

GENDER & MIGRATION IN ARAB STATES

THE CASE OF DOMESTIC WORKERS



**INTERNATIONAL
LABOUR ORGANIZATION**



International Labour Organisation

GENDER AND MIGRATION IN ARAB STATES:

THE CASE OF DOMESTIC WORKERS

Edited by
Simel Esim & Monica Smith

June 2004

Regional Office for Arab States, Beirut

International Labour Office concerning the legal status of any country, area or territory or of its authorities, or concerning the of its frontiers.

The responsibility for opinions expressed in this study rests solely on the authors and publication does not constitute an endorsement by the International Labour Office of opinions expressed in them.

For more information, please contact:
Simel Esim
Gender & Women Workers' Specialist
Tel: 961 - 1 - 752400
Fax: 961 - 1 - 752405
Email: esim@ilo.org

Foreword

Domestic workers, the majority of whom are women, constitute a large portion of today's migrant worker population. As part of the international trend of feminization of international labour, much of this work remains invisible in national statistics and national labour legislation. It is not certain whether the increasing participation of women in international migration provides them with a decent wage, good working conditions, social security coverage and labour protection. It is therefore important to provide more attention to the labour situation of the growing number of women migrant workers.

To identify critical issues of concern to women migrant domestic workers and to determine the extent of their vulnerability, the ILO has been analyzing the situation in several regions. These studies reveal practices and patterns that are the key causes of the vulnerability of women domestic migrant workers and suggest effective alternative strategies. This publication presents an ILO regional review and four country studies from the Arab States: Bahrain, Kuwait, Lebanon and United Arab Emirates. It is based on several years of collaborative work (2000-2004) between in-country researchers, the ILO Regional Office in Arab States, International Migration Programme (MIGRANT) and Gender Promotion Programme (GENPROM) in ILO headquarters.

I hope this volume will contribute to our growing understanding of issues of concern for women migrant domestic workers in the region and toward developing the specific legal and institutional responses that are needed.

Taleb Rifai
Regional Director
Regional Office for Arab States
International Labour Organization
June 2004

Content

| | | |
|-------------------|--|-----------|
| Chapter 1. | Women Migrant Workers' Protection in Arab League States | 7 |
| | <i>By Gloria Moreno-Fontes Chammartin</i> | |
| 1. | Introduction | 7 |
| 2. | ILO's Mandate and Structure | 7 |
| 2.1. | ILO's Unique Tripartite Framework | 8 |
| 2.2. | ILO : A Standards Based Institution | 8 |
| 2.3. | ILO's International Labour Conference 2004 | 9 |
| 3. | Migration of Women Workers to Arab League States | 9 |
| 3.1. | Stocks and Flows | 9 |
| 3.2. | Remittances | 13 |
| 3.3. | Domestic Work | 14 |
| 3.4. | ILO's Recent Studies on Domestic Work in Four Receiving Arab Countries | 16 |
| 4. | Recommended Areas of Action | 20 |
| 5. | Good Practices on Labour Legislation and Social Protection | 21 |
| 5.1. | Bahrain | 21 |
| 5.2. | Jordan | 22 |
| 5.3. | Lebanon | 22 |
| 6. | Conclusion | 23 |
| Chapter 2. | Women Migrant Domestic Workers in Bahrain | 24 |
| | <i>By Sabika al-Najjar</i> | |
| 1. | Foreign Labour in Bahrain | 24 |
| 2. | Methodology | 24 |
| 3. | Historical Overview of Domestic Workers in the Gulf Region | 25 |
| 4. | Statistics on the phenomenon of domestic helpers in Bahrain | 27 |
| 5. | Domestic Helpers and the Bahraini Law | 27 |
| 6. | Process of Assignment | 28 |
| 6.1 | Recruiting Agents in Bahrain | 29 |
| 6.2 | Recruiting Fees | 30 |
| 6.3 | Working Contract, Salary and Medical Care | 30 |
| 7. | Profile of Domestic Helpers in Bahrain | 32 |
| 7.1 | Age | 32 |
| 7.2 | Husband and Children | 32 |
| 7.3 | Level of Education | 32 |
| 7.4 | Religion | 33 |
| 8. | Relations with the Host Family | 33 |
| 8.1 | Basic Necessities: Accommodation and Nutrition | 33 |
| 8.2 | Inter-Cultural Miscommunication | 34 |
| 8.3 | Friends and Visits | 34 |
| 8.4 | Exposure to Islam | 34 |
| 8.5 | Constraints on Freedom of Religion | 35 |
| 8.6 | Using the Telephone | 35 |
| 8.7 | Maltreatment | 35 |
| 8.8 | Working Hours | 35 |
| 8.9 | Workload | 36 |

| | |
|--|----|
| 9. Workers' Aspirations and Future Plans | 36 |
| 10. Embassies | 37 |
| 10.1 Bangladesh Embassy | 37 |
| 10.2 Embassy of the Philippines | 37 |
| 10.3 Embassy of India | 38 |
| 11. Conclusions and Recommendations | 38 |
| Bibliography | 40 |
| | |
| Chapter 3. Migrant Domestic Workers in Kuwait: Findings based on a Field Survey and Additional Research | |
| <i>By Martin Godfrey, Martin Ruhs, Nasra Shah and Monica Smith</i> | 41 |
| 1. Foreign Labour in Kuwait | 41 |
| 2. Migration Policies | 42 |
| 3. Methodology | 43 |
| 4. Domestic Service Workers | 44 |
| 5. Employers of Domestic Servants Interviewed | 46 |
| 6. Recruitment and Immigration of Domestic Migrant Workers | 47 |
| 7. Review of Working Conditions | 49 |
| 8. Remuneration and Benefits | 50 |
| 9. Hours of Work | 51 |
| 10. Job Mobility | 52 |
| 11. Contracts, Sponsorship and Work Permits | 52 |
| 12. Treatment by Employers and Agencies | 53 |
| 13. Coping Mechanisms of Employees | 55 |
| 14. Remittances and Future Intentions | 56 |
| 15. International Conventions | 58 |
| 16. Summary and Conclusion of the 2001 Survey | 58 |
| 17. Recommendations | 60 |
| Bibliography | 62 |
| | |
| Chapter 4. Women Migrant Domestic Workers in Lebanon | |
| <i>By Ray Jureidini</i> | 63 |
| 1. Introduction | 63 |
| 1.1. Foreign Labour in Lebanon | 63 |
| 1.2. Domestic Service Workers | 64 |
| 1.3. Recruitment Process | 65 |
| 1.4. Categories of Domestic Workers | 66 |
| Conclusion | 67 |
| 2. Review of Working Conditions | 67 |
| 2.1. Contractual and Non-contractual Employment Relations | 67 |
| 2.2. Remuneration | 68 |
| 2.3. Hours of Work | 68 |
| 2.4. Leisure or Free Time | 68 |
| 2.5. Work Tasks Performed | 69 |
| 2.6. Treatment by Employers and Agencies | 69 |
| 2.7. Freedom of Movement | 70 |
| Conclusion | 71 |
| 3. Coping Mechanisms of Employees | 71 |
| 3.1. NGOs | 71 |
| 3.2. Embassies | 72 |
| Conclusion | 74 |
| 4. Recent Government Reforms, Measures and International Conventions | 75 |
| 4.1. Recent Government Reforms and Measures | 75 |

| | |
|---|-----|
| 4.2. International Conventions | 76 |
| 5. Conclusions and Recommendations | 77 |
| 5.1. Measures in the Courts | 78 |
| 5.2. Investment in Work Permits | 78 |
| 5.3. Agencies | 79 |
| 5.4. Contracts | 80 |
| 5.5. Bureau of Migrant Affairs | 80 |
| 5.6. Corporate Best Practice Policies | 80 |
| Bibliography | 82 |
| | |
| Chapter 5. Women Migrant Domestic Workers in the United Arab Emirates | |
| <i>By Rima Sabban</i> | 85 |
| | |
| 1. Introduction | 85 |
| 2. Methodology | 85 |
| 3. Overview of the Socio-Economic context | 86 |
| 3.1 The United Arab Emirates: Built on Oil | 86 |
| 3.2 Women in the United Arab Emirates' Workforce | 86 |
| 3.3 Population Polemics and Security Issues | 86 |
| 4. General Trends in Migration for Employment in the United Arab Emirates | 87 |
| 4.1 Social Perception of Foreign Female Domestic Workers | 90 |
| 4.2 Trafficking | 90 |
| 5. The Situation of Women Migrant Workers in the United Arab Emirates | 91 |
| 5.1 General Conditions | 91 |
| 5.2 The Field Work | 92 |
| 5.3 Adjustment to the United Arab Emirates | 93 |
| 5.4 Working Conditions | 93 |
| 5.5 Benefits and Risks | 94 |
| 5.6 Recruiting Agencies | 97 |
| 6. Structural and Legislative Framework on Foreign Female Domestic Worker in the United Arab Emirates | 97 |
| 6.1 Conceptual framework of house workers in the United Arab Emirates | 97 |
| 6.2 Ratified conventions and Bilateral Agreements Relating to Migrant Workers | 99 |
| 6.3 Implementation and Enforcement | 99 |
| 7. Private initiatives for protecting female migrant workers and enforcing their rights | 100 |
| 7.1 Assistance and support services | 100 |
| 8. Institutional Framework | 101 |
| 8.1 Bodies to promote, enforce and supervise policy and legislation | 101 |
| 8.2 Nationals and international coordination efforts | 101 |
| 8.3 Assistance and Services | 101 |
| 9. Conclusions and Recommendations | 102 |
| Bibliography | 104 |

Chapter 1

Women Migrant Workers' Protection in Arab League States

Gloria Moreno-Fontes Chammartin¹

1. Introduction

Migration is recognized as beneficial to both sending and receiving countries. Migration relieves unemployment pressures in countries of origin, and provides productive labour and an economic lifeline for millions of women and men. At the same time, remittances have a very positive impact on home economies representing a significant source of external funding for many developing countries. In the receiving countries, migrant workers usually take on jobs that are not attractive to national workers, yet in demand in the labour market. In addition, migration can be empowering in terms of higher self-esteem, and increased economic independence of migrant workers. However, migration has also permitted unscrupulous employers, recruitment agents and others, some practices considered abusive by international standards.

In general, abuses and labour exploitation in male-dominated sectors are well-documented and more visible since men usually work in groups in construction and agriculture. Abuses and exploitation against women migrant workers are less well known since they are likely to occur at an earlier stage of the migration process or in more invisible situations. These abuses can include demand for higher payments from agencies, greater exposure to robbery, frequent violations of physical integrity (punishments, intimidations, ridicule, and humiliations) and sexual harassment.

Since women migrant workers often go into individualized and unregulated work environments (e.g. domestic service), data on migrant women in invisible occupations like domestic work are not readily available. Despite the data challenges, the number of women migrating into GCC countries and other Arab League States is increasing rapidly in recent years. In GCC countries, for example, women migrants represented almost 30 % of all inflows in 2000 compared to 8% in the early 1980s.

ILO's goals toward protecting women and men migrant workers has concentrated on assisting countries in policy formulation, and in establishing and strengthening legislation, administrative measures, structures and practices for effective management of labour migration. To achieve this goal, ILO invests in improving the knowledge base on migrant worker's working conditions, recruitment and employment practices.

2. ILO's Mandate and Structure

ILO is the UN specialized agency on labour issues. Since its creation in 1919, it has been at the forefront of the debate between a state's right to protect its own domestic labour market's interests, and the fundamental human rights of migrant workers. The ILO has attempted to create a balance between conflicting interests in countries of origin and countries of destination through the adoption of international labour standards, research and promoting effective and fair policies.

ILO's Constitution specifies the need for protection of "the interests of workers when employed in countries other than their own". In 1919, at the first Session of the International Labour Conference, the Reciprocity of Treatment Recommendation already sketched out ILO's two goals concerning the protection of migrant workers' labour rights: equality of treatment between nationals and migrant workers, and coordination on migration policies

¹ The author works in the International Migration Programme of the International Labour Organization in Geneva.

between States and between governments, employers' and workers' organizations within states.

The concern about the protection of workers employed in a country other than their own was reasserted in ILO's Declaration concerning the aims and purposes of the Organization adopted in 1944, "The Declaration of Philadelphia", that singles out for special attention the problems faced by migrant workers.

ILO's Declaration on Fundamental Principles and Rights at Work, adopted at the International Labour Conference in 1998, reaffirmed the need for the Organization to pay special attention to migrant workers and to mobilize and encourage international, regional and national efforts aimed at resolving their problems, and promoting effective policies.

2.1. ILO's Unique Tripartite Framework

ILO is the only global organization where policy and programs are decided by representatives of employers and workers on an equal footing with government officials, usually from Ministries of Labour. The ILO offers a unique tripartite framework for migration policy development and implementation, allowing for cooperation between its three constituents in the work carried out by the Organization.

Through its tripartite structure, ILO promotes social dialogue in the formulation and eventual implementation of national policies on the protection of national and foreign workers, particularly with regard to social and economic issues. The ILO provides a special forum where 174 members have the opportunity to freely and openly compare their experiences and national policies.

2.2. ILO: A Standards Based Institution

ILO has set up a system of international standards covering all aspects of the work of national and non-national workers. These standards take the form of international labour conventions and recommendations. A range of ILO Conventions applicable to all workers also cover migrant workers. More specifically two conventions, the Migration for Employment Convention of 1949 (No. 97) and the Migrant Workers Convention of 1975 (No. 143) are targeted to migrant workers.

ILO Convention of 1949 (No. 97) on migrant workers provides a basis for equal treatment of national workers and migrants in regular situations in areas such as recruitment procedures, living and working conditions, access to justice, taxation and social security. It also specifies contractual conditions, the right of migrants to vocational training and promotion opportunities. Furthermore the Convention deals with provisions regarding family reunion, means of appeal in case of unjustified cessation of work relationship or expulsion, as well as other measures to regulate the whole migration process. Forty-two States have ratified this Convention, including Algeria.

² ILO Conventions are international treaties, subject to ratification by ILO member States. Recommendations are non-binding instruments - often dealing with the same subjects as Conventions - which set out guidelines orienting national policy and action. Both forms are intended to have a concrete impact on working conditions and practices in every country of the world. International labour standards play an important role in the elaboration of national legislation, even in those countries which have not ratified a given Convention. The provisions of the standards are used as a basis for establishing national laws. International labour Conventions thus have an impact which goes well beyond the legal obligations which they engender. The application of international labour standards is subject to constant supervision by the ILO. Each member country is bound to present periodically a report on the measures taken to apply, in law and practice, each Convention it has ratified. At the same time, it must submit copies to employers' and workers' organizations which also have a right to submit information. The Government's reports are first examined by the Committee of Experts on the Application of Conventions and Recommendations, composed of twenty independent, eminent figures in the legal and social fields who are completely independent of governments, and appointed in their personal capacity. The Committee submits an annual report to the International Labour Conference, where it is closely examined by a tripartite committee composed of government, employer and worker members. In parallel with these regular supervisory mechanisms, employers' and workers' organizations can initiate contentious proceedings, called

ILO Convention of 1975 (No. 143) on migrant workers (complementary provisions) was formulated at a time of increasing concern about the number of migrants in irregular situations. It lays out the conditions required to ensure respect for the rights of migrants in irregular situations, suggests ways to put an end to illegal trafficking, and establishes sanctions for those who employ migrants in irregular situations.

These two international ILO conventions provide comprehensive coverage for migrant workers before leaving the country, during the journey, in the country of employment, during employment and upon return. ILO conventions provide that recruitment should be rendered free, that migrants have the right to a written contract of employment before departure, that they should receive equality of treatment with nationals, that they should not be subject to discrimination during times of recession, that they have the right to form and join trade unions, that countries should facilitate family reunification and that migrants have the right to appeal against a decision to terminate their employment.

These instruments specify that States must actively promote equitable recruitment practices and transparent consultations with their social partners, reaffirm the principle of non-discrimination, and establish the principle of equal treatment of national workers and migrants in regular situations, particularly with regard to social security, working conditions, remuneration and membership of trade unions. The accompanying recommendations provide important policy guidelines, including a model for bilateral agreements on migration. There are also two social security related conventions that significantly affect migrant workers' rights: The Equality of Treatment (Social Security) Convention of 1962 (No.118) and the Maintenance of Social Security Rights Convention of 1982 (no. 157).

2.3. ILO International Labour Conference 2004

The ILO held a general discussion during the International Labour Conference, in June 2004, on the subject of migrant workers in the world, with a view to reviewing a range of approaches, solutions and instruments to improve the protection of migrant workers. The 2004 general discussion was organized along three main themes: (1) international labour migration in the era of globalization; (2) policies and structures for more orderly migration for employment; and (3) improving migrant workers' protection. This discussion benefited from contributions on the actual situation, concerns and potential responses from each region. Labour ministries and social partners from Arab League countries have also contributed to the General Discussion with their experiences.

3. Migration of women workers to Arab League States

3.1. Stocks and Flows

According to the United Nations Population Division stock data obtained mostly from population censuses (covering documented as well as undocumented migrants), the stock of women migrant workers grew rapidly in countries such as Bahrain, Oman, Saudi Arabia and the United Arab Emirates between 1965 and 2000. In

representations, against a member State for its alleged non-compliance with a Convention it has ratified. If the representation is judged receivable by the ILO Governing Body, it appoints a tripartite committee to study the question. This committee submits a report containing its conclusions and recommendations to the Governing Body. Moreover, any member country can lodge a complaint with the International Labour Office against another member country which, in its opinion, has not ensured in a satisfactory manner the implementation of a Convention which both of them have ratified. The Governing Body has the option to establish a Commission of Inquiry to study the question and present a report on the subject. This process may also be set in motion by the Governing Body itself or on complaint of a delegate to the International Labour Conference. The Commission of Inquiry formulates recommendations on measures to be taken, if necessary. If governments do not accept these recommendations, they may submit the disagreement to the International Court of Justice.

other receiving countries such as Lebanon, and Yemen percentages increased significantly. (See Table 1)

Table 1. Trends in Total Migrant Stock by Sex, 1965-1990

| | Type of Data | Estimated number of women immigrants | | | | Women migrants as % of total immigrants | | | |
|-------------------------------------|--------------|--------------------------------------|-----------|-----------|-----------|---|------|------|------|
| | | 1965 | 1975 | 1985 | 1990 | 1965 | 1975 | 1985 | 1990 |
| NORTH AFRICA & WEST ASIA | ST | 2,576,164 | 3,178,790 | 5,653,756 | 6,616,991 | 45,6 | 42,6 | 40,3 | 40,6 |
| ALGERIA | NR | 89,096 | 110,404 | 201,530 | 203,420 | 48,1 | 50,2 | 54,9 | 55,0 |
| BAHRAIN | N | 11,247 | 15,807 | 34,858 | 47,824 | 29,6 | 27,8 | 26,0 | 28,3 |
| EGYPT | ER | 98,273 | 92,755 | 82,658 | 79,230 | 47,7 | 7,5 | 47,1 | 46,8 |
| IRAQ | E | 8,215 | 40,289 | 27,887 | 45,756 | 39,5 | 39,5 | 33,3 | 31,1 |
| JORDAN | NR | 370,113 | 348,732 | 384,615 | 655,852 | 52,8 | 51,9 | 33,5 | 33,7 |
| KUWAIT | N | 70,650 | 192,870 | 609,175 | 342,950 | 29,5 | 37,5 | 39,0 | 31,0 |
| LEBANON | ER | 47,923 | 58,744 | 306,222 | 364,543 | 28,2 | 28,2 | 57,5 | 57,5 |
| LIBYA | N | 31,026 | 70,753 | 162,406 | 202,282 | 45,3 | 30,2 | 35,5 | 35,5 |
| MOROCCO | NR | 121,499 | 47,759 | 20,939 | 13,001 | 51,6 | 51,3 | 50,7 | 50,7 |
| OMAN | E | 14,770 | 36,740 | 94,167 | 142,697 | 29,5 | 27,8 | 20,9 | 20,9 |
| QATAR | N | 9,027 | 25,016 | 89,091 | 105,596 | 25,8 | 25,8 | 25,8 | 25,8 |
| SAUDI ARABIA | N | 101,621 | 270,356 | 1,267,310 | 1,770,803 | 33,2 | 33,2 | 30,0 | 33,7 |
| SUDAN | BR | 114,432 | 149,729 | 599,481 | 358,142 | 48,3 | 50,5 | 47,5 | 45,9 |
| SYRIA | NR | 149,455 | 207,325 | 346,084 | 440,844 | 47,0 | 47,0 | 48,7 | 48,8 |
| TUNISIA | NR | 42,893 | 20,237 | 19,077 | 18,648 | 51,9 | 52,2 | 50,2 | 49,2 |
| TURKEY | BR | 435,975 | 427,311 | 581,040 | 783,121 | 48,1 | 48,5 | 50,5 | 52,1 |
| UAE | N | 17,144 | 65,568 | 442,664 | 538,995 | 14,7 | 20,4 | 28,5 | 28,0 |
| WESTERN SAHARA | E | 562 | 951 | 39,475 | 48,364 | 48,2 | 50,4 | 44,9 | 42,8 |
| YEMEN | ER | 5,169 | 8,981 | 34,087 | 78,908 | 10,3 | 14,0 | 31,8 | 31,8 |

Source: United Nations Population Division, Department of Economic and Social Information and Policy Analysis, "Trends in Total Migrant Stock by Sex", 2003.

Other stock data from national statistical sources from the early 2000s in countries of destination show that the percentage of women workers in the total foreign labour force has doubled or tripled in GCC countries compared to the mid 1970's and early 1980s. The largest stock of women migrants (mainly from Southern and South-eastern Asia), but also from Egypt, the Palestinian Authority, Yemen, Ethiopia, Eritrea and Sudan are recorded in GCC countries. The increase has been striking in Saudi Arabia and the United Arab Emirates where the stock of women migrants has multiplied to represent five to seven times the percentages they used to represent in the mid 1970's and early 1980s. (See Table 2)

Table 2. Comparison of 1980's/90's and latest available stock data on percentage of Women in Foreign Labour Force in GCC

| Foreign Labour Force | | | | Foreign Labour Force | | | | % of Total Workforce (1995-1997) |
|----------------------|--------------|------|------|----------------------|--------------|------|------|----------------------------------|
| | 1,000s | M % | F % | | 1,000s | M % | F % | |
| Bahrain (1981) | 81 | 91.2 | 8.8 | Bahrain (2001) | 181 | 81.1 | 18.9 | 61.9 |
| Kuwait (1980) | 546 | 87.2 | 12.8 | Kuwait (2000) | 981 | 79.4 | 20.6 | 84.1 |
| Oman (1993) | 432 | 89.6 | 10.4 | Oman (2001) | 530 | 65.5 | 34.5 | 64.8 |
| Qatar (1986) | 179 | 90.8 | 9.2 | Qatar (2000) | 300 | 74.3 | 25.7 | 81.6 |
| Saudi Arabia (1974) | 391 | 94.9 | 5.1 | Saudi Arabia (2000) | 3,000 | 63.8 | 36.2 | 64.3 |
| UAE (1980) | 505 | 94.8 | 5.2 | UAE (2000) | 1,300 | 66.8 | 33.2 | 90.4 |
| Average % | | 91.4 | 8.6 | Average % | | 71.8 | 28.2 | 74.5 |
| TOTAL | 2,053 | | | TOTAL | 6,111 | | | |

Source: International Labour Office, International Labour Migration Database; Bahrain - Bahrain Census of Population and Housing (Cabinet Affairs); Kuwait - Annual Statistical Abstract (Ministry of Planning, Central Statistical Office); Oman - General Census of Population, Housing and Establishments (Ministry of Development Estimates); Qatar - Annual Statistical Abstract (Central Statistical Organization); Saudi Arabia - Ministry of Labour and Social Affairs; UAE - Population Census and Annual Statistical Abstract, Ministry of Planning.

Stock data from countries of origin like Indonesia, Sri Lanka and the Philippines show that these countries have been sending larger numbers of women than men migrant workers to Arab League States. More than 90% of Indonesian workers in Saudi Arabia and the United Arab Emirates consisted of women workers in 1997/1998. By 2001, between 85 to 94% of Sri Lankans in Jordan, Kuwait and Lebanon were largely women workers. A similar trend can be observed in the case of the Philippines where 70 to 80% of total stocks of Philippine workers in Qatar, Kuwait and Lebanon were composed of women by 2001. (See Table 3)

Table 3. Estimated Stock of Workers in Arab League Countries by Sex and Selected Countries

| | | Indonesia (1997/1998) | % | Sri Lanka (2001) | % | Philippines (2001) | % | Indonesia (1997/1998) | % |
|--------------|------------|--------------------------|-------------|---------------------|-------------|-----------------------|-------------|--------------------------|-------------|
| | | | | | | (Land and sea based) | | | |
| Saudi Arabia | Male | 24,406 | 7.6 | 138,700 | 43.0 | 196,000 | 73.4 | 1634 | 89.5 |
| | Female | 295,038 | 92.4 | 183,800 | 57.0 | 7,1000 | 26.6 | 191 | 10.5 |
| UAE | Male | 626 | 3.2 | 36,000 | 27.6 | 24,000 | 55.8 | 854 | 91.1 |
| | Female | 19,044 | 97.0 | 94,500 | 72.4 | 19,000 | 44.2 | 83 | 8.9 |
| Kuwait | Male | | | 24,000 | 14.8 | 8,000 | 25.0 | 845 | 92.5 |
| | Female | | | 137,700 | 85.2 | 24,000 | 75.0 | 69 | 7.5 |
| Oman | Male | | | 7,600 | 21.1 | | | 366 | 92.9 |
| | Female | | | 28,400 | 78.9 | 3,000 | | 28 | 7.1 |
| Jordan | Male | | | 5,000 | 12.5 | | | | |
| | Female | | | 35,000 | 87.5 | 1,000 | | | |
| Qatar | Male | | | 47,000 | 81.0 | 2,000 | 28.6 | 1201 | 98.1 |
| | Female | | | 11,000 | 19.0 | 5,000 | 71.4 | 23 | 1.9 |
| Bahrain | Male | | | 6,000 | 22.2 | 2,000 | 40.0 | 118 | 50.9 |
| | Female | | | 21,000 | 77.8 | 3,000 | 60.0 | 114 | 49.1 |
| Lebanon | Male | | | 5,000 | 6.3 | 1,000 | 20.0 | | |
| | Female | | | 75,000 | 93.8 | 4,000 | 80.0 | | |
| Brunei | Male | 1134 | 17.9 | | | 6,000 | 54.5 | 19799 | 95.6 |
| | Female | 5205 | 82.1 | | | 5,000 | 45.5 | 915 | 4.4 |
| Subtotal | Male | 26,166 | 7.6 | 269,300 | 31.5 | 239,000 | 63.9 | 24,817 | 94.6 |
| | Female | 319,287 | 92.4 | 586,400 | 68.5 | 135,000 | 36.1 | 1,423 | 5.4 |
| TOTAL | M+F | 345,453 | 100 | 855,700 | 100 | 374,000 | 100 | 26,240 | 100 |

Source: Philippine Overseas Employment Administration, 2002 Survey on Overseas Filipinos (SOF); Thai Overseas Employment Administration Office, Ministry of Labour; Scalabrini Migration Centre, Asian Migration Atlas 2000; Sri Lanka Bureau of Foreign Employment, Sri Lanka Statistical Hand Book.

Data on outflows from countries of origin are only available for three South-eastern Asian countries (Indonesia, Philippines and Thailand) and from two Southern Asian countries (Bangladesh and Sri Lanka). These data show that while in 1986 Sri Lanka reported women migrants representing 33% of total annual departures, by 2001, Sri Lankan women migrants' represented 65% of total migration. Between 1999 and 2000, the outflow of Sri Lankan male migrants to Saudi Arabia dropped by 6,082 while during the same period, the number of women migrant workers increased by 4,855 persons. Outflows from Indonesia and the Philippines also consisted mostly of women: 66% and 70% respectively. (See Table 4)

Table 4. Comparison of Outflows for Foreign Employment by Sex in the 1980s and latest date available

| | TOTAL | Male (%) | Female (%) | | TOTAL | Male (%) | Female (%) |
|--------------------|-------|----------|------------|--------------------|--------|----------|------------|
| Bangladesh (1993) | 3412 | 98% | 2% | Bangladesh (2000) | 222746 | | |
| Indonesia (1983) | 12018 | 52% | 48% | Indonesia (1997) | 502739 | 34% | 66% |
| Philippines (1980) | 38628 | 82% | 18% | Philippines (2000) | 253030 | 30% | 70% |
| Sri Lanka (1986) | 5150 | 67% | 33% | Sri Lanka (2001) | 183888 | 35% | 65% |
| Thailand (1986) | 7149 | 94% | 6% | Thailand (1996) | 185401 | 85% | 15% |

Source: Philippine Overseas Employment Administration; Asian and Pacific Migration Journal, Vol. 4, No. 4, 1995; Thai Overseas Employment Administration Office, Ministry of Labour; Scalabrini Center; Sri Lanka Bureau of Foreign Employment

3.2. Remittances

Remittances sent home by migrant workers based in Arab League countries are vital sources of national income to many labour exporting countries in Southern and South-eastern Asia. According to World Bank data, remittances received by the Philippines represented more than US\$6 billion in 2000. Bangladesh received almost US\$2 billion of remittances that same year, followed by Indonesia and Sri Lanka that received almost an equal amount: US\$1.1 billion. (See Table 5)

Table 5. Workers' Remittances Receipts (US\$ current million)

| | 1995 | 2000 | 2001 |
|--------------------|-------|-------|-------|
| Bangladesh | 1,198 | 1,949 | 1,885 |
| Indonesia | 651 | 1,190 | 1,313 |
| Nepal | 101 | 183 | |
| Philippines | 3,868 | 6,050 | |
| Sri Lanka | 790 | 1,142 | 1,171 |

Source: World Bank Development Indicators Database.

Although data divided by country of destination was only available from Bangladesh and the Philippines, almost all of the remittances received in Bangladesh were coming from Arab League States, especially the GCC countries. Only 15.4% of remittances were received from countries other than GCC countries. (See Table 6)

Table 6. Bangladesh, remittances per country, 1999

| Arab Countries | US\$ (current million) | % |
|------------------------|------------------------|------------|
| Saudi Arabia | 792 | 49.3 |
| Kuwait | 242 | 15.1 |
| U.A.E. | 125 | 7.7 |
| Oman | 94 | 5.9 |
| Qatar | 65 | 4.0 |
| Bahrain | 41 | 2.6 |
| Other countries | 248 | 15.4 |
| Total | 1,607 | 100 |

Source: Scalabrini Center

The Philippines received large flows of foreign capital in remittances from a wider range of countries. Remittances from Philippine nationals working in Saudi Arabia (2.7%) and Kuwait (0.3%) were the only two sources of foreign capital significant enough (compared to the total) to appear in the totals published by the Philippine Overseas Employment Administration. When compared to remittances coming to the Philippines from the United States, capital inflows from the Gulf States were relatively low. (See Table 7)

Table 7. Philippines, Remittances per Country, 1999

| | US\$ (current million) | % |
|--------------|------------------------|------------|
| USA | 4,869 | 71.7 |
| Japan | 274 | 4.0 |
| Saudi Arabia | 183 | 2.7 |
| Hong Kong | 177 | 2.6 |
| U.K. | 83 | 1.2 |
| Singapore | 80 | 1.2 |
| Germany | 54 | 0.8 |
| Greece | 33 | 0.5 |
| Kuwait | 21 | 0.3 |
| Netherlands | 12 | 0.2 |
| Total | 6,795 | 100 |

Source: Philippine Overseas Employment Administration

3.3. Domestic Work

Domestic work is the single most important category of employment among women migrants to the Gulf States, as well as to Lebanon and Jordan. As much as 81% of all women migrant workers from Sri Lanka and 39% from the Philippines to Arab League countries are being attracted by this large "domestic work" market. Most middle-income Arab League States are receiving thousands of women migrants, some of them well-educated, into domestic work annually. (See Table 8)

Table 8. Annual Outflows of Women Domestic Workers to the Gulf States and the Middle East

| | Total | % Domestic Workers Among Women Workers | Saudi Arabia | UAE | Bahrain | Oman | Kuwait | Qatar | Jordan | Lebanon |
|---------------------------|---------|--|--------------|--------|---------|-------|--------|-------|--------|---------|
| Sri Lanka (2001) | 102,811 | 81.1 | 37,461 | 11,206 | 2,051 | 1,806 | 26,321 | 2,199 | 5,720 | 12,070 |
| Philippines (2001) | 70,052 | 38.6 | | 6,856 | | | | | | |
| Indonesia (2000) | | | 267,191 | 11,543 | | | | | | |

Note: The totals for Sri Lanka do not match with distribution per country since not all receiving countries are included in this list.

Sources: Sri Lanka Bureau of Foreign Employment; Malaysia Immigration Department Headquarters, Pusat Bandar Damansara, Kuala Lumpur; Philippines Overseas Employment Administration; Indonesia Department of Labour, cited in Tirtosudarmo and Romdiati (1998).

The numbers of women migrant domestic workers also show an increasing trend compared to numbers of male migrants. According to the Report of the National Consultation of *Stakeholders on Migrant Domestic Workers* that took place in Colombo in 2002 "although the demand for other types of migrant work was somewhat slack after 1990, there were no changes in the demand for domestic workers".

Sex-disaggregated data on the occupational distribution of new hires from Sri Lanka shows that while male workers could find a larger variety of jobs or had more options in different occupational groups, women workers were largely concentrated in domestic work: 81.1%. (See Table 9)

Table 9. Sri Lanka, Occupational Distribution of Annually Deployed New Hires, 2000

| Occupational group | Male | % | Female | % | Total | % |
|---|---------------|--------------|----------------|--------------|----------------|--------------|
| Professional | 846 | 1.4 | 42 | 0.0 | 889 | 0.5 |
| Middle Level (Admin & managerial) | 3,887 | 6.5 | 514 | 0.4 | 4,408 | 2.4 |
| Clerical and other | 4,802 | 8.0 | 1,000 | 0.8 | 5,810 | 3.2 |
| Skilled (Sales workers and other) | 24,272 | 40.7 | 12,245 | 10.1 | 36,558 | 20.1 |
| Unskilled (Agriculture, Production & other) | 25,888 | 43.4 | 9,207 | 7.6 | 35,138 | 19.4 |
| Housemaids | 0 | 0.0 | 98,636 | 81.1 | 98,636 | 54.4 |
| TOTAL | 59,695 | 100.0 | 121,644 | 100.0 | 181,439 | 100.0 |

Source: Sri Lanka Bureau of Foreign Employment

The same data comparing 1992 and 2000 for the Philippines shows that the Philippines has been successful in reducing the percentages of women going into what are considered "more vulnerable occupations" like domestic workers, choreographers and dancers. Philippines has a larger number of women migrant workers who are employed in service jobs or professional and technical occupations such as nurses. (See Table 10)

Table 10. Philippines, Occupational Distribution of Annually Deployed New Hires and percentages, 1992 & 2000

| Occupational Grouping | 1992 | | | | | | 2000 | | | | | |
|--------------------------------|---------------|------------|----------------|------------|----------------|------------|---------------|--------------|----------------|------------|----------------|------------|
| | M | % | F | % | T | % | M | % | F | % | T | % |
| Professional & Technical | 13,666 | 14.1 | 44,308 | 41.2 | 57,974 | 28.4 | 11,230 | 16.6 | 67,454 | 39.0 | 78,701 | 32.7 |
| Choreographer & dancer | 1,552 | 1.6 | 33,979 | 31.6 | 35,531 | 17.4 | 1,063 | 1.6 | 34,475 | 19.9 | 35,540 | 14.8 |
| Composers, musicians & singers | 416 | 0.4 | 2,572 | 2.4 | 2,988 | 1.5 | 919 | 1.4 | 23,048 | 13.3 | 23,968 | 10.0 |
| Professional nurses | 536 | 0.6 | 4,230 | 3.9 | 4,766 | 2.3 | 1,273 | 1.9 | 6,410 | 3.7 | 7,685 | 3.2 |
| Administrative & managerial | 179 | 0.2 | 43 | 0.0 | 222 | 0.1 | 208 | 0.3 | 76 | 0.0 | 284 | 0.1 |
| Clerical | 2,770 | 2.9 | 1,237 | 1.1 | 4,007 | 2.0 | 1,000 | 1.5 | 1,367 | 0.8 | 2,368 | 0.1 |
| Sales | 1,260 | 1.3 | 903 | 0.8 | 2,163 | 1.1 | 1,134 | 1.7 | 949 | 0.5 | 2,085 | 0.9 |
| Service | 9,993 | 10.3 | 56,929 | 52.9 | 66,922 | 32.8 | 7,412 | 11.0 | 83,780 | 48.4 | 91,203 | 37.9 |
| Domestic helpers | 1,334 | 1.4 | 46,243 | 43.0 | 47,577 | 23.3 | 1,367 | 2.0 | 66,890 | 38.6 | 68,259 | 28.4 |
| Agricultural | 1,682 | 1.7 | 23 | 0.0 | 1,705 | 0.8 | 520 | 0.8 | 6 | 0.0 | 527 | 0.2 |
| Production | 67,043 | 69.4 | 4,135 | 3.8 | 71,178 | 34.9 | 41,377 | 61.3 | 16,430 | 9.5 | 57,868 | 24.0 |
| Others | 40 | 0.0 | 7 | 0.0 | 47 | 0.0 | 4,576 | 6.8 | 3,086 | 1.8 | 7,669 | 3.2 |
| TOTAL | 96,633 | 100 | 107,585 | 100 | 204,218 | 100 | 67,457 | 100.0 | 173,148 | 100 | 240,705 | 100 |

Source: Philippines Overseas Employment Association

Current labour laws in most Arab League States do not cover women migrant domestic workers, increasing their vulnerability. For instance, Qatar's 1962 Labour Act states that "the provisions of this law do not apply to persons employed as domestic help in private homes". Similarly, Omani Labour Law Part II, Article II states that "the provisions of this law do not apply to persons... in the employer's family living with and dependent upon him, not to workers in simple occupations such as domestic servants, etc". Bahrain's 1976 Labour Law for the Private Sector (Article 2) exempts "domestic servants and persons as such" from the purview of the law. This exemption is due to the perceived private nature of housework. "House workers are to be treated as part of the family" said a Ministry of Labour spokesman from Bahrain, "or else the privacy of the household is desecrated". However, a number of countries in the region are currently revising their labour laws which provide an opportunity to include women migrant domestic workers in their provisions.

Indeed, most domestic workers are women who remain excluded from the coverage of labour legislation in most Arab League States since their work is in households (not considered as workplaces) of private persons (not considered employers) that are difficult to supervise by labour inspectors. Consequently, migrant domestic workers are not considered employees and their work is unprotected. The specificity of their employment relationship is not addressed in national legislation, denying them their status as "real workers" entitled to labour protection. Domestic workers' employment situation is considered not "fit" for the general framework of the existing employment laws and their working conditions remain, in essence, unregulated. In fact, domestic workers are not only not considered as workers under labour laws, but they are also excluded from optional protection under any other national law.

The legal labour protection void could be an explanation for the large and growing number of complaints from women migrant domestic workers presented before Governments in recent years. In Saudi Arabia, 19,000 domestic workers fled from their employers citing mistreatment, non-payment of wages and other grievances in 2000 and the number of complaints received per year has increased since then. In 1996, the Sri Lankan Bureau for Foreign Employment reported 8,087 complaints presented by domestic workers: more than half of them were from Saudi Arabia, and other Arab countries such as Jordan and Oman.

3.4. ILO's Recent Studies on Domestic Work in Four Receiving Arab Countries

To identify critical issues of concern facing women migrant domestic workers and to determine the extent of the vulnerability faced by women migrant workers concentrated in the domestic sector, the ILO undertook studies in Bahrain, Kuwait, Lebanon, and the United Arab Emirates recently. The studies are based on questionnaires and direct interviews with domestic workers and their employers. Most of the women domestic workers interviewed were from Southern and South-eastern Asian countries. To provide a comparison with other regions, a similar questionnaire-based study was undertaken in Costa Rica with Nicaraguan women working as domestic workers in San José.

In addition, information was obtained from a study undertaken in Ethiopia that used a different methodology. In Ethiopia the researchers held three focus group discussions with eight returned women migrants each time (a total of 24). All of these returnee women migrants had gone to work as domestic helpers to Arab League countries. Most of them had been working in Lebanon, but there were some returnees also from Bahrain, Qatar, and the United Arab Emirates. During the focus group meetings, the work and living conditions of women migrants were discussed. Conclusions were then drawn on trends based on these focus group discussions.

The above-mentioned studies identify practices and patterns that are key causes for women migrant domestic workers' vulnerability and provide alternative approaches for effective means for action. The research compiled baseline data and had the goal of bringing policy makers and all other concerned actors into a dialogue on what can be done to improve women migrant domestic workers' working and living conditions. Some of these studies have been individually published by the ILO. Shorter versions are included in this

³ Al-Najjar, Sabika: Women Migrant Domestic Workers in Bahrain (ILO Geneva), International Migration Papers no. 47, June, 2002, p. 7 quoted from Gulf Daily News, 18 April 1998

volume. Findings from these research studies on issues such as hours of work, remuneration, workload and rest periods, freedom of movement, work-related problems, and recruitment irregularities are presented in Table 11.

Table 11. ILO's Women Migrant Domestic Workers' Surveys

| | Lebanon (2001) | Costa Rica (2001) | Kuwait (2002) | Bahrain (2001) | UAE (2002) |
|--|---------------------------|----------------------------------|--------------------------|---------------------------|-----------------------|
| Average working hours per week | 102 | 72 | 101 | 108 | 105 |
| Overtime paid | no | n.a. | no | no | no |
| Average days off per month | 1 | 4 to 6 | 1.1 | 2 | 0 |
| Health fees or social security coverage | n.a. | 29.5% | 57% | n.a. | n.a. |
| Above 5 household residents per domestic | n.a. | 50% | 41% | n.a. | n.a. |
| Physical, verbal or sexual abuse cases out of total | 37% | 14% | 51% | 47% | 50% |
| Wages per month in U.S. dollars | 100 to 300 | | | | 150 to 200 |
| Non-payment of wages | 19% | 0% | n.a. | 20.5% | n.a. |
| No. of domestic workers interviewed | 78 | 54 | 301 | 34 | 51 |
| % of female dom. w. out of total interviewed | 100% | 100% | 69% | 100% | 100% |
| Freedom of movement | controlled | not controlled | controlled | controlled | controlled |
| Coverage by Labour Law | no | yes, but* | no | no | no |
| Withholding of passport by sponsor or employer | common | inexistent | common | common | all the time |

⁴ Human Rights Watch: *Saudi Arabia - Human Rights Developments*, 2001, p.2.

⁵ Al-Najjar, Sabika: *Women Migrant Domestic Workers in Bahrain* (ILO, Geneva), International Migration Programme, International Migration Papers no. 47, June, 2002; Godfrey, Martin; Ruhs, Martin: *Migrant Workers in Kuwait: A Review of the Recruitment System in an International Context* (ILO, Geneva) September, 2002; Jureidini, Ray: *Women Migrant Domestic Workers in Lebanon* (ILO, Geneva), International Migration Programme, International Migration Papers no. 48, June, 2002; Sabban, Rima: *Migrant Women in the United Arab Emirates The case of female domestic workers* (ILO, Geneva), Gender Promotion Programme, Series on Women and Migration, no. 10, 2002.

⁶ Tejidos para los Derechos Humanos: Campaña Piloto de Información para patronos/as y trabajadoras domésticas: Diagnóstico y propuesta de campaña (OIT, OIM, Astradomes, San José), Julio, 2001.

⁷ Kebede, Emebet: *Ethiopia an Assessment of the International Labour Migration Situation the case of female labour migrants* (ILO, Geneva), Gender Promotion Programme Series on Women and Migration, no. 3, 2002. Al-Najjar, Sabika: *Women Migrant Domestic Workers in Bahrain* (ILO, Geneva), International Migration Papers no. 47, June, 2002, p. 7 quoted from Gulf Daily News, 18 April 1988.

Regarding **remuneration**, the studies provided information on average wages per month in US\$ from Lebanon (\$100 to 300 on average) and the United Arab Emirates (\$150 to 200 on average). Non-remunerated overtime work emerged as an issue in all of the four studies (Lebanon, Kuwait, Bahrain and UAE). Non-payment of wages was a significant concern in Lebanon (19% of interviewed women) and Bahrain (20.5%). In addition, remuneration was recorded to differ greatly according to nationality depending on language skills and educational level. For example, most Filipina domestic workers reported receiving a higher remuneration than Sri Lankan and Ethiopian nationals. Monthly wages were also recorded to increase with length of service with the same family⁸.

Average **working hours per week** recorded by domestic workers interviewed were very high by international standards (101 to 108) in the four studies from the Arab region compared to Costa Rica where domestic workers interviewed reported a much shorter weekly workload of 72 hours. Most women migrant domestic workers in Arab League States mentioned being subjected to long (16-18 hours) working days stretching from 5 or 5:30 in the morning, without any or very little rest in between, till 23:30 hours, or later if the employer had visitors. Many domestic workers in the four studies from the Arab region complained of not having enough sleep and being "on-call" all the time. Many mentioned having to wake up during the night to take care of babies. The workload recorded by most of these domestic workers comprised of:

- General cleaning of the house
- Washing clothes
- Washing dishes
- Cooking
- Washing cars
- Ironing
- Looking after children, playing with them and putting them to bed
- Giving children or elderly persons a bath
- Taking children for a walk
- Assisting children to get ready for school and taking them to school
- Assisting children with their homework
- Taking care of elderly persons
- Helping carrying the bags during shopping time
- Accompanying the family during outings and helping in whatever is necessary
- Mending used clothes and sewing new clothes
- Waking up during the night to take care of sick and crying children or elderly person

In addition to these tasks, domestic workers mentioned that their employers expected them to work in their relatives or friends' homes, especially when they had visitors, without providing them any extra payment. Other additional tasks performed by a small number of women migrant domestic workers included: giving massages to their employers, and hairdressing⁹.

In the four studies included in this volume, domestic workers averaged 0 to 2 **days off per month**. All women interviewed working in households in the United Arab Emirates reported to not having a single day off in a given month. In Lebanon, Kuwait and Bahrain, women migrant domestic workers reported having 1 to 2 days off a month on average. Dr. Ray Jureidini's work in Lebanon recorded that 80 to 88% of domestic workers interviewed did not have a single day off per month. Some domestic workers in Lebanon mentioned being accorded an hour or two on Sundays to attend church services where their employers often accompanied them. By contrast in Costa Rica domestic workers enjoyed from 4 to 6 days off work per month.

⁸ Al-Najjar, Sabika; Kebede, Emebet; Godfrey, Martin; Ruhs, Martin; Jureidini, Ray; Sabban, Rima; Tejidos para los Derechos Humanos: *Campaña Piloto de Información para patronos/as y trabajadoras domésticas: Diagnóstico y propuesta de campaña*;

⁹ Al-Najjar, Sabika; Kebede, Emebet; Godfrey, Martin; Ruhs, Martin; Jureidini, Ray; Sabban, Rima; Tejidos para los Derechos Humanos: *Campaña Piloto de Información para patronos/as y trabajadoras domésticas: Diagnóstico y propuesta de campaña*.

Concerning the issue of **freedom of movement**, 92 to 100% of all interviewed women domestic workers in the four country studies mentioned having their freedom of movement controlled. The question of freedom of movement was found to be closely linked to the practice of confiscating passports. Sponsors or employers argued that they needed to withhold workers' passports to make sure workers respected their work contracts. Rarely was the live-in domestic worker allowed to go outside, visit friends or just go for a walk. In the case of Lebanon, domestic workers reported instances of being locked in apartments, and being forbidden to leave without express permission. Some domestic workers also reported to restrictions in food-consumption (the family locking the refrigerator with a padlock). In the case of Costa Rica, freedom of movement and other related limitations did not emerge as significant issues of concern for women migrant domestic workers.

On **work-related problems**, the most frequently cited concern by the majority of women migrant domestic workers interviewed' (over 50%) in Kuwait was the presence of physical (including sexual), psychological and verbal abuse. Most of these workers mentioned being vulnerable to sexual abuse by their male employers (sponsors), as well as by the sponsors' sons or other men visiting. The situation in Bahrain and the United Arab Emirates was also similar. In fact, the Bahrain report mentioned that verbal humiliation was normal practice in many households and that adults and even children insulted domestic helpers. In the case of Lebanon, a lower number (37% of all interviewed) reported such abuse. The studies in this volume note that the women migrant domestic workers' isolation comprised of no telephone access control over correspondence or non-permission to receive mail, as well as social isolation from other domestic workers or friends. In contrast, only 14% of all women migrant domestic workers interviewed in Costa Rica reported having such limitations or being subjected to such treatment¹⁰.

Regarding **educational level and language skills**, a significant proportion of domestic workers interviewed in Kuwait (20% of men and 27% of women) had high-school qualifications and above. Filipina women migrant domestic workers had the highest percentage of high school qualifications among them (46%) compared with Sri Lankan women migrant domestic workers who had the lowest (13%). Only a few women migrant domestic workers in Kuwait were able to read or write in Arabic, but more than half (53%) of them reported to speak the language adequately. Women migrants from the Philippines (60%) and Sri Lanka (71%) reported the most proficiency in Arabic. In the case of Bahrain, 23% of Filipina migrants had university diplomas.

Frequent **irregularities** concerning the intermediaries (recruiters and agents in sending and receiving countries) were identified **in the recruitment system**. These intermediaries who provide services to facilitate the migration process were reported as important perpetrators of exploitation of women migrant workers. A repeated case was overcharging of fees by the recruitment agents for costs such as passports and other government fees. Domestic workers, in turn, normally entered into debt with them and had to work for a certain period of time without a salary to cover these fees. In some cases, recruitment agents deceived university-level women offering them other types of jobs before departure, only to find out on arrival that they had been recruited as domestic servants. The first three-months were also normally considered a probationary period during which both the worker and the sponsor could terminate the work contract. Theoretically speaking, the worker could refuse to work if any member of the sponsor's family sexually or physically abused her. In this case, the agent would be obliged to find her a new employer¹¹. In reality, however, in the majority of cases the recruiting agent did not provide this additional service to women migrants in need of changing sponsors, and the worker was simply imprisoned and deported. There were also numerous cases of recruitment agents sexually abusing run-away domestic workers.

The four studies in this volume also identify **irregularities** on the issue of **contracts**. While a contract should be signed in the recruitment agency, most domestic workers arrived at the country of destination without

¹⁰ Al-Najjar, Sabika; Kebede, Emebet; Godfrey, Martin; Ruhs, Martin; Jureidini, Ray; Sabban, Rima; Tejidos para los Derechos Humanos: *Campaña Piloto de Información para patronos/as y trabajadoras domésticas: Diagnóstico y propuesta de campaña*;

¹¹ Al-Najjar, Sabika, op. cit, p. 15

having signed a clear contract with their sponsors. For example, in Bahrain only 44.1% of all migrant women interviewed had signed contracts prior to their arrival. Other women migrants had signed contracts but these contracts were in Arabic even if they did not read or understand the language. Even if a contract had been signed, it was no guarantee of effective protection of the worker's rights. For example, some sponsors withheld the payment of the worker's wages for several months or years, and refused to respect the salaries stipulated in the contract.

Non-contractual issues were also important especially in the Gulf States where the employer has the obligation to cover the cost of the worker's airline ticket to return home. The employer also has the obligation to pay taxes for the woman migrant domestic worker and renew her papers. However, unscrupulous employers would not renew the worker's documents on purpose and falsely accuse the employee of theft, or other misdemeanors in order to render the migrant worker undocumented and avoid payment of these taxes and the price of the airplane ticket. The worker would then end up in jail where she would not receive due process of law and financially penalized for running away.

The studies from the four countries note that the system for addressing foreign workers' complaints is inadequate or non-existing. Domestic workers often need some reliable and effective institutions to turn to, other than the sponsor or the recruitment agent who are frequently the source of their problems. Running away from the employer's household is illegal and punishable in all the countries covered by these studies. Only Lebanon provides them with the option to find a new sponsor. In all other countries, a police search is launched and the runaway worker's photograph is published in local newspapers. Any person who hides or protects her is considered to be committing an offense. When found, she is imprisoned and then deported. If the worker decides to go back home or is going to be deported¹², she still needs to retrieve her passport from her employer. In some cases, the employer "sells" her the passport in exchange of non-payment of withheld wages. In addition, domestic workers fleeing or running away from exploitative working conditions have reported being subjected to inhuman treatment in the hands of the authorities who treat them as criminals.

4. Recommended Areas of Action

In order to provide larger protection to women migrant workers, the four ILO studies in this volume identify key areas of intervention where labour legislation and social protection could be improved in the receiving countries, as well as in the countries of origin. These recommended areas of action include the following:

Countries of Destination

1. Cover domestic workers under labour laws. Amend and enforce laws and regulations covering the rights of domestic workers. Enforce prosecution in the case of recruitment agents and employers/sponsors who violate their contractual obligations and commit abuses. Introduce flexibility in changing sponsors (without imprisonment and deportation) in cases of workers complaining of abuses
2. Establish institutions such as a commission comprising of Government authorities, concerned Embassies, IGOs, NGOs and other international and national bodies to discuss, identify and find solutions to migrant workers' (especially domestic workers) issues of concern
3. Create a national body that monitors the treatment of migrant workers, in general, and domestic workers in particular by recruitment agents, sponsors, police and national security officers
4. Set up a central registry or database comprising a copy of the contract, the full address of the recruitment agency, name of recruitment agent, full address of employer and other useful information in case of grievance

¹² Al-Najjar, Sabika, op. cit, p. 15

5. Undertake awareness-raising campaigns aiming at changing and avoiding behavioral practices such as withholding passports, withholding of wages, and physical, sexual and psychological abuses
6. Provide shelters and free-of-charge lawyers

Countries of Origin

1. Ensure the migrant worker has signed a contract before leaving the country
2. Create a database with a registry comprising a copy of the contract, the full address of the recruitment agency, name of recruitment agent, full address of employer and other useful information in case of grievance
3. Provide useful pre-departure information on who to contact in case of urgent need, legal rights, and other information on cultural differences, etc.
4. Provide labour attachés to deal with complaints and urgent needs of national workers abroad in the Embassies
5. Negotiate with countries of destination on the establishment of institutions such as the commission mentioned above

A number of receiving countries have imposed bans and restrictions on women migrant workers to "prevent" them from falling into abusive situations. However, prohibiting the migration of women and increasing regulations often drives the process underground since it forces women migrants into even more vulnerable positions due to illegal migration. Moreover, the effectiveness of protective measures by labour sending countries is minimal if legislation, protective measures, and labour inspection are not well developed in receiving countries, especially in those sectors where women migrant workers are concentrated.

5. Good practices on labour legislation and social protection

5.1. Bahrain

Despite the large numbers of foreigners in GCC countries and their positive impact on the overall economic life, measures to increase protection of these migrants against abuse and exploitation have not been sufficiently explored by most countries. Most of the International Governmental Organizations (IGOs) and Non-Governmental Organizations (NGOs) working in GCC and other Arab League States continue to report a large number of abuses and have voiced concern about the work and living situation of migrant workers, in general, and of women migrant workers more specifically.

Countries such as Bahrain are setting up good practices in several areas. And they are rapidly taking important steps forward. Lately, some of these positive developments include the following:

- On September 24th, 2002, **trade unions were declared legal** in Bahrain by His Majesty the King who issued a decree ratifying a new union law. While the legislation forbids domestic workers to belong to trade unions, the legalization of trade unions is a step ahead towards increasing the protection of all workers.
- The ***First Human Rights Report in Bahrain*** was issued on 19th February, 2003. The report mentioned that Bahrain has come a long way in improving its human rights record, but raised some important points to be addressed like the exploitation of foreign workers, including housemaids,
- On 17th March, 2003, the Bahrain cabinet session chaired by Prime Minister Shaikh Khalifa bin Salman Al Khalifa discussed the situation of housemaids in the Kingdom and forwarded a memo from Labour and Social Affairs Minister Dr. Majeed Al Alawi **on organizing work permit procedures for domestic help** to the ministerial committee for social services;
- On 26th March, 2003, the Government announced **a national plan to assist abused workers in emergency cases**. The plan includes temporary shelters or "safe houses", a help hotline and a variety of other measures to which expatriate workers, especially domestic workers, can resort to in case of harassment by their

employers. The plan also includes the issuing of a rights and duties manual for those intending to work in Bahrain and a simplified guide to be distributed in embassies, recruitment offices and points of entry to Bahrain.

5.2. Jordan

Jordan is another Arab League country with good practices in this regard. Jordan just recently amended a law concerning registration of recruitment agencies. The new law allows the Ministry of Labour to monitor the work of recruitment agencies and to take serious actions if they violate the regulations aiming at protecting migrant workers.

In addition, the United Nations Development Fund for Women (UNIFEM) announced on January 21, 2003 the endorsement by the Ministry of Labour of the Hashemite Kingdom of Jordan of a "Special Working Contract for Non-Jordanian Domestic Workers" as an opportunity to enhance protection for this particular vulnerable group of women workers. While Jordan's labour law does not include any protection of domestic workers, the government has agreed to honor this standard labour contract for domestic workers. This contract is the first of its kind in Jordan and is expected to become a model for other countries in the Arab region.

The working contract reiterates migrant women's rights to be treated in compliance with international human rights standards. It is considered to be the first step towards promoting and protecting the rights of migrant workers. It limits the fraud of illegitimate contracts and it incorporates guarantees of migrant workers' rights to life insurance, medical care, a designated day off a week, rest days, repatriation upon expiration of the contract. The contract includes the provision of a minimum wage ameliorating the problem of wage discrimination by requiring that domestic workers be paid equal salaries to Jordanians performing the same type of work. This provision reverses the discrimination in present contracts that allowed tiered salaries for specific nationalities.

The contract was a result of joint efforts by UNIFEM and the Ministry of Labour of Jordan in full cooperation with the "Empowering Migrant Women Workers in Jordan" Steering Committee. The ILO was part of the Steering Committee and was involved in the process throughout. The Steering Committee also included the Ministries of Planning, Interior, Police Department, Family Protection Unit, the Embassies of Sri Lanka, Indonesia and the Philippines, the Jordanian National Commission for Women and the Jordanian Women's Union.

5.3. Lebanon

Recent reforms and measures taken in Lebanon have also started to redress the identified weak points in the protection of the working and living conditions of women migrant workers. For example, Lebanon's General Security has now created a computerized databank that records the entries of all migrant workers with the names and addresses of their employers/sponsors. In case of misdeeds, it is now possible to trace the sponsors through the Ministry of Labour (through General Security)¹³.

The Lebanese government has also established a complaint procedure. Through this procedure, the Ministry of Labour has indicated that it will take an active role in cases of complaint. However, according to the author of the study, Dr. Ray Jureidini, thousands of cases rarely reach the complaints stage because of lack of trust in the system, and lack of information on how and where to present a complaint. In addition, the complaint procedure has been seen to automatically assume the interests of the employer¹⁴. To respond to the weakness of the complaint procedures, the Lebanese Bar Association of Human Rights Lawyers has been attempting to convince workers to seek redress in the courts for violations of contract, offering their services free of charge.

¹³ Jureidini, Ray: *Women Migrant Domestic Workers in Lebanon* (ILO, Geneva), International Migration Programme, International Migration Papers no. 48, June, 2002, p. 4 and 18

¹⁴ Jureidini, op. cit, p. 17.

In addition, the Lebanese government instituted a \$1,000 bond on registration of sponsorship to be lodged by the individual employer with the Central Housing Bank. The bond is intended to cover the airplane ticket cost of runaway domestic workers and other contingencies in case of grievances presented by the worker¹⁵. This measure has been criticized by some NGOs stating that employers/sponsors who want to avoid its payment resort more often now than before to undocumented workers who even suffer from a larger number of abuses than documented workers.

6. Conclusion

For many women migrant workers, migration can represent a positive and empowering experience as they become the principal breadwinners of their families. This gives them a prominent role in their family and decision-making. Many women, as well as their families, largely benefit from migration.

The number of women migrant workers in Arab League States are likely to stay high, especially in the GCC countries since labour market demand for women migrants in these labour-importing countries is often more stable than that for men. The issue is becoming pressing since international demand is increasing for childcare and care for the sick and the elderly, and most often the demand is not being satisfied through nationals. However, it is not certain that the increasing participation of women in international migration will be concomitant with an improvement in their situation in the labour market. It is important to give more attention to the protection of women migrant workers.

Targeted political and institutional support is needed at the national, regional and international levels. ILO's unique tripartite structure could be the ideal forum for discussion on the issue of strengthening women migrant workers' protection. Government, employers and trade union efforts will be necessary to guarantee migrant women's fundamental human and rights at work. A number of International Labour Standards address the protection of women migrant workers, notably the *Migration for Employment Convention, 1949 (No. 97)* and the *Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)* which call upon States to respect the basic human rights of all migrant workers, male and female. Other Conventions covering the rights of women are the following: No. 3, 4, 41, 45, 69, 100, 102, 103, 111, 122 and 156.

For domestic work, and other occupations where women migrants are concentrated, it would be advisable if Arab League governments, as well as employers and workers' organizations could join efforts to provide social protection to migrant workers, and especially women migrant workers. Following the examples of Bahrain and Jordan, the enactment of labour legislation also needs to be an immediate step.

¹⁵ Jureidini, op. cit, p. 7.

Chapter 2

Women Migrant Domestic Workers in Bahrain

Sabika al-Najjar¹

1. Foreign Labour in Bahrain

Bahrain is classified as one of the richest developing countries in the world. Its gross national product (GNP) in 2003 was estimated at US\$4.9 billion and the per capita income for the same year was US\$15,900².

Bahrain became an independent state in 1970 and, since then, the country has witnessed dramatic changes in its socio-economic structure. The oil boom of the early seventies enabled the Government to allow the import of foreign workers, in order to meet the high demand for labour to build the infrastructure in the country. Consequently expatriate workers, from South and Southeast Asia were encouraged to come to the country, resulting in a rapid increase in non-Bahraini workers.

Official statistics show that in 1970 foreign workers in Bahrain formed 37.1% of the total labour force. Although the government adopted a policy of gradual nationalization of the labour force, the numbers of foreign workers have continued to increase greatly. In 2000, the number of foreign workers was estimated to be 203,259 workers, or 63.6% of the total labour force, against 116,132 Bahraini workers.

This report will address the issues surrounding only female domestic migrant workers in Bahrain.

2. Methodology

Baseline data has been compiled to identify practices and patterns that are "key causes" for migrant workers' vulnerability, and to ultimately provide alternative approaches to the current system. The objective is to bring policy makers and other concerned actors into a dialogue to develop a comprehensive ILO action plan which specifically addresses protective measures for female domestic migrant workers.

The sample group was comprised of:

- 16 Bahraini housewives from different parts of Bahrain who had employed domestic helpers from various parts of the world for at least two years.
- 34 female domestic helpers chosen at random from different areas in Bahrain, with the following nationalities: 11 from the Philippines, 12 from Sri Lanka, five from India, three from Ethiopia, two from Indonesia and one from Bangladesh.
- Officials at the Embassies of Bangladesh, the Philippines and India.

¹ The author is the Secretary General of the Bahrain Human Rights Society (BHRS). The original study was published by ILO MIGRANT (ISBN 92-2-113243-9). This chapter has been edited and updated by Monica Smith in April 2004 with the information of the author.

² The Knowers Ask Education Foundation, Website for Middle East Countries, <http://www.sunship.com/mideast/info/cprofiles/profilesindex.html>, 2003.

Open-ended interviews were conducted with the women employers and questionnaires were developed for the domestic workers due to difficulties in conducting face-to-face interviews. Often household helpers suspected that the information provided in the interviews would be handed to the police or the Ministry of Labour and Social Affairs and that answers would be used against them. All the interviews with domestic helpers took place in public places, such as parks, supermarkets or at fast food restaurants away from employers to ensure, as much as possible, the freedom to respond truthfully.

The employers' households had an average of four children and an average income ranging from BD300 to BD400³. Of the female employers, 36% were working women contributing to the family income. Their level of education ranged from intermediate school to graduate degrees.

3. Historical Overview of Domestic Workers in the Gulf Region

Employing female domestic helpers is not a new phenomenon in Bahrain. Traditionally, preceding the discovery of oil in 1932, women from poor families used to work for wealthy families. Although they would be provided food, accommodation and clothes, they did not receive regular salaries. Prior to the oil boom in the seventies, certain rich families hired domestic helpers from Seychelles and India as a means to gain social prestige and have better access to a Western life style. Domestic helpers then were relatively well educated and spoke English fluently. They enjoyed a certain degree of respect and freedom, working mainly as governesses, in charge of children. They also performed certain tasks, which were considered "modern", such as ironing, while other household chores, such as cooking, gardening or cleaning were taken care of by other servants drawn from Bahrain, Oman, and Al-Hassa district of the Eastern Province of Saudi Arabia.

In the past, the raising of children was a shared responsibility between the mother, the grandmother and any other adult women living in the large house of the extended family. Household work was taken care of by all the daughters-in-law who lived in the same house. Now, the extended family has been replaced by the nuclear family, and social obligations of women have increased. Despite all these social changes, housework continued to be the woman's responsibility. Women, therefore, looked for assistance and the importance of hiring domestic helpers gradually increased to the extent that they carry out almost all household tasks while women have free time to devote to social activities, and other work.

The emergence of Asian female domestic helpers is considered to be a result of the social changes the country witnessed in the aftermath of the oil boom. And this phenomenon is expected to increase in the coming years. In fact, almost every household in Bahrain employs one or more domestic helpers. Moreover, the influx of foreign workers including domestic helpers has become a form of trade in human beings or "new slavery" as some sociologists describe it⁴.

Governments, in both labour exporting and importing countries, are endeavouring to study this phenomenon and regulate it. However, each party is tackling the matter from different angles, to obtain different objectives. While exporting countries promote labour migration, they also try to protect their nationals against abuse. Importing countries seek to contain any potential cultural and social effects that domestic helpers might have on the society, in general, and its main institution, the family, in particular⁵.

In 1987 and 1988 some Asian governments, such as Bangladesh, decided to ban placement of female domestic workers to protect their interests. Other sending countries adopted national programs to prepare the women before leaving, implemented bilateral agreements, and the Philippines Government established an overseas employment administration. However, since the financial advantages of working abroad could not

³ US dollar is equal to 0.376 Bahraini Dinar (United Nations rate- August 2001).

⁴ Saad El-Deen Ibrahim, *The New Social Arab System: A Study on the Social Effects of the Oil Richness*, Beirut, Center of Arab Union Studies, 1982, p.33.

⁵ Khalaf Ahmed Khalaf & Others, *Socialization: The Effect of the Media and the Role of the Family*, Bahrain: Executive Bureau, 1994, P.34-37.

be compensated nationally, the number of domestic helpers has grown several folds. In 1990, the Ministry of Labour and Social Affairs issued 2,065 work permits to domestic helpers, while in the year 2000 the work permits issued to domestic helpers were 23,495 most of which were for females.

Various inter-connected factors have contributed to the increasing number of household workers in the Gulf region, in general, and in Bahrain, in particular. These factors could be summarized as follows:

1. Social Changes in the Family

Bahrain and the Gulf region have witnessed various social changes that have influenced the family structure. High revenues from oil exports resulted in higher living standards. Education and health services improved, construction boomed in the suburbs, and new cities emerged in the middle of the desert.

For example, most young couples now live far from their families and there is little access to kindergardens and day-care centres to look after the children. As a result, families were obliged to hire a domestic helper for day care as well as to assist with household chores.

2. Entry of Women into the Labour Market

The higher level of education has encouraged Bahraini women to enter the labour market. Yet, working women are still responsible for all household work. As such, families seek household assistance.

The importance of hiring domestic helpers has gradually increased to the extent that today they carry out almost all household tasks, often freeing female employers to devote time to social activities, and other work.

3. Social Prestige

As mentioned above, the presence of domestic workers in the homes of wealthy families, is not new to Bahrain. However, with the oil boom and the increase of wealth, it became possible for nearly all families to hire a domestic helper. Employing domestic workers became a status symbol, a means to acquire a higher social status and prestige⁶.

Furthermore, the demand for foreign employees is compounded by the recent social phenomena that places household work within a so called "culture of shame", whereby Bahrainis are not willing to perform such work.

4. Economic Situation in Labour Exporting Countries

The increase in wealth in the Gulf countries coincided with the rise of poverty in the labour exporting countries. The governments in labour exporting countries were unable to take viable measures to contain poverty and unemployment that threatened their national security. They, therefore, encouraged their nationals to search for jobs abroad.

5. Cost Effectiveness

Domestic workers' wages are low by all standards and so are the expenses for hiring a live-in household worker. Taking into consideration the standard of living in Bahrain, one could say that employing a domestic worker is within reach of the majority of the indigenous population. This has led to the creation of employment to facilitate the recruitment process. These recruitment agents, in both labour exporting countries and labour importing countries, facilitate the movement and the placement of domestic workers⁷.

⁶ Geertje Lyckmama, *The Trade in Maids: Asian Domestic Helpers in Migration, Theory & Practice*, A Paper presented to the planning meeting on International Migration and Women, APDC., 1989, P.21.

⁷ For more information on these factors please refer to Hanan Shaheen Al-Khalfan, *The Effects of Foreign Maids and Nannies on the Bahraini Families in Studies and Issues*.

4. Statistics on the Phenomenon of Domestic Helpers in Bahrain⁸

According to the 1981 population census, there were 10.4 female house workers for each 100 households. In 1991 this number increased to 15.1. They constituted 9.6% of the total non-Bahraini labour force and 59.2% of the total female non-Bahraini labour force. Since then, the number of domestic helpers has continued to increase.

The statistics on domestic helpers obtained from different Bahraini official sources are contradictory. The Central Statistics Organization estimated the number of domestic workers to be 23,163 as of March 2001⁹. The General Directorate of the Immigration and Passports estimated the number to be 11,078 in 2000¹⁰. The latter number does not correspond with the figure given by the embassy of the Philippines which estimated Filipino domestic helpers at 10,800 in 2000¹¹, nor does it correspond with the number of work permits that the Ministry of Labour and Social Affairs claims were issued for house workers which totaled 25,601 permits in 2000 (17,487 new permits and 8,114 renewals)¹².

5. Domestic Helpers and the Bahraini Law

Despite the increasing importance and numbers of domestic workers, Article 2 of the Bahrain Labour Law for the Private Sector, 1976, exempted "domestic servants and persons as such" from the purview of the law because of the private nature of housework. A Ministry of Labour spokesman explained, "House workers are treated as a part of the family", he said. "Disputes should be settled internally whenever possible. Or else the privacy of households is desecrated." However, when disputes arise, in theory, a house worker can receive assistance from the Ministry of Labour and Social Affairs, the police or the courts.

Non-payment of wages and sponsors' refusal to provide a return air tickets after two years of work are the main complaints referred to Ministry of Labour and Social Affairs. It should be noted that domestic workers are largely unaware of possible actions to take to secure their rights. Many do not even know the address or the telephone number of the Ministry of Labour and Social Affairs.

Extreme cases of maltreatment, such as beating, sexual harassment or rape, are referred to the police and/or the court. The majority of cases registered with the police were of runaway house worker (38.7% and 34% in 1990 and 1991 respectively).

No data is available on the specific reasons a female house workers runs away but observations revealed the following facts and causes:

- Non-payment of salary;
- Sexual harassment, physical and psychological abuse;
- Excessive work and exhaustion;
- Isolation, no permission to leave the house, receive visitors or have a partner;
- Withholding of passport by sponsor (this is especially the case after the end of the two years contract).
- Jealousy on the part of the Madame;
- Inadequate food or medical treatment when required;
- Misinformation about the nature of work as they come for certain jobs and found themselves working as domestic helpers.

⁸ Lack of accurate and sufficient data is the main problem faced in doing research on domestic helpers. It is hoped that the population census, which has been carried out in Bahrain recently, will provide accurate statistical information on this issue.

⁹ This figure was provided to the researcher upon her request by the Director of the Central Personal Registration at the Central Statistical Organization.

¹⁰ The figure was provided to the researcher upon her request by the Directorate of Immigration and Passport.

¹¹ Interview with the Labour Attaché at the Philippines Labour Bureau in Bahrain.

¹² Ministry of Labour and Social Affairs. Employment Section, Statistical & Financial Reports on the Sections Achievements in 2000, part 11, P.2.

Most runaway cases occur after the lapse of the initial three months period, when the worker has completed the debt payment and the recruiting agent is no longer responsible for her. Leaving the care of her employer is considered illegal and is usually followed by a police search and the worker's photograph being published in local newspapers. As well, any person who hides or protects her is committing an offence. If found, she is imprisoned until her residence permit is cancelled and subsequently deported at the employer's expense.

Ultimately, only a small number of domestic workers file complaints with the police. This is due to the fact that women house workers are unable to contact the authorities due to lack of access to the telephone, or fear imprisonment and deportation.

Labour disputes that are brought to the attention of officials, such as those concerning non-payment of salary, airfare reimbursement, service indemnity and denial of annual leave are ideally referred to lawyers, inspectors and social workers at the Ministry of Labour and Social Affairs. To report a problem, the worker is required to fill out a form explaining the situation. Preferably, the Ministry calls the sponsor to solve the problem amicably. If this fails, the case is overseen by the Ministry of Labour and Social Affairs, but is referred to the judicial system where the worker is appointed a lawyer. The majority of cases referred to MOSAL involve runaways, followed by refusal to work and incidents of workers committing suicide.

When disputes of any nature arise sponsors have the right to request a worker to be blacklisted from returning to Bahrain. Furthermore, under the current rules, a house worker who leaves the country should have a no objection letter from her previous employer in order to return promptly and apply for a new job. If not, she must wait for six months before returning for further employment.

The concerned authorities are currently reviewing this system to allow most categories of expatriate employees to return within the six-month waiting period, unless involved in criminal cases in Bahrain. Those who get a no objection letter from their previous employers can return immediately to work for another sponsor. They can also transfer the sponsorship locally without having to leave the country.

6. Process of Assignment

House workers usually come to Bahrain with the help of recruiting agents or through the assistance of relatives and friends. In case of the former, a woman seeking a job as a domestic helper applies to one of the recruiting agents in her country of origin. As such, the agent works as a mediator between the applicant and the agent in the receiving country. The agency keeps the worker's personal details and documentation on file to be shown to potential employers.

When the employer obtains a work permit from the Ministry of Labour and Social Affairs, he or she selects a candidate from the recruitment agent's file. The employer pays a fee to the agent, which includes the cost of a one-way air ticket. Subsequently, the agent makes the necessary travel arrangements, in coordination with his counterpart in the sending country. The worker also pays fees to the agent in her country. In some instances, the agent takes money from the applicant as well for the air ticket, even though this has already been paid for by the employer.

In 2000, the Government introduced a two-year multiple re-entry visa for all workers. Earlier re-entry visas, costing BD 12, were issued for a single journey and for a period of one year, at BD 42 now every expatriate is granted a two-year multiple re-entry visa, valid for the duration of the residence permit for only BD 20 . To employ a foreign house worker, the sponsor in Bahrain has to fulfil certain conditions and requirements stipulated by law. Order Number 13/1976 issued by the Ministry of Labour and Social Affairs states, "... An employer who wishes to employ non-Bahraini workers should submit an application in the prescribed form, for obtaining a work permit." Although the Labour Law does not cover domestic workers, employers are required to comply with the above regulation.

Moreover the employer who wishes to recruit a household worker should fulfil the following conditions¹³ :

- * Have a family income of at least BD 350;
- * Have at least two children less than 15 years of age;
- * Submit a medical certificate if a house worker is appointed to take care of an ill or old family member

The family should prove that they do not already have a house worker. In case the previous worker has left or run away, appropriate certificates from the police and/or the Directorate of Immigration and Passports should be submitted to the concerned authorities at the Ministry of Labour and Social Affairs to obtain a work permit for a new domestic worker.

Once a potential employee is selected, the employer obtains an entry visa, called a No Objection Certificate (NOC), for her. When the domestic worker arrives to Bahrain, the agent takes her to his office where she meets her sponsor. Before she goes to her employer's house, a short meeting is held between the three parties where the employer states his/her conditions - mainly household rules. The house worker is also asked to state her concerns but, according to many agents, she usually remains silent. The NOC gives the worker the right to stay in the country for four weeks before a residency permit is issued. Within the four weeks of her arrival the worker has to undergo a mandatory medical check-up including chest X-ray, blood, urine, vision tests, etc. Special attention is paid to infectious diseases mainly tuberculosis, hepatitis, AIDS and other sexually transmitted diseases such as syphilis. She is then issued a written medical certificate stating that she is physically fit for work. The employer can, then, go ahead and apply for a residency permit. However, if the worker is found unfit for work, she is deported at the employer's expense.

It is important to note that it would make more economic sense to have these medical tests performed in the country of origin. Whereby, if problems arise, the worker would not lose the financial investment – namely the money paid to the recruiting agent in his/her country – she has undertaken.

Some workers avoid the costs and bureaucratic procedures of the agencies by arranging their trip to Bahrain with the help of friends and relatives already living in the country. A considerable number of sponsors benefit from this method as well as they do not have to pay high agency fees. However, according to this author, this method is not always in the interest of the sponsor or the worker. In such a situation, the sponsor cannot request replacement if he/she is not content with the performance of the worker. Likewise, the domestic worker has to accept the working environment she is in, without having the possibility to make use of a three-month probation period during which, theoretically speaking, she has the right to ask for a change of sponsor.

Of the women house workers interviewed, 52.9% received their jobs through recruiting agents while the remaining 47.1% were helped by friends and relatives. While the majority of workers from the Philippines come through accredited recruiting agents, this is not always the case for Sri Lankan domestic workers. Regardless of the means of migration, the Sri Lankan government does require its nationals to have health insurance before departing to work overseas, a policy which covers the worker's possible deportation in case of death, illness or accident. It also covers hospitalization while abroad and up to 60 days medical treatment after returning to his/her home country.

6.1. Recruiting Agents in Bahrain

A Ministerial Decree, issued in 1993, puts employment agents under the supervision of the Ministry of Labour and Social Affairs. A new agent is required to obtain a license for BD500. The agency is then required to get a commercial registration license from the Ministry of Commerce and Industry, in the amount of BD100 per year. According to officials at the Ministry of Labour and Social Affairs about 70 official recruiting agents are operating in Bahrain.

The average number of female domestic workers placed by an agent ranges from 15 to 20 per month. In

¹³ The first two conditions are not respected.

addition to Bahrain, some agents provide services to the Eastern province of Saudi Arabia.

According to the standard agreement between the recruiting agent in Bahrain and the sponsor, there is a three-month probation period for new domestic workers, during which both the worker and the sponsor can terminate the work contract. Theoretically speaking, if a worker is treated badly she can refuse to work in a new household and the agency will facilitate finding another employer. However, during the research it became clear that when disputes arise the domestic worker in fact is forced to continue working with a sponsor regardless of the situation. Unfortunately, an employer that abuses a domestic worker is never blacklisted from hiring future employees nor do agencies ever refuse their services to such employers.

During the trial three-month period the sponsor also has the option to contact the agent and ask for a replacement of the domestic worker. The agent is obliged to assign another household worker or return any fees he paid. It should be noted that neither the governments nor embassies of labour exporting countries have contact with the domestic workers nor do they have any input in the above-mentioned contractual arrangements.

For a short time, the probation period for Indonesian house workers was increased to six months as a result of the Indonesian government's intervention to ban its nationals from working as domestic helpers in the Gulf - except Saudi Arabia - following reports of physical and sexual abuse. In the case of Bahrain, the ban was lifted only a year ago.

Five recruiting agencies were questioned about the main problems they face between domestic helpers and their employers. They were almost unanimous on the following: language barriers, employer impatience with new workers, and jealousy on the part of female employers - especially when the domestic worker is young and attractive.

Additionally, many difficulties arise if a worker runs away – an occurrence that has become more and more common - as it is the sponsor's obligation to provide an air ticket home once the worker reappears. According to one agent "... domestic workers sometimes escape from their employers' homes to work as freelance workers, for which they are paid at a rate of about one Bahraini Dinar per hour. They also work in restaurants, bars, and nightclubs or join prostitution networks. The police do not take serious measures to stop this and no investigation into cases of runaway workers takes place and accomplices are not punished. This only serves as an encouragement to domestic helpers to run away."

6.2. Recruiting Fees

The majority of domestic workers do not have enough money to meet the initial costs of working overseas. Thus, sometimes the agent agrees to receive the fees in installments. It was found that only seven interviewed domestic workers were able to pay the agent in cash, while the others mortgaged properties, borrowed money from banks or from money lenders at very high interest rates. For example, the government of the Philippines allows accredited employment agents to receive the fees directly from the sponsors in Bahrain, on condition that the domestic helper works without wages for the first three months. Given this situation, a new worker is often under tremendous pressure and is thus willing to accept any work and any kind of living conditions in order to pay off her debts and begin sending money home.

Although sponsors are required to provide air tickets to and from Bahrain for the domestic workers, only 31 of the 34 women interviewed received free air tickets to Bahrain. Those contracted through recruiting agents usually received a free one-way air ticket. However, even though the agents receive money from the sponsors for an air ticket, they often require the female domestic worker to purchase her own ticket.

6.3. Working Contract, Salary and Medical Care

Working Contract

The socio-economic conditions of domestic female workers are such that they refrain from insisting on clear contracts with their sponsors. Consequently, after arrival they often discover that working conditions are not what they expected. The survey found that 44.1% of the house workers signed contracts prior to their arrival.

63.6% of Filipinas signed contracts, as did 25% of Sri Lankans and 100% of Indian workers.

However, a contract is not effective in protecting the worker's rights. For example, some sponsors might pay salaries lower than what was stipulated in the contract and a worker has little recourse as a contract is not legally binding since house workers are not covered by local labour laws. Two domestic workers interviewed signed a contract stipulating different terms of reference, while three of those who did not sign a contract were promised other jobs, such as tailor or saleswoman. Upon arrival, the recruiting agents gave them the choice to work as house workers or go back to their home country on their own expenses.

There have also been cases where male sponsors bring women to work as domestic helpers and subsequently lock them in apartments and force them into prostitution. Unfortunately, due to the non-existence of a monitoring system or the difficulty in actually contacting such domestic workers, it is hard to trace these occurrences.

Salary

A heavy workload and long working hours do not in any way determine the domestic helper's monthly remuneration. Average salaries are normally determined by the number of years spent with the same family, domestic helper's nationality and degree of satisfaction on the part of the employer. Wages tend to increase with length of service. For example, Filipinos and Indonesians with some years of experience get BD 50 per month, while inexperienced Indonesians, Sri Lankans and Indians get BD 40 per month. Domestic workers from Bangladesh get the lowest salaries, BD 35 per month¹⁴.

The fees are not fixed by any bilateral agreements between governments, but are decided upon by the recruiting agents themselves.

In the case of domestic workers from the Philippines and Indonesia, the initial fee paid by the sponsor/employer includes a deposit. The sponsor receives his/her deposit when the worker arrives and starts working. For example, gross fees for a domestic helper from the Philippines are BD 370, while the net is BD 220. The difference of BD 150 is paid to the agent in the country of origin to cover certain costs, such as a passport and other government fees.

In the absence of clear protection policies by governments, such costs are borne by the workers. As a result, the domestic helper has to work for three months without salary to cover such costs. Indonesian workers need to work only one month without salary, as the difference between gross and net fees is smaller. These arrangements became a source of dispute between domestic helpers and their employers as some of them were unaware of such arrangements before their arrival in Bahrain.

Although a few low-income families might not be able to pay regular wages, many complaints registered with the Ministry of Labour and Social Affairs came from domestic helpers working with wealthy families. Additionally, certain sponsors withhold three months wages, to pay for an air ticket in case the helper, for any reason, has to return home before the expiration of her two-year contract.

Medical Care

In case of sickness, domestic helpers can be treated at a nearby health centre. Medical services are provided free of charge for nationals, while foreigners have to pay a symbolic fee of one BD. However, the survey showed that, despite the low cost, only 64.7% interviewed workers had benefited from these facilities, even though over 90% said they required medical attention.

Furthermore, as many families are totally dependent on the domestic worker to do all the household chores, some refuse to acknowledge any illness that might interrupt the helper's duties. However, there were those employers who reported that they take domestic workers to private clinics where they receive better treatment.

¹⁴ 1 US\$ = BD. 0.376 (UN standard rate. August 2001).

7. Profile of Domestic Helpers in Bahrain

Domestic workers are making significant sacrifices by leaving their homes to seek work overseas in an unknown world. For most, the move to the Gulf is also the first time that they leave their village or town. Many immigrants consider the Gulf States as the land of opportunity. However, the reality is far different from expectations. Often their days consist of heavy and long hours of work, and loneliness in a society that is totally foreign to them.

Half of the interviewed domestic helpers came from villages, 20.6% lived in their country's capital and 29.4% came from other cities or towns. Those who come from remote areas are more vulnerable to social and cultural shocks than those who come from cities. One employer reported that her house worker had come from a place where there was no electricity and, as such, she did not know how to even switch on lights in the house. Another employer said that the nanny she had employed had never seen a television or a washing machine in her life. Additionally, unfamiliarity with heavy cleaning chemicals used in the region might not only lead to problems with household machines but also to health risks for the worker.

Yet, it should be pointed out that ultimately employers expect domestic workers to be able to learn everything in a very short time. This causes a lot of pressure and stress on the worker as well as the entire household.

7.1. Age

The majority of employers prefer house workers between 20 to 40 years of age as women in this age group are physically strong and able to carry out the heavy workload and also because they are, "mature and respect the traditions, more than teenagers who want to go out, have boyfriends and enjoy themselves," as one of the employers stated.

It should be noted that the concerned government authorities do not encourage the recruitment of house workers less than 20 years of age since young people may be immature and would find it difficult to abide by the relatively conservative social norms in Bahrain. In fact, the Directorate of Immigration and Passports does not issue visas for domestic workers under 20 years of age. For Filipina domestic workers, the minimum age is 30 years, in accordance with stipulations put by the Government of the Philippines.

7.2. Husband and Children

Of the domestic workers interviewed, 16 were married, one divorced, four widowed and 13 were single. Within the category of married women, seven out of 16 women had one or two children, 11 interviewees had three or four children and three had more than four children.

Often workers earn higher wages than their husbands, and are the main - if not the sole - financial resource for their families. As such, they often end up working abroad for several years.

7.3. Level of Education

The educational level of domestic workers spans from little to college educated. Some workers are illiterate; others are fluent in multiple languages and some are trained professionals.

A domestic worker who is illiterate faces additional challenges. She has to depend on others for communication with her family or to send wages home. It has been indicated that illiterate workers are more vulnerable to maltreatment, such as non-payment of salary or excessive workload. The presence of a compatriot in the neighbourhood considerably facilitates communication with the host family or with family correspondence.

One can frequently find professionals, such as pharmacists, teachers, nurses etc. working as domestic helpers either to escape the unemployment problems and low salaries in their countries, or because they were deceived by employment agencies as to the nature of their future employment. In the case of the latter, a worker can return to her country at her own expense – usually a feat that is beyond her financial means. As such, she agrees to work as a domestic helper until the end of the contract.

Additionally, educated women seek to work as house workers as a temporary alternative. Eventually they hope to find employment that better suits their qualifications. However, this rarely occurs due to restrictions and regulations on expatriates' freedom of movement in Bahrain.

It is noted that the ability of a domestic worker to communicate in English is considered an asset to the household as it provides an opportunity for the family members, mainly children, to strengthen their language skills.

7.4. Religion

Bahrain is a Muslim society. Yet, it is more open to other cultures than any other society in the Gulf. Although no statistics exist concerning the religious background of domestic helpers in Bahrain, it is expected that with the increase in Islamic fundamentalism in Bahrain, the demand for Muslim domestic helpers would increase.

8. Relations with the Host Family

The survey tried to ascertain how domestic migrant workers are coping and being treated on a daily basis within their places of work. Domestic workers reported being lonely, homesick and stressed from cultural and language miscommunications. These issues are only compounded by instances of being overworked as well as being verbally, physically and sexually abused.

One woman described the roots of her loneliness, "Nobody talks to me at the house where I am working and spending my whole day. If anybody talks to me, it is only to order me to do something."

Another woman reported, "I am not allowed to watch TV or listen to music from my country or to the radio. If I am free and this is rare, I lock myself in a room and cry."

In general, it could be stated that domestic workers in Bahrain are socially isolated which could lead to psychological disturbances or depressions¹⁵.

Female house workers consider letters bearing good news from their families and friends as the best means to help them through the first difficult stage. The help and moral support they receive from other domestic workers comes next, followed by good treatment from the host family - especially the women of the house.

8.1. Basic Necessities: Accommodation and Nutrition

Female domestic helpers usually live indoors at the sponsor's house. Most of the interviewees had private bedrooms (61.8%), while others sleep with the children or a female adult (17.7%), with other female workers (17.7%) or even in the kitchen (2.9%).

The private bedroom usually has a bathroom and is situated in an annex off the main premises (villas) where the employer and his family sleep. Usually the room has basic furniture such as a bed and a dresser. A few women are given a television, radio or a small refrigerator.

A separate bedroom is the most comfortable and allows the worker to have a certain degree of privacy. However, since this type of accommodation is situated out of the main building, some female workers feel isolated, lonely and fearful at night. Others use the opportunity to receive friends or partners at nights. The latter is not accepted in Bahrain and, if discovered, the worker and her partner will be imprisoned. Such cases are frequently registered with the police. To avoid such problems some families build a room for the female worker on the roof of the house.

The majority of the interviewed workers said they get adequate quantities of good quality food. Some stated that they are free to eat any kind of food available in the house.

¹⁵ Gulf Mirror, Bahrain, April 1985.

8.2. Inter-Cultural Miscommunication

The degree to which a house worker is able to adjust to her new environment depends, to a great extent, on her relations with the host family¹⁶. However, lack of knowledge of local traditions, customs and social values makes it difficult for certain domestic workers to forge such relations.

At the same time, the way employers handle the domestic helpers reflects their lack of knowledge about the workers' social and cultural background. In most cases, the employers' approach is based on prejudices and racist attitudes.

Local media, in general, is not interested in addressing this issue. Moreover, employers do not show any interest in learning about their employees' societies.

8.3. Friends and Visits

Making friends with other house workers in the neighbourhood helps the newly arrived domestic helper to adjust to her new environment and understand the culture and the traditions of the employer. Friends or colleagues can explain difficult household tasks, particularly when language is a barrier between worker and employer.

Some house workers pointed out that, in the beginning, they were not allowed to go out and meet people, but once their employers became confident about the manner in which they would conduct themselves, they were allowed to go out. Nonetheless, this is not always the practice and more than half of the domestic workers are deprived this right despite their appropriate personal conduct.

It is hard for domestic workers to adapt to their new environment, particularly if they have left children behind. This is only exacerbated by the fact that newly arrived house workers are often denied the right to have contact with Gulf nationals and with other workers from their own countries. One employer explained, "If I let my house worker mix with others, they will spoil her. Domestic helpers compare their situation with others and they start claiming they want more."

8.4. Exposure to Islam

Adjusting to a host family's cultural expectations, especially as related to certain Islamic practices, can pose problems for domestic migrant workers.

For example, in Bahrain the freedom of movement for women is relatively restricted and females are not allowed to go out in public with male friends or even to receive them at home. This can be in direct contrast with labour exporting countries such as the Philippines that tolerate male-female relations outside the marriage institution.

Bahraini women often do not accept workers residing in their houses to receive male friends or relatives at home. Although outside Bahrain, these practices are considered a violation of human rights, within the Gulf they are accepted norms and traditions.

Additionally, the Bahraini employers deem the dress code very important. Some Bahraini women regard the wearing of tight pants, sleeveless and short dresses as a ploy to attract their husbands, while conservative Muslims believe that such dresses are against Islamic norms. Female domestic workers who are working with wealthy families usually wear uniforms, while those working for middle and low-income families usually wear the Jalabia (the traditional long local dress). Some of them are requested to wear the Hijab (head scarf) even though they are not Muslims.

However, a few educated house workers, especially Filipinos refuse to wear Jalabia and consider it humiliating and against their human rights. It is worth mentioning that those who are not provided with free

¹⁶ Malsiri Dias, *Female Overseas Contract Workers: Sri Lanka*, in *The Trade in Domestic Helpers: Causes, Mechanisms and Consequences*, Selected Papers from the planning Meeting on International Migration and Women, APDC., Kuala Lumpur, 1989, P. 220 – 221.

clothes, or those who reject the clothes offered to them, have to spend some portion of their salaries to buy clothes.

8.5. Constraints on Freedom of Religion

Some house workers reported that their Muslim employers do not allow pictures of Jesus or Buddha to be put up in the house, and that they were forced to hide such pictures or sculptures in their bags. However, a few Christian domestic helpers, mainly those working for wealthy families, reported that they were allowed to go to church.

It should be noted, that there is complete freedom of worship in Bahrain and that people are theoretically free to practice their religion. There are churches, synagogues and temples in the country.

For domestic workers who are allowed to go out, connection with a religious community lessens the stress involved in adjusting to a new life and employment and helps workers solve potential future problems. The churches also provide financial assistance to foreign workers. They collect funds for helping needy workers and visit sick workers in hospitals. In addition, they provide counseling to workers with problems and are able to establish a link between the workers and their embassies or the Ministry of Labour and Social Affairs.

8.6. Using the Telephone

Those who are allowed to use the telephone for personal calls reported that they pay for international calls, while local calls are free of charge. They usually have to receive permission to use the telephone and the number and length of calls are monitored.

8.7. Maltreatment

Verbal humiliation, such as referring to a domestic helper as 'stupid', is the most common form of abuse. Adults and even children may insult domestic helpers. Other forms of abuse include physical and sexual abuse.

It should be noted here that domestic workers are not only vulnerable to sexual abuse by their sponsors but also by the sponsor's sons or other men visiting the house or other foreign workers, especially if the worker's bedroom is situated outside the house.

Six of the domestic helpers interviewed were, at least once, deprived of their meals and three were temporarily locked in their rooms as a form of reprimand.

Although physical harm is considered a crime by law, according to a lawyer interviewed, it is very difficult to prove, especially if the abuse does not leave any mark on the body.

Furthermore, house workers who do experience abuse are often afraid to approach their embassies or the police in fear of losing their jobs or deportation. Staff at the Workers' Relation Section at the Ministry of Labour and Social Affairs stated that such fears are not unwarranted.

8.8. Working Hours

The majority of domestic helpers work more than 11 hours a day and are on-call 24 hours per day. Most reported that on a given day they begin work at 5am and are not allowed to sleep until 11.30pm. Additionally, there were women who reported lack of sleep because they cared for babies during the night.

A total of 47.1% of the interviewed domestic helpers get a weekly day off. It should be noted that sponsors and recruiting agents do not encourage female domestic helpers to take a day off, as they are not allowed to go out on their own. Some female house workers reported they would rather work than be forced to stay inside during their time off or go outside with ultimately no place to go. A few wealthy families reported giving Christian workers a half-day off on rotation basis, to go to church.

Nearly all sponsors interviewed refuse to give their house workers paid annual leave. However, 17.7% of the

interviewed house workers got one month paid annual leave per year¹⁷ .

Since the labour law does not cover domestic workers, they cannot demand a weekly day off or paid annual leave. They work continuously till the end of the contract, which is two years, or more after which they have the choice of either taking unpaid leave for two or three months to visit their families or to leave Bahrain forever.

8.9. Workload

Heavy workload is one of the main complaints from domestic workers. The employers expect them to perform a variety of household tasks ranging from routine cleaning such as cooking, dusting, washing dishes and clothes, ironing, beating carpets and taking care of children, to gardening and washing cars.

Female house workers often accompany the women of the house for shopping, to carry the bags. They accompany the family during social visits in order to take care of the children. If the family goes for a walk or for a picnic, the house worker goes along to help. Some families expect the domestic helpers to even mend their clothes, sew new ones, give massages and even take on the role of a hairdresser, among other duties.

In addition to regular household chores, those who have a mastery of the English language assist children with their homework. Moreover, they take children to and from school and are seen with children in fast food restaurants, in the parks and at children's parties and recreation activities. Those who take care of babies are expected to feed them, wash their clothes, play with them and put them to bed.

Some domestic workers also work in the homes of the employers' relatives, especially in preparation for visitors. Bahrainis have a tradition of weekly gatherings of the extended family where sons and daughters, their spouses and children spend a day in the parent's house. Women house workers accompany their sponsors for such outings, taking care of the children, feeding them and, cleaning and washing dishes. (Although it is hard work, the majority of workers said they like these gatherings because it is their only chance to meet other domestic workers).

9. Workers' Aspirations and Future Plans

Of the domestic workers interviewed, the majority reported that they had come abroad to save money to buy a home or pay for their children's schooling. Others reported wanting to save to start a business or buy a farm, pay for medical expenses of a sick relative or cover marriage expenses.

Such aspirations can place great pressure on individual workers. One woman, who recently arrived to Bahrain, reported, "I cried for days. I wished I could go back home," she said. "But, I had to think about my family. Everybody there is dreaming of a better life and I could not disappoint them."

Yet expectations for saving can often be unrealistic. Interviews with domestic workers indicated that a large portion of a worker's salary is actually spent on daily consumption, rather than put aside for future use.

Often a woman returns home at the end of a contract to be faced with unemployment and the realization that any money saved needs to be used to cover immediate living expenses. At times, after a period, the economic situation of the family starts deteriorating and the woman once again has to take up a job as a domestic worker abroad.

Regarding savings, 64.7% of the domestic helpers said they save a part of their salaries in bank accounts in their countries of origin. Most do not have accounts in Bahrain because they do not save enough or because they are not permitted out of the house.

Furthermore, the majority of domestic workers interviewed indicated that they do not make the decision to work or to continue working as house workers. In fact their husbands¹⁷ or fathers decide for them or the future of their children is their main drive.

¹⁷ Service agreements between sponsors and domestic helpers entitles house workers for 15 days paid annual leave but in most cases this condition is not respected by sponsors.

10. Embassies

The governments of Sri Lanka and Indonesia do not have embassies in Bahrain. The nearest embassies for these two countries are found in Riyadh, Saudi Arabia. As a result, Sri Lankan and Indonesian workers in Bahrain have neither access to nor representation of their Embassies.

10.1. Bangladesh Embassy

In 1989, the Government of Bangladesh banned sending domestic workers to all countries. The reasons the embassy gave actually reflects the current plight of all domestic workers in Bahrain:

- Bangladeshi women working as domestic workers abroad have too often been exposed to harassment and sexual abuse;
- Domestic helpers face many difficulties due to the social and cultural differences between her and her employer in countries in the Middle East;
- Many Bangladeshi domestic helpers are illiterate, poor, and need time to adapt to the different life style in Bahrain;
- Training workers is difficult because of the language barrier;
- Sponsors and their families treat the domestic worker badly. Many household workers are verbally and sometimes even physically abused;
- Domestic workers from Bangladesh receive very low salaries and, in some cases, are not paid for several months or not at all;
- From the administrative point of view, the embassy does not have the capacity and is not equipped well enough to follow up on all the domestic workers' cases;
- Domestic helpers' remittances from Bahrain are relatively low. Their savings are economically not productive as the families of workers consume a large portion of the remittances and hardly anything is left to invest in the establishment of a business or to put as savings in the bank.

According to the embassy the ban is still in a transitional period. There are numerous initiatives in Bangladesh, by government and NGOs, to encourage women to work and stay in their home country.

Although embassies know little about their whereabouts, there are still a considerable number of Bangladeshi women working as domestic workers in countries in the region. Because the embassy considers illegal migrants outside their responsibility, little assistance is given to a worker who is located or arrested. Furthermore, the embassy is of the opinion that women arrested – an estimate of 20 to 30 Bangladeshis per month - receive fair treatment from both the police and the Bahraini court. Additionally, they believe that the number of those detained or imprisoned is negligible and does not necessitate their intervention.

10.2. Embassy of the Philippines

The government of the Philippines has taken several measures to try to ensure the safety and well-being of its citizens working abroad.

Its Department of Labour established Employment Bureaus in its embassies to monitor the welfare and interests of Filipino workers, including house workers. The Bureau is also in charge of promoting sending Filipino skilled labour abroad. In addition, the Bureau assists in the repatriation of sick workers and, in case of death, it supervises the repatriation arrangements of the body and compensation for the family of the deceased. In some cases, the Bureau bears the cost of such arrangements.

The Bureau also holds training workshops aimed at upgrading the skills of the workers to make them more attractive to the labour market and also to enable them to take up new jobs or become self-employed upon their return home.

According to the Labour Attaché, the exclusion of domestic workers from the labour law in Bahrain hinders their activities in promoting and protecting the interests of these workers. Nonetheless, there are increasing numbers of women who come to the Middle East to work as domestic workers. The Labour Department has

tried to intervene by accrediting recruitment offices that comply with a specific set of criteria. In Bahrain the embassy monitors 21 accredited agencies' work. If agencies violate any of the rules they are black listed. Yet unfortunately, these measures have not prevented recruitment of domestic helpers by other illegal agencies, which are active mainly in remote areas.

Besides providing shelter if a worker has problems with an employer (the embassy reports receiving 25 to 30 run-away house workers each month), the embassy in Bahrain also intervenes to solve disputes between the parties.

If necessary they refer the case either to the Ministry of Labour and Social Affairs or to the courts, and bear all the costs involved in litigation.

The house worker usually leaves Bahrain after the dispute is resolved. In some cases, the embassy, in coordination with the recruiting agencies, succeeds in finding a new employer for the domestic helper. However, this is possible only if the employee did not complete the probation period of three months.

According to the Labour Attaché at the Philippines Embassy, three months is too short a time for a woman house worker to get used to her new environment. They believe that the recruiting agent should be responsible for the domestic workers for the entire duration of a contract.

However, the embassy does not have direct contact with all Filipino domestic workers in Bahrain.

10.3. Embassy of India

The embassy estimates Indian domestic helpers to be around 1,500. They come mainly from three areas in India: Kerala, Andhra Pradesh and Goa. The large majority of them work for influential families.

The embassy is reluctant to have any relations with Indian domestic workers except when a worker encounters a serious problem and appeals for assistance. The negative attitude of the Indian embassy is due, mainly, to the following reasons:

- The Indian Government does not have a clear policy towards domestic workers;
- The embassy avoids confrontations with local families;
- Sponsors, generally, deny female house workers access to their embassies;
- Sponsors and the Bahraini government do not encourage officials to visit or call the Indian house workers;
- The embassy is inadequately staffed to deal with all worker-related problems;
- The embassy receives only about 6 to 10 cases per month involving female house workers. An attempt is made to resolve the dispute amicably; otherwise it is referred to the Ministry of Labour and Social Affairs.

The embassy owns a shelter for women workers in problem, as is the case with the Philippines embassy. Should the situation require, the embassy, in cooperation with many Indian societies and clubs, finds accommodation for the woman house worker and raises money for her repatriation. In case of dispute between the house worker and the employment agent, the Indian authorities are informed and the agent is banned or blacklisted. However, blacklisted agents simply change their name and continue their business under a different commercial name.

11. Conclusions and Recommendations

As already mentioned, Bahrain's labour law does not cover domestic workers. Foreign workers do not have the right to organize themselves in trade unions. Embassies help only those who appeal to them, and in most cases are reluctant to openly intervene in order to maintain good relations with the government of Bahrain.

Churches, mosques, societies and clubs (local and foreign) do not engage in any substantial and systematic activities that would provide protection of the human rights of domestic helpers.

In sum, workers in general, and female house workers, in particular, are left alone to face their destiny in a new land.

Female domestic workers, especially those arriving for the first time face difficulties in adjusting to their new lives in Bahrain. Their relations with the host families, mainly the housewives, are not always smooth. In part, this is due to lack of knowledge of each other's culture. Moreover, female house workers are confronted with numerous restrictions, which make it difficult for them to build friendships in general, and with people from their own country in specific. Therefore, they often feel lonely and not cared for.

Different factors can, however, provide a support network to the newly arrived house worker and help her adjust to her new situation. Letters from family and friends play a great role in encouraging and motivating them to continue working. Good news from the family helps a lot.

Although some host families are compassionate and sympathetic, others are impatient and do not like to see tears and thus ask for replacement. If a new house worker is returned to the recruiting agent, she is shouted at, threatened and even beaten. Finally, she goes back to the employer or to another family if the first sponsor refuses to take her back.

To improve the female domestic helpers situation in Bahrain the following is recommended:

- Laws and regulations should be amended to cover the rights of domestic workers.
- There is a need to create a body, which would comprise government authorities and the concerned embassies to deal with workers' issues and problems.
- Sending and receiving countries should meet regularly to discuss issues pertaining to house workers.
- Both sending and receiving countries should adopt policies vis-à-vis domestic workers, in view of globalization and free markets.
- A passport is the property of the worker and should be in the worker's possession.
- The media, NGOs and social centres in Bahrain should undertake public awareness campaigns to expose the public to the various cultures of the exporting countries as well as on issues related to human rights of domestic helpers. It is suggested that the holy Quran, Islamic traditions and the way that Prophet Mohammed treated his domestic workers be used as examples.
- Domestic workers should receive some kind of orientation prior to taking up their jobs, in order to acquire some understanding of the social and cultural traditions and values in their employers' countries. The media can play an important role in this regard and, labour exporting and importing countries should cooperate in producing appropriate materials such as pamphlets, films and radio dramas, to raise awareness on these matters.
- House workers should have training in household work before arrival to the host countries.
- Domestic workers should sign contracts before leaving their country of origin.
- Concerned Embassies should keep track of house workers and should not deny them protection of their rights.
- Embassies should be adequately staffed to deal with issues of migrant workers.
- Before leaving the country, a domestic worker should be given the full address of the employer and some useful addresses like the concerned embassy, the Ministry of Labour and Social Affairs and the recruiting agent.
- A woman house worker should be covered by social insurance.
- Employment agents in both the sending and receiving countries should be controlled and monitored by the authorities in order to prevent exploitation of overseas workers.
- The workers should receive encouragement and training on how to start micro-businesses in their countries upon return. A worker could be put in touch with an international organization that could assist her in getting involved in a micro-credit project.
- Labour exporting countries should adopt a viable economic strategy aimed at creating jobs and solving the problem of unemployment in order to encourage their nationals to stay in the country.
- A central registry of domestic workers and a database should be created to monitor the well being of the migrant women.
- Domestic workers should be informed of their rights. Employers should also be briefed on the rights due to domestic workers.
- A domestic workers hotline should be established for assisting workers with their problems.

Bibliography

Dias, Malsiri (1989) Female Overseas Contract Workers: Sri Lanka, in *The Trade in Domestic Helpers: Causes Mechanisms and Consequences*, Selected Papers from the Planning Meeting On International Migration and Women, APDC, Kuala Lumpur.

Employment Section, Directorate of Employment, Ministry of Labour and Social Affairs, *Statistical & Financial Reports on the Section's Achievements in 2000*.

Gulf Daily News, Bahrain, 16 September 1986 & 18 April 1988.

Gulf Mirror, Bahrain, 13 January 1983 & April 1985.

Ibrahim, Saad El-Deen (1982) *The New Social Arab System: A Study on the Social Effects of the Oil Richness*, Beirut, Center of Arab Union Studies.

Khalaf, Khalaf Ahmed & Others (1994) *Socialisation between the Media Effects and the Role of the Family*, Bahrain: Executive Bureau.

Khalfan, Hanan Shaheen AL (1985) *The Effects of Foreign Maids and Nannies on the Bahraini Families in Studies and Issues from the Arab Gulf Society*, Bahrain: Follow up Bureau.

Lycklama, Geertije (1989) *The Trade in Maids: Asian Domestic Helpers in Migration, Theory & Practice*, in *The Trade in Domestic Helpers: Causes Mechanisms and Consequences*, Selected Papers from the Planning Meeting On International Migration and Women, APDC, Kuala Lumpur.

Ministry of Labour and Social Affairs, *Effects of the Foreign Baby Sitters on the Characteristics of the Family in Bahrain*, Bahrain: 1985.

___, Employment Section, Directorate of Employment, *Statistical & Financial Reports on the Section's Achievements in 2000*, Bahrain: 2001.

State of Bahrain, Central Statistics Organisation, Directorate of Statistics, *The Population, Housing, Buildings and Establishments Census 1991*, Vol. 3, Bahrain: 1991.

Tornca, Vivian F. & Habana, Esther (1989) *Women in International Migration*, in *The Trade in Domestic Helpers: Causes, Mechanisms & Consequences*, Selected Papers from the Planning Meeting On International Migration and Women APDEC, Kula Lumpur.

Zayid, Layla Rajab (2000) *The Population Situation in Bahrain and the Gulf*, Sociologists' Society in Bahrain, Bahrain: November.

Chapter 3

Migrant Domestic workers in Kuwait: Findings based on a field survey¹ and additional research²

Martin Godfrey, Martin Ruhs, Nasra Shah and Monica Smith

1. Foreign labour in Kuwait

The oil-dominated Kuwaiti economy has long depended heavily on migrant labour. The relative size of the migrant labour force has changed little over several decades. Since 1965 the total population has quadrupled, while the non-Kuwaiti share of that population has varied between 56% and 73%. In 2000 it was 62%, only two percentage points lower than in 1965. The Gulf War caused a temporary glitch in this curve, where between 1990 and 1992 almost half of the non-Kuwaitis left the country, leading to an increase in the share of Kuwaitis in the total population from 27% to 44%. In 1980 non-Kuwaitis comprised 85% of the labour force; in 2000 the figure was 82%. There have, however, been significant changes in the composition of the migrant work force over this period, notably a shift from Arab nationals to South Asian nationals.

Table 1. Composition of Kuwait's Population, 1965-2000 (total numbers and percentage shares)

| | 1965 | 1975 | 1985 | 1990 | 1992 | 1995 | 2000 |
|---------------------------|---------|---------|-----------|-----------|-----------|-----------|-----------|
| <i>Kuwaiti</i> | 168,793 | 307,755 | 470,473 | 580,674 | 626,150 | 655,820 | 859,958 |
| share in total population | 36 | 31 | 28 | 27 | 44 | 42 | 38 |
| share of males | 51 | 50 | 51 | 51 | 51 | 50 | 49 |
| share of females | 49 | 50 | 49 | 49 | 49 | 50 | 51 |
| <i>Non-Kuwaiti</i> | 298,546 | 687,082 | 1,226,828 | 1,560,791 | 796,049 | 920,163 | 1,415,022 |
| share in total population | 64 | 69 | 72 | 73 | 56 | 58 | 62 |
| share of males | 67 | 57 | 59 | 61 | 61 | 64 | 68 |
| share of females | 33 | 43 | 41 | 39 | 39 | 36 | 32 |
| <i>Total</i> | 467,339 | 994,837 | 1,697,301 | 2,141,465 | 1,422,199 | 1,575,983 | 2,274,980 |
| share of males | 61 | 55 | 57 | 58 | 56 | 58 | 61 |
| share of females | 39 | 45 | 43 | 42 | 44 | 42 | 39 |

Source: computations based on data taken from Ministry of Planning, Kuwait, Annual Statistical Abstract (various issues) and Monthly Digest of Statistics (various issues).

In fact, data on the composition by nationality of new residence permits show that there has been an almost complete reversal in the shares of Arabs and Asians. The Arab share was already falling gradually before the Gulf war – from 73% in 1970-1974 to 37% in 1985-1989, but then more rapidly to only 5% in 1995-1999. In contrast, the share of Asians increased gradually from 21% in 1970-1974 to 54% in 1985-1989, and then more rapidly to

¹ This chapter is based on: ILO, Migrant Workers in Kuwait: A Review of the Recruitment System in an International Context, International Migration Programme, ILO, Geneva, 2001. (unpublished). The report was prepared by a team of ILO consultants (Martin Godfrey, Martin Ruhs and Nasra Shah) under the guidance of Manolo Abella, Chief, ILO International Migration Programme). The surveys were implemented by a team supervised by Nasra Shah and Mohamed Refaat Abozeid.

² To provide a broad perspective on the plight of the domestic migrant worker in Kuwait additional research from various sources was conducted and added to the original 2001 survey by Monica Smith.

67% in 1995-1999. A further interesting post-Gulf-war development has been the marked rise in the share of Europeans, from only 2% in 1985-1989 to 14% in 1995-1999. The increasing share of non-Arabic-speaking Asians in total population has begun to raise concern about their impact on Kuwaiti society. In the past, the mostly Arab foreign workers were incorporated more easily into Kuwaiti society than Asians.

It is instructive to analyze the distribution of the Kuwaiti workforce by sectors. While non Kuwaitis are employed in all sectors and occupations in the private as well as the public sector, there are three major segmentations by nationality:

- While non-Kuwaitis represent the majority of workers in most sectors, there are some in which they account for almost the entire workforce – including the industrial sector as a whole (93% non-Kuwaitis in 1999), with manufacturing (92%), construction (99%), and wholesale and retail trade, restaurants, and hotels (98%). Moreover, there has been virtually no change in these employment concentrations since 1985.
- Almost the entire unskilled workforce in Kuwait consists of foreigners. As of 1999, non-Kuwaitis represented 91% of all production workers, 96% of semi-skilled workers, and 98% of service and agricultural workers and labourers.
- The vast majority of Kuwaiti workers are employed in the public sector, whereas most of all non-Kuwaiti workers are employed in the private sector.

2. Migration Policies

The migration policies and institutions put in place to manage this flow³ have been successful in facilitating economic growth and allowing Kuwaiti citizens to enjoy a high standard of living. However, in recent years some evidence has emerged to suggest that the system for managing migration may not be functioning in an optimal way. Among the developments giving cause for concern are the emergence of unemployment among both Kuwaiti citizens and non-Kuwaiti residents; declining wages and productivity; political mobilization of some migrant workers, with potential implications for public order and security; concerns about the capacity of the public sector to continue to act as employer of last resort for Kuwaiti citizens; the impact on the national reputation of reports of abusive treatment of migrant workers; and evidence of major irregularities in the way that the *kafala* system is working in practice.

The government's efforts to nationalize the resident population include a policy that encourages high fertility rates among the Kuwaiti population. Growth rates of the Kuwaiti population have indeed been high in recent years. As of 1998 over half the indigenous population was under 20 years of age. As these cohorts of young people come into the labour market it will be increasingly challenging for the Government to find and finance jobs for them in the public sector, as employer of last resort.

A bill on labour market reform, designed to encourage Kuwaitis to seek employment in the private sector, was approved by the National Assembly in May 2000. Under this law, most of the benefits of public sector employment are also extended to Kuwaitis employed in the private sector. These efforts are to be financed by the imposition of a tax on companies listed on the Kuwaiti stock exchange (KSE). To complement these measures, the Civil Service Council is to set a quota for Kuwaitis that private companies must employ. Companies that fail to meet this target would be subject to sanctions, such as exclusion from bidding for government contracts.

It remains to be seen whether these most recent policies succeed in luring Kuwaitis into private sector employment. Critics argue that real progress toward nationalization of the labour force will not be achieved without a significant change in societal attitudes toward technical and manual work and without abolition, or at least significant reduction, of the government's traditional commitment to guaranteeing every Kuwaiti a job regardless of qualifications.

³ Al Nama International (Translating Services), New Private Sector Labour Law with Amendments up to 1997, Kuwait

3. Methodology

In 1991 Shah and Al-Qudsi, et al. analyzed the situation of Asian women workers in Kuwait distinguishing between domestic workers and clerical and (semi) professional workers⁴. They found that, as of 1985, 84% of Asian workers worked as domestic workers, while only 6% of Arab women and almost none of the Kuwaiti nationals were in this category. On the other hand, only 7% of Asian women worked in professional and technical occupations, compared with 46% of the Kuwaiti nationals and 47% of the Arabs. Further analysis of the socio-economic characteristics of Asian women in Kuwait showed that almost 70% were married and about 85% did not have primary (or higher) education. The analysis also suggested that the wage differentials between Asian and national women (with similar individual characteristics) were large and indicative of discrimination.

A study by Longva⁵ explores how the presence of large numbers of foreign workers in Kuwait has influenced the way Kuwaitis organize their lives and perceive themselves. It focuses on: the history of migration in Kuwait and the resulting multi-ethnic, multi-cultural society; the politics of exclusion that have allowed Kuwaitis to protect their rights and privileges as citizens; the sponsorship system (kafala) under which foreign workers enter and reside in the country; and the expatriate way of life.

But there has been no systematic analysis of the migrant labour recruitment, and their impact on the Kuwaiti economy. It was at the invitation of the Government of Kuwait that the ILO carried out the study on the recruitment system, which explores aspects of Kuwait's policy for recruiting migrant labour. The study is a collaborative exercise between the ILO Beirut Office, and the Kuwait ILO Office and the International Migration Programme, Geneva.

While the focus was mainly on the 'kafala' or the recruitment system, the overall study focuses on macroeconomic developments, wages and productivity, the labour market situation and specific categories of workers. Detailed references and statistical tables can be found in the main report⁶.

In the absence of any reliable data on the profile of migrant workers and employers, it was decided to carry out a sample survey to generate information required for the study. Four interview surveys were carried out, as follows: (a) non-Kuwaiti workers in the private business sector; (b) employers in the private business sector; (c) non-Kuwaiti workers in domestic service; and (d) employers of non-Kuwaiti domestic workers.

The sample of 301 non-Kuwaiti domestic workers was also purposively selected, and, again in the interests of communication in a native language, largely confined to citizens of the four countries which are of most importance in this sector – Sri Lanka, India, Bangladesh and the Philippines. Males (accounting for about a third of the sample) were largely comprised of the three nationalities with largest representation – Sri Lankans, Indians and Bangladeshis.

The sample of 200 employers of non-Kuwaiti domestic workers was selected systematically through multi-stage probability sampling of households. From each of the six governorates, districts, then sub-districts, and finally households were selected. Employers were interviewed in their houses.

In this chapter, the results from the 2001 survey on domestic migrant workers in Kuwait are presented, summarized and analyzed. Attention is given to the makeup of such workers within the country as well as to the conditions they face at home and abroad. As such, the areas addressed include: problems related to recruitment and immigration, the nature of work, wages, benefits, working conditions, as well as mobility and employment

⁴Shah, N. M., S. S. Al-Qudsi, et al. (1991). "Asian women workers in Kuwait." *International Migration Review* XXV(3): 464- 486. See also: Shah, N. (1995). "Structural Changes in the Receiving Country and Future Labour Migration - the Case of Kuwait." *International Migration Review* 112 (29): 1000-1023. Shah, N. (2000). "Relative Success of Male Workers in the Host Country, Kuwait: Does the Channel of Migration Matter?" *International Migration Review* 129 (34): 59-78. Shah, N. M. and I. Menon (1999). "Chain Migration through the Social Network: Experience of Labour Migrants in Kuwait." *International Migration* 37 (2): 361-382

⁵Longva AN, *Walls built on sand: migration, exclusion, and society in Kuwait*, Westview Press, Boulder, Colorado, 1986.

⁶ILO, *Migrant Workers in Kuwait: A Review of the Recruitment System in an International Context*, International Migration Programme, ILO, Geneva, 2001. (unpublished).

problems. The results of interviews with employers of domestic migrant workers have been provided for additional clarification and to aide further analysis. In the final analysis, the consequences of the entire system for domestic foreign workers, Kuwaiti employers, and the economy and society as a whole are summarized.

As this chapter was based on first hand quantitative data collection and analysis, additional information has been added throughout the chapter to provide a broader picture of the situation of domestic migrant workers in Kuwait. The information collected comes from a variety of sources including: government data bases, UN sources, news reports and related conference papers.

4. Domestic Service Workers

It is difficult to obtain accurate and up-to-date statistics on domestic migrant workers in Kuwait. However, a collection of various statistics can give an approximate picture of the numbers of domestic worker in the country. In 1997 it was reported that there were 280,000 foreign maids and servants in the Kuwait. In 2002 it was estimated that of the 1,475,000 expatriates in Kuwait, 295,000 were Indians, 160,000 Bangladeshis, 160,000 Sri Lankans, and 65,000 Filipinos/as – the percentage of those working as domestic workers is not specified.

While overall statistics are not available, it is possible to draw upon the survey of the 301 workers conducted in 2001 to obtain a nascent idea of who the domestic migrant workers are in Kuwait. The following is a summary of the characteristics, including: nationality, gender, education, etc. of the domestic workers interviewed.

Table 2 enumerates the divisions of interviewees by gender and nationality. Sri Lankans (42% of the total) and Indians (25%) are the largest national groups, and 69% of the workers are women.

Table 2. Number of non-Kuwaiti domestic workers interviewed, by nationality and sex

| Nationality | Male | Female | Total |
|-------------|------|--------|-------|
| Sri Lanka | 31 | 94 | 125 |
| Bangladesh | 29 | 10 | 39 |
| Philippines | 1 | 55 | 56 |
| India | 32 | 43 | 75 |
| Other | 0 | 6 | 6 |
| Total | 93 | 208 | 301 |

Source: Interviews with workers

Domestic workers in Kuwait on average are younger and less educated than migrant workers in the private sector (Table 3). Of the domestic helpers, 71% are under the age of 35. In regards to schooling, 22% of men and 49% of women have no more than primary education. However, a significant proportion of such workers (20% of men and 27% of women) have high-school qualifications and above. In addition, almost all domestic workers are on their own in Kuwait: 94% of women and 96% of men are single or married but unaccompanied.

Table 3. Number of domestic workers interviewed by age, sex and schooling

| | Male | | | | Female | | | | Total | |
|---------------------------|------|-------|-------|-----|--------|-------|-------|-----|-------|-----|
| | <25 | 26-34 | 35-49 | 50+ | <25 | 26-34 | 35-49 | 50+ | M | F |
| No schooling | 0 | 0 | 0 | 0 | 1 | 7 | 10 | 0 | 0 | 18 |
| Some primary | 1 | 2 | 0 | 0 | 8 | 16 | 12 | 1 | 3 | 36 |
| Completed primary | 5 | 10 | 3 | 0 | 13 | 24 | 10 | 0 | 18 | 47 |
| Intermediate | 4 | 22 | 18 | 1 | 9 | 26 | 14 | 0 | 45 | 49 |
| High school or equivalent | 4 | 17 | 3 | 0 | 14 | 27 | 11 | 0 | 24 | 52 |
| University & PG | 0 | 3 | 0 | 0 | 1 | 1 | 3 | 0 | 3 | 5 |
| Total | 14 | 54 | 24 | 1 | 46 | 101 | 60 | 1 | 93 | 207 |

Source: Interviews with workers

Of the national groups (apart from the small 'other' category), as Table 4 shows, Filipinos/as have the highest proportion of women (46%) with high school qualifications and above and Sri Lanka the lowest (13%). Among men, apart from the single Filipino male, India has the highest proportion in this category (44%) and Sri Lanka the lowest (16%).

Table 4: Number of domestic workers interviewed by nationality, sex and schooling

| | Sri Lanka | | Bangladesh | | Philippines | | India | | Other |
|----------------------------------|-----------|--------|------------|--------|-------------|--------|-------|--------|--------|
| | Male | Female | Male | Female | Male | Female | Male | Female | Female |
| No schooling | 0 | 7 | 0 | 1 | 0 | 0 | 0 | 9 | 1 |
| Some primary | 1 | 22 | 2 | 1 | 0 | 3 | 0 | 9 | 2 |
| Completed primary | 7 | 30 | 10 | 5 | 0 | 10 | 1 | 2 | 0 |
| Intermediate | 18 | 23 | 9 | 0 | 1 | 17 | 17 | 9 | 0 |
| High school or equivalent | 4 | 12 | 6 | 1 | 0 | 23 | 14 | 13 | 3 |
| University & PG | 1 | 0 | 2 | 2 | 0 | 2 | 0 | 1 | 0 |
| Total | 31 | 94 | 29 | 10 | 1 | 55 | 32 | 43 | 6 |

Source: Interviews with workers

Few domestic servants are able to read or write Arabic, yet more than half (53% of women, 54% of men) claim to speak the language fluently or adequately (Table 5). Women from the Philippines and Sri Lanka (60% in this category in each case) and Sri Lankan men (71%) are the most proficient in this respect.

Table 5. Number of domestic workers interviewed by nationality, sex and proficiency in Arabic

| | Sri Lanka | | Bangladesh | | Philippines | | India | | Other |
|-------------------|-----------|--------|------------|--------|-------------|--------|-------|--------|--------|
| | Male | Female | Male | Female | Male | Female | Male | Female | Female |
| Speaking | | | | | | | | | |
| <i>Fluent</i> | 2 | 3 | 4 | | | | 4 | 1 | 4 |
| <i>Adequate</i> | 20 | 54 | 13 | 3 | | 29 | 10 | 10 | 2 |
| <i>Basic only</i> | 9 | 36 | 12 | 7 | 1 | 20 | 20 | 26 | 4 |
| <i>None</i> | | 1 | | | | | 2 | 1 | 3 |
| Reading | | | | | | | | | |
| <i>Fluent</i> | | | 2 | | | | | | |
| <i>Adequate</i> | | | 1 | | | | | 1 | 1 |
| <i>Basic only</i> | 5 | 18 | 10 | 3 | | 1 | 15 | 4 | 2 |
| <i>None</i> | 26 | 76 | 16 | 7 | 1 | 54 | 16 | 39 | 3 |
| Writing | | | | | | | | | |
| <i>Fluent</i> | | | 1 | | | | 1 | | |
| <i>Basic only</i> | 2 | 4 | 5 | 3 | | | 14 | 3 | 2 |
| <i>None</i> | 29 | 90 | 23 | 7 | 1 | 55 | 17 | 40 | 4 |

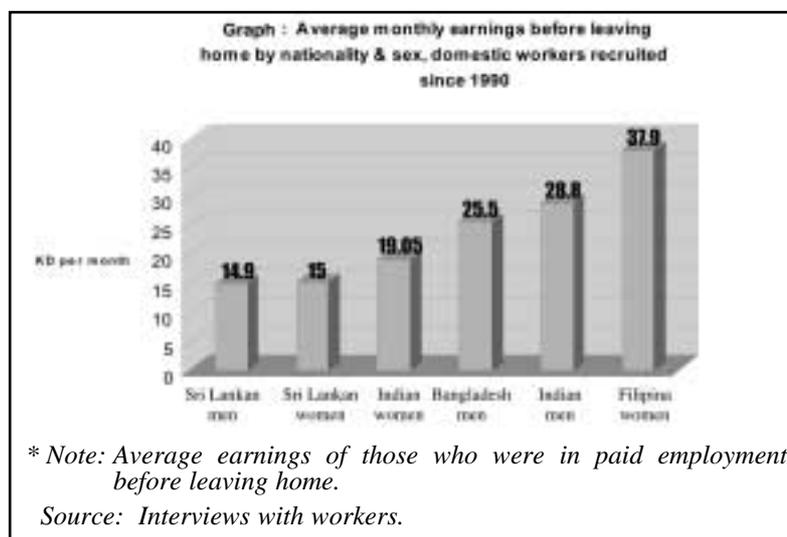
In contrast to migrant workers in the private sector, a relatively high proportion of domestic workers had been unemployed (20%) or outside the labour force (24%) before leaving home (Table 6). Among women these %ages are even higher – 24% unemployed and 32% outside the labour force. Women from Sri Lanka (72%) and Bangladesh (60%) have the highest incidence of being outside the labour force, and those from the Philippines (29%) the lowest. Among men, the percentages indicating "previously not working" vary little between nationalities (18 to 20%).

Table 6. Number of domestic workers by sex, nationality and employment status in home country

| | Sri Lanka | | Bangladesh | | Philippines | | India | | Other | | Total |
|-----------------------------|-----------|----|------------|----|-------------|----|-------|----|-------|----|-------|
| | M | F | M | F | M | F | M | F | F | M | F |
| Wage labour | 25 | 27 | 17 | 3 | 0 | 34 | 21 | 19 | 0 | 63 | 83 |
| Self-employed | 0 | 0 | 5 | 1 | 0 | 5 | 5 | 2 | 0 | 10 | 8 |
| Unpaid family labour | 0 | 0 | 1 | 0 | 1 | 0 | 0 | 1 | 1 | 2 | 2 |
| Unemployed | 3 | 26 | 3 | 3 | 0 | 9 | 6 | 7 | 4 | 12 | 49 |
| Outside labour force | 3 | 41 | 2 | 3 | 0 | 7 | 0 | 14 | 1 | 5 | 66 |
| Total | 31 | 94 | 28 | 10 | 1 | 55 | 32 | 43 | 6 | 92 | 208 |

Source: Interviews with workers.

The average earnings obtained by domestic migrant workers in their various home countries since 1990 varies widely depending on nationality (see graph). Filipinas had by far the highest earnings among women – at almost KD 38 (US\$120) per month, nearly double those of Indian and 2_ times those of Sri Lankan women. Indian and Bangladeshi men had earned considerably more than Sri Lankan men, who had earned slightly less than their female compatriots.



More than nine out of ten female domestic servants are working as housemaids, while more than half the men are drivers (Table 7). Many of the cooks are Indians, both male and female, and Sri Lankan women are overwhelmingly housemaids.

Table 7. Number of domestic workers by occupation, sex and nationality

| | Sri Lanka | | Bangladesh | | Philippines | | India | | Other | | Total |
|------------------|-----------|----|------------|----|-------------|----|-------|----|-------|----|-------|
| | M | F | M | F | M | F | M | F | F | M | F |
| Housemaid | 11 | 90 | 10 | 8 | 1 | 51 | 5 | 36 | 6 | 27 | 191 |
| Cook | 1 | 3 | 2 | 0 | 0 | 0 | 6 | 5 | 0 | 9 | 8 |
| Gardener | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 |
| Driver | 19 | 0 | 11 | 0 | 0 | 0 | 18 | 0 | 0 | 48 | 0 |
| Nurse | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 | 0 | 0 | 2 |
| Guard | 0 | 0 | 3 | 0 | 0 | 0 | 3 | 0 | 0 | 6 | 0 |
| Other | 0 | 1 | 1 | 2 | 0 | 3 | 0 | 1 | 0 | 1 | 7 |
| Total | 31 | 94 | 29 | 10 | 1 | 55 | 32 | 43 | 6 | 93 | 208 |

Source: Interviews with workers.

5. Employers of domestic servants interviewed

Of the two hundred employers of domestic workers interviewed for the 2001 survey, 90% are Kuwaiti, 86% male, and almost half in the 39-45 age group. They are relatively well educated: 37% have university degrees,

70% high school qualifications or above, and only 9% have primary schooling or less. Regarding marital status, 91% are currently married, the remainder single, widowed or divorced. Total monthly household income ranges from KD 1,062 (US\$3,000), on average, for households with less than five members, to KD 2,915 (US\$9,000) for those in the 15-19 group⁷. In total, the 200 employers employ 332 domestic workers, of whom 79% are female, 38% Sri Lankan, 10% Bangladeshi, 11% Philippine and 37% Indian. Of their female servants 89% are housemaids, and 83% of the males are drivers. Thus the composition of their workforce is slightly different from that of the sample of workers in this study.

6. Recruitment and immigration of domestic migrant workers

The following information is primarily based on the 2001 survey of domestic workers and employers in Kuwait. In contrast to their private-sector counterparts, as Table 8 shows, almost all domestic workers came into Kuwait on a regular visa, acquired from a private recruiting agency at home (59% of the total sample, 69% of women), or through a friend or relative already in Kuwait (34% of the total, 24% of women).

Table 8. Number of domestic workers by type of visa, how acquired, sex and nationality

| | Sri Lanka | | Bangladesh | | Philippines | | India | | Other | | Total |
|---------------------------------------|-----------|-----------|------------|-----------|-------------|-----------|-----------|-----------|----------|-----------|------------|
| | M | F | M | F | M | F | M | F | F | M | F |
| Azad visa, acquired through: | | | | | | | | | | | |
| Private recruiting agency at home | 0 | 2 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 2 |
| Friend /relative already in Kuwait | 0 | 1 | 5 | 1 | 0 | 0 | 0 | 1 | 0 | 5 | 3 |
| Direct contact with sponsor | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| Regular visa acquired through: | | | | | | | | | | | |
| Private recruiting agency at home | 20 | 75 | 12 | 5 | 0 | 43 | 1 | 16 | 5 | 33 | 144 |
| Private recruiting agency in Kuwait | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 16 | 0 | 0 | 4 |
| Friend / relative already in Kuwait | 10 | 12 | 10 | 3 | 1 | 10 | 30 | 24 | 1 | 51 | 50 |
| Direct contact with sponsor | 1 | 0 | 1 | 0 | 0 | 1 | 1 | 1 | 0 | 3 | 2 |
| Other | 0 | 1 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 2 |
| TOTAL | 31 | 94 | 29 | 10 | 1 | 55 | 32 | 43 | 6 | 93 | 208 |

Source: Interviews with workers.

⁷ Forty employers refused to answer the question about income.

On average, domestic workers have spent KD 155 (US\$400) on obtaining the job in Kuwait, of which KD 71 (US\$210) on travel, KD 60 (US\$180) on the visa and KD 24 (US\$75) on other recruitment costs. Arrangements made through recruitment agencies are again more expensive than others. Travel costs depend mainly on distance. As with private-sector workers, loans from friends and relatives are a major source of finance (accounting for 59% of the total), followed by personal savings (16%) and advances from sponsors (7%). On average, these workers have borrowed KD 101 from friends, relatives and sponsors, with debts particularly high among workers from Bangladesh (KD 241), followed by the Philippines (KD 100), India (KD 95), and Sri Lanka (KD 61)⁸. Over 40% of domestic workers have helped friends and relatives obtain visas on one occasion or another, but less than 5% have had to pay for a visa extension and only 2% for a visa transfer (Table 9). There is little variation between nationalities in these respects.

Table 9. Number of domestic workers by experience with visas, sex and nationality

| | Sri Lanka | | Bangladesh | | Philippines | | India | | Other | | Total |
|---|-----------|----|------------|---|-------------|----|-------|----|-------|----|-------|
| | M | F | M | F | M | F | M | F | F | M | F |
| Helped friend/relative obtain visa once | 11 | 9 | 2 | 1 | | 6 | 5 | 7 | 3 | 18 | 26 |
| Helped friend/relative obtain visa more than once | 9 | 22 | 11 | 0 | | 15 | 11 | 11 | 0 | 31 | 48 |
| Never helped a friend relative for visa | 11 | 64 | 16 | 9 | 1 | 34 | 16 | 25 | 3 | 44 | 135 |
| Had to pay for visa extension | 0 | 2 | 6 | 3 | 0 | 0 | 0 | 4 | 0 | 6 | 9 |
| Never had to pay for visa extension | 31 | 92 | 23 | 7 | 1 | 55 | 32 | 39 | 6 | 87 | 199 |
| Had to pay for visa transfer | 0 | 0 | 3 | 1 | 0 | 0 | 1 | 2 | 0 | 4 | 3 |
| Never had to pay for visa transfer | 31 | 94 | 26 | 9 | 1 | 55 | 31 | 41 | 6 | 89 | 205 |

Source: Interviews with workers.

The proportion of workers who are not working for their sponsor is lower in the domestic than in the private sector – only 10%, of whom half have never worked for their sponsor (Table 10). The incidence of such irregularities is, of course, much higher among the small number of Azad visa holders. Very few expected before leaving home that they would not work for their sponsor.

Table 10. Number of domestic workers by type of visa and whether working for current sponsor

| | Azad visa | Regular visa | Total |
|--|-----------|--------------|-------|
| Working for current sponsor | 2 | 270 | 272 |
| Not working for current sponsor | 2 | 13 | 15 |
| Never worked for sponsor | 8 | 6 | 14 |
| Total | 12 | 289 | 301 |
| Before leaving home, didn't expect to be employed by sponsor | 4 | 17 | 21 |

Source: Interviews with workers.

⁸ US\$ is equal to 0.30540 Kuwaiti Dinars (United Nations rate- August 2001)

From the interviews with employers, irregularities in the domestic-worker recruitment system seem to be widely recognized. There is no discrepancy between the number sponsored and the number employed, but 14% of employers (more among the more educated) admit to occasionally employing temporary workers. Almost a third of employers confirm that non-Kuwaitis sometimes offer money for visas to other people (with a going rate between KD 257 and KD 300) but only 13% of those who answered this question admit that it happened to them. Quite a high proportion (29%) of respondents, and an even higher proportion of the more educated, report that other people sometimes recruit domestic servants without sponsoring them, and 20% (again with the more educated disproportionately represented) admit that they have sometimes done so themselves.

As many as 89% of employers say that they have never had any difficulties in obtaining visas for domestic workers – the most common problems being delays in processing (reported by 8%) and receipt of a smaller number of visas than requested (3%). The proportion of workers who surrender their passports to sponsors or employers is even higher than in the case of the private sector – 92% of women and 91% of men (Table 11). For some reason, Bangladeshis are more likely than other nationalities to hold their own passports. This is broadly in line with what employers tell us: 84% of them say that they 'always' hold their workers' passports, a further 16% say 'sometimes'.

Table 11. Number of domestic workers by location of passport, sex and nationality

| | Sri Lanka | | Bangladesh | | Philippines | | India | | Other | | Total |
|--------------------------------------|-----------|----|------------|----|-------------|----|-------|----|-------|----|-------|
| | M | F | M | F | M | F | M | F | F | M | F |
| My sponsor keeps my passport | 31 | 89 | 25 | 8 | 1 | 52 | 28 | 38 | 6 | 85 | 187 |
| My employer keeps my passport | 0 | 2 | 0 | 0 | 0 | 1 | 0 | 2 | 0 | 0 | 5 |
| I keep my passport | 0 | 3 | 4 | 2 | 0 | 1 | 4 | 2 | 0 | 8 | 8 |
| Other | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 | 0 | 0 | 2 |
| Total | 31 | 94 | 29 | 10 | 1 | 55 | 32 | 43 | 6 | 93 | 207 |

Source: Interviews with workers.

7. Review of working conditions

One of the most hidden forms of work is domestic service⁹. This is true in Kuwait as well as other countries. Workers are often isolated in other people's homes as their labour goes unrecognized, unseen, undervalued and not covered by a country's labour laws. There are no proper job descriptions for their work and no recognition of necessary skills or qualifications. Since the majority of domestic workers are migrants from rural areas and other countries, they stay in the employer's home where they are expected to work long hours for a minimal wage. They are undoubtedly in a vulnerable situation and at risk of experiencing various abuses by their employers and hiring agencies.

The following is an overview of the working condition for domestic workers in Kuwait. The proceeding sections draw primarily upon the 2001 surveys of domestic migrant workers and employers in Kuwait. Yet, additional research has been included, especially in regards to the sections on contracts, work permits, and sponsorship as well as treatment by employees and agencies.

⁹ Information for the introduction to this section comes from the Promoting Gender Equality Kit of the ILO as a Resource for Trade Unions.

8. Remuneration and Benefits

The 2001 survey showed that average wages are lower than in the private sector, and tend to be higher for men than for women and to vary directly with age and level of education (Table 12).

Table 12. Current average basic wage of domestic workers by age, sex and schooling (KD per month)

| | Male | | | | Female | | | |
|----------------------------------|------|-------|-------|-----|--------|-------|-------|-----|
| | <25 | 26-34 | 35-49 | 50+ | <25 | 26-34 | 35-49 | 50+ |
| No Schooling | . | . | . | . | 50* | 38 | 53 | . |
| Some Primary | 40* | 55* | . | . | 39 | 41 | 48 | 80* |
| Completed Primary | 43 | 40 | 55* | . | 40 | 47 | 56 | . |
| Intermediate | 39* | 53 | 66 | 90* | 45 | 51 | 60 | . |
| High School or Equivalent | 54 | 57 | 53* | . | 47 | 52 | 54 | . |
| University & PG | . | 88* | . | . | 35* | 125* | 60* | . |

* Cells having a count of less than 5

Source: Interviews with workers.

As in the private sector, there are wage differences between nationalities: female domestic workers from the Philippines tend to earn more. Those from Bangladesh earn less than other nationalities (Table 13), yet there is little difference in wages between drivers of different nationalities. Wages reported by workers are similar to, or in some cases higher than, those reported by employers, who claim to pay housemaids between KD 40 and KD 47 and drivers between KD 53 and KD 63 per month.

Table 13. Current average basic wage of domestic workers by sex, nationality & occupation

| | Sri Lanka | | Bangladesh | | Philippines | | India | | Other |
|------------------|-----------|-----|------------|----|-------------|-----|-------|----|-------|
| | M | F | M | F | M | F | M | F | F |
| Housemaid | 38 | 45 | 43 | 34 | 45* | 54 | 65 | 51 | 44 |
| Cook | 70* | 57* | 63* | - | - | - | 71 | 56 | - |
| Gardener | - | - | 53* | - | - | - | - | - | - |
| Driver | 58 | - | 59 | - | - | - | 62 | - | - |
| Nurse | - | - | - | - | - | 60* | - | 50 | - |
| Guard | - | - | 37* | - | - | - | 53* | - | - |
| Other | - | 60* | 70* | 89 | - | 67* | - | 50 | - |

* Cells having a count of less than 5

Source: Interviews with workers.

Regression analysis can be used to illuminate the determinants of domestic workers' wages. Schooling, years of work experience in Kuwait, age and being male all have a positive effect on wages. Nationality is also a factor: wages are positively affected by Filipino or Indian nationality, negatively by Bangladeshi. In addition, interestingly the retention of one's own passport has a positive effect. Less expected, but also interesting is the fact that wages vary inversely with the number of household members per servant and directly with receipt of health benefits (perhaps again because these are proxies for 'quality' of employer).

The problem of unmet expectations, observed in the private sector, does not seem to affect domestic workers. All nationalities except Bangladeshis are earning more than they had expected before leaving home. On average, earnings are 12% higher than was expected, with an even greater premium for those who got their information from the media, government officials at home or friends and relatives (Table 14).

Table 14. Ratio of current to expected basic wage by basis of expectation

| | # of workers mention this | Average expected wage (KD) | Average current wage (KD) | Ratio (current to expected wage) |
|--|---------------------------|----------------------------|---------------------------|----------------------------------|
| Promise or contract from employer | 189 | 42.88 | 48.02 | 1.12 |
| Information from government officials at home | 3 | 40.00 | 48.33 | 1.21 |
| Information from media | 2 | 40.00 | 80.00 | 2 |
| Information from friends/relatives | 74 | 44.86 | 54.46 | 1.21 |
| Other | 33 | 64.53 | 59.55 | .92 |
| Total | 301 | 45.63 | 51.08 | 1.12 |

Source: Interviews with workers.

The main non-wage benefit provided is housing: 84% of domestic workers (80% of women) are provided with free housing, in or outside their employers' residence (Table 15). A slightly lower proportion, 77% (but 83% of women) have their healthcare fees paid by employers. Around 40% are given bonuses and 20% qualify for sick leave. Women from the Philippines fare better than other nationalities for free housing, those from Sri Lanka for health fees and bonuses. The incidence of non-wage benefits reported by employers is higher than this: 91% claim to be providing housing, 92% to be paying health fees, 72% to be granting sick leave and 57% to be paying for accident insurance.

Table 15. Number of domestic workers receiving non-wage benefits by type of benefit, sex and nationality

| | Sri Lanka | | Bangladesh | | Philippines | | India | | Other | | Total | |
|---------------------------------------|-----------|----|------------|---|-------------|----|-------|----|-------|----|-------|--|
| | M | F | M | F | M | F | M | F | F | M | F | |
| Free housing in residence | 7 | 36 | 9 | 0 | 0 | 11 | 7 | 19 | 0 | 23 | 66 | |
| Free housing outside residence | 24 | 38 | 15 | 7 | 1 | 39 | 24 | 13 | 2 | 64 | 99 | |
| Health fees | 26 | 83 | 22 | 8 | 0 | 46 | 11 | 32 | 4 | 59 | 173 | |
| Accident insurance | 0 | 5 | 8 | 2 | 0 | 0 | 0 | 1 | 0 | 8 | 8 | |
| Sick leave | 2 | 18 | 10 | 1 | 0 | 14 | 2 | 11 | 3 | 14 | 47 | |
| Bonuses | 19 | 42 | 13 | 3 | 0 | 24 | 4 | 14 | 1 | 36 | 84 | |
| Other | 0 | 3 | 0 | 0 | 0 | 9 | 5 | 3 | 2 | 5 | 17 | |

Source: Interviews with workers.

9. Hours of work

More than half of domestic workers (more in the case of housemaids) are in households with four or more residents (Table 16). Apart from a few part-time gardeners, hours are long, ranging on average from 78 to 100 hours a week. Overtime pay is virtually non-existent. On average, only one or two days off are allowed per month and, except for nurses, very few receive any training. However, these statistics are out of line with what surveyed employers claim: they report an average working week of 60 hours for males and 66 hours for females, and 69% of them claim to provide training. They do not, however, except in one case, claim to make overtime payments.

Table 16. Indicators of working conditions of domestic workers by occupation

| | Housemaid | Cook | Gardener | Driver | Nurse | Guard | Other | Total |
|--|-----------|------|----------|--------|-------|-------|-------|-------|
| Number of residents per domestic servant: | | | | | | | | |
| 1 or less | 8 | 2 | 0 | 2 | 0 | 2 | 0 | 14 |
| more than 1 and less than 2 | 8 | 1 | 1 | 6 | 0 | 0 | 0 | 16 |
| 2 to less than 3 | 23 | 6 | 0 | 9 | 0 | 1 | 5 | 44 |
| 3 to less than 4 | 24 | 2 | 0 | 12 | 2 | 1 | 0 | 41 |
| 4 to less than 5 | 40 | 3 | 0 | 4 | 0 | 0 | 0 | 47 |
| 5 and above | 99 | 3 | 0 | 13 | 0 | 2 | 0 | 117 |
| Average normal working hours per week: | 100.0 | 88.4 | 16.0 | 91.7 | 108.0 | 99.7 | 77.6 | |
| Overtime pay: | | | | | | | | |
| Yes | 3 | 0 | 0 | 1 | 0 | 0 | 1 | 5 |
| No | 215 | 17 | 2 | 47 | 2 | 6 | 7 | 296 |
| Average number of days off per month | 1.12 | 2.1 | 1.0 | 2.3 | 1.5 | 1.3 | 1.3 | |
| Received training: | | | | | | | | |
| Yes | 17 | 1 | 0 | 3 | 1 | 0 | 1 | 23 |
| No | 201 | 16 | 2 | 45 | 1 | 6 | 7 | 278 |
| Total | 218 | 17 | 2 | 48 | 2 | 6 | 8 | 301 |

Source: Interviews with workers.

10. Job Mobility

Mobility among domestic workers, although it exists, is lower than in the private sector. 58% have always worked for the same employer and 65% have never transferred sponsorship. Only 5% have ever been self-employed, and 84% have never been without a job. Mobility is highest among cooks and the few guards in the sample.

11. Contracts, sponsorship and work permits

The contract for migrant foreign worker entering Kuwait can be verbal or in writing. In either case, it must show at least:

- The remuneration payable
- A description of the job
- The date of appointment
- Its duration (if fixed)

However, it appears that especially in regards to domestic migrant workers, such terms are at times not

adhered to as there have been reports of discrepancies in pay and in the understanding of what tasks would be performed. In addition, it seems there is little recourse for workers when a worker's contract is not followed.

As in other Arab countries, the kafala system, which allows foreign workers to enter the country with the assistance of a sponsor/employer, is enacted. The system is designed to ensure that a visa is only issued if the sponsor agrees to employ the foreign worker under his/her sponsorship. Once the employment is terminated, the sponsor is responsible for repatriation of the worker.

At times, workers, often through no fault of their own, find themselves outside of the law in regards to such visas. Unscrupulous employers let visas expire or sell the worker to another employer. Additionally, if a domestic worker flees an unacceptable work environment he/she is rendered illegal and may face imprisonment. There have been reports of large numbers of domestic migrant workers in prison due to expired visas.

12. Treatment by employers and agencies

According to human rights reports and interviews conducted for the 2001 survey some domestic migrant workers suffer from ill treatment by employers and hiring agencies in Kuwait. Extreme cases of abuse have also been reported in the media. While the intensity and volume of problems faced by domestic workers obviously varies, the reports taken as a whole show instances of intimidation and violence, withholding of wages, restrictions on the freedom of movement, inadequate living conditions, sexual abuse, trafficking and forced labour.

Similar to other countries in the region, a US report on human rights called the plight of the domestic worker in Kuwait equivalent to indentured servitude. The report stated that women suffer from lack of minimum wages, failure in enforcement of the Labour Law, and customs or traditions, which contribute to discrimination against women and migrant workers. The same report stated that there are continuing reports of domestic workers being sexually abused by male employers and male co-workers.

Although it is difficult to ascertain accurate statistics on the various forms of abuse, in 1998 the Sri Lanka Foreign Employment Bureau reported it had received 8,821 complaints of harassment by migrant workers abroad. Of that group 5,518 were working in Kuwait. In addition, nearly 2,000 women domestic workers have fled the homes of abusive employers every year since 1991. It appears most of the instances of abuse and inhumane treatment are unreported because of fear, difficulty to leave their employer's house and lack of proper and adequate information in addressing their grievances.

According to the main survey of this report, by far the worst problem for domestic workers in Kuwait is physical and verbal abuse¹⁰. Over half of all respondents (and a higher proportion of men than women) cited such abuse as an issue: its highest incidence among men is in the 26-34 age group and among women in the under 25 group (Table 17). Those with high school or equivalent qualifications are disproportionately affected, as are Bangladeshis and Indians. Salary problems come second in importance (mentioned by 28%): women, under 25 and Sri Lankans are disproportionately affected.

In part, in reaction to such abuses, the Kuwaiti government recently, in collaboration with the Indonesian embassy, has begun deporting workers. According to the Kuwaiti Ambassador for Indonesia, Mohamed Khaled, some of the workers were deported because of improper treatment from employers or problems arising from the deceptive practices of agencies in Kuwait¹¹ and Indonesia. Since December of 2003 the Kuwaiti government has deported 291 Indonesian migrants and an additional 400 were awaiting deportation.

¹⁰ An April 2003 survey of 500 Sri Lankan domestic migrant workers by the University of Colombo found that 26.28% of the total sample reported grievances. Of these, the main complaints were not receiving full wages (54.41%), and the remainder for not receiving compensation for disability, physical or sexual assault, rape, and unwanted pregnancy.

¹¹ There are currently approximately 292 recruiting agencies in Kuwait.

Table 17. Incidence of problems by type of problem, age, sex, schooling and marital status

| | | Salary problems | Difficulty in paper work for iqama | Physical and verbal abus | Leave related problems |
|-----------------------|--|-----------------|------------------------------------|--------------------------|------------------------|
| Male | <25 | 5 | 0 | 5 | 1 |
| | 26-34 | 6 | 4 | 23 | 3 |
| | 35-49 | 2 | 0 | 3 | 3 |
| | 50+ | 0 | 0 | 0 | 0 |
| Female | <25 | 11 | 1 | 19 | 7 |
| | 26-34 | 20 | 3 | 28 | 9 |
| | 35-49 | 6 | 0 | 14 | 5 |
| | 50+ | 0 | 0 | 0 | 0 |
| Both sexes | <25 | 16 | 1 | 24 | 8 |
| | 26-34 | 26 | 7 | 51 | 12 |
| | 35-49 | 8 | 1 | 17 | 8 |
| | 50+ | 0 | 0 | 0 | 0 |
| Education | No Schooling | 2 | 0 | 2 | 0 |
| | Some Primary | 5 | 1 | 9 | 3 |
| | Completed Primary | 13 | 1 | 18 | 3 |
| | Intermediate | 20 | 4 | 29 | 12 |
| | High School & Equivalent | 10 | 3 | 32 | 10 |
| Nationality | Sri Lanka | 33 | 1 | 39 | 15 |
| | Bangladesh | 5 | | 10 | |
| | Philippines | 6 | 2 | 16 | 7 |
| | India | 6 | 6 | 25 | 6 |
| | Other | 0 | | 2 | |
| Marital status | Single | 27 | 2 | 44 | 13 |
| | Married/ unaccompanied | 21 | 6 | 48 | 14 |
| | Married/ accompanied/ spouse working | 2 | 1 | 0 | 1 |
| Total | | 50 | 9 | 92 | 28 |

Source: Interviews with workers.

Lastly, there have been some reports in the media of bodies of domestic migrant workers being sent home with missing organs - particularly kidneys. It appears that upon a worker's death bodily organs are being removed, possibly for profit. However, it is unclear if permission was given prior to death. Nimalka Fernando from the Sri Lankan office of International Movement Against All Forms of Discrimination and Racism, confirmed there have been such instances, but that the extent of the problem is unclear.

13. Coping Mechanisms of Employees

The following section addresses both how domestic workers respond when problems arise and what services are potentially available to them in Kuwait and abroad.

First, in response to problems, domestic workers most frequently complain to their sponsor, with approximately three quarters of those complaints being on salary and physical-abuse issues (Table 18). Complaints to embassies are relatively rare (only 15% of those affected by these two main problems), and complaints to the police even rarer. Complaints to the embassies are rarely successful and complaints to the Kuwaiti government are always unsuccessful.

Table 18. Measures taken to address problems, by type of problem

| Primary measure taken | Salary problems | Difficulty in paper work for iqama | Physical abuse etc. | Leave related problems |
|----------------------------------|-----------------|------------------------------------|---------------------|------------------------|
| Requested kafeel | 43 | 6 | 71 | 22 |
| Complained to Ministry of labour | 1 | | | |
| Complained to own embassy | 9 | 2 | 14 | 2 |
| Complained to police | 1 | 1 | 1 | 0 |
| No measures taken | 6 | 1 | 2 | 5 |
| Others | 0 | 0 | 6 | 0 |

Source: Interviews with workers.

The Embassy of the Philippines, networking with GOs, NGOs and the Filipino/a community, provides counseling, legal assistance and tries to intervene on the behalf of workers when problems arise. A Filipino Workers Social Center has been designed to provide training seminars to assist nationals in skills upgrading and other cultural activities. This has been established with a concern for dealing with "development" issues as well as welfare. The embassy also provides Medicare.

Unfortunately, it appears that few, if any NGOs or religious groups in Kuwait address the needs of domestic migrant workers. Yet, it appears that Kuwait would permit such endeavours. While governmental restrictions apply to registering and licensing NGOs and religious groups, they are not prohibitively so. It is important to note that although the Kuwaiti Constitution states that Islam is the state religion and that Shari'a (Islamic law) is a "main source of legislation" freedom of religion is guaranteed by law, allowing for a multiplicity of groups to assist.

Currently there are no unions representing domestic service workers in Kuwait. However, in regards to the possibility of a future formation of a domestic service workers union in Kuwait, it is helpful to note the conditions that would be attached. Kuwait's constitution permits forming of unions as long as the organization is lawful and peaceful. Expatriate workers are only allowed to join a union after a five-year residency term and only as non-voting members. Kuwaiti law forbids the establishment of more than one union per functional area. In addition, workers have the right to organize in order to defend their interests and improve their standards. However, prohibitions are imposed on political activities.

There are a number of NGOs in the sending countries that provide various services including vocational training, rights awareness training, counselling, legal services, assistance to regain financial losses, medical services.

For example, the Migrant Services Centre in Sri Lanka is an example of an NGO that provides pre migration training, and awareness building for migrants leaving the country. They assist returnee migrants in their reintegration within the community. They encourage savings and self-employment programmes for migrant work and work closely with banks, other trade unions, and NGOs. Additionally, they organise training programmes for migrant activists and families of migrant workers.

The government of the Philippines offers pre-departure seminars and pre-employment orientation seminars. Both are considered preventive education programs because they provide workers with relevant information that can pre-empt troubles related to labour migration. These information programs seek to help departing and prospective migrants make informed decisions on working abroad. They also aim to empower workers to protect themselves from the dangers of migration including illegal recruitment and human rights violations.

In 2001 a radio program began in the Philippines called "Woman Migrant, You have an Ally". The one-hour weekly show broadcasts news related to migrants, as well as provides legal, medical and mental health advice. There are updates on legal cases and letters sent by listeners are aired. The show has a large listening audience and has become a source of support for domestic migrant workers and their families.

Indonesia too has several NGOs and GOs that assist migrant workers. For example, the Centre for Indonesian Migrant Workers provides women migrants economic, legal, social, educational, and relief services as well as assistance in aiding them to organize themselves. They also contribute to the national debate on the best alternative paradigm for social, economic, and political development towards attaining a just and prosperous society.

14. Remittances and future intentions

From their average wages of KD 51 per month domestic workers are able to save more than 86% and to remit 64%, much higher proportions than private-sector workers manage from higher wages (Table 19). Propensity to remit is higher for men than for women, for younger than for older workers, for those with middle rather than higher or lower levels of education, for Bangladeshis than for other nationalities, and for single rather than married workers.

In spite of the problems reported, over half of domestic workers plan to stay in Kuwait for a further three years or more, with disproportionate representation of this category among men, those in the 26-34 age group, those with primary schooling or university degrees, Bangladeshis, and those accompanied by their spouse. Only 11% responded they will 'never' come back to Kuwait, and more than a third say they will come back 'as soon as possible', with such enthusiasm disproportionately high among women, the less educated, and workers from the Philippines.

Table 19. Average monthly remittances and savings in KD and as % of basic wage, by age, sex, schooling, nationality and marital status of domestic workers.

| | | 1.Average basic wage (KD) | 2.Average savings | 3.Average remittances | 2.as % of 1 | 3.as % of 1 | |
|-----------------------|--|---------------------------|-------------------|-----------------------|-------------|-------------|-------|
| Male | <25 | 44.64 | 35.00 | 20.29 | 78.53 | 67.74 | |
| | 26-34 | 53.98 | 44.17 | 43.81 | 82.07 | 68.49 | |
| | 35-49 | 62.71 | 54.58 | 42.50 | 89.07 | 72.90 | |
| | 50+ | 90.00* | 70.00* | 40.00* | 77.78 | 44.44 | |
| | Total | 55.22 | 45.75 | 36.02 | 83.30 | 69.25 | |
| Female | <25 | 43.15 | 36.78 | 28.63 | 85.13 | 67.14 | |
| | 26-34 | 48.64 | 42.48 | 29.60 | 87.93 | 62.86 | |
| | 35-49 | 54.38 | 48.50 | 30.25 | 88.97 | 53.19 | |
| | 50+ | 80.00* | 70.00* | 40.00* | 87.50 | 50.00 | |
| | Total | 49.24 | 43.09 | 29.63 | 87.61 | 60.95 | |
| Both sexes | <25 | 43.50 | 36.37 | 28.78 | 83.59 | 67.28 | |
| | 26-34 | 50.50 | 43.06 | 31.42 | 85.89 | 64.82 | |
| | 35-49 | 56.76 | 50.24 | 33.75 | 89.00 | 58.82 | |
| | 50+ | 85.00* | 70.00* | 40.00* | 82.64 | 47.22 | |
| Education | No Schooling | 46.67 | 43.06 | 18.61 | 92.16 | 37.88 | |
| | Some Primary | 44.25 | 39.63 | 24.38 | 89.56 | 55.44 | |
| | Completed Primary | 45.97 | 40.34 | 33.57 | 87.01 | 73.31 | |
| | Intermediate | 55.00 | 47.34 | 35.48 | 86.06 | 67.70 | |
| | High School /Equivalent | 52.67 | 43.49 | 30.99 | 83.43 | 61.33 | |
| | University & PG | 75.63 | 60.00 | 41.25 | 80.16 | 53.60 | |
| | Nationality | Sri Lanka | 47.02 | 41.86 | 31.66 | 88.92 | 68.26 |
| | | Bangladesh | 49.56 | 38.59 | 33.97 | 78.91 | 72.62 |
| Philippines | | 54.73 | 47.68 | 32.77 | 86.71 | 61.04 | |
| India | | 56.47 | 47.47 | 31.07 | 84.69 | 55.96 | |
| Other | | 44.17 | 41.67 | 10.83 | 94.78 | 23.11 | |
| Marital Status | Single | 46.40 | 39.60 | 29.92 | 85.98 | 66.79 | |
| | Married unaccompanied | 52.32 | 45.42 | 32.73 | 87.08 | 63.26 | |
| | Married/ unaccompanied/ spouse working | 75.31 | 62.50 | 33.44 | 80.47 | 40.55 | |
| | Total | 51.08 | 43.91 | 31.60 | 86.27 | 63.52 | |

* cells having a count of less than 5

Source: Interviews with workers.

15. International Conventions

There are a number of relevant international conventions that Kuwait has ratified that can be invoked for legal and political purposes. The following paragraph lists such conventions. It must be noted, however, that the legal status of migrants in international law is linked to their conditions as aliens. As such, they need diplomatic protection, which can only be activated by the state through bilateral relations. The law of aliens and diplomatic representation is an important backup for migrants where appropriate international human rights instruments are not accepted. In the Kuwaiti law, domestic workers are not registered under the Labour Law.

Kuwait ratified a total of 18 ILO Conventions including the following six core Conventions:

- Convention No. 29 Forced Labour, 1930
- Convention No. 87: Freedom of Association and Protection of the Right to Organize 1948
- Convention No. 105: Abolition of Forced Labour, 1957
- Convention No. 111: Discrimination (Employment and Occupation), 1958
- Convention No. 138: Minimum Age, 1073
- Convention No. 182: Worst Forms of Child Labour, 1999

It is noteworthy that the above Conventions No. 182 and Convention No. 144: Tripartite Consultation (International Labour Standards), 1976, were ratified in 2000.

In addition, Kuwait became a signatory to the Convention on the Elimination of All Forms of Discrimination Against Women in 1994.

There have been some bilateral talks between Kuwait and sending countries. And there has been some talk of Kuwait signing the Convention against migrant workers. However, currently no government in the Middle East has recognized the UN or ILO Conventions Concerning Migrant Workers and Their Families, except the social security provisions, which Jordan signed. Across the region there is practically no comprehensive legislation that addresses mechanisms for adjudication of grievances for foreign workers¹².

16. Summary and Conclusions of the 2001 Survey¹³

The majority of the 301 domestic workers interviewed, from Sri Lanka, Bangladesh, the Philippines and India, are female. They have a lower average age and level of education than their counterparts in the private sector. Workers from the Philippines tend to be more educated, and those from Sri Lanka less so. More than half claim to be able to speak at least adequate Arabic. In contrast to private-sector workers, a relatively high proportion were not working (either unemployed or outside the labour force) before leaving home. More than nine out of ten women are working as housemaids, and more than half the men are drivers.

Of the 200 employers interviewed, 90% are Kuwaiti, 86% male, and almost half in the 39-45 age group. They are relatively well educated and prosperous, and employ a total of 332 domestic workers. They claim to receive no income from sponsorship of non-Kuwaiti workers.

In contrast to their private sector counterparts, almost all domestic workers have entered Kuwait on a regular visa. They have the same problems of debt, having financed two thirds of the substantial recruitment and travel costs from loans from friends and relatives and advances from sponsors. In contrast to the private sector very few domestic workers are not employed by their sponsor, but about a third of employers are aware of irregularities in the recruitment system. The proportion of workers who surrender their passports to their employers or sponsors is even higher than in the case of the private sector.

¹² Information provided by the Asia Pacific Mission for Migrant Filipinos

¹³ In interpreting the results of the surveys, the relatively small size of the samples and the fact that they were not randomly selected should be borne in mind.

Average wages are lower than in the private sector, but their determinants are similar. Years of work experience in Kuwait, sex (being a man), years of schooling and age have the greatest positive effect, while nationality is also important (to the benefit of workers from the Philippines and India and to the detriment of those from Bangladesh). Retention of one's own passport exerts a positive effect, as does eligibility for health benefits, while wages are inversely related to number of household members per servant: all this may mean that 'good' employers with smaller families tend to pay more. The main non-wage benefit provided is housing. Hours are long. Overtime pay is virtually non-existent. And very few receive any training.

Mobility among domestic workers is lower than in the private sector: transfers between employers and sponsors are less common. By far the worst work-related problem for domestic workers, cited by over half of them, is physical and verbal abuse. Complaints are usually made to the sponsor and only rarely to an embassy or the police.

The remittance rate of domestic workers is even higher than in the private sector – from average wages of only KD 51 per month, they save more than 86% and remit 64%. Over half of them plan to stay in Kuwait for a further three years or more, more than a third say that they will come back as soon as possible and very few rule out the possibility of returning.

Although the samples were not randomly selected, the survey results reported in this chapter give food for thought. In general, they reinforce the impression gained from earlier statistical analysis that a virtually unlimited supply of labour is available to Kuwait at wages that are very low by the standards of OECD countries, lower than those received by Kuwaiti workers, but high compared to prevailing levels in the migrant workers' countries of origin (a major influence on the reservation wage, which appears to differ between nationalities). Significantly, such workers are able to remit relatively high proportions of their wages to their families at home, and most intend to prolong their stay and return if possible.

The separation of the labour market for non-Kuwaitis from that for Kuwaitis, necessary for the operation of this model, is provided by the sponsorship system, which limits the extent to which non-Kuwaiti workers can change employers or move into self-employment. The appropriation of workers' passports by sponsors/employers is an important part of this system.

The frequency of transfers between employers and sponsors and of spells of self-employment and unemployment are evidences of visa trading, and suggest that the sponsorship system may be, in some respects, beginning to fall apart, at least as far as the private sector is concerned. This will reinforce worries expressed by government about the possible emergence of a surplus of foreign workers.

In relation to workers' welfare, the allegations that some recruitment agencies, sponsors and employers 'cheat' during the recruitment procedure, by eventually paying wages that are significantly lower than those promised before workers leave home, is disturbing. Given the large debts that workers incur to finance their travel and recruitment costs, this means that workers who have been cheated are unable immediately to withdraw their labour: they are, in effect, trapped until they have earned enough money to pay off their debts. This practice, combined with visa trading, might also partly be responsible for generating the potential surplus of foreign workers that is worrying the government.

It also appears that the system for dealing with workers' complaints is inadequate. Domestic workers, in particular, need some reliable and effective institution to turn to, other than the sponsor who may be the source of their problems.

From the point of view of foreign workers, both those already in Kuwait and those who hope to come in the future, measures to reduce their vulnerability would be most welcome. These measures include all those suggested in the previous paragraph but would clearly need to go further. A major source of vulnerability for a migrant worker is that he or she is tethered to a single employer/sponsor. Moreover, in Kuwait this almost always includes surrender of a passport. Even with fixed-term visas, if migrant workers were allowed to keep their own passports and to move from one employer/sponsor to another whenever they wanted, this would enormously reduce their vulnerability. Domestic workers would be less vulnerable if the protection of the labour law was extended to them. Setting up of reconciliation centers for domestic workers and their employers would also be useful: the police used to operate such a center in Kuwait but it has been closed since July 2000. In addition, the government should review the provision of shelters for domestic workers in

distress. Some embassies operate them, but governments can also operate such centers.

17. Recommendations

Abuses of foreign domestic workers are not unique to Kuwait, but are prevalent in identical forms in many countries around the world. A number of suggestions have been made as possible remedies to restrict or eliminate these abuses at the international and local levels in terms of legal, administrative, economic, educational and cultural reforms in receiving countries.

Although the following recommendations are made specifically for Kuwait, in the majority of cases they could be applied to other countries.

First, in regards to the sponsorship Kafala system there are several areas that need to be immediately addressed:

1. Migrant workers should continue to come in on fixed-term visas, but should be allowed to change sponsors/employers at any time during their residence in Kuwait.
2. Visa trading should be banned.
3. Workers should retain their passports.
4. To as large an extent as possible, workers should sign contracts (specifying wages) before leaving their home countries, which are honoured on arrival in Kuwait. Action should be taken against recruitment agencies and sponsor in breach of such contracts.
5. The Ministry of Social Affairs and Labour system for investigating applications for visas by employers in the private sector and for receiving and investigating complaints from employees (including complaints about breaches of contracts signed before arrival) should be strengthened and a similar system should be set up for domestic workers and employees of firms contracted by the government.
6. International instruments and agreements concerning migrant workers should be implemented in order to guarantee the rights of both employers and employees and avoid any arbitrary action by either party.
7. Every worker in the country should be informed that he or she is entitled to social security.

Secondly, in regards to the treatment of domestic migrant workers:

8. The government of Kuwait should carry out regular surveys of wages and working conditions of migrant workers, publish the results on the internet and in the media of source countries.
9. The protection of the labour law should be extended to domestic workers. A reconciliation centre for such workers and their employers should be opened, and the possibility of setting up a shelter for domestic workers in distress should be reviewed
10. The government should review the provision of shelters for domestic workers in distress.
11. Discriminatory practices against women at work, which constitute infringement of the law and constitution, should be opposed and legal action should be brought against those responsible.

*Finally, in regards to future organizing and the empowerment of domestic migrant workers the following should be addressed*¹⁴:

12. Organizing domestic workers who are isolated by the nature of their work and who may have no awareness of belonging to a specific labour group is an obvious challenge but can be tackled by:
 - Working with other civil groups – NGO's, religious groups and the like – to encourage and assist domestic workers to come together to form their own associations.

¹⁴ The remaining recommendations 12-15 are from the International Labour Organization, Promoting Gender Equality Kit of the ILO as a Resource for Trade Unions, 1996-2004.

- Providing special services for workers, including employment exchanges, telephone support networks, a place to congregate on days off, counselling and advisory services (both legal and general advice).
13. Domestic workers should be assisted in lobbying for legislation to improve their terms and conditions of work, including:
- Stipulated hours of work;
 - A minimum wage, adequate to support basic living needs, with extra pay for skilled work such as childcare, taking care of the elderly and persons with disabilities, when in addition to housework;
 - Additional pay for sleep-in domestic workers;
 - Severance benefits;
 - Sick leave, vacation pay and public holidays;
 - Overtime pay;
 - Maternity protection;
 - Prevention, prosecution and compensation for sexual harassment and wrong dismissal;
 - A requirement that employers enter into written contracts with domestic workers;
 - Prevention, prohibition and abolishment of child labour in domestic work.
14. Raise awareness of the link between unpaid domestic work and the low status of paid domestic work. Unpaid domestic work should be recognized and an accurate measure of the quantity and economic value of this work should be included in a country's gross domestic product using satellite accounts.
15. Provide training for domestic workers. Different types of training are required:
- To improve their skill levels and standard of work through in-class and practical training and provide certification as a means of increasing their wages;
 - To help raise their self confidence and the dignity of their work;
 - To expose them to skills other than those related to domestic work so as to enhance their employment options.

Bibliography

Asian Migrant Centre and Migrant Forum in Asia, *Clearing a Hurried Path: Study on Education Programs for Migrant Workers in Six Asian Countries*, Asia South Pacific Bureau for Adult Education, 2000.

Chakravarthi Raghavan, "Asian Female Migrant Workers require protection, says ILO", paper for Justice and Human Dignity conference February 12-13, 2000 in Kuwait.

Committee on Elimination of Racial Discrimination concludes consideration of Kuwait's Report March 16, 1999. Meeting Minutes.

Fernando, Kapila and Priyangika and Shanthi, Ni "Sri Lankan Government Fails to Investigate Deaths of Migrant Workers" World Socialist Website, International Committee of the Fourth International, January 13, 2004.

Flint, Julie "Arab World Must Confront Plight of Migrant Workers" May 1, 2004, Daily Star.

Ghattas, Kim, "Kuwait Never Mind the Risks" Inter Press Service.

International Labour Organization, *Promoting Gender Equality Kit of the ILO as a Resource for Trade Unions*, 1996-2004.

International Movement Against All Forms of Discrimination and Racism web site.

International Religious Freedom Report, Bureau of Democracy, Human Rights and Labour. Released on December 18, 2003.

IPR Info-Prod Research (Middle East) Ltd. www.infoprod.co.li/contry/kuwait_2h.htm.

Marin Godfrey, Martin Ruhs and Nasra Shah, *Migrant Workers in Kuwait: A Review of the Recruitment System in an International Context*, ILO, forthcoming.

Migrant Workers and Legislations in the Middle East, Updated from Asia Pacific Mission for Migrant Filipinos (APMMF) article that appeared on News Digest in 1995.

Private Sector Labour www.kuwaitiah.net/visa5.html.

Samath, Feizal, "Furor Over Dead Worker Shows Migration Risks" Inter Press Service, 2003.

Sison, Marites, "Radio Program a Lifeline for Migrant Workers", Inter Press Service, 2002.

Tattolo, Giovanna, "Arab Labour Migration to the GCC States" .

United States Government, *Kuwait Human Rights Report*, Kuwait, Culture March 14, 2001 .

Weeramunda, A.J., "Participatory Action Research in Gampaha, Kalutara and Kegalle Districts, Dept. of Sociology University of Colombo in Association with the Migrant Services Centre and Migrant Worker Associations, April 2003.

World Refugee Survey 2003 Country Report, for kuwait. www.refugees.org/world/countryindex/kuwait.cfm

Chapter 4

Women Migrant Domestic Workers in Lebanon

Ray Jureidini¹

1. Introduction

This study identifies key practices and patterns that are the primary causes for women domestic migrant workers' vulnerability in Lebanon and provides alternative approaches for effective means of action. The research, conducted within the past four years, compiles base line data with the aim of bringing policy makers and other concerned actors into a dialogue to find practical solutions to improve working conditions and protective measures for women migrant domestic workers. The study identifies and assesses social, administrative and legal practices pertaining to the hiring of domestic workers. It draws on interviews with officials from ministries of labour, border and immigration control as well as sending countries' embassies. In addition, through interviews with NGO representatives and domestic migrant workers themselves, the study assesses the main issues such women face and the means and procedures taken to address them. Eight interviews conducted in 2000 with domestic migrant workers in Lebanon are used as case studies for this report.

1.1. Foreign Labour in Lebanon

According to the report "A Profile of Sustainable Human Development in Lebanon" by the United Nations Development Programme (UNDP) in January 1997, foreign labour in Lebanon constitutes a "massive presence". The report classified workers in terms of their major sectors of activity as follows:

- Mostly women from Sri Lanka, the Philippines, India and African countries provide household services and similar functions in business establishments;
- (Male) nationals of Egypt, Sudan and Syria work as janitors, cleaners, porters, etcetera in buildings and commercial establishments;
- Syrian and Egyptian men work in construction, farming, road construction, car-servicing, cleaning and garbage collection, and repair and maintenance workshops, as well they work as peddlers and porters;
- West Europeans, some Arab and other foreign nationals (men and women) are engaged in sectors that require scientific skills or financial means (UNDP, 1997).

The types of jobs that foreign workers usually undertake are the traditionally dangerous, strenuous and labor intensive jobs characterized by the secondary labour market.

Although work permits are required of foreign nationals in Lebanon, the Ministry of Labour finds it difficult to enforce such a system. The only means which the Ministry has of controlling and monitoring the entry of foreigners is by issuing work visas at controlled points of entry into the country, and when permits are voluntarily renewed on an annual basis.

¹ The author is a professor of sociology at the American University of Beirut in Lebanon. This article has been edited and updated by Monica Smith in April 2004 with the consent and input of the author.

According to the Central Administration for Statistics, the total number of work permits issued to foreign workers in 1999 was 74,909. However, the figures do not distinguish between new and renewed permits, and many foreigners (particularly Syrians and Palestinians) work without permits. Experts vary in their estimation of foreign workers in the country. In short, the number of work permits issued is not an adequate measure of the number of these foreign workers employed in Lebanon. They include new and renewed permits, but do not include those who entered the country illegally, or the illegal employment of those whose permits have expired and not been renewed, those who are working with only tourist visas, and those who are unemployed. There are no reliable figures.

However, if we accept a conservative estimation of around 300,000 Syrian workers, 40,000 Palestinians (10% of Palestinian refugee population), 20,000 Egyptians, 40,000 Sri Lankans, 10,000 Filipinos, 10,000 Indians and 10,000 from other African states, the number of foreign workers in the country is quite significant, representing over 30% of the official workforce figure of 1.4 million² (see Table 1).

Table 1. Work Permits Issued to Asians in Lebanon (1993–2002)

| | 1993 | 1994 | 1995 | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 |
|----------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| Sri Lankans | 10,136 | 13,274 | 14,253 | 12,552 | 23,668 | 23,516 | 22,917 | 22,430 | 31,280 | 32,497 |
| Filipinos | 2,833 | 3,689 | 4,344 | 4,304 | 5,501 | 5,315 | 5,788 | 6,436 | 8,663 | 10,183 |
| Indians | 3,329 | 3,727 | 4,659 | 4,758 | 6,881 | 6,974 | 7,196 | 6,217 | 6,782 | 6,043 |
| Others | 164 | 2,269 | 2,218 | 2,187 | 3,138 | 3,610 | 4,348 | 4,614 | 6,663 | 7,121 |
| Total Asian | 16,462 | 22,959 | 25,474 | 23,801 | 39,188 | 39,415 | 40,249 | 39,697 | 53,388 | 55,844 |
| Total Foreign | 33,268 | 45,530 | 41,969 | 38,043 | 60,547 | 71,732 | 74,909 | 70,991 | 85,471 | 88,733 |

Source: Interviews with workers.

The preference by Lebanese employers for foreign workers, according to the UNDP (op. cit.), is threefold. First, they tend to work for lower wages than Lebanese nationals (usually below the minimum wage). Second, they are not registered with social security and do not have health insurance (note, however, that foreign workers who have formal employer sponsorship are required to have health insurance coverage as part of their work permit conditions). Third, they are more easily exploitable in the sense that they tend to be more compliant, work harder and for longer hours.

1.2. Domestic Service Workers

Prior to the civil war, Lebanese households employed young Lebanese females, mainly from poor families in rural areas, or from Syria. Some Palestinians and Egyptians were also engaged. They often entered the household anywhere from the age of 10 and left mainly when it was time to get married. Parents of the household worker would visit - sometimes as rarely as once a year - to collect her salary. Both during and since the war, however, such positions have come to be seen by Arab women as degrading and unacceptable. Since the influx of foreign women from Africa and Asia particularly, the position of domestic maid has

² According to the Sri Lankan embassy, there are currently around 80-100,000 Sri Lankans in Lebanon. The estimation by the Philippines embassy is approximately 20,000 workers from the Philippines.

³ The decline of the Sri Lankan intake in 1996 was due to a dispute between the Lebanese and Sri Lankan governments. The Sri Lankans attempted to restrict the insurance of Sri Lankan nationals in Lebanon to particular approved companies. The issue was resolved, the number of entries substantially increased in 1997, and in February 1998, a Sri Lankan embassy was opened in Beirut.

become one that carries with it a particularly low status. This is not only because of the servile nature of the tasks, the conditions of work and relative low wages, but also because there is now a racial attachment to domestic employment.

The first recruitment agency in Lebanon to open its doors to Sri Lankan migrants was in 1978 (*L'Orient Le Jour*, 30/7/98). However, the major proliferation of agencies came in 1993 and onwards. With respect to domestic workers, Sri Lankans and Filipinos are the most numerous. Sri Lankans are by far the largest single group. From unpublished data of the Population and Housing survey in 1996, it was shown that from the 11,358 Sri Lankans in the sample, 95% were female, and 88% worked in households as domestic employees.

A number of Asian countries such as the Philippines and Sri Lanka have pursued active policies for overseas employment, partly to alleviate unemployment and partly to generate foreign income (see Rosales, 1999). ILO figures show that for countries with serious trade deficits, remittances from migrants abroad can be significant. For example, "Pakistani workers remitted over US\$2 billion in 1998, which covered 30% of the cost of imports. Indian workers remitted US\$2.6 billion - the equivalent of 15% of imports" (Castles and Miller, 1998: 148). Most of these funds came from the Middle East. On a somewhat smaller scale, remittances from the Middle East to Sri Lanka between 1980 and 1986 more than doubled, from US\$112 to 264 million (Eelens, et al., 1992: 4). In 1999 all remittances to Sri Lanka reached US\$1 billion, which was more than the country's trade deficit for that year. All Filipino migrants living abroad in 1997 remitted home some US\$5 billion (KAKAMMPI, 1998). The Lebanese Minister of Labor reported that "not less than US\$10 million per month" was being repatriated from the "wages of foreign maids" from Lebanon (*An Nahar*, 23/6/96).

Although there are significant economic interests in encouraging labour migration to the Middle East and other countries, there have also been attempts by sending countries to apply minimum labour conditions in the receiving countries. Such efforts include establishing specific conditions within the labour contracts and introducing licensing procedures for private recruitment agencies. These measures, however, have met with little success (Abella, 1995). The governments of the Philippines, Bangladesh and Thailand went so far as to ban the placement of female domestic helpers from some countries following reports of physical and sexual abuse. In 1987, the Philippines government only allowed Filipino domestic workers into those countries that were prepared to enter into bilateral agreements where protection of the workers was guaranteed (Abella, 1990: 244). The Philippines subsequently established an "Overseas Employment Administration" to encourage migration and to conduct pre-departure seminars for emigrants apprising them of their rights and what to expect in certain countries. The Sri Lankan government now also provides pre-departure seminars, but these are mainly to teach the women how to use electric household appliances.

It is very difficult for foreign governments through their diplomatic missions to monitor the fates of female domestic service workers, although recent activities in Lebanon have sought to redress this. For example, Lebanon's General Security now has computerized data banks that record the entries of all migrant workers with the names of their employers, which mean they can be traced in a way that was impossible previously.

1.3. Recruitment Process

Formally, a domestic woman worker has to be "sponsored" into Lebanon. That is, in order to be able to enter the country on a working visa, she has to be invited, either through an agency or upon the request of an individual employer. Lebanese agencies can either use the intermediary services of their counterparts in sending countries, or they can recruit the women themselves directly. The workers arrive to Lebanon with a three-month working visa, pre-arranged by the Lebanese agency or the sponsor. The visa includes the name of her employer (sponsor) written in the passport.

There are currently around 150 recruitment agents licensed by the Ministry of Labour in Lebanon and a small number that operate illegally (*Daily Star* 2004). Licensed agents are required to lodge a US\$35,000 bond with the government to bring in 150 migrant workers per annum.

Many, but not all, women who wish to migrate pay agency fees in their home country. It is not known how many do pay pre-departure agency fees. Those who do will usually need to enter into debt (to family members, banks or loan sharks) or sell assets such as jewelry to cover the cost. Agency fees in Sri Lanka, for example, are around US\$200, but may vary between countries. The Lebanese agency's fees are borne by the

Lebanese employer - currently around US\$1000 for Sri Lankan and African domestic workers and up to US\$2000 for Filipinos. (Recently the charges for Sri Lankan workers were reduced by US\$500, due to the economic recession and the competitive increase of agents that have entered the industry.) These fees cover the cost of the airfare, government charges (initial three month working visa) and agency commissions. In addition to these costs, the employer must pay separately for the residency and work permits, notary fees and insurance (to be renewed each year), which amount to US\$500.

Filipinos command higher up-front costs and monthly salaries because they are considered to be better educated, and can speak, read and write in English. As such, they have a higher social prestige as domestic servants.

Lebanese law also requires the employer/sponsor to provide insurance for domestic workers that must cover medical, disability, accident, burial and repatriation costs. The insurance must be arranged within the first three months of employment and is a precondition for the annual work and residency permits. This usually includes a medical examination and a report, which employers arrange soon after the domestic workers' arrival.

As there is no price-fixing or government price ceiling regulation in any of the countries addressed in this report, the costs and fees of agents vary. One Lebanese agent interviewed pays US\$500 to his Sri Lankan agent for each "girl". This includes approximately \$260 for a one-way airline ticket to Beirut, and a \$240 commission for the Sri Lankan agent.

In a study of Sri Lankan domestic workers in Lebanon, Jureidini and Moukarbel (2001) found that the decision to migrate to Lebanon is often made by the Sri Lankan agents, who presume that they will make more commission from Lebanon than from other countries.

On arrival at Beirut airport, the sponsor is required to personally meet the employee at the airport to take her home. It is important to note that when the employer picks up the employee General Security usually calls him/her at the exit gate (General Security, housed within the Ministry for the Interior, is responsible for the control of foreigners in Lebanon). A General Security officer at this point is in possession of the employee's passport, and will hand it directly to the employer rather than the employee.

1.4. Categories of Domestic Workers

Foreign female domestic workers in Lebanon may be classified into three types with different living and working conditions, namely: "live-ins", "freelancers" and "runaways".

Live-in workers reside within the sponsors/employer's household, usually for two or three years. The sponsor is responsible for all the financial costs such as working papers, health insurance, clothing and food, as well as the airfare to return to her home country upon completion of the employment. The employer can - and usually does - control and limit her freedom of movement. The employer usually also keeps her passport and other papers, making it impossible for her to leave the country. It is, as noted above, up to the employer to renew her work and residency papers as well as her medical insurance each year. The household worker cannot change employers, unless the employer agrees and the Lebanese authorities allow for a "release" to take place. The employer who has acquired the services of an agency has the luxury of changing his mind and changing maids within the first three months of the contract. This is the agency's "guarantee". Theoretically, the maid can request a change as well, but according to interviews with domestic workers and agencies this rarely occurs.

Freelancers' living and working conditions are much less controlled. The main difference is that they live on their own (either renting, or staying in a room in exchange for services rendered) and work on an hourly basis (around \$4-5 per hour) for various employers. They have the freedom to withdraw their services as they wish.

Some freelancers entered Lebanon on live-in contracts. However, at the end of their contracts, they decided to remain in Lebanon and to be in control of their own labor. Others came initially to work as freelancers, using the name of a sponsor who had agreed in return for a fee not to be their employer.

To remain within the law, the freelancer must have a sponsor. Some Lebanese men have taken advantage of this as a prosperous business, charging up to US\$1,200 to act as sponsor for an individual migrant worker.

There have been a number of cases where this sponsorship money has been taken, but no papers arranged and the passport not returned. To our knowledge, none of these men has been prosecuted. It is important to note that in most cases, the freelancer cannot prove that she had given money to get her papers regularized as these "acting sponsors" rarely give receipts. In such cases, the migrant is usually too scared to go to the police because of her illegal status and the risk of arrest and deportation. Moreover, they generally do not have access to legal representation.

"Runaways" are former live-ins who have decided for various reasons - mainly abuse and the withholding of payment - to leave the house of their employer. They take refuge in embassies, NGOs or with compatriots who are living independently. Lebanon does have a law on Codes and Obligations of Contracts (see Conclusions section on Contracts below). As soon as she leaves her sponsor, the domestic worker is automatically rendered an illegal alien. The employer usually notifies General Security immediately because he/she is responsible for the employee as long as her yearly residency and work permits are valid. The runaway is left with two choices: she either returns home or finds a new sponsor. In the first option, she must succeed in retrieving her passport from her employer (who sometimes "sells" it to her) or she must get a laissez-passer from her embassy to leave the country. In the second option, a release to work for someone else needs to be purchased.

Conclusion

It may be said that live-in and runaway migrant workers are "unfree labour" in the sense that they do not have the right to choose an employer without express permission from the state authorities. Nor do they have the right to withdraw their labour from their sponsor/employer without being rendered illegal and thus liable to arrest, imprisonment and deportation. By contrast, while freelancers are bonded to a formal sponsor, in reality they may be considered more as free labour and so are much less vulnerable to abuse and exploitation by employers and agencies.

Being formally tied to a sponsor/employer is a standard condition of temporary foreign labour in most countries. It applies to both skilled and unskilled labour. Thus temporary foreign labour is perhaps by definition "unfree" in terms of the local labour markets of receiving countries. However, the type of slavery-like practices applied to live-in domestic workers is an added dimension in the denial of basic freedoms.

2. Review of Working Conditions

Employees who live in a household often experience the worst working conditions of foreign female domestic workers in Lebanon. The normal considerations of labour standards and relations are complicated by the fact that working conditions are inextricably linked with living conditions and general treatment⁴. This section will address seven issues in relation to working conditions.

2.1. Contractual and Non-contractual Employment Relations

Although, there is a legal requirement that employer and employee sign some type of contract when work and residency permits are applied for, it is unclear whether the existence or non-existence of a contract makes any difference to actual work conditions. If the employee does not use a standard contract drawn up by their embassy, they are obliged to accept a contract written in Arabic and issued by a notary. Few employees concern themselves with the details of the contracts in regards to requesting or insisting that terms and conditions be complied with.

The length of contracts varies between one year and a maximum of three years. By law, at the end of the contract, the employer is obliged to furnish the employee with an airline ticket to her home country.

⁴ Discussion of working conditions in this section will draw on material from eight case studies, which are referenced throughout the report. In addition, reference is made to a more extensive study of Sri Lankans

Although there is no clear estimation of numbers, many women work illegally without a contract and valid work and residency permits. Some who live-in are rendered illegal by their employers who do not renew their papers and pay the taxes required. Although, a worker cannot leave the country unless her papers are in order, it is unknown what might happen to her at the end of the contractual term in such cases. Unscrupulous employers have been known to falsely accuse the employee of theft in order to relinquish responsibility for the employee as well as the back taxes and the airline ticket home. However, recently, the Lebanese government instituted a \$1000 bond on registration of sponsorship, to be lodged by the individual employer with the Central Housing Bank. The bond is intended to cover such contingencies.

A number of human rights lawyers for some years have been attempting to convince foreign workers to seek redress in the courts for violations of contracts, offering their services free of charge. However, very few domestic workers have been willing. Too often they are simply unaware of their rights, unprepared to test them in Lebanon, or believe that their cases would be difficult to prove. They choose to either leave the country to put their traumatic experiences behind them or risk the possibilities of finding other employment to recoup their losses before eventually returning home.

2.2. Remuneration

Foreign domestic workers receive various wage rates, depending on their country of origin. As such, it is difficult to give a standard monthly rate, however, the norm is approximately \$250-300 for Filipinos, and \$100-150 for both Sri Lankans and Africans. This monthly salary is for live-in workers, where their accommodations, food and occasionally clothing are provided. Filipinas are considered more prestigious in terms of status for the household because they are believed to be "more intelligent", better educated, and proficient in English. (However, while all three Filipinas interviewed said they were literate in English, so too did the Ethiopian worker, and the Sri Lankans.)

Tess' Story

Tess, a Filipina, worked for over three years for a family and earned \$7,200. She invested \$4,000 to build a house, \$800 went to the agency in Manila and the remaining \$2,400 was sent to her husband and mother to cover family expenses. Tess' situation might be seen as a best case scenario. Other women reported saving much less due to low wages, problems with the agency taking more than initially agreed upon and unexpected expenses, such as health care, or family illnesses at home.

Those who work freelance can earn significantly more – approximately \$500 per month and higher. But they must either risk working illegally or bear the cost of the annual work permit, which in 2004 costs approximately \$600. Furthermore, they must pay for their own accommodation and living expenses.

2.3. Hours of Work

With the eight women interviewed working hours varied between nine and 19 hours. In a survey of 70 Sri Lankan domestic workers, Jureidini & Moukarbel (2001) found an average of 16-17 hours of work per day. In addition, it was noted that many are considered to be "on-call" for 24 hours per day. For example, some women have to cook and clean late at night when visitors are over, or nurse children and assist elderly people throughout the night.

The standard contract of the Sri Lankan government for their nationals specifies no more than 12 hours per day with suitable rest periods. However, in the case studies for this report only one worker indicated a regular break time.

2.4. Leisure or Free Time

Only two of the case studies indicated they had any days off, usually Sunday. This is consistent with the

findings of the 70 Sri Lankans where 88% reported having no days off (Jureidini & Moukarbel 2001). Some are granted an hour or two on Sundays to attend church services, however, their employers often accompany them. Rare is the live-in worker who can go outside, visit friends or stroll unaccompanied. Those that did report having time off, often said that they would use the time to rest and sleep from exhaustion.

Freelancers can more easily build in free time depending on the hours of work they have and the amount of money they are able to earn. Some work for more than one employer on a daily or hourly basis, and Sundays are often saved for religious services, shopping and socializing.

Thus far, there is no evidence of open political activities. However, it is important to note that, particularly with freelancers, there is a substantial informal assistance network operating among domestic migrant worker communities - usually with divisions along ethnic lines. For example, domestics often assist runaways find work and housing or put compatriots in contact with an NGO.

Although in the past, General Security was not particularly interested in making special efforts to look for and detain illegal workers. Recently, in the neighborhoods of Beirut where communities of domestic migrant workers reside, General Security has begun checking identification papers – sometimes knocking on doors in the middle of the night – and detaining those individuals whose official papers are not in order. (Interview with Father Martin McDermott of the Afro Asian Migrant Center 2004).

2.5. Work Tasks Performed

Domestic workers' tasks entail all household chores with the exception of cooking, which is usually viewed as the responsibility of the 'madam'. Workers wash clothes, iron, wash floors, vacuum, shake out or wash carpets, dust furniture, make the beds, tidy, pick up after the children, shop at the local store or accompany their employers to the supermarket. In addition, they assist in the preparation of meals by cutting vegetables, setting the table, serving and cleaning up afterwards. In many cases, looking after small children is added to the other household tasks.

The intensity of work depends upon the fastidiousness of the madam. Some are nothing less than obsessive with cleanliness and will constantly inspect and supervise the domestic worker's work. Constant criticism of tasks performed is an insidious form of harassment and pressure. Others are not so demanding. One worker interviewed pointed to the fact that Western employers are often easier to work for in this regard than Lebanese employers.

Although the Filipino and Sri Lankan contracts forbid it, many domestic employees are required to work in the homes of their employers' relatives. At no time were any of the workers who were interviewed given extra money for this additional work. Furthermore, when a family goes on an outing, a maid will often accompany them as part of her work - not her leisure.

2.6. Treatment by Employers and Agencies

While many foreign workers testify to decent respectful treatment and have grown to like their employers, there are those women who report such problems as wages being withheld; verbal, physical and sexual abuse⁵; confinement to the household and food restriction. However, it can be difficult to obtain accurate numbers and data on abuse and the forms it takes due in part to the employee's fear of repercussions for discussing such issues⁶, the desire by the employer to maintain privacy within the home, and the agency's wish to avoid problems with the authorities.

⁵ In a survey of 500 domestic workers conducted in Sri Lanka by the University of Colombo, 24 women reported being sexually abused while working abroad.

⁶ According to Nilmalika Fernando, President of the International Movement Against all Forms of Discrimination and Racism in Sri Lanka, it is especially difficult for Sri Lankan women to speak openly about sexual abuse due to the fear that their husbands, families, and wider community will blame them for such abuse (2004).

Yet, research conducted for this report suggests that although severe cases of physical abuse have been reported in the press, overall there is probably less abuse than commonly thought. In fact, the most serious abuse reported seems to have come from recruitment agency staff, rather than the employers. Still, it is not unusual for a domestic worker to suffer from emotional or psychological abuse.

The harshest of such abuse seems to occur during the first months of initial employment. During this period, the madam usually adopts the attitude that she has to "train" her employee harshly so that there will be no misunderstanding later. It is a strict and punitive form of socialization into the job. Within the relationship are complex aspects of fear and uncertainty experienced on both sides. To cite a recent example, a Sri Lankan woman around 30 years of age arrived to take up her position in a lower middle-class household. The madam took two days leave from her full-time job to train her. Among other things, the madam put her into a bathtub and insisted on scrubbing her all over. The madam even trimmed her underarm hairs.

The Pastoral Committee of Asian-African Migrants (PCCAM) recently established a rudimentary database of the cases that they had dealt with in a twelve-month period beginning in March 1999. Of the 406 cases, 234 (58%) were Filipina domestic employees and the largest single nationality. 21 (5%) were Sri Lankan⁷. Other nationalities included people from Vietnam, Zaire, Lebanon, Ethiopia, Nigeria, Indonesia, Sudan, Kenya, Madagascar, Mauritius, Ghana and Eritrea. In 116 cases, some form of abuse or mistreatment by their employer was reported. In many cases, more than one type of mistreatment was reported.

2.7. Freedom of Movement

One of the forms of domination and control experienced by foreign domestic workers in Lebanon is the restrictions of movement. If not actually locked in the apartments, employees are denied access to keys and are usually forbidden to leave without express permission. It is a form of imprisonment that has become part of the normative expectations of the employment relationship. Even if employees are well treated in all other ways, the practice of restrictions is quite standard.

As mentioned above, freedom of movement is also curtailed by the withholding of the employee's passport and other identity papers. This is against all international conventions. And yet, it is a normative practice, condoned even by the foreign diplomats we have spoken to, as well as human rights lawyers, priests and the like. It is generally accepted that the initial investment of the employer justifies this until such time that trust has been established and there is a sense that the risk that the employee will abscond has been minimized.

Some workers experience total isolation with no access to telephone, mail, or the ability to make outside contacts. For example, some women rarely are allowed to speak to other maids across the balconies, or chat to each other in the street.

The restriction of movement is also tied to the restriction of daily sustenance. As maids are often not permitted outside to purchase food, they are often at the mercy of their employers to supply adequate meals. As such, many live-in workers are not given enough food and are only allowed to eat leftovers after a family meal. One can also witness this treatment in restaurants. In several cases, padlocks are attached to the refrigerator at home and food items are counted, such as the number of eggs remaining, before an employer leaves his/her home.

Freda's Story

Freda is an example of a woman from the Philippines who was given little food and not permitted to have any contact with the outside world. She was rationed to an egg, three spoons of rice and a small salad once per day. The employer's refrigerator had an alarm attached, which sounded throughout the house as soon as the door was opened. Madam would personally take out the food for her. Freda slept in the laundry on a mattress on the floor, along with the washing machine and clothes dryer. Although her sister was also working in Lebanon, she was not allowed to contact her. Furthermore, she had been able to send one letter to her family in the Philippines. She later discovered that her family had sent letters every month to her. She had received only one.

⁷ The discrepancy in the number between nationalities is most likely related to the fact that the PCCAM caters mostly to Filipinos.

Conclusion

This section focuses mainly on negative work practices from the point of view of the foreign domestic worker. However, there are in fact two stories that need to be told in the analysis of domestic migrant workers in Lebanon. While one concerns degrading forms of work, like those reported above, the other concerns the positive effects where individuals, families and the sending countries as a whole benefit from the improved financial opportunities afforded by the higher incomes remitted from these workers. Other opportunities, such as skills acquisition and the gain of general learning and experience can also improve personal development and social standing in their communities.

It is important to note how willing these women are to sacrifice years of their lives for their families, despite possible opposition and problems. They leave to work abroad even if they have to suffer the indignities of a marriage failure and/or separation from children⁸. When a domestic worker returns to her country at the completion of a non-lucrative or abusive job assignment she is often willing to return to try another placement, believing that the next employer has to be better than the last⁹.

Although in most cases physical abuse in Lebanon is not the norm; restrictions of movement, withholding of passports and belittling are quite "naturalized" among Lebanese employers. Despite constant criticism and exploitation many women not only stay with their employers, but also accept the conditions and renew their contracts. It would seem that for such women the benefits outweigh the costs.

3. Coping Mechanisms of Employees

The following section of the report addresses those foreign domestic workers residing in Lebanon whose illegal status leads them to often live in fear of being detained, imprisoned or deported. Such women have two options. They can either find adequate housing and an income to survive, or turn themselves in and await deportation, which can take months and can often involve being detained in appalling conditions. Such detention centers are not formally classified as prisons. They were specifically designed to house people awaiting deportation. The number of African and Asian migrant workers in the prisons and detention centers can vary from 200-300 women at any time (Young, 2000).

Although Lebanon has been a member of the advisory committee to the UNHCR since 1964, it has not signed the 1951 Geneva Convention that recognizes the rights of refugees and displaced people or the conventions dealing with migrant workers. Lacking the normal rights of citizens to access public forms of help and having no family support, migrants are left to the vagaries of charitable organizations and their diplomatic missions for assistance. There are two forms of non-state assistance that both legal and illegal migrant women access.

3.1. NGOs

While there has been a massive proliferation of both Lebanese and foreign NGOs in Lebanon since the civil war, very few have been established to cater to the needs of migrant domestic workers. It was not until 1997 that the Pastoral Committee of Asian-African Migrants (PCAAM) was formally established. Under the direction of Bishop Paul Bassim of the Ecclesiastic Council of Lebanon and the day-to-day co-ordination of Father Martin McDermott, PCAAM administers social, legal and religious assistance to migrant workers. Under the auspices of PCAAM lawyers are provided, mostly free of charge, either through the Legal Aid program established by the Lebanese Bar Association, or by individual human rights lawyers. It also oversees the operations of four Catholic centers that cater to the needs of African and Asian migrant domestic workers (as well as other migrants). These are the Afro-Asian Migrant Center (1987), Laksehta (1988), and two

⁸ In a survey conducted by A.J. Weeramuda Department of Sociology University of Colombo 26.28% stated that the employment experience had negative effects on their family lives. Of these, 27.1% stated that it led to divorce or separation from spouse or children.

⁹ According to G.D.G.P Soysa from the Migrant Services Centre in Sri Lanka, Sri Lankan women in particular believe that if they have bad luck with employment the first time around, the second try undoubtedly will be better.

individual initiatives, run by priests. Similarly, Caritas-Lebanon works on migrant workers issues under the aegis of the European Community. Caritas' Migrants Center (1994) coordinates with PCAAM and the four centers. All cater in various ways to women who have been apprehended and placed in detention centers without valid documents.

The Afro-Asian Migrant Center (AAMC) is managed by a Filipina nun from the Daughters of Charity. Mostly Filipino workers gravitate to this center, which apart from welfare services, acts as a central meeting place where religious services and recreational functions are coordinated. A "safe house", which has not been approved by the Lebanese government, provides accommodation for women who have run away from their employers. The Center will often connect such women to more reputable employers through their own networks.

The Laksehta Center, run by a Sri Lankan nun from the Bon Pasteur order, provides another refuge, more or less exclusively for Sri Lankan women in suburban Beirut (Young, 2000). The Center provides a variety of welfare and religious services. Once a month, they visit all prisons where Sri Lankans are incarcerated (e.g. Zahleh, Tripoli, and Baabda). The Center also has established a postal service where workers can send and receive mail. The organization, through the Sri Lankan embassy, assists to repatriate the remains of deceased migrant workers back home, regardless of religious affiliation. In the period September 1998 - August 1999 it was reported that at least 10,000 persons made use of various forms of assistance: refuge (130 women), legal assistance (34 women), retrieval of passports from employers (5), employment for 116 women, medical care, including hospitalization and after care (78 women), treatment for mental illness (14 Sri Lankans and 7 Ethiopians) and repatriation (59 women)¹⁰. During this period, some 750 persons were visited in the prisons.

The Sri Lankan Welfare Association was established in early 1999 as a fund raising organization to assist those in need of emergency assistance. Although it is mandatory that sponsors of migrant workers take out health insurance for their employees, many, particularly those who do not have valid working papers and runaways, are not insured and have little money. This association raises funds to enable migrants with no resources to attend hospitals which in Lebanon require an up front payment before admission can be processed.

Most direct welfare provisions for migrant workers in Lebanon tend to come from religious groups, and as shown above, primarily the Catholic Church. A number of religious groups have been formed, many associated with the AAMC or the PCAAM, but which also tend to tailor their services to one nationality. In addition, national groups, comprised of Filipinos, Sri Lankans, Ghanaians, Tanzanians, and Nigerians have formed as "solidarity networks to dispense assistance and advice" (Young, 2000: 66). Since 1994, Caritas-Lebanon has been providing assistance to refugees, asylum-seekers and migrants-at-risk through the Migrants Center. The Center's services are aimed primarily at female migrant workers from Africa and Asia. Caritas-Lebanon provides legal, health, and social services. A social worker at the Center can enroll migrant workers in a low-cost major medical insurance plan.

Beginning in May 2004, female victims of trafficking will have access to a safe house where they can escape their situation and consider future options. They will receive medical care, basic needs assistance, trauma counseling, legal aid and counseling for future options in a supportive environment.

A Migrants Center social worker is also present in the Detention Center in Adlieh. The Center monitors the treatment of detainees, supervises medical care, organizes meals from outside, and assists with resolving cases and promoting early release when possible.

3.2. Embassies

Because migrants are now only granted entry permits if they have diplomatic representation in Lebanon, increasing responsibilities towards their migrant nationals are being taken by embassies and consuls. There is

¹⁰ 20 were mental patients, 36 were physically ill, 2 were prisoners and 1 was a young pregnant woman.

no doubt that the presence of diplomatic representation can make a difference to the treatment of migrants in Lebanon.

In the past year an Ethiopian Consulate has been established. Up until two years ago, countries such as Sri Lanka, Madagascar, Vietnam and African countries, with the exception of Sudan, appointed honorary consuls to represent them in Lebanon. These were unpaid Lebanese nationals who relied on commissions from the services they provided, but who also often acted as recruitment agents. As such, they were not active in protecting the interests of the migrants (Garde, 1998).

One indicator of the level of the isolation and despair of migrant workers is the suicide rates. While no systematic research has been conducted in this area, some figures can be instructive. For example, in 1997 there were 47 "suicides" of Sri Lankan household workers, all having jumped from the balconies of their employer's apartments (An Nahar, 3/3/98). In the six months from March 2000, eight Ethiopians committed suicide (interview with the Ethiopian Consul in December 2000). Further, there is a great deal of suspicion regarding many cases by members of the public as to the extent to which these are all in fact suicides or the results of foul play. While there have been at least two cases of Sri Lankans charged with murder, no Lebanese has been charged or found guilty of such crimes against foreign domestic workers.

Sri Lankan Embassy:

The Sri Lankan embassy has received different reports regarding its services to nationals working as domestic helpers in Lebanon. While there have been reports of the embassy not adequately meeting the needs of their nationals, in the early 2000s, there were also efforts to implement measures such as requiring regular embassy visits to the offices of General Security to acquire names and addresses of employers of runaways in an effort to negotiate retrieval of passports, payment of wages and funds for repatriation. Additionally, in an attempt to improve the conditions of work for Sri Lankan domestic workers the Sri Lankan ambassador notifies the agent concerned when faced with a woman who has run away. When the agent arrives at the embassy to 'collect' the domestic worker, the ambassador does not release her to the agency, but insists to the agent that he (the ambassador) interviews the future employer to ascertain whether he or she is the proper person, and will respect his/her obligations and responsibilities as employers.

Mali's Story

However, the intervention by the embassy does not necessarily lead to the most productive of outcomes. Mali, a woman from Sri Lanka, was extremely abused and sought the assistance of her embassy. Although Mali was granted a small sum of money, the agency responsible for her abuse is still in business. Furthermore, to counter-effect their bad reputation, the owner is charging \$100 less than other agencies. And a potential employer recently reported that when she inquired about what would happen if he was to have problems with his domestic worker, the agent responded, "Just bring her back. We know how to discipline here, don't worry."

Philippines Embassy:

The Philippines Embassy may be said to have developed the most systematic set of services for its nationals in Lebanon. The government of the Philippines established an Overseas Employment Administration with legislation to protect migrant workers from abuse and exploitation. With an explicit policy to encourage labour migration, the "Philippines Migration for Work", requires emigrants to participate in "pre-departure orientation seminars"¹¹. These seminars, however, are only awareness-type programs, rather than in-depth training and familiarization with what may be encountered in the host country.

¹¹ Workers are often instructed to return to the agency if there are problems in their place of employment. Yet, women not only rarely receive appropriate assistance, but are often met with abusive treatment in the form of hitting or beating. Hair being cut as a form of punishment has also been reported.

There is also an accreditation procedure to license recruitment agencies wishing to procure Filipinos for work in Lebanon. Licensed agencies are required to use the Embassy's "Master Employment Contract for Domestic Helpers" which stipulates the terms and conditions of employment (in English and Arabic). As of September 2000, there were approximately 2000 of these contracts signed and approved. The rationale here is that it is easier for embassies and other social institutions to intervene when there is an embassy approved contract because all details pertaining to employee, employer and agency are registered. However, there have been no cases where breach of contract has been invoked.

The Filipino Worker Resource Center in Beirut has been designed to provide training seminars to assist their nationals in skills upgrading and other cultural activities. This has been established with a concern for dealing with "development" issues as well as welfare. In this sense, it may be said that the Philippines takes a very "business-like" approach to its migration program.

Ethiopian Consulate:

The Ethiopian government's role as a public employment agency in the recruitment of workers for employment abroad has greatly diminished since the introduction of the Private Employment Agency Law in 1998. However, even when the government acted as a public employment agency, most women were trafficked instead of legally recruited. In 1996, for example, only 356 women left to Arab countries with approval by the Ministry of Labour and Social Affairs. In 1997, 728 left; in 1998, 984; and in 2000, 1163¹². Yet, in 1999, 17,000 Ethiopian women were reportedly working as housemaids in Lebanon¹³ - indication enough that more women leave the country illegally than through legal channels¹⁴.

In response to the pressures put upon the government regarding the lack of protection of Ethiopian migrant women, and due to reports of severe abuses inflicted on these women, the Ministry of Foreign Affairs set up a National Committee in June 1999. The Committee consists of representatives from the Ministries of Foreign Affairs, Justice, Security, Labour, Social Affairs, Information and Culture and the Women's Bureau at the Prime Minister's office, Immigration and Refugee Affairs and the Police Commission.

The Ethiopian government has not been able to open an embassy in Lebanon due to the current political relations between the two countries. The consulate, is faced with an understaffed office and an overwhelming number of individual cases of Ethiopian runaways requesting a laissez passer or legal assistance of one form or another. He has access to one or two lawyers who work for free. There are an estimated 15,000 Ethiopians in Lebanon (the proportion of domestic household workers is unknown) and human rights abuses perpetrated against them. Most Ethiopians in Lebanon have entered illegally, without contract, recruited by agencies in Addis Ababa without the government's knowledge. There is only one accredited agency in Ethiopia that maintains international labour standards. The illegal domestic workers are subject to a range of inhuman treatments, including rape, and hunger. However, Ethiopian suicides have decreased since the opening of the Consulate as they now have better access to air their grievances (Interview with Father Salim Rizkallah 2004).

Given the poor resources available, the consulate relies heavily on NGOs, other charitable organizations and individuals for assistance.

Conclusion

Although the social, medical and legal assistance provided by NGO and embassies are vital and indispensable, they are not always successful in solving the problems of their nationals in Lebanon. To date, the Lebanese government has prosecuted only a few employers who have violated their contractual obligations. This leaves the embassies and NGOs somewhat powerless. Along with diplomatic proclivities to avoid conflict, and because the embassies are concerned with the continuing facilitation of migrants as an

¹² Data gathered from the MOLSA in Ethiopia, Public Employment Service Section.

¹³ Ethiopian Female Migrant Workers under Exploitative Working Conditions in the Gulf States, p.22.

¹⁴ Ethiopian Female Migrant Workers under Exploitative Working Conditions in the Gulf States, p.24.

expert commodity, justice for the migrants themselves is rarely achieved. Moreover, as Young (2000:71) suggests, "most countries which send workers to Lebanon, perhaps with the exception of Syria and Egypt, are not considered powerful enough by the Lebanese to be able to impose respect for their nationals."

4. Recent Government Reforms, Measures and International Conventions

4.1. Government Reforms and Measures

At least four measures may be identified as having brought about positive changes in Lebanon during the two years under the government of former Prime Minister Salim Hoss (1998-2000). Since the government sought to improve the administration and enforcement of regulations, most of the reforms dealt with how to handle undocumented foreigners, work permits, police and the like.

In October 1998, the Lebanese government banned the process of "releasing" foreign workers from one sponsor to another. This had the effect of preventing what was tantamount to "selling" workers from one employer to another. Previously, the process to procure a worker's release papers invariably included some remuneration to the sponsor. The manifest reasoning for the legislative change was somewhat different. The government wanted to ensure that agencies and other individuals were not using fictitious, nominal sponsors to import large numbers of foreign workers to post-facto place them with an employer - a practice very close to trafficking. Meanwhile, sponsors continue to release employees to other sponsors as a way of avoiding an incremental tax rate which means that a sponsor who has one employee pays 250,000LL; with a second, the charge is 500,000LL, and a third, 1,000,000LL¹⁵ and so on, thus making it a prohibitively expensive business.

Another initiative of the Hoss government was the establishment of a formal complaint procedure. Through the procedure, the Ministry of Labor has indicated that it will take an active role in complaint cases. In the past year, three agencies have had their licenses suspended for improper conduct. One agency was suspended due to the direct intervention of the Sri Lankan Ambassador who personally made the complaint. However, there have been no actual cancellations of licenses. Although there are probably thousands of cases to be taken into consideration, they rarely reach the complaints stage because of the lack of trust in the system that has been seen to automatically assume the interests of the employer, and because the foreign women do not know how, if, or when to make a complaint.

Beginning in 1998, in addition to the above points, the government computerized the names and addresses of all sponsors and foreign workers entering the country. It is now possible to trace the sponsors through the Ministry (usually through General Security) whenever there is a problem. Prior to this it was virtually impossible, for example, to find the employer of a 'runaway' household worker who may have been abused or unpaid, but did not know her sponsor's full name or precisely where he or she lived.

From August 2000 until February 2001, the government issued a degree of "amnesty", which allowed, "all illegal residents in Lebanon to apply for residency or leave the country". However, according to Major General Jamil Sayyed, Head of General Security, the program was never a true amnesty in that workers who held papers requiring regularization had to pay all back taxes, whether they left the country or not. Yet, it did, allow for release papers to be arranged without special permission if a sponsor was no longer the employer, and another employer was willing to become the person's sponsor. The aim was to reduce the number of illegal foreign workers in the country, and lower the governmental expenses involved when a worker was apprehended.

In principle, if a foreign employee leaves the employ of her sponsor, she is obliged to leave the country, or seek special permission to be released to another employer. However, a very recent announcement by General Security states that, "responsibility for bringing a foreign domestic servant into the country may be transferred to another individual one time only during the first three months of the foreign laborer's stay in the country" (Daily Star, 6/12/00). This measure was introduced to ensure a flexibility to release a worker from one sponsor to another.

¹⁵ US\$1 is equal to LL1,473.20 (United Nations rate-April 2004).

4.2. International Conventions

There are a number of relevant international conventions that Lebanon has ratified that can be invoked for legal and political purposes. The following details such conventions and the appropriate articles that can be applied to female foreign domestic employees in Lebanon. It must be noted, however, that the legal status of migrants in international law is linked to their conditions as aliens. As such, they need diplomatic protection, which can only be activated by the state through bilateral relations (Pires, 2000). The law of aliens and diplomatic representation is an important backup for migrants where appropriate international human rights instruments are not accepted. In the Lebanese law, domestic workers are not registered under the Labour Law but the Civil law. Article 7 of the Labour Law articulates that all workers are covered except domestic workers.

United Nations Conventions:

Lebanon contributed to the formulation of the text of the Universal Declaration of Human Rights, which was adopted by the UN General Assembly in December 1948. The Declaration is in fact enshrined in the Lebanese Constitution, which also states that all international conventions to which Lebanon is a signatory will take precedence over national laws and conventions. Of crucial importance are: Article 5 on torture or cruel, inhuman or degrading treatment or punishment; Article 13, on the right to freedom of movement and the right to leave any country, including his own, and to return to his country; Article 23, on free choice of employment, to just and favorable conditions of work and to protection against unemployment; the right to equal pay for equal work and the right to form and to join trade unions for the protection of his interests and; Article 24, on the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

There are other United Nations Conventions, which have been used in Lebanese courts in defense of migrant workers who have been mistreated.

These are:

1. The International Covenant on Economic, Social and Cultural Rights (Ratified by Lebanon on 3 November 1972);
2. The International Covenant on Civil and Political Rights (Ratified by Lebanon on 3 November 1972);
3. The Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) (Ratified by Lebanon on 3 November 1972).

International Labour Organization Conventions:

Although the rights of migrant workers have been addressed in the major International Human Rights Conventions, the International Labour Organization established international instruments that specifically target the needs of migrant workers:

- The Migration for Employment Convention 1949 (no. 97) accompanied by the
- Migration for Employment Recommendation (Revised) 1949 (no. 86);
- The Migrant Workers Convention 1975 (no. 143).

But these conventions have not been ratified by many states, Lebanon included.

While there are many ILO conventions, which deal with acceptable and unacceptable standards of work and remuneration, there are no Conventions specifically dealing with domestic workers. Domestic workers are defined as workers who are not members of the family or household, but who are employed to "facilitate the running of domestic life and personal needs" (ILO, 2000: 31). Furthermore, it is acknowledged that the large majority of domestic workers throughout the world are migrant or immigrant women. The category of female domestic workers with whom we are concerned in Lebanon is migrant women, or more specifically, temporary migrant workers. Most ILO protective measures cover permanent immigrants or those "who have been regularly admitted to the territory of a member State" (ILO, 2000: 74).

While it is suggested that migrant workers should enjoy all the rights applied to national workers (with respect to remuneration, hours of work, overtime arrangements, paid holidays etc.), there needs to be a recognition that migrant workers such as those we address in this report are being employed largely because they are not receiving the normal labour entitlements of Lebanese nationals; and because they are largely willing to accept less rewarding terms and conditions of work. The willingness is there because they are receiving up to four or five (or more) times the income they would receive in their home countries. (The women interviewed reported leaving countries where they could not find employment or were making \$40 to \$75 per month,)

However, there are relevant ILO articles that may be used. For example, in Convention (181) on Private Employment Agencies, 1997, Article 4 (see also article 12) refers to the requirement that workers recruited by private employment agencies, "are not denied the right to freedom of association and the right to bargain collectively." Migrant workers in Lebanon, as well as a number of other categories of workers such as part-time employees, do not have the right to form unions. There is also a widespread practice by recruitment agencies, both in Lebanon and the sending countries, to charge the migrants a fee, often requiring the employee to forgo initial wages for up to two, three or four months. This indebtedness amounts to a form of bonded labour. Article 7 (1) of the ILO convention states "Private employment agencies shall not charge directly or indirectly, in whole or in part, any fees or costs to workers." Article 8 requires member states to, "provide adequate protection for and prevent abuses of migrant workers recruited or placed in its territory by private recruitment agencies. These shall include laws or regulations, which provide for penalties, including prohibition of those private employment agencies which engage in fraudulent practices and abuses". (Article 8, 1) (See also, ILO, 1998 chapter 5, for a comprehensive discussion on private recruitment agencies and ILO guidelines).

Lebanon has ratified 14 ILO conventions on International Labour Standards. Although many may not be applicable to the category of migrants that this report is concerned with, the following conventions are relevant for the protection of migrant workers:

- C105 Abolition of Forced Labour Convention, 1957 (Ratified by Lebanon in 1977);
- C111 Discrimination (Employment and Occupation) Convention, 1958 (Ratified by Lebanon in 1977).

The United Nations Conventions that specifically deal with this target group have not been ratified by Lebanon: the Declaration on the Human Rights of Individuals who are not Nationals of the Country in which they live, and; the International Convention of the Protection of the Rights of all Migrant Workers and Members of their Families.

Lebanon has signed a number of other influential conventions. However, there are two reasons that they are rarely put into practice:

1. The lack of clear procedures for domestic application of international conventions, especially in court;
2. Lack of awareness among law enforcement bodies.

To defend the rights of domestic workers in Lebanon, these two dilemmas need to be tackled first.

5. Conclusions and Recommendations

Abuses of foreign domestic workers are not unique to Lebanon, but are prevalent in identical forms in many countries around the world. A number of suggestions have been made as possible remedies to restrict or eliminate these abuses at the international and local levels in terms of legal, administrative, economic, educational and cultural reforms in receiving countries. Three categories of main violations are:

1. Violence or the threat of violence from employers, recruitment agencies, police and general security forces;
2. Denial of freedom in terms of withholding of passports, restriction of movement outside the residence of employment and limitations on outside communications;
3. Exploitative working conditions including withholding of wages, long hours of work, inadequate or no leisure time and insecure living quarters.

One of the major intentions of this paper has been to search for possible solutions and means of action to be taken by various parties to improve working conditions of migrant women. It is hoped that this paper has provided a beginning for a constructive dialogue in search of solutions.

It should be pointed out that the proceeding list of recommendations might affect the demand for domestic workers in the Lebanese labour market.

5.1. Measures in the Courts

Few cases concerning illegal practices in the employment of foreign domestic workers are brought to the courts. One of the major problems that these women face is that if abused, physically or financially, they are either not prepared to press charges or cannot afford the legal representation. Although there are free legal aid provisions, such as the Lebanese Bar Association or Migrant Center, an abused employee is usually more eager to leave the country as soon as she can retrieve her passport or have a *laissez passer* issued to travel than to seek legal assistance. If she chooses to stay in Lebanon, chances are her attention will be on finding employment rather than taking legal action.

Recommendation

It is important to bring more cases of abuse in court to defend the rights of migrant workers. Therefore, as Wijers and Lap-Chew suggest, more facilities have to be present such as competent translators during legal proceedings, access to free legal assistance and legal representation during criminal or other proceedings, access to legal possibilities of compensation, and provisions to enable women to press criminal charges and/or to take civil action against their offenders, such as temporary staying permits during criminal and/or civil proceedings and adequate protection as witnesses. (1997: 209-10).

There are number of human rights lawyers and activists in Lebanon interested in this area for such cases to be conducted. It is recommended, for example, that Legal Aid in Lebanon, through the auspices of the Lebanese Bar Association is an appropriate organization to coordinate such activities. It is envisaged that such cases could tackle strategic issues such as the withholding of passports, withholding of wages, physical abuse, and substandard employment conditions (including hours of work, poor living conditions, etc.). Such cases will establish precedent, but more importantly serve as a disincentive if there are sufficiently harsh/proper penalties meted out. In addition, a high level of publicity will serve an educative function throughout the population, particularly if the judges themselves can be convinced to make public statements or warnings against the violations. If there are sufficient cases, the government will also be more likely to support an education campaign to curb the abuse.

As noted previously, although labour law does not cover foreign domestic workers in Lebanon, there are adequate provisions in criminal law and international conventions ratified by Lebanon, which may be invoked to bring success in the courts. In short, even current legal provisions ought simply to be actively administered and contracts backed up by the law.

One of the first complaints that labor lawyers in Lebanon make when discussing foreign domestic workers is that there are no provisions for them in the labour law. This needs to be remedied. Legislation, with the support of the trade union movement, needs to be enacted for these workers to have more immediate legal remedies as employees, rather than relying on criminal law procedures. The Lebanese NGO Forum, which is concerned with addressing issues on migrants, refugees and the displaced, can be a useful coordinating arm in this matter.

5.2. Investment in Work Permits

There are two forms of human rights violations in Lebanon, which have become part of the normative practices in the employment of foreign domestic workers: (1) the withholding of passports and other identity papers by the employer; and (2) the restriction of movement. Justification for both types of restrictions is based upon the following arguments:

First, practices such as the withholding of passports are seen as justified because both the recruitment

agencies and the sponsors/employers have an up-front financial stake in the employment process. Since, within the first three months of employment the agency is liable for a replacement, the agency requires some assurance. It is for this reason, in part, that many agents now stipulate that restrictions like the withholding of passports and the refusal to leave the house are required as conditions of the guarantee. From the employer's perspective the withholding of the passport and restrictions are to safeguard the 'investment' at least until the contract period has expired, or sufficient labour has been served to work off the money expended. The withholding of payment of wages is practiced for the same reason. In other words, there exists a type of debt bondage here in addition to a kind of "contract slavery". There is a lot of support for these actions, not only from employers and agencies, but also from individuals aiding domestic workers, and from embassies.

Second, it is believed that all types of physical restrictions are required to insure the employee does not "get into trouble". Outside of the home it is feared that she might get pregnant, contract a disease or meet people who will use her to gain access to a home for theft. It is feared that she might meet others who will entice her to leave to make more money in other ways, such as prostitution, or freelance domestic work. In addition, there is a fear that she would be taken to work in another employer's home.

Recommendation

It may be suggested that if migrants were to receive loans that cover all, or a substantial part of the costs incurred between leaving the sending country and commencing work in the Lebanese household, much of the rationale for the withholding of passports and restriction of movement (and possibly withholding of wages) would be circumvented. While the size of the loans may be large by the standards of the sending countries such as Sri Lanka, Philippines, Sudan, Ethiopia, Nigeria, etc., the monthly salaries of domestic workers would naturally increase if the initial costs were reduced or eliminated altogether.

The loan could be repaid in a relatively short time to an official bank that provides microfinance loans in the home country, after which time all earnings could be retained and the employee could be free to withdraw her labour at will.

5.3. Agencies

As some embassies have pointed out, it is the agency's responsibility to care for the migrant workers whom they have brought into the country. It is their responsibility to place them into decent employment relations and to monitor their conditions and progress. Many agencies argue that it is not possible for them to follow up on all the individuals they have placed. However, it is suggested that they could do this on a regular basis, staggered on a monthly or quarterly basis.

There are contracts in Lebanon that are signed between agencies and sponsors that make specific reference to the employer's responsibilities to household workers. However, the primary aim of the document is to itemize risk factors in order to safeguard the legal and business interests of the agency. There is no sense in which such contracts show any real humanitarian concern for the welfare of the maid and proper moral standards of employment relations.

Recommendation

Only one agency in Lebanon maintains a contract that specifies, "the employer must pledge to protect the domestic worker as he would protect himself and give her medical care, shelter, food, and regular monthly wages to be paid directly." But more of such specifications are to be encouraged. The contract should also reserve the right of the agency to inquire whether the employer is paying the salary and providing fair treatment. Details should be laid down regarding the employer's obligations in relation to the domestic worker's return ticket home, work and residency permits, notification to the authorities if she runs away, arrangements in case of the maid's death and so on.

Recruitment agencies should be regulated in a more stringent manner. This would include strict professional training on legal and ethical recruitment and a system of accreditation. This should be done in close consultation with the embassies of the sending countries.

5.4. Contracts

Many examples of problems concerning contracts have been mentioned: non-existence of a standardized contract, absence of contract signing, and a lack of awareness of the content because it was not explained or because the language was not comprehended.

Recommendation

Contracts should be standardized across different nationalities through a coordinated approach. This may be done under the aegis of the ILO through its local offices. The contract should cover issues such as appropriate standards of remuneration, working conditions (of live-in workers particularly), treatment and other aspects covered in this report concerning freedom of movement and ensuring that passports remain in the possession of the employee. Contracts drawn up in Arabic (following standards as above) should not be signed by an employee who cannot read Arabic unless an authorized translator, in the presence of a notary or other designated official, has duly advised the employee of the conditions set out. A signed statement by the employee and the translator to the effect that the employee has understood in her own language the conditions of the contract should accompany the signing of the contract.

There are clauses within Lebanon's Codes and Obligations of Contracts (COC) that may be useful. For example, Article 233 of the COC provides for the annulment of a contract if it can be proven that it did not reflect the true will of either party, as can occur when a person has signed a contract in a language that she cannot read. Generally, however, these codes cannot be relied upon for legal remedies against the kinds of abuses and exploitation that happen.

5.5. Bureau of Migrant Affairs

Young has suggested that the lack of a forum for policy-making and information-gathering on migrant workers in Lebanon has meant that issues arising tend to be dealt with in an unsystematic fashion, primarily by, "diverse ministries and bodies - most notably the Labor Ministry and the General Security, which is part of the Interior Ministry." (Young, 2000: 83).

Recommendation

The Ministry of Labor should establish a bureau of migrant affairs to establish and coordinate policies on migrant workers, liaising with embassies, NGOs, agencies and individual employers. The Bureau should be housed as an external consultancy with the government in a "contracting- out" type of arrangement. It is important that the Bureau has some autonomy from other governmental agencies to ensure that the migrant's rights are being protected rather than administrative and legal perspectives of governmental enforcement agencies.

5.6. Corporate Best Practice Policies

As stated above, although in the majority of cases there are no apparent forms of serious abuse in Lebanon; restrictions of movement, withholding of passports and belittling have become "naturalized" among Lebanese employers. Therefore, the following recommendation is made as a form of awareness raising or behavioral change in policy.

Recommendation

All social, governmental and private institutions in Lebanon should implement 'best practice' measures and inform their employees of the moral and legal obligations regarding the employment and treatment of foreign domestic employees. The American University of Beirut's recent policy changes could be used as a model. In August 1999, a severe case of abuse of a Sri Lankan domestic worker by an employee of the University was widely reported in the press (see Haddad, 1999). By February 2000, the AUB enacted its own "Rules and Procedures with Respect to Household Help". The rules require an AUB staff member to register the household worker with the University with copies of all relevant papers. In addition, it is required that: household employees retain possession of all their identity papers; employees be paid on time (at least monthly); and employees be treated "as equals", with dignity and respect. Furthermore, should any deliberate

injury, assault, ill treatment, irresponsible neglect, threats, sexual or physical abuse, or harassment occur, disciplinary measures and legal proceedings on behalf of the household employee against the responsible employer or household member will follow.

Disciplinary measures might include: "a verbal reprimand, a written warning, and/or termination of housing assignment and termination of employment".

The profession of domestic worker needs to be appropriately valued to change the attitudes and approaches of many employers. However, as this process targets behavioral changes, it might be a long time in coming.

Bibliography

- ACS (Administration Centrale de la Statistique) (1998) Etudes Statistiques: La Population Active en 1997, No. 12, République Libanaise.
- Al Liwaa (25/3/95) (in Arabic) "Convoy of Sri Lankans".
- Anderson, B. (2000) *Doing the Dirty Work: The Global Politics of Domestic Labour*, Zed Books, London.
- An Nahar (23/9/94) (in Arabic) "Hrawi: 700,000 Foreign Workers in Lebanon Remit 1.2 billion Dollars Every Year!"
- An Nahar (9/5/94) (in Arabic) El Ramli, Baha "Number of Asian Workers Does Not Match Reality."
- An Nahar (8/2/96) (in Arabic) "The Use of Sri Lankans in Lebanon is to Follow Registration and the Agreement of the Consulate."
- An Nahar (23/6/96) (in Arabic) El Hajj, Louis "Reply from the Minister of Labor."
- An Nahar (3/3/98) (in Arabic) "Sale on Sri Lankan Maids."
- Bales, K. (1997) *Disposable People: New Slavery in the Global Economy*, University of California Press.
- Birks, J. and Sinclair, C. (1980) *International Migration and Development in the Arab Region*, International Labor Office, Geneva.
- Brochmann, G. (1993) *Middle East Avenue: Female Migration from Sri Lanka to the Gulf*, Westview Press.
- Campani, G. (1995) "Women Migrants: From Marginal Subjects to Social Actors" in R. Cohen (ed) *The Cambridge Survey of World Migration*, Cambridge University Press, pp. 546-550.
- Castles, S. (1995) "Contract Labour Migration" in R. Cohen (ed) *The Cambridge Survey of World Migration*, Cambridge University Press, pp. 510-514.
- Castles, S. and Davidson, A. (2000) *Citizenship and Migration: Globalization and the Politics of Belonging*, Macmillan.
- Castles, S. and Miller, M. (1998) *The Age of Migration*, Macmillan Press.
- Chang, G. (2000) *Disposable Domestic: Immigrant Women Workers in the Global Economy*, South End Press, Cambridge Mass.
- Chehab El Din, Iffat (1998) (in Arabic) "The Sri Lankan Consul Asks for the Creation of a Special Tribunal to Solve the Problem of the Maids" *Asharq Al Awsat* (19/2/98).
- Chin, C. (1997) "Walls of Silence and Late Twentieth Century Representations of the Foreign Female Domestic Worker: The Case of Filipino and Indonesian Female Servants in Malaysia" in *International Migration Review*, Vol. 31, No. 2, Summer 1997, pp. 353-385.
- Cohen, R. (1987) *The New Helots: Migrants in the International Division of Labour*, Aldershot, Avebury.
- Cohen, R. (1995) "Emerging Trends" in R. Cohen (ed) *The Cambridge Survey of World Migration*, Cambridge University Press, pp. 507-509.

- De Beijl R. (1997) "Combating Discrimination Against Migrant Workers: International Standards, National Legislation and Voluntary Measures - the Need for a Multi-pronged Strategy", Paper prepared for the Seminar on Immigration, Racism and Racial Discrimination, Centre for Human Rights, International Migration, International Labour Organization, Geneva.
- Doomernick, J. (1998) *Labour Immigration and Integration in Low and Middle-Income Countries: Towards and Evaluation of the Effectiveness of Migration Policies* Conditions of Work, International Labour Migration, International Labour Organization, Geneva.
- Eelens, F., Mook, T. and Schampers, T. (1992) "Introduction" in F. Eelens, T. Schampers and J. Speckmann, (eds) *Labour Migration to the Middle East: From Sri Lanka to the Gulf*, Kegan Paul International, pp. 1-25.
- Eelens, F., Schampers, T. and Speckmann, J. (1992) (eds) *Labour Migration to the Middle East: From Sri Lanka to the Gulf*, Kegan Paul International.
- El Saadawi, N. (1980) *The Hidden Face Of Eve*, Zed Press, London.
- Gugler, J. (1995) "The Urbanization of the Globe" in R. Cohen (ed) *The Cambridge Survey of World Migration*, Cambridge University Press, pp. 541-545.
- Haddad, R. (1999) "Abused Sri Lankan's Torture Finally Ends", *Daily Star*, 28 July 1999.
- Hamdan, K. (1997) *Le Conflit Libanais*, Garnet, Paris.
- ILO (1998) *Protecting the Most Vulnerable of Today's Workers*, Conditions of Work, International Labour Migration, International Labour Organization, Geneva.
- ILO (2000) *International Labour Office ABC of Women Workers' Rights and Gender Equality*, International Labour Organization, Geneva.
- Jureidini, R. (1998) "Palestinian and Foreign Labour in Israel", *Journal of Arabic, Islamic and Middle Eastern Studies*, Vol. 4, No. 2, pp. 25-46.
- Jureidini, R. & Moukarbel, N. (2001) "Contract Slavery: the Case of Female Sri Lankan Domestic Labour in Lebanon", Paper presented to Conference on Domestic Service and Mobility: Labour, Livelihoods and Lifestyles, The International Institute of Social History, University of Amsterdam, 5-7 February, 2001.
- KAKAMMPI (Association of Filipino Migrant Workers and Families) "Insecurity in a New World Order: The Crisis of Philippine Overseas Migration" Workshop Presentation at the Second Annual Conference on Alternative Security in Asia Pacific: Prospects and Dilemmas, Bayview Hotel, Manila, 22-24 July 1998.
- Kannangara, A. (2000) "Rs. 7 Billion Remitted By Lankans Employed Abroad" in the *Daily News*, 8 April.
- Khalaf, S. (1989) *Besieged and Silenced: The Muted Anguish of the Lebanese People*, Centre for Lebanese Studies, Oxford.
- Khalaf, S. (forthcoming) *Civil and Uncivil Violence*, Columbia University Press.
- Khair-Badawi, MT. (1986) *Le Désir Amputé*, L'Harmattan, Paris.
- Kritz, M. (1993) *International Migration Trends in a Changing World*, International Migration Review Working Paper Series, 93.08.
- L'Orient Le Jour (30/7/98) "La Grande Détresse des Domestiques Sri Lankais Au Liban" Edition No. 9327.

- L'Orient Le Jour, (13/12/99) "Une Première Dans Les Annales Judiciaires."
- McDermott, M. (1999) "Afro-Asian Migrants in Lebanon" Report of the Committee on Pastoral Care of Afro-Asian Migrant Workers, Beirut (unpublished manuscript).
- McMurray, D. (1999) "Recent Trends in Middle Eastern Migration" in *Middle East Report*, No. 211, Summer 1999, pp. 16-19.
- Myrdal, G. (2000) "Racial Beliefs in America" in L. Beck and J. Solomos (eds) *Theories of Race and Racism: A Reader*, Routledge, London & New York, pp. 87-104.
- Nasr, S. (1999) "Foreign Labour" *Investor's Guide to Lebanon*, Etudes et Consultations Economiques, Beirut.
- Odile, M. and Favre, X. (1998) "The Beirut Slave Trade" in *Le Monde Diplomatique*, June 1998.
- Palmer, P. (1989) *Domesticity and Dirt: Housewives and Domestic Servants in the United States, 1920-1945*, Temple University Press, Philadelphia.
- Parisot, T. (1998) "When Immigration Turns to Slavery" in *Le Monde Diplomatique*, June 1998.
- Pires, J. (2000) Unpublished conference paper presented at "Legal & Social Rights of Asian and African Migrant Workers in the Middle East", Caritas Mona Seminar, 9-12 May 2000, Beirut.
- Redden, C. (2000) "Locked Up Housemaids", unpublished manuscript, Beirut.
- Rosales, L. (1999) "Legislative Agenda on Filipino Migrant Workers" *Public Forum on the Philippines Report*, The Hague, The Netherlands.
- Sanjek, R. & Colen, S. (1990)(eds) *At Work in Homes: Household Workers in World Perspective*, American Anthropological Association, Washington.
- Sassen, S. (1998) *The Mobility of Capital and Labor: A Study in International Investment and Labor Flow*, Cambridge University Press.
- Shadid, W., Spaan, E and Speckmann, J. (1992) "Labour Migration and the Policy of the Gulf States" in F. Eelens, T. Schampers and J. Speckmann, (eds) *Labour Migration to the Middle East: From Sri Lanka to the Gulf*, Kegan Paul International, pp. 63-86.
- Sinno, D. (1998) *Patterns of Crimes Among Lebanese Women*, MA Thesis, Department of Social and Behavioral Sciences, American University of Beirut.
- Speetjens, P. (1998) "Caritas Provides Help for Migrants of all Nations" *Daily Star*, 20 January, 1998.
- Tawk, R. (1998) "Report on Meeting with the Governmental Bureau of Foreign Employment of Sri Lanka", in conjunction with OXFAM, Unpublished Report, 24/3/98, Beirut, Lebanon.
- Tilly, L. & Scott, J. (1987) *Women, Work, and Family*, Methuen, London.
- UNDP (1997) "Foreign Labor" in *A Profile of Sustainable Human Development in Lebanon*, United Nations Development Program, Beirut, Lebanon.
- Wijers, M. and Lap-Chew, L. (1997) *Trafficking in Women, Forced Labour and Slavery-like Practices in Marriage, Domestic Labour and Prostitution*, Foundation Against Trafficking in Women, Utrecht.
- Young, M. (2000) *Migrant Workers in Lebanon*, Lebanese NGO Forum, Beirut.

Chapter 5

Women Migrant Domestic Workers in the United Arab Emirates

Rima Sabban¹

1. Introduction

This report studies the reality of migrant women working in the United Arab Emirates as domestics and migrant workers having come from different parts of South and South-East Asia. Domestic workers in the UAE represent the largest and fastest growing work force within the country. The country they migrate to is a newly emerging oil country (1971) in the Arabian Gulf region. It is a new nation-state. Its work force is predominantly foreign, a reality that brings contradictions to the issue of foreign workers in general and in particular to the way they are perceived and treated. Domestic workers are perceived as a threat since they live and work in the privacy of the household.

The report concentrates on the reality of foreign female domestic workers, who in many instances have been reported as victims of maltreatment, sexual abuse and other forms of work exploitation. This report sheds light on the good practices and areas for improvement in this context. It highlights different perspectives and brings light to the foreign female domestic worker reality in the United Arab Emirates.

2. Methodology

This report is based on multiple interviews with domestic workers interviewed in their employers' household, at embassies in Abu Dhabi, at consulates in Dubai, and in the recruiting agencies. The report relies also on multiple primary resources and interviews with government officials, labour ministers, lawyers, officers in the migration office, employers, researchers in the field and recruiting agencies representatives.

The fieldwork was conducted at different periods in time. One was conducted in the summer of 1995, and the second in the spring of 2001. The employers and domestic workers were observed and interviewed directly under the real situation of employment. Their narrations were directly based on participant observation of their real life under the immediate conditions of work.

The fieldwork included non-participant observations and face-to-face interviews with 51 foreign female domestic workers in a predominantly Arab middle-class neighbourhood of Dubai, the second largest of seven Emirates. When the fieldwork was updated in the spring of 2001, only some questions were readjusted to the changing situations. Not all domestic workers in the sample were still available; in fact, most of them had changed positions and locations. The consecutive fieldwork helped draw comparisons on the changing situations of the foreign female domestic workers in the United Arab Emirates.

During the second part of the fieldwork, another 30 foreign female domestic workers were interviewed in different settings. Some were interviewed at their embassies or consulates as runaways or foreign female domestic workers suffering from various difficulties. An additional 15 women were interviewed at recruiting agencies in Dubai.

¹ The author resides in the UAE and holds a PhD in Sociology. The original study was published by ILO MIGRANT (ISBN 92-2-113244-7). This article has been edited and updated by Monica Smith in April 2004 with the consent and input of the author.

3. Overview of the socio-economic context

3.1. The United Arab Emirates: Built on Oil

The United Arab Emirates is a federation of seven Emirates: Abu Dhabi, Dubai, Sharjah, Ajman, Umm-al-Quwain, Ras al-Khaimah, al-Fujairah. The federation was established in 1971, a mere nine years after oil began to be exported. Until then, the Emirates had no boundaries, no roads, no newspapers, no telephones, and no electricity (Tomkinson, 1975; Taryam, 1987; Codrai, 1990).

In a short time, oil has made the UAE one of the richest countries in the world. In 1980, the United Arab Emirates was rated the wealthiest country in the world with a per capita GNP of US\$28,000. Oil has given the Emirates the opportunity to break regional and international records in urban development and economic growth.

On the socio-economic level, the UAE is a striking picture of contradictions. Its advanced urban development (80–90% of the population) coexists with some of the oldest systems of social interaction, gender-segregation, and tribalism. In the UAE today tribalism, Islamism, urbanism, modernism, consumerism and the welfare state are all vital components of the socio-institutional structure².

3.2. Women in the United Arab Emirates' Workforce

Traditionally, UAE women, as in most Islamic Arab societies, had their own order in the "harem" or the women's separate sphere. Socialization in gender roles was clearly divided, with women taking their roles inside the household and men holding the power both inside and outside the household. Before the oil era, the realm of the private versus public was clearly divided. Currently, women increasingly participate in the work place and share the public sphere with men. United Arab Emirates women nationals have participated in the work force since 1970. Since 1985, women's participation in the work force has increased, as have foreign women working in the UAE. However, the labour force participation of women is still only 11.6% as compared to 88.3% for men.

UAE women are mostly employed in the federal and local government sector, holding over 40% of the total jobs. In 1980, 68% of the UAE female work force was working in the public sector. By 1990, this average rose to 94.1% (Adel Al-Kassadi, 2000). Yet despite government support, the number of female nationals lags far behind women migrants working in the Emirates. Imported labour compensates for poor human resources but this compensation has shaken the demographic makeup of the country and created a very dependent social structure.

3.3. Population Polemics and Security Issues

At the turn of the century, the population of the United Arab Emirates was around 80,000. Almost all were citizens of the region and the population growth rate was slow: over the next sixty years the number of inhabitants increased by a mere 6,000. Most of them were nationals (Ministry of Planning, General Population Census; Faris 1996; Taryam 1986). But in less than five years after the first export of oil, the number of expatriates in the UAE rose to 66,000, accounting for 37% of the whole population during the year 1968 (Ministry of Planning 1994). In 1975, only four years after the establishment of the United Arab Emirates federation, 356,000 foreign workers were in the country, representing an average of 64% of the population. Today, the expatriate community comprises more than 80% of the population, a percentage unmatched anywhere else in the world. Nationals make up less than one-quarter of the whole population³ (Ministry of Planning, 2000, Faris 1996; Taryam 1987; al-Hamad 1994).

² The 1995 Economist Intelligence Unit (EIU) report on the United Arab Emirates sees this dominance as a major risk to internal stability: "One of the potential threats to internal security is the minority status of the indigenous population. Despite efforts to redress the balance by introducing programs to employ more United Arab Emirates nationals, this problem is not going to go away and is likely to get worse" (Economist Intelligence Unit, 1995–96:7).

³ The topic is of great concern to all political figures in the country. The issue is very sensitive and relative statistics are top-secret. Officials in United Arab Emirates stopped carrying out the five-year census in 1985. Most official numbers today are based on speculation.

The demographic gap in the UAE between nationals and migrant workers has many social, political and economic implications. When policy makers designed the migration policies in 1970, they were not fully aware of the implications. Labour, semi-skilled and unskilled workers, were imported under temporary contracts and these people were denied political, civil and naturalization rights, but granted education and medical benefits (MERIP Report 1985).

Turki al-Hamad, a Saudi scholar, has recently criticized the abnormal composition of Gulf societies that are supposedly operating on the basis of modern nation-states⁴ (al-Hamad, 1994). Other scholars and intellectuals from the region who fear a total loss of national control over the growing presence of foreign labour have voiced similar criticism. Daily newspapers, articles, talk shows and serious academic studies are filling Gulf state archives with analysis of and advice about the social predicament awaiting these states as a result of its total reliance on foreign labour.

"The United Arab Emirates' security forces maintain a close watch on all foreign communities and the Government has made it clear it will not tolerate inter-communal tensions or political movements." (Economist Intelligence Unit 1995–96: 7) A closer look at the politics of migration in the Gulf region, its interrelation with the issue of female migration to the United Arab Emirates and the contextual framework of the foreign female domestic worker in the United Arab Emirates is to be furnished in the following section.

4. General Trends in Migration for Employment in the United Arab Emirates

The UAE is a country with a high level of "pull factors" for foreign migrants and its economy is becoming almost fully driven by migrants. However, both nationals and non-nationals follow policies designed, to a large extent, by the ruling royal elite. Policy is made according to the old traditional tribal system, whereby; the ruler listens to suggestions, but has the final say in decisions. Systems for popular participation are still lacking. As a result, discussion and inconsistency persist in the decision-making process. Predictability is very low, and scenarios of social change may go all directions⁵.

The United Arab Emirates attracts both male and female migrants. Since the mid-1980's, female migrants have increasingly dominated the influx of workers, especially in the area of domestic work and personal services, in roles previously fulfilled by men in United Arab Emirates society. In the United Arab Emirates, a domestic worker (or *bishkar*, in the local language⁶) was traditionally a man but may now be a woman as well. Today, some United Arab Emirates families still prefer male domestic workers. It is also noteworthy to mention that the United Arab Emirates is a society where slavery was in practice until as recently as the late 1960's.

The United Arab Emirates grants an average of 300 visas every day to domestic helpers. Official Ministry of Interior statistics reported that 116,083 visas were given to domestic workers in 1999. An average of three domestics is reported to be working in each United Arab Emirates household. A 1984 study of domestic helpers indicates that the average number of domestic workers in Emirates' households is 2.2 (Al-Jardawi, 1990: 59). The sustainability of the United Arab Emirates household, as quoted by the United Arab Emirates women employers, is directly linked with the continuous import of female domestic workers.

Statistics on foreign female domestic workers suffer from accuracy, accessibility and transparency⁷ issues and there are no recent statistics⁸. However, a comparison of the number of foreign female domestic workers

⁴ His argument is based on the nature of the modern nation-state that Gulf societies are attempting to apply. Of the modern nation state, he argues, assumes and/or generates integration into society. The Arab Gulf states, however, are growing in a manner that will never accommodate integration of all foreign labour.

⁵ These factors have positive as well as negative implications, depending on the situation, and the elements involved.

⁶ *Bishkara* is the word used for a female domestic worker.

⁷ As most United Arab Emirates scholars point out, it is not easy to secure exact numbers, accurate and specific data on domestics. This is an issue that is still under-studied, requiring a vast institutional effort to manage the deficiency.

⁸ Statistics on foreign female domestic worker are difficult to obtain in the United Arab Emirates. Statistics from the 1975 census can be acquired internationally from UN publications. Inside the United Arab Emirates, through personal connections, one can acquire the results of other census, such as those from 1980 and 1985. However, the results of the 1990 census are not given out.

between 1975 and 1985, according to the official census, shows an increase of 30,794. The table below indicates the dramatic feminization of the workforce in the 1980s — an average increase of 2,398%, compared to 649% for male domestics. This factor also relates to the hiring of female drivers and cooks, occupations once performed primarily by males.

Table 1. Domestic workers in the United Arab Emirates, by sex (1975–1985)

| | 1975 | 1980 | 1985 | % increase 1975–1985 |
|----------------|-------|--------|--------|----------------------|
| Females | 1'340 | 7'348 | 32'134 | 2'398 |
| Males | 8'477 | 34'343 | 55'025 | 649 |
| Total | 9'817 | 41'691 | 87'159 | 887 |

Statistics on foreign female domestic worker are crucial for analysing the high trend of feminisation and ethnic changes. Foreign female domestic worker in the United Arab Emirates are everywhere, in all homes, cities, large and small, and even in desert areas helping Bedouins milk their goats and make yoghurt and cheese. The workers are easy to acquire, change and exchange. They come from different nationalities, race and ethnicities religions and levels of education, and have varying levels of expertise, etc.

If one calculates the rate of increase, applying it to 1995, it is easy to see that the number of foreign female domestic worker alone is higher or at least equal to that of the indigenous population. Due to this reason, in the summer of 1996, officials in the United Arab Emirates took measures to limit immigration. The measures were applied to expatriates, who were required to pay to the government Dhs 4,800 (US\$1,300)⁹ or the amount equal to one year minimum salary of a foreign female domestic worker. Other serious measures were taken with high penalties for those wishing to hire a foreign female domestic worker on a visa sponsored by a third party. These measures were more successful at their introduction. However, today, Dhs 4,000 (which equals about US\$1,100) is much easier to pay than before, and the number of foreign female domestic worker is increasing again.

The demand for different nationalities of female migrant worker to the United Arab Emirates has fluctuated due to various social and economic factors. In the early days of the modern United Arab Emirates, i.e. the 1970's, migrant domestics came from India, because of the strong historical, intercultural and economic relationship between the two countries. From the late 1970's to today, the Philippines has become increasingly dominant in sending domestic workers. In addition, foreign female domestic workers in the UAE come from Sri Lanka, and Indonesia, as the major providers. Recently, women domestics are coming from Ethiopia as well.

Filipina foreign female domestic workers were traditionally more in demand among the elite in the United Arab Emirates. At one point, having a foreign female domestic worker from the Philippines was considered a family status symbol and were preferred over other nationals because of their perceived level of modernity, education and ability to speak English.

In the early 1990s, the United Arab Emirates' domestic market began to attract Indonesians, who were first sent to Saudi Arabia and then to United Arab Emirates. Indonesian foreign female domestic workers started at the upper salary scale, and were paid, in most cases, more than foreign female domestic workers from the Philippines.

Recently, the trend of foreign female domestic worker from the Philippines and India is decreasing. And foreign female domestic workers from the Philippines are moving up the employment ladder. Currently, a larger trend of Filipina drivers who perform domestic responsibilities is growing in the United Arab Emirates. As a driver, a foreign female domestic worker is paid more (Dhs 800–1,200) than a domestic worker. In

⁹ US\$1 is equal to Dhs3.67 (United Nations rate-April 2004)

general, Indonesian foreign female domestic workers are taking the place of Filipinas on the middle and upper income households¹⁰, and Ethiopians are taking the place of Indians in the lower income households. This, however, does not mean that Indian and Filipina foreign female domestic workers are disappearing in the United Arab Emirates. Both nationalities continue to exist, but their numbers are not growing at the same pace as before.

Table 2. Changes in the number of foreign female domestic workers in the United Arab Emirates, by country of origin, year and sex

| Country of origin | 1997 | | 1998 | | 1999 | | 2000 | | 2001 | | Family members following | Total |
|--------------------|-------|-------|-------|--------|-------|--------|--------|--------|-------|-------|--------------------------|---------|
| | M | F | M | F | M | F | M | F | M | F | | |
| Ethiopia | 0 | 294 | 0 | 630 | 7 | 1'180 | 21 | 2'394 | 11 | 756 | 0 | 5'293 |
| Philippines | 70 | 1'712 | 105 | 2'604 | 95 | 3'990 | 228 | 6'856 | 53 | 1'795 | 0 | 17'508 |
| India | 5'254 | 3'696 | 6'675 | 4'540 | 7861 | 4'802 | 13'216 | 6'730 | 2'002 | 521 | 521 | 55'818 |
| Indonesia | 7 | 1'253 | 11 | 2'898 | 32 | 6'493 | 137 | 11'543 | 21 | 3'791 | 14 | 26'200 |
| Sri Lanka | 105 | 2'828 | 312 | 3'126 | 347 | 5'012 | 354 | 7'588 | 74 | 1'694 | 91 | 21'531 |
| Total | 5'436 | 9'783 | 7'103 | 13'798 | 8'342 | 21'477 | 13'956 | 35'111 | 2'161 | 8'557 | 626 | 126'350 |

The predominance of foreign female domestic worker comes with a high price. Negative reaction against heavy reliance on foreign female domestic workers increasingly appears in newspaper articles, TV programs, government studies and scholarly work. Even the police department now publishes informative booklets to alert Emirates to the danger of complete dependence on foreign female domestic workers.

In fact, the issue of domestic workers is taking on a life of its own. Foreign female domestic workers, brought as cheap labour to insure the transition of United Arab Emirates households from the pre-modern to modern lifestyle, are becoming a scapegoat in the disrupted social order. Foreign female domestic workers were once thought of as docile, obedient and helpful housekeepers easily absorbed and controlled inside the gender-segregated structure of the United Arab Emirates household. This perception of the foreign female domestic worker has now changed.

The growing dependence on household domestics is structurally linked to the development of the United Arab Emirates state and social system. The increasing dominance of domestic house workers is part of an unspoken "bargain" between the state and the emerging civil society, by which the state provides a leisure life in exchange for complete political control. This unspoken state-civil society contract is part of a larger developmental policy that has led to a population imbalance between citizens and expatriates. This imbalance is now creating tensions and a sense of insecurity among the United Arab Emirates citizens, a minority in their own country.

Social thinkers and intellectuals in the United Arab Emirates are revealing the problems caused by a reliance on foreign female domestic workers, including effects on the children, future society and household relationships (Al-Jirdawi 1990; Khalfan 1985; Abd Al-Jawad 1985). Recently, the United Arab Emirates has also found itself with a new and negative image internationally, that of the exploiter and abuser of poor women from other regions in the world. This issue of maltreatment of foreign female domestic workers is receiving considerable media exposure and is a serious concern of NGOs and human rights organizations

¹⁰ Although hiring an Indonesian was once a status symbol in the UAE, their standing has changed with an increase in Indonesian women working in the UAE. The greater supply of workers has decreased the wages for such employees. In addition, the socio-cultural factors that initially played a leading role towards receiving Indonesian female domestic worker is now changing. Where Indonesian women were once favoured for being Muslim and speaking Arabic, they are now perceived as not as strong and defensive as Filipina women.

outside the United Arab Emirates (Weinert, 1991: 25–26). Despite this criticism, inside and outside the United Arab Emirates, the flow of foreign female domestic workers continues.

And there are those, like the head of research in the Ministry of Labour states, who believe there is a possibility for change. "In the United Arab Emirates, we follow trends but we do not set them. If the status of domestics develops worldwide, we will be bound to follow. It may take longer here, because our society is very new to modernization and human rights issues. However, we are changing. I personally think once the concept of domestic work becomes valued worldwide, the status of domestics in United Arab Emirates will also improve" (Rashid Mohamad, 2001).

4.1. Social Perception of Foreign Female Domestic Workers

Academic writings from a local and Arab Gulf perspective see foreign female domestic workers in the United Arab Emirates and other Gulf states as a problem. No published study describes them as a necessity for the area's changing lifestyle. None emphasizes their integral part in the nation's development or, furthermore, puts their own lives at the centre of the study. Issues addressed in these studies include the negative impact on United Arab Emirates children, including affects on language, values, socialization Islamic norms and values, and health. (Khalifa 1986; Khalaf et al. 1987; Al-Khalfan Hanan 1985; Abd-Al-Jawad Issam 1985; Ministry of Work and Social Affairs 1990; and Al-Jirdawi 1990).

Ultimately, such academics place the main responsibility for this problem on the mothers themselves, portraying United Arab Emirates women as careless and superficial in their preference for a luxurious life over the well being of their children. Police studies are the most rigid of all on foreign female domestic worker. They base their conclusions on studies of foreign female domestic worker criminals and United Arab Emirates women's perception of those crimes¹¹. Their statistics show that most of such crimes committed in Dubai during 1991–1992 are related to adultery (up to 50%). The second highest crime reported was theft (30%). The third is the violation of immigration laws (10%) (Najib *et al.* 1993).

Looking at the phenomena of domestic workers in the UAE, some intellectuals and government officials see the household and wider community perception of maids to be the source of the problem rather than the actions of the maids themselves. The General Director to the Dubai Migration office states: "United Arab Emirates society suffers from the degrading perception of the foreign female domestic worker. This negative perception is causing major problems in the relationship between the worker and her sponsors. This wrong perception is also recreated along the new generation [as seen in the manner] UAE children mistreat the foreign female domestic worker" (Kul Al Usra, March 2001). Another United Arab Emirates prominent figure states the problem also rests in the enormous reliance on maids: "This society is recreating generations of dependent personalities who request that domestic workers do everything for them. Our full reliance on domestics in the household is encouraging the growth of an unproductive family" (Kul Al Usra, 2001).

Meanwhile, foreign female domestic workers struggle with their own problems that they bring with them upon migration to the United Arab Emirates. And these problems are aggravated and mishandled on all levels inside the UAE. The situation is highly complicated and it is not easy to uncover all the facts. This report, however, addresses the issue from the foreign female domestic worker's own perspective in regard to working conditions, and her life as an expatriate, uprooted from a homeland and family.

4.2. Trafficking

Trafficking is generally understood as bringing in persons to be exploited and pushed to work in illegal situations, such as prostitution. It is not an acceptable practice in the United Arab Emirates and the

¹¹ The United Arab Emirates applies the Islamic Sharia Law, which is applicable to all parties alike, migrants and non-migrants. However, differences occur among Islamic trends and schools of thoughts and also among the different Emirates - these differences extend to criminal laws. In earlier criminal charges against foreign female domestic workers, the penalty often depended on the Islamic school of thought and the place of trial.

government works hard to seal its borders and ports to trafficking¹². Although, accessing reports and information on trafficking is difficult, one would suspect that trafficking does exist in limited forms, especially since entrance to the UAE on a visitor visa is easy and accessible even at travel agencies or hotels.

Even though no official information is available on trafficking, one could make some observations based on discussions with journalists, lawyers and public figures who do agree it occurs. Trafficking women for prostitution is practiced under the cover of other categories of migration, especially under the category of domestic workers.

In a few of the Emirates, specifically the ones with low oil resources such as Ajman, illegal acts are thought to take place without much Federal control. Because of its proximity (15 minutes drive) to Dubai (United Arab Emirates business centre), its inexpensive rental dwellings and the looseness of its regulations, Ajman is considered "heaven" to illegal immigrants and their agents. Furthermore, attempting to find documented information on this issue can be dangerous.

5. The Situation of Women Migrant Workers in the United Arab Emirates

5.1. General conditions

Isolation is a dominant feature of foreign female domestic worker's work environment in the United Arab Emirates. Foreign female domestic workers are alone physically, psychologically, socially, culturally and in all aspects of human existence. The level of isolation they suffer differs with some foreign female domestic workers living in abusive environments of isolation and others able to interact socially and break through the physical and psychological barriers faced.

Legally, once a foreign female domestic worker enters her employer's house, she is totally under his/her control, since the employer is usually her visa sponsor (see Kafala discussion below). Even today, United Arab Emirates labour laws do not recognize domestics as part of the labour force. The employer bears total responsibility for his/her domestic workers and has total control over them. He/she is responsible for the domestic worker until the end of the contract at which time the employee is either reported to be safely out of the country or a runaway.

At a maximum of the first four months of the contract, both the employer and the employee have the right to contact the recruiting agency in order to report problems or to seek change in the status or employment of the foreign female domestic worker. Most recruiting agencies, however, do not encourage this practice, and often hide information from the foreign female domestic worker about their rights. The immigration regulations governing the status of domestic workers and the social practices towards foreign female domestic workers in the United Arab Emirates enslave them to their employers until the duration of their contract ends. Whether one is placed with a desirable or an undesirable employer is a matter of luck.

Reportedly, foreign female domestic workers are expected to have no activities outside their households of employment. Similar to all foreign workers, they are denied the right to organize. Most of them are given no days off and are expected to serve all household members from early morning to late in the evening.

Furthermore, once the foreign female domestic worker is inside the United Arab Emirates household, she becomes part of the *harem* structure¹³. The sexuality of the foreign female domestic worker has to be controlled, since she is now one of the *harem*. This includes control of her body and her general behaviour.

¹² The United Arab Emirates Immigration Laws and regulation forbid trafficking in person, as stated in the Federal Law No. 13, 1996, Article 33, which specifies a penalty of a minimum of three years in prison and a maximum of 15 years and a fine of Dhs15'000 for anyone engaging in trafficking and/or helping it. Article 34 of the same law penalizes the falsification of documents, visas, passports or any means used in trafficking.

¹³ As mentioned previously, not all United Arab Emirates households conform to the same harem structure. This is what makes the issue interesting, dynamic and also challenging, even to the foreign female domestic worker themselves. United Arab Emirates household structures are undergoing transformation, moving away from the traditional form of "harem" structure to a new one which is not totally modern, but rather, a combination of different structures. It is possible to call this new form "post-modern", for the immediate sake of this analysis.

In most cases, she is required to wear a veil or long robe like the rest of the *household harem*, or female members of the home.

Yet, this isolation is accompanied by another form of existence. Due to their numbers and visibility, foreign female domestic workers sometimes outnumber nationals during the day in the streets. As such, the most commonly seen people outside are foreign female domestic workers shopping, supervising children in parks, and accompanying their charges on errands, such as medical examinations or other appointments. It seems that those foreign female domestic workers, who are not allowed to go out or to use the telephone or call a friend, are likely to meet other foreign female domestic workers when they do the shopping or take out the garbage. These contacts help them to form a collective ethnic-identity and to bond among themselves. The likelihood of meeting other foreign female domestic workers also helps ease their harsh working conditions.

5.2. The Field Work

During fieldwork with 51 foreign female domestic workers in Dubai, 34 foreign female domestic workers reported that they were not allowed to maintain any aspects of their previous lifestyle. Only four said they were allowed to dress¹⁴, cook, and practice their religious beliefs freely.

It appears that once a foreign female domestic worker enters a United Arab Emirates household, her total physical existence, including body, appearance and choice of clothing, falls under that household's control.

Control

A Sri Lankan domestic worker had been working for a given household for eight years, caring for an elderly woman. The domestic helper was not permitted outside of the house. In fact, she seemed to live in the shadow of the senior citizen. One day, a younger household member happily arrived declaring the opening of a swimming pool in the backyard. She informed the domestic helper to get ready to enter the pool to help the old woman with her exercises. Happily, the worker put on her shorts, and came full of excitement. The young employer shouted, "Can't you see the little boys? Aren't you ashamed of yourself? Go put on your long dress. We do not have women going in the pool with swim wear." In response, the Sri Lankan woman looked humiliated, but couldn't reply. She ended up obeying the orders.

Most reported that their socio-physical existence is controlled and that all of their social interactions with friends and neighbours is scrutinized. This in turn leads to feelings of isolation.

Loneliness

"I am very lonely. Sometimes, I cry. I want to go back. I am getting very thin. The only appeasement I feel is when I talk to other maids, while I am picking up the children from school. Another foreign female domestic worker interviewed said, "I am not allowed to go out, not even to see a friend or meet a relative."

Demeaning treatment, including verbal abuse, figured into complaints.

¹⁴ One foreign female domestic worker complained about not being allowed to put on any make up, or even wear the Arabic eyeliner *kohl*, used by United Arab Emirates women themselves, including elderly ones.

Demeaning treatment

"We are treated like strangers; we are not allowed to sit on the furniture. It does not matter to them if you have a profession or not, you are here, you are a maid. I talk to other Filipinas I see in the park, they say the same thing."

"If by mistake, they see me sitting on their bed, they get angry. They think we are lower, we are not considered human, and we don't have the same necessities as they do."

"Even after working for them for eight years, I still feel I am a maid, a stranger. When they talk about us they say words like: stupid, know nothings, or maid. We are always inferior in their place."

"I feel I am treated as a lower person because I am poor. They order us in a way that hurts. They don't sympathize with us. We are vulnerable in their houses, because we are poor."

All 51 foreign female domestic workers commented on the difficulties of working in the UAE where temperatures reach 128° F and where humidity is around 100%.

5.3. Adjustment to the United Arab Emirates

One of the toughest challenges of migration is adjustment. In general, adjustment means changing oneself to accommodate lifestyles, attitudes, habits and languages encountered in new living and work situations. All workers interviewed addressed the issue of language adjustment, confirming that it is one of the major difficulties foreign domestic workers face in the UAE.

Foreign female domestic workers face these challenges along with the pressure of being controlled, isolated and continuously living under someone else's authority. They also suffer from the emotional pain of separation from loved ones, including children and spouses .

In particular, the interruption of a mother-child relationship - one of the strongest of interpersonal relationships, resisting physical separations of all types - often has to be endured. Mothers initially submit to this separation for the very sake of their children, yet the price they pay is guilt. Women interviewed reported that they felt guilty about not being able to see their children grow up, worried about the care their children were receiving, and especially concerned about not being able to protect their daughters from potential sexual abuse.

5.4. Working Conditions

Because of housework's invisible nature in the economy and the society in general, it is not only devalued, but is also very hard to account for or measure. This research assesses the work of foreign female domestic workers based on their narratives and perceptions. Foreign female domestic workers were asked to describe a full working day, the regular and irregular work that they do and the physical and emotional requirements of that particular work. Foreign female domestic workers were also asked about the heavy and boring nature of the tasks they perform and general work demands on them in the United Arab Emirates compared to those back home. The idea was to understand their jobs and to fit their actual work into an analysis of the migration process and its impact upon their lives.

In general, the working day begins at six o'clock in the morning and ends at eleven o'clock at night, with a two hours rest in the afternoon. Foreign female domestic workers are required to clean their employers' houses internally and externally, cook, and take care of children, elderly family members and animals. Not all foreign female domestic workers constantly do heavy work, but they report being on-call all the time for all family members. Working an average of 15 hours per day, these women earn between Dhs 400 to 1,000 per month (approximately US\$100 to US\$175). Freelancers can earn up to US\$2,000 per month with report as high as \$3,500. Working conditions, hours of work and work perceptions did not differ among foreign female domestic workers in the different United Arab Emirates household strata. Overworked and abused

foreign female domestic workers can be found in all levels of society. The main difference is probably the amount of space, the appearance of the house and the special place designated for the foreign female domestic worker.

Wages

Most foreign female domestic workers working in United Arab Emirates national households are paid between Dhs 500 and Dhs 700, or US\$130 to US\$200 per month. For the foreign female domestic worker, this salary amounts to four times, ten times, or for Indian foreign female domestic workers, as much as 100 times the wages they would earn in their home countries.

It is important to note that not all domestic workers in the United Arab Emirates earn in the range of US\$150 to US\$200, and only a minority of them earn higher salaries ranging between US\$250 and US\$350. Those at the high end of the salary scale do not work in the average United Arab Emirates local household but are mostly found in the non-national, especially British or American, households.

The wages of the foreign female domestic workers vary according to their ethnic background and are not based on their education or previous skills. A college-educated foreign female domestic worker from the Philippines is paid the same wage as a high school graduate or a middle school-educated Filipina, but would earn much more than a foreign female domestic worker from India, regardless of the latter's skills. When they were first introduced to the UAE market in the 1990s, Indonesian foreign female domestic workers were the highest paid. Other factors operate at both the macro and micro level determine wages. One micro factor on the employer's side is the status and generosity of the employer. The macro factors are geographical position, relation and terms of agreements between the UAE and the particular country sending the foreign female domestic worker and the position and status of women in the sending country.

Time Off

None of the foreign female domestic workers interviewed, or any other encountered in United Arab Emirates households, reported being allowed a day-off per week. Domestic service is the only paid job where employees are not allowed a day-off. For employers, giving foreign female domestic workers a day-off means relinquishing control of them, giving them opportunities to have a private life or date – an activity that is forbidden in a conservative society like the UAE.

However, some women are allowed to go out, visit friends or go shopping. Others are allowed to sleep away from their employers' houses on occasion. But these liberal practices still occur within the framework that the foreign female domestic workers must be controlled, with the employer always knowing where the foreign female domestic worker is going and why.

Perception of Work

Almost half of the foreign female domestic workers interviewed consider their work very heavy. However, despite its heaviness, housework was accepted, because it is the only choice. As one respondent observed, "The work is hard, but we came to work. We have to be strong."

5.5. Benefits and Risks

To provide an accurate portrayal of the foreign female domestic worker's employment and to answer the different questions raised by the study, this section addresses both the advantages and disadvantages that working conditions present.

While foreign female domestic workers' narratives included assessments of benefits received on the job, they also included abuses suffered at the hands of employers – such as verbal, physical and sexual abuse. It should be noted that within the home, children, relatives of employers, and other house workers, especially male drivers, were also culpable in the abuses.

Due to the sensitive nature of this topic, it was not easy to approach or to get foreign female domestic workers to comment. In general, the women found it easier to speak about previous experiences rather than current ones, although both types are reported here.

Benefits

The following is a list of five benefits reported to be experienced by the various domestic workers interviewed.

- As generosity is a strong social value in the UAE, employers often give tips to their employees during holidays and social events. They buy them gold and give them money at the end of the contract to buy gifts and electronic devices for their families back home. In addition, they pay domestic workers shipping expenses for purchased goods and extra luggage.
- Being a domestic worker in the UAE often gives one a chance to travel and see the world, as many Emirates citizens travel every summer. More than one foreign female domestic worker mentioned travelling as one of the benefits.
- Domestic workers in the UAE have recently obtained a new benefit, introduced with the Indonesian wave of workers, the possibility of making the pilgrimage to Mecca. For a Muslim worker, this is often the realization of a lifetime dream. One Indonesian woman was delighted to talk about this opportunity. She made the pilgrimage with a group of other workers from Dubai. Her employer sponsored the entire journey, and she was able to go unaccompanied.
- Some women are able to save enough of their wages to buy land or a house upon their return. An Indian woman purchased a house and rented a rice plantation for ten years as an investment.
- Earning a wage that is at least three or four times more than what they would earn in their home country, getting free accommodation, food and extra benefits are all factors that make migration appealing to many workers, especially to women who live in extreme poverty back home. When a worker returns home and reports about the extra benefits she receives, she motivates thousands of women who are looking for ways to improve their lives to migrate.

However, there is another side to the story. Some foreign female domestic workers migrating to the UAE are exposed to humiliation, and verbal, physical and sexual abuse. The following sub-section relates experiences of foreign female domestic workers interviewed for this study.

Damages

Once the domestic worker enters the household, although she is considered part of the "harem", she is not considered one of the regular female members of the household, but one of lower social status. Her role is to relieve the women of the house of the dirty side of housework, and ultimately to give them higher status, and more time to engage in social life and in other work. In fact, she helps the entire household to attain a higher status, so its members can enjoy a lifestyle of leisure and comfort.

It might be said that the family brings the domestic worker into the household as any new consumer good, rather than a human being. The repercussions of this are complications, tensions, conflicts, and the possibility of domestic violence within the household.

The worker's position with a low status within the household makes her vulnerable to violence. In addition, prejudices held by the United Arab Emirates society make these women easy targets and scapegoats for some facets of the emerging dysfunctional aspects of the UAE family. The violence and damage they receive cannot only be measured by the violent act of an individual household member at a particular moment. Rather, violence can also be an accumulated set of acts, shaped by the history of UAE society and its views on domestic work. It is also the result of the household's continuous interaction with the new and of ongoing changes in United Arab Emirates society as well.

In telling their stories of abuse, the foreign female domestic workers complained more frequently of verbal abuse than they did of sexual and physical abuse. Labour attachés, recruiting agencies and migration officers have all mentioned the tendency of the UAE employer to inflict verbal abuse on foreign female domestic workers. Half of the foreign female domestic workers interviewed reported being abused, verbally, physically or otherwise.

It should be noted that running away is continuously growing in the United Arab Emirates and taking the shape of organized movements with workers helping other workers. Police reports also reflect the fact that some domestics come in on domestic visas and then immediately run away to find another type of job. The authorities are attempting to track, and persecute those involved.

Further problems arise for the runaway domestic worker when they are ready to leave the country after two years, and do not have the proper documents. The worker then has to clear the immigration and naturalization office or, with police assistance, try to obtain her passport from her previous employer. If she has no criminal record, she will be allowed to leave, but has to stay at least a year outside of the UAE.

Verbal and Psychological Abuse in the Household

Verbal abuse included reports of screaming, shouting, the use of demeaning language and name-calling. Foreign female domestic workers recounted:

Verbal Abuse

"They say Indian, she knows nothing."

"They shout, they scream at me, they call me names, they make me feel as if I am trash"

Most of these forms of abuse are not only related to the specific interaction between the foreign female domestic worker and her employer, at a certain time and within particular circumstances, but are related to on-going tensions inside a household. In addition, the abuses are rooted in the legacy of slavery (slavery was in practice till as late as the 1960's) and of subjecting the new house workers to the old forms of interaction between owner and slave.

Each verbal/psychological abuse case was a story in itself, but each instance seemed to be rooted in the structural formation and interaction of the household members. When foreign female domestic workers enter such a household, they sometimes ease the tension, but most of the time, they get deeply involved in it.

Physical and Emotional Abuse in the Household of Current Employment

Physical abuse was the second most frequently reported form of abuse. Domestic workers who reported being physically abused were usually living in households where employers did not have a conscience about their behaviour towards housekeepers. Depending on its intensity and frequency, physical abuse can be life threatening.

Sexual Abuse

Sexual abuse encompasses wider factors of analysis than physical abuse. It is situated not only within the category of human exploitation and degradation, but also stretches even further to gender relations and objectification of the female body. Feminist historians have succinctly pointed out the dual images of women developed by men. This dichotomy portrays the woman as the pure Madonna figure, and, simultaneously, as a lowly sex object. Historically, this dichotomy provided men with a sexual outlet embodied by females who did not represent a social or political threat.

Interestingly enough, most complaints of sexual abuse reported by the foreign female domestic worker were against older men, either in Saudi Arabia or in the Emirates. Most Arab Gulf countries seem to be suffering from this social phenomenon of sexually abusive older men, which seems to be one of the outcomes of the oil boom and sudden accumulation of wealth in these countries.

Of the 51 women interviewed, three women reported being sexually abused, and three reported being sexually harassed. One woman said she had witnessed another maid being raped. Another woman said she knew of a domestic helper who was sexually involved with her employer. It is important to note that it is difficult to ascertain accurate numbers¹⁸ when dealing with sexual abuse and related issues due to the sensitive nature of such topics¹⁹ and the willingness of interviewees to divulge such information.

5.6. Recruiting Agencies

Many of the women interviewed reported being poorly treated by UAE agencies, including being verbally and physically abused and detained. Although, recruiting agencies are licensed by the local government, they are not closely monitored. Most agencies try to please the employer, rather than looking after the employee's well being.

Even when they see suffering, the most an agency will do, if the woman is still under the four-month warranty is to find another sponsor or send her back to her country. Such a warranty is usually only applied in the case of major problems such as contagious disease and/or pregnancy. Therefore, housekeepers do not bother complaining to their recruiting agencies.

Many agencies operate from different parts of the Emirates without a license, and have a reputation of cheating and mishandling situations. As one agency representative said, "If a recruiting agency is illegal, he does not mind doing all sorts of illegal things, such as taking money and running away, promising a warranty period and not delivering, mistreating domestics and so on. A legal agent would not dare to do such a thing, since the penalty is high and could cost his license. Illegal agencies have less to lose, only a table and a chair, and are called 'mobile agents' because they move from place to place, depending on the amount of trouble they get themselves in."

6. Structural and Legislative Framework of the Existence of the Foreign Female Domestic Worker in the United Arab Emirates

6.1. Conceptual Framework of House Workers in the United Arab Emirates

Officially, foreign female domestic workers in the United Arab Emirates fall under the category of contract workers. In reality, they do not engage in legal binding contracts that set out their protections, rights, responsibilities, terms of reference to their situation, earnings, hours of work, relationship to the employer or other aspects. Their position is that of a "visiting worker" who is allowed a work permit valid for two years. That this permit is not given to them in person indicates their true position under the migration laws and practices today.

None of the domestic workers interviewed had a contract in their possession. Although, officially, the recruiting agency is authorized to provide workers with contracts most recruiting agencies do not provide one, thus, limiting their interaction to satisfying employers.

Furthermore, beyond the period of the four-month guarantee, employer and employee must resolve any conflicts themselves - or the police, in case of tragic incidents²⁰.

¹⁸ Hamrya is known as one of the new housing developments in Dubai. It accommodates the rising educated elite, whose members usually consider themselves as more socially conscious and better equipped to deal with challenging human issues, such as the foreign female domestic worker.

¹⁹ According to Nilmalka Fernando, President of the International Movement Against all Forms of Discrimination and Racism in Sri Lanka, it is especially difficult for Sri Lankan women to speak openly about sexual abuse due to the fear that their husbands, families, and wider community will blame them for such abuse (2004).

²⁰ If a foreign female domestic worker has a conflict with an employer and reports it to the police, the police is known to look after her rights or at least take it into consideration. As reported by all labour attachés in United Arab Emirates: the Philippines, Sri Lanka, India, and Indonesia.

The UAE established the category of contract workers to organize the large presence of foreign workers. This type of organization provides workers with the legal permission to work for two years under the sponsorship of their employer. When the two-year contract expires, renewal of the work permit and residence visa is allowed if the employer presents the official documents needed. To renew a domestic worker visa, a national employer requires: the employee's valid passport, and his/her "maid sponsorship valid card". An expatriate employer is required to pay the government the equivalent of a domestic worker's one-year salary or Dhs 4800 (\$1300).

Most foreign female domestic workers do, in fact, sign contracts issued by their embassies. Regardless, these contracts are not binding on the employer or any other officials in the UAE.

Prospect of a Binding Contract

United Arab Emirates officials are in the process of preparing a contract to be binding internally. This contract, as an official figure in the Dubai immigration office confirmed, is basically aimed at protecting both the employer and the employee, and at controlling bad practices at all levels, especially recruiting agencies. (Salem Said, 2001). It will state all conditions under which a domestic has to work, including payment, benefits, etc. It might be similar to the one provided by sending countries, with the exception of the day-off. A minimum salary of Dhs 400 to Dhs 500 or US\$110 to US\$180 is to be specified along with other terms binding employer and employee.

Legal Context

As stated previously, the most serious issue relating to the legal and contextual presence of foreign female domestic workers in the UAE is the fact that they do not fall under labour laws and regulations. All foreign female domestic workers in the country, along with gardeners and male domestic workers, are considered as unskilled and fall under the category of maids, or house workers, the sole category exempt from all applications of labour regulations (United Arab Emirates labour laws: United Arab Emirates Official Gazette 1973). The immediate implication of such a regulation is the denial of such rights such as limited working hours, weekly or yearly holidays, and end-of-work compensation.

The only regulation foreign female domestic workers fall under is the immigration law, which considers them more from a state-control or security perspective, rather than from a workers rights or human rights one. In fact, the booklet of immigration regulations contains only four statements pertaining to foreign female domestic workers. The most important are : one confirming the 1996 amendment under which domestics are clearly and strongly denied "family reunion" (Article 5 of 1995 Federal Cabinet decision regarding Migrant Workers Family Reunion-United Arab Emirates Immigration Law: United Arab Emirates Official Gazette 1973) and another emphasizing an amendment under which it states the conditions for non-nationals to hire domestics²¹. A non-national must earn a minimum salary of Dhs 6,000 or approximately US\$ 2,000 and pay one year's minimum salary or Dhs 4,000 equivalent to approximately US\$1,200 to be paid to the United Arab Emirates Government. (Article 22, No. 4, of Visa Condition Regulation-United Arab Emirates Immigration Law: Official Gazette, 1973).

²¹ After an increase in the number of foreign female domestic worker in United Arab Emirates and the increased criticism of the growing number of foreign children born in United Arab Emirates, United Arab Emirates officials decided to limit the access of expatriates to importing foreign labour and specifically domestics. In addition, there is a limit set for importing domestic workers for all according to family size and special needs, such as an illness in the family, an elderly person or newborn. A family consisting of a mother, father and two children would be allowed two domestic helpers, a nanny, a driver, a cook and a gardener.

Kafala, or Sponsorship System

The sponsorship system in the oil states is one of the most unique systems developed affecting migrant labour. In the United Arab Emirates as well as other oil monarchies, the law requires that each foreign labourer have a sponsor, "Kafil", holding citizenship of that state (Beauge et Buttner, 1991).

State engineers established the "Kafala" system originally to ensure control over foreign labour. This system has become an opportunity for nationals to make easy money out of foreign labour and sponsorship. The system is one of the power-generators of migration politics in the Gulf. Ominously, it has shaped the situation that breeds differences and forges calamities. The sponsorship system has embraced the migratory system, casting and creating policies for the United Arab Emirates opposing "insiders vs. outsiders", "workers vs. policymakers", and "citizens vs. expatriates." Beyond the fascination of making fast money, no one appears to like the system. Foreign migrants complain about the citizens' racist attitudes, while nationals lament their peripheral role in their own country.

Officials in the United Arab Emirates are putting stronger measures to regulate and control sponsors' behaviour, especially those who are trading in visas, and bringing in migrant domestics to work under other sponsors. Federal Law Number 13, regulating the entrance and exit of foreigners, was approved in 1996. A three-month prison sentence and a fine of Dhs 10,000 are the penalties for employing someone who is not under one's own sponsorship, or vice versa. In this case, both sponsors are penalized. The migrant is not freed from this penalty. However, one can easily find domestic workers, males and females, going from house to house, working part time and on an hourly rate. These freelance domestic workers are found usually under the sponsorship of a national or a non-national, who is not their immediate employer, and who charges them a fee for his continuous sponsorship services.

Under the Kafala system, foreign female domestic workers are at the mercy of their sponsors. Legally, once a foreign female domestic worker enters her employer's house, she is totally under his/her control, since the employer is usually her visa sponsor. The employer bears total responsibility for his/her domestic workers. He/she holds the foreign female domestic worker's passport and all official papers until the day of departure. The laws governing the status of domestic workers and the practices toward foreign female domestic workers in the United Arab Emirates link them to their employers until their contracts end.

6.2. Ratified Conventions and Bilateral Agreements Relating to Migrant Workers

The United Arab Emirates, as confirmed by lawyers and other officials, has no bilateral agreements pertaining to domestic workers. Although, the United Arab Emirates has ratified ILO Convention No.100 regarding equal pay for work of equal value between women and men, discrimination against foreign female domestic workers is clear in the payment of salaries: a male housekeeper is always paid more than a female one. Male housekeepers interviewed all got more or less the same salary, with a difference of Dhs 100 to 200. Male cooks get an additional Dhs 400 to 900. Male drivers are also much better paid than females, even though the latter perform housekeeping responsibilities along with driving, while a male driver is only a driver with fewer hours of work.

The United Arab Emirates has ratified the following ILO Conventions: Hours of Work (Industry) Convention, 1919 (No.1); Forced Labour Convention, 1930 (No. 29); Labour Inspection Convention, 1947 (No. 81); Night Work (Women) Convention (Revised), 1948 (No. 89); Equal Remuneration Convention, 1951 (No. 100); Abolition of Forced Labour Convention, 1957 (No. 105); Discrimination (Employment and Occupation) Convention, 1958 (No. 111); Minimum Age Convention, 1973 (No. 138); and Worst Forms of Child Labour Convention, 1999 (no. 182). (Ministry of Labour, 2001)

6.3. Implementation and Enforcement

According to the head of the Department of Immigration Law Enforcement and Penalties in the Department of Immigration in Dubai, the regulations are applied "by al-baraka", a concept meaning "grace" (Salah Bin Salom, 10 May 2001). According to this interview, it seems that laws are not enforced according to a clear system but based on experience and personal decision-making. Idiosyncrasies seem to be highly visible in a country that is still very young and where most of whose rules and regulations are imported. National lawyers

and law enforcement officers are newly taking their roles in the system and may need another generation or so to build real experience.

7. Private Initiatives for Protecting Female Migrant Workers and Enforcing Their Rights

Workers' rights are considered a sensitive, political issue that could affect security, especially as the majority of workers are foreigners. As a result, there are no organizations that advocates workers' human rights. No relevant organizational practices or private initiatives exist, including NGOs or activist groups. Even religious groups do not address labour issues as in other parts of the world.

Trade unions do not seem to be tolerated in the United Arab Emirates for any type of workers, neither professionals nor blue collar workers. The government in all its activities pertaining to social organization closely watches working locals and expatriates. The only level of organization allowed relates to cultural and social issues.

It is currently the embassies and consulates that can provide the greatest assistance to domestic migrant workers.

7.1. Assistance and Support Services

Embassies, specifically labour offices, are fulfilling functions, as NGOs in some cases. The Labour Attaché at the Philippine Embassy confirmed this attribute while talking about the programs and support her office provides to Filipina domestics and other unskilled labour.

- The Embassy of the Philippines in the United Arab Emirates is considered the most active in terms of supporting its domestic workers by recruiting agencies, immigration officers, and domestics themselves. Currently, the Embassy offers the best programs for educating female domestic workers and helping them to move out of the unskilled labour category as well as community centre facilities. Recent programs provide such classes as cooking, sewing, computing and photography free of charge. The recent recruitment of an Arab-speaking representative has also proven to be helpful in resolving problematic cases.

Several women interviewed reported – and the Philippine Labour Attache concurred - that the services offered were extremely helpful in terms of increased job skills and emotional support. Through training in computer literacy, cooking and sewing the women felt that their present job positions would not only improve but future employment as well.

According to the Philippines Labour Attaché, through such programs, they have succeeded in minimizing the average number of housekeepers in United Arab Emirates from 35% to 15% (Arriola, 2001). Most have moved to higher ranked jobs. This program is most successful among domestics who work in non-Arab households as Arab households often do not allow domestics to go out on Fridays.

Unfortunately, the labour offices in other embassies are less organized, with no special programs for domestic development.

- The Indian Embassy, due to the large number of regularized men working in United Arab Emirates and the decreasing number of foreign female domestic workers, does not give the issue of female domestic workers priority.
- The Sri Lankan Embassy has been working along the same methods for the last 15 years. They follow up on extreme cases, working on legalizing their situation, solving their problems, appointing lawyers as needed. But their work is more routine follow-up and, in most cases, they lack modern skills and professional approaches and training. They do not seem to have the resources and training for development as shown by the Philippines Embassy.
- The Indonesian Embassy houses domestic workers with problems and offers training in basic skills. Quite a few are provided temporary jobs, until their cases are cleared at the immigration, with the police or the sponsor. The labour officer is knowledgeable and highly supportive of domestic

workers. With many years of experience in the UAE, he was capable of helping labour attachés, who usually arrive from Indonesia with limited knowledge of local culture. During the researcher's first visit to the Indonesian Embassy, 70 domestics were living there and could be seen at the front desk, receiving papers, arranging appointments.

Though the Indonesian labour officers are highly active in supporting the domestic workers, they are helpless in resolving their daily problems. The Embassy has lodged strong complaints about bureaucratic corruption in Indonesia. Reportedly, the domestic workers must pay a security deposit to the government before leaving the country to be used in emergencies yet Indonesian officials often do not release such funds.

Indonesian embassy officials seem not to have the resources to set up programs like the one offered by the Philippines. Most Indonesian migrant workers in the United Arab Emirates are unskilled domestic workers unable to read or sustain training.

- The Ethiopian embassy does not exist in the United Arab Emirates and there are no officials to support Ethiopian domestics in difficulty. This has an impact on the way the Ethiopians are treated in United Arab Emirates.

8. Institutional Framework

8.1. Bodies to Promote, Enforce and Supervise Policy and Legislation

The only institutions in the United Arab Emirates that could promote, enforce supervise policies and legislations is the Ministry of Labour and the Ministry of the Interior. Domestics do not yet relate to the Ministry of Labour as they are grouped under the Ministry of Interior as unskilled workers. All laws and regulations pertaining to domestics are considered internal security measures. Lately, when the House of Representatives, the United Arab Emirates National Council, met to amend the labour laws, they had a closed session. No media and visitors were allowed in.

It appears highly unlikely that these institutions would promote any laws and regulations benefiting domestic workers. Their main priority seems to be the issue of population structure and its implications in the labor market. Officials at the Embassy of the Philippines, however, seem to be working on a contract form with the United Arab Emirates Immigration Office that could be binding on both parties, employer and employee. Some aspects of this agreement, will improve the conditions of the employee.

8.2. National and International Coordination Efforts

The only national and international coordination efforts practiced in the United Arab Emirates today are those available through official channels, such as the ILO and the UN. United Arab Emirates officials are active when they are invited to attend and present their opinions. However, in general, the attitude towards labour issues is "silence". Yet, when faced with international pressure, they do not want to be seen to break international agreements. There is great awareness of the United Arab Emirates' international image and officials would bend to pressure if they see it affects the country's status worldwide.

8.3. Assistance and Services

According to the Philippines Labour Attaché, some embassies have expressed satisfaction with the United Arab Emirates Government services and confirm that services have improved. Serious attempts are made to help domestic workers solve their problems. (Arriola, 2001).

The Immigration Office also seems to try to improve its work and is gaining experience in handling cases. Recently, more officers were added to process papers faster, to reduce the waiting time for domestic migrant workers and to speed their release into employment. The Office emphasizes the need for close cooperation with the embassies of the sending countries to solve problems (Said 2001).

The experience, involvement and follow-up by officials from the sending countries play a key role in improving practices on the receiving end. When compared to other migrant nationalities, Filipinos are thought

to give a better impression.

The involvement of the sender countries is, however, not sufficient in itself and the receiving side has to improve its practices. In the case of the United Arab Emirates, the situation is, in general, need of change. The many people interviewed for this report all agree on the need to change the legal and contractual status of foreign female domestic workers.

9. Conclusion and Recommendations

To conclude, the role of the different players - government, recruiting agencies, embassies, employers, employees, NGOs and the ILO - should be emphasized. The contribution of all participants is extremely important as we are in a highly interactive age where dimensions feed and strengthen one another.

However, the most important recommendation in relation to domestic workers in the United Arab Emirates is to move them from the category of unskilled workers to the category of skilled workers. This change would bring domestic workers under the protection of labour laws. Unless this change is made, domestic workers will continue to live at the mercy of individual employers and sponsors.

Recommendations at the Governmental Level: Moving Domestic to the Category of Worker, and Implementing a Binding Contract for Both Parties

The fact that the individual sponsorship of an employer is often a situation with similarities to bonded labor needs to be addressed to emphasize the total vulnerability of the employee. It is the employer who decides the fate of the domestic worker and controls her life. The lack of acknowledgement to the inequality of the situation encourages continued abuse.

To protect the rights of domestic workers it is imperative that a binding contract be created between government official and the employee, which addresses working conditions, wages, time-off, benefits, etc.

Recruiting Agencies

The treatment of domestic workers by recruiting agencies needs to be monitored by the government (licensing body). A bureau needs to be set up to address the complaints and grievances of the domestic workers as related to both recruiting agents and employers. Due to the fact that under the present legislation this would be nearly impossible (as the Ministry of Labour, which licenses agencies, is overwhelmed with such problems as controlling illegal agencies) it is recommended that these issues are addressed with support from international organizations and are part of the agenda in international meetings.

In addition, proper living conditions, along with fair treatment should be part of the criteria for the licensing of recruiting agencies, and such criteria should be spelled out clearly in the license. For example, domestics should be provided a proper place to stay, sleep, eat and live while they are staying in the office of the agency.

Embassies and Labour Offices, Programs to Educate Domestic Workers and Help Them Move up the Work Ladder

Using the Philippines Embassy as a model, other embassies and labour offices need to move from their current passive role of solving problems to a more proactive role of offering training in basic skills, such as literacy, computing, and cooking as well as worker's rights. In addition, courses in United Arab Emirates' society, history and government could assist in easing integration into society and minimizing cultural shock. The domestic workers also need to be made aware of their rights.

Embassies and labour offices should also develop places for domestics to meet and interact in a safe environment managed and sponsored by NGOs. The social clubs could provide them with support services, and means to interact with their families, such as providing Internet access.

In addition, women should be provided with counselling services to not only assist them in dealing with everyday stresses, but also to help them if issues of abuse arise.

Sending countries: training programs in home countries and screening programs

Training programs for house workers are essential. They make a big difference in the quality of service provided and in the degree of job satisfaction experienced by the worker. Indonesian housekeepers go through some type of training in housework before they embark on their journey and this has placed them at an advantage over other foreign domestic workers.

Pre-departure training should also address culture shock, making adjustments to a new culture, and emotional and psychological well-being. It is recommended that domestic workers who have worked abroad previously take part in such programs to bring in their experiences and the lessons learned.

In addition, pre-departure screenings should take place to ensure domestic workers are of the appropriate age to travel, are healthy, and are able to manage the separation from family and children.

Employers: Training and Other Types of Involvement

Educational programs should be created to address the prejudiced attitudes held towards domestic workers, and to educate employees in regards to cultural sensitivities, communication skills and worker's rights. United Arab Emirates women's organization and NGOs need to be encouraged to get involved in such practices; as such groups could provide the necessary bridges to disseminate the information.

Social Level: Altering the Stereotype of Domestic Workers

The social image of domestic workers is one of the major problems in United Arab Emirates' society today. Extensive media campaigns – especially through television programs – should be developed to address prejudiced views and behaviours.

NGO Level

International women's NGOs should be encouraged to include the United Arab Emirates and other parts of the Arab Gulf under their immediate interests as well as issues pertaining to domestic work and domestic workers globally.

ILO: Programs and Studies and Governmental Pressure

It is recommended that the ILO increase its level of research into domestic migrant workers and further develop different types of media production such as short movies, videos, Internet sites, etc. to address such issues.

The ILO is an organization that could put pressure on individual countries with regard to worker's rights. In the case of the United Arab Emirates, the ILO could play a major role in changing some of the current discriminatory regulations.

In addition, the ILO could encourage the development of a network of offices in both countries with a high degree of sending and receiving female domestic workers. Such offices could play an integral role in following up issues and connecting all players, and serving to eliminate the discriminatory aspect of policies. A network of offices related to the ILO could be the way to enforce good practices and continuous evaluation of such efforts. Furthermore, networking among the various actors could address isolation – one of the main problems domestic migrant workers suffer from.

Bibliography

- Abd Al-Jawad, Issam. 1985. "Socialization and school consistency: The impact of Asian maids and nannies on children in the United Arab Emirates" *Studies and problems on the Arab Gulf society*, Bahrain: Bureau of the Ministers of Social Affairs and Work in the Arab Gulf countries (Arabic).
- Abdullah, AbdulKhaleeq. 1985. *Political dependency: The case of the United Arab Emirates*, Washington, DC: Georgetown University. Doctoral Dissertation.
- Adel Alkassadi. 2000. *Women's position on the work and educational map*, United Arab Emirates: Ministry of Labour Publication (Arabic).
- Al-Hamad, Turki. 1994. "The Demographical Structure of The Gulf Countries: Preliminary Notes on Dangers and Solutions", *Unpublished Paper*, Saudi Arabia, (Arabic).
- Al-Jirdawi, Abdul Rawoof. 1990. *Maids and nannies and their social impact in the Arab Gulf countries*, Kuwait: Al-Salassil Publishing House (Arabic).
- Al-Khalfan, Hanan. 1985. "Foreign Maids and Nannies and their Impact on the Family in Bahrain" *Studies on the Arab Gulf Society*, Al-Bahrain: Bureau of the Ministers of Social Affairs and Work in the Arab Gulf Countries (Arabic).
- Al-Shamsi, Ali. 1993. "Statistical View of the Policies of Visas and Work Permits in the United Arab Emirates". Paper presented at the Conference on Social and Work Issues 26–29 April, Abu Dhabi. (Arabic).
- Asia Watch and the Women's Rights Project. 1993. *A modern form of slavery: Trafficking of Burmese women and girls into brothels in Thailand*. New York: Human Rights Watch.
- Beauge, Gilbert and Friedmann Buttner. 1991. *Migration in the Arab world*, Paris: Editions du Centre National de la Recherche Scientifique. (French).
- Bourgey, Andre. 1991. "Are the Cities of the Gulf Emirates Still Arab Cities?" Beauge and Buttner. *Migration in the Arab World*, Paris: Editions du CNRS. (French).
- Buijs, Gina (ed.). 1993. *Migrant women: Crossing boundaries and changing identities*, Oxford, UK: Berg.
- Brochmann, Grete. 1993. *Middle East Avenue: Female migration from Sri Lanka to the Gulf*, Oxford: Westview Press.
- Carmelita Arriola, Philippines Labour Attaché (Dubai). Special Interview May 2001.
- Castles, Stephen, and Mark Miller. 1993. *The Age of Migration: International Population Movements in the Modern World*, New York: The Guilford Press.
- Codrai, Ronald. 1990. *The Seven Sheikhdoms: Life in the Trucial States before the Federation of the United Arab Emirates* London: Stacey International.
- Economist Intelligence Unit. 1995–96. *Country Profile: United Arab Emirates, 1995–96* London: The Economist Intelligence Unit.
- Faris, Abdul-Razak. 1985. *Planning of the Work Force in the United Arab Emirates*, Kuwait: Kazima Publishing House.
- . 1994 "Development Pattern and Structural Change in the Labour Market in United Arab Emirates"

Unpublished Paper United Arab Emirates University: Faculty of Economics and Administrative Sciences (Arabic).

———. 1996. *Higher Education and the Work Market in United Arab Emirates* Dubai : Nadwat Athakafa Waloulum (Arabic).

Goodson, Rodger. 1993. "The Attraction of the Gulf" *World of Work*, Geneva: ILO.

Hanan Jad, 2001. *Al Khaleej News Paper*, p. 8, 8 May.

Heard-Bey, Frauke. 1982. *From Trucial States to United Arab Emirates: A Society in Transition*, New York: Longman.

Khalifa, Ibrahim. 1986. *Foreign nannies in the Arab Gulf household*, Riad, SA: Arab Bureau of Education for the Gulf States (Arabic).

Khalaf, Ahmad, Hussein Rifai, Bader Omar, and Hala Omran. 1987. *Foreign nannies phenomenon: Causes and consequences*, Bahrain: Bureau of the Ministers of Work and Social Affairs in the Arab Gulf Countries (Arabic).

Latifa Al-Maissi 2001. « Gangs Leading House-Maids to Run Away » *Kul Al Usra Sharja*: United Arab Emirates, March 7, 2001 (Arabic).

Mattar Humaid Attayer, Minister of Labour and Social Affairs 2001. *Special Interview*: 9 May 2001.

Metz, Helen Chapin ed. 1994. *Persian Gulf States: Country Studies* Washington D.C.: Federal Research Division, Library of Congress.

Ministry of Planning (United Arab Emirates). 1980. *Population and Working Force- Primary school Results of the General Population Census* Directory of Planning: United Arab Emirates (Arabic).

———. 1975, 1980, and 1985. *General Population Census of the United Arab Emirates* Abu Dhabi: Central Statistical Directorate (Arabic).

Ministry of Labour and Social Affairs (United Arab Emirates), *Union Law #8, 1980: Work Organization*, Official Documents: United Arab Emirates (Arabic).

———. (United Arab Emirates) 1990. *Impact of foreign nannies on the structure and characteristics of the family in United Arab Emirates* (Arabic).

———. (United Arab Emirates) 1997. *Yearly Report on Social Associations: Bibliography, Missions, Mohammad Al-Rukun*, President of United Arab Emirates Lawyers' Association, May 12, 2001. (Special Interview) and *Programs*. Najib, Faridon *et al.* 1993. *Maids' Crimes in the United Arab Emirates* Dubai: Police Publications (Arabic).

———. 2001. Head of the Research Centre at Dubai Police. (Special Interview.)

Peck, Malcolm C. 1986. *The United Arab Emirates: A Venture in Unity* Boulder CO: Westview Press.

Rashid Mohammed, Head of the Research Centre: Ministry of Labour, May 9, 2001. (Special interview).

Salah Bin Saloom, Head of the Department of Immigration and Law Enforcement and Penalties. 2001. *Special Interview* 10 May.

Salem Said, Head of Investigation Office. Dubai Immigration Office, May 20, 2001. (Special Interview) Said Bin Belaila, General Director of Immigration Office. Dubai, 20 June 2001. (Special Interview)

Taryam, Abdullah Omran. 1987. *The Establishment of the United Arab Emirates: 1950–1985* London: Croom Helm.

Tomkinson, Michael. 1975. *The United Arab Emirates*, Hammamet, Tunisia.

United Arab Emirates Official Gazette 1973. "Federal Law: Immigration Residency, and Executive Regulations" No. 13, August 2nd 1973, United Arab Emirates Court Library and Publications.

United Arab Emirates Year book 1999. *United Arab Emirates* London: Trident Press.

Weinert, Patricia. 1991. "Foreign Female Domestic Workers: Help Wanted" *World Employment Program* Research, Geneva: ILO.

Whelan, John. 1990. *United Arab Emirates: A MEED Practical Guide*, London: EMAP Business Information Ltd.

Yussef, Sultana. 1990. *Asian Nannies and Their Impact on United Arab Emirates Children* Dubai: Police Research Centre. (Arabic).

