



Submission to the UN Special Rapporteur on the role of workers' organizations in preventing and addressing contemporary forms of slavery in regards to the conditions of Domestic Workers in the Democratic Republic of Congo (DRC)

*Submitted by the International Domestic Workers Federation (IDWF)¹
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This submission is presented by the International Domestic Workers Federation representing 88 domestic workers unions and associations in 68 countries a total of 670,000 individual domestic workers in Africa, Asia, Latin America, the Caribbean, North America, Europe and Middle East and North Africa. This submission focuses on the labour and human rights conditions of DWs in the Democratic Republic of Congo.

Around the world, there are 75.6 million domestic workers (DWs) aged 15 years and over (ILO, 2021). This sector is particularly important in developing regions. Africa has 9.6 millions DWs which account for 12,7% of the global DWs (ILO 2021). Domestic work in the Africa region constitutes a source of employment for 7,3% of the female population; however they work in conditions of unprotection and high rates of informality. DWs in Africa face high levels of **legal discrimination** by law, 37% of DWs excluded from legal protections; 40% of DWs in the region remain excluded from provisions limiting **normal weekly hours of work**. Globally almost half (46%) are not legally entitled to a **minimum wage** in Africa 46%.

Forced Labor: Domestic work is among the five sectors accounting for the majority of total adult forced labor, and one of the main sectors where children in forced labor are found (ILO, Walk Free and IOM 2022). The share of migrants in the group of people in forced labor is much higher than the share of migrants in the overall labor force. Migrant DWs are more prone to forced labor (Per ILO methodology, forced labor is found when there are indicators both that the work is involuntary, and that the worker is under threat of menace of a penalty). Women in forced labor are much more likely than their male counterparts to be in domestic work, and to be coerced through wage non-payment and abuse of vulnerability. Indicators of involuntariness include not being able to quit your job, having to stay in the job longer than agreed, and being made to work without overtime pay, among others (ILO, 2023).

The slavery-like conditions experienced by domestic workers in the Democratic Republic of the Congo (DRC) are often characterized by long working hours, very low or nonexistent wages, physical, sexual, and psychological abuse, as well as restrictions on movement and communication. These workers are frequently vulnerable and exploited due to their precarious situation and the lack of regulations to protect them².

¹ [The International Domestic Workers Federation \(IDWF\)](#) is a Global Union Federation of domestic and household workers founded in 2013, comprising 88 affiliates from 68 countries, serving a membership of over 670,000 domestic/household workers. Its primary objective is to protect and advance domestic workers' rights everywhere and is committed to helping domestic workers build strong, democratic and accountable workers' unions, and to weave these organisations into an influential global federation to protect domestic/household workers' rights

² https://www.ilo.org/global/topics/forced-labour/publications/WCMS_871222/lang--en/index.htm

The DRC is among the most vulnerable countries to modern slavery in Africa, largely driven by the effects of ongoing conflict. The 2023 Global Slavery Index (GSI)³ estimates that on any given day in 2021, there were 407,000 people living in modern slavery in the DRC. This equates to a prevalence of 4.5 people in modern slavery for every thousand people in the country. Vulnerability in the DRC is largely driven by the effects of multiple complex and ongoing conflicts, which have driven mass displacement: the DRC had the highest number of new conflict-related displacements of any country in 2020 (2.2 million), bringing the total number of IDPs displaced due to conflict and violence to 5.3 million. This population is particularly at risk of modern slavery. In North Kivu, almost half (47 per cent) of IDP respondents who were in situations of forced labor were in a displacement site when the forced labor began. Climate change and natural disasters also drive displacement in the DRC. For example, in 2021, a volcanic eruption in eastern DRC separated hundreds of children from their families, leaving them vulnerable to abductions, child labor, or recruitment by armed groups⁴.

Additionally, families in situations of poverty often forced their children into commercial sex or early marriage to ease economic strains. The rates of forced marriage in the DRC were higher among women from households of the lowest wealth quintile (45 per cent) compared to the wealthiest households (10 per cent). Since the onset of the COVID-19 pandemic, economic insecurity coupled with school closures pushed many children into situations of child labor, including in domestic work. Corruption is also linked to modern slavery in the DRC. Despite having criminalized corruption, the issue reportedly impacted law enforcement efforts to combat trafficking.

The Democratic Republic of the Congo (DRC) took some action to address modern slavery, on par with the regional average for government responses in Africa. This reflects ongoing anti-trafficking efforts as well as a range of measures introduced in recent years, such as launching its first national action plan on human trafficking, and establishing a free hotline to report modern slavery crimes. However, there are opportunities for further action, including strengthening legislative protections by making human trafficking, slavery, and forced marriage criminal offences in line with international standards⁵.

QUESTION 1

In the DRC, trade union rights are recognized. The country ratified ILO Convention No. 87 on Freedom of Association and Protection of the Right to Organize in 2001, and it ratified Convention No. 98 on the Right to Organize and Collective Bargaining in 1969⁶.

QUESTION 2

The Women Domestic Workers Union of Congo (Union des Femmes Domestiques du Congo – UFEDOC, in French)⁷, with the support of national and international partners such

³ <https://www.walkfree.org/global-slavery-index/country-studies/democratic-republic-of-the-congo/>

⁴ <https://news.trust.org/item/20210526075134-ifo5p/>

⁵ <https://www.state.gov/reports/2023-trafficking-in-persons-report/republic-of-the-congo/>

⁶ https://www.ituc-csi.org/IMG/pdf/RDC_Congo-FR.pdf

⁷ www.ufedoc.org

as the IDWF, plays a vital role in protecting and advocating for the labor and human rights of domestic workers. The union reports all forms of human rights violations, provides legal, judicial, and psychological support to victims of abuse, facilitates the labor reintegration of domestic workers who have lost their jobs, offers training and support in negotiation and conflict resolution with employers, labor rights, and laws to domestic workers, and raises public awareness about the issues associated with modern slavery and the exploitation of domestic workers.

UFEDOC was founded in 2016 and had 1,652 active members by the end of 2023. Over the last eight years, the union has implemented diverse strategies, campaigns, and advocacy efforts at different levels to achieve the ratification of the ILO Convention 189.

QUESTION 3

With the support of community leaders, UFEDOC has established support groups for domestic workers in various neighborhoods of the city of Goma. The union has also partnered with the police to offer legal assistance to domestic workers who are victims of rights violations. Additionally, UFEDOC has forged alliances with employer organizations, anti-slavery groups, human rights advocates (e.g., AGIR-RDC), and other civil society stakeholders and media outlets to enhance its advocacy efforts. Through a collaborative project focused on legal assistance and conflict resolution, the union successfully established a legal clinic for domestic workers.

The role of UFEDOC in the case of Christelle Kavvira

Christelle was a 17-year-old woman and the youngest of seven siblings. She was born in the city of Butembo, and her parents did not have enough money to send her to school, so she had to drop out of her studies in fourth grade and start working to help her family.

At the end of 2022, upon the recommendation of a relative, her parents sent her to the city of Goma to work for a family who offered her a job and the opportunity to learn tailoring, which would help her become economically independent. She was responsible for taking care of three children, doing the laundry, washing the dishes, cleaning the house, sweeping the yard, fetching at least 10 containers of water per day, cooking, and going to the market, among other tasks.

Over time, Christelle's workload increased, but she never received a salary. She also was not taught tailoring. After five months, exhausted and disappointed, she decided to ask her family to take her back to Butembo, but her employer took her phone away. As she did not memorize her relatives' phone numbers, she lost all contact with them. Additionally, she was falsely accused of stealing her employer's cell phone and was defamed as a thief throughout the neighborhood.

One day, after cleaning the house, when Christelle asked her employer to allow her to rest for a while because she had a strong back pain, she was fired and kicked out of the house. She was taken by a neighbor to the municipal authority ("chief of avenue" or "chef d'avenue" in French), who acted as a mediator between Christelle and her employers, trying to solve the conflict with no success. So, her case was referred to the Special Police for the Protection of Children and the Prevention of Sexual Violence (PEPVS for its acronym in French), which recommended Christelle's employer to pay for an airline ticket so that she

could return to Butembo since the land route was uncertain due to the war taking place in the province.

As Christelle's employer refused to accept that agreement, UFEDOC intervened through its Legal Clinic, and the case was referred to the Peace Court Prosecutor's Office, which sentenced the employer to spend 3 days in prison, to pay USD 130 for Christelle's airfare, and to give her an additional USD 20 as pocket money. UFEDOC also provided Christelle with psychological support and later assisted her in finding a new job.

QUESTION 4

This question has already been answered in point #2

QUESTION 5

- Lack of cooperation/coordination from various State actors
- Lack of adequate legal protection for domestic workers (gaps in Labor Code/exclusion of DWs, no specific regulations for domestic work, no ratification of C189)
- Limitations/challenges for collective bargaining.
- Lack of monitoring and inspection of domestic work.
- Low reporting rates of abuse, exploitation, violence, or harassment cases. This is mainly due to domestic workers working in isolation and behind closed doors, without witnesses, and fearing to report their employers for fear of losing their jobs or being falsely accused of theft or any other crime.

QUESTION 6

Recommendations

For Domestic Workers:

- ✓ Ensure proper negotiation before committing to any job with an employer.
- ✓ Ensure the existence of a written contract outlining all obligations of both parties before commencing work.
- ✓ Take necessary steps to enhance one's level of education.
- ✓ Pursue necessary training for better service quality and a deeper understanding of the job.
- ✓ Organize or join domestic workers' associations to foster strength.

For Employers of Domestic Workers:

- ✓ Consider the treatment of domestic workers in accordance with current Congolese legislation.
- ✓ Implement necessary measures to enhance the working conditions of domestic workers by prioritizing:
 - Adherence to working hours and days as stipulated by the Congolese Labor Code.

- Payment of overtime hours in instances of surpassing the designated working hours as outlined in the Congolese Labor Code.
- Raise the remuneration of domestic workers, considering the minimum wage specified in the Congolese Labor Code.
- Facilitate capacity-building for domestic workers to enhance their effectiveness.
- Honor contracts with individuals who have expressed a desire to work legally.

For state authorities responsible for employment, labor, and social security:

- ✓ Enhance governance at the state level to effectively implement government policies by ensuring adequate salaries for public administration and employees in other sectors.
- ✓ Empower decision-makers further to uphold their commitments to safeguard the population and improve living standards.
- ✓ Utilize non-violent communication to engage in discussions with political and administrative authorities to address critical issues affecting the population.
- ✓ Increase the involvement of political and administrative authorities in actions aimed at ensuring sustainability.
- ✓ Implement professional training modules accessible to domestic workers, certified through classification, to adjust the minimum wage to standards recognized by the domestic workers' profession.

For state authorities responsible for legislation, namely parliamentarians and senators:

- ✓ Ratify ILO Convention 189 on Domestic Workers.
- ✓ Ratify ILO Convention 190 on the Elimination of Violence and Harassment in the Workplace.
- ✓ Enhance existing laws and promote policies and guidance mechanisms to prevent and address abuses against domestic workers, ensuring their access to fair justice.
- ✓ Grant domestic workers full legal and social recognition and ensure the protection of their socio-economic rights.

For international organizations:

- ✓ Focus attention on the domestic work sector to identify and address forms of violence occurring within it.
- ✓ Provide essential financial and technical support to combat slavery in domestic environments, similar to efforts against gender-based violence (GBV).