**International labour standards relevant to adequate and decent housing accommodation and a suitable living environment for workers and their families**

***ILO submission to the UN Special Rapporteur on the right to adequate housing***

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The workers’ right to adequate housing is understood as central to social justice, recognized in the Declaration of Philadelphia, which is formally annexed to the ILO Constitution (1944): “The Conference recognizes the solemn obligation of the International Labour Organization to further among the nations of the world programmes which will achieve: (i) the provision of adequate nutrition, housing and facilities for recreation and culture.”( [ILO Declaration of Philadelphia](https://www.ilo.org/legacy/english/inwork/cb-policy-guide/declarationofPhiladelphia1944.pdf), Section 3)

* Social policy

[Workers’ Housing Recommendation, 1961 (No. 115)](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:R115)

The [Workers’ Housing Recommendation, 1961 (No. 115)](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:R115) offers guidance on policy, legislation and practice to the State and to the national authorities in charge of housing and offers useful guidance on what is expected from employers who provide housing to their employees, specifying a number of housing standards.[[1]](#footnote-1)

Recommendation No.115 calls for national policy to promote the construction of housing and related community facilities with a view to ensuring that adequate and decent housing accommodation and a suitable living environment are made available to all workers and their families (General Principles, Part II, para.2). It should be an objective of the national policy to ensure the upkeep, improvement and modernisation of housing and to ensure that adequate and decent housing accommodation does not cost the worker more than a reasonable proportion of income (General Principles, Part II, paras.3 and 4).[[2]](#footnote-2)

The competent national authorities should se up a central body with responsibility for assessing housing needs and formulating housing programmes in conformity with sound town, country and regional planning practice and in association with representative employers’ and workers’ organizations, as well as other organizations concerned (General Principles, Part III and IX).

In cases where housing is provided by the employer, the fundamental human rights of the workers, in particular freedom of association should be recognized; the provision by employers of accommodation and communal services in payment for work should be prohibited or regulated to the extent necessary to protect the interests of the workers; and national law and custom should be fully respected on termination of the contract of employment where termination of the lease or occupancy of such housing is required at the same time (General Principles, Part IV, para.12).

Recommendation No.115 states that as a general principle, “the competent authority should, in order to ensure structural safety and reasonable levels of decency, hygiene and comfort, establish minimum housing standards in the light of local conditions and take appropriate measures to enforce these standards” (General Principles, Part VI, para.19). The recommendation provides detailed housing standards, including minimum room sizes; the supply of safe water in the workers' dwelling; adequate sewage and garbage disposal systems; appropriate protection against heat, cold, damp, noise, fire, and disease-carrying animals, and, in particular, insects; adequate sanitary and washing facilities, ventilation, cooking and storage facilities and natural and artificial lighting; a minimum degree of privacy (Suggestions Concerning Methods of Application , Part II, para.7).

The Committee of Experts draws attention to the Workers’ Housing Recommendation, 1961 (No. 115), which may be of particular relevance to temporary and seasonal migrant workers.[[3]](#footnote-3)

See e.g [Home truths, Access to adequate housing for migrant workers in the ASEAN region](C://Users/porrocheroman/Desktop/Research%20housing/Home%20truths.pdf) Malaysia (3.1); Singapore (3.2); Thailand (3.3).

[Social Policy (Basic Aims and Standards) Convention, 1962 (No. 117)](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C117), Articles 5.2 and 11.7

Guatemala, [Direct Request (2019)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4022243,102667,Guatemala,2019), Spain: [Observation (2019)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4021968,102847,Spain,2019), Ecuador: [Direct Request (2019)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4012541,102616,Ecuador,2019), Nicaragua: [Observation (2019)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4022235,102780,Nicaragua,2019), Panama: [Direct Request (2019)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4022523,102792,Panama,2019), Paraguay: [Observation (2019)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4021711,102796,Paraguay,2019), Senegal: [Direct Request (2019)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4002366,103013,Senegal,2019)

Nicaragua, [Individual Case (CAS)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4000339,102780,Nicaragua,2019) (2019)

The [Social Policy (Basic Aims and Standards) Convention, 1962 (No. 117)](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C117)requires that all policies must be primarily directed to the well-being and development of the population and “in ascertaining the minimum standards of living, account shall be taken of such essential family needs of the workers as food and its nutritive value, housing, clothing, medical care and education” (Article 5(2)). Moreover, “where food, housing, clothing and other essential supplies and services form part of remuneration, all practicable steps shall be taken by the competent authority to ensure that they are adequate and their cash value properly assessed” (Article 11 (7)).

In *Guatemala*, the Committee requested the Government to provide information on whether account has been taken of “such family needs of the workers as, food and its nutritive value, housing, clothing, medical care and education in “ascertaining the minimum standards of living”.[[4]](#footnote-4) In *Spain*,the Committee requested the Government to take the necessary steps to ensure that measures take account of such essential family needs of the workers as food and its nutritive value, housing, clothing, medical care and education.[[5]](#footnote-5) See also *Ecuador*,[[6]](#footnote-6) *Nicaragua*,[[7]](#footnote-7) *Panama*,[[8]](#footnote-8) *Paraguay*,[[9]](#footnote-9) Senegal[[10]](#footnote-10).

See also : [Individual Case (CAS)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4000339,102780,Nicaragua,2019) - Discussion: 2019, Publication: 108th ILC session (2019) - [*Social Policy (Basic Aims and Standards) Convention, 1962 (No. 117)*](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312262:NO)*- Nicaragua*

* Wages

[Minimum Wage Fixing Convention, 1970 (No. 131)](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C131), Article 3

[Protection of Wages Convention, 1949 (No. 95)](https://www.ilo.org/dyn/normlex/en/f?p=1000:12100:::NO:12100:P12100_INSTRUMENT_ID:312240), Article 4(2)

Côte d’Ivoire, [Direct Request (2019)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4012419,103023,C%C3%B4te%20d%27Ivoire,2019) ; Malaysia, [Direct Request (2018)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3963086,102960,Malaysia,2018)

Bolivia, [Individual Case (CAS)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4000024,102567,Bolivia%20(Plurinational%20State%20of),2019) (2019)

The [Minimum Wage Fixing Convention, 1970 (No. 131)](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C131)does not contain a specific definition of the minimum wage, and does not enumerate its components, neither enumerates the type of needs that minimum wages should satisfy. However, Convention No. 131 states the elements to be taken into consideration in determining the level of minimum wages, which include, so far as possible and appropriate in relation to national practice and conditions, the needs of workers and their families, taking into account the general level of wages in the country, the cost of living, social security benefits, and the relative living standards of other social groups (article 3). In this regard, the Committee has recalled that in several countries campaigns have been launched for a living wage which should enable workers not only to satisfy their basic needs, such as food and housing, but also to participate in social and cultural life.[[11]](#footnote-11)

Since 2018, the ILO has been supporting the Government of *Qatar* in adopting a comprehensive and ambitious package of labour reforms. A non-discriminatory minimum wage came into force in March 2021, and 280,000 workers, or 13% of the workforce, saw their basic wage rise. The law includes minimum thresholds for basic wage, food and accommodation, totalling QR 1,800 or USD 500. In addition, a Minimum Wage Commission was established to monitor its impact.[[12]](#footnote-12)

[Individual Case (CAS)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4000024,102567,Bolivia%20(Plurinational%20State%20of),2019) - Discussion: 2019, Publication: 108th ILC session (2019) Minimum Wage Fixing Convention, 1970 (No. 131) – *Bolivia***:** “The Committee of Experts emphasized in Chapter I that the concept of living wage takes into account more than the satisfaction of food, housing and clothing needs, and includes the possibility of participating in the country’s social and cultural life.”

Workers frequently receive part of their remuneration “in kind” and for instance, housing.

There are differences in the law and practice of member States on whether or not benefits in kind, such as housing provided by the employer, are to be included in the calculation of the minimum wage. In some countries, only money wages are included in the minimum wage (e.g the amounts provided by the employer for housing or food can only be deducted from wages above the level of the minimum wage). The laws of other States consider benefits in kind as part of wages (e.g the minimum wage includes benefits in kind to which employees are entitled arising out of their work, within certain limits set by law or the valuation of such benefits shall be fair and reasonable for the application of the minimum wage).[[13]](#footnote-13)

The [Protection of Wages Convention, 1949 (No. 95)](https://www.ilo.org/dyn/normlex/en/f?p=1000:12100:::NO:12100:P12100_INSTRUMENT_ID:312240) states that, in cases in which partial payment of wages in the form of allowances in kind is authorised, appropriate measures shall be taken to ensure that: (a) such allowances are appropriate for the personal use and benefit of the worker and his family; and (b) the value attributed to such allowances is fair and reasonable (Article 4(2)). In addition, deductions from wages shall be permitted only under conditions and to the extent prescribed by national laws or regulations or fixed by collective agreement or arbitration award; workers shall be informed, in the manner deemed most appropriate by the competent authority, of the conditions under which and the extent to which such deductions may be made (article 8).

In *Côte d’Ivoire*, under the provisions of the Labour Code, benefits in kind are included in the definition of wages, and in particular, housing and food supplies provided by the employer are part of the wage. The Committee requested the Government to provide information on the measures taken to ensure that the payment of wages in kind may only be partial and that: (a) such allowances are appropriate for the personal use and benefit of the worker and his or her family; and (b) the value attributed to such allowances is fair and reasonable.[[14]](#footnote-14)

In *Malaysia*, the Committee noted that hat section 116(1) of the Labour Ordinance of Sabah (Cap. 67), as amended in 2005, allows for accommodation, food, fuel, light, water, medical attendance or other services, as may have been previously approved by the Director of Labour, to be provided in addition to cash wages. In accordance with section 113(5) of the same Ordinance, however, the Director of Labour may not permit any deduction from wages in terms of accommodation, food and meals unless she/he is satisfied that the provision of these services is for the benefit of the employee. The Committee observed that there might be the need to verify that the in-kind benefits in question are also fairly and reasonably priced and suggested that the Government should consider some legislation action in this respect. The Government indicated that to date there have been no cases in which the Director of Labour considered an application for partial payment of wages in the form of in-kind benefits.[[15]](#footnote-15)

See e.g. salary deductions in Malaysia, Singapore and Thailand: [Home truths, Access to adequate housing for migrant workers in the ASEAN region](C://Users/porrocheroman/Desktop/Research%20housing/Home%20truths.pdf) (5.3.3).

* Labour inspection

[Labour Inspection Convention, 1947 (No. 81)](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C081), Article 12(1)(b) and (2)

[Labour Inspection (Agriculture) Convention, 1969 (No. 129)](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312274:NO), Article 6(2)

Mauritius, [Observation (2021)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4115853,103106,Mauritius,2021).

Qatar, [Individual Case (CAS)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3175043,103429,Qatar,2014) (2014)

When the professional activities of certain workers require employers to take charge of their living conditions, or certain aspects of them, national legislation may contain provisions on the employers obligations in this regard, and in some cases it is the labour inspectorates that are responsible for enforcement of these provisions.[[16]](#footnote-16)

The [Labour Inspection Convention, 1947 (No. 81)](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C081) states that labour inspector shall be empowered to enter by day any premises which they may have reasonable cause to believe to be liable to inspection; on the occasion of an inspection visit, inspectors shall notify the employer or his representative of their presence, unless they consider that such a notification may be prejudicial to the performance of their duties (Article 12(1)(b) and (2)).

In *Mauritius*, the Occupational Safety and Health Act (Employees’ Lodging Accommodation) Regulations require prior notification to carry out inspection in employees’ lodging accommodation. Pursuant to *Article 12(1)(b)*and *(2)*of Convention No. 81 on labour inspection, labour inspectors provided with proper credentials shall be empowered to enter by day any premises which they may have reasonable cause to believe to be liable to inspection. The Committee requested the Government to take the necessary measures to amend the relevant provisions of these regulations to achieve full conformity with Article 12 of the Convention.[[17]](#footnote-17)

See also : [Individual Case (CAS)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3175043,103429,Qatar,2014) - Discussion: 2014, Publication: 103rd ILC session (2014) - [*Labour Inspection Convention, 1947 (No. 81)*](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312226:NO)*- Qatar*

Workers in agriculture and their families often have to live on the agricultural production site. Family members of agricultural workers are often involved in agricultural work as well, without remuneration. In view of this, Article 6, paragraph 2, of [Labour Inspection (Agriculture) Convention, 1969 (No. 129)](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312274:NO) provides that national laws or regulations may give labour inspectors advisory or enforcement functions regarding legal provisions relating to conditions of life of workers and their families.[[18]](#footnote-18)

* Equality of opportunity and treatment

[Violence and Harassment Convention, 2019 (No. 190)](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C190), Article 3

The [Violence and Harassment Convention, 2019 (No. 190)](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C190) applies to violence and harassment in the world of work occurring in the course of, linked with or arising out of work, including in employer-provided accommodation (Article 3).

Where housing is provided by the employer, employers shall take appropriate steps to prevent violence and harassment in accommodation (or during the commute) – for example, by ensuring housing is included in their workplace risk assessment.[[19]](#footnote-19)

See: [Home truths, Access to adequate housing for migrant workers in the ASEAN region](C://Users/porrocheroman/Desktop/Research%20housing/Home%20truths.pdf), 2022, 5.10.2.2.

* Migrant workers

[Migration for Employment Convention (Revised), 1949 (No. 97)](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::p12100_instrument_id:312242), Article 6.1(a)(iii)

[Migrant Workers Recommendation, 1975 (No. 151)](https://www.ilo.org/dyn/normlex/en/f?p=1000:12100:::NO:12100:P12100_INSTRUMENT_ID:312489), Articles 2(i), 13(2), 16, and 24(b)

[Migration for Employment Recommendation (Revised), 1949 (No. 86)](https://www.ilo.org/dyn/normlex/en/f?p=1000:12100:::NO:12100:P12100_INSTRUMENT_ID:312424), Annex Article 20

[Protection of Migrant Workers (Underdeveloped Countries) Recommendation](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:55:0:::55:P55_TYPE,P55_LANG,P55_DOCUMENT,P55_NODE:REC,en,R100,/Document), 1955 (No. 100), Part IV, para.21-22; Part V, para.52(2)(c)

Slovenia, [Direct Request (2021)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P13100_COUNTRY_ID:4123177,103533) and [Direct Request (2019)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4019446,103533,Slovenia,2019); Spain, [Direct Request (2018)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3958858,102847,Spain,2018); France [Direct Request (2017)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3338967,102632,France,2017); Netherlands, [Direct Request (2019)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4021928,102768,Netherlands,2019); Malaysia-Sabah, [Observation (2018)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3962669,103586,Malaysia%20-%20Sabah,2018); China - Hong Kong Special Administrative Region, [Direct Request (2019)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4004493,103578,China%20-%20Hong%20Kong%20Special%20Administrative%20Region,2019)

The [Migration for Employment Convention (Revised), 1949 (No. 97)](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::p12100_instrument_id:312242) and the [Migrant Workers Recommendation, 1975 (No. 151)](https://www.ilo.org/dyn/normlex/en/f?p=1000:12100:::NO:12100:P12100_INSTRUMENT_ID:312489) state that migrant workers should enjoy effective equality of opportunity and treatment with nationals in respect of accommodation or housing (C.97, Article 6.1(a)(iii); R.151, Equality of Opportunity and Treatment, para. 2(i)).

In addition, Recommendation No. 151 provides that a prerequisite for the reunification of families should be that the worker has, for his family, appropriate accommodation which meets the standards normally applicable to nationals of the country of employment (Social Policy, Part A, para. 13(2)). With a view to facilitating the reunification of families as quickly as possible, each Member should take full account of the needs of migrant workers and their families in particular in its policy regarding the construction of family housing, assistance in obtaining this housing and the development of appropriate reception services (Social Policy, Part A, para.16). Moreover, social services should be provided to help migrant workers and their families to comply with administrative and other formalities (Social Policy, Part C, para.24(b)).

The CEACR considers that the provisions on access to housing maintain their relevance for seasonal and temporary workers and live-in domestic workers. The Committee has noted the vulnerability of agricultural workers, especially when living at their workplaces, and emphasized the crucial role of the labour inspectorate in rural areas.[[20]](#footnote-20) The Committee noted that in a number of countries, housing is the responsibility of the employer, in particular for certain categories of workers in the domestic service, agriculture or construction.[[21]](#footnote-21)

The Committee has addressed the housing conditions of migrant workers and unequal treatment with nationals in this respect in a number of countries.

In *France*, the Committee has welcomed a Decision of the Supreme Administrative Court of France repealing legislative provisions imposing a two-year residence requirement to certain categories of foreigners to benefit from the enforceable right to decent housing. The Court ruled that the decree was not in conformity with the Convention, and had ignored the equality principle by excluding temporary short-term residence permit holders from the enforceable right to housing.[[22]](#footnote-22)

In *Slovenia*, the Committee requested the Government to continue to provide information on the violations concerning the accommodations of migrant workers and to indicate the sanctions and remedial measures applied.[[23]](#footnote-23) In *Spain*, the Committee requested the Government to provide information on the application of the “State housing plan 2018–21” to migrant workers and on any cases where section 13 of Basic Act No. 4/2000 has been applied that have involved differences of treatment between foreign workers who are long-term residents and other workers with respect to housing.[[24]](#footnote-24) In *France*, the Committee recalled the housing problems experienced by the immigrant population and requested the Government to provide detailed information on the various measures taken or envisaged to ensure that, in practice, migrant workers are not treated less favourably than nationals in terms of access to housing.[[25]](#footnote-25) In *Netherlands*, the Committee noted the Government’s efforts to limit the deductions of housing from the wages of migrant workers, and noted in particular, that deductions for housing costs are not authorized when the employer is responsible for providing housing to the workers; it requestedthe Government to provide information on the price-fixing for the rental of accommodation to migrant workers, as well as on the activities of the foundations and the labour inspectorate to enforce the minimum standards for the accommodation of foreign workers.[[26]](#footnote-26) In *Malaysia – Sabah*, the Committee noted that deductions for costs of accommodation are not allowed if it is agreed that the employer has the obligation to provide free accommodation to the employees.[[27]](#footnote-27) In *China-Hong Kong Special Administrative Region*, the Committee noted the measures in place to combat the provision of substandard accommodation to Foreign Domestic Helpers (FDHs) and requested the Government to provide detailed information on the number of inspections of FDHs’ accommodations actually conducted, the number of complaints received on substandard accommodations, and the follow-up given to these inspections and complaints.[[28]](#footnote-28)

[Migration for Employment Recommendation (Revised), 1949 (No. 86)](https://www.ilo.org/dyn/normlex/en/f?p=1000:12100:::NO:12100:P12100_INSTRUMENT_ID:312424) states in its Article 20 that the competent authority of the territory of immigration shall ensure that migrants *and the members of their families* have hygienic and suitable housing, in so far as the necessary housing is available.

See also : [Protection of Migrant Workers (Underdeveloped Countries) Recommendation, 1955 (No. 100)](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:55:0:::55:P55_TYPE,P55_LANG,P55_DOCUMENT,P55_NODE:REC,en,R100,/Document), Part IV, para.21-22; Part V, para.52(2)(c).

* Domestic workers

[Domestic Workers Convention, 2011 (No. 189)](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C189), Articles 6 and 7(h)

[Domestic Workers Recommendation, 2011 (No. 201)](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:::NO:12100:P12100_ILO_CODE:R201:NO), Articles 5.2, 6.2(f), 14(c–d), and 17–18

Ireland, [Direct Request (2020)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4059625,102901,Ireland,2020); Paraguay, [Direct Request (2019)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4012647,102796,Paraguay,2019); Ecuador, [Direct Request (2020)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4059654,102616,Ecuador,2020); Colombia, [Observation (2019)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3996089,102595,Colombia,2019); Mauritius, [Direct Request (2019)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3996097,103106,Mauritius,2019); Argentina, [Direct Request (2019)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4021327,102536,Argentina,2019)

Live-in domestic workers may be subject to restrictions on leaving their employer’s premises during their rest or leave periods and excessive deductions for accommodation and food provided by the employer. Abuse often includes violence and harassment, to which women migrant domestic workers are particularly vulnerable. Child labour and forced labour are also common in the domestic work sector, particularly in the informal economy.[[29]](#footnote-29)

The purpose of [Domestic Workers Convention, 2011 (No. 189)](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C189) is to promote and guarantee decent work for domestic workers, including when they reside in the household in which they work. Convention No. 189 states that measures should be taken to ensure that domestic workers enjoy fair terms of employment as well as decent working conditions and, if they reside in the household, decent living conditions that respect their privacy (Article 6). In addition, accommodation and food form part of the terms and conditions of employment of which workers must be informed, where possible, through written contracts (Article 7(h)).

The [Domestic Workers Recommendation, 2011 (No. 201)](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:::NO:12100:P12100_ILO_CODE:R201:NO), supplements Convention No. 189 and contains guidelines concerning measures to promote decent work for domestic workers. The terms and conditions of employment should include details of any accommodation provided (para. 6(2)(f)). When provision is made for the payment in kind of a limited proportion of remuneration, Members should consider limiting payments in kind to those clearly appropriate for the personal use and benefit of the domestic worker, such as food and accommodation; and  ensuring that no deduction may be made from the remuneration with respect to that accommodation, unless otherwise agreed to by the worker (para.14(c) and (d)).

Although in-kind payments (normally accommodation and meals) have traditionally been considered part of the remuneration of domestic workers, they can be open to considerable abuse. Loss of monetary compensation when the employer replaces cash wages with goods or services can seriously undermine the capacity of domestic workers to provide for themselves and their families, particularly if the goods are not fairly valued or tailored to the domestic workers’ personal needs. The Committee therefore emphasizes that payments in kind to domestic workers, if any, should only be allowed under strict conditions.[[30]](#footnote-30)

The Committee observes that in some countries employers are prohibited from deducting food and accommodation from the wages of domestic workers (for instance, Brazil, Canada (Quebec), Chile, Côte d’Ivoire, Jamaica, Morocco, Peru and United States (for domestic workers holding A-3 and G-5 visas). In other countries, such deductions are allowed under certain conditions set out in the legislation (such as, requiring the amount of the deduction to be included in the employment contract) (for instance, Bahamas, Canada (Alberta, Manitoba and Nova Scotia), France, Italy, Mali, Montenegro, Mozambique, New Zealand, Senegal, Seychelles, South Africa and Uruguay.[[31]](#footnote-31)

In *Ireland*, the Committee requested the Government to adopt the necessary measures to ensure that, when a domestic worker resides in accommodation provided by the household, no deduction is made from the worker’s remuneration with respect to the accommodation, unless otherwise agreed to by the domestic worker.[[32]](#footnote-32) In *Paraguay*, the Committee requested the Government to adopt the necessary measures with a view to amending section 12 of Act No. 5407 in order to expressly prohibit the deduction of the food and accommodation provided from the wages of domestic workers.[[33]](#footnote-33)

In addition, when regulating the working and living conditions of domestic workers, Members should give special attention to the needs of domestic workers who are under the age of 18 and take measures to protect them (para.5(2)).

When accommodation and food are provided by the employer, the accommodation should be safe and healthy and protect the worker’s privacy, and the food provided should be of good quality and sufficient quantity.[[34]](#footnote-34) Moreover, In the event of termination of employment at the initiative of the employer, for reasons other than serious misconduct, live-in domestic workers should be given a reasonable period of notice and time off during that period to enable them to seek new employment and accommodation (para.18).

Members should consider establishing mechanisms to protect domestic workers from abuse, harassment and violence, such as establishing programmes for the relocation from the household and rehabilitation of domestic workers subjected to abuse, harassment and violence, including the provision of temporary accommodation and health care (para. 7(c)).

The development of safe emergency housing is particularly important when migrant domestic workers are not immediately placed in a household or when their contract terminates before repatriation. Paragraph 21(1)(c) of the Recommendation indicates that Members should consider developing a network of emergency housing for the effective protection of migrant domestic workers. The Committee notes that a number of countries have developed good practices in this respect that could serve as useful guidance for ensuring adequate protection for migrant domestic workers in emergency situations.[[35]](#footnote-35)

In a number of countries, the legislation only establishes the obligation of the employer to provide “adequate” accommodation, without setting any specific requirements. In others, there are no provisions in the national legislation regarding domestic workers’ accommodation.[[36]](#footnote-36)

In *Jordan*, the Domestic Workers Solidarity Network (DWSNJ) and the IDWF point out that no regulation establishes minimum standards of accommodation, or requires employers to provide a certain level of living conditions for domestic workers. Some domestic workers do not have a private room and sleep on a mattress on the kitchen floor or living room. Labour inspectors are not allowed inside the private homes of employers so that, despite the existence of regulations governing domestic workers’ living conditions, no inspections may take place to ensure that these are being implemented.[[37]](#footnote-37)

In *Qatar*, the Bayanihan Domestic Workers Association, together with the IDWF indicate that section 7 of Act No. 15 of 2017 provides that an employer shall be responsible for the provision of suitable housing for the domestic worker. However, section 7 does not provide further specifics establishing what may be considered as “suitable” housing. The domestic workers’ organizations report that they have received complaints of domestic workers sleeping in the living room, in the kitchen beside the stove, in the children’s room where security cameras are installed, and even in container/storage-like boxes that are not properly insulated against the extreme temperatures in Doha.[[38]](#footnote-38) Act No. 21 of 2015, in section 8(3), prohibits the confiscation of passports and provides for a maximum fine of 25,000 Qatari riyals (US$6,800) in the event of violation. The Government indicates that the worker’s residence permit is now issued in a separate document and not included in the passport. Ministerial Decree No. 18 of 2014 sets out the requirements and specifications of suitable accommodation for migrant workers, which enables them to keep their documents and personal belongings, including passports.[[39]](#footnote-39)

Following labour reforms, a new standard employment contract for domestic workers has been adopted to supplement the protections in the Domestic Workers Law. Awareness raising materials on domestic workers’ rights under the Law have been disseminated, and networks of domestic workers have been established.[[40]](#footnote-40)

In *Ecuador*, further to the observations made by the Association of Paid Household Workers (ATRH), the Committee requested the Government to adopt the necessary measures with a view to ensuring that the accommodation that the employer shall provide to domestic workers under the terms of section 268 of the Labour Code includes at least: a separate, private room that is suitably furnished, adequately ventilated and equipped with a lock; access to suitable private sanitary facilities; adequate lighting; and, as appropriate, heating and air conditioning in keeping with prevailing conditions within the household, in accordance with Paragraph 17(a) to (c) of Recommendation No. 201. The Committee also requested the Government to take the necessary measures to ensure that domestic workers whose employment relationship is being terminated for faults that are not serious have reasonable notice to seek new employment and/or accommodation. Furthermore, it requested the Government to indicate the manner in which it is ensured that domestic workers who reside in the household are not obliged to remain in the household or with household members during the periods of rest recognized in the legislation***.[[41]](#footnote-41)*** See also *Colombia*[[42]](#footnote-42), *Mauritius*[[43]](#footnote-43)*; Argentina[[44]](#footnote-44).*

* Seafarers and fishers

[Maritime Labour Convention (MLC), 2006](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:91:0::::P91_SECTION:MLCA_AMEND_A3), Title 3

Bahamas, [Direct Request (2021)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4123096,103215,Bahamas,2021); Chile, [Direct Request (2021)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4124454,102588,Chile,2021) ; Congo, [Direct Request (2021)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4125582,103376,Congo,2021); Croatia. [Direct Request (2021)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4116708,102700,Croatia,2021); Bermuda, [Direct Request (2021)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4124425,103636,Bermuda,2021); Ghana, [Direct Request (2021)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4125588,103231,Ghana,2021); Honduras, [Direct Request (2021)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4122961,102675,Honduras,2021); India, [Direct Request (2021)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4125591,102691,India,2021) ; Iran, [Direct Request (2021)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4123474,102800,Iran%20(Islamic%20Republic%20of),2021).

[Work in Fishing Convention, 2007 (No. 188)](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C188), Part V and Annex III

[Work in Fishing Recommendation, 2007 (No. 199)](https://www.ilo.org/dyn/normlex/en/f?p=1000:12100:0::NO::P12100_ILO_CODE:R199#:~:text=4.,5.), Part III

Portugal, [Direct Request (2021)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4125955,102815,Portugal,2021), Thailand, [Direct Request (2021)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4124412,102843,Thailand,2021); New Caledonia, [Direct Request (2021)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4118534,103684,New%20Caledonia,2021); Senegal, [Direct Request (2021)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4123513,103013,Senegal,2021); Angola, [Direct Request (2020)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4061401,102999,Angola,2020); Argentina, [Direct Request (2020)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4061405,102536,Argentina,2020) ; South Africa, [Direct Request (2020)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4062977,102888,South%20Africa,2020) ; Estonia, [Direct Request (2019)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4024031,102620,Estonia,2019) ; France, [Direct Request (2019)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4002312,102632,France,2019) ; Lithuania, [Direct Request (2019)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4023860,102752,Lithuania,2019) ; Morocco, [Direct Request (2019)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4024037,102993,Morocco,2019) ; Norway, [Direct Request (2019)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4024480,102785,Norway,2019).

The [Maritime Labour Convention (MLC), 2006, Title 3](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:91:0::::P91_SECTION:MLCA_AMEND_A3), Regulation 3.1 provides detailed guidance on seafarers’ accommodation with the purpose to ensuring that seafarers have decent accommodation and recreational facilities on board: “Each Member shall ensure that ships that fly its flag provide and maintain decent accommodations and recreational facilities for seafarers working or living on board, or both, consistent with promoting the seafarers’ health and well-being”.

Each Member shall adopt laws and regulations requiring that ships that fly its flag: (a) meet minimum standards to ensure that any accommodation for seafarers, working or living on board, or both, is safe, decent and in accordance with the relevant provisions of this Standard; and (b) are inspected to ensure initial and ongoing compliance with those standards (Standard A3.1, para.1).

The MLC 2006 requires that the competent authority pay particular attention to ensuring implementation of the requirements relating to: the size of sleeping rooms and other accommodation spaces, heating and ventilation, noise and vibration and other ambient factors, sanitary and related facilities, lighting and hospital accommodation (Standard A3.1, para.4).

In addition, Guidelines are given for: Design and construction (Guideline B3.1.1), Ventilation (Guideline B3.1.2), Heating (Guideline B3.1.3), Lighting (Guideline B3.1.3). Lighting (Guideline B3.1.4), Sleeping rooms (Guideline B3.1.5), Mess rooms (Guideline B3.1.6), Sanitary accommodation (Guideline B3.1.7), Hospital accommodation (Guideline B3.1.8), Other facilities (Guideline B3.1.9), Bedding, mess utensils (Guideline B3.1.10), Recreational facilities, mail and ship visit arrangements (Guideline B3.1.11), Prevention of noise and vibration (Guideline B3.1.12).

In e.g. *Bahamas*, *Chile*, *Congo*, the Committee requested the Government to indicate the measures taken to implement the provisions of Regulation 3.1 and Standard A3.1.[[45]](#footnote-45) In *Croatia*, issues relating to consultations with the shipowners’ and seafarers’ organizations and inspection were raised by the Committee.[[46]](#footnote-46) See also Bermuda,[[47]](#footnote-47) Ghana,[[48]](#footnote-48) Honduras,[[49]](#footnote-49) India,[[50]](#footnote-50) Iran[[51]](#footnote-51).

The objective of [Work in Fishing Convention, 2007 (No. 188)](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C188) and [Work in Fishing Recommendation, 2007 (No. 199)](https://www.ilo.org/dyn/normlex/en/f?p=1000:12100:0::NO::P12100_ILO_CODE:R199#:~:text=4.,5.) is to ensure that fishers shall have decent conditions of work on board fishing vessels, including with respect to accommodation.

Part V (Articles 25 to 28) of the Convention No. 188 lays down requirements with regard to accommodation and food. Accommodation on board fishing vessels shall be of sufficient size and quality and appropriately equipped for the service of the vessel and the length of time fishers live on board and measures shall address: (a) approval of plans for the construction or modification of fishing vessels in respect of accommodation; (b) maintenance of accommodation and galley spaces with due regard to hygiene and overall safe, healthy and comfortable conditions; (c) ventilation, heating, cooling and lighting; (d) mitigation of excessive noise and vibration; (e) location, size, construction materials, furnishing and equipping of sleeping rooms, mess rooms and other accommodation spaces; (f) sanitary facilities, including toilets and washing facilities, and supply of sufficient hot and cold water; and (g) procedures for responding to complaints concerning accommodation that does not meet the requirements of this Convention (Article. 26). Moreover, accommodation on board fishing vessels must be conform to the specific requirements of Annex III of the Convention.

The Recommendation No. 199 stipulates that, when establishing requirements or guidance, the competent authority should take into account relevant international guidance and work with relevant organizations and agencies to develop and disseminate educational material and on-board information and guidance concerning safe and healthy accommodation. Moreover, inspections of crew accommodation required by the competent authority should be carried out together with initial or periodic surveys or inspections for other purposes (Part III, paras.16-18).

In addition, measures advocated by Recommendation No. 199 in relation to accommodation relate to: design and construction (para.19 to 21), noise and vibration (para 22 and 23), heating (para.24), lighting (para.25), sleeping rooms (para.26 to 28), sanitary accommodation (para.30 to 32), recreational facilities (para.33), food (para.34). In addition, Members should address safety and health in living quarters, to the extent practicable and as appropriate to the conditions in the fishing sector (para.47).

In *Portugal*, the Committee requested the Government to indicate how it ensures that the requirements of Annex III of the Convention apply to all new decked fishing vessels, as defined by the Convention and that, in the case of derogations foreseen in section 1 of the annex of the Decree-Law No. 116/97, the fishers concerned have adequate facilities for resting, eating and sanitation purposes. In addition, it requested the Government to indicate whether the food and water are provided by the fishing vessel owner at no cost to the fisher***.***[[52]](#footnote-52)In *Thailand*, the Committee requested the Government to indicate the measures taken or contemplated to ensure conformity with the various aspects of fishing vessel accommodation mentioned in the provisions of the Convention.[[53]](#footnote-53) Also see New Caledonia,[[54]](#footnote-54) Senegal,[[55]](#footnote-55) Angola,[[56]](#footnote-56) Argentina,[[57]](#footnote-57) South Africa,[[58]](#footnote-58) Estonia,[[59]](#footnote-59) France,[[60]](#footnote-60) Lithuania,[[61]](#footnote-61) Morocco,[[62]](#footnote-62) Norway[[63]](#footnote-63).

* Indigenous and tribal peoples

[Indigenous and Tribal Peoples Convention, 1989 (No. 169)](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:55:0::NO::P55_TYPE,P55_LANG,P55_DOCUMENT,P55_NODE:REV,en,C169,/Document), Articles 16 and 20(2)(c)

Paraguay, [Direct Request (2017)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3341599,102796,Paraguay,2017) ; Chile, [Observation (2018)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3962694,102588,Chile,2018) ; Nicaragua, [Direct Request (2017)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3339850,102780,Nicaragua,2017) ; Brazil, [Direct Request (2015)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3250579,102571,Brazil,2015); Nepal, [Direct Request (2015)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3244381,103197,Nepal,2015); [General Observation (2018)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3996110,,,2018)

Honduras, [Individual Case (CAS)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4111570,102675,Honduras,2021) (2021)

The [Indigenous and Tribal Peoples Convention, 1989 (No. 169)](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:55:0::NO::P55_TYPE,P55_LANG,P55_DOCUMENT,P55_NODE:REV,en,C169,/Document) states that the peoples concerned shall not be removed from the lands which they occupy. Where the relocation of these peoples is considered necessary as an exceptional measure, such relocation shall take place only with their free and informed consent. Whenever possible, these peoples shall have the right to return to their traditional lands, as soon as the grounds for relocation cease to exist. When such return is not possible, as determined by agreement or, in the absence of such agreement, through appropriate procedures, these peoples shall be provided in all possible cases with lands of quality and legal status at least equal to that of the lands previously occupied by them, suitable to provide for their present needs and future development. Where the peoples concerned express a preference for compensation in money or in kind, they shall be so compensated under appropriate guarantees. Persons thus relocated shall be fully compensated for any resulting loss or injury (Article 16).

Governments shall do everything possible to prevent any discrimination between workers belonging to the peoples concerned and other workers, in particular as regards housing (Article 20(2)(c)).

In *Paraguay*, the Committee requested the Government to provide detailed information on the measures taken to relocate and compensate the Mbaya Guaraní and Avá Guaraní communities in the Paraná area, in conformity with the provisions of Article 16(4) and (5) of the Convention***.[[64]](#footnote-64)*** In *Chile*, the Committee recalled thatthe Convention establishes that the removal and relocation of indigenous peoples from their lands constitutes an exceptional measure, and shall only take place with their free and informed consent***.***[[65]](#footnote-65)See Nicaragua,[[66]](#footnote-66) Brazil[[67]](#footnote-67), Nepal[[68]](#footnote-68).

See [General Observation (2018)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3996110,,,2018): “The Committee recalls that the recognition of traditional occupation as the source of ownership and possession rights is the cornerstone on which the land rights system established by the Convention is based, and encourages governments to take the necessary measures to establish appropriate procedures in this regard. Furthermore, the Committee wishes to emphasize the need to adopt specific measures to prevent the removal of indigenous peoples from their land. In this regard, the Convention establishes that the removal and relocation of indigenous peoples from their lands constitutes an exceptional measure and shall only take place with their free and informed consent.”[[69]](#footnote-69)

[Individual Case (CAS)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4111570,102675,Honduras,2021) - Discussion: 2021, Publication: 109th ILC session (2021) - Indigenous and Tribal Peoples Convention, 1989 (No. 169) - *Honduras*

* Occupational safety and health

[Occupational Health Services Convention, 1985 (No. 161)](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:55:0:::55:P55_TYPE,P55_LANG,P55_DOCUMENT,P55_NODE:CON,en,C161,/Document), Article 5 (b)

See Benin, [Direct Request (2016)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3278331,103028,Benin,2016); Slovenia, [Direct Request (2006)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:2275939,103533,Slovenia,2006).

[Occupational Health Services Convention, 1985 (No. 161)](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:55:0:::55:P55_TYPE,P55_LANG,P55_DOCUMENT,P55_NODE:CON,en,C161,/Document) states that occupational health services shall have surveillance of the factors in the working environment and working practices which may affect workers' health, including sanitary installations, canteens and housing where these facilities are provided by the employer.

See Benin, [Direct Request (2016)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3278331,103028,Benin,2016); Slovenia, [Direct Request (2006)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:2275939,103533,Slovenia,2006).

[Occupational Health Services Recommendation, 1985 (No. 171)](https://www.ilo.org/dyn/normlex/en/f?p=1000:12100:0::NO::P12100_INSTRUMENT_ID,P12100_LANG_CODE:312509,fr:NO), Part II, para.8.

Occupational health services should: (b) supervise sanitary installations and other facilities for the workers, such as drinking water, canteens and living accommodation, when provided by the employer (Part II, para.8).

[Safety and Health in Construction Recommendation, 1988 (No. 175)](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312513), Part III, para. 52

Suitable living accommodation should be made available for the workers at construction sites which are remote from their homes, where adequate transportation between the site and their homes or other suitable living accommodation is not available. Men and women workers should be provided with separate sanitary, washing and sleeping facilities (Part III, para.52).

[Safety and Health in Agriculture Convention, 2001 (No. 184)](https://www.google.com/search?q=Safety+and+Health+in+Agriculture+Convention%2C+2001+(No.+184)&oq=Safety+and+Health+in+Agriculture+Convention%2C+2001+(No.+184)&aqs=edge..69i57j0i512j0i390l4.445j0j4&sourceid=chrome&ie=UTF-8), Article 19 (b)

See Moldova, [Direct Request (2021)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4117314,102695,Republic%20of%20Moldova,2021); Belgium, [Direct Request (2018)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3951550,102560,Belgium,2018); Ghana, [Direct Request (2018)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3960882,103231,Ghana,2018); Bosnia Herzegovina, [Direct Request (2017)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3341949,102704,Bosnia%20and%20Herzegovina,2017); Portugal, [Direct Request (2016)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3289266,102815,Portugal,2016).

National laws and regulations or the competent authority shall prescribe, after consultation with the representative organizations of employers and workers concerned: (b) the minimum accommodation standards for workers who are required by the nature of the work to live temporarily or permanently in the undertaking (Article 19 (b)).

In *Moldova*, the Committee requested the Government to indicate the legislation or other provisions prescribing minimum accommodation standards for workers who are required by the nature of the work to live temporarily or permanently in the undertaking, and to supply information on consultations held with representative organizations of employers and workers concerned in this regard.[[70]](#footnote-70) In Bosnia and Herzegovina, the Committee noted that the Government does not provide relevant information on the provision of adequate welfare and accommodation facilities in agricultural undertakings and recalled that adequate welfare facilities play an important role in preventing work-related communicable diseases and exposure to hazards, with a considerable impact on public health (see [General Survey](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_543647.pdf), 2017, paragraphs 397–401).[[71]](#footnote-71) See also : *Belgium*,[[72]](#footnote-72) *Ghana*[[73]](#footnote-73), Portugal[[74]](#footnote-74).

* Employment policy and promotion

[Employment Service Recommendation, 1948 (No. 83)](https://www.ilo.org/dyn/normlex/en/f?p=1000:12100:::NO:12100:P12100_INSTRUMENT_ID:312421), Part V, para.15 (2)(e)

The employment service should co-operate with other public and private bodies concerned with employment problems. (2) For this purpose the service should be consulted and its views taken into account by any co-ordinating machinery concerned with the formation and application of policy relating to such questions as: (e) housing (Part V, para.15 (2)(e)).

* Working time

[Night Work Recommendation, 1990 (No. 178)](https://www.ilo.org/dyn/normlex/en/f?p=1000:12100:::NO:12100:P12100_INSTRUMENT_ID:312516), Part V, paras.13(e) and 14

Measures should be taken to limit or reduce the time spent by night workers in travelling between their residence and workplace, to avoid or reduce additional travelling expenses for them and to improve their safety when travelling at night. Such measures may include: e) the building of housing complexes within a reasonable distance of the workplace (Part V, paras.13(e)).

Measures should be taken to improve the quality of rest for night workers. Such measures may include: (a) advice and, where appropriate, assistance to night workers for noise insulation of their housing; (b) design and equipping of housing complexes which take into account the need to reduce noise levels (Part V, para.14).

* Specific categories of workers

[Plantations Convention, 1958 (No. 110)](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312255), Articles 27.3 and 85–88

Mexico, [Direct Request (2020)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4059680,102764,Mexico,2020); Ecuador [Observation (2019)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4015499,102616,Ecuador,2019); Panama [Direct Request (2018)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3957139,102792,Panama,2018)

[Plantations Convention, 1958 (No. 110)](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312255)states thatthe authorities shall, in consultation with the representatives of the employers' and workers' organisations concerned, encourage the provision of adequate housing accommodation for plantation workers (Article 85). Where food, housing, clothing and other essential supplies and services form part of remuneration, all practicable steps shall be taken to ensure that they are adequate and their cash value properly assessed (Article 27(3)).

Minimum standards of the accommodation shall include specifications concerning: (a) the construction materials to be used; (b) the minimum size of accommodation, its layout, ventilation, and floor and air space; (c) verandah space, cooking, washing, storage, water supply and sanitary facilities (Article 86).

Adequate penalties have to be provided by national laws or regulations and effectively enforced (Article 87).

Where housing is provided by the employer the conditions under which plantation workers are entitled to occupancy shall be not less favourable than those established by national custom or national legislation. Whenever a resident worker is discharged he shall be allowed a reasonable time in which to vacate the house (Article 88).

In *Mexico*, the Committee requested the Government to adopt the necessary measures to lay down minimum standards and specifications for the accommodation of plantation workers, in accordance with Article 86 of Convention No. 110. The Committee also requests the Government to indicate whether consultations have been held with the employers’ and workers’ organizations concerned in this regard, and to provide detailed and updated information on their content and outcome (Articles 85 and 86 of the Convention).[[75]](#footnote-75)

In *Ecuador*, the Committee requested the Government to provide specific information on measures taken to promote adequate housing for plantation workers and to indicate the minimum standards and specifications for housing provided to plantation workers.[[76]](#footnote-76)

In *Panama*, the Committee requested the Government to send information on the established minimum standards and conditions with regard to workers’ accommodation on all plantations in the country, in particular: (a) the construction materials to be used; (b) the minimum size of accommodation, its layout, ventilation, and floor and air space; and (c) verandah space, cooking, washing, storage, water supply and sanitary facilities (Article 86(2)). The Committee also requested the Government to provide information on the results of the inspections conducted in plantations with respect to the conditions of accommodation provided for workers.[[77]](#footnote-77)

[Tenants and Share-croppers Recommendation, 1968 (No. 132)](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312470#:~:text=(1)%20Tenants%2C%20share%2D,and%20animal%20and%20plant%20diseases.), Part IV, para. 25(b)

The competent authorities should ensure that tenants, share-croppers and similar categories of agricultural workers: (b) benefit from programmes for rural development concerned with matters such as education, public health, housing and social services, including cultural and recreational activities, and, in particular, from the extension of community development programmes to them (Part IV, para. 25(b)).

[Home Work Recommendation, 1996 (No. 184)](https://www.ilo.org/dyn/normlex/en/f?p=1000:12100:::NO:12100:P12100_INSTRUMENT_ID:312522), Part XII, para.29(1)(h)

Each Member should, in cooperation with organizations of employers and workers, promote and support programmes which (h) facilitate access to credit, improved housing and child care (Part XII, para.29(1)(h)).

Many homeworkers experience great difficulty in gaining access to credit and adequate safe and healthy housing. Programmes should also take into consideration and improve the safety and health of homeworkers, for example facilitating their access to equipment, tools, raw materials and other essential materials that are safe and of good quality (para. 29(1)(f) and (h)).[[78]](#footnote-78)

[Older Workers Recommendation, 1980 (No. 162)](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:R162), Part II, para. 5(g)

Older workers should, without discrimination by reason of their age, enjoy equality of opportunity and treatment with other workers as regards, in particular: g) access to housing, social services and health institutions, in particular when this access is related to occupational activity or employment (Part II, para. 5(g)).

* Forced labour

[Forced Labour (Supplementary Measures) Recommendation, 2014 (No. 203)](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:3174688), para.9 (b)

Cabo Verde [Individual Case (CAS)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4000038,103096,Cabo%20Verde,2019) (2019); Lao People's Democratic Republic [Individual Case (CAS)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4000318,103060,Lao%20People%27s%20Democratic%20Republic,2019) (2019)

Taking into account their national circumstances, Members should take the most effective protective measures to meet the needs of all victims for both immediate assistance and long-term recovery and rehabilitation, such as: (b) adequate and appropriate accommodation (para.9 (b)).

See also : [Individual Case (CAS)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4000038,103096,Cabo%20Verde,2019) - Discussion: 2019, Publication: 108th ILC session (2019) - [*Worst Forms of Child Labour Convention, 1999 (No. 182)*](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312327:NO)*- Cabo Verde* : “Children living in the streets are a category who are particularly exposed to these risks. The Cabo Verde Institute for Children and Young Persons has various programmes to find accommodation for street children and bring them back to school. These children are seeking to escape from inadequate housing and/or domestic violence, or to contribute to the family income. These programmes are therefore necessary to respond to each of the causes that put pressure on children to leave the family home, and often to leave school. This is the message conveyed by the report of the United Nations Special Rapporteur on adequate housing, who considers that, while some charitable services appear to be available, it is unclear whether they are sufficient and whether the Government has a plan or strategy to address the causes of such situations and prevent them.”

[Individual Case (CAS)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4000318,103060,Lao%20People%27s%20Democratic%20Republic,2019) - Discussion: 2019, Publication: 108th ILC session (2019) - Worst Forms of Child Labour Convention, 1999 (No. 182) - Lao People's Democratic Republic

* Freedom of association

[Rural Workers’ Organisations Recommendation, 1975 (No. 149)](https://www.ilo.org/dyn/normlex/en/f?p=1000:12100:::NO:12100:P12100_INSTRUMENT_ID:312487), Part II, para. 4 (g).

Organisations of rural workers should, as appropriate, be able to: g) promote the extension of social security and basic social services in such fields as housing, health and recreation (Part II, para. 4 (g).

1. See [No.6 ILO Helpdesk](https://www.ilo.org/wcmsp5/groups/public/---ed_emp/---emp_ent/---multi/documents/publication/wcms_116344.pdf); see [Workers’ accommodation: processes and standards, *Public guidance note by IFC and the EBRD*](https://documents1.worldbank.org/curated/en/604561468170043490/pdf/602530WP0worke10Box358316B01PUBLIC1.pdf), August 2009. [↑](#footnote-ref-1)
2. See also [Home truths, Access to adequate housing for migrant workers in the ASEAN region](C://Users/porrocheroman/Desktop/Research%20housing/Home%20truths.pdf), 2022, 2.1.1.3. Affordability. [↑](#footnote-ref-2)
3. [General Survey, Promoting fair migration](https://www.refworld.org/pdfid/5c77a62b7.pdf), 2016, para.419 [↑](#footnote-ref-3)
4. Guatemala, [Direct Request (2019)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4022243,102667,Guatemala,2019). [↑](#footnote-ref-4)
5. Spain: [Observation (2019)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4021968,102847,Spain,2019). [↑](#footnote-ref-5)
6. Ecuador: [Direct Request (2019)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4012541,102616,Ecuador,2019). [↑](#footnote-ref-6)
7. Nicaragua: [Observation (2019)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4022235,102780,Nicaragua,2019). [↑](#footnote-ref-7)
8. Panama: [Direct Request (2019)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4022523,102792,Panama,2019). [↑](#footnote-ref-8)
9. Paraguay: [Observation (2019)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4021711,102796,Paraguay,2019). [↑](#footnote-ref-9)
10. Senegal: [Direct Request (2019)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4002366,103013,Senegal,2019). [↑](#footnote-ref-10)
11. [General Survey, Minimum wage systems](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_235287.pdf), 2014, para. 68-69. [↑](#footnote-ref-11)
12. [Overview of Qatar’s labour reforms (ilo.org)](https://www.ilo.org/beirut/countries/qatar/WCMS_760466/lang--en/index.htm) [↑](#footnote-ref-12)
13. [General Survey, Minimum wage systems](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_235287.pdf), 2014, para. 44. In some countries, only money wages are included in the minimum wage. That has also been the case in Spain since 2010. In Seychelles, the amounts provided by the employer for housing or food can only be deducted from wages above the level of the minimum wage. In Malta, the law provides that the employer is to provide an employee with food, housing and other benefits in kind in addition to the minimum wage. The laws of other States consider benefits in kind as part of wages. This is the case, for example, in France, Honduras, Luxembourg and Mauritania. In Portugal, the minimum wage includes benefits in kind to which employees are entitled arising out of their work, within certain limits set by law. In Morocco, benefits in kind are only taken into account in assessing the statutory minimum wage for non-agricultural activities. In Lesotho, where workers benefit from housing, the applicable minimum wage may be reduced by such amount as may be determined by the relevant wages order. Finally, the legislation in Japan provides that where wages are not paid in cash, or where the price of food and other benefits provided by the employer is deducted from wages, the valuation of such benefits shall be fair and reasonable for the application of the minimum wage. [↑](#footnote-ref-13)
14. Côte d’Ivoire, [Direct Request (2019)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4012419,103023,C%C3%B4te%20d%27Ivoire,2019) [↑](#footnote-ref-14)
15. Malaysia, [Direct Request (2018)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3963086,102960,Malaysia,2018). [↑](#footnote-ref-15)
16. [General Survey, Labour Inspection](https://www.ilo.org/public/libdoc/ilo/P/09661/09661(2006)1B.pdf), 2006, para.59 [↑](#footnote-ref-16)
17. Mauritius, [Observation (2021)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4115853,103106,Mauritius,2021). [↑](#footnote-ref-17)
18. [General Survey, Labour Inspection](https://www.ilo.org/public/libdoc/ilo/P/09661/09661(2006)1B.pdf), 2006, para.60. [↑](#footnote-ref-18)
19. [Home truths, Access to adequate housing for migrant workers in the ASEAN region](C://Users/porrocheroman/Desktop/Research%20housing/Home%20truths.pdf), 2022, 5.10.2.2. [↑](#footnote-ref-19)
20. [General Survey, Promoting fair migration](https://www.refworld.org/pdfid/5c77a62b7.pdf), 2016, para. 416. [↑](#footnote-ref-20)
21. [General Survey, Promoting fair migration](https://www.refworld.org/pdfid/5c77a62b7.pdf), 2016, para. 417. [↑](#footnote-ref-21)
22. [General Survey, Promoting fair migration](https://www.refworld.org/pdfid/5c77a62b7.pdf), 2016, para. 418. [↑](#footnote-ref-22)
23. Slovenia, [Direct Request (2019)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4019446,103533,Slovenia,2019) [↑](#footnote-ref-23)
24. Spain, [Direct Request (2018)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3958858,102847,Spain,2018) [↑](#footnote-ref-24)
25. France [Direct Request (2017)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3338967,102632,France,2017) [↑](#footnote-ref-25)
26. Netherlands, [Direct Request (2019)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4021928,102768,Netherlands,2019) [↑](#footnote-ref-26)
27. Malaysia-Sabah, [Observation (2018)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3962669,103586,Malaysia%20-%20Sabah,2018) [↑](#footnote-ref-27)
28. China - Hong Kong Special Administrative Region, [Direct Request (2019)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4004493,103578,China%20-%20Hong%20Kong%20Special%20Administrative%20Region,2019) [↑](#footnote-ref-28)
29. [General Survey, Securing decent work for nursing personnel and domestic workers, key actors in the care economy](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_839652.pdf), 2022, 624. [↑](#footnote-ref-29)
30. [General Survey, Securing decent work for nursing personnel and domestic workers, key actors in the care economy](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_839652.pdf), 2022, 787; also see para. 790-791. [↑](#footnote-ref-30)
31. [General Survey, Securing decent work for nursing personnel and domestic workers, key actors in the care economy](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_839652.pdf), 2022, para. 726. [↑](#footnote-ref-31)
32. Ireland, [Direct Request (2020)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4059625,102901,Ireland,2020) [↑](#footnote-ref-32)
33. Paraguay : [Direct Request (2019)](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4012647,102796,Paraguay,2019) [↑](#footnote-ref-33)
34. R.201, para.17; [General Survey, Securing decent work for nursing personnel and domestic workers, key actors in the care economy](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_839652.pdf), 2022, para.727. [↑](#footnote-ref-34)
35. [General Survey, Securing decent work for nursing personnel and domestic workers, key actors in the care economy](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_839652.pdf), 2022, para. 703. [↑](#footnote-ref-35)
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