

## LEBANON'S FIRST IMAGE IN THE EYES OF WOMEN MIGRANT DOMESTIC WORKERS

By: Johaina Khaldieh



## WORK PARTNERSHIPS

In the context of developing a world order to be governed by work partnerships, the ILO come to a decision that a tripartite partnership is needed in each social activity as a fixed base for developing economic policies.

When the tripartite constituents –government, employers, workers – have a unified vision and goals, this means that high levels of progress can be achieved, frameworks for the rules of justice and equality can be designed, interest in development and prosperity will increase, and risks of recession and boredom shall vanish.

Does each constituent realize its responsibilities and duties in boosting the production process and fighting against increased unemployment and breaking into the foundations of social life, making people disgusted and despondent about an uncertain future?

Does the government, as it is the formal authority that builds trust between employers and workers and regulates their correlation, apprehend its role and duties in achieving an integrated economy, developing labour policies and establishing a social balance base that leads to a fair wealth distribution between producers and consumers? The government has also a role in maintaining the fundamentals of economic life, such as monetary stability, preventing price manipulation and developing advanced legislation to build a strong national structure able to contain any economic crisis.

Do employers realize that their responsibilities are far more important than those pertaining to the government as they control the means of production and they are in direct contact with their workers and guiding them according to their desires? We should distinguish here between a passive and positive guidance. In passive guidance, selfishness of both parties leads to a lack of cooperation and coordination, where each party demands that the other party honors its own duties and respects the other party's rights. These steps undoubtedly have dangerous ramifications on the future of institutions because partnerships become unhealthy, leading to deteriorated production process and endangered institutions.

In positive guidance, however, employers gain workers' trust, faithfulness and devotion, maintaining production and good relationships with workers as they feel safe and enjoy stability and peace of mind. Employers should early detect workers' demands. They would definitely prefer to build their institutions in a decent work environment. Building fraternal links with the workers and even with their families will help gain workers' friendliness. A healthy relation based on mutual respect and love between the two parties will inevitably yield good fruits of excellence, competition and quality.

Finally, the workers themselves should understand that they are the institutions' main driving force, and that without their good efforts, the production wheel stops. The workers' tasks mainly include performing duties and sticking to work principles. Workers can develop their institutions when they master their work, respect the administration basics and perform their duties.

In work partnerships, all work lines must go in parallel and do not clash with each other. It is extremely important that these partnerships are reflected in decision-making which, in turn, makes workers feel responsible and positive in solving work problems and improving its quality and environment.

Minister of Labour  
Sajaan Qazzi

On a humid summer day in the Philippines, Claire made a crucial decision that would change her life for many years to come. Perhaps it was her last day at the university, and the last day she opened her books and textbooks before graduation in 'hospitality'.

On that day, Claire Delyaba decided that the time has come to migrate. Her family's need for money increased and her father's decaying salary was not sufficient to provide for basic family needs and pay her tuitions.

The decision was made and she had only to apply for work through an employment agency. She heard many stories from her friends about their experience in foreign countries, the nature of these countries, treatment of employers, food, congestion and other details. She chose to apply for work in Beirut based on varied yet generally acceptable stories, and also because she did not have to pay any amount for application, in contrast to other countries like Japan.

In the agency, everything seemed hazy for Claire. She could not know a lot about her tasks, working hours or the employer. The owner of the agency asked her some questions about her age, whether she knew some English vocabulary and whether she had traveled to any Arab country before. He did not pay much attention to her being a college student and fluent in English; rather, he focused more on whether she had ever worked in houses, classy or modest, and whether she was familiar with some household chores. Claire knew what to expect since her friends told her that the procedures in the agency were simple, and the owner neither cared about the applicants' qualifications, nor did he provide them with information about their life and work in the country of destination.

This "facility" in the application process seemed then a positive thing as Claire's main concern was to earn a fixed salary even if the job had nothing to do with her specialty. Today, however, after five years of working as a

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woman migrant domestic worker (WMDW), Claire believes that the organization of the recruitment process must have been to employ the right people in the right place or the place where they best excel. She wishes she had initially been able to get a hotel job to utilize some of what she had learned in this area.

*When she signed the contract to work in Lebanon, Claire went to an Internet café. She typed the name of the country where she would live for a minimum of two full years and began watching the pictures. She saw many pictures of snowcapped mountains, congested streets, the sea and the Raouche Rocks, but she could not learn a lot about the habits and traditions of the country, or perhaps she did not do her homework well as she put it. All what she asked about was the salary which was set at \$250 and seemed very appropriate compared to the lack of any other income in the Philippines.*

In 2009, Claire arrived at the Rafic Hariri International Airport in Beirut. She started her new life about which she had known nothing before. The employer accompanied her to the house, and from that moment, she would discover a country about which she knew a little from told stories and some images on the Internet.

Since she arrived Beirut five years ago, Claire has been working for the same employer. She traveled once to her country and was hesitant to go back to Beirut. Yet, she stresses that she missed Lebanon. "I have become accustomed to it and I have many friends," said Claire. "In addition, living here is cheaper than the Philippines."

Claire has got used to domestic work. This however does not mean it is her only aspiration. She really hopes she gets a job in a hotel or an office with specified working hours, clear work program and a weekend.

"It was a strange feeling because I left my country as a university student and went back as a worker," said Claire, explaining how she felt when she visited the Philippines for the first time after spending two years in Lebanon. "However, I am working on myself trying to attain some of my goals of earning an acceptable and fixed monthly wage and helping my family."

Claire did not feel embarrassed or ashamed. "Many of my friends and relatives do the same work, and I did not hide the nature of my work or was surprised by it. Besides, I come from a modest family that mainly aims to earn a living without consideration of the workplace and kind. What concerns me and my family is to be satisfied and happy."

Claire's happiness does not mean she will stay forever in Lebanon. "Maybe when I collect enough capital, I will go back to my country and apply what I have learned in Lebanon, perhaps through opening a small restaurant or a training center for women workers who wish to migrate to Lebanon. I will take part of my Lebanese personality with me," she said.

*... In a partially different experience, Bert, a 25-year-old, Ethiopian who has been living in Lebanon for four years, hopes she returns to her country the soonest. "Lebanon is a temporary but necessary phase in my life," said Bert. "Every day I think of my son, my husband and the people of my country."*

Bert did not know much about Lebanon. Most stories were negative showing racist treatment of some employers, long working hours, withholding passports and denial of the weekend.

All what she heard about Lebanon helped her expect the worst. In fact, Bert says her experience was not so bad, but not easy. "I did not care much about the country's beauty, sea or luxury buildings. All what I wanted was to be treated gently by my employer, which is the case."

However, she was initially unable to integrate into her new environment. "Everything was different. The food tasted funny with no real flavor. They used many utensils in cooking, serving food and eating. They spoke a language I did not understand, and even when they spoke English, I did not understand too because they speak quickly and fluently. All this seemed to be a different culture from what I was accustomed to."

"True... my employer treated me fairly", says Bert, "but she put a kind of psychological pressure on me in the beginning. She wanted me to learn everything very quickly, including cooking, food serving and household chores, while I barely understood the language. She was sometimes mad at me because I did not know some details such as arranging electronic devices next to each other, for example, and she had some remarks regarding the way I eat and the smell of the meals I prepare for myself". All this happened without Bert being exposed to any physical abuse, intimidation or violence. "There was only psychological abuse," she explained.

All this have changed in Bert's current job. During her four-year stay in Lebanon, she traveled once to her country and returned back to work for a new employer in an experiment that has become easier for her because she now knows well most customs and her duties. This however does not mean that there have been no challenges or surprises as Bert puts it.

The work volume has increased in the house of her 70-year-old employer whose illness has gotten worse in recent months. She has become in need of special care of every detail during the day, and Bert has to accompany her in all her moves within and outside the house. "It does not bother me to take care of this nice lady, but it tires me out since I sometimes do not have enough time to sleep. I get up early because of her pains or to accompany her to the toilet. Of course, I can no more stay long

outside in my day off. Her family members often visit her, so the workload increases. She sometimes go out with her husband and children on Sunday, so my day off is canceled and I stay with her in the restaurant to carry her things and take care of her just as I do at home."

Bert's traveling to her country and returning again through an employment agency means neither that the employment mechanism changed nor that she had to provide additional information on the work place or the employer's identity, age or family members. Like the first time, Bert applied to the employment agency and traveled to Lebanon through a Lebanese agent. Bert was not given any option at the employment agency in Lebanon, but that agent was more interested in the fact that she had previously worked in Lebanon, and therefore, she knows enough about her duties and work nature, understands Arabic and knows how to prepare some Lebanese cuisine.

Bert employer, Amani – a pseudonym as she preferred not to mention her real name – appreciates Bert's work. Before she got sick, Amani was very happy to hire a worker who knew many of her duties. "I could not set all employment conditions to the employment agency, but I hoped that the worker had not visited Lebanon before," said Amani.

Amani chose Bert at the last minute since she had not agreed with the former worker who had only worked for her for two weeks. "I did not want a worker who had previously worked in Lebanon because I was afraid that she might want to get her rights without carrying out her duties. However, I believe Bert and I have agreed on these issues."

Bert, however, thinks day and night of returning back to her country, and live forever with her son and husband, and probably will manage a small restaurant or even working as an employee in a shop or a factory. "I am ready to do anything just to be close to my family. I do not want to be a domestic worker anymore, a decision that has nothing to do with my current employer, but with the fact that I want to do the chores of my household and take care of my family rather than other families."

Both Claire and Bert have different experiences in Lebanon. What they have in common is perhaps that in a fateful moment of their lives, they had to leave their countries for coercive circumstances. They had inaccurate fantasies about Lebanon and the nature of their work.

*Some WMDWs expected the worst, but then had an acceptable experience, while others were optimistic from the first moment, considering that any other country and any job with a fixed income was a worthy experience. Certainly, WMDWs had different experiences in Lebanon, which were built on employment agencies' considerable neglect of duties explaining to WMDWs their functions, rights and duties. Not all experiences are beautiful, but some of them could break the stereotype of Lebanon as a racist country that violates worker's rights.*

## FACTS AND FIGURES

- Only 10 per cent of all domestic workers (or 5.3 million) are covered by general labour legislation to the same extent as other workers worldwide. By contrast, more than one-quarter – 29.9 per cent (or 15.7 million) are completely excluded from the scope of national labour legislation. (International Labour Organization – ILO report, 2013, "Domestic Workers Across the World", Geneva)
- The retention of passports and identity documents by employers or Kafuels of domestic workers has, in many instances, led to forced labour situations, knowing that the authorities forbid the retention of passports and recognise expat workers' right to complain and recover their passports. (A. Khan, 2014, "Why it's time to end kafala", The Guardian Newspaper, London).
- A recent study by the Lebanese organization, KAFA showed that most Bengali domestic workers get recruited to work in Lebanon through one of their family members, while most Nepalese workers tend to seek jobs directly through recruitment offices (KAFA organization website; <http://www.kafa.org.lb/>, 2014).
- While child labour has been on the decline since the turn of the century, the number of children in domestic work has grown from approximately 10.6 million to 11.5 million between 2008 and 2012. (International Labour Office -ILO report, 2013, "Global estimates and trends 2000-2012: Marking progress against child labour", Geneva).
- According to the most recent International Labour Organization estimates, at least 20.9 million people are victims of forced labour globally. Asia and the Pacific region have the highest absolute number of victims, at 11.7 million, knowing that 90 per cent of forced labour today occurs in the "private economy". Three-quarters of this falls in agriculture, domestic work, construction, fisheries and manufacturing, and the remainder involves commercial sexual exploitation. (International Labour Office - ILO report, 2013, "Strengthening action to end forced labour", Geneva).



## OPENING OF THE NEW MIGRANT COMMUNITY CENTER IN THE HEART OF BEIRUT



The Migrant Community Center moved from Nabaa to Gemmayze in November 2013. With the increasing tensions and worsening security situation, many areas -of Beirut were avoided by Lebanese and migrants alike. For this reason, among others, the Anti-Racism Movement decided to move the Migrant Community Center (MCC) to a safer and more accessible location. Gemmayze is a neighborhood in the heart of Beirut, easily accessible by at least 2 public bus routes, and as close to Bourj Hammoud as it is to Hamra.

In November 2013, after weeks of preparation, the new MCC opened its doors and welcomed over 200 migrant workers at its launch party! It was a very successful event, and attracted old friends of MCC as well as new ones whom we had the pleasure to meet. There were large groups from Ethiopia, Philippines, Sudan, Bangladesh, Sri Lanka, and many other Asian and African countries. We had some great food prepared by community leaders from Sri Lanka and the Philippines, and music from around the world, to which many danced for hours on end.

People had a chance to learn about MCC's weekly activities, from language classes to children's' activities, and to sign up to become members of MCC and take advantage of additional benefits. They also had a chance to meet people from their country and other countries, and to learn about many other NGOs that provide services or assistance to migrant workers (through our information stall). Most importantly, they learned that MCC encourages migrant workers to propose new initiatives all the time (new activities, classes, etc.). In fact, we are always looking for new ideas, and new volunteers to share their time and skills with groups of migrant workers.

MCC is open to all! Anyone can visit between 3pm and 8pm on weekdays, or from 10am to 8pm on weekends.

Sign up to our newsletter and receive quarterly updates!

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## MIGRANT DOMESTIC WORKER (MDW) AND HUMAN RIGHTS ACTIVISTS SAY NO TO "KAFALA" SYSTEM



Approximately 200,000 MDWs employed in Lebanon, are specifically excluded from the Lebanese Labor Code.

"We need to include MDWs under the existing labour code. To create a separate law would further stigmatize domestic work as distinct from other work categories and reinforces perceptions MDWs are inherently vulnerable, said Mr. Charles Nasrallah, Director of Insan Association.

Insan Association had a two day workshop titled "beyond the kafala system" in December 2013 in Beirut. The conference brought together Delegates from General Security and Ministries of Interior and Social Affairs, Past Minister of Labor Charbel Nahhas, Representatives of relevant Embassies, Mr. Castro Abdullah, President of the Fenasol Union, Lawyers, Academics, NGO Representatives and MDWs.

Discussions concentrated on efforts to support the effective unionization of migrant domestic workers, on alternatives to the kafala system and on ways to overcome the current barriers to the mobilization of MDWs in unions. MDW Theresa Pontillas explained the importance of collective bargaining to MDWs given the power imbalance between the employers and the employee.

The conference concluded with presentations by William Gois, Regional Coordinator of Migrant Forum in Asia, Roland Tawk, Human Rights Lawyer and Ms. Rola Abi Mourched from Kafa, that outlined the model previously used in the UK that does not tie the MDW to a particular employer.

The conference was closed by Mr. Nasrallah and Mr. Gois who said that the battle may be long but we must maintain our persistence and solidarity in the face of adversity.

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## GRADUATION CEREMONY FOR MDW

On 5th January 2014, the women prepared themselves to celebrate their graduation in Amel Association International. Seventy Migrant Domestic Workers received a certificate of completion of the English courses. One student said :” Here we feel that we are building our future by gaining new capacity to have a better career. Here we are happier with our friends and we keep up with the development”.

The celebration took place at Amel Center in Chiyah marking the end of English courses. Psychological, social and legal support was also provided to the English course attendants. The participants were very happy to celebrate their graduation; some of them were dressed in white traditional folklore dresses... they felt “this is their celebration”. The students were very pleased with Amel courses throughout the year. They expressed their appreciation for Amel efforts in recognizing their human rights and providing them with a place where they feel secure and safe, and get English, computer literacy and drama therapy, and psychological and legal support. One of them expressed her gratitude by saying: “Besides teaching us English, Amel has contributed to making us feel like human beings not only foreigners.” Another student stated “I am glad to learn something else other than cleaning”.

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## RADIO SERIES SHED LIGHT ON WOMEN MIGRANT WORKER'S SITUATION AND THEIR RIGHTS IN LEBANON



It is perhaps not new for Lebanese media to raise the issue of women migrant workers in Lebanon. What is new, however, is not associating the issue with a worker's suicide or death, and raising it from a purely human rights perspective with the participation of the concerned workers by giving them a platform to express their suffering and concerns. This has been recently done by the weekly radio program 'Sharika...wa Laken' (A female partner, but) which is broadcast on the Voice of the People Radio, allocating a series of eight episodes to extensively highlight this matter, supported by the EU-funded project of the ILO 'Promoting the Rights of Women Migrant Domestic Workers/PROWD'. The program episodes hosted four women migrant workers, representatives of Lebanese and international human rights organizations, including Kafa (Enough) Violence and Exploitation, Frontiers Ruwad, Anti Racism Movement, Amel Association, the Legal Agenda and Caritas Lebanon Migrant Center, in addition to the ILO, the EU, representatives of Lebanese General Security and Ministry of Labour, representatives of FENASOL and the Syndicate of Owners of Recruitment Agencies in Lebanon (SORAL), media professionals, human rights activists, and Lebanese employers.

The program highlighted all the aspects of the issue of women migrant domestic workers to the audience in an attempt to raise awareness and push forward for a change in the racial and discriminatory behavior of some people against this marginalized category of women. The participation of women themselves in the episodes had the greatest impact since no one could actually describe the reality more than the right holders themselves. This impact was reflected by the interaction of a number of listeners through the program Facebook page, as well as calls from a number of listeners expressing their opinions, and reporting cases of workers subjected to violence and inquiring about ways to lend a helping hand.

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## LAUNCHING OF THE PROJECT "INITIATING A GLOBAL APPROACH IN SUPPORTING AND EMPOWERING MIGRANTS THROUGHOUT THE MIGRATION CYCLE AND ASYLUM-SEEKERS AND REFUGEES IN LEBANON"



According to the Ministry of Labour (2012), 189.000 migrant workers received working permits in Lebanon. Thousands of them, mostly driven by poverty and attracted by the hope of a reachable wealth, migrate every year to countries with a different cultural background, and mostly unknown to them. Often, migrants are attracted by false promises and unfortunately their dreams become nightmares.

The project designed for three years, funded by EU, is a continuum of former projects between Lebanon, Ethiopia, Bangladesh, Nepal, the Philippines and Sri Lanka - giving it a pilot characteristic. The global objective of this project is to contribute to the protection of the rights of asylum-seekers, refugees and women domestic migrant workers throughout the migration cycle in Lebanon and countries of origin and to foster their socio-economic development.

This project will address the whole migration cycle: from sensitisation on informed safe migration, pre-departure in home countries to arrival in Lebanon and return to home country. In addition, large-scale awareness sessions, trainings and workshops for judges, officers of the General Security and the Ministry of Social Affairs as well as recruitment agencies in Lebanon will be organized throughout the project and other stakeholders.

*"The situation of migrant workers has become a critical contemporary human rights issue worldwide: Exploitation by traffickers, employers, people smugglers, extremely difficult working and living conditions, lack of access to justice, discrimination, etc..."*

Explained Angelina Eichhorst, Head of the Delegation of the EU to Lebanon at the project's launching in December 4, 2013 at Caritas Lebanon headquarter, in the presence of Austrian Ambassador, Caritas Luxembourg, the President of Caritas Lebanon, Partners from the countries of Origin (Ethiopian Catholic Church and Apostolic Vicariate from Ethiopia; Ovibashi Karmi Unnayan Program from Bangladesh), embassies and consulates, ministries, NGOs and INGOs, media and CLMC staff.

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## DOMESTIC WORKER GUIDE: ILO TO FOLLOW UP THE DISSEMINATION THROUGHOUT LEBANON

### Information Guide for Migrant Domestic Workers in Lebanon



An undeniable right of women domestic workers is to have access to accurate information on working conditions before making a trip that has many challenges. In order to build a positive working relationship for the benefit of both parties, these conditions must be clear and binding on the employer. This, of course, does not replace the need for a legal framework and for monitoring enforcement, but it is essential towards reducing problems related to women migrant domestic workers.

Accordingly, the ILO Regional Office for the Arab States supported the Lebanese Ministry of Labour to develop the 'Information Guide for Migrant Domestic Workers in Lebanon' under the EU-funded project 'Promoting the Rights of Women Migrant Domestic Workers/PROWD'. The information contained in the guide is not based on international standards, rather on the existing rules and regulations in force in Lebanon, including the standard employment contract approved in 2009. The guide was disseminated in seven languages representing different nationalities, in addition to Arabic, English, and French editions.

*The project distributed 60,000 copies of the guide in cooperation with eight NGOs, in addition to trade unions and private institutions, in particular fund transfer agencies.*

When she read the guide in Amharic, Raheel Ziggy said, "Women domestic workers should receive a copy of this guide in advance to learn about their working conditions."

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## MY SIDE OF THE STORY

By Gemma Justo



In 1993, I came from the Philippines as a migrant domestic worker and worked in Lebanon ever since. Witnessing the suffering endured by women in my profession encouraged me to raise my voice. So here I am calling on all the migrant domestic workers: Let us unite and demand decent work and better working conditions in Lebanon! These words are not mine... I have heard them from the ILO, NGOs, FENASOL\*. But they are words that make sense.

Being a migrant domestic worker activist, I was invited to attend the 1st Congress of the International Domestic Workers Network held in Montevideo, Uruguay in 25-28 October, 2013. The aim of the congress was to celebrate and work on ratifying ILO's Convention 189 for domestic workers across the world. It was a great experience to know, listen and interact with all those brave women from all over the world. As a participant, I volunteered to facilitate one of the workshops that took place during the congress on "Organizing Domestic Workers".

Being there gave me the rare opportunity to listen to other workers' experience in pushing for the ratification of C189. The Hong Kong experience particularly lured me when one of the domestic workers there shared how they won the battle to finally abolish the sponsorship (Kafala) system.

My sense of activism and commitment is encouraged by every injustice made! The problem of the Kafala and how we are perceived and treated inspired me to join my fellow domestic workers efforts to establish the Founding Committee of the Domestic Workers Union at FENASOL. For the first time, I feel we are stepping on a solid ground that will allow us to speak up as one! My current commitment is to contribute to the establishment of this committee. The next step is to mobilize all domestic workers to join us. And then we will push for the ratification of C189 in Lebanon and the Arab region. I am a dreamer.. but isn't all start with a dream?

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# INTERVIEW



## CONVENTION 189 AND UNIFIED WORK CONTRACTS TO GUARANTEE WOMEN MIGRANT DOMESTIC WORKER' RIGHTS.

ASRAAB MAGAZINE INTERVIEWS MRS. NADAAL-NASHIF, REGIONAL DIRECTOR, ILO - REGIONAL OFFICE FOR ARAB STATES

**Q1>Every day we read and hear about different violations of the rights of women migrant domestic workers – WMDWs – in the Arab states. In your opinion, what is the single most dangerous problem in this regard? What are ILO priorities to resolve these problems and violations? Does it seek to propose an alternative for the kafala system which many believe to be the root of the problem?**

We can say that major violations that breach work contracts guaranteeing WMDWs' rights are failure to pay timely appropriate wages, physical and emotional abuse, and unspecified work and break hours. In fact, the major problem is inherent in the absence of an explicit and recognized work contract, which turns an WMDW into a captive in a strange house if her work conditions are appalling. Although domestic workers spend years taking care of their employers' families and cleaning their houses, they are sometimes subjected to bad treatment on a daily basis.

Unfortunately, WMDWs are employed according to the strict kafala system whereby employers keep their passports and documents; as such, WMDWs are kept under quasi-assigned residence. What regulates a work relation, however, is a work contract rather than the kafala system.

Some countries and entities believe that the kafala system is a safety net for WMDW. In reality, it is rarely applied in a civilized and impartial way. Instead, it has become a business and a tool to dominate and control WMDWs and limit their freedom and movement. This system can be cancelled through enforcing the national labour law and regulating the relation between the countries of origin and destination.

**Q2>What standards regulate the ILO's work with its constituents with respect to the issue of WMDWs in Lebanon and the Arab states?**

In 2011, the ILO set an international and historic standard to improve WMDWs' conditions all over the world, namely the Domestic Workers Convention No. 189, in addition to the Domestic Workers Recommendation No. 201. The Convention and the Recommendation both state that domestic workers, like all other workers, shall enjoy fundamental rights, including reasonable working hours, a weekly day off, the agreed on salary, and clear employment terms and conditions.

The ILO works with governments, workers, employers and civil society in the countries of origin and destination to improve protection of domestic workers' rights and prevent human trafficking and forced labour. It therefore supports governments to endorse and enforce Convention 189 and Recommendation 201 and review laws and unified contracts for domestic workers to bring them in line with the international labour standards.

When governments fail to amend labour laws or take a long time to do so due to a long process of approvals, we discuss with the competent authorities the possibility of enacting special laws for domestic workers to protect them pending the amendment of labour laws. We have drafts for such laws, and in Lebanon, for example, two drafts have been developed and circulated among all groups of WMDWs, including workers' representatives, in addition to the ministries of labour and interior, etc...Unfortunately, however, the decision-making institutions have been nonfunctional for the last two years, so the law could not be enacted.

**Q3>Are there indicators that some Arab states will endorse Convention 189 any time soon? In your view, what are the obstacles and leverages?**

Since Convention 189 came into force in September 2013, 12 countries have endorsed it: Bolivia, Italy, Mauritius, Nicaragua, Paraguay, the Philippines, South Africa, Uruguay, Costa Rica, Ecuador, Germany and Guyana. The ILO encourages the member states to accelerate enacting laws to expand the fundamental rights of domestic workers, out of which 83% are women.

The Philippines is the first Asian country to officially enforce the rights of domestic workers. Hundreds of thousands of domestic workers, mostly women, travel from this major origin country to other countries in Asia, Europe and the Middle East in search for job opportunities.

As for the Arab states, we are sensing a growing interest. Some countries have achieved some progress and are gradually adopting unified contracts, tackling work terms and conditions and improving work inspection systems. We have also seen more awareness and desire for change after human rights committees and media spoke about violations. There are serious intentions to amend or cancel the very biased kafala system. These important efforts are in line with Convention 189. However, we should stress that endorsing it is what we are after.

We recognize that the endorsement process necessitates three to four years to check all mechanisms and ensure there are no gaps. In fact, the two countries that are close to endorse the Convention are Lebanon and Jordan. Debates are open and we have been able to enhance our relation with partners in both countries, including ministries, economic and social councils and an open-minded house of representatives. Even the chambers of commerce and industry are supportive as they recognize that some private companies affect their reputation.

**Q4>What are your plans to make domestic labor a key element in the Arab states' social and economic policies? Do these strategies differ from one Arab country to the other (with a focus on Lebanon's situation)?**

The ILO is seeking to make domestic labour an instrumental element in the Arab states' social and economic policies through providing needed support of legal and technical experts and specialists, helping governments adopt labour laws in line with Convention 189, developing employment frameworks, modernizing the systems of migration management, engaging employment agencies and employers, and collaborating with the civil society to grant domestic workers basic labour rights including decent work, appropriate protection, fair wages and remuneration, specific working hours, vacations, reasonable rest times, clear information on employment terms and conditions and respect of fundamental principles and rights at work, including rights to organize and to undertake collective bargaining.

The bilateral agreements between the countries of origin and destination are of specific importance. They hold responsible governmental bodies, such as the ministries which should cooperate with all stakeholders, including employment agencies. The ILO itself is working with these agencies to draft a code of ethics. These offices have a major role to play and tasks to carry out before a WMDW leaves her country, including preparing her for the upcoming work and introducing her duties and rights.

The ILO also seeks to enhance the cultural links between the countries of origin and destination to change mentalities and stereotypes about the countries of origin. We have therefore issued a series of children books about cultures of the countries of origin and destination.

In Lebanon, and in partnership with Souk el Tayeb, we launched an initiative where WMDWs sell their local products as a contribution to the society they live in and to celebrate cultural diversity.

**Q5>How is the ILO's role different from that of other UN agencies and CSOs? Does the difficult task of unionizing workers constitute an obstacle to your role?**

The ILO supports the rights of all marginalized groups and cooperates with other UN agencies, each according to its remits. We support countries to amend their laws and endorse the necessary conventions and recommendations. We are not a protection agency like the UNICEF, but we work together on many issues, such as the street children issue. We also work with the UNHCR to recognize refugees' right to sustainable temporary living, and we collaborate with the UNRWA to grant the Palestinians the right to work.

**Q6>How can the Arab Spring contribute positively, in one way or the other, to making advances in reforming laws and promoting rights of workers, particularly WMDWs?**

Before the Arab revolutions started, an absolute majority of the Arab delegates voted for the adoption of Convention 189. Today, their countries are required to bring their national laws and other regulating instruments in line with the convention and integrate the values of dignity and social justice into these laws. These values are at the core of the Arab revolutions' demands.

The Arab Spring has undeniably helped raise rightful issues and highlighted the concerns of the marginalized, including domestic labour. However, it is still too early to see tangible changes as three years of revolutions are not enough to change 40 years of structural, inherited problems in the labour market. What matters now is that the opportunity is ripe to raise many issues such as the labour justice as a whole and the work of WMDWs.



## “ATAYEB CHEGHEL EL BAYET ”

### EMPOWERMENT AND DEVELOPMENT OF MIGRANT DOMESTIC WORKERS IN LEBANON THROUGH FOOD AND TRADITIONS



Tell me what you eat ... so I know who are !

Training workshops to empower a group of Migrant Domestic Workers and develop their expertise to create a catering line of their traditional cuisine.

The first day of training is always weird ... trainees are not confident yet, and don't know much what to expect... and trainers do not know the group and the individuals. Still, on that first Sunday, all faces were glowing at the idea of these women doing again what they are familiar of doing according to their tradition in their country of origin, ... let them cook! Eugenie, from Togo, was so happy and looked at this cooking training as a “retirement plan” ... “we work all our life, and are not able to save a penny! At least now, we will learn a skill that will help us build a small business when we are home again”.

“Atayeb cheghel el bayet” is about empowerment of domestic workers in Lebanon, through cuisine training, and reviving their culinary traditions and helping them develop the expertise to create their own cooking.

Souk el Tayeb, in partnership with the ILO, launched this initiative on February 2014, for a group of around 15 domestic workers, from Madagascar, Ivory Coast, Cameroon, Benin, Sri Lanka, Bangladesh and Philippines.

Through cuisine and sharing traditions as of food, “Atayeb cheghel el bayet” main objectives, are breaking barriers between Lebanese and Migrant Domestic Workers from Asia and Africa in Lebanon, providing an income generating activity through cuisine, introducing African and Asian Culinary traditions.

Kitchen trainings started, and after a first session, the mood changed fast from weird to happy! Seems that singing and dancing are the best way to cook well!

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## NEW JUDICIAL TREND TOWARDS PROTECTING THE RIGHTS OF MDW

### *Lebanese Judge Rules In Favor Of A Domestic Worker*

A court order refuses to marginalize the role of the judge in protecting the rights of women domestic workers... and invalidates the process of making a sponsor's waiver of her domestic worker conditional on the worker's waiver of her rights.

On 31.10.2013, Criminal Judge in the Keserwan District, Dina Daboul, convicted a Lebanese employer of severely beating her domestic worker and sentenced her to three months in prison with a fine of LBP 100,000 pursuant to Article 555 of the Lebanese Penal Code. The sentence also imposed a fine of LBP 10 millions on the employer as compensation to the worker in line with a new judicial trend towards deterring violent actions committed by employers against women foreign domestic workers in Lebanon. The sentence was issued five years after a Philippine citizen filed a lawsuit against her employer who – according to the medical examiner's report referred to in the sentence – severely beaten her and subjected her to “frequent physical abuses” using an iron and a belt, leading to “injuries on 70 percent of her body.” During the trial, the court summoned a senior inspector from the General Directorate of General Security (GDGS) to clarify some details of the minutes of the investigation, especially the phrase “the worker has acquitted her employer at the GDGS”, where the defendant employer said she had paid all due wages to the worker who then wrote down this phrase, entailing that the worker waived all her personal rights.

The senior inspector supported this explanation, claiming that when a waiver of rights took place, it was only that waiver that was written down. But, adding the word ‘acquittal’ entailed that the worker also waived the beating claim and that “it was made clear to her and she understood well the matter.” The court, however, took unprecedented step of its kind to address any attempt to settle the case outside the court stating that “we cannot establish a waiver and build legal consequences on it based on what the inspector meant during the investigation; otherwise, legal texts would be disrupted and verdicts would depend on intents and intentions which are basically unproven, which requires declining all things said in this regard.”

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المفكرة القانونية

## ADDRESSING SOCIAL AND PERSONAL ISSUES RELATED TO SRI LANKAN MIGRANT WORKERS IN LEBANON

### NOTE FROM THE SRI LANKA EMBASSY

At present, about 85,000 Sri Lankans are working in Lebanon. The majority of them are women working as domestic workers. There are a few families with children too. In addition to their work place related issues, we have identified a number of social and personal problems including alcoholism, drug addiction, family disputes, depression and extramarital relationships.

The Embassy of Sri Lanka endeavors to address these issues through counseling and launching religious, cultural and social events. One of the most successful events is the monthly religious programme in which facilities were provided to conduct a full day religious activities at the Embassy premises. Musical events, social gatherings and cultural events are also organized for them to display their talents and develop their leadership qualities.

One of the most notable issues confronted by the Sri Lankans with children in Lebanon is teaching mother tongue to their children. This Embassy established a language class for the children of all ages at the Embassy premises in 2012 with the aim of helping them to learn the mother tongue and basic concepts related to Sri Lanka culture. Presently, there are 30 students in the class.

These activities found to be very useful in addressing the social and personal problems of the Sri Lankans living in Lebanon to a certain extent, and the Embassy of Sri Lanka wishes to expand these activities further.



# Recipe

## ETHIOPIAN-STYLE LENTILS WITH YAMS (OR SWEET POTATOES)

FROM ETHIOPIA

Source: [www.food.com](http://www.food.com)



Total Time: 25 mins  
Prep Time: 5 mins  
Cook Time: 20 mins  
Origin: Ethiopia

### INGREDIENTS

1 lb ground lean pork/ chicken  
1/2 onion, diced  
3 garlic cloves, minced  
1 teaspoon fresh ginger, minced  
1/2 small sweet potatoes or 1/2 small yam, diced  
1/4 red sweet bell pepper, diced  
1 teaspoon olive oil  
2 tablespoons lentils (split red)  
1-2 teaspoon tomato paste  
1 cup water  
3/4 teaspoon paprika  
1/2 teaspoon ground coriander  
1/4 teaspoon ground allspice  
1/4 teaspoon ground cinnamon  
1/4 teaspoon ground fenugreek  
1/4 teaspoon ground ginger  
Salt or soy sauce  
Black pepper

### DIRECTIONS

- 1- Sauté the onion, garlic, ginger and yam in olive oil at medium heat until the onions are almost translucent.
- 2- Add the red bell pepper and sauté for an additional minute.
- 3- Add the lentils, tomato paste and water.
- 4- Bring water to a boil.
- 5- Add the paprika, coriander, allspice, fenugreek and ginger
- 6- Lower heat slightly and allow the stew to simmer for 20 minutes or until the lentils are tender and all the water absorbed.
- 7- Add salt, soy sauce and black pepper as needed, and serve.

## MIGRATION PATH FROM ORIGINAL COUNTRIES TO LEBANON:

### *Deceptive recruitment practices*

On 14 January, KAFA (Enough) Violence & Exploitation organization held a conference entitled «Enhancing the protection of women migrant domestic workers through discussing the migration path from original countries to Lebanon» in cooperation with the Anti-Slavery International and the General Federation of Nepalese Trade Unions, under a broader project on the path of women domestic workers» migration from Nepal, particularly, their recruitment practices in Lebanon.

The conference brought together the Lebanese Minister of Labour as well as experts, officials and concerned people from inside and outside Lebanon. The structural problems of the currently applicable recruitment systems were discussed from various angles. Moreover, experiences of other countries that could benefit Lebanon were presented, namely the British experience which was presented by Parliamentarian Fiona Mactaggart.

Special Rapporteur on the human rights of migrants, François Crépeau, pointed out major recommendations that would promote the protection of women migrant domestic workers, primarily, those related to developing mechanisms for implementing proper laws in force and tightening control over recruitment mechanisms.

Journalist Saada Aloua presented the preliminary results of a research conducted by KAFA in cooperation with the Legal Agenda on deceptive recruitment practices, and the hard-hitting way to reach Lebanon. She also spoke about the reality of the promises which were translated into a raft of violations to which women domestic workers were exposed to.

The inputs were followed by testimonies from women domestic workers who recounted their daily sufferings and problems in Lebanon. They called upon the Minister of Labour to undertake necessary changes regarding the adopted mechanisms that restrict their freedom and violate their human rights.

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