



Caritas
Lebanon
Migrants Center

Vulnerabilities faced by Migrant Women in Lebanon

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Introduction

- Increased demand for cheap and low-skilled migrant labour in the whole Middle East Region, especially Lebanon
- Migrant workers are vulnerable, lacking legal framework and social protection

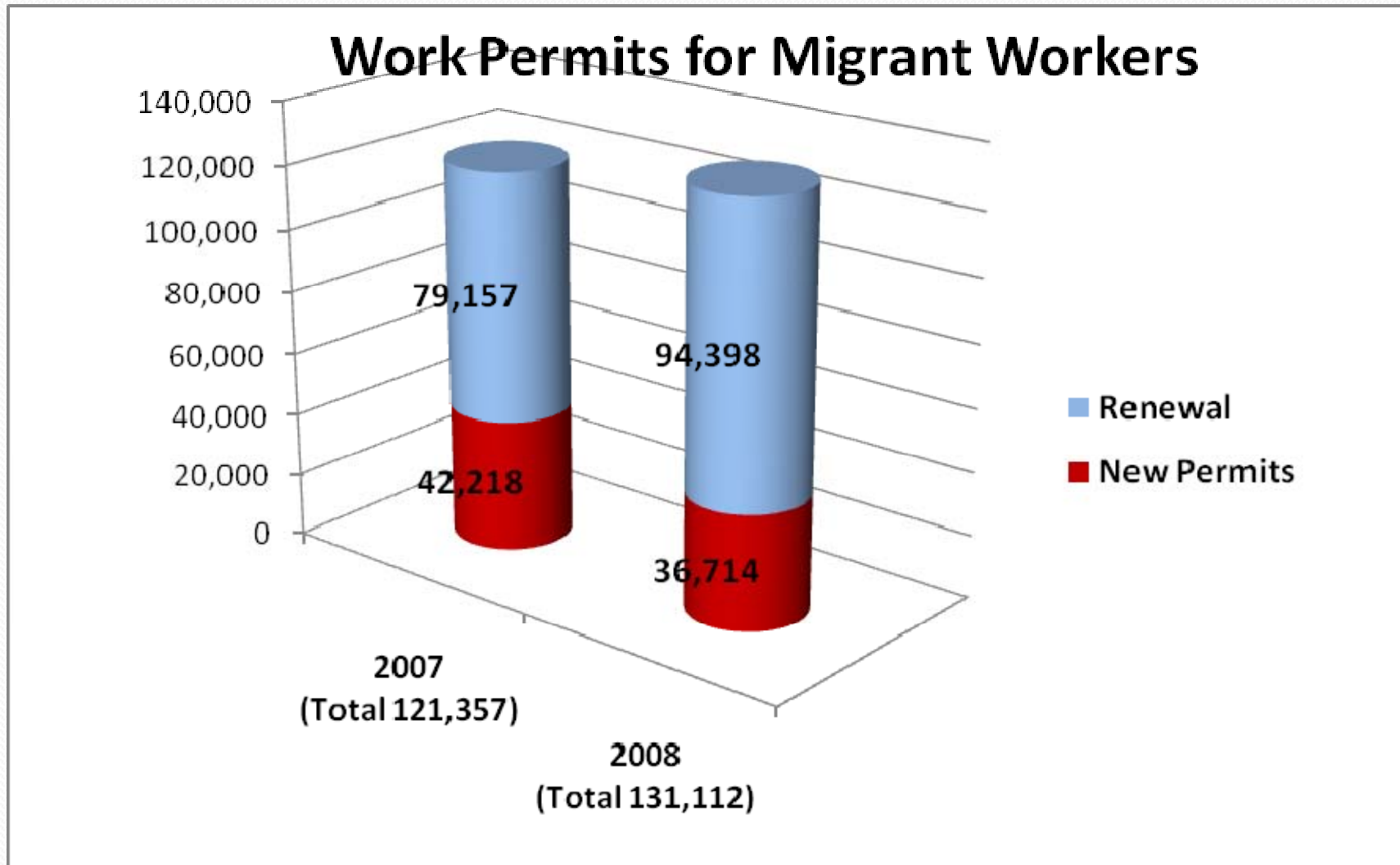
Lebanese Context

- Increased demand for migrant women to take low-skilled or unskilled jobs shunned by local labour force
- Foreign contract employees favourite type of migrants for Lebanese employers (no expectations of permanent settlement, or citizenship rights)

Lebanese Context

- Despite bans to travel to Lebanon imposed by some origin countries' governments, the number of newly arriving migrant workers is still augmenting. The ban is pushing migration underground and increasing migrants' vulnerability instead of protection. Examples:
 - Ethiopian women (13,225 newcomers in 2008 per Ministry of Labour)
 - Filipina women (1,924 newcomers in 2007 & 5,915 newcomers in 2008 per Ministry of Labour)

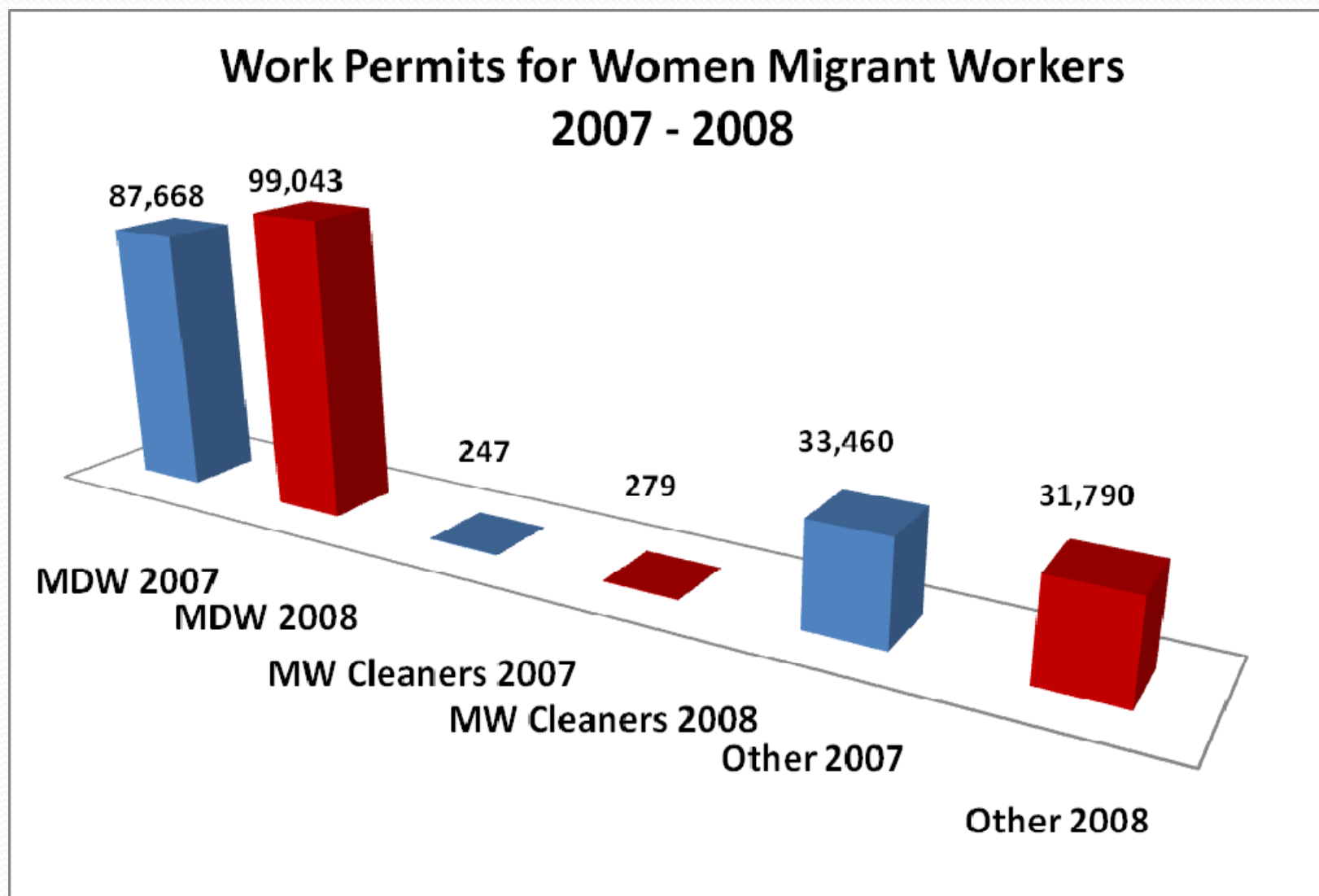
Statistics



Source: Lebanese Ministry of Labour
IDM Workshop 2009
10 July 2009

Najla CHAHDA

Statistics



Source: Lebanese Ministry of Labour

Women Migrant Domestic Workers' Profile

- = over 75% of total migrant workers in Lebanon
- Originating from Asia and Africa
- Usually young and poor
- Having had to leave their families in their countries of origin
- Living in fear of losing their jobs
- Majority do not speak any shared language with employers (English, Arabic)
- Unaware of being entitled to rights, and hence that their rights are being violated

Vulnerability factors

- Confiscation of migrant worker's passport by employer
- Being forced to live with the employer (=limited contact with outside world)
- Long working hours and no day off
- Lack of official control
- Women migrant workers' ignorance of their rights and responsibilities
- Lack of protection or recognition under Lebanese legal and regulatory frameworks (not covered under the local labour laws)
- Inability to enforce contracts or have security of property rights
- High dependency on attitude of public authorities

CLMC response

- 1994 – creation of specialised centre to support migrants
- 2000 – Protection presence within GS-run Retention Centre's facility – 24h/day, 7days/week
- 2002 – implementation of EU-funded project aiming at protecting human rights of migrant workers, asylum-seekers and refugees in Lebanon.
Services offered from April 2002 till March 2007:
 - Social counselling & assistance (4,000)
 - Legal counselling & assistance (3,000)
 - Awareness raising campaigns for Lebanese public (over 3,500)
 - Orientation sessions for migrants (12,000)

CLMC response – CT Project

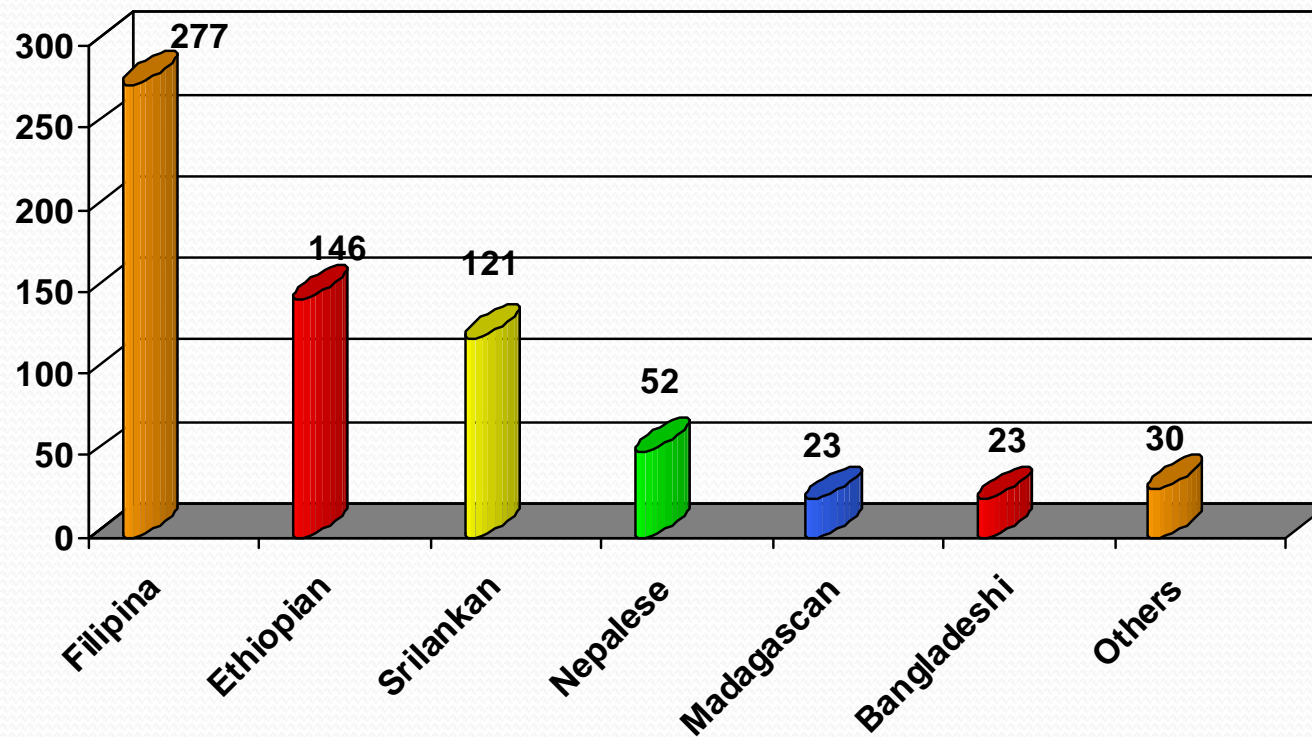
2003 - implementation of a program focusing on providing protection and assistance to victims of trafficking (VOTs) in Lebanon.

Memorandum Of Understanding signed with the Government of Lebanon through General Security

MOU relies on definition of US Victims of Trafficking and violence Protection Act of 2000 : “Force, fraud or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.”

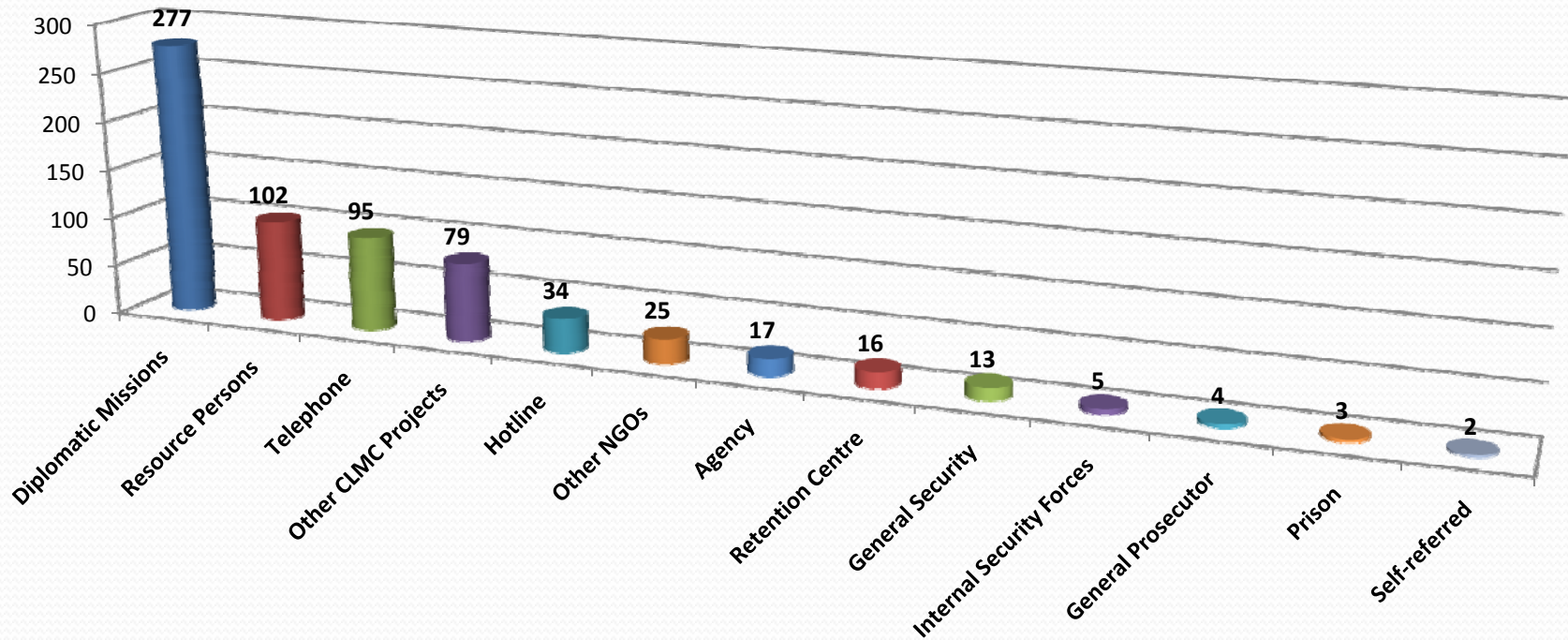
CLMC response – CT Project

Beneficiaries' Nationality July 2003 - May 2009



CLMC response – CT Project

Referral Sources
July 2003 - May 2009



CT Project – Types of abuse

- Physical abuse
- Unpaid salaries
- Verbal abuse
- Sexual abuse
- Food deprivation
- Sexual harassment
- Forced labour
- Threat of abuse
- Forced prostitution
- Non-renewal of papers
- Minor labour

CT Project – Services provided

- Hotline
- Access to a Safe House for women VOTs
- Basic needs assistance
- Legal aid
- Social counseling in a supportive environment
- Trauma counseling
- Medical assistance
- Humanitarian assistance
- Psychological support
- Assistance for repatriation or to a safe working situation in Lebanon on a voluntary basis

CT Project – Services provided

- Improved practices for handling such cases for the authorities and public personnel (judges, lawyers,...)
- Advocacy and lobbying for more favorable official policies and practices (amending labor laws to cover MW)
- Public awareness to the Lebanese public through:
 - Media campaigns
 - Awareness sessions at schools and universities
 - Production of a documentary film about the situation of MW in country or origin and in countries of destination
- Welcoming migrant workers upon arrival at the airport

CT Project - MOU Effects

Increased VOTs protection:

- Potential VOT is retrieved from abuser's house
- Access to a safe house
- Improvement in dealing with potential VOTs: rights-based approach
- CLMC social workers, lawyers and interpreters allowed to be present during GS investigations with VOTs
- VOTs not imprisoned in case accused of any other felony but entrusted to CLMC Safe house: *tricky point though as this attitude is not systematic & CLMC has to fight sometimes*
- VOTs not systematically deported at the end of proceedings but given the option of staying and finding another dignified job.

Negative effects:

- Lengthy bureaucratic procedures
- VOTs staying long periods without work and hence without generating income

CT Project – Legal Assistance

- Key service
- Increasingly, VOTs are filing lawsuits against their abusers, seeking compensation for their ordeals
- CLMC lawyers following-up the cases in courts, even after beneficiaries' repatriation
- Success in setting legal precedents (although MW not covered by Labour Law) in following areas:
 - Physical abuse
 - Sexual abuse
 - Passport confiscation
 - False accusations of theft
 - Non-payment of salaries

CT Project – Legal precedents

Lawsuit	Judgment
<ul style="list-style-type: none"> ➤ Physical abuse (plaintiff) ➤ Non-payment of salaries (plaintiff) 	<ul style="list-style-type: none"> ➤ /50.000/ LBP penalty ➤ /500.000/ LBP for repatriation expenses ➤ Concerning the due salaries, the judgment is still pending (legal follow-up).
<ul style="list-style-type: none"> ➤ Non-payment of salaries /1600/ USD (plaintiff) 	<ul style="list-style-type: none"> ➤ Two-month imprisonment ➤ Recuperation of salaries /1600/ USD with legal interests ➤ /400.000/ LBP damages indemnity
<ul style="list-style-type: none"> ➤ Passport confiscation (plaintiff) 	<ul style="list-style-type: none"> ➤ Two-month imprisonment ➤ /200.000/ LBP penalty ➤ Passport release ➤ /300.000/ LBP damage indemnity
<ul style="list-style-type: none"> ➤ Sexual abuse (plaintiff) 	<ul style="list-style-type: none"> ➤ Five years of penal servitude ➤ Twenty-million LBP as moral and physical damage indemnity

CT Project – Legal precedents

Lawsuit	Judgment
<ul style="list-style-type: none"> ➤ Physical abuse (plaintiff) ➤ Theft (defendant) 	<ul style="list-style-type: none"> ➤ Declaration of innocence (theft) ➤ Conviction of the defendant re physical abuse ➤ /200.000/ LBP penalty ➤ Damages indemnity: ➤ 1: /400.000/ LBP ➤ 2: /300.000/ LBP ➤ 3: /100.000/ LBP
<ul style="list-style-type: none"> ➤ Non-payment of salaries (plaintiff) ➤ Theft (defendant) 	<ul style="list-style-type: none"> ➤ Declaration of innocence (theft) ➤ Non-payment of the salaries : legal procedures in course
<ul style="list-style-type: none"> ➤ Non-payment of salaries for 14 years ➤ Unfair treatment and dismissal ➤ Non-refund of money lent to the employer's children ➤ (Plaintiff) 	<ul style="list-style-type: none"> ➤ Payment of /34,800/ USD, equaling due salaries unpaid for 14 years ➤ Payment of an indemnity amounting to /53.3/ USD for failing to give a prior work ending notice ➤ Payment of a compensation for unfair dismissal: /2,400/ USD ➤ Payment of an indemnity for contract breach: /2,666.7/ USD ➤ Payment of /2,333.4/ USD to reimburse the amount initially lent to employer

CLMC – Advocacy & Lobbying efforts

- 2 movies issued “Maid in Lebanon I & II”
- Awareness raising activities with Lebanese public and other concerned stakeholders
- Code of conduct
- Cooperation with Embassies of sending countries
- Networking with organisations in countries of origin:
 - Country-specific Pre-Departure Orientation Sessions (PDOS) for potential migrants
 - Rehabilitation/reintegration services for returning VOTs

CLMC – Advocacy & Lobbying efforts

Steering Committee

November 2005: Workshop on abuses faced by women migrant domestic workers in Lebanon (ILO, CLMC & others)



January 2006: National Steering Committee formed by Decree Law from Council of Ministers

Steering Committee objective: improve the protection of Human and Legal Rights of Migrant Domestic Workers

CLMC – Advocacy & Lobbying efforts

Steering Committee

Three working groups:

1. Labour Law: amend it to include migrant domestic workers
2. Unified contract detailing job description, work conditions, rights and responsibilities, termination conditions: successfully achieved and indicted on 31 January 2009, into force on 01 April 2009
3. Booklets on rights and responsibilities: 1 for Migrant workers, 1 for Employers, 1 for Recruitment agencies.

CLMC – Trafficking Prevention

In recent years, CLMC is also focusing on the prevention side:

- Networking with relevant stakeholders in countries of origin is enhanced.
- Training of GS, ISF and Employment agencies to improve their knowledge in issues related to human rights and trafficking issues
- Encourage GS to assign personnel and investigators with specialized skills and extensive training to handle VOTs' cases
- Linguistic guides in native and Arabic languages
- Brochures in 10 languages raising awareness of potential VOTs about their abnormal situation of abuse and informing them on services available for VOTs

An example of what could happen to a victim in the 21st Century, in Lebanon



Mary Bella : A one of its kind story ...

- Young Filipina, married and mother of 3 children at a scholastic age
- Arrived to Lebanon in September 2007 despite Philippines Government ban
- Coming from a remote province, Mary Bella (primary school level) encountered difficulties: adapt and communicate with her employer
- Beaten daily by the house lady, the husband and 19 years old daughter. On several occasions, she was slapped, pierced, pinched by high heels and even her shoulder and thorax burned with an iron
- Her wounds were bleeding without adequate medical care
- Locked inside the house till she ran away on 01/02/09
- Referred by Lebanese couple to Embassy then CLMC
- Seen by Forensic Doctor: shocked by seriousness of wounds. 10days rest
- Lodged at Safe house & followed-up by social worker and lawyer
- Complete loss of vision in her left eye: stabbed by employer against tap
- CLMC staff present at GS investigation: employer denied abuse & proposed amicable settlement, but refused by Mary Bella
- Employer filed false theft complaint against Mary Bella
- Legal proceedings still in court.



**Thanks for
your Attention**