking in Persons Report: Bangladesh , available at: <https://www.state.gov/reports/2022-trafficking-in-persons-report/bangladesh/> , accessed on 18 April 2023

9 USDOS, 2022, Trafficking in Persons Report: Bangladesh , available at: <https://www.state.gov/reports/2022-trafficking-in-persons-report/bangladesh/> , accessed on 18 April 2023

cosiddette “SOPs”) per la identificazione delle vittime di tratta, che avrebbe ingenerato confusione nelle stesse autorità preposte:

“...The Ministry of Home Affairs (MHA), the government’s lead agency for combating trafficking, had SOPs for proactive trafficking victim identification; however, the government did not report whether the SOPs were widely disseminated or used. Observers noted there was no standard victim identification procedure; many law enforcement agencies attempted to follow the PSHTA with significant misunderstandings and lacked a formal procedure for identifying victims. Some police officers used a checklist to proactively identify victims when they came into contact with individuals in commercial sex establishments; however, the government did not formally adopt or disseminate the checklist, and its use was inconsistent. The government, in partnership with an international organization, developed a rapid victim identification mobile application during the reporting period, although the application was not yet finalized or approved for official use. The government also maintained several general helplines to report crime, including human trafficking..”<sup>10</sup>

Dalla mancata implementazione di linee guida standard, oltre che la mancata identificazione delle vittime di tratta, sono derivati anche effetti paradossali, quali la penalizzazione e criminalizzazione delle stesse vittime. Questo fenomeno, di particolare evidenza nell’ambito della tratta umana a fini sessuali si è tradotto, nel contesto della tratta a scopo lavorativo, nell’arresto di numerosi migranti di ritorno (sul punto si veda più avanti la sezione dedicata ai “returnee”):

“...Law enforcement did not uniformly employ SOPs to identify trafficking victims among vulnerable populations, including individuals engaged in commercial sex and, as a result, may have penalized sex trafficking victims for unlawful acts that traffickers compelled them to commit. Police enforcement operations on hotel-based commercial sex resulted in law enforcement filing many cases under PSHTA sections 12 and 13, accusing young women and girls of criminal behavior without attempting to screen for victimization with trafficking indicators...[...]...aw enforcement at the borders intercepted and charged at least 55 people under the penal sections of the passport control order, despite evidence that these individuals had been brought to the Indian border under fraudulent pretenses for the purpose of trafficking. The government previously penalized some returning Bangladeshi migrant workers with substantial indicators of trafficking on ambiguous charges of “damaging the image of the nation” without appropriately screening for trafficking. The government sentenced some of these potential victims to jail terms, although the government eventually granted bail to the victims...”<sup>11</sup>

Similmente, rispetto all’arresto di vittime di tratta lavorativa che rientravano in Bangladesh, per aver “leso” l’immagine del Paese all’estero, si veda:

“...The arbitrary arrest and detention of 81 Bangladeshi migrant workers in September after they arrived in Bangladesh from Vietnam having been trafficked brings to a total of more than 300 Bangladeshi workers arrested and detained upon their return from various countries since May 2020. Detained for “tarnishing the image of the country” by allegedly engaging in criminal activities, no credible evidence concerning their alleged crimes has yet been provided in any case. Their arrest

10 USDOS, 2022, Trafficking in Persons Report: Bangladesh , available at: <https://www.state.gov/reports/2022-trafficking-in-persons-report/bangladesh/> , accessed on 18 April 2023

11 USDOS, 2022, Trafficking in Persons Report: Bangladesh , available at: <https://www.state.gov/reports/2022-trafficking-in-persons-report/bangladesh/> , accessed on 18 April 2023

and detention violate Bangladesh’s obligations under international human rights law including the International Covenant on Civil and Political Rights. They must be freed immediately unless they are promptly charged with recognizable offence.”<sup>12</sup>

Considerando invece l’attivazione dei servizi di protezione, le maggiori criticità segnalate dalle fonti riguardano la contrazione dei servizi stessi (a causa della pandemia e delle limitate risorse governative destinate). Ancora, per accedere ai servizi di protezione (in particolare ci si riferisce ai servizi di accoglienza e rifugio), si sottolinea l’esistenza e la necessità di un meccanismo di *referral* giudiziale delle vittime ai servizi. Considerando specificatamente la tratta a scopo lavorativo, può essere rilevante notare che nonostante le linee guida volte a una gestione equa dei servizi, il Governo non abbia sempre considerato gli uomini adulti come vittime di tratta e non avrebbe quindi fornito servizi alle vittime maschili. Differentemente altre attività di assistenza sono fornite dalle ONGs<sup>13</sup> alle vittime maschili:

“...Protective services remained strained due to the pandemic and limited government resources. The government had a standard policy to refer victims to services, although it required a court-order mechanism to do so. During the reporting period, the Department of Social Services (DSS) formally adopted comprehensive Survivor Services Guidelines and referral directories to ensure minimum standards of care in government-run shelters. Authorities commonly referred victims to government-run shelter homes for protection services, although the government occasionally referred victims to NGO-run shelters. [...] Despite legal guidelines to administer services equitably, the government did not consistently view adult men as trafficking victims, and the government did not routinely identify or provide equitable services to male victims. While some NGO shelters could house male victims, the majority of both government and NGO shelters could not; however, most NGOs could provide non-shelter services to adult male victims. The government did not report how many trafficking victims its police and MSW shelters assisted during the reporting period....”<sup>14</sup>

In questo contesto, pur avendo il Governo stanziato fondi per attività di supporto legale e finanziario alle vittime, USDOS rileva la scarsa diffusione e conoscenza dei programmi di supporto, così come una generale insufficiente implementazione delle previsioni di protezione, limitando quindi la partecipazione delle vittime di tratta nelle attività di investigazione e processo dei trafficanti:

12 AI, 2020, First UA: 131/20 Index: ASA 13/3010/2020 Banglade, available at: <https://www.amnesty.org/en/wp-content/uploads/2021/05/ASA1330102020ENGLISH.pdf> , accessed on 18 April 2023

13 A tal proposito, considerando le ONG che lavorano specificatamente nei processi di reintegrazione delle donne e dei bambini vittime di tratta si veda: “...there are many NGOs in Bangladesh working against trafficking and among them BNWLA (Bangladesh National Women Lawyers Association), DAM (Dhaka Ahsania Mission), CWCS (Center for Women and Children Studies), RJ (Rights Jessore), UDDIPAN, SAVIOUR are the leading NGOs (Bangladesh Country Report, 2011). They help to make people aware of trafficking, help to rescue the survivors and facilitate the retuning of survivors in Bangladesh. Then they are sent to the shelter homes and it provides physical and psychological health services. Moreover, they provide personality skill development training to these survivors to process their reintegration in family and society. ...” Faculty of Psychology Department of Health Promotion and Development University of Bergen, Norway, Trafficking in women in bangladesh: experiences of survivors and challenges to their reintegration, Sabiha Yeasmin Rosy , 2013, available at: <https://bora.uib.no/bora-xmlui/bitstream/handle/1956/7328/108992019.pdf?sequence=1&isAllowed=y> , accessed on 18 April 2023

14 USDOS, 2022, Trafficking in Persons Report: Bangladesh , available at: <https://www.state.gov/reports/2022-trafficking-in-persons-report/bangladesh/> , accessed on 18 April 2023



“...While some victims participated in the investigation and prosecution of their traffickers, the government and NGOs noted insufficient implementation of the protection provision contributed to a lack of participation by most trafficking victims. The government offered free legal services to trafficking victims through public and special prosecutors, as well as legal and financial support through the Bangladesh National Legal Aid Organization. The government allocated funding to provide legal services to trafficking victims through the district offices of the National Legal Aid Service Organization (NLASO). Government-run District Legal Aid Committees could also offer free legal services to victims, although the services were insufficiently publicized among eligible survivors...”<sup>15</sup>

Può essere quindi interessante notare come Il Ministero del Welfare degli espatriati e dell'occupazione all'estero (MEWOE) abbia mantenuto “uffici del lavoro” nelle ambasciate e nei consolati dei 26 principali Paesi di destinazione, per fornire servizi di assistenza ai lavoratori migranti del Bangladesh, attraverso l'impiego di personale formato sulle questioni relative alla tratta (responsabili dell'esame e della verifica dei documenti di lavoro). Tuttavia, le organizzazioni internazionali hanno continuato a segnalare che questi uffici del lavoro non avevano né il personale, né le risorse per assistere il gran numero di lavoratori migranti. Similmente, Il MEWOE gestisce cinque rifugi all'estero per i lavoratori con forti indicatori di tratta che fuggivano da datori di lavoro violenti, ma non ha riferito quante persone o vittime siano state accolte:

“...The Ministry of Expatriates' Welfare and Overseas Employment (MEWOE) maintained 29 labor offices, or labor welfare wings, in embassies and consulates in 26 major destination countries to provide welfare services to Bangladeshi migrant workers through labor attachés trained on trafficking issues. These labor attachés were responsible for reviewing and verifying employment documents. International organizations continued to report these labor wings had neither the staffing nor the resources to assist the large number of migrant workers, especially at embassies in the Gulf with large numbers of Bangladeshi workers. MEWOE operated five safe houses abroad for workers with strong indicators of trafficking who fled abusive employers, but it did not report how many individuals or victims the shelters assisted...”<sup>16</sup>

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### Supporto al rientro

Considerando infine il tema del rimpatrio delle vittime di tratta, USDOS richiama che sebbene il Governo abbia finanziato il rimpatrio di alcune vittime di tratta, spesso i tempi sono stati così lunghi che le vittime si sarebbero finanziate da sole e avrebbero contratto ulteriori debiti. Il Governo si sarebbe quindi generalmente affidato alle ONG per sostenere le vittime al momento del rimpatrio, compiendo sforzi definiti “minimi” per assistere le vittime del Bangladesh della tratta sessuale e del lavoro all'estero, sebbene il PSHTA<sup>17</sup> includa disposizioni specifiche per il rimpatrio delle vittime straniere della tratta di esseri umani identificate in Bangladesh....”

“...While the government funded some trafficking victim repatriation, it often took so long that victims funded it themselves and incurred additional debt. The government relied on NGOs to support victims upon repatriation. The government made minimal efforts to assist Bangladeshi sex

15 USDOS, 2022, Trafficking in Persons Report: Bangladesh , available at: <https://www.state.gov/reports/2022-trafficking-in-persons-report/bangladesh/> , accessed on 18 April 2023

16 Ibidem

17 Acronimo per: “The Prevention and Suppression of Human Trafficking Act, 2012”, available at: <https://www.refworld.org/pdfid/543f75664.pdf>

and labor trafficking victims abroad, although the PSHTA included provisions for the repatriation of foreign victims of human trafficking identified in Bangladesh.”<sup>18</sup>

In generale alcune fonti sottolineano come, considerando la dipendenza del Bangladesh dalle rimesse dall'estero, ci siano maggiori politiche e risorse per espatriare, che per tornare:

“...“The state does not have a proper system to support the returnees,” said Shariful Hasan, who heads the migration department of Bangladeshi aid group BRAC.

“All our policies are focused on sending people abroad. We don't even have a system that can count the total number of returnees every year.”<sup>19</sup>

Altre fonti istituzionali confermano la sostanziale inesistenza/insufficienza di programmi istituzionali di supporto al rientro, delegando sostanzialmente tale attività alle ONG operanti nel settore:

“...In spite of the high rates of emigration along with the substantial flow of return migration, there is hardly any institutional support for returning migrants. Currently, there are no support schemes available from the government. A number of NGOs have some relevant schemes such as self-help groups. But neither BMET, which caters to both local and international labour market, nor the local private sector has programmes that make return migration attractive to the workers and local economy. Collaboration between the Ministry of Expatriates Welfare and Overseas Employment, BMET and the Ministry of Labour and Employment towards this end is much desired. Bangladesh has an active non-government sector and many of the NGOs provide different types of support to potential migrant workers. However, only a few of them currently work on issues related to the reintegration of returning migrants. Most of such activities are confined to the utilization of remittances rather than employment-related projects. No programmes are currently available to returning workers who are interested in engaging in wage employment...”<sup>20</sup>

In questo senso, rispetto alla azione positiva svolta da singole ONG attraverso specifiche azioni di supporto si veda, a titolo esemplificativo l'attività della TMSS, che provvede servizi di sostegni socio/sanitari ma anche una forma di supporto finanziario volto all'avvio di una attività professionale autonoma:

“...When field staff from TMSS, a local NGO, heard about Siddika's plight, they contacted her. Under a UNODC led project in Bangladesh, TMSS offers survivors of human trafficking shelter home services, medical treatment, psycho-social counseling and life skill development. After the completion of her life skill training, Siddika was given money on loan to start her own shop. She now makes a monthly profit of Tk. 6200 (\$80) and currently her shop stocks goods worth Tk. 75,000 (\$964). She supports her mother, widowed sister and children. Owning her own business not only aided Siddika financially, but also helped her reintegrate into community life. Now, she is also

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18 Ibidem

19 Reuters, 2019, 'Broken dreams' - Bangladesh's returning migrants struggle at home, available at: <https://www.reuters.com/article/us-bangladesh-trafficking-libya-idUSKCN1TX00Z> , accessed on 18 April 2023

20 ILO, 2015, The homecoming - Profiling the returning migrant workers of Bangladesh, available at: [https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-dhaka/documents/publication/wcms\\_407961.pdf](https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-dhaka/documents/publication/wcms_407961.pdf) , accessed on 18 April 2023



working with young girls and women, educating them about human trafficking, its forms and prevention strategies...”<sup>21</sup>

### **Risarcimento delle vittime di tratta**

Sebbene già nel 2012 fosse stata prevista la creazione di un fondo per assistere le vittime in cerca di risarcimento da parte dei loro trafficanti, il Governo non avrebbe ancora istituito il fondo. Le vittime di tratta sono state incoraggiate a intentare cause ai sensi del PSHTA (anche se esiste un sistema alternativo di arbitrato con il MEWOE). Effettivamente le vittime di tratta possono sia intentare cause civili per ottenere un risarcimento, sia nel corso nei processi penali. Concretamente, se avviene, il risarcimento si definisce attraverso accordi extragiudiziali tra vittime e trafficanti. Questi accordi di solito prevedono che le vittime ritrattino la loro testimonianza, eliminando di fatto la possibilità che il trafficante debba affrontare una condanna penale. I lavoratori d'oltremare del Bangladesh che si sono assicurati l'impiego attraverso il MEWOE possono presentare reclami al MEWOE per chiedere il risarcimento delle violazioni in materia di lavoro e reclutamento, comprese le accuse di lavoro forzato, attraverso un processo di arbitrato. Tuttavia, la corruzione legata al traffico avrebbe di fatto ostacolato il processo, producendo premi minimi:

“...While the 2012 PSHTA mandated creation of a fund to assist victims in seeking compensation from their traffickers, the government had not yet created the fund. Trafficking victims were encouraged to file cases under the PSHTA, although an alternative system of arbitration existed with MEWOE. All trafficking victims could file civil suits seeking compensation, and trafficking victims had the right to pursue restitution from defendants in criminal cases, although restitution through out-of-court settlements between victims and traffickers remained more common. These settlements typically involved victims recanting their testimony, effectively eliminating the possibility of the trafficker facing a criminal conviction. Overseas Bangladeshi workers who secured their employment through MEWOE could lodge complaints with MEWOE to seek restitution for labor and recruitment violations, including allegations of forced labor, through an arbitration process. However, trafficking-related corruption impeded the process, which often yielded minimal awards....”<sup>22</sup>

### **Re -trafficking**

Alla luce delle risultanze emerse, può essere utile sottolineare il tema del rimpatrio involontario della vittima di tratta promosso dalle Autorità del Paese di destinazione. In questo senso, la mancata soluzione della dinamica della tratta espone il migrante di ritorno a una serie di rischi, rischi connessi al debito eccessivo, lo stigma sociale e infine lo specifico rischio di re-trafficking:

“...Involuntary repatriation. In some cases, the authorities in the destination country force a trafficked person to return to the country of origin. This has been called “reverse trafficking” by those who feel that to force an individual to return to the country of origin following a trafficking

21 UNODC, Bangladesh: A beacon of hope for survivors of human trafficking , available at: [https://www.unodc.org/southasia/frontpage/2014/May/bangladesh\\_-a-beacon-of-hope-for-survivors-of-human-trafficking.html](https://www.unodc.org/southasia/frontpage/2014/May/bangladesh_-a-beacon-of-hope-for-survivors-of-human-trafficking.html) , accessed on 18 April 2023

22 USDOS, 2022, Trafficking in Persons Report: Bangladesh , available at: <https://www.state.gov/reports/2022-trafficking-in-persons-report/bangladesh/> , accessed on 18 April 2023

episode is a violation of that person’s rights. This process often results in an incomplete resolution of the trafficking episode since the person’s migratory needs/motivations are ignored. Upon return, the returnee’s situation may also be made more difficult through excessive debt and stigma. Often, such persons remain vulnerable to the risk of being re-trafficked...”<sup>23</sup>

Similmente le fonti considerano il rischio di “re-trafficking” come una conseguenza di un sistema di fattori tra cui: l'elevata offerta di manodopera poco qualificata, la mancanza di azioni penali nei confronti dei trafficanti, la mancanza di informazioni sulla migrazione sicura e l'assenza di protezione per coloro che sono sfuggiti alla tratta:

“...Additionally, in Bangladesh, the high profits coupled with low penalties for the crime has made trafficking attractive to criminal gangs and large-scale organized crime rackets. Factors that have contributed to increased trafficking are: high supply of low-skilled labour, lack of prosecution of traffickers, lack of information on safe migration and no protection of those who have escaped trafficking (leading to re-trafficking). ...”<sup>24 e 25</sup>

Sulla stessa linea ONG attive nel campo della tratta sottolineano l’esposizione dei sopravvissuti al rischio di una nuova tratta (considerando l’ostracismo sociale connesso alla migrazione fallita, la scarso tasso di condanne comminate, e la mancanza di opportunità di lavoro e di istruzione)<sup>26</sup>:

“...Despite a common understanding of the problem, efforts to eradicate trafficking and repatriate victims of modern slavery are failing thousands of women and girls. Communities in Bangladesh’s Khulna Division have proven especially vulnerable to trafficking. Situated at the border with India, Khulna Division is already a high-risk community with overpopulation, extreme poverty, and remoteness of location exacerbating these risks. Criminals are only emboldened by extremely low conviction rates for trafficking cases. Even when trafficking victims are identified in India, they languish in shelter homes for years before they are able to return home. When survivors return to Bangladesh, they remain susceptible to re-trafficking. They are often ostracized by their communities or burdened with a social stigma that hinders recovery and reintegration efforts. These challenges, combined with a lack of employment and educational opportunities, leave survivors vulnerable to further exploitation. In a recent study, our

23 IOM, 2004, Revisiting the Human Trafficking Paradigm, available at:

[https://publications.iom.int/system/files/pdf/revisiting\\_trafficking\\_bangladesh.pdf](https://publications.iom.int/system/files/pdf/revisiting_trafficking_bangladesh.pdf) , accessed on 18 April 2023

24 Confederazione Svizzera, Ashshash – for men and women who have escaped trafficking, available at:

[https://www.eda.admin.ch/deza/en/home/laender/bangladesch.olddesign.par2\\_projectfilter\\_page3.html/content/dezaprojects/SDC/en/2014/7F08654/phase1.html?oldPagePath=/content/deza/en/home/laender/bangladesch.html](https://www.eda.admin.ch/deza/en/home/laender/bangladesch.olddesign.par2_projectfilter_page3.html/content/dezaprojects/SDC/en/2014/7F08654/phase1.html?oldPagePath=/content/deza/en/home/laender/bangladesch.html) , accessed on 18 April 2023

25 Similmente: “...Justice and Care casework revealed that due to time gap in providing a comprehensive rehabilitation program victims often resort to re trafficking/remigration. In the rural villages of Bangladesh there are very few employment opportunities and little scope for self-employment, which adversely impacts reintegration of the victims...” Government of the People’s Republic of Bangladesh, 2018, Bangladesh Country Report, 2018 Combating Human Trafficking , available at:

[https://mhapsd.portal.gov.bd/sites/default/files/files/mhapsd.portal.gov.bd/annual\\_reports/0cc28f8e\\_1dcf\\_4b4e\\_9a38\\_264aaa42510c/Final%20%20Country%20Report%202018%20%2018.12.19%20\(2\).pdf](https://mhapsd.portal.gov.bd/sites/default/files/files/mhapsd.portal.gov.bd/annual_reports/0cc28f8e_1dcf_4b4e_9a38_264aaa42510c/Final%20%20Country%20Report%202018%20%2018.12.19%20(2).pdf) , accessed on 18 April 2023

26 Nota: maggiori informazioni sono rispetto al trafficking per donne: Anti trafficking review, DOI:

10.14197/atr.201218109, ‘There are no Victims Here’: Ethnography of a reintegration shelter for survivors of trafficking in Bangladesh, available at: <https://www.antitraffickingreview.org/index.php/atrjournal/article/view/326/272> , accessed on 18 April 2023

implementing partner in Bangladesh found that 30% of the survivors they currently support had been trafficked multiple times before...”<sup>27</sup>

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## 2. Risultano informazioni su fenomeni di stigmatizzazione dei migranti di ritorno in Bangladesh (in particolare sulla esistenza di una figura socialmente identificata, atteggiamento sociale, ecc)?

### Contesto e quadro del migrante di ritorno in generale

Al fine di analizzare la figura del migrante di ritorno in Bangladesh, può essere prioritariamente opportuno analizzare in via più generale le caratteristiche e le criticità della figura del cd. “returnee” in senso generale, come desumibile dai materiali IOM.

In questo senso dalle fonti risulta come l'esperienza migratoria influisca su tre aspetti dell'identità di una persona: 1) il modo in cui viene percepita dagli altri; 2) i fattori sociali interiorizzati (come i ruoli e le aspettative sociali legate al genere, alla cultura e alle tradizioni); 3) il modo in cui la persona vede se stessa in termini di individualità. I “returnees” sperimentano queste sfide alla loro identità non solo durante il transito e all'arrivo a destinazione, ma anche durante il processo di ritorno e riadattamento alle comunità di origine.

“...All migrants face the challenges of adapting to new host societies and identity is at the center of this adaptation process. The migration experience impacts three aspects a person’s identity: 1) how he or she is perceived by others; 2) interiorized societal factors such as roles and social expectations related to gender, culture and traditions; and 3) how the person ultimately views him or herself in terms of individuality. Returnees experience these challenges to their identity not only during transit and upon arrival at their destination, but also during the process of returning and re-adapting to their communities of origin...”<sup>28</sup>

In questo senso il processo di reintegrazione sarà determinato da fattori quali la durata del periodo trascorso all'estero, la quantità di tempo che il migrante aveva inizialmente previsto di trascorrere lontano, la misura in cui il migrante ha mantenuto i suoi legami con la famiglia e le reti sociali nel Paese d'origine, la misura in cui il migrante si è integrato nel Paese ospitante e altri fattori più strutturali come un alloggio adeguato e un lavoro sicuro:

“...When a migrant returns to his or her country of origin, the reintegration process will be determined by factors such as the length of time spent abroad, the amount of time the migrant had initially intended to be away, the extent to which the migrant retained his or her connections to family and social networks in the country of origin, the extent to which the migrant had integrated in the host country, and other more structural factors such as adequate housing and safe employment. Many other factors like these [affect the reintegration process](#) upon return to the country of origin...”<sup>29</sup>

27 GFEMS, 2021, Trauma-informed care is critical to the wellbeing of survivors of trafficking, available at: <https://gfems.org/uncategorized/from-repatriation-to-reintegration-centering-survivors-to-effect-systemic-change/> , accessed on 18 April 2023

28 IOM, Coming home can be harder than leaving: the psychosocial challenges of being a returnee, available at: <https://rosanjose.iom.int/en/blogs/coming-home-can-be-harder-leaving-psychosocial-challenges-being-returnee> , accessed on 18 April 2023

29 IOM, Coming home can be harder than leaving: the psychosocial challenges of being a returnee, available at: <https://rosanjose.iom.int/en/blogs/coming-home-can-be-harder-leaving-psychosocial-challenges-being-returnee> ,

In questo contesto l'esperienza del rientro del Paese di Origine coinvolge delle sfide specifiche, legate anche alle competenze e le esperienze vissute nel percorso migratorio, che plasmano la loro vita, modificandone l'identità. Tutti questi fattori rendono difficile per i migranti di ritorno inserirsi nella comunità d'origine, poiché c'è una frattura tra chi sono ora e chi ci si aspetta che siano dalle persone che li conoscevano prima della migrazione. In questo senso si configura un rischio concreto di esclusione sociale (associata a conseguenze psicologiche negative come depressione e ansia), e può influire negativamente sui loro mezzi di sussistenza e sulla sostenibilità del loro ritorno<sup>30</sup>:

“...However, adaptation does not only bring along negative consequences. During the migration process, people learn and adopt new skills, experiences and norms that shape and enrich their lives. This also means that their identity changes, many times juggling with transnational identities that combine parts of who they used to be and who they are now, after their migration experience. All these factors make it difficult for returning migrants to fit in to their community of origin, as there is a rupture between who they are now and who they are expected to be by people who knew them prior to migrating. In this sense, social exclusion is a big risk for the emotional well-being of<sup>31</sup> returning migrants, as it is associated with negative psychological consequences such as depression and anxiety, and can negatively affect their livelihoods and the sustainability of their return...”<sup>32</sup>

In questa ottica un altro fattore significativo è il modo in cui i rimpatriati vengono spesso percepiti al loro ritorno. Molti rimpatriati infatti, a prescindere dal fatto che siano tornati volontariamente nei loro Paesi d'origine, subiscono discriminazioni al loro ritorno, venendo erroneamente stigmatizzati come criminali espulsi, il che rende più difficile la loro reintegrazione. Il rimpatrio può anche essere visto come un fallimento o come un mancato ritorno con ricchezze/redditi adeguati:

“...Another significant factor is the way returnees are often perceived when they return. Many returnees, regardless of whether they voluntarily returned to their countries of origin, experience discrimination upon their return, wrongly stigmatized as deported criminals, making their reintegration more difficult. Return may also be seen as a failure or a failure to return with adequate wealth/earnings...”<sup>33</sup>

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## Contesto e quadro del migrante di ritorno in Bangladesh

Stando alle fonti COI la figura del migrante di ritorno (da qui in poi “*returnee*”) in Bangladesh risulta in uno specifico gruppo, individuabile e definibile anche dagli studi dell’Organizzazione Mondiale per le Migrazioni (IOM):

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accessed on 18 April 2023

30 A ciò si deve aggiungere come i “returnees” debbano anche far fronte a un cambiamento della struttura di sostegno nella loro comunità di ritorno. La famiglia e le reti sociali di un rimpatriato spesso cambiano durante la permanenza all'estero, soprattutto dopo lunghi periodi. È anche comune che perdano il senso di appartenenza, rendendo più difficile l'adattamento. Pertanto, chi rientra ha spesso bisogno di ricostruire le proprie reti, che sono importanti per il capitale sociale, le informazioni, le reti di sicurezza e l'accesso al mercato del lavoro.

31 Ibidem

32 ibidem

33 Ibidem

“...The term “returnee” refers to former Bangladeshi migrants who returned to their point of departure within Bangladesh during the survey period. This could be within the territorial boundaries of Bangladesh or between a country of destination or transit and Bangladesh..”<sup>34</sup>

L’analisi delle condizioni di questo gruppo risulta di particolare attualità<sup>35</sup>, anche in considerazione della pandemia da Covid-19 che ha generato un aumento dei flussi di rientro dei migranti (con specifica attenzione ai migranti cd. “economici” dall’estero al Bangladesh)<sup>36</sup>. Questo sia per via dei licenziamenti dovuti alla crisi economica che l’espansione del virus ha comportato, sia per le misure di contenimento adottate dai vari paesi come la chiusura provvisoria dei confini, che ha spinto molti migranti a tornare in patria pur di non rimanere bloccati:

“...Migrant workers are particularly vulnerable to the impact of the COVID-19 crisis, and since March 2020, hundreds of thousands of international migrant workers were compelled to return to their home districts in Bangladesh due to limited access to income-generating activities, social services, healthcare systems and social support networks in the countries in which they were working prior to the outbreak of COVID-19. A total of 64 per cent of international migrants indicated that following the COVID-19 outbreak they struggled to access information and health services in the countries in which they were working in..”<sup>2</sup> .<sup>37</sup>

Concentrando la presente compilazione COI sulla figura della migrazione di ritorno all’esito di una migrazione “fallita” (mancato consolidamento sociale ed economico all’estero, mancato raggiungimento del Paese di destinazione, mancato riconoscimento della protezione internazionale, reingresso volontario o forzato ecc.), l’identità del “returnee” veicola delle sfide specifiche, che possono discendere sia dalla propria situazione soggettiva (autonomo carico psicologico)<sup>38</sup>, sia dalla risposta sociale al reingresso del migrante in patria:

34 IOM, 2020, Bangladesh – Rapid Assessment: Needs And Vulnerabilities Of International Return Migrants In Dhaka (May-June 2020) , available at: <https://dtm.iom.int/reports/bangladesh-%E2%80%93-rapid-assessment-needs-and-vulnerabilities-internal-return-migrants-dhaka-may>, accessed on 18 April 2023

35 Per una narrativa sulla discriminazione dei lavoratori espatriati nel tempo del Covid, si veda: K.M. Mahmudul Haque & Arafatur Rahaman, 2021. "Migrants during COVID-19 Pandemic: A Discursive Class Formation of Returnee Expatriates," Journal of Social and Development Sciences, AMH International, vol. 12(2), pages 27-34. , DOI: 10.22610/jsds.v12i2(S).3190 , accessed on 18 April 2023

36 Più specificatamente: “...The unprecedented Covid-19 crisis has disrupted economic activity in both host and home countries. The coronavirus outbreak caused many difficulties for Bangladeshi migrant workers such as fear of being sent back, insufficient healthcare rights and benefits, family insolvency, inability to repay loans, fear of deportation, uncertainty about the future, and crowded accommodations that endanger their health. Even in normal situations, Bangladeshi migrant workers experience mental disorders such as depression, high workload, poor accommodations, and the stress of being away from family members. The intensity of their already precarious situation was accelerated by the ripple effects of the pandemic. In the same way that Covid-19 has adverse physical health-related effects, it can also cause prolonged psychological problems including depression, mental illness, fear and panic....” Asia Global Online, 2022, Mental Health Challenges for Bangladesh Migrant Workers during the Pandemic, available at: <https://www.asiaglobalonline.hku.hk/mental-health-challenges-bangladesh-migrant-workers-during-pandemic> , accessed on 18 April 2023

37 IOM, IOM reports that 70 per cent of returning migrants to Bangladesh struggle to find employment, <https://bangladesh.iom.int/news/iom-reports-70-cent-returning-migrants-bangladesh-struggle-find-employment> , accessed on 18 April 2023

38 Similmente, ex multis: “...Unsuccessful migration can have critical negative physical, financial and social effects on individual migrant workers and their families. These adverse impacts of migration are rarely discussed in the policy discourse, and as a result, ensuring access to justice is often deprioritized. As there is no official system to record data

“... Dal punto di vista del soggetto che vive questa esperienza, il ritorno in patria può essere percepito e vissuto come reinserimento, riacquisizione (se non un miglioramento) oppure come perdita del proprio ruolo e status precedente la migrazione. Ugualmente, rispetto alla comunità d’origine, l’esperienza del ritorno può identificare nel migrante la figura dell’eroe, come colui che abbia avuto successo all’estero e che quindi veda riconosciuto (dalla famiglia e comunità d’origine) il proprio rientro come avanzamento (economico, sociale, culturale). D’altro canto, il ritorno può anche rappresentare un fallimento (personale e familiare, soprattutto rispetto alla strategia di allocazione delle risorse familiari, Stark 1985; 1995) del progetto migratorio, dove quindi le difficoltà socio-economiche incontrate all’estero non abbiano permesso la realizzazione del successo sperato. Entro questa dimensione possiamo ricondurre anche il caso dell’allontanamento dal paese di destinazione come rimpatrio forzato, dove politiche restrittive e condizioni di irregolarità del migrante determinano un’interruzione coatta dell’esperienza all’estero...”<sup>39</sup>

In generale, le fonti sottolineano come l'integrazione dei migranti di ritorno sia particolarmente impegnativa, poiché molti di loro devono affrontare un ampio spettro di sfide economiche, sociali e psicosociali (come il disagio derivante da un'assenza prolungata o lo stigma associato a un'esperienza migratoria infruttuosa, l'eccessivo indebitamento contratto durante la preparazione alla migrazione, la disoccupazione e le limitate opportunità economiche):

“...Reintegration of returning migrants is challenging as many face wide spectrum of economic, social and psychosocial challenges, such as dislocation arising from extended absence or the stigma associated with unsuccessful migration experience, excessive debt incurred when preparing for their migration, unemployment and limited economic opportunities among others. Hence, reintegration programming should take an integrated approach to reintegration which addresses economic, social and psychosocial challenges of the returning migrants and their family members at the individual level. Women migrants returning to Bangladesh after labour migration may also face social stigmatization. Additionally, women experiencing abuse overseas may also be returning with a heavy psycho-social burden, for which only few services exist. Reintegration programme need to address particular vulnerabilities and needs of the women returnees...”<sup>40</sup>

Concordemente, anche altre fonti tendono a considerare come il trattamento del migrante di ritorno sia fortemente condizionato dagli impatti che il rientro del migrante provoca sulle condizioni della comunità di appartenenza. Queste, se migliorate, possono condurre ad una accettazione positiva del migrante di ritorno:

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*of returnee migrant workers, there is little information about those who return home due to unfair recruitment practices, or as victims of abuse, exploitation, rights violations or with critical mental or physical illness..” CAFOD. Access to justice for Bangladeshi migrant workers: Opportunities and challenges , [https://cafod.org.uk/content/download/50452/636829/version/1/file/Access\\_Justice\\_Report\\_2019-1.pdf](https://cafod.org.uk/content/download/50452/636829/version/1/file/Access_Justice_Report_2019-1.pdf) , accessed through Wayback Machine, accessed on 18 April 2023*

39 Cespi, working paper , 2010, “Migrazione, ritorni e politiche di supporto Analisi del fenomeno della migrazione di ritorno e Rassegna di programmi di sostegno al rientro”, accesso al link: [https://www.cespi.it/sites/default/files/documenti/wp\\_14\\_ferro-ritorni.pdf](https://www.cespi.it/sites/default/files/documenti/wp_14_ferro-ritorni.pdf) , accessed on 18 April 2023

40 United Nations Network on Migration, 2022, Bangladesh Sustainable Reintegration and Improved Migration Governance (Prottasha), available at: <https://migrationnetwork.un.org/practice/bangladesh-sustainable-reintegration-and-improved-migration-governance-prottasha> , accessed on 18 April 2023



“...When communities perceive return positively, it allows the migrant to return without the risk of being stigmatised, enabling them to re-establish social ties, and facilitating re-insertion into society. This is more likely when return migration positively influences – rather than worsens – conditions in the community of return. Sustainable reintegration therefore has an individual level, i.e. the specific needs of beneficiaries and households; a community level, i.e. specific needs and concerns of families and communities; and a structural level, i.e. access to basic services and safety for returnees and non-migrant populations alike”<sup>41</sup>

O diversamente condurre al suo isolamento e stigmatizzazione. Sia in un processo di auto-colpevolizzandone, considerando come il ritorno è spesso percepito come un fallimento dagli stessi migranti che ritornano (riflettendosi anche sul fatto che molti migranti tornano in uno stato psicologico e di salute mentale particolarmente fragile);

“...Return is often perceived as a failure, by the returning migrant themselves and their communities. Many migrants return in a fragile psychological state, some struggle with mental illnesses. This psycho-social dimension to sustainable reintegration, overcoming trauma, shame and the stigma of return, is increasingly being addressed through awareness raising and psychological counselling and assistance...”<sup>42</sup>

Sia un processo di isolamento e stigmatizzazione da parte della comunità di riferimento, considerando appunto come coloro che ritornano senza soldi o risparmi sono comunemente considerati migranti "falliti" e vengono emarginati dalle comunità e persino dalle famiglie:

“...The expectation that migration will improve a family’s financial situation often shapes a migrant’s return experience. Those who return with no money or savings are commonly viewed as “failed” migrants and are ostracized by communities and even families. For the women and men who are deceived, exploited, and abused as overseas workers, rejection at home only adds to the trauma and isolation experienced abroad. Women especially are shunned by communities and family members for sexual abuse they endured, either real or perceived...”<sup>43</sup>

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## Stigmatizzazione

Dalle fonti consultate risultano molteplici e coerenti riferimenti ai processi di stigmatizzazione e isolamento cui è sottoposto il “migrante di ritorno” in Bangladesh, astrattamente riconducibili a diversi profili della migrazione o della identità del singolo migrante, qui di seguito analizzati nei seguenti titoli:

- A) Profilo economico
- B) Profilo di genere

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41 OECD Library- Sustainable Reintegration of Returning Migrants : A Better Homecoming, Ch. 5, available at: <https://www.oecd-ilibrary.org/sites/02a31074-en/index.html?itemId=/content/component/02a31074-en> , accessed on 18 April 2023

42 OECD Library- Sustainable Reintegration of Returning Migrants : A Better Homecoming, Ch. 5, available at: <https://www.oecd-ilibrary.org/sites/02a31074-en/index.html?itemId=/content/component/02a31074-en> , accessed on 18 April 2023

43 GFEMS, 2022, The Long Return: Supporting Reintegration for Returning Migrants in Bangladesh, available at: <https://gfems.org/uncategorized/supporting-reintegration-for-returning-migrants-in-bangladesh/> , accessed on 18 April 2023

C) Profilo psicologico/psichiatrico<sup>44</sup>

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A. Profilo economico

Una frequente causa (e volto) dello stigma che colpisce il migrante di ritorno è da individuarsi nei profili economici che discendono dal fallimento della propria esperienza migratoria. Tra questi, *in primis*, risulta opportuno analizzare l'insolvenza dei debiti contratti per finanziare l'espatrio:

“...While the feeling of relief settled in, the fear for an uncertain future arose. Most of them were already in large debt due to migration loans, had limited savings and had to face the social stigma of returning...”<sup>45</sup>

Che si ripercuote minando la coesione sociale tra il migrante di ritorno e la comunità di appartenenza, qualora il debito contratto non possa essere ripagato :

“...Stigmatization of migrants, food insecurity and unemployment can impact social cohesion among returning migrants and their communities. Many returning migrants and their families are also in debt, as they have not migrated for long enough to clear their outstanding debts. Returning female migrants are especially vulnerable as there are few employment opportunities for women in Bangladesh...”<sup>46</sup>

In questo senso occorre considerare il diretto danno economico causato alla famiglia di appartenenza dal fallimento della migrazione. Ciò a causa della dipendenza del nucleo familiare dalle rimesse estere, per le quali la improvvisa perdita di reddito genera problemi nella soddisfazione dei bisogni primari di cibo, educazione e spese sanitarie:

“...Sudden loss of income has exacerbated family hardship. This situation produces tension for both remittance senders abroad and dependents at home. Remittance-dependent family members have abruptly had to deal with various issues such as difficulties in meeting their food needs, threats to their health, and lack of money to pay for their children's education and other expenses. Research shows that 60 percent of family members who completely depend on remittances for their daily expenses and 70 percent of workers are suffering a financial crisis. The pandemic has worsened their vulnerabilities. ...”<sup>47</sup>

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<sup>44</sup>**Nota metodologica:** Pur nella consapevolezza che questa divisione è stata adottata per mera semplificazione ermeneutica, è chiaro che gli stessi profili tendano coesistere e sovrapporsi nel singolo caso individuale.

<sup>45</sup> MICIC -IOM, Supporting Bangladeshi Migrants Returning From Libya, June 16, 2017, <https://micicinitiative.iom.int/blog/supporting-bangladeshi-migrants-returning-libya> , accessed on 18 April 2023

<sup>46</sup> Newagebd, Call to protect rights of migrants amid coronavirus pandemic. New Age Bangladesh, 23 March 2020 <https://www.newagebd.net/article/103357/call-to-protect-rights-of-migrants-amid-coronavirus-pandemic> , , accessed on 18 April 2023

<sup>47</sup> Asia Global Online, 2022, Mental Health Challenges for Bangladesh Migrant Workers during the Pandemic, available at: <https://www.asiaglobalonline.hku.hk/mental-health-challenges-bangladesh-migrant-workers-during-pandemic> , accessed on 18 April 2023

Occorre poi considerare come, in senso generale, risulta che la maggior parte dei migranti<sup>48</sup> finanzia la loro migrazione basandosi sulla raccolta di debito informale (famiglie, conoscenti ecc), e vendendo la propria terra e la propria casa:

“...Returning workers mainly collected the required amount of money to finance migration by taking out loans from relatives, friends, and neighbours. A total of 62.25 per cent of the returning workers (60.56 per cent of the men and 68.01 per cent of the women) borrowed money to cover their migration-related expenses. The second main source of financing was family savings, utilized by 46.50 per cent of all the returning workers. In this regard, 48.81 per cent of the men surveyed exploited this source compared to a lesser 38.60 per cent of the women. A substantial proportion of the returning workers (27.75 per cent) financed their migration by selling land or other family property. The tendency to acquire money through selling of land and property is more prominent among male than female returnees, with 32.44 per cent of all men in the sample turning to this source of funds compared to 12.13 per cent of women...”<sup>49</sup>

In questo senso il finanziamento della migrazione comporta per le famiglie la vendita (e quindi la perdita) degli stessi beni necessari al proprio autonomo sostentamento economico :

“...Families of the migrants often sold assets (such as rickshaws, CNGs, cars and land) during the crisis to pay the fees sought or extorted by dalals during the journey, making it very difficult to restore income once the migrants returned ...”<sup>50</sup>

Quanto dedotto è da leggersi alla luce del sistema economico bengalese connesso alla migrazione<sup>51</sup>, che fonda il senso del “investimento debitorio” alla luce delle rimesse che il migrante “di successo” può inviare dal Paese di destinazione:

“...Charities in Bangladesh say thousands of returning migrants face such struggles and little official help is available. Many are victims of trafficking, but have little redress for the crimes they have

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48 Seguono, in ordine: “...A very small proportion of the returning workers (2.50 per cent) took loans from NGOs to meet the financial needs of migration, with similar proportions of male and female returning workers utilizing this option (2.59 per cent of men and 2.21 per cent of women). A small proportion of returning workers reported using other sources to finance their migration, including loans from Probashi Kalyan Bank (0.17 per cent), loans from mahajan (1.42 per cent), land mortgages (0.50 per cent), and loans from commercial banks (0.08 per cent)...”ILO, 2015, The homecoming - Profiling the returning migrant workers of Bangladesh, available at; [https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-dhaka/documents/publication/wcms\\_407961.pdf](https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-dhaka/documents/publication/wcms_407961.pdf) , accessed on 18 April 2023

49 ILO, 2015, The homecoming - Profiling the returning migrant workers of Bangladesh, available at; [https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-dhaka/documents/publication/wcms\\_407961.pdf](https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-dhaka/documents/publication/wcms_407961.pdf) , accessed on 18 April 2023

50 IOM, Community Study on the Needs of Returned Migrants Following the Andaman Sea Crisis , 2017, [https://publications.iom.int/system/files/pdf/community\\_study\\_andaman\\_sea\\_crisis.pdf](https://publications.iom.int/system/files/pdf/community_study_andaman_sea_crisis.pdf) , accessed on 18 April 2023

51 Il Bangladesh si posiziona all’11esimo posto della classifica per i paesi che usufruiscono delle rimesse come fattore di crescita economica del paese. Secondo i dati della World Bank la povertà sarebbe diminuita di oltre 1.5% tra il 2000 e il 2016 grazie proprio al contributo che i concittadini all’estero inviano periodicamente. La pandemia però ha frenato bruscamente il flusso delle rimesse, e la sua combinazione con il rientro in patria di molti lavoratori e la scarsa offerta di lavoro ad alto reddito in Bangladesh ha fatto sì che la povertà aumenti drasticamente (sul punto si veda: UNDP, Covid-19: an uncertain homecoming for Bangladeshi migrant workers, accesso al link <https://www.bd.undp.org/content/bangladesh/en/home/stories/covid-19--an-uncertain-homecoming-forbangladeshi-migrant-worker.html> , accessed on 18 April 2023

suffered in Bangladesh. The country depends heavily on foreign remittances and has an official policy of encouraging citizens to look for jobs abroad...”<sup>52</sup>

Al punto di poter spingere il migrante “fallito” a re-intraprendere il processo migratorio:

“...You may think that I am crazy, but if I get a chance to go outside, I will take a loan again,” Hossen said. “Five people including my old mother depend upon me right now. And what I earn is clearly not enough.”<sup>53</sup>

In questo senso si noti come i meccanismi di insolvenza debitoria si possono ben tradurre in meccanismi di debito intergenerazionale, dove i membri della famiglia sono spesso tenuti a re-emigrare o a migrare nel tentativo di saldare i debiti migratori ereditati:

“...However, intergenerational responsibilities also go both ways. One household in Bangladesh sent their eldest son abroad to help repay debts brought on by the father's migration. Some returnees saw no realistic prospect of paying off their debts without re-migrating or a family member re-migrating. This was particularly the case when the debts were huge. In Bangladesh, some people also claimed that lenders were keener to invest in migration promises than in the hopes of reintegration...”<sup>54</sup>

A quanto dedotto, occorre anche aggiungere come il “returnee” debitore, oltre a incontrare fenomeni di stigmatizzazione per la mancata risoluzione dei debiti contratti, risulta potenzialmente esposto alle minacce e alle violenze dei *dalal*<sup>55</sup> e dai creditori :

“...Difficulties faced by returned migrants. The most common difficulty described by migrants in the interviews was dealing with financial hardship after returning to Bangladesh. Returned migrants trying to re-establish livelihoods after being away for many months often face high levels of debt upon return. At least 7 of the 22 migrants interviewed appeared extremely distressed about not being able to provide for their families or not being able to service existing debts. One migrant was wearing a bandage around his hand during the interview. When asked what had happened to him, he explained that the money lenders had injured him because he had not been able to repay his loans...”<sup>56</sup>

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52 Reuters, 'Broken dreams' - Bangladesh's returning migrants struggle at home, by Naimul Karim, <https://www.reuters.com/article/us-bangladesh-trafficking-libya-idUSKCN1TX00Z> , accessed on 18 April 2023

53 Reuters, 'Broken dreams' - Bangladesh's returning migrants struggle at home, by Naimul Karim, <https://www.reuters.com/article/us-bangladesh-trafficking-libya-idUSKCN1TX00Z> , accessed on 18 April 2023

54 IOM, The Hurdle of Debt on Returnees' Journey to Sustainable Reintegration, 2023, available at: <https://weblog.iom.int/hurdle-debt-returnees-journey-sustainable-reintegration> , accessed on 18 April 2023

55 Sul ruolo del “dalal”, come intermediario nel processo migratorio e nel rapporto creditizio, si veda *Questione e Giustizia*, 1/2017, “Processi culturali e spazi giuridici. Dal Bangladesh all'Italia: migrazioni, protezione umanitaria e reinterpretazione del divieto di patto commissorio di Mario Ricca e Tommaso Sbriccoli “, : “*Gli intermediari, i dalal, oltre al lavoro di supporto burocratico, agiscono infatti per i potenziali migranti anche come mediatori di credito, fornendo garanzie per la restituzione del prestito concesso loro dagli usurai (mohajan) locali...*”, available at: [https://www.questionegiustizia.it/data/rivista/articoli/410/qg\\_2017-1\\_21.pdf](https://www.questionegiustizia.it/data/rivista/articoli/410/qg_2017-1_21.pdf) , accessed on 18 April 2023

56 IOM, Community Study on the Needs of Returned Migrants Following the Andaman Sea Crisis , 2017, [https://publications.iom.int/system/files/pdf/community\\_study\\_andaman\\_sea\\_crisis.pdf](https://publications.iom.int/system/files/pdf/community_study_andaman_sea_crisis.pdf) , accessed on 18 April 2023

Specificatamente, rispetto alle minacce subite dal migrante di ritorno da parte dei “dalal”, la fonte riferisce di uno specifico meccanismo di contro-denuncia attuato dai questi, al fine di scoraggiare e vanificare il ricorso alla giustizia da parte del migrante:

“...Some migrants were also experiencing ongoing threats from the dalals in their communities who convinced them to go abroad. Threats were usually related to unpaid debts or made to prevent returned migrants from making complaints against the dalals to the police. When the returned migrants were asked whether they made a complaint to police against the dalal upon return, at least four migrants explained that they had been subject to counter-claims. In these examples, the dalal had responded to the complaint by making the counter-claim to police that the victims themselves were the smugglers or traffickers. This meant that in at least four cases, complaints had been stalled through these alleged tactics. Of the migrants interviewed, there was not a single case where police had assisted complainants effectively to bring a charge against the dalal who had facilitated the journey...”<sup>57</sup>

Concordemente, altre fonti media confermano le violenze subite dai migranti di ritorno da parte dei “dalal” locali:

“...My dalal beat me up and broke my leg when I filed a case against him,” Begum told the Thomson Reuters Foundation. I was in the hospital for 15 days. I stay with a friend right now, far away from my house because (the broker) lives nearby my place...”<sup>58</sup>

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## B. Profilo di genere

Stando alle fonti, La stigmatizzazione del migrante di ritorno, in Bangladesh, assume una valenza ancora più forte ed evidente quando combinata all'appartenenza al genere femminile. La condizione della donna lavoratrice migrante (classicamente tipizzata all'interno delle “*domestic worker*” impiegate *in primis* nell'area del Golfo), espone la donna a uno stigma particolarmente evidente:

“...Gender: Female migration is a rising phenomenon in the country. The majority of female migrants are employed in domestic work in Gulf countries. Incidences of physical, mental, and sexual abuse are not uncommon. Female returnee migrants need psycho-social counselling and legal support to address the trauma and injustice. Social stigma is often attached to female returnee migrants, who then face criticism from family and society...”<sup>59</sup>

Similmente, sulla identificazione dello stigma:

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57 IOM, Community Study on the Needs of Returned Migrants Following the Andaman Sea Crisis , 2017, [https://publications.iom.int/system/files/pdf/community\\_study\\_andaman\\_sea\\_crisis.pdf](https://publications.iom.int/system/files/pdf/community_study_andaman_sea_crisis.pdf) , accessed on 18 April 2023

58 AJ, Abused Bangladeshi domestic workers struggle for justice at home, 31/10/2019, , <https://www.aljazeera.com/news/2019/10/31/abused-bangladeshi-domestic-workers-struggle-for-justice-at-home> , accessed on 18 April 2023

59 4 IOM, Coming home: Reintegration of returnee migrants, Monday, April 2, 2018 , <https://bangladesh.iom.int/news/coming-home-reintegration-returnee-migrants> , accessed on 18 April 2023

“...Here Bilkis hints at what other research has found: there is a strong stigma attached in Bangladesh to migrant work for women, and women who have worked overseas often have to face exclusion and stigmatisation on their return (Bélanger and Rahman, 2013: 366) ...”<sup>60</sup>

Altresì legato a sospetti e giudizi riguardo la moralità delle attività svolte per raggiungere il guadagno raggiunto:

“...The source of women’s income is viewed with suspicion and their ‘morality’ questioned. Even their economic contributions do not necessarily grant them a higher position in the patriarchal society (Callan, 2007; Rozario, 2007)...”<sup>61</sup>

Sullo stesso punto si sottolinea come le lavoratrici migranti vittime di abusi devono spesso affrontare intimidazioni e ingiustizie in patria. Molte non osano nemmeno sporgere denuncia per paura dello stigma sociale, mentre altre subiscono minacce da parte dei mediatori di manodopera:

“...On their return from the Middle East, including Saudi Arabia and Lebanon, abused female migrant workers often face intimidation and injustice during government arbitration at home. Many don’t even dare to file complaints fearing social stigma, while others face threats from the manpower brokers...[...] “...The complaints included physical, sexual and mental torture. Many were unpaid for months. Some also returned pregnant and faced social stigma. There are also cases of suicides by female migrants, especially in Saudi Arabia and Lebanon. “We need to review the act and make it migrant-friendly. Otherwise, the women, abused abroad, face injustice at home again. It’s not acceptable,” said Shakirul Islam...”<sup>62</sup>

In questo senso molte hanno riferito di essere diventate bersaglio comune di pettegolezzi, di aver sperimentato un aumento degli atteggiamenti giudicanti nei loro confronti dopo il ritorno e di essere regolarmente oggetto di commenti sprezzanti da parte dei membri della comunità:

“...According to a recent report by the Bangladesh Institute of Labour Studies, 52% of more than 300 female returnees interviewed felt there was “a change of social attitude” towards them after their return. Many reported that they had become common targets for gossip; that they experienced an increase in judgmental attitudes towards them upon return; and that they were regularly subjected to derogatory remarks from community members. Significantly, none of the interviewees made any formal complaints to any authority regarding their treatment. ...”<sup>63</sup>

Tra le diverse forme di stigmatizzazione segnalate dalle fonti, si richiama quindi il rischio di abbandono da parte del marito in risposta al fallimento economico della sua migrazione. È notato

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60 5 Erling, Elizabeth J.; Seargeant, Philip; Solly, Michael; Chowdhury, Qumrul Hasan and Rahman, Sayeedur (2015). English for economic development: a case study of migrant workers from Bangladesh. British Council. , available at: <http://oro.open.ac.uk/44301/1/2> , accessed on 18 April 2023

61 5 Erling, Elizabeth J.; Seargeant, Philip; Solly, Michael; Chowdhury, Qumrul Hasan and Rahman, Sayeedur (2015). English for economic development: a case study of migrant workers from Bangladesh. British Council. , available at: <http://oro.open.ac.uk/44301/1/2> , accessed on 18 April 2023

62 The Daily Star, October 2019, Abused abroad, humiliated at home, available at: <https://www.thedailystar.net/frontpage/news/abused-abroad-humiliated-home-1820563> , accessed on 18 April 2023

63 GFems, 2022, The Long Return: Supporting Reintegration for Returning Migrants in Bangladesh, available at: <https://gfems.org/uncategorized/supporting-reintegration-for-returning-migrants-in-bangladesh/> , accessed on 18 April 2023



come il complesso di fattori (tra il rischio di nuovo indebitamento e percezione della colpa) possa anche raggiungere il livello del trauma mentale:

“... Many women migrant workers become separated from or are deserted by their husbands because they return home empty handed. With their inability to pay back the loans many of the women reporting being looked down upon in their communities, families and husbands. They feel ashamed of returning home empty handed and are mistreated as a result. Many women face different forms of stigma that cause mental trauma. Indebtedness leads to negative coping strategies to pay back the loans...”<sup>64</sup>

Significative da questo punto di vista, alcune fonti che segnalano come le donne vittime di tratta, accolte dalle ONG che gestiscono i rifugi per le vittime, vengono di fatto trattenute per anni, nella impossibilità di rinviarle alle proprie famiglie:

“...Most of the young women I met at the shelter were placed there by the courts under what is called ‘protective custody’. Many of them were ‘rescued’ during police raids of brothels or from Indian jails, where they were being held as undocumented immigrants. Others had escaped violence and exploitation from households in which they worked as domestic workers... [...]...When I asked why these women were not reunited with their families, the NGO staff explained that it was not safe for them to return home as many had been “sold into slavery” by their families and community members. This was particularly true if criminal charges were being brought against their traffickers. The problem was that such cases frequently went on for years, while these women were left to languish in the shelters indefinitely. Some had been there for over three years

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### C. Profilo psicologico

Alla luce delle considerazioni sopra esposte, non risulta incoerente come la figura del “*returnee*” in Bangladesh risulti comunemente nell’ambito delle indagini svolte nel campo della ricerca medica/psichiatrica. Questa infatti identifica il migrante di ritorno come una categoria tipica nell’ambito dello sviluppo di patologie mentali, sia in considerazione di un profilo prettamente soggettivo individuale (sulla propria capacità di gestire lo stress):

“...Reflecting on general observations in Bangladesh and from information in the literature, the researcher suggests the following considerations: 1. Bangladeshi immigrants are inadequately prepared to cope with the psychosocial stresses of the resettlement process in their host countries...”<sup>65</sup>

Sia in forza delle pressioni sociali esterne, che (come accennato) possono concretizzarsi in fenomeni di stigmatizzazione, ostracismo e respingimento:

“...5. Returning Bangladeshi immigrants prefer to seek psychiatric services in the home country (developing nations) prevalent in the home country. Consequently, migrants who return due to

64 CAFOD. Access to justice for Bangladeshi migrant workers: Opportunities and challenges , [https://cafod.org.uk/content/download/50452/636829/version/1/file/Access\\_Justice\\_Report\\_2019-1.pdf](https://cafod.org.uk/content/download/50452/636829/version/1/file/Access_Justice_Report_2019-1.pdf) , accessed through Wayback Machine, accessed on 18 April 2023

65 Ahmed Mujibur Rahman Munib, The Effects of Immigration and Resettlement on the Mental Health of South-Asian Communities in Melbourne , 2006, <https://rest.neptune-prod.its.unimelb.edu.au/server/api/core/bitstreams/3d168628-18dc-5277-bd63-ab07ad088629/content> , accessed on 18 April 2023

unsuccessful settlement overseas may be socially marginalised, ostracized and rejected by the larger native community. Difficulties in coping with these transitions tend to contribute to social and interpersonal friction, thus alienating the migrant from community members and further complicating the adjustment process following return to the home country...”<sup>66</sup>

Che, come altresì accennato nel paragrafo dei “profili di genere”, possono condurre il migrante all’impatto con effettivi traumi di origine mentale:

“...With their inability to pay back the loans many of the women reporting being looked down upon in their communities, families and husbands. They feel ashamed of returning home empty handed and are mistreated as a result. Many women face different forms of stigma that cause mental trauma...”<sup>67</sup>

Considerando il tutto alla luce della pressione psicologica derivante dai profili sopra citati dei fenomeni fin qui analizzati:

“...He was only freed after they paid \$14,000 to get him back - money they had to borrow from loan sharks. When he finally returned to Bangladesh last year, he was jobless and saddled with huge debts - a situation that left him feeling suicidal. “I was really depressed. My family had borrowed a lot of money to save me,” Shohlagar told the Thomson Reuters Foundation. “The lenders came home every other day and threatened us. There were times when I thought about taking a rope and hanging myself...”<sup>68</sup>

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66 Ahmed Mujibur Rahman Munib, The Effects of Immigration and Resettlement on the Mental Health of South-Asian Communities in Melbourne , 2006, <https://rest.neptune-prod.its.unimelb.edu.au/server/api/core/bitstreams/3d168628-18dc-5277-bd63-ab07ad088629/content> , accessed on 18 April 2023

67 CAFOD. Access to justice for Bangladeshi migrant workers: Opportunities and challenges , [https://cafod.org.uk/content/download/50452/636829/version/1/file/Access\\_Justice\\_Report\\_2019-1.pdf](https://cafod.org.uk/content/download/50452/636829/version/1/file/Access_Justice_Report_2019-1.pdf) , accessed through Wayback Machine, , accessed on 18 April 2023

68 Reuters, 'Broken dreams' - Bangladesh's returning migrants struggle at home, by Naimul Karim, <https://www.reuters.com/article/us-bangladesh-trafficking-libya-idUSKCN1TX00Z> , accessed on 18 April 2023

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