

Stop Trafficking !

Anti Human Trafficking Newsletter



Awareness

Advocacy

Action

June 2015 Vol. 13 No. 6

This issue highlights the plight of thousands who seek employment only to be trapped in exploitative situations.

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Labor Trafficking

Exploitation of Female Migrant Domestic Workers in the United Arab Emirates

"The work wasn't what I expected it to be. It was totally different. I would wake up to start cooking, then cleaning, washing clothes, and then cooking again. No rest, there was just no rest..."

"Because she kept yelling, I cried and asked to go back to agency, but madam said 'I already bought you.'"

Farah S., 23-year-old Indonesian domestic worker, Dubai, Dec. 2013

At least 146,000 female migrant domestic workers—perhaps many more—are employed in the United Arab Emirates (UAE). Female domestic workers face severe abuse and exploitation by employers and labor recruitment agencies.

"I Already Bought You: Abuse and Exploitation of Female Migrant Domestic Workers in the United Arab Emirates," a 2014 Report from *Human Rights Watch* (HRW), documents how the UAE's visa sponsorship system (known as kafala) ties migrant workers to employers and how the exclusion of domestic workers from labor law protections leaves migrant domestic workers at risk of abuse. The report exposes barriers preventing

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Death Toll Rising Among Qatar's 2022 World Cup Workers

Articles in the Guardian newspaper revealed that in 2014 Nepalese migrants building the infrastructure to host the 2022 World Cup in Qatar have died at a rate of one every two days – despite Qatar's promises to improve their working conditions.

The figure excludes deaths of Indian, Sri Lankan and Bangladeshi workers, raising fears that if fatalities among all migrants were taken into account the toll would almost certainly be more than one a day. Some deaths were work site related while many others were from sudden cardiac arrest.

Human rights organizations have accused Qatar of dragging its feet on the modest reforms, saying not enough is being done to investigate the effect of working long hours in temperatures that regularly top 50°C (122 °F).

(<http://www.theguardian.com/world/2014/dec/23/qatar-nepal-workers-world-cup-2022-death-toll-doha>)





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abused domestic workers from obtaining remedy, including lack of shelters, penalties for workers who “abscond” and justice system failings.

Labor recruiters, mostly in Asia and Africa, entice many women with promises of high wages and good working conditions, convincing them that this could provide a route out of poverty and the means to obtain an education, homes, medical care, and other essentials for their families.

Some female domestic workers in the UAE have good and responsible employers, satisfactory working conditions, receive their wages in full and on time, and are able to remit money home to their families. But, of the 99 workers HRW interviewed for its 2014 report, many described a range of abuses, which they had experienced.

The UAE, with its booming oil-based and trade economy, has long acted as a magnet for labor migration. Its emergence to become one of the world’s 10 richest countries with a gross domestic product (GDP) of US\$383.8 billion is due in large part to the contract labor of an estimated 7.3 million migrant workers. Female domestic workers from countries such as the Philippines, Indonesia, India, Bangladesh, Sri Lanka, Nepal, and Ethiopia comprise a significant but often overlooked part of this massive migrant community that, all told, amounts to 88.5% of the population of the UAE.

In the UAE, as elsewhere in the region, the kafala system ties migrant workers to individual employers who act as their visa sponsors, and restricts migrant workers’ abilities to change employers. The system gives

employers great power over employees because it entitles them to revoke sponsorship at will. This automatically removes the right of a worker to remain in the UAE and triggers repatriation procedures.

Domestic workers are explicitly excluded from the UAE’s labor law and from the basic protections that the law and other labor policies afford to most other workers, such as limits on working hours and provision for overtime pay. Domestic workers have virtually no legal safeguards governing their employment. The UAE authorities have been considering a draft law on domestic workers since 2012 but have yet to make the draft public, let alone enact it. Media reports suggest that the draft contains fewer and weaker safeguards for domestic workers than those afforded to other migrant workers under the labor law.

The UAE authorities have reformed some aspects of the kafala system in recent years and introduced labor law protections for certain categories of migrant workers, but not for domestic workers.

Some labor-sending countries have instituted measures intended to give some protection to their own nationals who go abroad for domestic work, but these have been insufficient to fully safeguard them against abuse and exploitation in the UAE. The UAE government is obliged under international law to address and remedy abuses that occur within the country, but it should also cooperate with labor-sending countries to prevent such abuse and exploitation.

Dozens of domestic workers told HRW that they had suffered abuses at the hands of labor-recruiting agents and their employers in the UAE, or both. In many cases, for example, agents and employers in the UAE “substituted” new contracts for those the workers had signed before leaving their home countries, requiring them to work for less pay and under

worse conditions. The UAE authorities revised the standard contract of employment of domestic workers in June 2014, with the result that it now includes entitlements to one day off each week and 8 hours of rest in any 24-hour period, yet this is less than many workers are promised when they are recruited in their home countries, and far short of international standards.

More than two dozen domestic workers told HRW that their employers had physically or sexually abused them, including one who said that her employer twisted her arm so violently that she broke it, and another who said that her employer raped her. A large majority of the domestic workers HRW interviewed alleged their employers had verbally abused them by shouting at them and calling them names such as “donkey” or “animal.”

Almost all domestic workers interviewed complained of working long hours, up to 21 hours per day in extreme cases. Many said their employers permitted them no rest periods and no day off. Many worked for large, extended families and were required to fulfill multiple duties such as cooking, cleaning, caring for children or the elderly, and gardening.

Many complained also that their employers failed to pay them on time or in full, while some said they had never received any wages, one for almost three years.

Many domestic workers said their employers restricted their freedom of movement and ability to communicate with others outside the family they served. Most said their employers kept possession of their passports, posing a major hurdle for any worker wishing to escape an abusive employer. Passport confiscation is unlawful in the UAE, yet the authorities expect employers to be in possession of their employees’ passports when they cancel sponsorship visas or report “absconding” workers. Some workers said their employers locked them in the homes where they worked. Others said their employers took their mobile phones

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and prohibited or restricted calls to their families.

Workers also reported inadequate food, living conditions, and access to medical care. One woman said her employer had not allowed her to eat for three days as “punishment” for “unsatisfactory” work. Several workers said their employers had refused to arrange medical treatment for them when they suffered illness or injuries. Many domestic workers said they were required to sleep in inappropriate places and conditions, including in storage rooms, pantries, and living rooms.

Some of the workers interviewed suffered abuses that amounted to forced labor or trafficking. The UAE criminalizes both forced labor and trafficking, but only applies the law narrowly. HRW is not aware of any case in which the UAE authorities have prosecuted employers for exposing domestic workers to forced labor. Workers who find themselves in abusive conditions have little recourse to shelter or justice.

While there are several government-founded shelters for women subjected to sex trafficking or domestic violence, the authorities have not established any official emergency shelter specifically for domestic workers who are exposed to physical or psychological abuse. Some embassies provide shelter and assistance to their nationals, but many do not. UAE law criminalizes “harboring” a migrant worker without a valid visa, includ-

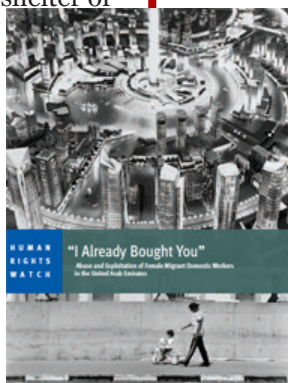
ing workers who have fled abusive employers. The penalty can be a heavy fine or imprisonment. Workers who reported abuse said their recruitment agencies had provided little help, in some cases forcing them to return to abusive employers or to transfer to work for new families against their will. Some said recruitment agents told them they could not return home unless they first reimbursed the high recruitment fees their sponsors had paid.

Several said agents confined them to their agency residence and deprived them of food or beat them when they came to seek their help.

UAE law considers domestic workers who leave their employers without consent to have “absconded,” and so to have committed an administrative offense that can result in their deportation and a ban on their future employment. Domestic workers who leave their place of work to escape abuse or for other reasons also face a risk that their employers will file criminal complaints against them. Some workers who spoke to HRW said that when they escaped and sought to report their employers to the police or immigration authorities for committing abuses, they learned that their employers had already filed trumped-up charges of theft against them. In most cases, such charges were intended to intimidate workers into forgoing wages or dropping charges against employers for a variety of abuses, and were not pursued once they had achieved that purpose. In other cases, however, domestic workers did face trial. Many said they were resigned to return home unpaid and without justice.

(HRW Report pgs. 1-6)

The Report can be obtained at:
<http://www.hrw.org/reports/2014/10/22/i-already-bought-you>



Qatar: Neglect of Domestic Workers

Amnesty International (AI) put out a report in 2014 on the plight of domestic workers in Qatar. The report is entitled, “*My Sleep Is My Break: Exploitation Of Migrant Domestic Workers In Qatar*”. Some of the domestic workers interviewed by AI are victims of forced labor and human trafficking; recruited with false promises of good salaries and decent working hours, compelled to work for employers who would not let them leave and facing – in several cases – the threat of physical abuse or lost wages if they challenged the employer.

AI does not claim that all domestic workers in Qatar are poorly treated or that all employers are abusers. Nevertheless, AI does not accept government claims that abuses against domestic workers in Qatar represent exceptional or isolated cases. This assessment is made on three main grounds.

First, Amnesty International’s interviews with migrant domestic workers demonstrate significant consistencies in the types of abuses experienced. These accounts are consistent with assessments made by others, including government officials, about the main reasons that domestic workers leave their employers, described in Qatar as “running away.”

- “*Why do women run away? Often they’re not paid their salary. Or they’re working all the time. They have too much work, like five children to take care of. Ramadan is the worst time of year; more people run away then, because there’s so much work.*” Doha resident who assists domestic workers in distress, 03.2013.
- “*A large number of migrant women who are working as domestic workers ‘run away’ due to difficult working conditions and abuse.*” UN Special Rapporteur on the human rights of migrants following visit to Qatar, 11.2013.
- “*We have found during investigations with housemaids and drivers*

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who escaped from their sponsors, that maltreatment, domestic violence, over-work (in Ramadan) and no day off in the week are some of the major woes that prompt household hands to escape.” Senior Ministry of Interior official, quoted in local newspaper, 2011.

Second, the numbers of domestic workers seeking assistance in connection with poor working conditions are significant. The representative of one labor sending country’s embassy in Qatar told Amnesty International that around 90% of the approximately 50 labor complaints the embassy receives every week are from women working as domestic workers. The abuses reported to the embassy include “maltreatment, no rest, unpaid salaries, sexual harassment and rape”. In 2013 the Indonesian embassy told local media that between three and five domestic workers sought shelter every day, with the main complaints being “long working hours, lack of days off, low salary or non-payment of salary”. The embassy briefly stopped endorsing new contracts for domestic workers to highlight the high number of women making complaints of abuse and the pressure this was placing on the embassy. The Qatar Foundation for Combating Human Trafficking, which is mandated to provide assistance to victims of trafficking, stated in 2013 that it received between 200 and 300 calls a month from domestic workers or their relatives.

Third, while credible independent data regarding abuses against domestic workers in Qatar is very scarce, Qatar’s National Human Rights Committee (NHRC) has consistently

stated that domestic workers are the group of workers most at risk of being abused, in part because of the systemic problems which leave domestic workers without legal protection for their rights. *“The rights of domestic workers remain an important challenge because they are the group most exposed to transgressions, due to the lack of legislation to regulate their affairs and employment relationships, and the fact that they are not subject to the labor law.”* It is widely accepted that globally migrant domestic workers are at a higher risk of abuse than workers in other occupations. (AI Report, pgs. 5-9)

The Report is available at:
<http://www.amnestyusa.org/research/reports/my-sleep-is-my-break-exploitation-of-migrant-domestic-workers-in-qatar>



“Migrant Workers’ Rights on Saadiyat Island in the United Arab Emirates: 2015 Progress Report”

Nearly five years after Human Rights Watch (HRW) first revealed systematic human rights violations of migrant workers on Abu Dhabi’s Saadiyat Island, a development project that will host branches of the Louvre and Guggenheim museums and New York University, there remain serious

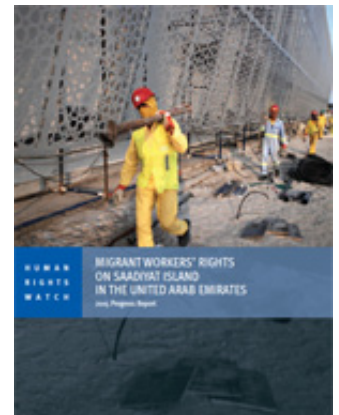
concerns about violations of workers’ rights on the island.

As detailed in this 2015 report, some employers continue to withhold wages and benefits from workers, fail to reimburse recruiting fees, confiscate worker passports, and house workers in substandard accommodations. The government also deported Saadiyat workers who went on strike in protest of low pay since their employers contacted the police to bring charges too.

While UAE authorities have made significant reforms to Emirati labor law and policy, their failure to rigorously investigate violations and enforce the new laws are contributing to continuing violation of workers’ rights.

More than five million low-paid migrant workers are employed in the United Arab Emirates. Although fewer than one in a thousand of these men and women work on Saadiyat Island, the project has become the focal point of scrutiny of the UAE’s treatment of migrant workers. The island already hosts a campus of NYU, though facilities are still partly under construction, and, once completed, the island will host branches of the Louvre and Guggenheim museums.

After a 2009 Human Rights Watch report found that migrant workers employed in connection with the island’s projects faced serious rights violations, including forced labor, the two governmental agencies behind high-profile projects there, the Abu Dhabi Executive Affairs Authority (EAA) and the Tourism Development & Investment Company (TDIC), instituted guidelines and contractual requirements for contractors and



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The Report is available at:
http://www.hrw.org/sites/default/files/reports/uae0215_ForUploadR.pdf



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subcontractors to curb labor abuses, and appointed third-party compliance monitors.

Despite positive steps taken by the UAE, Human Rights Watch research for this 2015 report shows that some of the same abuses documented in previous reports continue. UAE government authorities prevented HRW from conducting research openly or from conducting interviews at the Saadiyat Island site, and as a result, how widespread the abuses are is unknown. Nonetheless, HRW did contact seven groups of workers who had recently been deported or worked on the site and lived elsewhere in the UAE.

Workers employed on Saadiyat Island in 2013 and 2014 shared a range of abuses. Some said their employers failed to pay their wages for months at a time, and that they faced arrest and summary deportation when they went on strike. Some said their employers had failed to renew work permits and residence visas and refused to pay the end-of service benefits to which they were entitled, leaving them penniless and vulnerable to arrest and deportation. All of the workers said that employers continue to retain their passports and fail to reimburse the recruitment fees they had to pay to secure employment on the island. Some Saadiyat workers continue to be housed in cramped and unsanitary housing. (Report pgs. 5-7)



The Push to Assure Conflict-Free Minerals for Electronics Production



Taking Conflict Out of Consumer Gadgets

Company Rankings on Conflict Minerals 2012

July 2012 and the following August 2012

Tin, tantalum, and tungsten (the “3 T’s”) are minerals used in the manufacture of consumer electronics products. They, along with gold, are mined primarily in eastern Congo from mines controlled by militia, who use the profits to fuel their ongoing slaughter of innocent people. Workers in the mines are often children and vulnerable people forced to work under deplorable conditions and for no salary. In December 2010 **!Enough** put out a report on this huge underground field of “conflict minerals” and modern day slavery.

Since then leading electronics companies are making progress in eliminating conflict minerals from their supply chains, but still cannot label their products as being “con-

“Whether it’s the scale of abuse of domestic workers hidden from public view or the shocking death toll among construction workers, the plight of migrants in the Gulf demands urgent and profound reform.

This should include a thorough overhaul of the abusive kafala visa sponsorship system.”

Rothna Begum, Middle East women’s rights researcher

flict free.” This progress was spurred by the conflict minerals provision in the Dodd-Frank Wall Street Reform and Consumer Protection Act and growing consumer activism, particularly on college campuses. Most firms have improved their scores from the 2010 rankings. In particular, four leading companies—Intel, Motorola Solutions, HP, and Apple—have been pioneers of progress. These firms have moved forward to develop solutions despite delays in the legislative rule-making process by the U.S. Securities and Exchange Commission (SEC) — an excuse that many other companies have used to explain their lack of significant action. These leading companies have developed conflict minerals programs that have paved the way for other companies to follow.

At the other end of the spectrum, laggards are also standing out due to lack of progress and communication. For example, despite growing public awareness about this issue and significant industry movement, Nintendo has made no known effort to trace or audit its supply chain. Sharp, HTC, Nikon, and Canon are taking initial steps to join industry efforts, but their progress remains far behind industry leaders. Additionally, other industries that use conflict minerals—automotive, jewelry, mining, and industrial machinery—are finally taking initial steps to tackle the problem because of the legislation, but remain far behind the consumer electronics firms.

The majority of electronics companies surveyed have made progress

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Advocacy

Global Human Rights Advocates Call for Domestic Worker Reforms

Human Rights Watch

Human Rights Watch (HRW) made several requests to the United Arab Emirates (UAE) authorities for information and for meetings to discuss the problems facing migrant domestic workers, but without any response to date.

The UAE, like other Gulf States, has a long record of violating the rights of domestic workers under international human rights and labor law by failing to adequately protect them against exploitation and abuse. The International Labour Organization (ILO) and many United Nations human rights experts and bodies have called on Gulf countries, including the UAE, to end the kafala system and grant domestic workers full labor law protections.

This is a pivotal time for domestic workers' rights globally. In June 2014, a large majority of ILO member states voted to approve a new protocol elaborating protections against forced labor, a crime many domestic workers face. Neither the UAE nor any other Gulf state voted in support of the protocol's adoption. The UAE abstained. The UAE voted in favor of the ILO convention on domestic workers, which came into force in 2013, but it has yet to ratify it, and UAE laws and practices fall significantly short of the convention's requirements. At the time of the HRW Report, 15 countries have already ratified the convention and more than 30 have enacted reforms to comply with its provisions.

The UAE should seek to be a global leader on labor migration but in order to achieve that, it should act now to ratify key international treaties, including the ILO domestic workers convention and the forced labor protocol, and thoroughly reform its own labor law and practices to afford full and effective protection to all domestic workers and other migrants employed in the UAE.

Domestic workers who migrate to the UAE to offer vital services to families must not be left to the mercy of unscrupulous employers and agents. The UAE needs to take a firm stand against exploitation and abuse of domestic workers, and should do so without delay. (HRW Report pg. 6)

Amnesty International

Amnesty International's research has found that abusive employers of domestic workers may come from a variety of different countries and regions, including Qatar, other countries in the Middle East and North Africa, Europe, the Americas and Asia. The State of Qatar must take action, both against employers who abuse domestic workers, as well as exploitative recruitment agencies that place women in the homes of employers they may know to be abusive and fail to take action when domestic workers seek their assistance. Those responsible for abuse should be held accountable and prevented from recruiting or employing domestic workers in future.

The government's efforts to combat fraudulent recruitment practices and human trafficking must be done in close partnership with the governments of domestic workers' countries of origin. Preventing the exploitation of migrant domestic workers is a responsibility shared between countries of origin and countries of destination. In recent years, Amnesty International has documented, in separate reports, the failings of the Indonesian and Nepalese governments in protecting their nationals from exploitative recruiters before beginning their migration to work as domestic workers.

The Government of Qatar needs to do more than just take action against private sector employers and recruiters, however. It must review and reform its own approach to the employment and protection of domestic workers. When women leave their employers and report abuse, they should expect the state to investigate and take action to hold accountable those responsible.

Too often, instead, domestic workers are treated as the offenders themselves, detained for "absconding" or otherwise breaching the sponsorship law. In March 2013 over 90% of the women detained by the authorities awaiting deportation were former domestic workers. And when domestic workers report rape or sexual assault, they risk being charged, instead, with consensual sex, under the charge of "illicit relations".

Amnesty International continues to call for the reform of the sponsorship system, to reduce the excessive powers of employers over their employees. The government must also empower domestic workers to hold their employers and recruiters accountable if their rights are abused, by giving them the legal protection for their rights which they are currently denied by Qatar's Labor Law. As the international spotlight continues to focus on Qatar ahead of the 2022 FIFA World Cup, it will be increasingly untenable for Qatar to maintain a situation whereby domestic workers and some other low-income workers effectively have no viable way of claiming their human rights. (AI Report pgs. 5-9)



Action

Survivors Speak of Exploitation

'800 800 818' is a 29-minute Bratislavan documentary film on YouTube with English subtitles.

The film presents trafficking issues by means of true-life stories: a man forced to beg in Italy; a woman forced to work without payment in the UK; a man exploited at a construction site in the UK; and a woman trafficked to Switzerland for prostitution.

The film is found at this link:

https://www.youtube.com/results?search_query=800+800+818

Trafficking in the Garment Industry

'Planet Money makes a T-Shirt' is a documentary about the world behind a simple t-shirt, told in five chapters: 'Cotton', 'Machines', 'People', 'Boxes', and 'You'.

The chapter 'People' is concerned with the lives of the workers in Bangladesh and Colombia who make our U.S. shirts — women like Jasmine and Doris working long hours in difficult conditions, dreaming of better lives for their families.

To view:

apps.npr.org/tshirt/#/people



The Real Price of a Cup of Tea

Poverty wages on tea estates in Assam fuel a modern slave trade ensnaring thousands of young girls. A Guardian/Observer investigation followed the slave route from a tea estate owned by a consortium, including the owners of the best-



selling Tetley brand, through to the homes of Delhi's booming middle classes, exposing the reality of the 21st-century slave trade.

To watch the 11-minute video, go to:

<http://www.theguardian.com/global-development/video/2014/mar/01/tetley-tea-maids-real-price-cup-tea-video>

Informative Web Sites:

(Each contains information related to human trafficking)

Human Rights Watch

<http://www.hrw.org>

Amnesty International

<http://www.amnestyusa.org>

Planet Money

<http://www.npr.org/sections/money/2011/04/27/135599807/about-planet-money>

!Enough

<http://www.enoughproject.org>

Electronics

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in three main areas: • tracing supply chain sources of minerals; • auditing of smelters by third-party auditors to verify they are conflict-free smelters; and • obtaining certification to assist the Congo in developing a clean-minerals supply chain alternative.

These steps have had an effect on the ongoing conflict in Congo, as armed groups are currently only able to generate approximately 35% of what they made from the trade in tin, tantalum, and tungsten two years ago. Conflict tin, a trade susceptible to illegal smuggling through Rwanda and previously worth over \$115 million per year to armed groups, has become increasingly difficult to sell due to audits that now recognize the physical differences between Congo's and Rwanda's tin—making the Congolese material difficult to re-label as Rwandan.

Stop Trafficking! is dedicated exclusively to fostering an exchange of information among religious congregations, their friends and collaborating organizations, working to eliminate all forms of trafficking of human beings.

Use the following web address to access back issues of *Stop Trafficking!*

www.stopenslavement.org/archives.htm

To contribute information, or make requests to be on the mailing list, please contact: jeansds@stopenslavement.org

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