

## **Questionnaire for NGOs and other stakeholders on domestic servitude**

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This questionnaire is addressed to stakeholders such as international and regional organisations, national human rights institutions, UN agencies, funds and programmes, non-governmental organisations, trade unions, research institutions, businesses, community initiatives, private individuals, foundations and academia.

The below questionnaire is meant to assist the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, Urmila Bhoola, with elaborating a comprehensive report on domestic servitude of migrant women and girls that will be presented to the Human Rights Council in September 2018.

The responses to the below questionnaire should be submitted to the Special Rapporteur on contemporary forms of slavery, including its causes and consequences in English, French or Spanish at [srslavery@ohchr.org](mailto:srslavery@ohchr.org)

The deadline for submissions is 18 May 2017.

If not stated otherwise in your submission, the responses received will be published on the website of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences.

### **Question 1**

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

- [PICUM](#):

The Platform for International Cooperation on Undocumented Migrants (PICUM) is a network of 163 organisation based in 32 countries, primarily within Europe as well as in other world regions. With over 15 years of evidence, experience and expertise on undocumented migrants, PICUM promotes recognition of their fundamental rights, providing an essential link between local realities and the debates at policy level. Migrant workers' rights have been central to PICUM's work since it began in 2001. In recent years, PICUM focuses in particular on promoting mechanisms to access justice for undocumented migrant workers, including those in situations of severe labour exploitation and contemporary forms of slavery, and on promoting rights-based labour migration policies. Migrant domestic workers are a key group for both areas of work, and PICUM convenes an ad hoc stakeholder group on migrant domestic and care work including EU and global level trade unions, and NGOs representing domestic and care service providers and users, and those working on gender equality, non-discrimination and social inclusion.

- [GAATW](#):

The Global Alliance Against Traffic in Women (GAATW) is an international alliance of more than 80 civil society organisations in 40 countries that works to promote and protect the rights of trafficked persons and migrant workers. GAATW understands the phenomenon of human trafficking as intrinsically rooted in the context of migration for labour. Therefore, GAATW promotes and defends the human rights of migrants and their families against the growing threat of a globalised labour market and advocates for safer conditions in the migration process and in all employment sectors in which slavery-like conditions exist.

Member organisations include migrant rights organisations, anti-trafficking organisations, self-organised groups of migrant workers, domestic workers, sex workers and survivors of trafficking, human rights and women's rights organisations – both advocacy groups and direct

service providers. The GAATW International Secretariat (GAATW-IS), based in Bangkok, supports the members of the Alliance and partner organisations with research, advocacy, trainings, networking and capacity building.

GAATW members work with women and girls trafficked in all sectors; however, the majority of women and girls that GAATW Asian members work with are migrant women exploited in domestic work.

- **La Strada International:**

The International La Strada Association (La Strada International/LSI), is a European network against trafficking in human beings, uniting 28 European counter trafficking NGOs in 24 European (both EU and non-EU) countries, operating independently and from a grass root level. The overall aim of LSI is to prevent trafficking in human beings in Europe and to protect the rights of trafficked persons. Member and partner organisations provide advocacy, awareness and direct support to trafficked persons and vulnerable groups, which are in particular (undocumented) migrant workers including domestic workers. Cooperation focusses on monitoring, advocacy, awareness and prevention, data provision, research and referral and direct support to trafficked persons.

La Strada International recognises human trafficking and forced labour as severe forms of labour exploitation and believes that to end trafficking structural root causes need to be addressed, as well promotion of rights of all workers. La Strada calls for increasing opportunities for legal, gainful and non-exploitative labour migration for workers of all skill levels, and for strengthening of regulatory and supervisory mechanisms to protect the rights of all (migrant) workers. LSI believes that all persons should be free to choose the work that fits their situation best, whether in a regular or irregular setting, and have their rights respected regardless their status or occupation. Domestic servitude is a form of trafficking in human beings which is extremely difficult to detect and LSI recognises that domestic workers are generally more vulnerable to abuse and exploitation than other workers.

## **Question 2**

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

- **Legal and/or policy framework:**

**Legal/ policy framework creating the structural factors for putting workers at risk of domestic servitude with a focus on Europe (but similar challenges arise in other world regions)**

In terms of labour rights, decent work for all workers, regardless of status, is enshrined in various ILO and other human rights treaties<sup>1</sup>. However, the limited number of ratification of for example the ILO Convention on domestic work or the UN Convention on the Rights of Migrant Workers and their Families limits the reach of such international legislative

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<sup>1</sup> See for example: ILO Conventions no. 29 and no. 105 on forced labour; no. 87 on freedom of association; no. 111 on equality of opportunity and treatment in employment and occupation, no. 143 on migrant workers; ILO Declaration on Fundamental Principles and Rights at Work; and Article 7 of the ICESCR.

documents. Furthermore, their implementation through national legislation and in practice for domestic workers, and for undocumented workers, is highly problematic.

In Europe, the employment of domestic workers is widespread. Domestic workers, in majority migrant women, still face vulnerability to exploitation including cases of human trafficking. Trafficking in this sector is an area neglected by policy makers and law enforcement and this situation is exacerbated by the challenges of monitoring activities occurring within private households.<sup>2</sup>

Despite different national policies and regulations, there are insufficient laws and policies to regulate the migration and employment conditions of domestic workers in Europe. There is no single model for regulating domestic work or migration for domestic work in the European Union. It is possible to get a work permit to work in domestic work in several EU countries but there is a distinct lack of possibilities despite labour market demand in many.

This policy landscape, together with the high demand for domestic and care workers in Europe contributes to a situation in which migrant domestic workers often have no choice but to work irregularly, and are at high risk of poor working and living conditions and exploitation.

It also contributes to domestic workers having to register as self-employed, with the limited labour protections this status brings, as well as misuse of “au pair” systems – where they are in place - to meet demands for migrant domestic and care workers, leading to exploitation of au pairs (type of duties, long hours, underpayment, etc.), and lack of labour rights protections for people currently working on au pair visas.

In EU law, the EU Fundamental Rights Charter Article 31 emphasises that every worker has the right to working conditions which respect his or her health, safety and dignity and has the right to limitation of maximum working hours, to daily and weekly rest periods and to an annual period of paid leave. The EU Employers’ Sanctions Directive also explicitly includes labour rights protections for undocumented workers, with provisions requiring complaint mechanisms (Article 13) and payment of outstanding wages (Article 6).

However, application of labour rights to domestic workers, particular when undocumented, is extremely problematic in both law and practice on national level across the EU (see below for more information). Additionally, an analysis of the implementation of the Employers’ Sanctions Directive has shown that implementation of the rights provisions is still insufficient, leading to little repercussions for employers and inadequate complaints mechanisms and redress for employees<sup>3</sup>.

The EU Directive on the rights of victims of crime is also relevant for migrant domestic workers who are victims of crime, including violence, and exploitation that amounts to a criminal offence, including trafficking in human beings. This Directive explicitly applies to undocumented migrants and sets out minimum standards for rights, though implementation for undocumented victims of crime remains limited.

Further at the European level, the European Parliament resolution on women domestic workers and carers in the EU (2015/2094 (INI)) should be a stepping stone to foster member-states’ obligations regarding the respect and protection of domestic workers’ rights.

### **Legal policy framework specifically related to trafficking for domestic servitude in Europe**

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<sup>2</sup> See [https://www.demandat.eu/sites/default/files/D8%2017\\_PolicyBrief\\_European\\_ARicard-Guay.pdf](https://www.demandat.eu/sites/default/files/D8%2017_PolicyBrief_European_ARicard-Guay.pdf)

<sup>3</sup> PICUM, *Summary of findings in Belgium and Czech Republic on the implementation of the Employers’ Sanctions Directive*, 2015 (see [here](#)).

In recent years, EU countries have adopted important common policies to combat trafficking in human beings in all its forms, and more efforts are being mobilised to tackle trafficking for labour exploitation specifically. Domestic work is identified as one of the labour sectors more vulnerable to exploitation and trafficking by both the ILO (2012) and FRA (2015).

All European countries have ratified the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children and revised national legislation accordingly by criminalising all forms of human trafficking. Major European legislation on trafficking in human beings, that comprise provisions on the protection and assistance to victims of all forms of human trafficking, include the 2011 EU Directive on preventing and combating trafficking in human beings and protecting its victims and Council of Europe Convention on Action against trafficking in human beings (2005).

According to this European legislation, victims of human trafficking are entitled to assistance and support including access to legal support and compensation and protection in criminal investigation and proceedings. There are several obligations to assist and protect victims of trafficking and provide them with a temporary residence permit. For example:

- Trafficked persons are not automatically detained or deported
- Measures are taken to protect trafficked persons from further harm and protect their safety.<sup>4</sup>
- Trafficked persons have access to (emergency) shelter, medical assistance and legal advice; basic assistance (including housing, material, medical and psychological assistance) is given irrespective of whether the victim agrees to cooperation in the prosecution of the traffickers.<sup>5</sup>
- Trafficked persons are granted a reflection period and a temporary residence permit. During this time, they have access to material, medical, psychological and legal assistance, and have access to the labour market, vocational training and education.<sup>6</sup>
- The privacy and identity of trafficked persons is protected.<sup>7</sup>
- Victims are given information on relevant court and administrative proceedings and assistance to enable their views and concerns to be presented.<sup>8</sup>
- Trafficked persons who act as witnesses (and where appropriate their family and others close to them) are provided with effective protection from potential retaliation or intimidation.<sup>9</sup> The safety of the trafficked person and his or her family, including risks for re-trafficking, is taken into account in any decision on repatriation.<sup>10</sup>

However, identification of trafficked persons in general and among domestic workers remains low and not formally identified trafficked persons do not have access to the same support and protection, regardless that severe exploitation might have occurred. Many trafficked persons remain undocumented with extremely limited access to essential services and justice. Further, serious bottlenecks remain in practice in the implementation of adequate assistance and protection programmes.

### Country-specific information

For a detailed description of the policy frameworks in the area of trafficking in human beings in **Austria** and **Germany**, please see the joint submission of Ban Ying and LEFÖ-IBF.

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<sup>4</sup> UN OHCHR Guidelines, no. 8; Traf Prot. Art. 6; CoE CAT art. 12 & 28; EU Dir 2004/81/EC art. 7

<sup>5</sup> UN OHCHR Guidelines, no. 8; CoE CAT art. 10, 12 & 28

<sup>6</sup> EU Dir. 2004/81/EC art. 6-9; CoE CAT art. 12-14

<sup>7</sup> Traf Prot. art 6; ICCPR art. 17; UN OHCHR Guidelines no. 6; CoE CAT art. 11

<sup>8</sup> Traf Prot .art. 6; CoE CAT art. 12

<sup>9</sup> UN TOC art. 25

<sup>10</sup> Traf Prot. art. 8.2; CoE CAT art. 16

For information about regulations on working conditions in Ireland, including in relation to contracts, wages and tax, hours of work, dignity and privacy, annual leave and public holidays, employment records, dismissal and notice, please see here: [http://www.citizensinformation.ie/en/employment/types\\_of\\_employment/domestic\\_workers\\_in\\_ireland.html](http://www.citizensinformation.ie/en/employment/types_of_employment/domestic_workers_in_ireland.html).

Below is some information on the situation in **Hong Kong** and **India**. Further details can be found in the submissions of Justice Centre Hong Kong and Srijan Foundation.

**Hong Kong** is not a signatory to the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children and its current legislation defines human trafficking only in terms of transnational sex work and does not require any element of force, fraud, or coercion. Although the 1930 ILO Forced Labour Convention applies to Hong Kong, there are no criminal sanctions against forced or compulsory labour, servitude or human trafficking.

Hong Kong has a formal labour migration scheme for domestic workers and there are a number of regulations controlling their employment conditions. There is a minimum monthly wage, a mandated weekly rest day and free public health care. Employment agencies must be registered and the fees they can charge are capped at 10% of the first month's wages. There is a Standard Employment Contract, which must be submitted to the Immigration Department. By law, migrant domestic workers must also be given a copy of their contract. There is paid annual leave, paid statutory public holidays, paid return trips to their home country, and parental leave and protection. However, migrant domestic workers are also subject to a number of unique requirements. The "two-week rule" dictates that migrant domestic workers are required to leave Hong Kong upon completion of their contract or within 14 days of the date of termination of their contract. This means that migrant domestic workers must scramble to find alternative employment in Hong Kong within this limited timeframe. The migrant domestic worker migration scheme is also a tied-visa scheme, where the immigration status of migrant domestic workers is attached to the employer who has signed their contract. Migrant domestic workers are not permitted to change employers without first leaving Hong Kong, except on a discretionary basis and under very specific circumstances (for more detailed information, see the submission of Justice Centre Hong Kong).

**India** has criminalised human trafficking, slavery, forced labour and bonded labour, although the main anti-trafficking act is still the Immoral Traffic Prevention Act of 1956 (ITPA) which defines trafficking only in terms of forced prostitution. This is to be replaced soon by the Trafficking of Persons (Prevention, Protection, and Rehabilitation) Bill of 2018, which provides a broader definition of trafficking, covering all forms of exploitation, and providing more robust prevention and protection measures (for more detailed information, see the submission of Srijan Foundation).

### **Global trends**

Migrant domestic workers are mainly women, and thus specifically vulnerable to gender-based forms of discrimination and violence.<sup>11</sup> While many women migrate in a bid to achieve justice and equality, the discriminatory policies which govern the migration process can often disempower them and make them more vulnerable to exploitation and contemporary forms of slavery. For example, in South and Southeast Asia, several countries have introduced different restrictions on women's migration for domestic work as a way to prevent trafficking and exploitation. However, a 2015 study by GAATW and ILO on the effect of migration bans

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11 International Labour Office (ILO), "Domestic workers across the world: Global and regional statistics and the extent of legal protection", Geneva 2013, p. 3, available at: [http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms\\_173363.pdf](http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_173363.pdf).

in Nepal found that, rather than protecting women from exploitation, bans simply force women to migrate using irregular and unsafe channels, making them more vulnerable to exploitation and trafficking.<sup>12</sup> A 2017 UN Women and ILO study of five ASEAN countries found that restrictions of women's migration had the same effect in these countries.<sup>13</sup>

The critical conditions under which migrants - mostly women<sup>14</sup> - work in the domestic sector are linked to changes arising from women's empowerment, and gender stereotypes and discrimination, including the perception of domestic and care work as "women's work". This contributes to the lack of recognition and regulation for domestic and care work as "work", and in turn, the perpetuation of that perception due to the continued gender imbalance and lack of opportunities for decent work and labour migration in the sector.

For example, in a survey of 105 female migrants carrying out domestic work in the Czech Republic, 53% said they did not have any employment contract.<sup>15</sup> As with other traditionally female work, domestic work is under-valued and referred to by governments as 'unskilled'. For example, Sri Lanka (one of the few countries in the region to share data disaggregated by sex) reports 39% of male migrant workers are 'semi-skilled' or 'unskilled' workers while 93% of female migrants are 'unskilled' domestic workers.<sup>16</sup>

Decent work in the sector is vital to facilitate equal participation in the labour market and work-life balance for families. At the same time, migration creates changes in the care responsibilities and opportunities within migrant workers' families, both within and across countries, and the need to support transnational care and welfare systems. This is particularly the case as migrant domestic workers are rarely able to migrate together or bring their family members, in a regular manner, due to restrictions on family rights for workers on certain permits, or lack of regular status.

When looking at the issue of trafficking in human beings, there have been advances at European level towards a human rights-based approach. However, the movement towards a rights-based approach to the prevention of human trafficking and the protection of the rights of trafficked persons has unfortunately not been mirrored in the area of migration management as a whole.

In particular, irregular migration and related undocumented forms of labour are still viewed, and consequently treated, as a crime issue, rather than the result of political, economic and social imbalances and insufficient human rights protection. Indeed, the proclaimed wish to combat trafficking is often used as an argument for increasing restrictive measures against migrants through a rigid visa policy, border control or obstruction of family reunification.

However, restrictive policies contradict their proclaimed purpose, as they create situations in which human rights violations are most likely to occur: both irregular migration and undocumented work create precarious working conditions that allow extreme forms of exploitation to take place, in turn creating the necessary conditions for trafficking. Several

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<sup>12</sup> International Labour Organization (ILO), *"No Easy Exit: Migration bans affecting women from Nepal"*, Geneva, 2015, available at: [http://www.ilo.org/global/topics/forced-labour/publications/WCMS\\_428686/lang-en/index.htm](http://www.ilo.org/global/topics/forced-labour/publications/WCMS_428686/lang-en/index.htm).

<sup>13</sup> R Napier-Moore, *"Protected or put in harm's way? Bans and restrictions on women's labour migration in ASEAN countries"*, ILO and UN Women, Bangkok, 2017, available at: [http://www.ilo.org/asia/publications/WCMS\\_555974/lang-en/index.htm](http://www.ilo.org/asia/publications/WCMS_555974/lang-en/index.htm).

<sup>14</sup> International Labour Office (ILO), *"Domestic workers across the world: Global and regional statistics and the extent of legal protection"*, Geneva 2013, p. 3 (see [here](#)).

<sup>15</sup> SIMI (Sdružení pro integraci a migraci/Association for Integration and Migration): *"Domestic Work – Overlooked and Underrated"*, also available here: <http://eige.europa.eu/gender-mainstreaming/good-practices/czech-republic/equal-opportunities-threshold-czech-households>.

<sup>16</sup> A Testa and E Taylor-Nicholson, *"Enabling Access to Justice: A CSO perspective on the challenges of realising the rights of South Asian Migrants in the Middle East"*, GAATW, Bangkok, 2017, available at: [http://www.gaatw.org/publications/GAATW\\_Enabling%20Access%20to%20Justice\\_2017.pdf](http://www.gaatw.org/publications/GAATW_Enabling%20Access%20to%20Justice_2017.pdf), pp. 16-17.

areas of concern can be raised with regard to recent developments in the EU's migration policy, for example, that are likely to impact negatively on the rights of trafficked persons and risks groups of trafficking, that might even create conditions for persons to become trafficked.

It is generally accepted that state policies focusing on restrictive immigration controls and reducing opportunities for regular migration have created a market for irregular migration, and its organisation through serious organised crime, as well as human trafficking. Restrictive immigration laws and the criminalisation of (undocumented) migration have also left a large number of migrants, and specifically migrant workers, vulnerable and open to varying degrees of exploitation and abuse, in particular smugglers and traffickers, but also employers operating within the irregular market and private households, police and border guards, as well as individuals.

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

- Charter of Fundamental Rights of the European Union 2012/C 326/02
- Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals (see Article 6).
- Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime.
- Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA
- Council Directive 2004/81/EC of 29 April 2004 on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities.
- The Council of Europe Convention on Action against Trafficking in Human Beings entered into force on 1 February 2008.
- For Hong Kong and India, see the submissions by Justice Centre Hong Kong and Srijan Foundation. Further, for an overview of legislation in India, Nepal, Bangladesh, Sri Lanka, Lebanon, Jordan and Kuwait, see GAATW, "Enabling Access to Justice", pp. 20 – 25.

### **Question 3**

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

- **Causes of vulnerable circumstances:**

**Legal or vulnerable circumstances:** migration can be extremely limited for working class women and men, which can leave traffickers, smugglers or unlicensed brokers as their only option. Countries' immigration policies favour workers from the professional sectors even when their economies require working-class workers. Although domestic work is a great need in many countries (evidenced by the number of domestic workers employed globally), this sector of work is still largely unrecognised in countries' immigration policies or labour policies.

Even in instances where legal channels may exist for women to take up domestic work in other countries, government policies often still structure domestic work as temporary or circular employment (i.e. where migrants travel to another country to work but return back to their country after a certain period of time), meaning that migrant women may not enjoy a sense

of permanence and establishment. Further, even for women working as domestic workers in their own country, domestic work is largely unrecognised as work in labour laws globally.<sup>17</sup> It should be noted that people are not vulnerable *in themselves* but they are placed in situations of vulnerability by a range of social and economic conditions. Women, in particular, are pushed into migrating, including for domestic work, by limited opportunities for employment at home and limited access to education and skills training as well as discrimination based on sex, gender, race, ethnicity, class and caste. Macroeconomic policies also impact individual decision-making. Privatisation, structural adjustment programmes and cuts to social welfare schemes have increased poverty and pushed people out of rural areas into cities or into overseas migration. Other factors that contribute to a lack of decent work options include corruption, trade deals, and increasing informalisation of labour, which lowers wages and conditions. These policies have increased economic insecurity and the precarity of labour, making migration abroad one of the only opportunities for advancement.<sup>18</sup>

In the European context, migrant domestic workers are at risk of becoming victims of contemporary forms of slavery due to a variety of circumstances. Firstly, few regular migration channels are available to work in the sector, making domestic workers subject to dangerous routes and causing them to work under an irregular status. If a work permit is obtained, it is usually tied to one specific employer, causing a power imbalance and great dependency on the employer. If the worker challenges their employer, they risk losing their job, thus invalidating their permit, and making continued residence irregular. The general lack of recognition for this specific labour market contributes to the unregulated and unprotected circumstances under which domestic workers are recruited and employed.

Although domestic work is recognised as a labour sector in many Asian countries, and there are regular channels to migrate for domestic work, the outcomes and actual labour conditions of domestic workers in these countries are largely the same. Domestic workers in West Asia and Hong Kong do not enjoy the same labour protections as other workers. They are also unable to change their employer without the employer's permission (for example, under the so-called 'kafala' system in West Asia). The restrictions on women's migration in South and Southeast Asia, particularly for domestic work in West Asia, as mentioned above, are another source of vulnerability.

- **Working/living conditions:**

When it comes to the circumstances of employment, domestic workers are particularly vulnerable due to their working and living conditions. Domestic households are not usually subject to labour inspections, and employers and domestic workers themselves are not necessarily aware of existing labour law standards that need to be respected. Being employed in and around the house, the workers are socially isolated and their living and working conditions are poorly regulated and monitored. Especially those employed with irregular residence status are often subject to low wages and long working hours, amounting to abuse, exploitation and contemporary forms of slavery.

Live-in domestic workers also face particular risk, relying on their employer to provide them adequate and humane living accommodation, as well as sufficient and quality food. This situation significantly increases undocumented workers' status of dependency on their employers and their vulnerability to become homeless if they decide to leave an abusive employer. Live-in migrant domestic workers frequently report lack of privacy, including their own bedroom, as well as expectations to be available at all hours, without clear rest periods

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<sup>17</sup> GAATW, "Beyond Borders: Exploring the links between trafficking and gender", GAATW, Bangkok, 2010, available at: [http://gaatw.org/publications/WP\\_on\\_Gender.pdf](http://gaatw.org/publications/WP_on_Gender.pdf).

<sup>18</sup> Enabling Access to Justice, p. 16.



and free time. Other vulnerabilities that emanate from the worker's situation include the often intimate relationships with the employer, which can make it difficult to negotiate, as well as enforce of regulations (see also FRA report 2015), and challenges for domestic workers to get information about their rights and mechanisms to enforce them (see more below in answer to Q5).

The isolation of domestic workers, and the lack of recognition of domestic work as work, can also make it challenging to organise with other workers and participate in trade unions and collective bargaining.<sup>19</sup> Furthermore, many trade unions exclude migrant workers, especially undocumented migrants, while in some countries migrants are not even allowed to form or join unions.<sup>20</sup>

### **Access to justice/impunity of perpetrators:**

Undocumented workers, including undocumented domestic workers, face insurmountable barriers to accessing justice. Seeking assistance from police, labour or other authorities brings a high risk of detection and deportation. Migration law enforcement is often prioritised over labour law enforcement, resulting in joint inspections or responsibilities on labour inspectors to check immigration status and report undocumented workers to immigration authorities. This makes complaints and redress mechanisms ineffective, as the worker risks penalties for irregular work, employer retaliation, arrest, detention and deportation as a result of engaging with labour authorities, and very limited chances of recuperating unpaid wages and compensation.

Additionally, free legal aid is usually denied and it can be difficult to prove the working relationship and substandard or exploitative conditions of employment. Further, partaking in labour law proceedings can be difficult when residing irregularly, due to precarious living and working conditions and risks of deportation prior to or during proceedings. Such structural barriers prevent migrant domestic workers from pursuing legal remedies and contributes to a culture of impunity among perpetrators.

While there have been some advancements in protection and support to identified trafficked persons, access to meaningful support and justice (including access to secure residence status and compensation as relevant), is still difficult. The threshold for recognition of trafficking is high, and the challenges to produce evidence facing all undocumented and precarious workers remain. In some countries, for example Hong Kong, there is also a limited definition of trafficking as related to the sex sector, or limited enforcement, making it impossible or difficult for victims of trafficking for labour exploitation to be recognised and access protection and support as trafficked persons.

The right of victims of crime to compensation is internationally recognised and well established in EU legislation, however, many barriers remain for victims of crime, including trafficked persons, that prevent them from accessing this right. Evidence obtained from NGO research<sup>21</sup> shows that very few victims seek compensation and even fewer receive a compensation payment. Obstacles include lack of awareness among police and the judicial system, lack of access to legal aid and adequate information for victims, the postponement of

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<sup>11</sup> See General Recommendation No. 26, "*Recommendation on Women Migrant Workers*", Committee on the Convention on the Elimination of All Forms of Discrimination Against Women, available at: [http://www2.ohchr.org/english/bodies/cedaw/docs/GR\\_26\\_on\\_women\\_migrant\\_workers\\_en.pdf](http://www2.ohchr.org/english/bodies/cedaw/docs/GR_26_on_women_migrant_workers_en.pdf).

<sup>20</sup> GAATW, "*Beyond Borders: Exploring the Links between Trafficking and Labour*", GAATW, Bangkok, 2010, available at: [http://gaatw.org/publications/WP\\_on\\_Labour.pdf](http://gaatw.org/publications/WP_on_Labour.pdf), p. 19.

<sup>21</sup> La Strada International and Anti-Slavery International, "*Findings and Results of the European Action for Compensation for Trafficked Persons*", LSI and ASI, Amsterdam, 2012, available at: <http://lastradainternational.org/Isidocs/Findings%20and%20results%20of%20Comp.Act.pdf>

trials and long duration of criminal and civil proceedings and return or deportation to their country of origin before a verdict is reached.

Further even when compensation is granted, victims rarely have the means to ensure a compensation order is actually enforced, so that they receive some payment. Another barrier for victims obtaining compensation is that the perpetrators are not found, or are not prosecuted, or have moved their assets abroad and/or have declared themselves bankrupt to avoid confiscation of their assets and having to pay compensation.

For different reasons victims of domestic servitude can also have no access to existing state compensation funds. Lack of residence status, lack of information, lack of means and lack of access to legal aid prevent many victims from claiming their rights, including the right to compensation.

Another issue of concern is when employers have diplomatic immunity, which results in a huge protection and prosecution gap. Diplomatic agents who breach the host country's law cannot be arrested, detained or prosecuted, unless there is a waiver of immunity. Their residences and private vehicles are inviolable and cannot be entered or searched. The recourse of and the assistance to a private domestic worker who is being abused or exploited by a diplomatic agent employer is significantly circumscribed. In some countries, the lack of prosecution hampers the access to assistance measures offered by the state, in particular when such support is conditional on the victim's participation in criminal proceedings. Although private domestic workers have limited legal redress, inroads have been made, such that it can no longer be said that diplomatic personnel enjoy impunity.<sup>22</sup>

For more information on the issue of impunity of diplomatic agents, please see the submission of Ban-Ying and LEFÖ-IBF.

For more details on access to justice and remedies, see the submission by the Global Alliance Against Traffic in Women to the UN Special Rapporteur's report on access to justice and remedies for victims of contemporary forms of slavery<sup>23</sup>. For more details on access to justice and remedies in India and Hong Kong specifically, see the submission of Srijan Foundation and Justice Centre Hong Kong.

#### **Question 4**

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

Migrant women and girls are often subject to gender-based violence, discrimination, threats and abuse. Violations of labour rights, such as under-payment or non-payment of wages, long working hours, limited rest periods, poor working and living conditions and confiscation of identity documents and psychological and physical threats and violent acts, including sexual violence, are no exception. Especially in cases of undocumented migrants, they are usually insurmountable barriers to access to justice, including compensation and conviction of the perpetrator(s) (i.e. the employer). The lack of possibilities for redress itself becomes part of the violence in some cases, for example, with the perpetrator flaunting the risks of deportation should the woman go to the authorities, and threatening to have the woman deported. Restrictions on access to essential services for undocumented migrants, including

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<sup>22</sup> Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings – Handbook: How to prevent human trafficking for domestic servitude in diplomatic households and protect private domestic workers (2014)

<sup>23</sup> Available at: <http://www.gaatw.org/UNAdvocacy/Submission%20to%20UN%20SR%20Slavery%20on%20AccessToJustice-GAATW.pdf>.

emergency shelters and violence against women services, compound the dependency and lack of options for women to exit situations of violence and exploitation.

For example, in Hong Kong, Justice Centre's research found that threats by employers included wage deductions, the confiscation of mobile phones, cutting off access to the household phones and the internet, yelling, screaming, calling them with degrading language, withholding food, the confiscation of passports. Respondents also reported sexual abuse, restricted freedom of movement outside of the house, not getting enough to eat, not being allowed to take her shower inside the house, being told to wear a certain kind of clothes (see submission by Justice Centre Hong Kong). This situation bears many similarities to the experiences of migrant domestic workers in situations of exploitation, globally.

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

Additional human rights violations include:

- Exposure to discrimination including on basis of nationality and religion.
- Exposure to violence (all forms of violence, including psychological, physical, sexual, financial, etc.)
- Inadequate housing, lack of privacy.
- Risks of homelessness, in particular for live-in workers.
- Lack of access to health services including reproductive health services, services for chronic conditions, etc. and in cases of workplace accidents.
- Lack of access to public social services, including portability and transfer of social security across countries.
- Limitations on freedom of movement.

### **Question 5**

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

The main barrier faced by migrant women and girls when seeking protection against human rights violations is the absence of safe reporting, due to the lack of a "firewall" – a separation between immigration enforcement activities and the access to services, protection and justice, including from police and labour authorities. Hence, when they recourse to services such as healthcare, or file a complaint against their employer, migrant women and girls risk deportation and therefore often refrain from seeking help. Considering that, according to international and European standards, such services and mechanisms should be at anyone's disposal regardless of status, this implies grave violations of human rights.

Further, the lack of official proof of employment, agreed payment and/or working hours makes it very difficult to file a comprehensive complaint or have a strong case in front of a labour court.

Additionally, there are challenges for migrant women and girls to receive information, be well informed, and act on their rights as domestic workers, which limit their engagement with available protection mechanisms and services.

GAATW partners in destination countries of West Asia shared that migrant workers 'did not know their rights' and thus did not know where to seek help. However, they acknowledged that little effort is put into informing migrant workers of their rights. Partners in origin

countries of South Asia shared frustration with government pre-departure orientations and trainings for their failure to properly prepare migrant workers. They described the trainings as poorly designed, underfunded, and easy to avoid. They believed that the training programmes are not practical and do not inform migrant workers about rights at work, how to assert one's rights with employers, and where to go if rights are violated. Also, many of these programmes are not country-specific and so do not ensure trainees will have locally relevant information.

Partners in Nepal and Bangladesh both reported examples where recruitment agencies gave migrant workers fake training certificates or sent them to incomplete programmes. Bangladeshi domestic workers shared that none of them had gone to a full pre-departure training programme as required by law and that they did not know of many women who had received a full training. As a result, the only source they knew of to seek information once they were in Kuwait was the Bangladeshi embassy, and many further shared that they were not sure what their rights were regarding duration of contract, salary, weekly time off or daily hours so they would try to accept whatever their employers required of them.

In the destination country, embassies often have very limited information about rights and responsibilities in the country. Destination country governments rarely conduct outreach to new migrant worker arrivals to explain the system to them, and where to go if they are in distress.<sup>24</sup> Further the isolated living and working conditions of domestic workers as well as their reality of discrimination, threats and abuse often does not allow for any such information to reach domestic workers and to be acted upon (please see below and the submission from Ban Ying and LEFÖ-IBF for details of the work of Ban Ying and LEFÖ-IBF to address this).

### **Question 6**

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

### **Question 7**

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

The importance of agency and organising for informal sector workers, such as domestic workers, cannot be emphasised enough. By organising, workers can collectively influence their own working conditions and access to public services. They can lobby for recognition of their rights. They can address common needs such as capital or credit, which would be difficult to achieve individually without loan sharks or other risky sources. Organising informal workers is also important because it opens up new sources from which workers can access information, and it helps to build a unified voice, and a sense of identity and self-worth. As such, informal organising can decrease the number of risks that informal sector workers are facing and thus decrease their vulnerability.

In 2016 GAATW held a private focus group with the Bangladeshi domestic workers in Amman with the support of Solidarity Center. The participating women shared the importance of connecting in the Bangladeshi community for mutual support and learning. They shared

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<sup>24</sup> GAATW, *Enabling Access to Justice*, pp. 43-44.

stories of domestic workers overcoming their isolation and seeking assistance through creative ways. For example, one woman shared a story of a domestic worker who asked for help to leave her exploitative employer by dropping notes written in Bangla from her employer's balcony, hoping other domestic workers in the neighbouring apartments would find it and offer information or help. Other participants shared similar stories of secretly speaking between balconies while washing clothes when they didn't have mobile phones or the freedom to meet in communal areas.<sup>25</sup>

International organizations and Belgian trade unions (the CNE, the LBC and SETCa-BBTK) have been working together to respond to abusive situations in diplomatic missions. Established at the end of 2011, the inter-trade union of diplomatic workers and international organizations set themselves the primary objective of creating a forum to defend these workers. The website of the inter-trade union of diplomatic workers and international organizations in Belgium is available here.

Also as a result of OSCE work on human trafficking, several European OSCE countries now interview workers upon arrival when they get their visa etc. Additionally, some countries work together with civil society organisations and use the annual work permit renewal as an opportunity to provide domestic workers with information and identify cases of exploitation and human trafficking. While strong barriers remain to communication of what is actually taking place within the households, such mechanisms are important. For example, in Germany, domestic workers present themselves personally once a year at the Federal Foreign Office/MFA, for an interview upon renewal of the protocol ID/Legitimationskarte. On this occasion, the German Foreign Office is provided with proof of the employment's proper payment of wages through bank statements. There is also a yearly information seminar that all domestic workers registered in Germany are requested to attend. During these events at the Federal Foreign Office, Ban Ying presents their rights, hands out information material and informal conversations can lead to further counselling. Similarly, in Austria, a yearly information seminar takes place where all registered domestic workers with diplomats receive a non-binding invitation.

For more information, see the submission by Ban-Ying and LEFÖ-IBF.

For more good practice from civil society organisations, please see Question 9 below.

### **Question 8**

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

See answers to previous questions regarding challenges to access justice.

### **Question 9**

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

Please find below a few examples of our member organisation and their projects delivered to ensure protection and access to justice for undocumented domestic and care workers;

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<sup>25</sup> See: GAATW, Enabling Access to Justice, p. 38.

- **Ireland - Migrants Rights Centre in Ireland (MRCI) and the Domestic Workers Action Group (DWAG)**

In response to the large number of domestic workers contacting MRCI with cases concerning the exploitation and poor working conditions of migrant domestic workers, in 2003, the Domestic Workers Action Group (DWAG) was established with the goal to affect positive policy change in respect to enhancing the terms and conditions of domestic work as a sector in Ireland. A long-term goal of the group is to establish a Joint Labour Committee for domestic work, which would regulate and set minimum rates of pay and standards in the sector. The group has developed a framework, but there are challenges in finding employer bodies to negotiate this tripartite agreement.

The DWAG is a group formed by migrant women employed as domestic workers who started a campaign to improve migrant domestic workers' rights and working conditions in this sector. In 2007, the group initiated a process to develop protections for domestic workers in Ireland. This process involved MRCI, DWAG, Irish Congress of Trade Unions (ICTU) and the Services, Industrial, Professional and Technical Union (SIPTU). In conjunction with the Labour Congress and SIPTU, a code of practice was developed to reflect the lived reality of migrant domestic workers in Ireland. The code is a voluntary set of recommendations that promotes best practice for employing persons in the private home sector. Although not legally binding, the code is evidence of migrant domestic workers engaging at policy level in processes that directly impact on their lives. Another success has been to secure access of labour inspectors to private households that employ domestic workers through a clause in the work permit. Workers can request an inspection.

- **Czech Republic - Equal opportunities on the threshold of Czech homes**

Even though paid domestic work is formally considered a job in the Czech Republic and therefore falls under the labour legislation, domestic workers still face numerous practical barriers for their labour rights to be recognised on an equal basis as workers employed in other sectors.

With the aims of reducing the vulnerability of undocumented migrant women employed as domestic workers and raising public awareness about migrant domestic workers in the Czech Republic, the Association for Integration and Migration (NGO), People in Need, Migration Awareness Programme (NGO), the Economics Institute of the Academy of Sciences of the Czech Republic (Academics) and the advertising agency Ogilvy & Mather launched the project "Equal opportunities on the threshold of Czech homes". The project monitored and analysed the real situation and obstacles migrant domestic workers face through quantitative research, and addressed the issue of underpaid work and other inequalities experienced by migrant workers through the provision of social and legal aid services. The project is also listed as a good practice in the field of gender equality by the European Institute of Gender Equality (EIGE).<sup>26</sup>

- **Germany – Ban Ying**

Ban Ying aims to inform domestic workers, with a focus on consular and embassy households, about their rights. They reach isolated domestic workers by using posters that look like advertisements from countries of origin (for example, for phones/ call time) written in common languages of domestic workers (e.g. Filipino, Chinese, Thai), informing them where to seek confidential advice. Posters were driven around on scooters, as well as distributed in "diplomatic neighbourhoods" (where many consular and embassy households are located).

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<sup>26</sup> <http://eige.europa.eu/gender-mainstreaming/good-practices/czech-republic/equal-opportunities-threshold-czech-households>

Additionally, they work with the German Federal Foreign Office to oversee the situation of domestic workers in diplomatic households (see above). In case of exploitation/trafficking, Ban Ying supports domestic workers in the following ways; legal and social counselling, accommodation in protection shelters (if needed), preparation and support of out-of-court settlements/mediations with employers in the Foreign Office in applicable, and if required and agreed to, external communication of cases.

- **Belgium – FAIRWORK Belgium domestic workers’ group**

When FAIRWORK Belgium (at the time OR.C.A.) opened a helpdesk for undocumented migrant workers who had become victim of labour exploitation and labour accidents, it became clear that one group of workers was particular vulnerable; the domestic workers. They are isolated and not informed of their labour rights. For this reason, in 2010 FAIRWORK Belgium created an empowerment project for these workers. On Sunday afternoons, they organise French lessons in Brussels for domestic workers, during and after which they provide them with information about their labour rights. Another group of domestic workers that came into our focus were young women who reside in Belgium as au pairs, but in reality are exploited as domestic workers. Due to the contact with this group, the forms of labour exploitation they are victim of came into focus. FAIRWORK Belgium has also contacted politicians and other relevant partners such as media to come and talk with this group of workers.

If a worker wants to file a complaint FAIRWORK Belgium assists them during the procedure. This means assistance to file a complaint, contact with the labour prosecutor, assistance before the labour court and help in claiming back wages.

They also provide proposals for structural change in law and practice so that labour rights of (un)documented migrant domestic workers can be put in practice.

- **Austria – LEFÖ-IBF**

LEFÖ-IBF – Center for Trafficked Women, is an Austrian NGO with the mandate of identifying, counselling, accompanying and supporting female victims of human trafficking. LEFÖ-IBF also supports domestic workers who are not are not victims of human trafficking but labour exploitation, or not working under the Legitimationskarte scheme with a referral to the Chamber of Labour, Labour Unions and other organizations. For domestic workers in diplomatic households, LEFÖ-IBF can support with legal and social counselling, accommodation in shelters with high protection standards, if applicable, preparation and support of out-of-court settlements/mediations with employers in the Foreign Office, if required and agreed to, legal accompaniment for criminal procedures against perpetrators.

LEFÖ-IBF also regularly organizes trainings for officials in state institutions to raise awareness and educate. Additionally, monthly sessions are organized to support students researching the issue of human trafficking, and informative flyers for domestic workers are produced and translated into 10 languages for dissemination at different meetings to reach the target audience.

- **GAATW**

Most of GAATW’s current and past projects aim to address the needs of women workers, most of whom are (migrant) domestic workers. From 2015 to 2017 GAATW worked with partners from three source countries (India, Bangladesh and Nepal) and three destination countries (Kuwait, Jordan and Lebanon) to document the experiences with access to justice of exploited and abused migrant workers, the majority of whom were migrant domestic workers. GAATW

documented the challenges that these women face in accessing justice and the ways in which CSOs support them (see publication *Enabling Access to Justice*, 2017).

From 2014 to 2018 GAATW was a partner in the ILO-led Work in Freedom Programme, whose aim was to ensure safe migration of women from South Asia to West Asia (Middle East). While not all women from South Asia migrate for domestic work, a vast majority of them do. Within this project, GAATW provided training and capacity building for community workers in source communities from which women migrate, on issues related to human trafficking, forced labour and safe migration (see report "Learning with Community Workers").

In 2017-2019 GAATW is working with 11 partners in nine countries (Jordan, Kuwait, Lebanon, India, Nepal, Bangladesh, Cambodia, Indonesia and Thailand) to conduct a feminist participatory action research project among women workers with their experiences of safe and fair migration and work. The partners in Jordan, Kuwait, Lebanon, India and Bangladesh work, to different degrees, with migrant domestic workers in the origin and destination countries, some of whom may be or be at risk of trafficking, forced labour and contemporary forms of slavery. The research will analyse women's experiences with migration and work and GAATW will use this knowledge to advocate on the international level for labour and migration policies that deliver safe and fair working conditions for women workers, including migrant domestic workers.

In 2018-2019 GAATW is also working with different partners in seven countries (Bangladesh, India, Nepal, Sri Lanka, Jordan, Lebanon and Ethiopia) to document women's perceptions and experiences with migration and work in order to build an evidence-base for international, regional and national advocacy. All the partners in this project work primarily with migrant women who work as domestic workers.

- **Justice Centre Hong Kong**

Justice Centre Hong Kong provides legal and psychosocial support for migrant domestic workers who are potential victims of contemporary forms of slavery to seek protection. JHCK is also a founding member of the Civil Society Anti-Human Trafficking Task Force Hong Kong, which seeks to enhance coordination and information sharing on counter-trafficking efforts and to increase the collective protection of victims.

- **Srijan Foundation**

In Jharkhand state, India, Srijan Foundation helped create the Migrant Forum to promote the concept of Safe Migration. The Forum is a collective comprised of migrants, survivors, returnee migrants and migrant's families of the villages. It was formed to provide a platform to the returning migrants and migrant families along with the community to help them understand how to stay safe. The Forum provides returnee migrants and potential migrants with information before their departure, as well as legal aid information to destitute migrants and helps them in registering with an agent and finding a job.

### **Question 10**

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

While reliable estimates on the number of undocumented migrants employed in the domestic sector have not yet been developed, the European Union Fundamental Rights Agency (FRA) noted in 2011 that an estimate could be implied from data on regularisations in Spain and



Italy, according to which about 500,000 irregular third-country nationals employed in domestic work have been regularised in those countries since 2002.<sup>27</sup>

A survey of 500 undocumented migrant workers in Ireland revealed that 30% were employed in private homes as domestic workers, the majority caring for elderly people<sup>28</sup>. The Migrant Right Centre Ireland estimates that there are 20-26,000 undocumented migrants in the country.

According to ILO statistics from 2009,<sup>29</sup> there are approximately 3,000 persons employed by private households in the Czech Republic. Academics estimate that there may be 12% of irregular migrants employed as domestic workers in the Czech Republic.

In Kuwait, Jordan and Lebanon, the largest employment sector for migrant workers is domestic work. In Kuwait, for example, over 90% of households together employ around 600,000 migrant domestic workers. Similarly, in Jordan, 40% of migrant workers are domestic workers or cleaning services, and one organisation estimated that 50,000 registered migrant workers and 30,000 irregular workers are employed in this sector. In Lebanon, domestic workers comprised 75% of the 189,373 work permits issued to foreign workers in 2012. If undocumented migrant domestic workers are included, the number of migrant domestic workers in Lebanon was estimated in 2016 to be around 250,000.

For information developed on the issue of migrant domestic and care workers see:

- *Shared concerns and joint recommendations on migrant domestic and care work*, February 2018 (see [here](#)).
- UNION MigrantNet, ETUC & PICUM, *Trade Unions: Organising and Promoting Undocumented Migrant Workers' Rights* (see [here](#)).
- PICUM, *Undocumented Migrant Workers: Guidelines for developing an effective complaints mechanism in cases of labour exploitation or abuse* (see [here](#)).
- PICUM, *Summary of findings in Belgium and the Czech Republic on the implementation of the Employers' Sanctions Directive* (see [here](#)).
- GAATW, *Enabling Access to Justice" A CSO Perspective on the Challenges of Realising the Rights of South Asian Migrants in the Middle East*, 2017 (see [here](#))
- GAATW, *Au Pair: Challenges to safe migration and decent work*, 2013 (see [here](#))
- GAATW, *More 'Trafficking' Less 'Trafficked': Trafficking for Exploitation Outside the Sex Sector in Europe*, 2011 (see [here](#))
- GAATW, *Learning with Community Workers: Understanding change from the perspective of community workers*, 2018 (see [here](#))
- ILO and GAATW, *No Easy Exit: Migration bans affecting women from Nepal*, 2015 (see [here](#))
- GAATW, *Beyond Borders: Exploring the links between trafficking and gender*, 2010 (see [here](#))
- GAATW, *Beyond Borders: Exploring the links between trafficking and labour*, 2010 (see [here](#))

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27 European Union Agency for Fundamental Rights (FRA), "Migrants in an irregular situation employed in the domestic work: Fundamental rights challenges for the European Union and its Member States", European Union Agency for Fundamental Rights (FRA), July 2011, p.19 (see [here](#)). Note these figures may be higher due to recurring loss of status and temporary regularisation for the same individuals during the large-scale regularisation programmes that occurred periodically during this time.

28 See Migrant Rights Centre Ireland: "[Ireland is Home. An analysis of the current situation of undocumented migrants in Ireland](#)"

29 D. Drbohlav, L. Lachmanová et al., "[Irregular Economic Activities of Migrants in the Czech Republic](#)". Geneva: International Labour Organization, 2009, available at: [www.ilo.org/wcmsp5/groups/public/---ed\\_protect/---protrav/---migrant/documents/publication/wcms\\_178151.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---migrant/documents/publication/wcms_178151.pdf).

- Justice Centre Hong Kong, *Coming Clean: The Prevalence of Forced Labour and Human Trafficking for the Purpose of Forced Labour amongst Migrant Domestic Workers in Hong Kong*, March 2016 (see [here](#))
- Justice Centre Hong Kong, *Refugee-Human Trafficking Nexus Research*, December 2017 (see [here](#))
- Hong Kong Federation of Asian Domestic Workers and Progressive Labour Union of Domestic Workers in Hong Kong, *Between a rock and a hard place: The charging of illegal agency fees to Filipino domestic workers in the Philippines and Hong Kong* October 2016 (see [here](#))
- Mission for Migrant Workers, *Pictures from the Inside: Investigating Living Accommodation of Women Foreign Domestic Workers*, May 2017 (see [here](#))
- ILO, *Worker, helper, auntie, maid? : Working conditions and attitudes experienced by migrant domestic workers in Thailand and Malaysia*, 2016 (see [here](#))
- LEFÖ-IBF, Ban Ying and La Strada, *Czech Republic - Migrant Women and Human Trafficking Handbook for Professionals*, 2016 (see [here](#)).
- MRCI's Domestic Workers Action Group (DWAG) & Rampant Productions, *Acting out for Hope and Change*, 2011.
- Organization for Security and Co-operation in Europe (OSCE), *How to prevent human trafficking for domestic servitude in diplomatic households and protect private domestic workers*, 2014 (see [here](#)).
- Alexandra Ricard -Guay, *Trafficking in domestic work: Looking at the demand-side*, DemandAT Working Paper no. 5, March 2016 (see [here](#)); See also further publications on domestic work from the DemandAT project [here](#).

*Thank you for your cooperation. Please feel free to include any additional pertinent information on access to justice and remedy that you think would help the Special Rapporteur on contemporary forms of slavery, including its causes and consequences.*