

#07

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→ Belga



Migrant workers in the Middle East

What is the international trade union movement doing to defend and organise migrant workers better, given that they are exploited and suffer numerous forms of abuse?

A focus on Jordan, with interviews in construction sites, with women domestic workers, and in textile companies, where unions are organising migrants to protect their basic rights.

Gulf oil economies fuelled by exploitation of migrant workers

As well as having the highest ratio of migrants compared to the local population anywhere, the Gulf States are also champions at exploiting and abusing those migrants.

With the discovery of oil in the 1930s and '40s the Gulf States gradually opened up to international migration. Between the '50s and '70s, the Gulf States built up their infrastructures using migrants, mostly from other Arab countries. Then, from the mid-70s onwards, as the oil price rocketed, there was a huge expansion of building and industrial projects, which led to the first, massive importation of migrant workers from Asia. In the United Arab Emirates, for instance, the number of migrant workers almost doubled in one decade, from 5 million in 1990 to over 9 million in 2001.

Without migrant workers, these countries' economies would definitely collapse, just as they would if oil were to disappear. The migrants are paid much less than local workers and are caught up in a kind of patronage system, whereby most are provided with miserable accommodation and suffer many kinds of discrimination. Domestic women workers are the most vulnerable and suffer the worst abuses, too frequently in conditions akin to modern slavery. This is the case in Saudi Arabia, where women migrants endure unpaid wages, forced confinement, rape and physical violence.

Of all the Gulf States, only Kuwait, Bahrain and, recently, Oman, allow trade unions. Apart from Kuwait, none have ratified ILO conventions 87 and 98 on freedom of association. "Migrant workers remain the most vulnerable group in the region. In some cases their rights are not protected by law, in others they are actually barred from union membership. Frequently they dare not organise or take part in collective action for fear of beatings, dismissal or deportation", denounced the latest ITUC "Annual Survey" of violations of trade union rights around the world.

Many Gulf States are trying to bring in policies to increase

the number of nationals on their labour markets, but this has had little effect, apart from strengthening xenophobic attitudes towards migrants, who are regarded as threats to their national identities, rather than vital contributors to their economies.

Percentage of migrant workers in the active population

- UAE: 91%
- Qatar: 85%
- Kuwait: 83%
- Oman: 78%
- Bahrain: 62%
- Saudi Arabia: 50%



ITUC VIDEO (6') on Migrants in Jordan at: <http://www.ituc-csi.org/spip.php?article1687&lang=en>

80% of the 200 million migrants around the world left their home countries to look for work and the proportion of women amongst them is continuously increasing. Bangladesh, the Philippines, Mexico and Nepal are the four leading sources of migrant labour. The main host countries are Western Europe, North America, Japan and the Gulf States.

Jordan: 350,000 migrant workers

10 people sharing 12 square metres

Cooped up in camps with more than 10 to a 12m² room, forced to rise at 2.30am to queue up for the toilets before leaving for work at 5, paid one third less than they were promised, for working 12 hours per day instead of the promised 8-hour day, with some denied their residence permit by their employer, and suffering wage cuts for ludicrous reasons, some Indian workers had had enough! In February 2007, the Indian employees of the Shuwaikh cleaning company (Kuwait) went on strike to protest about their poor wages and dreadful living conditions (Arab Times – 17.02.07).

289,000 migrant workers are registered with the Jordanian Labour Ministry, but estimates of the real figure reckon that at least 350,000 migrant workers are employed in Jordan, in the service sector, agriculture, the textile industry and construction.

Roughly 72% come from other Arab countries in the region, including 70% from Egypt. 14.2 % are in domestic employment, including 35,100 women.

In order to make ends meet, an increasing proportion of the 700,000 Iraqi refugees in Jordan have to take poorly paid, illegal odd jobs.

What with pay arrears, non-payment of the minimum wage, confiscation of passports, enforced and unpaid overtime, poor accommodation and food, the migrants in Jordan face similar problems to those in other countries in the region.



Dubai: one big building site... where all protest is banned

Dubai's construction boom is built on the exploitation of migrants, who represent 90% of the labour force. Despite the ban on strikes and the threat of deportation, protests are almost a daily occurrence.

Some 700,000 foreign workers, mostly South Asian, work day and night on the vast building sites of the United Arab Emirates (UAE). Generally contracted for a period of between 3 and 5 years, these migrant workers are bound by a sponsorship system that places them at the mercy of their employers.

The working conditions are extremely harsh and accidents are all-too-commonplace, as is the non-payment of wages. Those daring to protest or to strike risk deportation and a lifelong ban on re-entry to the country. Any form of union organisation is prohibited by law. Any demand for a wage rise is deemed illegal, as it is not provided for in the initial employment contract. Termination of the employment contract results in the immediate expiry of the migrant worker's residence permit.

Asian workers deported

In spite of the risks, strikes and demonstrations are a daily occurrence in the private sector. They are usually staged in protest at the non-payment of wages or dangerous working conditions. In March 2007, Building and Wood Workers International (BWI) protested, for instance, against the deportation and lifelong ban on the re-entry of 200 workers

from India, Nepal, Bangladesh and Pakistan, who dared to strike in support of the demand made to their employer (ETA Ascon) for a \$70 increase on their basic pay of \$150.

At the end of October 2007, the UAE government threatened to expel 4000 Asian workers who had gone on strike in Dubai to demand a pay increase, more buses to reach their workplaces, and decent lodgings. According to the authorities, "the strikers went back to work and pledged to respect their contract and the wage agreed upon. One hundred and fifty of the workers, who had been identified as taking part in the protests"(1), which had led to violence, were deported.

Alongside these arrests and deportations, the authorities have been trying to show themselves eager to improve the situation of migrant workers over recent years. In 2005, for example, the Dubai authorities set up two structures, the Permanent Committee for Labour Affairs, and a Human Rights Department within the police, which has registered thousands of complaints and is said to have succeeded in helping workers from some 60 companies recover their unpaid wages. But the fines paid by employers breaking the law are trifling in comparison with the vast sums of money involved in their real estate projects.

(1) AFP, 31/10/07.



"We work closely with trade unions and NGO's active in the region to defend migrant workers abused by their employers»



NEZAM QAHOUSH
(Coordinator of the
ITUC's Middle East
Office (Amman):

Sri Lankans abandoned on building site in Iraq

Some Sri Lankans, who had each paid 2,000 dollars to a recruitment agency to get an employment contract in a Gulf State, either as domestics or textile workers, were abandoned on a building site in Iraq. After being shut up for one month in an unfinished building in Erbil (Northern Iraq), which they were forced to renovate, with no food or heating, they eventually discovered that they were not in the right country and were repatriated by the IOM.

→Isopix



Construction and agriculture: hard labour for Egyptian migrants

“In Egypt, I worked as a painter and decorator in El-Mansour, but I wanted a better life for myself, and the pay is really low in Egypt. I now work as the caretaker of this 8-storey building of shops and offices. The owner of the building would like me to work 24 hours a day. I’m lodged here, by the owner, but I constantly have to fight to try and limit my working hours. At the moment, I work from eight in the morning until midnight. Even on Friday, which is the official day off, I have to work if someone wants to come into the building,” explains 29-year-old Yasser, who came to Amman in the year 2000.

Some 80,000 Egyptian workers are registered in Jordan, making them the largest migrant workforce in the country. They generally work in construction, agriculture and other unprotected informal activities. According to unofficial estimates, however,

given the large numbers of Egyptians working without papers in Jordan, the actual figure is more likely to be between 250,000 and half a million.

The Egyptian and Jordanian Labour Ministries have signed an agreement to try and regulate this economic migration from Egypt, establishing a bilateral authorisation system applicable to every workers wanting to leave Egypt, as well as a list of authorised occupations.

“I arrived in Jordan in the year 2000, to join my brother who was already working here as a caretaker in this very building. My brother registered my name at the Jordanian Labour Ministry and I paid JD35 (€5) to the Jordanian Embassy in Egypt so that a Jordanian company could submit an application for a work permit for me at the Jordanian Labour Ministry. The procedure has changed now and it’s more complicated. All Egyptian emigration candidates have to register in Egypt and the Jordanian employer can no longer select a specific person by name,” regrets Yasser.

“When I arrived here, I was earning JD100 (€00). After seven years, my salary has only reached JD115. I am given 14 days holiday per year, if I want to return to Egypt. But I would like to go somewhere else, if I can find a better opportunity,” hopes Yasser.

The Egyptians who come to work in Jordan hope to earn better wages, because the exchange rate is favourable. But once they reach the country, they have to pay for food and lodgings, and the prices in Jordan are much higher, and are constantly on the rise. “With what we earn, it’s hard to save and get enough money together to go back to Egypt,” admits Helias, a clandestine labourer who has been working



→N. D.



“The bosses want Egyptians because they know they can pay them less, and the Jordanians then blame the Egyptians for “taking jobs away” from the Jordanians.”



The Jordanian government has just launched a recruitment and training programme targeting young Jordanians, in response to the high demand for labour in the construction sector, which creates some 150,000 jobs annually. It is offering a wide range of incentives to attract young Jordanians to a sector historically shunned due to its low wages and lack of social benefits. The government admits that in the long run, the programme seeks to replace the guest workers – mainly Egyptian – with skilled and well-trained Jordanian workers in the sector.

(Jordan Times, 6/11/07)

In August 2006, 200 Egyptians demonstrated in Amman against wage arrears and the non-payment of wages. They were promised a salary of \$280, plus accommodation and a residence permit. The workers accused their employer of having confiscated their travel documents and forcing them to work 16 hours a day, which is double the working hours established by law.

on a farm near Madaba for nearly two years. Helias lives in a shack with 3 of his compatriots, who do seasonal work on the surrounding farms.

“They have a lot of problems because most of them no longer work with the company that signed their original contract. On occasions, they are only paid half of what the others earn because they are illegal. If they’re picked up by the police, they are sent back to Egypt and have to wait five years before they can try to come back again,” he adds.

Accidents at work

Work accidents are by no means uncommon, especially on the building sites sprouting up like mushrooms with the real estate boom in Amman, but illegal workers have no social insurance. “If a worker gets injured, the employer is not responsible, because there is no contract. If an Egyptian worker dies in Jordan, the others put together and go to the Embassy to pay for the body’s repatriation to Egypt.

I have been through this myself on several occasions,” says Nasser, who also goes on to describe the cramped and dismal conditions under which many of his compatriots are forced to live. He also talks of the tense relations with the Jordanian population.

“The bosses want Egyptians because they know they can pay them less, and the Jordanians then blame the Egyptians for “taking jobs away” from the Jordanians. The way these people look at us, the way they speak to us... it’s obvious that they don’t like us,” explains Nasser, who insists that his full identity should not be revealed, for fear that his boss may read his testimony.

Bahrain :“Migrant workers fear they will lose their job if they join a union”

Low wages, accidents at work and discrimination are most often the fate of the 80,000 migrants working in Bahrain’s construction industry. Mainly from Kerala, they represent 70% of the workforce in this sector, which the GFBTU is trying to organise. Interview with Abdul Karim Radhi (GFBTU – Bahrain).

What is the proportion of migrant workers in Bahrain?

Huge economic development followed the boom in oil prices in the mid seventies, especially in construction. The demand for migrant workers was immense. They came from Asia, mainly India, South Korea, Bangladesh, the Philippines, etc. Sixty percent of our workforce is currently composed of migrant workers, who total around 200,000. The proportion is high, but not as high as in other countries in the region, like the United Arab Emirates, where its is 90%, or Saudi Arabia with 65%, Qatar with over 80%, etc. Like almost everywhere else in the world, they are employed in low wage sectors: construction, transport, domestic work, etc., whereas the Bahrainis more often work in offices.

What is your union’s policy regarding migrants?

We have organised two workshops on migrant workers’ rights in Bahrain. The focus was mainly on the construction industry, as there are around 80,000 migrants in this sector. We currently have unions in seven construction companies, and we aim to set up a construction sector trade union federation.

We are going to set up an international network so that migrants can obtain information before coming to Bahrain. But one obstacle to the success of such a network is the fact that most migrant workers are illiterate, so we cannot ask them to look for information using a computer. This is the case for many of the migrants from Bangladesh, for example. They need a great deal of information about their rights, as many of them are disappointed: they are promised many things when they are in their country, but once they actually reach Bahrain the situation is very different from that promised.

In Bahrain, what stops migrants from joining our unions is not the youth of the movement, because they come from countries with a long trade union tradition, but the fear of losing their jobs. They work under fixed term contracts, whilst Bahrainis are protected by indefinite contracts that oblige employers to pay compensation in case of dismissal. Migrants fear that the employer will not renew their contract. They also fear discrimination.

What kind of salaries do migrants receive?

The difference in the wage cost between a local worker and a migrant worker is about 300 euros a month. It’s even worse for domestic workers: the best paid are the Indians and the Filipinos, who receive 120 euros a month, but the Bangladeshis or even the Sri Lankans only receive 80 euros a month.

In 2006, Bahrain set up a tripartite Labour Market Regulatory Authority, on which I represent my Federation. Its mandate is to increase the cost of low wage labour, so as to reduce the difference between local and migrant workers, with a view to making local workers more attractive to employers. This increase will be achieved by charging employers a commission for every migrant worker coming into



Abdul Karim Radhi. → Jacky Delorme

Bahrain. Our position, as unions, is that it would be better to close the gap by establishing a minimum wage rather than placing a tax on employers. A joint position with employers would be possible on this subject, because they are not happy about having to pay such taxes, but the government refuses to introduce minimum wage legislation, arguing that Bahrain has a free market, a market economy.

- Read the full version of this interview with Karim Radhi (GFBTU – Bahrain) at <http://www.ituc-csi.org/spip.php?article703&lang=en>

- Also see the ITUC report “Obstacles to core labour standards in Bahrain” http://www.ituc-si.org/IMG/pdf/http://www.ituc-csi.org/IMG/pdf/WTO_TPR_Bahrain_final_16-July-07.pdf

For more information on trade union rights violations in Middle Eastern countries see the ITUC Annual Survey: www.ituc-csi.org



“The problem of forced labour mainly affects unskilled workers, especially in construction and domestic work”



Karim Radhi
(GFBTU- Bahrain)

Bahrain – The Haji Hassan Group Enterprise Union has seen its membership increase by at least 50% after the union successfully campaigned for better working and living conditions for the more than 1,200 migrant workers mainly from the Kerala region of India.

Source: BWI, November 2007



2007
Annual Survey
of violations of trade union rights

Jordan: Textile union organises migrants in export processing zones

Accused in 2006 of shameless exploitation and forced labour, Jordan's textile industry is now trying to shake off its bad reputation. The union on the ground is informing and organising migrant workers, who are confronted with a whole range of abuses.



→N. D.

“Some work as many as 16 hours a day, like slaves, to pay back the money they've borrowed”

Fatallah Omrani,
GFJTU.



Textile production represents over 90% of Jordan's total exports. Most is exported to the United States, which absorbs over a third of Jordan's total exports, placing it second only to Saudi Arabia.

Jordanian textiles: a “political product”

“The Jordanian textile sector is a political product, a bargaining chip, a gift made to Jordan for its role in the peace agreements between Israelis and Palestinians, for its role as a mediator and as a stabilizing force in the region,” explains Fatallah Omrani, president of the Jordanian textile union and vice president of the General Federation of Jordanian Trade Unions, GFJTU. The basic idea behind the creation of the export processing zones, jointly established by Israel and Jordan in 1998 following the 1994 peace treaty, was to ensure stability in the country by creating jobs, particularly in a textile industry weakened by the effects of the first war on Iraq. The EPZ factories can export to the United States without paying customs or duties, provided that at least 8% of the product's content is Israeli. But the announced job benefits for Jordanians have not materialised. “These are dismal jobs, in terms of both wages and job security. Whether it be in the form of wages or taxes, the returns

expected to benefit the Jordanian economy and population are very disappointing,” continues Fathalla Omrani.

Abusive commission fees pocketed by recruitment agencies, inadequate information provided by the sending countries, employment contracts signed in a language foreign to the workers, poor and sometimes unpaid wages and, above all, infernal production rates with frequent underpaid overtime... the Asian workers in these factories face countless difficulties. In its latest annual survey of trade union rights violations around the world, the ITUC reports on several strikes mobilising Asian workers from garment factories, resulting all too often in their deportation. Like in August 2006, when ten workers at the Turkish factory Atateko who had started and led a protest that had brought an improvement in working conditions and wages were taken to the police station in a vehicle owned by the management, on the pretext of escorting them to Amman to get their residence permits. Having warned their colleagues of their arrest by mobile phone, which sparked off a demonstration, the ten workers were beaten up and stripped of all their clothes. They were then expelled from the country, without even being allowed to collect their belongings. The authorities explained that they had been sacked by their manager

and deported since they represented a threat, but refused to go into further details.

The wage and working conditions are generally worse in the factories of the subcontractors operating in the zones.

Unjust contracts and recruitment fees

Ranging from \$300 to \$1000 dollars in Sri Lanka and up to \$2500 in Bangladesh, the amounts migrants have to pay the recruitment agencies bringing them to Jordan, either as groups of individually, can vary a great deal. "We paid around \$1000 in Sri Lanka and we received a contract in English stipulating that we would also have the right to free food and medical care, but when we arrived we realised that we had to pay for everything," explains a 23-year-old Sri Lankan who has been working in a textile factory in the Irbid EPZ for two years.

Migrant workers usually arrive with a 3-year renewable contract. "We were promised a salary of \$300, but even with overtime we only get \$190 or \$200," complains a young Indian worker who arrived in Jordan a year ago. The amount deducted from their salaries to cover food expenses also varies widely and can be as much as JD45 (around €5). As textile union organiser Arshad Pehlwan explains, when there are problems, "they are afraid to come and show their contracts to the unions so that they can demand compliance, for fear of reprisals in case their parents or friends want to come through the same agency". To circumvent this problem, he advises them to "make a copy of the contract with their name blanked out". Ashad, of Pakistani origin, came to Jordan in 1997 to work in a textile factory. "It was a Chinese recruitment agent who came to look for workers in Pakistan, within the framework of the collective recruitment of 200 workers. Married to a Jordanian woman, he is a long-standing member of the textile union and now works full time organising migrant workers, whose trust he has managed to gain. Speaking Urdu, English and Arabic, he can communicate with these workers as well as with the employers and the Labour Ministry, and is thus able to help them resolve their problems.

«Our first objective was to secure an increase in the minimum wage, which was only JD85 (about €5). We managed to get it raised to JD110 in 2006. But 70% of the employers made the workers sign new individual contracts stipulating an increase in the deductions for food and lodging, etc.,» denounces Fathalla Omrani. "Employers came to see me

arguing that the migrants had signed these contracts. I responded that although they might well have signed the contracts, they hadn't necessarily understood them, or had signed for fear of losing their job if they argued about certain elements of the contract. It's the employers, in any case, who are supposed to cover all these expenses so that all workers are given the genuine right to the minimum wage," continues Fathalla Omrani.

The law authorises voluntary overtime with voluntary compensation, so long as it does not exceed 60 hours a month and 14 hours a week, which amounts to a 62-hour working week in total. According to many workers, it is not unusual to have to work until 3 or 4 o'clock in the morning on a Thursday so that they can take their statutory day off on Friday. "The managers set a target to be reached within an 8-hour working day. If workers reach the target within 4 hours, they have to keep working without receiving a bonus. Conversely, if they don't manage to reach the target set, the supervisors shout at them and sometimes confiscate their clock-in badges and force them to keep working without taking the overtime into account in their pay," Fathalla Omrani recounts. Several Jordanian and migrant workers from the Irbid EPZ also complain that "the toilets are not clean and there is no drinking water".

Freedom of movement can also be a problem. "At QIZ, a large textile company based in Irbid, the Sri Lankan workers (all women) are not allowed to leave the zone on Fridays (their day off). They complained, and the management made them sign papers stating that they did not wish to leave the workplace on Fridays, although they were asking for the exact opposite. They are only authorised to leave for 2 to 3 hours every three weeks to do some shopping, grouped together in the company bus," denounces Fathalla Omrani, who has brought this affair to the Labour Ministry's attention.

Undocumented workers live in fear

Several migrants at Irbid's local union office know of workers whose papers are no longer in order but who continue to work "illegally" so that they can keep earning the money needed to keep up the payments still owed to their recruitment agency. Some of them finally admit that they are in the same situation themselves.

According to the law, after a year, an application for a



Employment figures in Jordan's export processing zones (2007)

- 6 export processing zones, grouping 107 companies, employ 52,912 workers in the textile sector.
- Over two thirds of this workforce are migrant workers (37,000), a proportion that is steadily growing, to the detriment of Jordanian workers.
- Most of these workers are women, be they migrants (16,672 men and 20,252 women) or Jordanian (6277 men and 9707 women)
- Among the migrant labour force, 14,000 are Bangladeshi, 11,000 are Chinese, 8000 are Sri Lankan, 2000 are Indian and the rest are from Pakistan and Korea.



The textile union organises information seminars for migrant workers. →N.D.



residence permit and a work permit has to be submitted to the Labour Ministry. But if the factory closes, and the worker finds employment with another employer, the new employer has to take care of applying for new papers, which very few actually do. Some migrant workers also go to work in small clandestine workshops. Workers without valid papers live in constant fear and so they self impose restrictions on their movement.

A damning report

In 2006, the National Labour Committee (NLC), a US organisation for the defence of workers' rights, published a damning 162-page report, based on a one-year study in over 25 factories, detailing the often appalling working conditions of migrant workers in Jordan's export processing zones. Quoting "the tens of thousands of immigrant workers being held under conditions of involuntary servitude", the report points the finger, for example, at Hi Tech Textiles, which produces for the US retail giant Wal-Mart. "Over 90 percent of Hi Tech's employees are "guest workers" from Bangladesh. They are held under conditions of indentured servitude, stripped of their passports, and forced to work 100-hour weeks, while being cheated of more than half the wages legally due them," the report denounces, accusing the US-Jordan free trade agreement of "descending into human trafficking and involuntary servitude" (1).

The Jordanian Labour Ministry reacted to this report by taking a series of measures. It has increased the number of work inspectors, has set up hotlines to receive complaints from migrant workers, and has fined a number of employers. At least seven factories have been closed down. The number of employers withholding workers' passports

has since considerably diminished, as have the cases of exorbitant fees charged by recruitment agencies. The trade unions, for their part, urgently called on the authorities to reform the labour law, to bring it into line with international labour standards, which should apply to Jordanian and migrant workers alike. The government agreed to the GFJTU's demand to permit the establishment of union offices in the industrial zones.

"The government finally agreed to let us organise migrants. They can become union members, but cannot hold elected positions," explains Mohammed Al-Adede, head of the union office in the Ad-Dulayl industrial zone. "The union has managed to organise 3000 migrant workers and 300 Jordanians out of the 30,000 workers in the zone. Thanks to word of mouth, this figure is constantly rising. The union dues are JD 0.50 (euro 0.50) a month, which is deducted directly from their pay by the unionised companies," continues Mohamed Al-Adede, whose union office is sometimes open 24 hours a day so that it can attend to the three successive teams of workers from the factories that produce around the clock.

Textile union organiser Muhamed Shamin, who arrived from India 7 years ago and has been married to a Jordanian for two years, is in constant contact with the workers: "I myself worked in several factories, and then with my wife also in a private garment workshop. Now I am here to listen to the workers and to try to resolve their problems, such as unpaid overtime. Some of them work as many as 18 hours a day, including on Fridays. I put their complaints in writing and then translate them into Arabic. We also organise recreational activities from time to time. The trade union office is always full of people. They've seen that we are able to help them, so they come. Sometimes the companies call me when there's a problem."



"If my employer sends me back before I've finished off paying what I borrowed to come to Jordan, the brokers will kill me... That's why I'm asking the union to help me, so that I don't get deported"



Bangladeshi worker, aged 22, from the Irbid zone.

These efforts have given rise to concrete improvements. For example, “The Hi tech factory did not want to pay a worker’s medical expenses, but the union managed to negotiate an agreement,” says Muhamed Shamin, who also took part in unionising the Rainbow factory, which has been covered by a collective agreement since the beginning of 2007 (see box).

“One of the factory managers was in the process of deporting 6 women workers, because they had come to the union. The young women had already boarded the plane when the union’s general secretary managed to intervene to get them out just in time, and found them jobs in another factory,” rejoices Arshad Pehlwan.

Health problems

Financed in 2005 by Japanese development cooperation funding awarded to the textile union, the clinic next door to the union office is open around the clock. “The most common problems are diarrhoea epidemics, general states of fatigue, skin complaints, dental problems, hearing problems because of the noise in the factories and, above all, a lot of pulmonary disorders caused by the dust in the factories,” explains Dr Hisham. Some factories do not have a contract with the clinic, but if the workers are union members, they and 5 members of their families can attend the clinic free of charge. “We have two clinics, and they are very useful, but we could do with an additional clinic to cover the Sahab zone,” says Hanan Gusab Isamail Sjaqal, a member of the women’s committee of the Irbid textile union.

Bridging the information gap... despite the cultural and language barriers

Migrant workers have little knowledge of trade unions, which they often confuse with the Labour Ministry. They are also unaware of the labour legislation. Given the number of different nationalities, cultures and languages, communication is not easy, all the more so given that many of the migrant workers are illiterate.

“We have produced a brochure in five languages explaining the migrant workers’ rights and presenting the union. We work with volunteers, who distribute the brochures everywhere, in the dormitories, the canteens, the union offices, and at places where strikes are being held, ...” explains

Undocumented

Mohamed, who arrived from Bangladesh four years ago, tells his story: “We registered with an agency, which suddenly informed us that we had to leave within two days because it had found work for us. We had to go to the agency the next day with the money and quickly sign a contract, even though we didn’t understand any of it. They should give us the contract and the visa in our own language... In the first factory, I often had to work until 3 or 4 o’clock in the morning. That factory closed down last year. I found another job in another textile factory, but now I’m without papers and I have to hide so that I don’t get picked up by the police. I work eight hours a day, which is too little to be able to pay back the money I borrowed to come here.

Shira Al-Qatarneh of Solidarity Center’s Jordanian office.

It is not easy for unions to convince these workers of the benefits of taking part in trade union seminars, given the loss of earnings and the fear that their employer might disapprove. “I contact the workers by phone, to notify them about such seminars and to convince them of the utility of attending. It is because I’m constantly in touch with them, and thanks to word of mouth, that I have managed to gain their trust. I sometimes contact the factory managers to ask if the workers can come,” says Arshad Pehlwan.

“The Chinese have a reputation for being the best workers. Overtime, wage arrears, ... they are treated like machines!” adds Shira Al-Qatarneh, which is why the union has decided to organise its first seminar in Chinese in December 2007.

Identifying the brands

The trade union is also carrying out research to identify the brands produced in the textiles factories, in collaboration with the International Textile, Garment and Leather Workers’ Federation (ITGLWF). “We have to use the codes of conduct drawn up by certain major international brands as leverage,” explains Doug Miller, coordinator of the ITGLWF project targeting multinationals. “Gap, for instance, which is quoted by numerous workers, has a code of conduct concerning the recruitment of migrant workers, and that can be very useful.”

The project also provides unions with ammunition to remind major international brands of the impact their just-in-time production system has on the workers producing their goods, who are forced to work like slaves.

(1) “US-Jordan Free Trade Agreement Descends Into Human Trafficking and Involuntary Servitude”, 168 pages, National Labour Committee, 2006.
The US-Jordan Free Trade Agreement, signed in 2001, was the first US bilateral agreement to include workers’ rights in its binding provisions, thanks to the joint efforts of US and Jordanian unions.

(2) These seminars are held with the support of the ITGLWF, FES and Solidarity Center.

→ N. D.



Corporate Social Responsibility (CSR)

Along with Lesotho and Vietnam, Jordan is one of the three countries selected for the pilot projects implemented under the "Better Work" programme launched by the ILO and the International Finance Corporation (IFC is the private sector lending arm of the World Bank), in partnership with the nonprofit business association Business for Social Responsibility (BSR*). The programme is aimed at improving working conditions and competitiveness in global production processes by monitoring respect for labour standards in factories, promoting capacity building, etc.

(*) Business for Social Responsibility is an association working to promote corporate social responsibility that serves 250 member companies and other Global 1000 enterprises. It has already worked with the ILO and IFC on a project to improve working conditions in Cambodian factories. For more information on this subject see "Union View" at: <http://www.ituc-csi.org/IMG/pdf/CambodgeEN.pdf>.



Muhamed Shamin, union organiser at the Ad-Dulayl zone, speaking to three workers outside the Mediterranean Apparels factory, where the union is not allowed to enter. They complain about the unpaid overtime. → N.D.

Inside a unionised factory

“Out of the 560 workers, more than half of whom are women, only 100 are Jordanian. All the others are migrants from India, Bangladesh, Sri Lanka and Pakistan, who come with three-year renewable contracts. The workers from abroad are more skilled than the Jordanians,” comments Anjum Mohammed Ali, manager of Rainbow, a Pakistani-owned factory that exports 100% of its production to the United States. The factory has had a collective agreement since early 2007, and the manager is happy to cooperate with the union. “It’s very useful. When a problem arises with the workers, we call the union and we always end up coming to an arrangement.” The average working day in his factory is 10 hours, “but we sometimes have to ask for two hours overtime, or more, when we have urgent orders to complete. The Rainbow factory has an infirmary and a doctor, but also works with the clinic next door to the local union”.

The Rainbow factory walls are dotted with the codes of conduct of several US companies such as Jones, Haggard, Sara Lee, K-Mart and Wal-Mart, translated into the workers’ different languages. “US brands come and speak directly with the workers, and then compare their accounts with those of the management. We are expecting a visit from the Wal-Mart inspectors in January. We hope that Rainbow’s respect for its social obligations towards the workers will help

it to secure new contracts.”

In this unionised factory, the national legislation as well as the method of calculating overtime pay are also posted in all the workers’ languages. “Following a report by the NLC, the Labour Ministry started to pay much more attention to the conditions of migrant workers. It sends inspectors to check out the workplace, the food, the dormitories, the health and safety conditions. If a worker complains using the 24-hour hotline, available in several languages, which has been set up by the Ministry, it sends an inspector to your factory,” explains Anjum Mohammed Ali.

Makieh, who came to Jordan to work as a machinist in 2003, is now in charge of the upkeep of the dormitory. Workers from the unionised Rainbow factory can come and go as they please in their free time. “But we have just been informed of workers from two other factories who are locked into their dormitories nearly every Friday,” denounces Fathalla Omrani, who has notified the Labour Ministry. → N. D.



“Women would like more respect in the workplace”

Interview with Hanan Gusab Ismail Siaqal, member of the women's committee of the Irbid textile union.

“I worked in textile factories in the export processing zones for five years, but started having problems after I attended a trade union workshop. My manager would tell me that I didn't work enough, even though I worked until ten o'clock at night. We had an argument and he fired me. Four months ago, I found another job at the Rubina factory.

What is the average age of the women working in the EPZ textile factories?

Most of them are between 20 and 35 years old. They most often lose their job if they get pregnant, and don't benefit from the 12 weeks statutory maternity leave. The women have a lot of problems. The most common complaint is about overtime. Many employers push them to work more and more all the time.

How are relations between the Jordanian and the migrant women workers?

We have a good relationship and we help each other out. The migrant workers were suspicious of me at first, but then they realised I was trying to help them, so they change their minds.

Since I work at the factory myself, I'm able to anticipate the workers' problems. The Bengali workers found it hard to accept having to work under an Arab woman when I was made supervisor of a production line, after having been a simple worker. It could happen the other way round too. But they have realised now that we're on the same side!

How do you manage to overcome the language barrier?

It can be a problem at first, it's true. But those who have been here for four or five years end up speaking Arabic like me. We can also call on the union organisers to help, as they are migrants themselves and speak their language.

What kind of demands do the women come to the union with?

They ask the union for training about their rights as well as about problems specific to women. They would like more respect in the workplace, as certain supervisors treat them with disrespect, using vulgar language. Some of them are also confronted with sexual harassment.

→ N. D.

Read the full interview of Hanan Gusab Ismail Siaqal at: <http://www.ituc-csi.org/spip.php?article1679>



Ebtisam Ali Ayad Muoshabe and Hanan Gusab Ismail Siaqal. →N.D.



“

Some supervisors make offensive, racist remarks, or are even violent, especially towards the women.

”

Ashad Pelhwan,
textile union

Domestic workers: "invisible" exploitation"



"With Tolerance, not violence" → UNIFEM -Abou Mahjoob

Tari, from Indonesia, was tortured by her employer then abducted by the Saudi police. Anlyn, a young Filipino woman, allegedly committed suicide by throwing herself off the balcony of a Beirut apartment. Her heavily sedated body was found after a heated argument with her employers. ... In 2007, as during previous years, disturbingly large numbers of young girls were mutilated, some killed, or are suffering serious trauma as a result of the particularly serious abuses they face in most countries of the Middle East.

What goes on in the home, behind closed doors, is considered a private affair, so migrant domestic workers often have to suffer abuses in silence, without any form of recourse, and amid general indifference. Both male and female domestic employees are under-protected. But women suffer more frequent and more serious discrimination and basic rights violations, owing to the cultural values regarding the role and status of women, as well as their lack of education and experience relative to the men employed in similar jobs.

Misled by unscrupulous recruitment agencies, they do not realise the fate awaiting them until they arrive, until it is too late. Their employers often confiscate their passports, and many forbid them from leaving the house. Completely at the mercy of their employers, they work extremely long hours, sometimes for no pay. Forced, in some cases, to sleep in the kitchen or other parts of the house where they have no privacy, and reliant on their employer's good will when it comes to food, they are often victims of physical and sexual abuse.

In the instances where they could, in principle, take legal action, they are deterred from doing so because of the cost of the proceedings, on the one hand, and the fear of reprisals or dismissal, on the other. Hundreds take refuge in their respective embassies, awaiting repatriation.

Timid progress

Under pressure from the international community, alarmed at the regular reports published by a variety of human rights organisations, a number of governments in the region have slowly started to react. One example is Jordan, which has drawn up a minimum standard employment contract for domestic workers and has taken a series of measures, in close consultation with UNIFEM, to try and improve their situation (see article attached).

Following Jordan's lead, the United Arab Emirates and Kuwait established standard employment contracts for domestic workers in April 2007, along with regulations aimed at doing away with the commission fees imposed on these workers by recruitment agencies, and affording them decent living and working conditions.

Notwithstanding, according to Human Rights Watch, which published a report in November on the plight of some 660,000 Sri Lankan domestic workers employed in Saudi Arabia, United Arab Emirates, Kuwait and Lebanon, the situation remains drastic.

Fleeing Saudi Arabia to return home to the Philippines

Since 2006, when the Filipino government set up a system to facilitate their repatriation, over a thousand Filipino domestic workers in the refuges created for them at their Embassy in Riyadh have gone back home. They had fled their employers following "the withholding of wages, abuse, mistreatment, sexual harassment, rape, and health problems".

"The day the contract is signed, the agency charges between ten and fifteen times the first salary of the domestic workers that has just arrived in Lebanon. Contracting a young Ethiopian costs the employer 2400 dollars (ticket, visa, medical check up, legalised contract, etc.). Sixty per cent of this sum goes into the pockets of the agency, whilst the young Ethiopian will earn probably no more than 150 dollars a month (only 100 dollars in the case of Sri Lankan women) (1).

There are 100,000 migrant domestic employees working legally in Lebanon, of which 80,000 come from Sri Lanka. Another 50,000 migrant domestic workers are estimated to be employed there illegally. The exploitation they suffer has

made the headlines in the international media over recent years, following damning reports by the ILO (2), the Office of the High Commission for Human Rights in the Middle East, or Human Rights Watch.

Although Lebanese law only recognises contracts signed before a notary in Lebanon, and solely those in Arabic, the Lebanese authorities, following pressure from the ILO and other human rights organisations, have announced plans to draw up a standard contract for all domestic employees, in consultation with all the parties concerned, including the recruitment agencies.

(1) "Liban, bonnes à vendre" in the French daily "Le Monde" of 11 October 2007.

(2) See the testimonies on this subject in the film, "Maid in Lebanon" (Carol Mansour, Beirut), funded by the ILO, Caritas, and the Netherlands Embassy in Beirut.

ITUC call for an International Convention protecting domestic workers

Domestic workers, women in the main, are a vital link in every country's economic chain, carrying out essential tasks for millions of households. But domestic work is often not recognised by national legislation, which leaves the door open for all kinds of abuse by employers.

"Domestic workers must have protection just like others workers," insists Guy Ryder, ITUC General Secretary, who has called on ITUC-affiliated organisations worldwide to seek governmental support for an International treaty to protect domestic workers.

"Pay me, don't enslave me!!! I'm a human being" → UNIFEM - Abou Mahjoob



Unionised domestic workers speak out

Trinidad and Tobago, India, Hong Kong, Great Britain... Domestic workers around the world are forming unions and fighting to defend their rights. Read the testimony of Ida, Teresa or Sartiwen in the online interview section of the ITUC website at: <http://www.ituc-csi.org/spip.php?rubrique16&lang=en>

Jordan: a ray of hope for domestic workers

Under the auspices of UNIFEM, Jordan has launched a pilot project aimed at improving working conditions for migrant domestic workers. Inventory of the progress so far.

They live in the shadows of the households that employ them... and yet there are so many working in the Jordanian capital that they are hard to miss.

They form part of the landscape in Amman's fast-growing residential neighbourhoods, where they can often be seen cleaning windows, weeding or emptying the rubbish. They can also be spotted in town, at the markets or shopping centres, carrying the packages behind their "mistresses". On Friday, the official day of rest, some may accompany the families to their social or recreational activities. Those lucky enough to enjoy a few hours of freedom may meet up downtown, in the lively old centre, for a stroll and some shopping.

In Amman, Filipino women also meet up at Church, like Maria, aged 24, who we met at the Friday service. "I came to Jordan almost a year ago. I'm not mistreated but I feel very lonely as I'm hardly ever able to leave the house and I'm constantly exhausted because I always have to be at my mistress' beck and call, and she rarely lets me rest. I left my husband and two children behind in the Philippines. It's very difficult. The money I'm earning here is to pay for their education," she explains, showing the photos of her children

on her mobile phone.

Maria is aware that her plight could be much worse, having once managed to talk to a domestic worker employed in the same street, who told her about her problems. "She was terrified of her employers, who wouldn't stop shouting at her. She wanted to go back home, but couldn't leave before the end of the contract. She had come out to get some shopping from the local store, and just talking to me for two minutes made her very nervous. I have never seen her again. Maybe she still works just a few houses away from my employer, but I have never seen her in the street again."

Poorly protected and look down upon

"Jordanian women don't want to take this type of work. It's looked down upon by society. And in more concrete terms, these are highly under-protected jobs," explains Daniah Murad at UNIFEM's Arab States Regional Office in Amman. There are estimated to be 46,000 women migrant workers, from Sri Lanka, the Philippines and Indonesia, legally employed as domestic workers in Jordan. Another 20,000 to 30,000 are also working in Jordan as domestics, but as undocumented workers.

→ N.D.



ITUC opposes forced labour and human trafficking

At least 12.3 million people are victims of forced labour around the world. With support from the ILO (ACTRAV) and the GUFs, the ITUC organised an interregional conference in Malaysia in September 2007. The main aim was to improve the coordination of trade union policies on both migrant labour and forced labour.

According to UNIFEM's records, the kind of problems they face are many and varied: non-payment of wages, frenetic working hours of up to 20 hours a day, passport confiscation, undignified living conditions, no freedom of correspondence, sexual harassment and sometimes rape by the fathers or, most often, the sons of the families employing them.

A standard contract and information campaigns

In 2001, UNIFEM launched a programme for Asian women migrant workers (Empowering Women Migrant Workers in Asia, with domestic workers as a focus group) from three sending countries – Nepal, Indonesia and the Philippines – working in Jordan.

"We selected Jordan for this pilot project because of the political will to promote human development there. Several positive developments have been registered, and we hope that it will serve as an example for other countries in the region," says Daniah Murad.

Among the progress registered is the standard contract for non-national domestic workers, which Jordan was the first country in the region to establish, providing for one day paid leave per week, 15 days paid holiday after two years in service, a fixed monthly salary, and detailing the job/workplace description and the rights and obligations of the two parties. The contract stipulates that the employer cannot take the employee's passport, must cover the costs of work and residence permits, ensure decent food and lodging, cover medical costs and commit to treating the employee humanely.

"We have published a brochure, not only in English and Arabic, but also in the languages of the Indonesian, Sri Lankan and Filipino communities, presenting the relevant legislation, the procedures, and listing useful contacts.

The brochure has also been widely distributed at the Labour Ministry, as well as among recruitment agencies, NGOs connected to domestic workers, and the embassies concerned, which have in turn distributed it in their own countries, to raise migrant workers' awareness prior to their arrival in Jordan. UNIFEM, which has supported the founding of the NGO "Friends of Women Workers" providing direct help to migrant domestic workers in difficulty, has also carried out an awareness raising campaign targeted at employers who do not know the legislation and regulations. "By working with a caricaturist who is well-known in Jordan, we have managed to influence public opinion thanks to billboards, posters, publications in newspapers, etc. The main message was 'Respect, not violence', and the campaign stirred a lively debate in the press," explains Daniah Murad.

Recruitment agencies brought under control

The Jordanian authorities have confronted the abusive practices of certain recruitment agencies by setting up a licensing procedure, which has made it possible to shut down six agencies that had been the object of complaints. In May 2007, the Labour Ministry also set up a new service specifically for domestic workers, which provides, for example, a 24-hour hotline for migrant domestic workers.

"A great deal of effort has been put into the proposed amendment of the Labour Code, which doesn't yet cover domestic workers. We hope that the new parliament due to be elected will make the necessary changes. But it is a very long process and we need a practical intermediate solution

until the labour legislation is finally amended to cover domestic workers," continues Daniah Murad. "We would, for instance, like each employer to be obliged to open a bank account for the worker, in which a bank guaranty is deposited, to be used in case of breach of contract, particularly in the case of non-payment of wages."

Better protection for domestics taking flight

The embassies of Sri Lanka, the Philippines and Indonesia each register 4 to 8 cases a day of domestic workers fleeing their employers. The three embassies recognise that they are not in a position to shelter these workers in decent conditions.

The actual number of domestic workers taking flight is, in fact, much higher, as only a minority turn to their embassies. Many are forced into clandestinity, working in hotels, restaurants or as domestics in other houses. Some fall into prostitution as a means of survival.

"There is an urgent need to create a refuge for abused domestic workers, because the accommodation problem for those who flee is critical," insists Daniah Murad.

The gap between the spirit of the new regulations and how they are actually applied is often shocking. As regards health insurance, for instance, the hospitals attending to domestic workers all too often find they have no one to send the hospital bill to.

Legal proceedings remain very cumbersome, as illustrated by the tragic case of Jennifer Perez, a young teacher from the Philippines. Having fallen from the balcony of the house where she had just started work as a domestic, she was seriously injured and finally died in May 2006. According to her statement, as soon as she arrived, her boss wanted to confiscate her mobile phone, her only link with her family and the friends she had just left behind. She refused, the argument degenerated into a fight, and her boss pushed her over the balcony. The boss, for her part, claims she committed suicide. Jennifer's family wants justice to be done, but the very complex legal proceedings have barely moved forward.

Going to court is extremely costly, the process is extremely long, and domestic workers cannot be employed throughout the whole procedure. Their complaints are often registered with suspicion from the very outset. "I would rather work in the kitchen of this restaurant in Amman, hide away and save enough money to go home as soon as possible than complain to the police. I'm too afraid they'll accuse me of lying," confides a young Sri Lankan woman who had suffered verbal harassment from her employer, who also withheld her wages and locked her in the house during her days off.

Psychological needs

The UNIFEM office in Jordan, insisting on the need to educate people about the psychological problems linked to the cultural estrangement and social isolation of domestic workers, is currently working closely with the ILO office in Beirut to share the experience drawn from the work started in Jordan, to raise public consciousness about the abuses suffered in silence by domestic workers in Lebanon.

Israel: imported labour, a win-win deal ... for employers

Filipinos, Thais, Chinese, Nepalese, Romanians, Ukrainians, Africans... the Israeli economy employs between 150,000 and 180,000 migrant workers, mainly Asian, who make up around 7% of the active population.



Lek, leader of the Thai Labour Campaign, with Thai agricultural workers during an international trade union mission in April 2007. → WAC_Ma'an

In Israel, migrant workers' visas are tied to their employer, be it a person or company. As a result, they are totally dependent on their employer and the recruitment agencies, to which they pay astronomical sums in the sending country. Some, like the Chinese, who generally work in construction, do not know a word of Hebrew. They have no contact with the local population and are not aware of their basic rights.

The Israeli trade union confederation Histadrut called on Israeli employers to grant migrant workers the same social and labour rights as their Israeli counterparts, and the Israeli Labour Tribunal has ruled that this principle should be applied. But, in practice, abuses are all too common. Many employers mistreat their workers and deny them their most basic rights, under the threat of deportation. One positive development is the fall in the number of employers confiscating their workers' passports.

But migrant workers are still regularly confronted with wage arrears and their employers' refusal to pay the tax giving them the right to renew their residence permits, which has resulted in the deportation of numerous migrants, including many whose contracts had not yet expired. It is a ruse often used, especially in the agricultural sector, by unscrupulous employers wanting to reap the financial benefits of bringing

in new workers to replace those deported: they pay the worker's last salary and severance pay, but in return they receive 1000 dollars from the employment agency sending them new labourers, who are often paid less than their predecessors as they are not yet aware of their rights.

In January 2007, following a petition organised by the NGO Kav LaOved, Israel's judicial authorities ruled that the immigration police could no longer arrest foreign workers who find themselves without legal status because of their employers, be it because they have gone bankrupt, for example, or failed to pay the tax to register the migrant worker.

Filipino home helps trapped in isolation

Between 50,000 and 60,000 Filipinos, 80% of whom are women, work as home helps, taking care of elderly and disabled people. Most of them work in isolation, having to confront problems such as sexual harassment alone. They do not have the right to bring their families to the country. Moreover, if an immigrant worker gives birth to a child on Israeli soil, the child risks being deported, even if the father is an Israeli citizen, since the right to citizenship is transmitted by the mother.



Employers receive
\$1000 for every
migrant hired



Trade union office for migrants

"Prior to 2001 there was no trade union structure within Histadrout for these Chinese, Filipino, Thai or African workers, despite the large numbers of them working in Israel. In 2001, to be able to handle all the cases brought to me, I suggested that my organisation should open an office to receive and provide assistance to the tens of thousand of nurses, domestic helps, construction or agricultural workers employed here," explains the president of Histadrout for the Tel Aviv and Jaffa region, Gershon Gelman.

Histadrout distributed leaflets in various languages and set up a hotline to inform migrant workers of their rights. "Today, migrant workers can join Histadrout, but they do not have voting rights, which probably explains why so few of them have joined... I know that there are many people in the trade union movement who are still worried about these workers competing with the national labour force. But they are mistaken.

In Israel, like in every other part of the world, all the employers are concerned with is cutting their labour costs. So how could one possibly fail to be concerned about a decline in the working conditions of migrant workers? They are the same as ours," concludes Gershon Gelman.

On Friday 7 December, Munir Kaawar , an arab Israeli worker from Kufr Qara , was dismissed together with 17 others from the group of construction workers he heads. "As the firm's employees, they were entitled to all social benefits according to the collective agreement, including pension payments. The building they constructed was built to perfection and earned them much praise. Despite this, they were fired, because it is cheaper for the firm to hire labor migrants ("foreign workers") and manpower agency or contractor workers", denounced WAC-Ma'an (workersadvicecenter). "Kaawar's case is a reflection of a wider phenomenon – the breaking of organized labor in Israel's construction branch.

The immediate result of this process, can be seen in the shocking statistic that 45% of fatal work accidents happen to construction workers even though these workers make up only 10% of the workforce in Israel.

Unfair competition for Arab-Israeli workers

Officially, the collective agreements in force in the agricultural sector should apply to all agricultural workers. But in reality, the law is not enforced when it comes to Thai or Arab Israeli workers, for example. The latter are struggling to compete with migrant workers from Asia. The first to lose out are generally the Arab women traditionally employed in this sector. Although the proportion of Arab-Israeli women in the sector has already fallen to 18%, they continue to be the prime victims of the unfair competition resulting from the practice of importing cheaper labour from Asia.

Palestinians: an ever-growing rarity

Many Israeli employers also prefer importing migrant workers to employing Palestinians from the West Bank and Gaza.

Palestinian workers are no longer able to leave the Gaza Strip to work in Israel, since the border with Israel has been sealed off.

Aside from the oft-quoted security issues, it works out cheaper for them, as the wages they pay these migrants for the interminable hours they work are lower than those paid to Palestinians. In addition, employers receive a cut from the fees these migrants pay their recruitment agencies. The 23,000 or so West Bank Palestinian workers who come to Israeli to work everyday routinely face long waits, red tape, humiliation, etc. at the border checkpoints. They have the right to organise their own unions in Israel or to join Israeli unions.

Thai agricultural workers are paid two third of the minimum salarie

Some 26,000 Thai workers are employed in Israel's agricultural sector.

According to a survey carried out by the NGO Kav LaOved (1), Thai agricultural workers in Israel had to pay between \$5,500 and \$12,500 to obtain an employment contract in Israel, a sum that leaves them in debt for several years. The money is shared between the Thai and Israeli employment agencies, and the Israeli employer often receives commission of between \$1000 and \$1500 for every worker hired. In September 2007, Thailand and the IOM signed an agreement to reduce the fees paid by Thai workers going to work in Israel, capping them at \$1800.

The minimum wage legislation (\$5 per hour) is not respected and many workers are forced, under threat of deportation, to sign fictitious pay slips showing less hours than those actually worked. They are, in fact, paid two thirds of the minimum hourly wage. Twenty five percent of them complained of poor living conditions and the illegal withholding of their passports. Although the law stipulates that wages must be paid directly to the workers, some employers, apart from paying late, pay through Thai employment agencies, which take substantial cuts from the workers' pay.

Kav LaOved has also lodged a complaint with the immigration police regarding farmers who take their Thai workers to the airport and force them to return to their country before their employment contract has expired.

(1) An Analysis of complaints by Thai agriculture workers, by Att. Anat Gonen, Kav LaOved, 15/11/07.

Prejudice and discrimination

Among Sri Lankans and Indonesians, long hair is traditionally seen as a symbol of femininity and fertility. But in the Middle East, many families employing them as domestic workers consider it, on the contrary, as a sign of dirtiness, and force their housemaids to cut their hair.

Filipino women, for their part, are often considered incapable of respecting local traditions as regards chastity. Many employers systematically suspect them of "loose sexual conduct" and forbid them from leaving the house to stop them from "misbehaving". They are often only given leftovers to eat, sometimes in insufficient amounts to remain in good health. Rice is the staple food of Filipinos, but they have to go without, as their employers feel it is too expensive in comparison with bread, the staple food in the country.

If they complain of mistreatment, it is often presumed that they are lying. Their complaints are generally registered with suspicion. In most cases, when a domestic worker flees her employer's home, the latter instantly reports her to the police for theft.

These testimonies gathered in Jordan are an indication of the prejudice and discrimination facing migrant domestic workers, whose isolation reinforces the major culture shock they have to deal with on their arrival.

"The migrants working in textile factories have no contact with the Jordanian population. They remain in seclusion, invisible. Some supervisors make offensive, racist remarks, or are even violent, especially towards the women. It's of no matter what nationalities are involved, it may be Indian supervisors mistreating Sri Lankan or Bangladeshi workers, or vice versa," explains Arshad Pelwhan of the Jordanian textile union.

Egyptians working in construction or agriculture are also the

targets of discrimination. "Relations with the Jordanian population are not good. The bosses want Egyptians because they know they can pay them less, and the Jordanians then blame us for "taking jobs away" from them," explains 29-year-old Yasser, caretaker of a building in Amman. "It's obvious by the way they look and speak to us that they don't like us," he adds.

Iraqi scapegoats

The hundreds of thousands of Iraqis taking refuge in Jordan are also seen in a negative light.

"If you are Iraqi, you are automatically looked at with suspicion. There is endless talk of the rich Iraqis who have come and bought apartments here, without counting the cost, and have pushed up the prices. We are also accused of using up the country's limited water resources. In the working class neighbourhoods, the Jordanian children won't to play football with the Iraqi children, or make fun of them," comments Ali, a 21-year-old Iraqi, qualified as a translator, who traipses round central Amman in the hopes of finding a job in a restaurant or a shop.

But a new class of prosperous Jordanians are clearly profiting from the presence of Iraqis and the money they generate, not forgetting the economic activity spawned by the presence of numerous international organisations working with Iraq but which are based in Amman. It is difficult to assess the real impact the influx of Iraqis has had on the cost of living, as the rise in local agricultural products, for example, is partly owed to the sale of significant stocks to the US Army in Iraq. The fact is, however, that Jordanians generally blame Iraqis for the rise in the cost of living.

The situation is even worse for Shiite Iraqis, owing to the anti-Shiite sentiments clearly held by a significant portion of the Jordanian population.

The role of the media

Even the most serious forms of mistreatment are generally viewed with indifference. The negative stereotyping of migrants is all too common in the media, which does not cover the daily hardships they face.

"It is crucial to get the media on our side when we are defending workers, especially migrants. Unfortunately, the media often reinforces society's scepticism towards foreign workers," comments Simel Esim of the ILO office in Beirut.

In Egypt, for example, the media depicts migrants, and especially the Sudanese, as communities with no respect for morality and as people who spread disease, particularly HIV-AIDS. The ill-treatment and torture which are common practice in Egyptian jails are even worse for people from Sub-Saharan Africa, who are often arbitrarily arrested because of the colour of their skin (1).

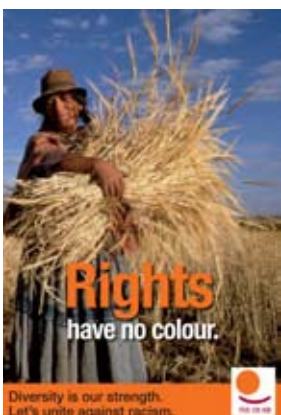
International trade union strategy

To fight racism and xenophobia - "The greatest failure of the global economy, as we know it, is its inability to create sufficient jobs there where people live. Forced to migrate to survive, migrant workers are very often exposed to racism and xenophobia," regrets Mamounata Cissé, Assistant General Secretary of the ITUC. Following up on the decision of its Founding Congress in 2006, the ITUC has resolved to take concrete action. The ITUC and the International Labour Organisation (ILO) jointly held a seminar in Geneva from 4 to 7 December with a view to developing a trade union strategy to fight racial discrimination and xenophobia.

Eight pilot projects

As of 2008, several pilot projects will be developed in a series of countries: Brazil (CUT), Guatemala (CGTG), Indonesia (SBSI), Nepal (NTUC), RD Congo (UNTC) South Africa (CONSAWU), Albania (BSPSH), and Romania (Cartel Alfa).

- For any further information, please contact the ITUC Equality Department, (Kattia Paredes - kattia.paredes@ituc-csi.org)



(1) FIDH - April 2007

Placing “decent work” at the heart of migration policies

Promoting the rights of migrants and organising them within trade unions



→ Jacky Delorme

It is very often a shortage of decent work in their own countries that pushes men and women to emigrate, so it is not through choice but as a means of survival. Yet, once in the host country, these migrants generally end up in the most precarious, onerous and degrading jobs, i.e. the least “decent”. Decent work therefore needs to be placed at the heart of all migration policies.

In November 2006, the Founding Congress of the ITUC in

The legal instruments

- ILO Conventions 97 and 143
- The Multilateral Framework on Labour Migration, adopted at the ILO in 2006.
- The United Nations International Convention on the Protection of Migrant Workers and Members of Their Families (1990).

Vienna placed the fight against discrimination on its list of key priorities for action. “With globalisation, labour migration has become a major challenge for unions in the departure and host countries. Today, it is estimated that there are 191 million migrants around the world and that 60% of them live in high-income economies, i.e. industrialised nations and many Gulf States,” comments Gemma Adaba, head of the ITUC United Nations Office.

“Unions are pressing governments in the departure and host countries to adopt a rights-based approach to migrant workers at national level, within the framework of bilateral and regional agreements, and for harmonisation at global level. Governments must also ensure that achieving the Millennium Development Goals, which includes eradicating poverty through decent work and quality public services, is not compromised by migration policies,” she continues, referring to the brain drain in developing countries.

Action Plan

In December 2006, the ITUC launched “a concrete action plan to organise migrants, to defend and promote their rights, and to improve their working conditions. This realistic



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action plan, hinged on four action priorities – rights protection, organising, sustainable development and awareness raising – sets out the concrete actions to be carried out within the trade union movement at national, regional and international level, as well as in partnership with NGOs and other civil society organisations,” explains Kamalam, director of the ITUC Equality Department, who is also in charge of policies on migrant workers.

The first action priority, the promotion and protection of migrant workers’ rights, implies the need for greater legal protection, through more active promotion of the international legal instruments (see box) as well as an overarching campaign to fight discrimination, racism and xenophobia, especially within trade unions. The second action priority is focused on organising migrants, through the posting of union organisers from the migrants’ countries of origin and the development of practical guides on organising migrants.

Bilateral partnership agreements

One of the main objectives of the ITUC Working Group on Migration is to place migration issues at the core of trade union concerns, by promoting the exchange of good practices, and making migration a core theme for collective bargaining.

As part of its efforts to strengthen South/South solidarity, the ITUC has launched three partnership agreements between affiliates in different regions. These three pilot projects involve Indonesia and Malaysia, Senegal and Mauritania, and Nicaragua and Costa Rica. Information and support centres for migrant workers have been set up in Malaysia by the MTUC, in Mauritania by the CGTM, and in Costa Rica by the CTRN, and other affiliates plan to do the same, with a view to assisting migrants’ integration in their workplaces and the community.

A number of GUFs, such as Building and Wood Workers

International and Public Services International, have set up similar partnership agreements. Many European and North American unions have a long history of projects and campaigns aimed at ensuring the full integration of migrant workers and their families. In Hong Kong, migrant workers have set up their own union, which is affiliated to the HKCTU (Hong Kong Confederation of Trade Unions).

Women at the forefront

Special emphasis is being placed on the gender dimension of the actions to be undertaken, given that women represent a large proportion of the migrant workforce and are particularly prone to discrimination. “Women account for around half of all migrant labour and are more numerous than male migrants in industrialised countries. Ever growing numbers of women are migrating on their initiative, rather than moving to join their husbands or families. Women are often exposed to exploitation and gender-related violence, especially in domestic work and the entertainment sector. Most human trafficking victims are women. Trade unions must press for the protection of migrants’ rights to be taken on board within legal frameworks, and for instruments for ensuring that recruiters and employers respect those rights. Another priority is to secure full recognition of migrants as “agents of social and economic change”.

Linking migration and development

“Within the framework of the trade union campaign for a fairer and more humane globalisation, linking migration and sustainable development also constitutes a key priority in promoting decent work for all workers, including migrant workers,” concludes Guy Ryder, General Secretary of the ITUC.

Read the full interview of Gemma Adaba (CSI-New York) at: <http://www.ituc-csi.org/spip.php?article1295&lang=en>

GFMD: anchoring the discussion within the UN

In September 2006, the High-Level Dialogue on Migration and Development initiated by the Secretary General of the United Nations led to the establishment of the Global Forum on Migration and Development (GFMD). Set up as a platform for informal and voluntary dialogue between governments, the aim of this annual forum is to provide for an exchange of experiences and good practices regarding the various aspects of migration policy. The trade union movement immediately expressed its regret that this dialogue was not included within the United Nations framework.

The first meeting of the Forum, held in Brussels in July 2007, “ignored the rights and interests of migrants, essentially focusing on a restricted agenda related to temporary migration and the contribution of migrant workers to economic development,” regretted the ITUC.

In a letter to the UN Secretary General, Ban Ki-moon, the ITUC joined with Migrants Rights International and the 18 December group to present a critique of the Inter-Governmental Forum and called for the discussion to be placed within the United Nations, to ensure the proper handling of human rights related issues. The consultative process within the United Nations would also ensure that the viewpoints of migrants themselves are taken on board in the debate.