

INTERNATIONAL MIGRATION PAPERS

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**Women Migrant Domestic
Workers in Lebanon**

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INTERNATIONAL MIGRATION PROGRAMME

INTERNATIONAL LABOUR OFFICE GENEVA

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Foreword

The *International Migration Papers* (IMP) is a working paper series designed to make quickly available current research of ILO's International Migration programme on global migration trends, conditions of employment of migrants, and the impact of state policies on migration and the treatment of migrants. Some ten to fifteen such papers are published each year as working papers. It continues the *Migration for Employment* series stated in 1975 under the World Employment Programme. Its main objective is to contribute to an informed debate on how best to manage labour migration, taking into account the shared concerns of countries of origin and employment for generating full and productive employment of their nationals, while at the same time respecting the basic rights of individual migrant workers and members of their families.

This report is part of the work conducted by the International Labour Office on the issue of women migrant domestic workers in several regions of the world. The overwhelming majority of domestic workers are women that have had to leave their own families behind to migrate either from rural or economically less-favoured areas within their countries, to wealthier neighbouring countries, or to far-away industrialised countries. Though many have recognized professions in their countries of origin, they work as domestics in foreign lands because of economic necessity combined with an existing demand for this traditionally work performed by women in countries of destination. In many cases, the only opportunities available to them are in household or domestic service. However, women migrant domestic workers are usually employed in private households and are very vulnerable to physical and sexual abuse. The exploitation of migrant domestic workers is due not only from the fact that many of them lack the necessary legal documents to work in the country, but also from the fact that they lack labour protection at a national and international level. The cumulative result is that these workers experience a degree of vulnerability that is unparalleled to that of most of other workers.

This study prepared by Dr. Ray Jureidini, Director of, identifies practices and patterns that are the key causes for women domestic migrant workers' vulnerability in Bahrain and provide alternative approaches for effective means for action. The research compiled base line data and had the aim of bringing policy makers and all other concerned actors into dialogue in finding solutions through practical means to improve protection and enhance working conditions for women migrant domestic workers. The study identifies and assesses legal and administrative arrangements in hiring domestic workers; comprises interviews with key people in Ministries of labour, border and immigration control with regards to general policies and procedures towards foreign labour, as well as interviews with labour officers in the embassies of the sending countries to assess the main issues domestic workers face and the means, measures and procedures taken to address them. In addition, the study assesses the role of NGOs on providing protection, and undertakes a limited number of semi-structured interviews with women domestic workers in order to generate qualitative data and case study material mainly on their working conditions. Ms. Gloria Moreno Fontes Chammartin, Migration Specialist, acted as the ILO research coordinator and in collaboration with Ms. Mary Kawar and Ms. Maartje Peters, MDT Beirut, technically backstopped the Arab region studies.

Geneva, June 2002

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1. Introduction

1.1. Foreign Labour in Lebanon

According to the report “*A Profile of Sustainable Human Development in Lebanon*” by the United Nations Development Programme (UNDP) in January 1997, foreign labour in Lebanon constituted a “massive presence”. The report classified workers in terms of their major sectors of activity as follows:

- Mostly women of Sri Lanka, the Philippines, India and African origin providing household services and similar functions in business establishments;
- [Male] nationals of Egypt, Sudan and Syria working as janitors, cleaners, porters etc. in buildings and commercial establishments;
- Syrian and Egyptian men working in construction, farming, road construction, car-servicing, cleaning and garbage collection, repair and maintenance workshops, and as peddlers and porters;

West Europeans, some Arab and other foreign nationals [men and women] engaged in sectors that require scientific skills or financial means (UNDP, 1997). The types of jobs that foreign workers usually undertake are the traditional dirty, dangerous and difficult jobs characterized by the informal labour market.

Although work permits are required from foreign nationals in Lebanon, the Ministry of Labour has difficulties enforcing them. The only means the Ministry has of controlling and monitoring the entry of foreigners is by issuing work visas at control entry points by renewing permits on an annual and voluntary basis.

According to the Central Administration for Statistics, the total number of work permits issued to foreign workers in 1999 was 74,909. However, the figures do not distinguish between new and renewed permits, and many foreigners (particularly Syrians and Palestinians) work without permits. Experts vary in their estimates of Syrians considering their number between 400,000 to 1 million. In 1995 the UNDP estimated Syrians to number around 450,000. Yet, in that same year, the Central Administration for Statistics showed the number of work permits issued to Syrians as only 1056 (see Table 1. below). In short, there are no reliable figures on the number of foreign workers in Lebanon. However, if we accept a conservative estimate of around 300,000 Syrian workers, 40,000 Palestinians (10% of Palestinian refugee population), 20,000 Egyptians, 40,000 Sri Lankans, 10,000 Filipinos, 10,000 Indians and 10,000 from other African states, the number of foreign workers in the country is quite significant, representing over 30% of the official workforce figure of 1.4 million. This does not include those who entered the country illegally, or the ‘illegal’ employment of those whose permits have expired and not been renewed, those who are working with only tourist visas, and those who are unemployed.

The preference by Lebanese employers for foreign workers, according to the UNDP (op. cit.), is threefold. First, they tend to work for lower wages than Lebanese nationals (usually below the minimum wage). Second, they are not registered with social security and are not covered by health insurance. Third, they are more easily exploitable in the sense that they tend to be more compliant, work harder and for longer hours (note, however, that foreign workers who have formal employer sponsorship are required to have health insurance coverage as part of their work permit conditions). Added to this, the political and economic acceptance of cheap foreign labour into Lebanon is also seen as one measure to contain inflation.

1.2. Domestic Service Workers

Prior to the civil war, Lebanese households employed young Lebanese females, mainly from poor families in rural areas, or from Syria. Some Palestinians and Egyptians were also engaged. They often entered the household anywhere from the age of 10 and left mainly when it was time to get married. Parents of the household worker would visit sometimes as rarely as once a year to collect her salary. Both during and since the war, however, such positions have come to be seen by Arab women as degrading and unacceptable. Since the influx of foreign women from Africa and Asia particularly, the position of domestic woman worker has become one that carries with it a particularly low status. This is not only because of the servile nature of the tasks, the conditions of work and relative low wages, but also because there is now a racial and discriminatory stigma attached to domestic employment.

The first recruitment agency in Lebanon to open its doors to Sri Lankan migrants was in 1978 (*L'Orient Le Jour*, 30/7/98). Most, however, came from 1993 onwards. Table 1 shows the number of work permits issued to foreign workers from 1993 to 1999. With respect to domestic workers, Sri Lankans and Filipinas are the most numerous. The decline of the Sri Lankan intake in 1996 was due to a dispute between the Lebanese and Sri Lankan governments. The Sri Lankans attempted to restrict the insurance of Sri Lankan nationals in Lebanon to particular approved companies. The issue was resolved, the number of entries substantially increased in 1997, and in February 1998, a Sri Lankan embassy was opened in Beirut. From unpublished data of the Population and Housing survey in 1996, it was shown that from the 11, 358 Sri Lankans in the sample, 95 per cent were female, and out of this percentage, 88 per cent worked in households as domestic employees.

Table 1. Work Permits Issued to Selected Foreign Workers: 1993-1999

	1993	1994	1995	1996	1997	1998	1999
Syrains	5,053	2,502	1,056	834	1,061	691	530
Palestinians	358	357	354	449	460	358	350
Sudanese	246	477	429	384	507	565	495
Egyptians	7,704	15,557	11,602	8,972	10,788	20,083	18,051
Jordanians	622	546	313	266	278	259	230
Iraqis	299	298	129	105	100	79	103
Other Arabs	214	203	91	122	139	148	139
Total Arabs	14,496	19,940	13,974	11,132	13,333	22,183	19,898
Sri Lankans	10,136	13,274	14,253	12,552	23,668	23,516	22,917
Filipinos	2,833	3,689	4,344	4,304	5,501	5,315	5,788
Indian	3,329	3,727	4,659	4,758	6,881	6,974	7,196
Others	164	2,269	2,218	2,187	3,138	3,610	4,348
Total Asian	16,462	22,959	25,474	23,801	39,188	39,415	40,249
Total Foreign	33,268	45,530	41,969	38,043	60,547	71,732	74,909

Source: Ministry of Labor, Central Administration for Statistics (1998, 2000)

According to the Sri Lankan embassy, there are currently around 80-100,000 Sri Lankans in Lebanon. The estimation by the Philippines embassy is approximately 20,000 workers from the Philippines. If we accept these estimations, we could simply take a multiple of three or four on the 1999 figures for each nationality of foreign workers in the table above (see McDermott, 1999).

A number of Asian countries such as the Philippines and Sri Lanka have pursued active policies for overseas employment, partly to alleviate unemployment and partly to generate foreign income (see Rosales, 1999). Castles and Miller cite ILO figures that for countries with serious trade deficits, remittances from migrants abroad can be significant. For example, "Pakistani workers remitted over US\$2 billion in 1988, which covered 30 per cent of the cost of imports. Indian workers remitted US\$2.6 billion, the equivalent of 15 per cent of imports" (Castles and Miller, 1998: 148). Most of these funds came from the Middle East. On a somewhat smaller scale, remittances from the Middle East to Sri Lanka between 1980 and 1986 doubled, from US\$112 to 264 million (Eelens, et al., 1992: 4). All Filipino migrants living abroad in 1997 remitted home some US\$5 billion (KAKAMMPI, 1998). In 1999 total remittances to Sri Lanka from workers abroad totalled US\$1 billion (Kannangara, 2000). This constituted around 20 per cent of foreign goods imports into Sri Lanka for the previous year and more than the trade deficit of US\$0.7 billion. In 1996, it was reported by the Lebanese Minister of Labor that "not less than US\$10 million per month" was being repatriated from the "wages of foreign maids" from Lebanon (*An Nahar*, 23/6/96).

Although there are significant economic interests in encouraging labour migration to the Middle East and other countries, there have also been attempts by sending countries to apply minimum labour conditions in the receiving countries. Governments have tried to establish specific conditions within the labour contracts and to introduce licensing procedures for

private recruitment agencies. These measures, however, have met with little success (Abella, 1995). The governments of the Philippines, Bangladesh and Thailand went so far as to ban the placement of female domestic helpers from some countries following reports of physical and sexual abuse. In 1987 the Philippines government only allowed Filipina domestic workers into those countries which were prepared to enter into bilateral agreements where protection of the workers was guaranteed (Abella, 1990: 244). The Philippines subsequently established an “Overseas Employment Administration” to encourage migration and to conduct pre-departure seminars for emigrants appraising them of their rights and what to expect in certain countries. The Sri Lankan government now also provides pre-departure seminars, but these are mainly to teach the women how to use electric household appliances.

It is very difficult for foreign governments through their diplomatic missions to monitor the fates of female domestic service workers, although recent activities in Lebanon have sought to redress this. For example, Lebanon’s General Security now has computerized data banks that record the entries of all migrant workers with the names of their employers which means they can be traced in a way that was impossible previously.

2. Domestic Workers Migrating to Lebanon

Administrative and legal requirements in Lebanon apply to all foreign domestic workers.

2.1. Recruitment process

Formally, a domestic woman worker has to be “sponsored” into Lebanon. That is, in order to be able to enter the country on a working visa, she has to be invited from the Lebanese side, either through an agency or on request by an individual employer. Lebanese agencies can either use the intermediary services of their counterparts in sending countries, or they can recruit the women themselves directly. The workers arrive into Lebanon with a 3 months working visa, pre-arranged by the Lebanese agency or the sponsor. The visa includes the name of her employer (sponsor) written in the passport.

There are currently around 150 recruitment agents licensed by the Ministry of Labour in Lebanon and a small number who operate illegally. Licensed agents are required to lodge a US\$35,000 bond with the government to bring in 150 migrant workers per annum.

Many, but not all, women wishing to migrate pay agency fees in their home country. It is not known how many do pay pre-departure agency fees. Those who do will usually need to enter into debt (to family members, banks or loan sharks) or sell assets such as jewellery to cover the cost. Agency fees in Sri Lanka, for example, are around US\$200, but may vary between countries. The Lebanese agency’s fees are borne by the Lebanese employer – currently around US\$1,000 for Sri Lankan and African domestic workers and up to US\$2000 for Filipinas. (It was only in the past 12 months that charges for Sri Lankans were reduced from US\$1500, due to the economic recession and the increasing number of agents who have entered the industry.) These fees cover the cost of the airfare, government charges (initial 3 month working visa) and agency commissions. In addition to these costs, the employer must pay separately for the residency and work permits, notary fees and insurance (to be renewed each year), which amount to US\$500. Filipinas command higher up-front costs as well as monthly salaries

because they are considered to be better educated, are literate in English and have higher social prestige as domestic servants. Lebanese law also requires the employer/sponsor to provide insurance for domestic workers that must cover medical, disability, accident, burial and repatriation costs. The insurance must be arranged within the first three months of employment and is a precondition for the annual work and residency permits. This usually includes a medical examination and report which employers arrange soon after the domestic worker's arrival.

Although the costs and fees of agents may vary, as there are no price-fixing or government price ceiling regulations in either country, one Lebanese agent interviewed pays to his Sri Lankan agent US\$500 for each "girl". This includes around \$260 for a one-way airline ticket to Beirut, leaving \$240 commission for the Sri Lankan agent.

In a study of Sri Lankan domestic workers in Lebanon, Jureidini and Moukarbel (2001) found that the decision to migrate to Lebanon is often made by Sri Lankan agents, who are presumed to make more commission from Lebanon than from other countries.

One middle-class Lebanese employer interviewed specifically requested young, unmarried girls from a village. This employer explained that she ordered a young Sri Lankan "whose lips have not been kissed other than by her mother"; in other words, naïve, inexperienced and innocent. Others wanted older women who were presumed to have overcome their sexual desires.

On arrival at Beirut airport, the sponsor is required to personally meet the employee at the airport to take her home. It is important to note here that when the employer picks up the employee, the General Security usually calls him/her at the exit gate (General Security, housed within the Ministry for the Interior, is responsible for the control of foreigners in Lebanon). A General Security officer at this point will be in possession of the employee's passport, but will hand it directly to the employer while the employee waits behind.

2.2. Categories of Domestic Workers

Foreign female domestic workers in Lebanon may be classified into three types with different living and working conditions - namely "live-ins", "freelancers" and "runaways".

Live-in workers reside within the sponsors/employer's household, usually for 2 or 3 years. The sponsor is responsible for all the financial costs involved such as the work permit, health insurance, clothing and food, as well as the airfare to return to her home country upon completion of the employment. The employer can (and usually does) control and limit her freedom of movement (see chapter 3.7) The employer usually also keeps her passport and other papers, making it impossible for her to leave the country. It is, as noted above, up to the employer to renew her work and residency papers as well as her medical insurance each year. The household worker cannot change employers, unless the employer agrees and the Lebanese authorities allow for a "release" to take place. The employer who has acquired the services of an agency has the luxury of changing his mind and changing domestic workers within the first 3 months of the contract. This is the agency's "guarantee".

Freelancer's living and working conditions are much less controlled. The main difference is that they live on their own (either renting, or staying in a room in exchange for services rendered) and work on an hourly basis (around \$4 – 5 per hour) for different employers. They have the freedom to withdraw their services as they wish. Some freelancers entered Lebanon on live-in contracts. However, when the contract finished, they decided to remain in Lebanon and to be in control of their own labor. Others came initially to work as freelancers using the name of a sponsor who had agreed, in return for a fee, not to be their employer – as a form of sub-contracting. To remain within the law, the freelancer must have a sponsor. Some Lebanese men have taken advantage of this as a prosperous business, charging up to US\$1200 to act as sponsor for an individual migrant worker. There have been a number of cases where this sponsorship money has been taken, but no papers arranged and the passport not returned. To our knowledge, none of these men have been prosecuted. It is important to note that in most cases, the freelancer cannot prove that she had given money to get her papers regularized as these “acting sponsors” rarely give receipts. In such cases, the migrant is usually too scared to go to the police because of her “illegal” status and the risk of arrest and deportation. Moreover, they generally do not have access to legal representation.

“Runaways” are the third category. These women are former live-ins who decided for various reasons (mainly abuse and withholding of payments) to leave the house of their employer. They take refuge in embassies, NGOs and sometimes with their compatriots sharing cheap accommodation. Lebanon does have a law on Codes and Obligations of Contracts (see Conclusions section on Contracts below). As soon as she leaves her sponsor, the domestic worker is automatically rendered as an illegal alien. The employer usually notifies General Security for otherwise, he would be responsible for her as long as she is in Lebanon paying her yearly residency and work permits charges. The runaway is left with two choices. She either goes back home or finds a new sponsor. In the first option, she must succeed in retrieving her passport from her employer (who sometimes “sells” it to her) or she must get a *laissez-passer* from her embassy to leave the country. With the second option, a release to work for someone else needs to be purchased.

Conclusion

It may be said that live-in and runaway migrant workers are “unfree labour” in the sense that they do not have the right to choose an employer without express permission from the state authorities. Nor do they have the right to withdraw their labour from their sponsor/employer without being rendered illegal and thus liable to arrest, imprisonment and deportation. By contrast, while freelancers are bonded to a formal sponsor, in reality they may be considered more as free labour and so are much less vulnerable to abuse and exploitation by employers and agencies.

Being formally tied to a sponsor/employer is a standard condition of temporary foreign labour in most countries. It applies to both skilled and unskilled labour. Thus temporary foreign labour is perhaps by definition ‘unfree’ in terms of the local labour markets of receiving countries. However, the types of slavery-like practices applied to live-in domestic workers are an added dimension in the denial of basic freedoms.

3. Review of Working Conditions – Case Studies

An important part of those who live in the household experience the worst working conditions of all foreign female domestic workers in Lebanon. This complicates the normal considerations of labour standards and relations because working conditions are inextricably linked with living conditions and general treatment.¹

This section will address seven issues in relation to working conditions:

3.1. Contractual and non-contractual employment relations

It is unclear whether the existence or non-existence of a contract between the domestic employee and employer makes any difference to the conditions of work. On the one hand there is a requirement that some type of contract be signed by both parties when the work and residency permits are being applied for. If the employee does not use a standard contract drawn up by their embassy, they are obliged to accept a contract written in Arabic and issued by a notary. Few employees concern themselves with the details of the contracts in terms of requesting or insisting that the terms and conditions be complied with. In Freda's case (Case 1) she had signed a contract that had been faxed to her in the Philippines prior to her departure (on her insistence), but there were many violations of the agreement.

The length of contracts seems to vary – between one and three years, maximum. By law, at the end of the contract the employer is obliged to furnish the employee with an airline ticket to her home country.

Many women work illegally, without a contract and without valid work and residency permits, although there is no clear estimate of numbers. Some who live-in are rendered illegal by their employers who do not renew their papers and pay the taxes required. What happens in such cases at the end of the contractual term is unknown, because the worker cannot leave the country unless her papers are in order. Unscrupulous employers may at that time falsely accuse the employee of theft in order to relinquish responsibility for the employee as well as the back taxes and the airline ticket home. However, more recently, the Lebanese government instituted a \$1000 bond on registration of sponsorship, to be lodged by the individual employer with the Central Housing Bank. The bond is intended to cover such contingencies.

A number of human rights lawyers for some years have been attempting to convince foreign workers to seek redress in the courts for violations of contracts, offering their services free of charge. However, very few have been willing. Too often they are simply unaware of their rights and unprepared to test them in Lebanon. They either leave the country to put their traumatic experiences behind them or they are reluctant to risk the

¹ Discussion of working conditions in this section will draw on material from the eight case studies provided in Appendix. In addition, reference is made to a more extensive study of Sri Lankans.

possibilities of finding other employment to recoup their losses before eventually returning home.

3.2. Remuneration

Foreign domestic workers receive various wage rates, depending on their country of origin. It is unwise to put a firm figure of the standard monthly rates. However, the norm is probably around \$250-300 for Filipinas, \$100-150 for Sri Lankans and Africans. This monthly salary is for live-in workers, where their accommodation, food and sometimes clothing, etc. is provided. Filipinas are considered more prestigious in terms of status for the household, “more intelligent”, better educated and better able to speak English, the third language of Lebanon. However, while all 3 Filipinas interviewed said they were literate in English, so did the Ethiopian worker, as well as the Sri Lankans.

Those who work freelance can earn a great deal more – up to \$500 per month or more, but they must either take the risk of working illegally or bear the cost of the annual work and residency permits. Further, they must pay for their own accommodation and living expenses.

3.3. Hours of Work

In this particular research group, working hours varied between 9 and 19 hours. In the survey of 70 Sri Lankan domestic workers, Jureidini & Moukarbel (2001) found an average of 16-17 hours of work per day. In addition, however, it was noted that many are considered to be “on-call” for 24 hours. For example, cooking and cleaning until late at night when visitors are over, or nursing the children and assisting elderly people during the night.

The standard contract of the Sri Lankan government for their nationals specifies no more than 12 hours per day, and with suitable rest periods. Only Pia in our case examples indicated a regular rest period each day between 2-4pm. In general, domestic workers surveyed were working long daily hours by any standards.

3.4. Leisure or Free Time

Only two of our eight case studies indicated they had any days off, in this case on Sunday. This is consistent with the findings of the 70 Sri Lankans where 88 per cent reported having no days off. Some might have an hour or two on Sundays to attend church services, and even then their employers often accompany them. Rarely can the live-in worker go outside, visit friends or just go walking. Some said when they had some respite they would rest, or sleep from exhaustion.

Freelancers, of course, can more easily build in free time depending on the hours of work they have and the amount of money they are able to earn. Some work for more than one employer on a daily or hourly basis. Sundays are usually sacred for religious services and for Sri Lankans particularly, to congregate in Dora, a suburb of Beirut to do their shopping and to socialize. Observing the interactions on a Sunday in Dora, mostly young

males and females cluster in small groups. There are no open political activities or any evidence of security personnel checking identification papers or general harassment. Indeed, General Security is not particularly interested in making special efforts to look for and detain illegal workers. As the country is replete with 'illegal' workers, the trouble and the financing of apprehending and detaining them is not seen as cost effective (personal interview with Major General Sayyed, head of General Security).

3.5. Work Tasks Performed

The work entails all household chores with the exception of cooking. This is usually the responsibility of the madam. Domestic helpers assist in cooking, by cutting vegetables, set the table, serve the meals and clean up afterwards, including the washing up. Everything also includes washing the clothes, ironing, washing floors, vacuuming carpets - sometimes dusting and washing them – dusting on a daily basis, making the beds, tidying, picking up after the children, shopping at the local store or accompanying their employers to the supermarkets. In many cases, looking after the small children was added to the other household tasks.

The intensity of work will depend upon the fastidiousness of the madam. Some are nothing less than obsessive with cleanliness and will constantly inspect and supervise the domestic worker's work. Constant criticism in this regard is an insidious form of harassment and pressure. Others are not so demanding. In one of the interviews the difference was noted between Western employers compared with Lebanese employers.

Although the Filipino and Sri Lankan contracts forbid it, many domestic employees are required to work in the houses of relatives of their employers. In none of these cases reported was the worker given extra money. When the family goes on an outing, or to visit relatives, the household worker will often accompany them as part of her work (not her leisure).

3.6. Treatment by Employers

One of the most common images of the treatment of domestic women workers in Lebanon is physical abuse. There are indeed very serious cases, which are those most reported in the press, but overall there is probably not as much physical abuse by employers in the household as is commonly thought. However, many foreign workers testify to decent respectful treatment and have grown to like their employers. In fact the most serious abuses reported seem to have come from recruitment agency staff, rather than the employers. Still, it is not unusual for a domestic worker to suffer from emotional or psychological abuse from either party.

It is noteworthy that the harshest treatment by employers seems to occur during the early months after beginning work. The madam during this period usually adopts the attitude that she has to "train" her harshly so that there will be no misunderstanding later. It is a strict and punitive form of socialization into the job. Within this relationship are complex aspects of fear and uncertainty on both sides. To take a recent example, a Sri Lankan woman around 30 years of age arrived to take up her position in a lower middle-class

household. The madam took two days leave from her full-time job to train her. Among other things, the madam put her into a bathtub and insisted on scrubbing her all over. The madam trimmed even the hairs under her arm.

The Pastoral Committee of Asian-African Migrants (PCAAM) recently established a rudimentary database of the cases that they had dealt with in the twelve-month period to March 2000. Of the 406 cases, 234 (58%) were Filipino female domestic employees as the largest single nationality. Only 21 (5%) were from Sri Lanka. Other nationalities included people from Vietnam, Zaire, Lebanon, Ethiopia, Nigeria, Indonesia, Sudan, Kenya, Madagascar, Mauritius, Ghana and Eritrea. In 116 cases (25% of total), some form of abuse or mistreatment by their employer was reported. In many cases, more than one type of mistreatment from the categories in Table 2 was reported. However, the withholding of passports and identity papers is not considered as a form of abuse, when perhaps it ought to be.

Table 2. Types of Abuse of Filipina Domestic Workers

	No. %
Accusation of stealing	16 (14)
Confinement	14 (12)
Food Withheld	15 (13)
Overwork	3 (3)
Payment Withheld	22 (19)
Physical Abuse	17 (15)
Sexual Abuse	8 (7)
Verbal Abuse	17 (15)

3.7. Freedom of Movement

One of the most insidious forms of domination and control over foreign domestic workers in Lebanon is the harsh restriction of their movement. If not actually locked in the apartments, employees rarely have keys and are usually forbidden to leave without express permission. It is a form of imprisonment that has become part of the normative expectations of the employment relationship. Even if employees are well treated in all other ways, the practice of restricting their movement is standard.

Freedom of movement is also curtailed by the withholding of the employee's passport and other identity papers. This is against all international conventions. And yet, it is a normative practice, condoned even by the foreign diplomats we have spoken to, as well as human rights lawyers, priests and the like. It is generally accepted that the initial investment of the employer justifies this – until some trust has been established - to minimize the risk that the employee will not abscond.

The total isolation experienced is a concerted one – no telephone access, sometimes no mail, or control over all correspondence with the home country and social isolation. For example,

they are rarely allowed to speak to other household workers across the balconies, or chat in the streets.

In addition to the restriction of movement are the restrictions in eating, many live-in workers are not given enough food and only allowing them to eat the leftovers after the family meal. One can also witness this treatment in restaurants. In several cases, padlocks are attached to the refrigerator.

Conclusion

This section has focused mainly on negative work practices from the point of view of the foreign domestic worker. There are in fact two stories that need to be told in the analysis of domestic migrant workers in Lebanon. One concerns degrading forms of slavery. The other concerns the positive effects where individuals, families and the sending countries as a whole benefit from the improved financial opportunities afforded by the higher incomes remitted from these workers. Other opportunities, such as skills acquisition and general learning and experience gained can also improve personal development and social standing in their communities.

It is important to recognise the willingness of these women to sacrifice years of their lives for their families. As a consequence, many of them suffer marriage failures and the separation from their children. It is the role that the economy plays in the drawing of employment abroad.

Although in most cases there are no apparent forms of serious abuse in Lebanon, restrictions of movement, withholding of passports and belittling have become “common practice” among Lebanese employers. Apart from constant criticism, and labour exploitation many women not only stay with their employers (like in Pia’s case), but also accept their conditions and renew their contracts. It would seem that the economic benefits outweigh the physical, psychological and moral costs that these women are prepared to pay.

4. Coping Mechanisms of Employees

The following section of the report looks at those foreign domestic workers whose illegal status means that while residing in Lebanon they avoid the authorities for fear of being detained, imprisoned and deported. Thus they must find adequate housing and an income to survive, unless they willingly turn themselves in and await deportation, which can take months while incarcerated in often appalling conditions in the detention centre. The detention centre is not formally classified as a prison. It was specifically designed to house people awaiting deportation. Numbers of African and Asian migrant workers in the prisons and detention centres can vary up to 200-300 women at any one time (Young, 2000).

Although Lebanon has been a member of the advisory committee to the UNHCR since 1964, it never signed the 1951 Geneva Convention that recognizes the rights of refugees

and displaced people neither the conventions dealing with migrant workers. Lacking the normal rights of citizens to access public forms of help and having no family support, migrants are left to the vagaries of charitable organizations and their diplomatic missions for assistance. There are 4 aspects to non-state provisioning that both ‘legal’ and ‘illegal’ migrant women access.

4.1. NGOs

While there has been a massive proliferation of both Lebanese and foreign NGOs in Lebanon since the civil war, very few have been established to cater for the needs of migrant domestic workers. It was not until 1997 that the Pastoral Committee of Asian-African Migrants (PCAAM) was formally established. Under the direction of Bishop Paul Bassim of the Ecclesiastic Council of Lebanon and the day-to-day co-ordination of Father Martin McDermott, PCAAM administers social, legal and religious assistance to migrant workers. Under the auspices of PCAAM lawyers are provided mostly free of charge, either through the Legal Aid program established by the Lebanese Bar Association, or by individual human rights lawyers. It also oversees the operations of four Catholic centres that cater for the needs of African and Asian migrant domestic workers (as well as other migrants). These are the Afro-Asian Migrant Centre (1987), Laksehta (1988), and two individual initiatives, one by Father Vlugt and one by Father Mati. Like PCAAM, also Caritas-Lebanon works on migrant workers issues under the aegis of the EC. Caritas’ Migrants Centre (1994) coordinates with PCAAM and the 4 centres. All of these cater in various ways to assist women who have been apprehended without valid documents and placed in detention centres.

The Afro-Asian Migrant Centre (AAMC) is managed by a Philippine nun, Sister Amelia. A lot of Filipino workers come to this centre, which – apart from welfare services - acts as a central meeting place where religious services and recreational functions are coordinated. A ‘safe house’ provides accommodation for women who have run away from their employers and the Centre will often connect these women to more reputable employers through their own networks.

Table 3. Activities of NGOs

Activity	PCAAM	AAMC	Laksehta	CMC
Assist detained women to obtain valid documents	X	X	X	X
Retrieve passports from employers	X	X	X	X
Financ. contrib. to expired work/ residency permits, repatriation	X	X	X	X
Legal aid	X			X
Medical treatment	X		X	
Shelter		X	X	
Social counselling, welfare & pastoral care		X		X
Radio program		X		
Contacting diplomatic representation and family of prisoners	X	X	X	X
Free education for children of MWs		X		

The Laksehta Centre, run by a Sri Lankan nun from the Bon Pasteur order, Sister Angela, provides another refuge, more or less exclusively for Sri Lankan women in suburban Beirut (Young, 2000). A variety of welfare and religious services are provided by and at the Centre. Once a month, they visit all other prisons where Sri Lankans are incarcerated (e.g. Zahleh, Tripoli, and Baabda). The centre has also established a postal service. The organization through the Sri Lankan embassy assists to repatriate the remains of deceased migrant workers, whether Catholic or Buddhist, back home. In the period September, 1998- August 1999 it was reported that at least 10,000 persons made use of the various forms of assistance: the refuge (130 women), legal assistance (34 women), retrieval of passports from employers (5), employment for 116 women, medical care, including hospitalisation and after care (78 women), treatment for mental illness (14 Sri Lankans and 7 Ethiopians) and repatriation² (59 women). During this period, some 750 persons were visited in the prisons.

The Sri Lankan Welfare Association was established in early 1999 as a fund-raising organization to assist those in need of emergency assistance. Although it is mandatory that sponsors of migrant workers provide health insurance for their employees, many, or possibly most migrant workers, particularly those who do not have valid working papers and runaways are not insured. This association raises funds to enable migrants with no resources to attend hospitals which in Lebanon require an up front payment before admission can be processed.

Most direct welfare provisions for migrant workers in Lebanon tend to come from religious groups, and as shown above, primarily associations linked to the Catholic Church. A number of religious groups have been formed, many associated with the AAMC or the PCAAM, but which also tend to gather according to nationality. In addition, national groups (for example, Filipino, Sri Lankan, Ghanaian, Tanzanian, Nigerian) have formed as “solidarity networks to dispense assistance and advice” (Young, 2000: 66).

Since 1994, Caritas Lebanon has been providing assistance to refugees, asylum-seekers and migrants-at-risk through the Migrants Centre. The Centre’s services to migrant workers are primarily for migrant workers from Africa and Asia, especially women. A lawyer is available for advice. Cases that cannot be solved through mediation and have strong evidentiary support are prosecuted through the courts. In addition, a social worker at the Centre can enrol migrant workers in a low-cost major medical insurance plan. Social workers are available at the Centre to assist migrant workers with problem solving and access to available social services.

A Migrants Centre social worker is also present in the Detention Centre in Adlieh. The Centre monitors the treatment of detainees, supervises medical care, organizes meals from outside, and assists with resolving cases and promoting early release where possible.

² 20 were mental patients, 36 were physically ill, 2 were prisoners and one was a young pregnant woman.

4.2. Embassies

Since not all migrants have embassies in the country, consuls are taking care of entry permits if they have diplomatic representation in Lebanon, and have a wide range of responsibilities. In the past year an Ethiopian Consulate has been established. Until two years ago, countries such as Sri Lanka, Madagascar, Vietnam and African countries except Sudan appointed honorary consuls to represent them in Lebanon. These were unpaid Lebanese nationals, who relied on commissions from the services they provided, but who also too often acted as recruitment agents. As such they were not active in protecting the interests of the migrants (Garde, 1998).

One indicator of the level of the isolation and despair of migrant workers is the suicide rates. While no systematic research has been conducted on this area, some figures have been revealed. For example, in 1997 there were 47 'suicides' of Sri Lankan household workers, all having jumped from the balconies of their employer's apartments (An Nahar, 3/3/98). In the six months from March 2000, 8 Ethiopians had committed suicide (interview with the Ethiopian Consul in December 2000). Further, there is a great deal of suspicion regarding many cases by members of the public as to the extent to which these are all in fact suicides or the results of domestic conflicts or disputes. While there have been at least two cases of Sri Lankans charged with murder, no Lebanese have been charged or found guilty of such crimes against foreign domestic workers.

There is no doubt, however, that the presence of diplomatic representation can make a difference to the treatment of migrants in Lebanon.

Sri Lankan Embassy (1998)

The Sri Lankan embassy under its current ambassador, Dr M. Muhseen, has taken measures to implement reforms (see table 3.2).

One employee regularly attends the offices of the General Security to request names and addresses of employers of runaways so they can mediate negotiations for retrieval of passports, payment of wages and funds for repatriation. The General Security, according to this employee is always very cooperative and helpful, and on an ad hoc basis will offer assistance in such retrievals, as they can be quite persuasive.

In an attempt to improve the conditions of work for Sri Lankan domestic workers the Sri Lankan ambassador notifies the agent concerned when faced with a woman who has run away. When the agent arrives at the embassy to 'collect' the domestic worker, the ambassador does not release her to the agency, but insists to the agent that he (the ambassador) interviews the future employer to ascertain whether he or she is the proper person, and will respect his/her obligations and responsibilities as employers.

Philippines Embassy

The Philippines Embassy may be said to have developed the most systematic set of facilities for its nationals in Lebanon. The government of the Philippines established an

Overseas Employment Administration with legislation to protect emigrant workers from abuse and exploitation. With an explicit policy to encourage labour migration (“Philippines Migration for Work”), there are regulations that require emigrants to participate in “pre-departure orientation seminars”. These seminars, however, are only awareness-type programs, rather than in-depth training and familiarization with what may be encountered in the host country.

There is also an accreditation procedure to license recruitment agencies wishing to procure Filipinas for work in Lebanon. Licensed agencies are required to use the Embassy’s “Master Employment Contract for Domestic Helpers” which stipulates the terms and conditions of employment (in English and Arabic). As of September 2000, there were some 2000 of these contracts signed and approved. The rationale here is that it is easier for embassies and other social institutions to implement welfare to those with embassy approved contracts because all details of employee, employer and agency are registered. However, there have been no cases where breach of contract has been invoked.

The Filipina Worker Resource Center in Beirut, has been designed to provide facilities training seminars to assist their nationals in skills upgrading and other cultural activities. This has been established with a concern for dealing with “development” issues as well as welfare. In this sense, it may be said that the Philippines takes a very “business-like” approach to its migration program.

Ethiopian Consul

The government's role as a public employment agency in the recruitment of workers for employment abroad has greatly diminished since the introduction of the Private Employment Agency Law in 1998. However, even when the government acted as a public employment agency, most women were smuggled instead of legally recruited. In 1996, for example, only 356 women left for the Arab countries with approval by the Ministry of Labour and Social Affairs. In 1997, 728 left; in 1998, 894; in 2,000, 1,163 women left through the same process³. Yet, in 1999, 17,000 Ethiopian women were reportedly working as housemaids in Lebanon – indication enough that more women leave the country illegally than through legal channels⁴.

In response to the pressures put upon the government regarding the lack of protection of Ethiopian migrant women, and due to reports of severe abuses inflicted on these women, the Ministry of Foreign Affairs set up a National Committee in June 1999. The Committee consists of representatives from the Ministries of Foreign Affairs, Justice, Security, Labor, Social Affairs, Information and Culture and the Women’s Bureau at the Prime Minister’s office, Immigration and Refugee Affairs Authority and the Police Commission⁵.

³ Data gathered from the MOLSA in Ethiopia, Public Employment Service Section.

⁴ Ethiopian Female Migrant Workers under Exploitative Working Conditions in the Gulf States, p. 22.

⁵ Ethiopian Female Migrant Workers under Exploitative Working Conditions in the Gulf States, p. 24.

Table 4. Activities of embassies/consulates

Activity	Sri Lanka emb.	Philippines Emb.	Ethiopian Cons.
Standard contract	X	X	
Mediating services	X		X
Safe House	X		X
Laissez-passer for repatriation	X		X
Overseas employment administration		X	
Pre-departure orientation seminars	X	X	X
Accreditation system/ recruitment agents		X	
Workers resource center		X	
Legal assistance	X	X	X

The Ethiopian government has not seen fit at this stage to open an embassy in Lebanon, based upon the current political relations between the two countries. The current consul, Mr Fiseha Afeworki, is currently faced with an understaffed office and an overwhelming number of individual cases of Ethiopian runaways requesting a laissez passer, or who need legal assistance of one form or another. He has access to one or two lawyers who work for free. With an estimated 15,000 Ethiopians in Lebanon (the proportion of domestic household workers is unknown) there are major human rights abuses perpetrated against Ethiopians. Most Ethiopians in Lebanon have entered illegally without contract, recruited by agencies in Addis Ababa without the government's knowledge. There is only one accredited agency in Ethiopia that maintains international labour standards. The illegal domestic workers are subject to a range of inhuman mistreatment, including rape, burning and starving. However, Ethiopian suicides have reduced since the opening of the Consulate as they now have better access to air their grievances (interview with Father Salim Rizkallah).

Given the poor resources available, the consulate relies heavily upon NGOs and other charitable organizations and individuals for assistance.

Conclusion

Although the social, medical and legal assistance provided by NGOs and embassies are vital and indispensable, they are not always successful in solving the problems of their nationals in Lebanon. Until now, only very few employers/sponsors who have violated their contractual obligations have been prosecuted by the Lebanese government. This lack of action leaves the embassies and NGOs somewhat powerless. Along with diplomatic proclivities to avoid conflict, and because the embassies are concerned with the continuing facilitation of migrants as an export commodity, justice for the migrants themselves is rarely achieved. Moreover, Young (2000: 71) suggests that "most countries which send workers to Lebanon, perhaps with the exception of Syria and Egypt, are not considered powerful enough by the Lebanese to be able to impose respect for their nationals."

An important source for assistance to the women discussed in this chapter is the freelancers. Freelancers need to be resourceful and do avail themselves, when required, of

the services of the NGOs noted above. In return, they may find work for runaways who have come to the attention of the NGOs who maintain links with them. In this sense there is a substantial network operating, but usually along ethnic lines. While there are African and Asian freelancers living and working together, the closer friendships and assistance tends to be within the different ethnic groups.

5. Recent Government Reforms and Measures & International Conventions Related to Migrant Workers

5.1. Government reforms and measures

Five measures may be identified as having brought about positive changes in Lebanon during the previous two year under the government of Salim Hoss. Since the government sought to improve the administration and enforcement of regulations, most of the reforms dealt with the management of undocumented foreigners, work permits, police and the like.

In October 1998, the Lebanese government banned the process of “releasing” foreign workers from one sponsor to another. This measure had the effect of preventing what was tantamount to “selling” workers from one employer to another, since the procedures in procuring the release papers invariably included some remuneration to the sponsor. The manifest reasoning behind the legislative change was somewhat different, for the government wanted to ensure that agencies and other individuals were not using fictitious, nominal sponsors to import large numbers of foreign workers to post-facto place them with an employer, a practice very close to trafficking. Sponsors were doing this because of an incremental tax rate which meant that a sponsor who has one employee pays 250,000LL; with a second, the charge is 500,000LL, and a third, 1,000,000LL and so on, thus making it a prohibitively expensive business.

Again in 1998, the government introduced a scheme of tax stamps costing around \$24 for the pre-registration work visa (which covers the worker for the first three months in the country). This considerably reduced the costs since in the past, agents and individual sponsors were required to pay around \$250 to the Ministry of Labor.

Another initiative of the Host government has been to establish a complaint procedure. Through this procedure the Ministry of Labor has indicated that it will take an active role in complaint cases. In the past year, 3 agencies have had their licenses suspended for improper conduct. One agency was suspended (see case 2) due to the direct intervention of the Sri Lankan Ambassador who personally made the complaint. There has been no actual cancellation of licenses. Although there are probably thousands of cases to be taken into consideration, they rarely reach the complaints stage because of the lack of trust in the system that has been seen to automatically assume the interests of the employer; and because the foreign women do not know how, or where, to make a complaint.

In addition to the above points, the government has, since 1998, computerized the names and addresses of all foreign workers entering the country and their sponsors. It is now possible to trace the sponsors through the Ministry (usually through General Security) whenever there is a problem. Previously it was virtually impossible, for example, to find the employer of a 'runaway' household worker who may have been abused or unpaid, but did not know her sponsor's full name or precisely where he or she lived.

From August 2000 until February 2001, the government issued an 'amnesty', allowing "all illegal residents in Lebanon to apply for residency or leave the country." In an interview with Major General Jamil Sayyed, Head of the General Security, he explained that this is not an amnesty, since those whose papers require regularization must pay back taxes to cover the period since they last renewed their work visas and residency permits, whether they leave the country or not. It does, however allow for release papers to be arranged without special permission where a sponsor is no longer the employer, and another employer is willing to become the person's sponsor. The aim was to reduce the number of illegal foreign workers in the country and to reduce government expenses since undocumented migrants kept in shelters awaiting deportation are very costly.

In principle, if a foreign employee leaves her employment, she is obliged to leave the country, or seek special permission to release her to another employer (which only the current 'amnesty' will allow). However, a very recent announcement by the General Security (Surete Generale) states that: "responsibility for bringing a foreign domestic servant into the country may be transferred to another individual one time only during the first three months of the foreign laborer's stay in the country" (Daily Star, 6/12/00). This measure was introduced to ensure that once the 'amnesty' has expired, there will be some flexibility to release a worker from one sponsor to another, but the limitation of the first three months coincides with the first employer/sponsor's responsibility to arrange a 12 month work visa and residency permit. If either the employer or employee do not wish to continue the contract, they have the first three months to sever it. It also coincides with the agencies' guarantees to replace an employee within the first three months if she is not deemed suitable for any reason.

5.2. International Conventions

There are a number of relevant international conventions that Lebanon has ratified and which can be invoked for legal and political purposes. The following details those conventions and the most appropriate articles as may be applied to female foreign domestic employees in Lebanon. It must be noted, however, that the legal status of migrants in international law is linked to their conditions as foreigners. As such, they need diplomatic protection, which can only be activated by the state through bilateral relations (Pires, 2000). The law of aliens and diplomatic representation is an important backup for migrants where appropriate international human rights instruments are not accepted. In the Lebanese law, domestic workers are not registered under the Labour Law but the Civil law. Article 7 of the Labour Law articulates that all workers are covered except domestic workers.

5.3. United Nations Conventions

Lebanon contributed to the formulation of the text of the Universal Declaration of Human Rights, which was adopted by the UN General Assembly in December 1948. The Declaration is in fact enshrined in the Lebanese Constitution, which also states that all international conventions to which Lebanon is a signatory will take precedence over national laws and conventions. Especially Article 5 on torture or to cruel, inhuman or degrading treatment or punishment; Article 13, on the right to freedom of movement and the right to leave any country, including his own, and to return to his country; Article 23 on free choice of employment, to just and favorable conditions of work and to protection against unemployment; the right to equal pay for equal work and the right to form and to join trade unions for the protection of his interests and; Article 24 discusses the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay, are of crucial importance.

There are a number of other United Nations Conventions that have been used in Lebanese courts in defence of migrant workers who have been mistreated. The arguments were put in cases against migrant workers who were imprisoned or detained because of irregular or no work permits, or had absconded from their employers and as they did not have proper identity papers because they had been confiscated or not renewed by their employers or agencies. These are:

1. The International Covenant on Economic, Social and Cultural Rights
(Ratified by Lebanon on 3 November 1972);
2. The International Covenant on Civil and Political Rights
(Ratified by Lebanon on 3 November 1972);
3. The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW)
(Ratified by Lebanon on 21 April 1997).

5.4. International Labour Organization Conventions

Although the rights of Migrant Workers have been addressed in the major International Human Rights Conventions, The International Labour Organization established international instruments that specifically target the needs of migrant workers:

- The Migration for Employment Convention 1949 (no. 97) accompanied by the Migration for Employment Recommendation (Revised) 1949 (no. 86);
- The Migrant Workers Convention 1975 (no. 143).

But these conventions have not been ratified by many states, Lebanon included. Indeed, “No country in the Middle East has ratified any of the [major] ILO conventions” (Pires, 2000).

While there are many ILO conventions, which deal with acceptable and unacceptable standards of work and remuneration, there are no Conventions, which specifically deal

with domestic workers. Domestic workers are defined as workers who are not members of the family or household, but who are employed to “facilitate the running of domestic life and personal needs” (ILO, 2000: 31). Further, it is acknowledged that the large majority of domestic workers, throughout the world are migrant or immigrant women. The particular category of female domestic workers with whom we are concerned in Lebanon are migrant women, that is, temporary migrant workers. Most ILO protective measures cover permanent immigrants or those “who have been regularly admitted to the territory of a member State” (ILO, 2000: 74). There are no ILO Conventions that deal specifically with temporary migrant workers.

While it is suggested that migrant workers should enjoy all the rights applied to national workers (with respect to remuneration, hours of work, overtime arrangements, paid holidays etc.), there needs to be a recognition that migrant workers such as those we address in this report are being employed largely *because* they are not receiving the normal labour entitlements of Lebanese nationals; and because they are largely willing to accept less rewarding conditions of work. The willingness is there because they are receiving up to 4 or 5 (or more) times the income they would receive in their home countries.

Notwithstanding the exclusion of temporary migrants from ILO Conventions, there are relevant articles that may be used. For example, in Convention (181) on Private Employment Agencies, 1997, Article 4 (see also article 12) refers to the requirement that workers recruited by private employment agencies “are not denied the right to freedom of association and the right to bargain collectively.” Migrant workers in Lebanon, as well as a number of other categories of workers such as part-time employees, do not have the right to form unions. There is also a widespread practice by recruitment agencies, both in Lebanon and the sending countries, to charge the migrants a fee, often requiring the employee to forgo initial wages for up to two, three or four months. This indebtedness, which amounts to a form of bonded labour, is not in the interests of the migrants. Article 7 (1) of the ILO convention states “Private employment agencies shall not charge directly or indirectly, in whole or in part, any fees or costs to workers.” Article 8 requires member states to: “provide adequate protection for and prevent abuses of migrant workers recruited or placed in its territory by private recruitment agencies. These shall include laws or regulations, which provide for penalties, including prohibition of those private employment agencies which engage in fraudulent practices and abuses”. (Article 8, 1) (See also, ILO, 1998 chapter 5, for a comprehensive discussion on private recruitment agencies and ILO guidelines)

Lebanon has ratified 14 ILO conventions on International Labour Standards. Although many may not be applicable to the category of migrants that this report is concerned with, the following Conventions are relevant to the protection of migrant workers:

- C105 Abolition of Forced Labour Convention, 1957 (ratified by Lebanon in 1977);
- C111 Discrimination (Employment and Occupation) Convention, 1958 (ratified by Lebanon in 1977).

Conclusion

The rights of domestic workers are explicitly mentioned in any of the conventions since they are temporary contract workers and employed within private households, hidden from the gaze of those parties interested in their welfare. The United Nations Conventions that specifically deal with this target group have not been ratified by Lebanon: the Declaration on the Human Rights of Individuals who are not Nationals of the Country in which they Live, and; The International Convention of the Protection of the Rights of all Migrant Workers and Members of their Families.

Lebanon has signed a number of other influential conventions. There are two reasons for hardly putting the conventions into practice:

1. The lack of clear procedure for domestic application of international conventions, especially in court;
2. Lack of awareness among law enforcement bodies.

To be able to defend the rights of domestic workers in Lebanon, these two dilemmas need to be tackled first.

6. Conclusions and Recommendations

Abuses of foreign domestic workers are not unique to Lebanon, but are astonishingly prevalent in identical forms in many countries around the world. A number of suggestions have been made as possible remedies to restrict or eliminate these abuses at the international and local levels in terms of legal, administrative, economic, educational and cultural reforms in receiving countries. Three categories of main violations could be short listed:

- violence or the threat of violence from employers, recruitment agencies, police and general security forces;
- denial of freedom in terms of withholding of passports, restriction of movement outside the residence of employment and limitations on outside communications;
- exploitative working conditions including withholding of wages, long hours of work, inadequate or no leisure time and insecure living quarters.

One of the major intentions of this paper has been to search for solutions and means of action to be taken by different actors and in order to improve working conditions of migrant women yet also to assist official bodies in simplifying the procedures pertaining to migrant workers in Lebanon. It is hoped that this paper has provided a beginning for a constructive dialogue in search of solutions.

It should be pointed out that the hereunder listed recommendations might affect the demand of domestic workers in the Lebanese labour market.

6.1. Measures at the court level

Only few cases concerning illegal practices in the employment of foreign domestic workers are brought to the courts. One of the major problems that these women face is that if abused, physically or financially, they are either not prepared to press charges or cannot afford the legal representation. There are free legal aid provisions through for example the Lebanese Bar Association or the Migrant Centre, but an abused employee is usually more eager to leave the country as soon as she can retrieve her passport or have a laissez passer issued to travel. If she wishes to stay in Lebanon, she will be more anxious to find another employer and not go through the legal process, cutting her losses and hoping to earn enough money in a decent household so she can return home to her country with something to show for her period away.

Recommendation

It is of main importance to defend more cases of abuse in court to defend the rights of migrant workers. Therefore, as Wijers and Lap-Chew suggest, more facilities have to be present such as competent translators during legal proceedings, access to free legal assistance and legal representation during criminal or other proceedings, access to legal possibilities of compensation and redress and provisions to enable women to press criminal charges and/or to take civil action against their offenders, such as temporary staying permit during criminal and/or civil proceedings and adequate protection as witnesses (1997: 209-10).

There are sufficient human rights lawyers and activists in Lebanon interested and who have a track record in this area for such cases to be conducted. It is recommended, for example, that Legal Aid in Lebanon, through the auspices of the Lebanese Bar Association would be the most appropriate organization to coordinate such activities.

It is envisaged that such cases should tackle strategic issues such as the withholding of passports, withholding of wages, physical abuse, and substandard employment conditions (including hours of work, poor living conditions, etc.). Such cases will establish precedent, but more importantly serve as a disincentive if there are sufficiently harsh/proper penalties meted out. In addition, a high level of publicity will serve an educative function throughout the population, particularly if the judges themselves can be convinced to make public statements or warnings against the violations. If there are sufficient cases, the government will also be more likely to support an education campaign to curb the abuse.

As noted previously, although labour law does not cover foreign domestic workers in Lebanon, there are adequate provisions in criminal law and international conventions ratified by Lebanon, which may be invoked to bring success in the courts. In short, even current legal provisions ought simply to be actively administered and contracts backed up by the law.

One of the first complaints that labour lawyers in Lebanon make when discussing foreign domestic workers is that there are no provisions for them in the labour law. That needs to be remedied. Legislation, with the support of the trade union movement, needs to be enacted for these workers to have more immediate legal remedies as employees, rather than relying on criminal law procedures. The Lebanese NGO Forum, which is seriously concerned with

addressing issues on migrants, refugees and the displaced, might be a useful coordinating arm in this matter.

6.2. Work permits

There are two forms of human rights violations in Lebanon, which have become part of the normative practices in the employment of foreign domestic workers. These are, first the withholding of passports and other identity papers by the employer; and second, the restriction of movement. Justification for both types of restrictions are based upon the following arguments:

Practices such as the withholding of passports are seen as justified because both the recruitment agencies and the sponsors/employers have an up-front financial stake in the employment process. Therefore, the agency requires some assurances, because within the first three months the agency is liable for her replacement. It is partly for this reason that many agents now stipulate that restrictions like the withholding of passports and the refusal to leave the house are required as conditions of the guarantee. From the employer's perspective the withholding of the passport and restrictions are to safeguard this 'investment' at least until the contract period has expired, or sufficient labour has been served to work off the money expended. Even the withholding of payment of wages is practiced supposedly for the same reasons. In other words, there exists a type of debt bondage here in addition to the kind of "contract slavery". There is a lot of support for this argument not only from employers and agencies, but even from priests and nuns who assist domestic workers in need, and from some embassies.

The second argument is that all the types of physical restrictions are required to insure against the employee 'getting into trouble' by meeting others whom may use her to enter the house for theft, becoming pregnant or getting diseases. She also might meet others who will tell her to leave because she can make more money in other ways (implying prostitution, or freelance domestic work). If taken seriously, these justifications concern personal protection and fears of added complications, which the employer simply does not want to have to deal with. The last matter concerns the labour market and the employer does not want competition or poaching of the employee who may be attracted by other arrangements.

Recommendation

It may be suggested that if migrants were to receive loans which covered all, or a substantial part of the costs incurred between leaving the sending country and commencing work in the Lebanese household, much of the rationale for the withholding of passports and restriction of movement (and possibly withholding of wages) would be circumvented. While the size of the loans may be large by the standards of the sending countries such as Sri Lanka, Philippines, Sudan, Ethiopia, Nigeria, etc., the monthly salaries of domestic workers would naturally increase if the initial costs were reduced or eliminated altogether.

It would be possible for the loan to be repaid in a relatively short time to an official bank that provides micro finance loans in the home country, after which all earnings would be retained and the employee would be free to withdraw her labour at will.

6.3. Agencies

As some embassies have pointed out to agencies, it is their responsibility to take care of the migrant whom they have helped entering into the country. It is their responsibility to place them into decent employment relations and to in fact monitor their conditions and progress. Many agencies argue that it is not possible for them to follow up on all the individuals they have placed. However, they could do this on a regular basis, staggered in a monthly or quarterly basis.

There are contracts in Lebanon that are signed between agencies and sponsors that make specific reference to the employer's responsibilities to household workers. However, the primary aim of the document is to minimize risk factors in order to safeguard the legal and business interests of the agency. There is no sense in which such contracts show any real humanitarian concern for the welfare of the domestic worker and proper moral standards of employment relations.

Recommendation

Only one agency in Lebanon maintains a contract between the sponsor/employer and the agency which specifies that "the employer must pledge to protect the domestic worker as he would protect himself and give her medical care, shelter, food, and regular monthly wages to be paid directly." This is to be encouraged. The contract should also reserve the right to the agency to inquire whether the employer is paying the salary or is not treating her well. Details should be laid down regarding the employer's obligations in relation to the domestic worker's return ticket home, work and residency permits, notification to the authorities if she runs away, arrangements in case of the household worker's death and so on.

Recruitment agencies should be regulated in a more stringent manner. This would include strict professional training and accreditation in the legal and ethical requirement to avoid the kind of practices shown above. This should be done in close consultation with the embassies of the sending countries.

6.4 Contracts

Throughout the document, many examples of problems concerning contracts have been mentioned: non-existence of a standardized contract, absence of contract signing, unawareness of the content since it was not explained or because the language was not understood, etc.

Recommendation

Contracts should be standardized across different nationalities through a coordinated approach. This may be done under the aegis of the ILO through its local offices. The contract should cover issues such as appropriate standards of remuneration, working conditions (of live-in workers particularly), treatment and other aspects covered in this report concerning freedom of movement and ensuring that passports remain in the possession of the employee. Contracts drawn up in Arabic (following standards as above) should not be signed by an

employee who cannot read Arabic unless an authorized translator, in the presence of a notary or other designated official, has duly advised the employee of the conditions set out. A signed statement by the employee and the translator to the effect that the employee has understood in her own language the conditions of the contract should accompany the signing of the contract.

There are clauses within Lebanon's Codes and Obligations of Contracts (COC) which may be useful. For example, Article 233 of the COC provides for the annulment of a contract if it can be proven that it did not reflect the true will of either party, such as cases where a person has signed a contract in a language that she cannot read. Generally, however, these codes cannot be relied upon for legal remedies against the kinds of abuses and exploitation that occur.

6.5. Bureau of Migrant Affairs

Young has suggested that the lack of a forum for policy-making and information-gathering on migrant workers in Lebanon has meant that issues arising tend to be dealt with in an unsystematic fashion, primarily by "diverse ministries and bodies – most notably the labor ministry and the General Security, which is part of the interior ministry" (Young, 2000: 83).

Recommendation

It is suggested that the Ministry of Labor establish some form of bureau for migrant affairs to establish and coordinate policies on migrant workers, liaising with embassies, NGOs as well as agencies and individual employers. The Bureau should be housed as an external consultancy with the government in a 'contracting-out' type of arrangement. Such an arrangement, it may be argued, would be more likely to have an 'arm's length' approach from government seeking to protect the migrant's interests in terms of working conditions and welfare in terms of human rights, rather than the current focus on administrative and legal perspectives of the government's enforcement agencies.

6.6. Corporate Best Practice Policies

Chapter 2 concluded with the following sentence: "Although in most cases there are no apparent forms of serious abuse in Lebanon, restrictions of movement, withholding of passports and belittling have become "common practice" among Lebanese employers." Therefore the following recommendation is made as a form of awareness raising or behavioural change policy.

Recommendation

All social, governmental and private institutions in Lebanon should implement 'best practice' measures and inform their employees of the moral and legal obligations regarding the employment and treatment of foreign domestic employees. A good case example is the American University of Beirut (AUB). In August 1999, a severe case of abuse of a Sri Lankan domestic worker by an employee of the university was widely reported in the press (see Haddad, 1999). By February 2000, the AUB enacted its own "Rules and Procedures with

Respect to Household Help”. The rules require a staff member to register the household worker with the university with copies of all relevant papers. In addition they require that household employees retain possession of all their identity papers; staff must ensure that their employees are paid on time (at least monthly); to treat them with dignity and with respect for their rights “as an equal”; and with the threat that any deliberate injury, assault, ill treatment, irresponsible neglect, threats, sexual or physical abuse, or any harassment shall, in addition to disciplinary measures, give rise to legal proceedings by the AUB on behalf of the Household Employee against the responsible Employer or household member.

Disciplinary measures include “verbal reprimand, written warning, termination of housing assignment and termination of employment.”

The profession of domestic worker needs to be properly valued if we want to change the attitude and approach of many employers. This process might take a long time since it targets behavioural changes.

Appendix 1: Case studies

All interviews were conducted in October and November 2000.

Table 1. Contract details

Name	Contract signed in home country	Contract signed in Lebanon	Language of Lebanese contract	Passport in own possession
Freda	Yes	Yes	Arabic	Employer
Mali	Yes	Yes	Arabic	Agent
Pia	Yes	Yes	Arabic ⁶	Employer
Tess	Yes	Yes	Arabic	Employer
Tondi	No	Yes	Arabic	Employer
Melika	No	No	-	Agent
Maria	Yes	Yes	Arabic	Employer
Perke	No	Yes	?	Stolen

Table 2. Communication and freedom of movement

Name	Allowed outside the house during the week ⁷	Allowed outside the house on day off ⁸	Talking to other DWs in the streets	Allowed to make local phone calls	Allowed to make internat. phone calls	Allowed to send letters home
Freda	no	no	No	no	no	Once
Mali	No	no	No	no	no	yes
Pia	No	no	No	yes	3-4 a year	Monthly
Tess	No	yes	No	-	-	-
Tondi	no	no	Yes	no	No	Ever 3 months
Melika	no	no	No	no	No	Illiterate
Maria	no	no	Yes	-	-	-
Perke ⁹	yes	yes	Yes	yes	Yes	yes

Case 1 — Freda

Freda came through an agent in the Philippines, whose daughter is in Lebanon as a recruiting agent. She attended a 4-day pre-departure seminar in Manila, which taught migrants “how to respect people in Lebanon, but also answering the telephone, cooking, and serving food” They were also warned that if problems occurred they should call the agency in Lebanon instead of running away from their employer.

After one month with her first employer she asked to be returned to the agency because the workload was too much. Upon return to the agency, the agent was angry but arranged another employer for her.

The second employer was an eye specialist (36), his wife (27) and a baby. No new contract was arranged for the new employer. When she arrived in the new apartment, ‘madam’ was

⁶ No one of the respondents can read or write in Arabic.

⁷ Going to the shop is not included.

⁸ Allowed outside the house and make her own programme to spend the day.

⁹ Perke is free-lancer

pregnant. She went to the United States to give birth. Freda went with the husband to his parents' house for the 5 months madam was away. There she was treated very well. On the wife's return from the US, Freda was charged with caring for the baby. Because of her heavy workload and the caring of the baby she worked from 5 AM until 2 AM. If Freda did not get up at 5.00am the madam would shout at her.

Freda was not given enough food. She was rationed to one egg, three spoons of rice and a little salad only once per day, at lunchtime. The refrigerator had an alarm attached, which sounded throughout the house as soon as the door was opened. Madam would personally take out the food for her. Freda slept in the laundry on a mattress on the floor, along with the washing machine and clothes dryer. There was a small toilet with a shower, attached to the laundry, which Freda used exclusively. After several months, Freda had become very thin and she lacked energy because of the long hours of work. One day another Filipina (Rose) visited the house with her madam. Freda explained what she was suffering and the other domestic worker told her: "You are living like a dog. Why don't you run away?" Eventually, she asked to go back to the agency. According to Freda, the madam answered: "No. I bought you at the agency. So you stay here in my house." In 9 months, Freda had not been paid. The only money she possessed was US\$5, which was changed by the agent when she first arrived in Lebanon. Mister had promised to send 3 months pay to her husband in the Philippines. But she heard no more about it.

As the apartment was on the ground floor, the windows, also, were locked with keys. The telephone would be unplugged. One morning, mister went to work at the hospital after asking Freda to place the baby in with her mother, so she could work in the house. She did so, quietly, as madam was still asleep. She went to see if a window could be opened while vacuum, and found one unlocked. She thought: "... if I stay here, I will die."

[To this point, after almost a year in Lebanon, she still had not seen her sister who was working in Lebanon as well, although she had spoken to her once, briefly on the telephone, when madam was out and mister had allowed her to receive the call. She had been able to send one letter to her family in the Philippines in which she gave her address. Typically, she did not explain her circumstances. She later discovered that her family had sent letters every month to her. She received only one.]

Freda grabbed a small bag, the \$5 and a rubbish bag. She climbed out of the window onto a patio with a high fence around it. She tried to climb up, but it was too high and difficult. A woman from the 6th floor saw her and asked her what she was doing. Then the household worker of the woman on the 6th floor lowered a cylinder which she used to escape. She reached the main road and stood there, crying. An old man approached her. Freda explained that she wanted to go to Bikfaya (which was where Rose, the other Filipina domestic worker lived). He took her there. After one week, Rose found her some domestic work as a freelancer, while she slept at Rose's house. She worked there for two and a half months being paid \$250 per month, for 6 days from 9am-6pm with Sundays off.

Eventually, Rose's madam saw Freda and recognized her. A few days later, the police came to Rose's house with the eye-doctor. The police took her to Bikfaya prison. The doctor came to

the prison and said, "I want the money back which I paid to the agency." Freda replied, "Ask the agency, not me." The doctor then said, "If you give me my money back, you can get out of the prison." Freda telephoned her sister and her (current) madam, Mary. The next evening, Mary and the doctor went to the prison and a document was signed promising the doctor \$2,500 for her release papers. This was in August 1997.

Three weeks later, Freda moved to her new employer. Freda has been treated kindly since then. Freda says if her current employers leave Lebanon, she would too (her current employers are a foreign couple with a 12-year-old son and employ another Filipina household worker along with Freda).

Case 2 — Mali

This case was publicized in the local newspaper. She was interviewed at the Sri Lankan embassy premises in Jamhour. Mali's experience in Lebanon has been exceptionally traumatic. She experienced almost every kind of violation - withholding of payments, limitation of movement, sexual harassment and severe physical abuse. During the interview, Mali clearly had not recovered from her trauma and she expressed the desire to return home as quickly as possible. In fact she was leaving the next day.

At 18, Mali stopped her schooling and went to work in the garment business (sewing) for \$50 per month. Accompanied by a friend, she came to Lebanon "To feed mother and father. They did not want me to leave". The agency in Sri Lanka advised her to go to Lebanon. To raise the \$70 for the Sri Lankan agency Mali put her gold in the bank and received money. She attended a 2-week class in Sri Lanka for women wishing to migrate. She was taught how to use electrical appliances, cook etc.

Mali worked for 1 year and 8 months in Lebanon for a monthly salary of \$100. Throughout her stay, she was only paid a total of \$500 instead of \$1800. For the first 14 months she worked in Beirut but only received a total of \$300. Then she was sent to Syria and was paid \$200 for 7 months. She sent \$300 to her mother's bank account in Sri Lanka and \$200 to hers.

On arrival she was then sent to Faraya to work for a Christian family: Mr.T (40), his sick wife and their 12 year-old daughter, where she worked for 7 months. Mr. T worked at a bank. At the apartment she could not go outside. As for food, it was not enough and she did not like it. She did not have access to the food, it was given to her. She worked 12 hours a day, from 7am to 7pm. As the Madam was ill, she was in charge of "everything" - cleaning, cooking and looking after the daughter...

[At different times during the interview, Mali indicated she was in severe pain. However, when asked if she wanted to stop, she insisted on continuing]. Mr. T continuously harassed her sexually. "He is no good". When she refused his advances, he beat her and stopped feeding her. "I told him to stop. I am a girl. You are like my father. He would not. I told him I wanted to call the agency. He would not give me his mobile phone. Then I called from his mother's place in Beirut. I did not want to work anymore. I told Madam what was happening. Madam is sick. She is very nice."

Mali was eventually sent back to the agency with only \$300 for 7 month's work. The agency owner beat her. He slapped her and beat her bare feet with a metal rod. She described him as a "30 year old, rich, handsome, small Muslim man. He has a beautiful wife and 2 young children." After two days staying at the agency's office, Mali was placed with a nice family and was happy, but it did not last. The agency owner demanded more money from her employer, so she was returned.

She was then told that she was going to be taken to work in Syria. When she protested, she was beaten again and forced to go. After 6 months working for a family in Syria, Mali had not been paid. She finally decided to ask for her money and refused to work. She was beaten. She fled her employer's house and found her way to the police. There she found out that she was not paid because the agent was collecting the money that belonged to her. The police then called the Beirut agency and the owner had to pick her up at the border. The owner was so fiercely angry this time that he took her back to the agency office and wounded her severely. He beat her with a metal rod. He walked on her body repeatedly, grabbing and pulling her long hair. "...I couldn't breathe". To Mali's despair, he then grabbed a pair of scissors and cut her hair off. He then tied her up for 6 days. The women at the agency tried to feed her, but she could not swallow. On the 7th day, her hands were untied and she managed to run away. She knotted 2 saris together and escaped from the window of the office that was on the third floor.

She took a taxi to the Sri Lankan embassy where officials hospitalised her immediately. The Sri Lankan ambassador made a personal protest to the Minister of Labour who forthwith suspended the agency for 3 months. The owner of the agency defended himself by claiming that the beatings took place in Syria, that her employers had left her at the border where he had picked her up and she escaped from him after that. With the intervention of the Ambassador and the officials from the Ministry of Labour, the agency was required to pay her \$1500 (which were merely the wages due to her) and her airline ticket back home. A further \$5000 compensation claim was lodged but, at the time of the interview, it had not been received.

Mali was abused every time she protested and asked for her rights. "There are very nice people in Lebanon and very bad people. The employer wanted money and because I did not have any money he hit me for one hour and half and he cut my hair. I cannot eat. My stomach hurts. When I walk, my leg hurts. Do not be sad. Thank you very much."

Post Script

The agency is back in business. To counter-effect their bad reputation, the owner is charging \$100 less than other agencies. It is unclear whether there has been an appropriate change in attitude and behaviour. In answer to a potential employer who was inquiring about what would happen if he was to have problems with his domestic worker, the agent responded: "Just bring her back. We know how to discipline here, don't worry."

Recently, the same agent brought 2 Sri Lankan women to Syria to work there for a period of 2 years. By the end of their contract, they both saved an amount of 3,000 dollars to take home with them. Yet, the day before their departure, when the agent picked them up to bring them to

a place to stay for the night before taking the plane back home, he pointed a gun to their heads and forced them to hand him over the 3,000 dollars, tickets and other valuables. Currently, the case is in process. The lawyer of the agent proposed to come to an agreement: providing the girls with the tickets and 500 dollars each. The Sri Lankan ambassador refused this proposal (October 2001).

Case 3 — Pia

Pia left school and enrolled in the Singer School to learn the sewing business, but never found work. She came to Lebanon and paid \$700 for all necessary documents. Her employer arranged the paperwork and sent her an airline ticket.

Pia is relatively well off: she works from 7 AM until 8 PM and has a break in the afternoon. At night she watches television. She cooks herself Ethiopian food or eats the Lebanese food she likes. Medication is provided to her if needed. She is taken to visit her sister every 3 or 4 months. Pia sleeps on a fold-up bed in a room where 2 beds are available. Although she has a break every day, she is not allowed outside unless to go to the shop. When left alone, she is locked inside the house. Every Sunday, she is given one hour to go to church. She is taken to Madam's brother's house, which she cleans for no extra wages.

Her experience in Lebanon is positive. "However", she says, "too many Ethiopians die here".

Case 4 — Tess

Tess had to pay \$800 to a Philippine agency, which she paid off in 4 months from the salary earned in Lebanon.

Another Filipino was working with her in her employer's house and that made things easier for her. They finished work at 3 pm, and then had time off until 7pm for serving dinner and after cleaning up had the evening off (rarely before 10). Regarding food, Tess says that the quantity was not enough, even though there was plenty of food in the house. In the morning, Madame only allowed them coffee. For lunch, they had to wait for the employers to finish eating. For dinner, they only ate sandwiches. Tess weighed 62 kg when she arrived to Lebanon. By the end of her contract, she was 47 kg.

Over her 3 years employment with this family, she earned \$7200. She invested \$4000 to build a house (her husband, her son and mother in law moved there last year), \$800 went to the agency in Manila and the rest (\$2400) was sent to her husband and mother which, was spent on family expenses. As she is now separated from her husband and her mother is dead, she sends her cousin \$100 on average every 4 months to take care of her son's needs.

Upon completion of her first three-year contract, Tess was happy to go back home to Manila and did not want to return. But because of the marital problems back home, she decided to come back to Lebanon under her former employer's name. She worked in a house where she was paid \$400/month but could not be transferred in her new employer's name since release was forbidden. Until she was approached by Sister Amelia who told her about her current, non-Lebanese, employers. At that time, the Lebanese government was allowing release papers

to be processed during an amnesty period (September- December 2000). Tess noted a difference between Westerners and Lebanese. “The foreigners are less strict, I have my freedom. I leave Saturday night and come back Sunday evening.” She is paid \$300/month, which she saves for herself.

Case 5 — Tondi

Tondi left school to work in Lebanon, because her father could not pay for her schooling any longer. She arrived in Lebanon in December 1997 and she was going to return to Ghana by the end of that month (Dec. 2000). She does not want to renew her contract.

Tondi wakes up around 6.00am for the children and goes to bed at 10 or 11 p.m. She rests between 2 and 7 p.m. On her way to the shop, she speaks with other domestic workers. Every Saturday she goes with the family to the house of Madame's mother to eat. There she washes the dishes. Tondi eats the family's leftovers, but the quantity is sufficient. When her employers are not at home, she cooks Ghanaian food for herself.

All Tondi's wages have been paid, and remitted in the form of a check in her father's name, sent by post. She decided to keep the last \$500 of her wages for herself.

Case 6 — Melika

Melika left her children with her husband in Sri Lanka a year and a half ago and migrated to Lebanon. Her husband is 32 and unemployed. Her husband could not come to Lebanon “because the agency charge a lot for men”. She says she is happily married. She left school at 10 and married at 17. She never had paid employment in Sri Lanka and decided to leave the country to work, as there was no other way for her to survive. Melika paid the agency \$135, which she borrowed from a friend.

On arrival at the Beirut airport, she was taken to the agency where she stayed and was placed in one household for two months, in another for another 2 months and so on for 16 months. For the whole period, the agency paid her only \$450. She claimed that the employers were paying the agency directly and that the agency kept the money.

The last family she worked for treated her decently and they recently paid her almost enough for her ticket back home. It was a Muslim family with 2 big children. She says the workload was fine. She woke up at 5:30 a.m. and slept at 11 p.m. She shared the children's room. She had no days off. Could not go out or use the phone. She was locked in when alone in the house and she had no key. She was only sent out at times to buy goods from the nearby shop. Visitors were not allowed, nor could she go on visits. Balcony talk was also forbidden. She spent her leisure time ironing or watching TV and never went with the family on outings. Food was satisfactory even though she could not cook Sri Lankan dishes. Melika had no contact with her family in Sri Lanka. She was not allowed calls nor did they call her since she was always changing addresses. And she did not send letters because she did not know how to write.

The man at the agency was physically abusive to her. She was slapped and pushed around. Two weeks prior to our interview, Melika ran away from the agency and took refuge at the embassy. The ambassador intervened and convinced the agent to bring her clothes and passport that day. She left for Sri Lanka the following day.

For Melika, the Lebanese experience was a failure. She still had to pay the original debt incurred to get to Lebanon. After almost a year and a half she felt she had gained nothing. The little money she received only secured her way back home. She left her husband and 3 children to provide them with a better life, but she failed, and for her the promise of a better life stopped there.

Case 7 — Maria

Maria says she came to Lebanon for the money. “I have a job in the Philippines but the salary is not enough for me. I worked in a factory. I got \$75 per month”. The Philippines agency charged her \$500, which was taken from her salary in Lebanon. The Lebanese agent met her at the airport and she stayed at the agency for 2 days before her placement, but they treated her well. She has a 3-year contract, after which she intends to return to the Philippines to continue her studies. With three children, her parents need the money. For her leisure time, she says she takes a shower, and watches TV with the baby.

“I think that Lebanese are racists.”

Case 8 — Perke

Perke came to Lebanon to make money and build a house for herself in Sri Lanka. Her husband left her during the six years she stayed in Lebanon. “Maybe I stayed here too long”.

Perke was sponsored directly from Lebanon and did not use the services of an agency in Sri Lanka. The first year, she lived with a Christian family in the mountains. She did have a private room and bathroom. Everyone, according to Perke was nice, except Madam: she was constantly criticizing her and belittling her for her work. She was overworked - from 5:30 a.m. to 1 a.m. She was completely isolated. She was not allowed to cook Sri Lankan dishes and she had to wait for Madam’s generosity to feed her, which was never enough. Her hands hurt because she was not given gloves and the cleaning products damaged her skin, but she was not allowed to seek medical help.

After a year, she escaped from the house. In the street, she met another Sri Lankan freelance domestic worker who took Perke to her rented room, and eventually found new employers for her. She worked for this family, illegally, for two and a half years. However, as they were not a wealthy family she only received \$1500 for the whole period, so she decided to leave them. She did not express any anger towards them as “they were very nice” and treated her well.

Currently, Perke works as a freelancer, cleaning at a hospital from 6am to 4pm every day, earning \$225 per month. She also works every evening for a couple of hours, which increases

her salary to \$300. She rents a room with a friend. She now calls her mother once a month. Her family writes, as the telephone is too expensive for them.

Perke has no passport, nor any residency or work permits. Through a Sri Lankan friend, she did give her passport, and \$800, to someone who said he would have her papers renewed with a willing 'sponsor', but he turned out to be a thief. It is not clear at this stage how she will be able to leave the country without a lot of trouble in obtaining another passport or a laissez-passer from the embassy. She says she wants to stay one or two more years.

Personal Details								
Case	1	2	3	4	5	6	7	8
Name	Freda	Mali	Pia	Tess	Tondi	Melika	Maria	Perke
Nationality	Philippines	Sinhala	Ethiopian	Filipino	Ghanaian	Tamil	Filipino	Sinhala
Place of Birth	Philippines	Sri Lanka	Ethiopia	Philippines	Ghana	Sri Lanka	Philippines	Sri Lanka
Age	31	24	21	24	28	29	19	29
Marital Status	Married	Unmarried	Unmarried	Separated	Unmarried	Married at 17	Unmarried	Separated
Children	2 girls (13/11), boy (7)	None	None	Boy (8)	None	3 boys: 7, 9, 2.5	None	None
Siblings	1 brother (29), auto mechanic, married 2 children. 2 sisters (23&26): pharmacy student works part-time, unmarr., lives in Ph. Other sister unmarried, domestic workers in L	3 brothers, 1 sister. 2 brothers married and work on the land. Other brother still goes to school. Sister is also married, she does not have a paid job	2 brothers, 3 sisters. None is married. One sister is also employed as a domestic worker in L. The others in Eth are unemployed	None	3 brothers, 2 sisters. All unemployed in Ghana	1 brother, 9 sisters (1 brother and 1 sister died) All the sisters are married and live in SL. None of them work	2 sisters and 1 brother, all still in school	4 brothers, all were in the army and all left because of the problems. 3 are married except the youngest one, he became crazy from the war
Parents	Both passed away	Mother 50, never had paid employ., Father 51, unempl.	Mother 55, never had paid employ. Father 61, used to be in police force. Unemployed for the past 7 years (change of government). He used to make 5US\$/month	Mother died 5 months ago at 45. She worked on the farm. Father died 8 years ago at 67. Used to work in construction for 80\$/month.	Mother 60 - 65, never had paid employment. Father 70, farmer. Average income of 10\$/month (not enough)	Mother died when she was very young. Father died 4 years ago. He was unemployed	Mother (40) never had paid employment, father (45) farmer, no fixed income	Mother (65) never had paid employment. She worked the land to send her children to school. Father left them and remarried when Perke was still very young.
Language	Ilocana plus Tagaro (principle language in Ph). Competent in English, little Arabic	Sri Lankan (literate), Arabic and a little English	Ethiopian, English and a little Arabic	Filipino, English, little Arabic	Ghanaian (literate), English (literate) and little Arabic	Tamil and little Arabic	Filipino and English	Sri Lankan, Arabic and English
Education	Graduated from high school, left at 16 to live with partner	Level 10. Was 18 when she left school	Level 8	High school	Middle grade, class 3. Left school at 17	Level 3, left school when she was 10 years old	High school	Level 10, she was 18 when she left school
Religion	Parents catholic	Buddhist	Christian Orthx	Catholic	Muslim	Christian	Catholic	Buddhist

WORK DETAILS								
Case	1	2	3	4	5	6	7	8
Name	Freda	Mali	Pia	Tess	Tondi	Melika	Maria	Perke
Arrival in L	Aug. 96	Aug. 1998	Sept. 1997	March 1997	Dec. 1997	May 1999	May 1999	Sept. 1994
Curr.income/m	300 US\$	100 US\$	115 US\$	300 US\$	100 US\$	100 US\$	200 US\$	300 US\$
Av. remittance home/m	Appr. 250\$ to sister for children (first child is in high school)	500\$ throughout her stay. Sent 300\$ to her mother and 200\$ to her bank account in SL	First 3 years her full salary, 100\$ to her father. This 2-year contract she will keep salary for herself	In the first 3 years, all her money was sent back the Philippines	100 \$ to her father except for the last 5 months which she keeps for herself	Was only paid 450\$ for length of her stay. Sent 100\$ to her husband, remaining 350\$ to get back to SL	All except for one-month salary	Sends 100\$ to her mother, every 3-4 months
Work duties		Clean, cook, take care of the children	Cooking, cleaning and home of relative	Previous job all tasks were shared between 2, now all the hh-work as well as taking care of child	All household tasks and taking care of the children	Household tasks, cooking and taking care of the children	All household tasks, assisting in cooking and taking care of the baby	Cleaning in a hospital and in apartments
Hours of work		12 h/day (7 - 7)	11 hours/day	9 hours/day	16-17 hours/day	16 hours/day	16-17 hours/day	12 hours/day
Days off		None	None	Sunday	None	None	None	Sunday
Return visits	1999 (3 months): problems with husband. After 2.5 years in L, husband left children with her sister and married other women	None	Once for 2 months, after finishing her contract (3 years). Came back to same employer for 2 year contract	1 time	None	None	None	None, her papers are not in order
Previous work abroad		First time	First time	First time	First time	First time	First time	First time
Employment Status	Live-in	Runaway	Live-in	Live-in	Live-in	Runaway	Live-in	Freelancer

Appendix 2. Related legal instruments

Convention on the Elimination of all Forms of Discrimination Against Women (Ratified 21/4/97)

Article 2

States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:

- (a) To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle;
- (b) To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;
- (c) To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;
- (d) To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;
- (e) To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;
- (f) To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;
- (g) To repeal all national penal provisions which constitute discrimination against women.

Article 5

States Parties shall take all appropriate measures:

- (a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the

superiority of either of the sexes or on stereotyped roles for men and women;

- (b) To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primary consideration in all cases.

Article 6

States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.

International Covenant on Economic, Social and Cultural Rights (ratified 3/11/72)

Article 7

The States Parties to the present Covenant recognize the right of everyone to the enjoyment of just and favourable conditions of work which ensure, in particular:

- (a) Remuneration which provides all workers, as a minimum, with:
 - (i) Fair wages and equal remuneration for work of equal value without distinction of any kind, in particular women being guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work;
 - (ii) A decent living for themselves and their families in accordance with the provisions of the present Covenant;
- (b) Safe and healthy working conditions;
- (c) Equal opportunity for everyone to be promoted in his employment to an appropriate higher level, subject to no considerations other than those of seniority and competence;
- (d) Rest, leisure and reasonable limitation of working hours and periodic holidays with pay, as well as remuneration for public holidays.

Article 8

1. The States Parties to the present Covenant undertake to ensure:

- (a) The right of everyone to form trade unions and join the trade union of his choice, subject only to the rules of the organization concerned, for the promotion and protection of his economic and social interests. No restrictions may be placed on the exercise of this right other than those prescribed by law and which are necessary in a democratic society in the interests of national security or public order or for the protection of the rights and freedoms of others;
 - (b) The right of trade unions to establish national federations or confederations and the right of the latter to form or join international trade-union organizations;
 - (c) The right of trade unions to function freely subject to no limitations other than those prescribed by law and which are necessary in a democratic society in the interests of national security or public order or for the protection of the rights and freedoms of others;
 - (d) The right to strike, provided that it is exercised in conformity with the laws of the particular country.
2. This article shall not prevent the imposition of lawful restrictions on the exercise of these rights by members of the armed forces or of the police or of the administration of the State.
 3. Nothing in this article shall authorize States Parties to the International Labour Organisation Convention of 1948 concerning Freedom of Association and Protection of the Right to Organize to take legislative measures which would prejudice, or apply the law in such a manner as would prejudice, the guarantees provided for in that Convention.

Article 9

The States Parties to the present Covenant recognize the right of everyone to social security, including social insurance.

Human Rights in the administration of justice

International Covenant on Civil and Political Rights

(Ratified 3/11/72)

Article 13

An alien lawfully in the territory of a State Party to the present Covenant may be expelled there from only in pursuance of a decision reached in accordance with law and shall, except where compelling reasons of national security otherwise require, be allowed to submit the reasons against his expulsion and to have his

case reviewed by, and be represented for the purpose before, the competent authority or a person or persons especially designated by the competent authority.

Article 14

1. All persons shall be equal before the courts and tribunals. In the determination of any criminal charge against him, or of his rights and obligations in a suit at law, everyone shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law. The press and the public may be excluded from all or part of a trial for reasons of morals, public order (ordre public) or national security in a democratic society, or when the interest of the private lives of the parties so requires, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice; but any judgement rendered in a criminal case or in a suit at law shall be made public except where the interest of juvenile persons otherwise requires or the proceedings concern matrimonial disputes or the guardianship of children.
2. Everyone charged with a criminal offence shall have the right to be presumed innocent until proved guilty according to law.
3. In the determination of any criminal charge against him, everyone shall be entitled to the following minimum guarantees, in full equality:
 - (a) To be informed promptly and in detail in a language which he understands of the nature and cause of the charge against him;
 - (b) To have adequate time and facilities for the preparation of his defence and to communicate with counsel of his own choosing;
 - (c) To be tried without undue delay;
 - (d) To be tried in his presence, and to defend himself in person or through legal assistance of his own choosing; to be informed, if he does not have legal assistance, of this right; and to have legal assistance assigned to him, in any case where the interests of justice so require, and without payment by him in any such case if he does not have sufficient means to pay for it;
 - (e) To examine, or have examined, the witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him;
 - (f) To have the free assistance of an interpreter if he cannot understand or speak the language used in court;
 - (g) Not to be compelled to testify against himself or to confess guilt.

4. In the case of juvenile persons, the procedure shall be such as will take account of their age and the desirability of promoting their rehabilitation.
5. Everyone convicted of a crime shall have the right to his conviction and sentence being reviewed by a higher tribunal according to law.
6. When a person has by a final decision been convicted of a criminal offence and when subsequently his conviction has been reversed or he has been pardoned on the ground that a new or newly discovered fact shows conclusively that there has been a miscarriage of justice, the person who has suffered punishment as a result of such conviction shall be compensated according to law, unless it is proved that the non-disclosure of the unknown fact in time is wholly or partly attributable to him.
7. No one shall be liable to be tried or punished again for an offence for which he has already been finally convicted or acquitted in accordance with the law and penal procedure of each country.

Appendix 3. Rules & Procedures with Respect to Household Help

Rules & Procedures with Respect to Household Help (198010 004)

1. AUB Personnel (hereinafter the "Employer" for the purpose of this section) living in University Housing (whether On-Campus or Off-Campus), who employ one or more persons as Household Help ("Household Employee") shall register such Household Employee with the Department of Business Services (BS) within 5 (five) working days after each Household Employee commences employment, including any probationary period. Upon registration, the Employer shall submit a copy of the Household Employee's passport (including the page on which the relevant Lebanese entry visa is stamped) and two passport sized photographs. Within 5 (five) days of registration, each Household Employee shall present himself/herself to the Protection Office to receive a University identification card.
2. As soon as available, but not later than 90 (ninety) days as of the commencement of the Household Employee's employment (including any probationary period), the Employer shall submit to BS a copy of the Household Employee's (i) valid residency permit and (ii) valid work permit (both permits stating the Employer's name in such capacity). As soon as available, but not later than 10 (ten) days prior to the expiry of the Household Employee's residency permit and/or work permit, the Employer shall submit to BS a copy of the renewed residency permit and/or work permit.
3. Every Household Employee is entitled to maintain possession of his or her (i) passport, (ii) residency permit and (iii) work permit. It is the Employer's responsibility to ensure that the Household Employee's passport, residency permit and work permit are valid at all times throughout the Employee's employment term.
4. All payments due to any Household Employee shall be made in a timely fashion in accordance with the employment contract, and in any event, not later than monthly. No salary deductions may be made except with the authorization of the Household Employee.
5. The Employer shall secure proper medical care and treatment to the Household Employee.
6. The Employer and his household members must under all circumstances treat the Household Employee as an equal and ensure that the dignity and rights of the Household Employee are fully preserved. Any verbal or physical conduct by AUB Personnel or their household members affecting the dignity of the Household Employee is strictly forbidden.
7. Deliberate injury, assault, ill-treatment, irresponsible neglect, threats, sexual or physical abuse, or any abuse or harassment shall, in addition to disciplinary

measures, give rise to legal proceedings by AUB on behalf of the Household Employee against the responsible Employer or household member.

8. Household Employees shall not be forced to work for persons other than the Employer as long as they are registered as being at the Employer's employ, and shall not be forced to attend to their employment agency without the approval of the appointed designee in BS.
9. Any Household Employee shall be authorized by the Employer to attend to BS immediately upon demand by the appointed designee of BS, and accompanied by said designee exclusively. The Employer shall not object to visits to the premises by BS's appointed designee provided a one-day prior verbal or written notice is given to the Employer.
10. Any person who violates the above rules and procedures, or any other related applicable laws or regulations, will be subject to disciplinary measures, including, but not limited to, verbal reprimand, written warning, termination of the housing assignment and termination of employment.
11. Any person who believes that a violation of the rules and procedures regarding Household Employees has occurred shall report all relevant information regarding the alleged violation to the appointed designee in BS. The University will endeavour to keep the identity of individuals who bring such incidents to its attention confidential.

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