

Strengthening social rights of migrant domestic workers in the Middle East

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Rosa-Luxemburg-Stiftung offices in Asia discussed joint strategies aimed at strengthening the rights of migrant workers at a workshop in Beirut

The Rosa-Luxemburg-Stiftung (RLS) in Beirut and the Berlin headquarters jointly organised a workshop entitled “Migrant Domestic Workers in Asia” from 14 - 16 November 2017. The objective was to raise awareness of the challenges and social struggles of Asian domestic workers from the sending region’s perspective and the receiving countries alike, to exchange local experiences and to develop ideas for further joint activities in this area.

In addition to the RLS staff of the offices in Beirut, Delhi, Hanoi, Ramallah and Berlin, experts and partners of the foundation’s network, such as representatives of Alliance of Migrant Domestic Workers in Lebanon, Lebanese Labor Watch staff and one representative of Ruwad al Houkouk - an NGO committed to protect stateless persons - attended the event.

Participants raised numerous questions such as: What are the compelling reasons for women from South and South-East Asia to become domestic workers in the Middle East? What are the challenges they face there? What about national legislations - do they protect those women’s rights? What forms of resistance and organisation have emerged in the struggle for fair working conditions and social rights?

Different actors are accomplices of an abusive system

Prior to the workshop, experts carried out baseline studies on the specific contexts in India, Vietnam, Jordan, and Lebanon and presented them at the workshop to encourage dialogue. The workshop opened with a lecture held by Samita Sen, who works at the Institute for Women’s and Gender Studies at Jadavpur University in Kolkata. She spoke about internal migration - which shows characteristics that are similar to transnational labour migration - of predominantly female domestic workers within the Indian subcontinent who move from isolated areas to financially strong cities. While the Indian government commits to the basic principles and conventions set up by the International Labour Organisation (ILO), it did not ratify the ILO Convention No. 189 on decent work for domestic workers [1].

The rights of domestic workers are not adequately protected in India. This will often result in exploitation and abuse. Samita Sen explained that most regions are not aware of this issue and state and non-state actors, including numerous progressive forces, not only accept that domestic and care work is outsourced to precarious and unprotected structures, but normalise and legitimise this fact as a characteristic of emerging middle classes.

For many years, project activities of the RLS office in Delhi have had their focus on strengthening migrant workers’ rights. In cooperation with the NGO Society for Labour and Development (SLD), the RLS developed an interactive multimedia tool that assists migrants in knowing their rights in

areas such as health care, wages, and working time and finding help, if needed. Participants showed great interest in the presented tool. Is it possible that a similar tool could help Vietnamese workers too?

International conventions and basic agreements do not provide adequate protection for domestic workers

The lecture of Nguyen Thi Hien, researcher at the Ministry of Labour in Hanoi, addressed the situation of Vietnamese immigrants who move to countries with a growing market for foreign domestic workers like Taiwan and Saudi Arabia. This market is of interest for Vietnam not only from an economic perspective, but also with a view to reduce the country's own unemployment rate. The Vietnamese government concluded several bilateral memorandums of understanding on the posting of workers with numerous countries of the Middle East. However, this cannot mask the fact that those memorandums do not have a binding effect, that domestic workers in the Middle East work under precarious working conditions and that violations of basic human rights are common.

Nguyen Thi Hien above all criticises the lack of a governmental supervisory body to monitor and control working conditions. Employment contracts are the only binding basis, but employers do currently not even have to fear penalties for violations. The fact that employment contracts are mostly written in Arabic only benefits employers, as most domestic workers do not understand them and employers can interpret the contractual conditions to pursue their interests and exploit workers.

The biographies of Asian migrant workers contain many parallels, whereas the legislation and international labour legislation protection agreements differ from country to country: They are mostly young, low-skilled women from rural areas who leave their home country out of financial necessity. Many of them are illiterate, who, upon arrival in their host country, are not familiar with the cultural circumstances and customs and do not speak the local language.

Against this background participants agreed that it is key to prepare domestic workers in terms of language, culture and skills for their place of work, inform them about their contractual rights and support and networking opportunities. The results of the baseline studies show that most employment agencies at least offer trainings. However, those trainings differ significantly as regards their scope, content, and quality and only focus on preparing the workers for their tasks instead of informing them about their contractual rights.

The focus of the debate then shifted to global economic import chains of domestic workers. Employment agencies have considerable influence as they organise the recruiting and hiring of foreign domestic workers for employers. The Lebanese documentary "A maid for each" (Makhdoumin), which was shown during the workshop at the RLS office in Beirut, depicted how this import and employment system for foreign domestic workers works. In the subsequent discussion, director Maher Abi Samra addressed the obvious question as to how we contribute to and support this abusive system ourselves.

The abolition of the Kafala system is the primary goal

Lamia Raei, advisor for international cooperation, and Sarah Wansa, project manager of the RLS office in Beirut, reported on the situation of migrant domestic workers in the host countries Jordan and Lebanon. They believe that the abolition of the kafala or sponsorship system is one of the key prerequisites for strengthening domestic workers' rights. According to this system employers assume legal responsibility for employees, obtain their working visa and monitor all aspects of life: They decide on working time, daily and weekly rest periods, payment or withholding of wages, remuneration in kind, for example, by providing food and accommodation, as well as providing for

mobility and contact to their families. In view of this situation, domestic workers are entirely at the mercy of their bosses; sexual harassment, physical and psychological violence are common. If domestic workers want to leave the country or find a different job they first need written approval of their bosses. Most of them stay out of fear of being deported or having to go underground.

Activists in the struggle for fair working conditions for domestic workers in Lebanon

Resistance to the abuse of migrant workers has been growing during the past years in Lebanon. Alliance of Migrant Domestic workers in Lebanon activists reported on their struggle against exploitation, which promised hope. The Alliance is a network of women that aims to inform about rights and working conditions and foster mutual support. In addition to becoming politically engaged together with others, networking is key for those women. They find new friends in the group, help each other, for example, in dealing with authorities, or translations, and encourage each other.

The Rosa-Luxemburg-Stiftung cooperates with partner organisations that significantly contribute through their work to the struggle for fair working conditions for migrant domestic workers. Both discussions with them as well as debates during the workshop indicated that measures must be pursued at various levels. The objective now is to use new synergies in order to pursue ideas and expand the debate to the transnational context taking the RLS topics and political standpoint into consideration.

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Footnotes

[1] The International Labour Organisation (ILO) adopted its first Domestic Workers Convention (“Convention on decent work for domestic workers”) in 2011. Out of the 180 member states, only 24 ratified the agreement. 30 countries introduced political and legal reforms, and at least 18 countries improved social protection for domestic workers (see www.ilo.org/berlin, available in German only).