

May 2018

Anti-Slavery International submission to the UN Special Rapporteur on contemporary forms of slavery, including its causes and consequences

Questionnaire for NGOs and other stakeholders on domestic servitude

Question 1

Please provide information on your organisation and its work with migrant domestic workers who became victims of contemporary forms of slavery, including the countries in which you work on this issue.

Anti-Slavery International, founded in 1839, is committed to eradicating all forms of slavery throughout the world including forced labour, bonded labour, trafficking of human beings, descent-based slavery, forced marriage and the worst forms of child labour.

Anti-Slavery International works at the local, national and international levels to eradicate slavery. We work closely with local partner organisations, directly supporting people affected by slavery to claim their rights and take control of their lives. Our current approaches include enabling people to leave slavery, through exemplar frontline projects with partner agencies; helping people to recover from slavery, with frontline work ensuring people make lasting successful lives now free from slavery; supporting the empowerment of people to be better protected from slavery; and using this knowledge base to inform, influence and inspire change through advocacy and lobbying within countries for legislation, policy and practice that prevent and eradicates slavery; international policy work and campaigning; and raising the profile and understanding of slavery through media work and supporter campaigns.

We have projects across four continents. While the number of projects and the individual countries covered by projects varies at any one time, our current and/or recent work includes the United Kingdom, Peru, Mali, Mauritania, Niger, Senegal, Tanzania, Bangladesh, India, Nepal, Lebanon, Turkmenistan, Uzbekistan and Vietnam. Of these, projects which include a focus on domestic workers are **Lebanon**: addressing forced labour and exploitation of migrant domestic workers, particularly migrant domestic workers from **Bangladesh and Nepal**; **India**: domestic workers in situations of slavery who have migrated internally within India for work; **Niger**: addressing the situation of child domestic workers who have mainly migrated internally for work, with a smaller percentage having migrated from neighbouring countries; **Tanzania**: focusing on child domestic workers, the majority of whom have migrated internally for work; and the situation of migrant domestic workers in **the United Kingdom**. Please see the response to question 9 for more detail on the activities involved in these projects.

Between 2008 and 2013 Anti-Slavery International also ran a multi-country child domestic work project with partners in six countries across Asia, Africa and Latin America (Tanzania, Togo, India, the Philippines, Costa Rica, and Peru). It aimed to make governments and civil

society actors accountable and responsive to the rights of child domestic workers to end their abuse and exploitation. The project involved local and national advocacy to change laws, policies and practices; international advocacy to ensure specific protections for child domestic workers in the context of the International Labour Organization (ILO) standard setting on domestic work; extensive child participation into project advocacy and activities; and a small grants scheme.

This response covers Anti-Slavery International's global findings on domestic servitude of migrant women and girls, and gives specific examples from our projects in Lebanon, India, Nepal, Niger and Tanzania. Please note that our findings on migrant domestic workers in the UK are contained in a separate joint submission by Kalayaan and Anti-Slavery International. Finally, while the ILO definition of a migrant domestic worker refers to international migrants only, in this response Anti-Slavery International provides information from our projects on domestic workers who have migrated internally for work, usually from rural to urban areas, as they experience specific vulnerabilities to domestic servitude and protection gaps that require national legal, policy and practice responses.

Question 2

A. Please characterise the legal and/or policy frameworks relevant to the protection of migrant domestic workers subject to contemporary forms of slavery, as well as any global trends you would like to highlight. Please include information about provisions criminalising contemporary forms of slavery, those that might establish distinct rights and/or restrictions for domestic workers, including migrant domestic workers (in regards to, for instance, salary, working hours, freedom of movement, freedom of association, limited freedom to change employers, etc.), as well as measures to identify and support migrant domestic workers who are or were victims of contemporary forms of slavery.

B. Please include specific references to the source of law when possible.

GLOBAL TRENDS

The ILO estimates that there are 67.1 million domestic workers globally¹, not including child domestic workers.² Of these 67.1 million, according to the current estimates, 11.5 million are international migrants. This represents 17.2 per cent of all domestic workers worldwide and also 7.7 per cent of all migrant workers worldwide. In other words, almost every fifth domestic worker in the world was an international migrant in 2013. Domestic work is a highly female dominated sector with women representing more than 81 per cent of national domestic workers and 73 per cent of all migrant domestic workers.³

An absence or unequal protection in law for all domestic workers

¹ <http://www.ilo.org/global/topics/domestic-workers/who/lang--en/index.htm>

² The ILO states that these figures are conservative approximations and are likely to understate the true extent of domestic work because domestic workers often go uncounted in labour force surveys.

³ All statistics from International Labour Organization, Migrant Domestic Workers Across the World: global and regional estimates, 2015

http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---migrant/documents/briefingnote/wcms_490162.pdf

In 2013, the ILO released findings which captured the size of the domestic work sector and the extent of legal protection enjoyed by domestic workers.⁴ These concluded that domestic workers remain to a large extent excluded from the scope of labour laws and hence from legal protection enjoyed by other workers with respect to essential working conditions, such as paid annual leave, working time, minimum wage coverage and maternity protection.

Coverage by national labour laws

In 2013 just 10 per cent of the world's domestic workers were covered by general labour laws to the same extent as other workers. More than a quarter of domestic workers – 29.9 per cent – work in countries where they are completely excluded from the scope of national labour laws. Between these extremes, a number of intermediate regimes exist. The most common pattern is where workers are covered partly by general labour laws and partly by subordinate regulations or specific labour laws.⁵

Working hours

Working hours of domestic workers are among the longest and most unpredictable of any other group of workers. Long working hours are especially common among live-in domestic workers, who usually work full-time and are often expected to be available at all times. Live-in arrangements are particularly common for migrant domestic workers, both internal and international migrants. Although the vast majority of countries provide some maximum limit on hours of work, and guarantee minimum weekly rest and annual leave, domestic workers are often exempted from this standard. Specific exemptions with respect to working time exist even in countries where the labour laws, in principle, cover domestic workers. This is often justified by the “distinctive work pattern” and the “exceptional nature” of domestic work that is held to make it unsuitable for regulation.⁶ Working time is therefore one of the areas in which domestic workers frequently enjoy weaker protection than other workers.

Weekly rest

The labour laws of many countries already provide domestic workers with an entitlement to weekly rest. However, the available data in 2013 showed that there is still a huge gap in the statutory provision of weekly rest periods: some 44.9 per cent of all domestic workers were not entitled to any weekly rest under national legislation.⁷

Paid annual leave

The ILO found that over half of all domestic workers did not enjoy equal entitlement to annual leave.

Minimum wages and in-kind payments

The ILO found that 42.6% of all domestic workers do not enjoy minimum wage protection. Lower sectoral or occupational minimum wage rates apply to an additional 5.9 per cent of the world's domestic workers. Deductions from wages for food and housing constitute another

⁴ Domestic workers across the world: global and regional statistics and the extent of legal protection/ International Labour Office – Geneva: ILO, 2013

⁵ Domestic workers across the world: global and regional statistics and the extent of legal protection/ International Labour Office – Geneva: ILO, 2013

⁶ Domestic workers across the world: global and regional statistics and the extent of legal protection/ International Labour Office – Geneva: ILO, 2013

⁷ Domestic workers across the world: global and regional statistics and the extent of legal protection/ International Labour Office – Geneva: ILO, 2013

area of vulnerability. Such partial “in-kind payments” of the minimum wage are common, even where workers are required to live at their employer’s premises.⁸

Maternity protection

More than a third of all women domestic workers are not entitled to maternity leave or associated maternity cash benefits. The coverage gaps are particularly large in the Middle East and Asia. Even where domestic workers are included in social insurance schemes that provide maternity benefits, restrictive eligibility criteria or lack of enforcement can mean that they do not receive the benefits in practice.⁹

Specific gaps at the legal and policy level for migrant domestic workers

Migrant domestic workers experience vulnerability to domestic servitude in ways that are common to all domestic workers, but face an additional number of vulnerabilities on account of gaps in legal protection for migrant workers, and flaws in the legal, policy and regulatory framework for migration.

Even where migrant domestic workers are in principle covered by national labour legislation, they might lack effective protection in practice. For instance, **workers whose migration status is tied to their employer** will in practice hesitate to use complaints procedures when this puts their employment contract and hence their residence status into jeopardy. Many continue to suffer abuse and exploitation rather than lose their livelihood, accommodation and permission to stay in the country. Those who feel compelled to “run away” from an abusive employer are immediately classified as irregular migrants and are at risk of arrest, detention and deportation. This is whilst the perpetrators of abuse go largely unpunished.

As the ILO highlights, migrant domestic workers are often **caught at the crossroads of origin and destination countries’ policies and regulations** that govern entry of foreign workers and their insertion into the labour market, as well as their employment and labour protection. Migrant domestic workers end up disproportionately negatively affected by the absence of or gaps in governance structures, and the competing objectives of migration and labour policies¹⁰

In some cases, protection gaps relate more to the systems of governance than to the regulatory framework covering the domestic work sector. For example, despite sustained demand, countries of destination often fail to recognise labour market needs in this specific sector and tend to progressively restrict migration channels. **Restricting regular channels of migration** despite existing demand can encourage the use of irregular migration channels, increasing informality and vulnerability.

Inadequate regulation of recruitment agencies, as well as the role of informal intermediaries operating outside the legal and regulatory framework, creates vulnerabilities. In many countries, recruitment agencies charge migrant domestic workers large fees, leaving them severely indebted before they can even take up their jobs abroad. They are also forced to sign

⁸ Domestic workers across the world: global and regional statistics and the extent of legal protection/ International Labour Office – Geneva: ILO, 2013

⁹ Domestic workers across the world: global and regional statistics and the extent of legal protection/ International Labour Office – Geneva: ILO, 2013

¹⁰ International Labour Office, 2015, Domestic Work Policy Brief 9, *Making decent work a reality for migrant domestic workers*, http://www.ilo.org/global/topics/domestic-workers/publications/WCMS_436974/lang--en/index.htm

contracts through these agencies which they cannot negotiate and in most cases cannot even understand as they are written in a foreign language. Once they arrive in the country of destination they are trapped by the debt they owe the agency and the contract they have signed.

In response to widespread abuse of migrant domestic workers in particular countries, some countries have put in place ‘**migration bans**’, prohibiting their nationals migrating to this country for domestic work. Although they may be well intentioned, given that domestic work abroad offers one of the few options to earn money for this group of women, many chose to use irregular migration routes instead, increasing their vulnerability to trafficking and forced labour. An irregular migration status reduces the opportunities for protection and support that migrant domestic workers can seek, as doing so could result in their deportation. In October 2017, an ILO report summarising the lessons learned of its Work in Freedom Programme stated that the migration bans “...were not only ineffective, but also further increase women’s vulnerability to trafficking as women were forced to take more circuitous and hazardous routes to find a job”.¹¹ It further noted that when both demand for migrant workers and supply of workers are high, employers and workers will find ways of circumventing such bans at a greater cost for all and increasing vulnerability to trafficking of migrant workers.¹²

NATIONAL EXAMPLES

LEBANON

Article 7 (1) of the 1946 Labour Code specifically excludes domestic workers from its provisions. Lebanon operates a *Kafala* (sponsorship) system, comprised of various customary practices, administrative regulations, and legal requirements that tie a migrant domestic worker’s residence permit to one specific sponsor, who in virtually all cases is the employer.

While the Government has formed a national steering committee on domestic work and discussed various draft policies covering migrant domestic workers, none has passed into law. At the time of writing, we understand that a draft law on domestic work is now no longer under discussion.

A Standard Contract for Domestic Workers sets out the basic parameters for the employment relationship, which creates a legal link between the worker and employer. The contract has 18 provisions outlining rights such as full salary payments each month with receipts, and restrictions on the maximum number of work hours per day. However, there are limitations to the standard contract. It does not address fundamental issues such as passport retention and freedom of movement. The contract is only available in Arabic and English.

INDIA

The vast majority of domestic workers in India migrate internally from rural or tribal areas, where employment opportunities are limited, to cities. Many domestic workers receive very little information prior to departure. Unscrupulous labour agents not only earn by charging employers large placement fees, but also demand travel costs from the workers and make deceitful deductions from their salaries.

Part of the informal and unregulated sector, domestic workers in India remain largely outside of the protection of law. Although several laws refer to domestic workers, including the

¹¹ International Labour Organization, *Lessons Learned by the work in freedom project*, October 2017

¹² International Labour Organization, *Lessons Learned by the work in freedom project*, October 2017

Minimum Wages Act and the Sexual Harassment Act, there is no law on domestic work. In August 2016, a private members bill on domestic work was introduced to parliament. This has not yet been passed by the Indian parliament, but if it was this measure would give legal protection to domestic work as an occupational sector and guarantee better protection and rights to domestic workers.

Despite the absence of a national law on domestic work, there have been some positive developments to the legal and policy framework. A few State governments have established a Minimum Wage Commission for Unorganized Workers and included domestic workers as occupational category. Some States have created Welfare Boards for Unorganized Workers, including domestic workers, whereby domestic workers who are able to register can access welfare benefits. However, as the majority of domestic workers are migrants, they are often not able to register in the State where they work as their ID card gives the right to access social security benefits only in their state of origin.

The Ministry of Labour and Employment recently developed a National Policy for Domestic Workers which is awaiting Cabinet approval. This policy is a first step towards improving rights for domestic workers and giving them access to social security. While we welcome the initiative, a specific law on domestic work, or the inclusion of the sector in the Labour Law, would be much more valuable as the Policy will not be legally binding.

Recent changes to India's child labour laws have reduced the legal protection of child domestic workers as an Amendment passed in 2016 allows children under 14 to work in family business without defining under which circumstances and what is considered by 'family'. This will increase the invisible work done by children in the domestic sphere.

MIGRATION BANS - NEPAL

High numbers of Nepali women migrate for domestic work, with Lebanon the number one destination. Official records from the Lebanese authorities refer to 9,387 female Nepalese domestic workers. It is however estimated that around 13,000 Nepalese domestic workers, including undocumented workers, are currently employed in Lebanon. Despite this, Nepal maintains a policy of banning women from migrating for domestic work, which increases their vulnerability to abuse and exploitation, alongside insufficient pre-departure preparedness, inadequate regulation of recruitment agencies, and a lack of diplomatic representation in Lebanon.

Question 3

Please describe the main challenges and barriers identified in the country or countries in which your organisation works to ensuring the human rights of migrant domestic workers victims of contemporary forms of slavery. Please also specify any global trends that you are aware of.

GLOBAL TRENDS

Globally, domestic workers are among the most vulnerable group of workers. Among domestic workers, migrant domestic workers are particularly vulnerable to domestic servitude. In addition to the challenges posed by the invisibility of work inside a private home, unequal power relations between the worker and their employer, and inadequate protection in law, migrant domestic workers are much more likely to live in the employer's home; and experience

particular challenges on account of their migration journey and migrant status: precarious recruitment processes, irregular immigration status, the absence of assistance and protection mechanisms adapted to the specificities of domestic work, social isolation due to language and cultural differences, a lack of local support networks, lack of clear terms and conditions of employment, and unfamiliarity with the law and local customs of the host country.

As outlined in response to question 2, vulnerability to domestic servitude is particularly increased for those whose visa is tied to their employer, as it makes their stay in the country entirely dependent on their continuing to work for that individual. The right to change employer is a fundamental safeguard, and one denied to migrant domestic workers by this system. Tied to their employer for their legal status, many continue to suffer abuse and exploitation rather than lose their livelihood, accommodation and permission to stay in the country. Their capacity to report abuse and access legal redress is severely restricted for fear of deportation. Those who feel compelled to “run away” from an abusive employer are immediately classified as irregular migrants and are at risk of arrest, detention and deportation. This is while the perpetrators of abuse go largely unpunished.

Restrictions on migration abroad for domestic work are ineffective and lead to the use of irregular migration routes which heighten vulnerability. In many countries, there is insufficient regulation of recruitment agencies who often charge migrant domestic workers large fees, leaving them severely indebted before they can even take up their jobs abroad. They are also forced to sign contracts through these agencies which they cannot negotiate and often cannot even understand as they are written in a foreign language, and are trapped by the debt they owe the agency and the contract they have signed.

A rise in anti-migrant sentiment in many countries, accompanied by harsher policies on migration by many governments, an excessive focus on the immigration status of the victim, leads to failures to identify migrant workers in domestic servitude. This is particularly the case with undocumented migrants, who are more likely to be treated as perpetrators of an immigration crime than victims of domestic servitude entitled to protection, assistance and redress.

NATIONAL EXAMPLES

LEBANON

Kafala

In Lebanon, the employer wields a great degree of power in determining the living and working conditions of a migrant domestic worker. The inequities are created in part by a normative framework in Lebanon heavily dominated by a sponsorship system known as *kafala*. The *kafala* system is a set of regulations and practices that tie a worker to a single employer and the worker cannot unilaterally exit the employment relationship. It is a major factor causing the vulnerability of migrant domestic workers to abuse, exploitation and forced labour. The worker is not allowed to change employer unless she has a notarised written permission- a release paper- from the current employer.

Inadequate protection in law

The exclusion of domestic workers from labour legislation and social protection exacerbates the power imbalance between employer and employee created by the *kafala* system and their vulnerability to abuse, exploitation and forced labour. Domestic workers are not included in

the Labour Law. This denies them rights largely given to other workers such as national minimum wage, annual and sick leave, maximum work hours, the right to form associations and organise, and the right to resign with proper notification. It also reinforces the assumption that domestic work is not 'proper' work. While the government has formed a national steering committee on domestic work and discussed various draft policies covering migrant domestic workers, none has passed into law. In the meantime, as domestic workers remain excluded from most laws and policies covering national workers, there is a clear gap in legal protection for migrant domestic workers.

In addition to a gap in legal protections, there are also limitations to the standard contract. The contract is only available in Arabic and English. As such, migrant domestic workers who come from different national and linguistic backgrounds sign the contract without reading it or understanding its contents. It does not address fundamental issues such as passport retention and freedom of movement or mention an employer's obligation to provide a private living space to the worker. The contract includes a clause stating that the employer is obliged to guarantee acceptable working conditions and to provide her with food and clothing but does not define acceptable working conditions or provide guidance as to the amount or quality of food and clothing. The contract is for one year and is renewable. An employer can terminate a contract if the employee makes a mistake, commits negligence or intentional assault, endangers the interests of the employer or their family members or commits an act punishable by Lebanese law. The migrant domestic worker can terminate the contract if the employer breaches the terms of payment for three consecutive months, if physical assault or sexual harassment takes place and it is proven by medical records and judicial or Ministry of Labour investigations, or if the employer makes the worker perform duties beyond what was agreed without the worker's consent. In incidences where the migrant domestic worker ends the contract for the above-listed reasons, the employer must cover the cost of return to the home country, whereas in incidences in which the employer ends the contract for the above-listed reasons, the migrant domestic worker must leave Lebanon and cover the expenses herself. Importantly, the employer does not need written evidence, official reports or judicial rulings to prove the worker's wrongdoing and terminate the contract, whereas the worker is obliged to file a complaint with the authorities in order to prove wrongdoing by the employer. This is particularly challenging given the inaccessibility of the Lebanese justice system to migrant domestic workers.

Vulnerabilities created by the system and role of recruitment agencies

The lack of regulatory scrutiny over recruitment agencies exacerbates the vulnerability of migrant domestic workers to trafficking, bonded labour and forced labour. The ILO found that while labour recruiters in Lebanon are prohibited from charging migrant workers recruitment fees, workers are still being charged fees either directly (usually in their country of origin) or indirectly through wage deductions by the employer. Around 60% of all migrant domestic workers (and 90% of Nepalese migrant domestic workers) paid the agency in their home country. The average payment was around \$346 (the equivalent of two months' salary), while Nepalese migrant domestic workers reported paying \$554 on average, or 3.7 times their monthly salary.¹³ High fees imposed by the agencies both in the origin and destination countries leave domestic workers with debts. Agents are at times the perpetrators of abuse, deceiving workers about living and working conditions. The primary legal framework covering private employment agencies is Order number 1/1 of 2011, states that recruiters are responsible for

¹³ A study of working and living conditions of migrant domestic workers in Lebanon: "intertwined: the workers' side" / International Labour Office, p21

replacing domestic workers at no cost to their employer within the first three months of the contract, if the domestic worker cannot fulfil the tasks required, refuses to work, is pregnant or absconds. This creates a potential conflict of interest which bars recruiters from acting as impartial mediators. Agents sometimes coerce workers into staying with abusive employers, or indeed return domestic workers who have fled abuse to their employers.

INDIA

In India, the vast majority of domestic workers migrate internally from rural or tribal areas, where employment opportunities are limited, to cities. Many domestic workers receive very little information prior to departure. Unscrupulous labour agents not only earn by charging employers large placement fees, but also demand travel costs from the workers and make deceitful deductions from their salaries. Domestic workers are also excluded from the labour laws. Their isolation in private homes, a lack of awareness about their rights, and the difficulties in organising them in Unions or workers groups, make domestic workers one of the most vulnerable category of workers in the country.

NEPAL

Flawed migration policies – the negative impact of ‘travel bans’

In 2012, the Nepali Cabinet approved a ban on women under the age of 30 travelling abroad for domestic work. In April 2014, the authorities issued a ban on all women migrating as domestic workers except those who have already obtained a visa. This was extended in September 2014 to a complete ban on women migrating for domestic work, which the Government said was a temporary measure while it revised its labour migration policies. Consequently, in April 2015, the ban on women migrating for domestic work was revised, placing a prohibition on women under the age of 25. However, the ban on the migration of women to any Gulf country is still in force and applies to women of all ages.

Lack of diplomatic representation in Lebanon

For many abused and isolated migrant domestic workers, Embassies are often the last place of protection, assistance and refuge. Yet, despite the large numbers of Nepalese migrant workers in Lebanon, Nepal has not established an Embassy or a Consulate there. Nepalese migrants can only call upon an honorary consul who is not a diplomat and lacks decision making power. As a consequence, the Nepalese domestic worker community in Lebanon is one of the least organised and most vulnerable.

Insufficient pre-departure preparedness

The Government introduced a 21-day training and 2-day orientation pre-departure training course aimed at migrant domestic workers. However, many migrant domestic workers are not able to access this training due to weak monitoring mechanisms, inaccessibility of training venues located in Kathmandu to rural women, lack of money, lack of importance placed on the training by recruitment agencies, poor quality of training and the use of alternative migration routes which mean that migrants do not necessarily pass through Kathmandu.

Inadequate regulation of recruitment agencies

High fees imposed on domestic workers leaves them indebted and vulnerable to exploitation. Agents are at times the perpetrators of abuse, deceiving migrant domestic workers about expected living and working conditions and remuneration levels.

Question 4

A. Please elaborate on any specific violence, threats of violence, abuse or harassment faced by migrant women and girls who are in situation of domestic servitude.

B. Please elaborate on any other human rights violation faced by migrant women and girls who are in situation of domestic servitude (including, for example, their right to health, water, housing, freedom of movement, freedom of association, etc.).

VIOLENCE, ABUSE AND HARRASSMENT

Exploitative living and working conditions are a reality for many migrant domestic workers. Reports of abuse are many, with workers facing extremely long hours of work, absence of rest and leave periods, deprivation of food and adequate shelter, delayed or non-payment of wages, and wage deductions for dubious debt. Migrant domestic workers report physical abuse, psychological abuse (including threats of violence, abusive shouting, threats of denunciation to the authorities and deportation), and sexual violence.

OTHER HUMAN RIGHTS VIOLATIONS

Migrant domestic workers in domestic servitude experience the following human rights violations:

Lack of privacy/ access to housing: Across Anti-Slavery's projects in different countries, migrant domestic workers report a lack of access to a private bedroom. Many migrant domestic workers are forced to sleep in an open communal space such as a kitchen, living room, utility room or balcony, or to share a room with the children they care for. Migrant domestic workers experiencing domestic servitude face homelessness if they leave an abusive employer.

Inadequate food: Live-in domestic workers, comprising the vast majority of migrant domestic workers, report receiving insufficient food, or food of poor quality.

Access to health: Migrant domestic workers can be denied access to healthcare in practice, either because of prohibitive costs, they are not permitted to leave the house to access these services, or they lack documentation to prove their legal right to work in the country and therefore access services.

Restrictions on freedom of movement: Reports of migrant domestic workers being 'locked inside the house' and forcibly confined to the work place, even during rest periods or on their weekly day off (for those who have one), are common.

Restrictions on freedom of association: It is difficult for migrant domestic workers to organise and join trade unions because their place of work is a private home, and as a result of the restrictions on freedom of movement outlined above. Domestic workers seeking to organise often experience opposition from employers, and from the authorities of some countries. For example, in Lebanon where the request for official recognition of a domestic workers union was denied by the Government.

CHILD DOMESTIC WORKERS

Many child domestic workers migrate internally from rural areas to cities for work, with a smaller number migrating internationally. In most countries, the minimum age for employment is set at 15 years old. Yet most child domestic workers are between 12 and 17 years old, with some starting work as young as six years old. While in some countries domestic work is seen as beneficial for a girl's development, in reality, child domestic workers are particularly vulnerable to abuse. Some child domestic workers are trafficked, while others are in bonded labour, forced to work to pay off a loan their parents have taken.

Invisibility, Isolation and Dependence: Many child domestic workers live in their employer's home, making them highly dependent upon their employers for their basic needs. Their freedom of movement, their ability to contact their families or friends, to attend school or to access services, is often solely dependent on their employer's discretion. Their isolation makes it difficult for them to seek help or for outsiders to detect cases where child domestic workers suffer from abuse or exploitation.

Long Hours, Low Wages, Little Rest: Child domestic work is often characterised by long working hours and a lack of rest days or vacation time, and little pay. Child domestic workers often work for a fraction of the minimum wage, if they are paid at all. Those who live with their employers can be "on call" for 24 hours a day. Long hours of work and little time for rest, recreation or socialising negatively impact the child's mental, physical, social and intellectual development.

Hazards: The nature of domestic work exposes child domestic workers to a range of household dangers. Many have suffered serious injuries from the use of hazardous materials and equipment, such as sharp knives, hot irons, boiling water, electrical appliances, and hazardous chemicals such as bleach, often without training or protective clothing. When expected to perform skilled tasks such as childcare or caring for the elderly with minimum training, children can struggle with constant demands and responsibilities. Child domestic workers often receive little or inadequate medical treatment in times of ill health.

Abuse and violence: Child domestic workers are frequently subjected to verbal, physical and sometimes sexual violence. Verbal violence takes the form of name-calling, insults, threats, swearing, screaming and shouting. Physical violence may include beating, kicking, whipping, pinching, overwork and denial of food. Due to the child's vulnerability and isolation, sexual violence is relatively common. A child domestic worker may be seen as an acceptable target for sexual harassment or violence by the men or boys of the household. In cases where girls become pregnant, they are often thrown out of the house and forced to fend for themselves on the streets, as the shame of their situation makes it difficult for them to return home. When violence does occur, the child's dependency on the employer for their basic needs makes them far less likely to report it.

Denial of education: Research shows that most child domestic workers attach great importance to getting an education. For many, the promise of schooling was a key factor behind their entry into domestic work. However, the reality is that many, if not most, child domestic workers are denied the opportunity to go to school. Even when an employer does not prevent attendance, the long working hours and requirements of a child domestic worker's job make it very difficult to keep up with their studies. The inflexibility of the formal education system can be another

obstacle, alongside the difficulty in affording school fees, books, uniforms and transportation costs.

NATIONAL EXAMPLES

INDIA

An ILO study published in 2015 examined the migration of female domestic workers from the state of Jharkhand to New Delhi. The majority of migrants were young women, some still below the age of 16, who left mainly because of lack of work opportunities locally and for financial needs. The majority were live-in workers, and many reported physical abuse, use of abusive language, restriction of movement, long hours of work and lack of clarity regarding actual wages – conditions that denote deception, abuse and forced labour. Living conditions were also poor, very few had their own room, with most required to sleep on the balcony, on the kitchen floor, in the store room, or in the room of an old parent or the children. Some could use a toilet in the house while others had to go outside to common toilets and did not have access to them at night. Incidents of exploitation and forced labour were more common amongst workers below eighteen years of age. The study found that labour agents deceived workers about their conditions of work and bound workers to the employer for a period of eleven months, during which they were not allowed to leave the employer under any circumstances.¹⁴

The employment of child domestic workers is still common practice in India, despite the inclusion of domestic work in the list of hazardous child labour that is prohibited for under 18s. A large number of child domestic workers, predominantly girls, have migrated internally and live with their employers. As they live and work inside a private home, out of sight, they are particularly vulnerable to abuse, exploitation and situations amounting to trafficking and forced labour. Many report long hours, difficult and arduous work, being denied contact with their families, confined to the workplace, and being scolded and beaten by their employers.

LEBANON

Migrant domestic workers in Lebanon report routine confiscation of their passports; long working hours; refusal by their employers to allow sufficient time off; forcible confinement to the work place; poor living conditions; delayed or non-payment of wages; and verbal, physical and sexual abuse. Levels of abuse and exploitation are so widespread that some countries of origin have banned their nationals from migrating to Lebanon for domestic work, although these bans are widely flouted.

A 2016 ILO study surveyed 1,541 migrant domestic workers in Mount Lebanon. The migrant domestic workers were interviewed outside households, therefore excluding those who are never allowed out of the household, meaning that living and working conditions are in reality worse than reported. Nevertheless, the findings reveal some alarming data. Forty percent reported being unable to read and understand their contracts. Those surveyed worked an average of 10.5 hours per day, with the exception of Nepalese migrant domestic workers who worked 13.5 hours per day. Only half (47%) reported receiving breaks as needed during the day. The Standard Contract provides for one day off per week, yet only 36% received this. Sixteen per cent got no time off at all, a share that rose to more than 25% among Sri Lankans, Bangladeshis, and African migrant domestic workers. As the sample is skewed towards

¹⁴ *Indispensable yet unprotected: Working conditions of Indian Domestic Workers at Home and Abroad.* International Labour Office, Fundamental Principles and Rights at Work Branch (FUNDAMENTALS) – Geneva: ILO, 2015

migrant domestic workers who are allowed outside at least occasionally, the percentage who do not get any time off at all is expected to be significantly higher than this figure. Those interviewed earned an average monthly salary of around \$180, compared to the national minimum wage of \$450 (from which domestic workers are excluded), with significant internationality discrepancies. Only half had their own sleeping quarters, a share that varies widely among nationalities (80% of Filipinas vs. 38% of Bangladeshis). Around one third were sometimes locked inside their employer's homes. Around 40% reported verbal abuse (shouting, threats of deportation) and 11% reported physical abuse. Around 2% (29 cases) reported being sexually abused and 1% (12 cases) reported being forced to provide sexual favours. Sexual abuse is also usually underreported.¹⁵

A study which surveyed the practices and perceptions of employers of migrant domestic workers in Lebanon¹⁶ found similarly abusive practices despite the fact that favourable reporting was more likely. From this sample, 60 per cent of employers paid the migrant domestic workers' salary at the end of every month; 24.4% paid every few months; 13.6% paid when the worker asked; and 10 participants (about 1%) paid the salary at the end of the contract, meaning their migrant domestic worker worked for one year or more without receiving any sort of payment. Half of employers surveyed (50.7 per cent) did not abide by the Standard Contract provision of one full day of rest per week. Many employers restricted their worker's freedoms, by locking the worker in the house, retaining her passport and residency permit and/or requiring her to remain in the household or stay with its members during periods of daily and weekly rest. Of 582 employers who respected the worker's right to a full day of rest, only half allowed her to go out alone on her day off. One out of five surveyed locked the worker inside. Withholding their worker's passport was standard, with 94.3 per cent of employers engaging in this practice.¹⁷

Migrant domestic workers interviewed by the non-governmental organization (NGO) KAFA (Enough) Violence and Exploitation reported endemic withholding of wages, denial of time off and restrictions on freedom of movement resulting in forced labour situations. Seventy-seven percent of the migrant domestic workers surveyed reported working 14 hours or more per day. Ninety-one per cent were denied their right to one day off per week. Only 50% received their wages every month, with employers sometimes withholding wages to coerce migrant domestic workers into renewing their contracts or continue working in the hope that they will eventually receive their wages. Ninety-six percent had their passport, work permit and residency papers confiscated by their employers from the moment of their arrival at the airport. In addition, 90% were not allowed to leave the house alone and 50% were physically locked in their place of work. Many reported inadequate living conditions, including denial of privacy and the right to a private life. Most reported not having their own private space within the house, forcing them to sleep in the kitchen, the living room, the balcony or in shared rooms with members of the household. Thirty-two percent said they did not receive sufficient food. Many were subjected to threats and emotional abuse, including being threatened with denunciation to the police in incidences where the employers had not processed the proper

¹⁵ A study of working and living conditions of migrant domestic workers in Lebanon: "intertwined: the workers' side" / International Labour Office; ILO Regional Office for the Arab States. - Geneva: ILO, 2016.

¹⁶ A collaboration between the International Labour Organization, as represented by the ILO Regional Office for the Arab States and ILO Headquarters in Geneva; American University of Beirut (AUB); KAFA (enough) Violence & Exploitation; and Anti-Slavery International (ASI).

¹⁷ Intertwined - A study of employers of migrant domestic workers in Lebanon / International Labour Office, Fundamental Principles and Rights at Work (FUNDAMENTALS); Labour Migration Branch (MIGRANT) - Geneva: ILO, 2016

residency documents, deportation, withholding of wages, physical violence and cutting off communication with their families. Thirty-six percent experienced physical violence, and 8% sexual violence (under-reporting of sexual violence is likely). All those surveyed felt that they were powerless to change their working conditions for a number of reasons, including fear of a violent reaction from their employers; due to the debt accrued throughout the migration process; fear of arrest, incarceration and deportation; and as a result of the employer's retention of their documents.¹⁸

NIGER

There is limited data available on child domestic work in Niger. However it is clear that domestic work is a major sector of employment for girls. The hiring of a child domestic worker is a widespread and socially accepted practice. Those employed in domestic work are mainly girls from rural areas within the country who migrate to cities for domestic work to escape poverty, but girls from neighbouring countries (Benin, Mali and Togo) are also involved. The vast majority of child domestic workers in Niger are girls, who work in private homes undertaking a range of tasks such as cooking, cleaning, laundry, ironing, and caring for young children and the elderly. They are often subjected to work which is hazardous and harmful to their health, safety and development: using electrical equipment, machinery, chemicals and other hazardous materials, often without training or equipment; and performing skilled tasks such as childcare or caring for the elderly with minimal training. Child domestic workers struggle with multiple demands and constant responsibilities. They work long hours, often without any rest days, for little or no pay. Working and living in the home of their employer, child domestic workers are often isolated from their families and opportunities to make friends, under the total control of their employers, and deprived of opportunities for education. Physical, verbal, and sometimes sexual, abuse is common. Some child domestic workers are trafficked.

TANZANIA

Poverty is a key driver behind child domestic work in Tanzania, and child domestic workers primarily come from poor, often rural families, and migrate internally to urban areas for work. Due to their age and invisibility, child domestic workers are extremely vulnerable. Sexual harassment and other abuses take place, hidden from sight in employer's homes. Many are subjected to extreme working hours, isolation and a lack of care and protection.

In 2012, Anti-Slavery International and its local partners conducted a survey of 483 child domestic workers in Mwanza. The survey found less than 0.5% of the child domestic workers had formal contracts; over 40% suffered physical abuse and other cruel and degrading treatment from their employers; 17% suffered sexual abuse; over 60% did not attend school and were illiterate and innumerate. Other common problems included little or no pay, (despite working up to 60+ hours per week), irregular payments and improper deductions; limitations on child domestic workers movements, socialisation and access to families; limited access to healthcare and non-payment of wages during sickness; inadequate living and working conditions; the absence of any status or dignity, accompanied by discrimination and isolation in the household. Around a third of child domestic workers were under the national minimum working age (14 years) and over 80% of child domestic workers were girls.

¹⁸ Kafa, *Dreams For Sale: The Exploitation of Domestic Workers from Recruitment in Nepal and Bangladesh to Working in Lebanon*, Beirut, 2014
<http://www.kafa.org.lb/studiespublicationpdf/prpdf-65-635457864461835048.pdf>

Question 5

Please elaborate on the challenges faced by migrant women and girls who are at the risk of or who are already under conditions of domestic servitude to obtain protection against their human rights violations.

As number of challenges impede the ability of migrant women and girls who are at risk of or already in situations of domestic servitude to obtain protection. As outlined in the above responses to questions 2 and 3, these include:

- The isolated working and living conditions of domestic workers. Domestic households are not usually subject to labour inspections, and employers of migrant domestic workers alike are often unaware of their obligations. Employed and often living with a private household, domestic workers are socially isolated and their living and working conditions are poorly regulated and inspected;
- Exclusion from the protection of labour laws in many national contexts and the non-recognition of domestic work as work;
- The vulnerabilities created by tied visas/ sponsorship systems in countries where these exist;
- A tendency in many countries to treat migrant domestic workers in situations of abuse through an ‘immigration lens’ rather than as vulnerable and/or exploited workers requiring protection. Therefore when they attempt to access support services or file a complaint against an abusive employer, migrant domestic workers risk arrest, detention and deportation and therefore often refrain from seeking help. For undocumented migrant domestic workers, these risks are magnified;
- The widespread practice of employers retaining the passports and identification documents of their domestic worker creates a risk of arrest should a migrant domestic worker seek the assistance of the police as they are unable to prove their legal residency and right to work;
- Many migrant domestic workers do not receive a contract which makes it very difficult to file a comprehensive claim or have a strong case before the court or an employment tribunal;
- A lack of awareness among migrant domestic workers about their rights and where to seek help when these rights are violated. This is combined with language barriers in the host country and a lack of local support networks.

Question 6

Please elaborate on the specific situation of migrant women and girls in domestic servitude, taking into consideration factors that might contribute to their increased vulnerability to contemporary forms of slavery, including poverty, identification to minority groups, indigenous people, age, and caste.

In some countries, migrant domestic workers (both internal and international) are also members of socially excluded and marginalised groups, such as indigenous people, Dalits or other so-called ‘low’ castes. The discrimination that these groups suffer increases their chance of being trapped in domestic servitude, and reduces their opportunity to escape from it, both in the short-term and the long-term. While poor implementation of anti-slavery laws is a pervasive problem across most national contexts, accessing protection and redress is particularly difficult for migrant domestic workers from minority groups or socially excluded groups. They are often unable to access their right to equal and effective protection before the law because of societal discrimination.

Child domestic workers are at an increased risk of domestic servitude. Their young age, isolation and separation from their families and peers, and near-total dependence on their employers exacerbate their vulnerability. Please see section on child domestic workers and national examples on Tanzania and India in our response to question 3 for further information.

Poverty, poor education, a lack of decent work opportunities in their home countries, among other factors, drives women and girls to migrate for domestic work in order to provide for their families at home. Domestic work abroad offers one of the few options to earn money for this group of women. The need to send remittances back home is also a source of vulnerability for migrant domestic workers, particularly in countries with the tied visa system or for undocumented migrants, as many will choose to endure exploitative circumstances in the hope of being able to continue working and earning in the host country.

NATIONAL EXAMPLES

INDIA

Domestic work is the largest source of occupation for women in urban India, with estimates ranging between 10 million to over 50 million, according to the ILO and other unofficial estimates. The vast majority of domestic workers migrate internally from rural or tribal areas, where employment opportunities are limited, to cities. The majority of these women belong to scheduled castes and other backwards castes, including tribal castes, are very poor, illiterate, and consequently have very limited alternative employment options. Domestic work is frequently not perceived as ‘employment’ as a result of the unequal status of women in society and the low value given to women’s work, in particular care work.

Question 7

A. Please detail any examples of good practice in relation to protecting, identifying and rescuing migrant women and girls in situation of domestic servitude. This might include actions and initiatives taken by governments, civil society organizations, international organizations, media outlets, employers, individuals, survivors, etc.

Please see response to question 8 on the interventions delivered by Anti-Slavery’s projects to prevent, protect, identify and assist migrant women and girls in situations of domestic servitude.

Please also see the ILO’s report on its lessons learned from the Work in Freedom programme, which aims to reduce vulnerability to trafficking and forced labour of women migrating to garment and domestic work. The programme works along migration pathways in Bangladesh, India, Nepal, Jordan and Lebanon.¹⁹

In addition, Anti-Slavery would like to outline the initiatives that we believe all governments should take to protect migrant domestic workers and prevent domestic servitude:

¹⁹ International Labour Organization, *Lessons Learned by the work in freedom project*, October 2017, http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---sro-new-delhi/documents/publication/wcms_600474.pdf

Ratify and implement ILO Convention No. 189 on domestic work

ILO Convention No. 189 on Domestic Workers and the accompanying Domestic Workers Recommendation, 2011 (No. 201), are milestones towards improving the working conditions of millions of domestic workers across the world. With specific protections for both migrant domestic workers and child domestic workers, the instruments recognise that domestic workers have the same right to benefit from social and labour protection as other workers, while addressing the special characteristics and vulnerabilities of domestic work. Anti-Slavery International urges universal ratification and implementation of this Convention.

Extend the coverage of national labour law to all domestic workers including migrant domestic workers

In a global context of widespread exclusion of domestic workers from the protection of labour laws, extending the coverage of national labour legislation to domestic workers, in line with ILO Convention No. 189, is vital. This means recognising domestic work as work, and guaranteeing, without discrimination based on nationality, their right to fair wages, limits on working time, sufficient rest and leave periods, the freedom to dispose of their time outside working hours, the right to privacy and family life, and the right to retain their identity and travel documents.

End sponsorship systems and introduce independent immigration status

Anti-Slavery International urges governments who maintain systems whereby migrant domestic workers' visas are tied to a particular employer to abolish such systems and grant migrant domestic workers the right to change employer as a fundamental safeguard against domestic servitude. Governments should introduce employment-based visas and residency permits that are not linked to employers. Migrant domestic workers should also be granted a grace period to find new employment when leaving a current employer.

Lift migration bans and provide diplomatic services in key destination countries

Migration bans should be lifted in order to facilitate the safe migration of migrant domestic workers, and avoid their use of informal routes which heightens their vulnerability to abuse and exploitation. Instead, governments of sending countries should seek to establish effective diplomatic services in countries where abuse and exploitation is reported to be widespread.

Tackle irregularity and informality

Irregularity of status and informality of employment is often predominant among migrant domestic workers. Creating safe, regular migration channels is essential to reduce the use of irregular migration channels which create vulnerability to trafficking and domestic servitude.

Regulate and supervise recruitment practices

Regulation and monitoring of private recruitment agencies and sub-agents, together with reducing labour migration costs, can help to ensure that migrants do not fall into the hands of unscrupulous or abusive labour recruiters.

Organise pre-departure information and training

Pre-departure training and information dissemination can help to support informed decision making and provide reliable information on the rights and obligations applicable at all stages of migration and on available support services. This should be provided at accessible locations in local languages, and at no additional cost for the migrant worker.

It is important that current and future safe migration programmes incorporate the ILO's learning from the Work in Freedom programme that while helpful, in patriarchal contexts, the concepts of safety and protection tend to exclude women's agency. Protection measures for women tend to be designed without the leadership and participation of migrating women and their representatives. This inevitably leads to policies and practices that disempower them from exercise of their rights. The ILO therefore recommends implementing policies and programmes that support mobility by choice and ensure women's participation in decision making.²⁰ Finally, that while pre-departure information and training can be helpful, it can't serve as a substitute for poor governance of employment, education and social protection.²¹

Support domestic workers to organise and collectively bargain

Without freedom of association and collective bargaining for migrant domestic workers, reducing their vulnerability to forced labour is unsustainable over the long run.

Question 8

Please describe any challenges identified in ensuring that migrant women and girls who are survivors of domestic servitude have access to justice?

Globally, migrant domestic workers experience significant obstacles in accessing their right to justice and an effective remedy. As outlined in responses to questions 2, 3 and 5 barriers in access to justice include:

In countries which have **tied visas/ sponsorship systems**, such as Lebanon, Qatar and Saudi Arabia, migrant domestic workers experiencing abuse are effectively forced to choose between tolerating the abuse or leaving their employer. If they leave their job, they will have to return home, often with debts and no other employment options, or face illegality and deportation. The lack of a right to remain in the country once they have left an abusive employment relationship drastically reduces their opportunity to pursue a case through the courts and receive remedy.

Migrant domestic workers often **lack awareness of their rights and the systems for assistance and redress** in the host country, as well as **lacking local support networks**. When seeking justice, they are confronted with an unfamiliar legal system, with procedures in a language that they may not be able to understand, and **without sufficient legal support** due to prohibitive costs (especially important as migrant domestic workers are in general subjected to low wages and delayed payment of wages). Free legal aid is the exception not available to many migrant domestic workers.

Strict policies on migration, in a current climate of rising anti-migration sentiment, can impede the ability of migrant domestic workers to access to justice and redress. This is particularly the case with undocumented migrant workers who are more likely to be treated as perpetrators of an immigration crime than victims of domestic servitude.

In some countries, despite the existence of decent legislative and policy frameworks, **discrimination against migrant domestic workers** leads to a failure to implement these

²⁰ International Labour Organization, *Lessons Learned by the work in freedom project*, October 2017,

²¹ International Labour Organization, *Policy Brief on Anti-Trafficking Laws, Policies and Practices*, October 2017

measures. This is particularly the case in countries where migrant domestic workers are also from marginalised groups such as Dalits, people of low caste status, and indigenous groups, whereas their employers are from higher castes or are socially powerful.

The ILO notes that the political economy of law enforcement makes it difficult to enforce laws against abusive employers or recruiters of domestic workers. The disparity of power and resources between women migrants and forced labour offenders compounded with structural incentives of law enforcement agencies to meet performance targets (for example addressing irregular migration) means that litigation is likely to result in migrants themselves being incriminated under other alleged offences such as theft of property, trespassing, illegal migrant status, document fraud, prostitution, etc. This is further aggravated by behavioural stereotypes among law enforcement personnel related to power, gender, race and social status.²²

Domestic workers in diplomatic households experience particular difficulties, including the misuse of diplomatic immunity to circumvent labour law and prevent access to justice.

NATIONAL EXAMPLE

LEBANON – A LACK OF ACCESS TO JUSTICE AND REDRESS

A lack of accessible complaint mechanisms, lengthy judicial procedures, and restrictive visa policies dissuade many workers from filing or pursuing complaints against their employers. Migrant domestic workers lack knowledge about the available complaint and compensation avenues, and the high costs associated with lawsuits and the complicated and slow procedures of the Lebanese justice system act as significant barriers. Migrant domestic workers are often isolated, meaning that the opportunity to contact NGOs and lawyers is limited, as is their knowledge of the services offered by their countries' diplomatic missions in Lebanon. For some nationalities, there is no diplomatic representation in Lebanon.

Even when migrant domestic workers file complaints, the police and judicial authorities regularly fail to treat certain abuses against domestic workers as crimes. Migrant domestic workers are often returned by the police to the employer that they sought to lodge a complaint against or find themselves detained for not having legal residency status or because the employer has filed a complaint against them for stealing.²³ The risk of counter-charges by their employer is significant; a migrant domestic worker will then face months in pre-trial detention and a trial in which international standards of due process are not always respected. Complaints filed against employers languish in courts for months and sometimes years. When convictions are obtained, sentences are extremely lenient.

A major and reoccurring obstacle to migrant domestic workers' access to justice is the limitations placed on their ability to remain in Lebanon after they have left their employer. As soon as a legal complaint is in process, the employer can terminate his or her sponsorship obligation rendering the migrant domestic worker an illegal resident, even if it is the employer that has breached the Standard Contract. The slow procedures of the Lebanese justice system, along with the restrictions puts in place by the *Kafala* system, mean that remaining in the country is often not an option for migrant domestic workers, who often have families at home depending on their income. As such, they normally avoid resorting to judicial remedy and are

²² International Labour Organization, *Lessons Learned by the work in freedom project*, October 2017, p13

²³ Human Rights Watch, *Without Protection, How the Lebanese Justice System Fails Migrant Domestic Workers*, 2010.

forced to instead leave the country, forfeiting their wages or any other compensation that would arise from the harm inflicted upon them.

Although migrant domestic workers do not fall under Lebanon's Labour Law, the Labour Arbitration Councils have announced their authority to investigate disputes arising from breach of contract between migrant domestic workers and their employers. A 2013 mapping of 22 pending cases before the Labour Arbitration Councils of Beirut and Mount Lebanon revealed that in all cases the migrant domestic worker was the party filing the dispute. In some cases, the migrant domestic worker that had filed the complaint had departed from Lebanon, which highlights the difficult situation of migrant domestic workers who lodge complaints against their employer but are subsequently unable to remain in Lebanon due to the *Kafala* system.²⁴

"Escape" from a place of employment or an employer's house is not criminalised under Lebanese law. However, Lebanese courts have adapted and used laws that punish foreigners for not informing the Lebanese authorities of a change of address in order to punish migrant domestic workers who have fled their employer's house without their approval.²⁵ Judges overseeing these "runaway" cases did not examine the reasons that the migrant domestic worker had sought to escape but instead solely examined the legal link between the worker and her sponsoring employer. In such cases, migrant domestic workers were usually without a lawyer and in most cases were tried in absentia, due to the fact that they were deported during the trial.

Question 9

Please describe any projects delivered by your organisation or other civil society organisations to ensure protection of the human rights of migrant domestic workers victims of contemporary forms of slavery.

India: Working with local partner the National Domestic Workers' Movement, our project sought to tackle exploitation and slavery of domestic workers who migrate within India. Over a two-year period (2014-2016) we worked in six Indian states to reduce the vulnerability of workers to exploitation and abuse, and supported over 11,000 workers to organise, support each other and individually and collectively stand up for their rights. We delivered 294 training sessions on labour rights, safe migration, women's rights and by the end of the project we had reached almost 57,000 thousand people with information on safe migration. We facilitated workers' access to welfare entitlements, such as pensions, insurance, economic aid, and educational support for children. We have also worked with employers and individual workers to improve their working conditions and ensure no exploitation takes place. Through placement agencies, domestic workers and employers are linked and overseen, facilitating meaningful employment contracts and protection of basic rights. We also worked with state and national governments to ensure that domestic workers enjoy better working conditions and institutions which are more responsive to their needs and rights. This included setting of a minimum wage for domestic workers.

²⁴ Sara Wansa, "When a Migrant Worker Escapes the Injustice of an Employer: Where's the crime?", Published in the 10th edition of *The Legal Agenda* in June 2013

²⁵ Article 5 of decision 136 issued on 30/09/1969 (Proof of Presence of Foreigners in Lebanon): Foreigners in possession of Annual or Permanent Residence cards from the General Directorate of General Security must inform General Security of any change of address of their residence within a week of the change.

Lebanon: In Lebanon, together with our partner KAFA we worked from 2012-2017 on a project to support Nepalese migrant domestic workers to self-organise and in 2015-2018 to provide outreach training and support for Bangladeshi migrant domestic workers. As part of the Nepal project we facilitated a group of Nepalese migrant women to form a peer-support group called NARI to support each other and advocate for their rights. We also worked in Nepal with our partner GEFONT to reach out to potential migrant domestic workers in the rural areas of eastern Nepal to raise awareness of the risks associated with migrating, train them how to mitigate the risks, what to do in emergencies and how to claim their rights. KAFA also runs a helpline for female domestic workers who are victims of exploitation and abuse. The helpline is available 24 hours a day and is supported by two social workers and a lawyer, who either follow up directly or refer the case to relevant authorities. The helpline usually receives between 25-35 calls per month. Alongside working directly with migrant communities, we also supported KAFA to deliver successful media campaigns in Lebanon and also conducted advocacy with the government in both Lebanon and in the source countries.

Niger: Anti-Slavery's work in Niger has traditionally focused on descent-based slavery, and access to education for children emerging from slavery and children of slave descent. However, in the context of new projects, we have begun to work on forms of child labour in the country, including forced child begging of talibés and child domestic work.

Tanzania: We partner with the Tanzania Domestic Worker Coalition, which was established in 2012 as a direct result of our previous project, to protect children in domestic work. We identify children working and living in their employers' homes, who are most at risk of abuse. We teach child domestic workers about their rights and empower them to claim their rights. We provide support for individual victims, working with the local police and social services to reunite younger children with their families, and identify the best options for the older children in the short and longer term. A key focus of the project is to work with communities to develop community by-laws, codifying the rights of Child Domestic Workers and to empower local officials to ensure these rights are enforced, so that older children – should they wish to continue working – can do so in safe conditions and with employers that treat them fairly and respect their right to pursue education and opportunities outside of work. We also continue to build the capacity and sustainability of both the individual civil society members of the Tanzania Domestic Worker Coalition and to facilitate their joint advocacy as a Coalition.

United Kingdom: Much of our work in the UK focuses on improving the protection of the victims of slavery, which is the most neglected area in the UK's response to modern slavery, under the banner of the [Victim Protection campaign](#). Migrant domestic workers are particularly vulnerable to slavery in the UK, and we work with partner organisation in Kalayaan to address the gaps in legal protection and obstacles in their access to justice. Anti-Slavery International also hosts and chairs the Anti-Trafficking Monitoring Group (ATMG), a coalition established in 2009 to monitor the UK's implementation of European anti-trafficking legislation.

Previous project: multi-country child domestic workers

As mentioned in response to question 1, between 2008 to 2013, Anti-Slavery ran a multi-country project with partners in six countries across Asia, Africa and Latin America (Tanzania, Togo, India, the Philippines, Costa Rica, and Peru). It aimed to make governments and civil society actors accountable and responsive to the rights of child domestic workers to end their abuse and exploitation. The project involved:

1. 'Advisory Groups' to enable CDWs to participate in all aspects of the project.
2. A 'Small Grants Scheme' to support civil society organisations and groups of CDWs to respond better to needs and to influence duty bearers' policies and practices.
3. International, national and local advocacy work to change laws, policies and practice. Including at the international level, to influence the adoption of an ILO Convention on domestic work that includes protection for child domestic workers (Convention No. 189 on domestic workers);

Question 10

Please provide any research, data or other information that your organisation has produced or is aware of relating to the protection of domestic workers victims of contemporary forms of slavery.

International Labour Organization, *Domestic workers across the world: Global and regional statistics and the extent of legal protection*, Geneva, 2013:

http://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/@publ/documents/publication/wcms_173363.pdf

International Labour Organization, *Migrant Domestic Workers Across the World: global and regional estimates*, 2015

http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---migrant/documents/briefingnote/wcms_490162.pdf

International Labour Organization, *Policy Brief: Making decent work a reality for migrant domestic workers*, 2015

http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---travail/documents/publication/wcms_436974.pdf

International Labour Organization, *Lessons Learned by the work in freedom project*, October 2017

http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---sro-new_delhi/documents/publication/wcms_600474.pdf

International Labour Organization, *Policy Brief on Anti-Trafficking Laws, Policies and Practices*, October 2017

http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---sro-new_delhi/documents/publication/wcms_545580.pdf

Anti-Slavery International, *Listen to Us! Participation of child domestic workers in advocacy*, August 2013 [Listen to Us report english](#)

Anti-Slavery International, *Home Truths: wellbeing and vulnerabilities of child domestic workers* [Home Truths report](#)