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*Federal Democratic Republic of Ethiopia
Permanent Mission to the United Nations
Geneva*

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16 October 2020

The Permanent Mission of the Federal Democratic Republic of Ethiopia to the United Nations office at Geneva and other International Organisations in Switzerland presents its compliments to the Office of the United Nations High Commissioner for Human Rights and has the honour to refer to the joint urgent appeal received with Note no. UA ETH2/2020 dated 17 July 2020 regarding the current situation of migrant domestic workers in Lebanon.

In this connection, the Permanent Mission kindly conveys herewith to the attention of the respective mandate holders a detailed response from the Government of the Federal Democratic Republic of Ethiopia on the aforementioned subject.

The Permanent Mission of the Federal Democratic Republic of Ethiopia to the United Nations office at Geneva and other International Organisations in Switzerland avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights the assurances of its highest consideration. *3K.*

Enclosure: 11 Pages



Office of the United Nations High Commissioner for Human Rights
Geneva



**RESPONSE BY THE GOVERNMENT OF THE FEDERAL DEMOCRATIC
REPUBLIC OF ETHIOPIA TO THE LETTER OF URGENT APPEAL BY FOUR
MANDATE HOLDERS OF THE UN HUMAN RIGHTS COUNCIL
CONCERNING THE SITUATION OF ETHIOPIAN MIGRANT DOMESTIC
WORKERS IN LEBANON**

I. Introduction

1. This response by the Federal Democratic Republic of Ethiopia herein after referred to as 'GoE' is prepared in relation to the joint letter of urgent appeal sent by the four mandate holders of the Human Rights Council, i.e. Special Rapporteurs on Contemporary Forms of Slavery, Including its Causes and Consequences, Special Rapporteur on the Human Rights of Migrants, Special Rapporteur on Violence Against Women, its Causes and Consequences and Working Group on Discrimination Against Women and Girls on the subject of the situation of migrant domestic workers in Lebanon to H.E. Gedu Andargachew, Foreign Minister of the Federal Democratic Republic of Ethiopia on 17 July 2020.
2. In this connection, every possible effort was made to give adequate explanations to the concerns raised in the urgent appeal and other issues that are not raised in the appeal but deemed to be necessary. The report has incorporated the latest information from all stakeholders within the Foreign Ministry and other line Ministries and agencies.
3. Since the last two years, Ethiopia has embarked on series of reforms under the leadership of H.E. Dr. Abiy Ahmed, Prime Minister of the Federal Democratic Republic of Ethiopia, which prioritized the promotion and protection of human rights at its core. Moreover, citizen centered diplomacy has been given particular

importance and our Embassies and Consulates have made it a central part of their work especially in those areas where there is a huge presence of Ethiopians abroad. Guidelines have been prepared to identify who qualifies to receive a shelter service and currently all Ethiopian Embassies and Consulates in the Middle East are hosting citizens with the most vulnerable situations.

4. Efforts have been made to capitalize on high level visits by our Prime Minister to some Middle Eastern countries to secure the release of close to 2,800 citizens, amnesty and work permit for 28,000 undocumented citizens while a few of them were safely repatriated back home. Although many efforts have been made to address the exploitation of a significant number of migrant domestic workers, it remains to be a serious challenge. The Government of Ethiopia believes that much more still needs to be done to mitigate the problem.
5. COVID-19 exacerbated the situation by perpetuating the challenges previously faced by those most at risk including migrant domestic workers. Efforts have been underway to make sure that the rights of citizens residing abroad are well observed in accordance with applicable international human rights and humanitarian law.
6. At this point, there is an international call for moratorium on mass returns until the fight against COVID-19 is won. Therefore, mass repatriation at this juncture is unacceptable as it further aggravates the challenges faced by those with a fragile health system.
7. In this response, attempt has been made to explain the steps taken by the Government of Ethiopia about overall migration governance including practical steps to curb the problem of irregular migration, particular activities that are relevant in defending the rights of citizens who will be voluntarily repatriated by ensuring their safety and dignity.

II. Institutional and legislative framework on migration governance

8. Ethiopia has ratified two protocols pertaining to trafficking in persons and smuggling of migrants. The UN Protocol against the Smuggling of Migrants by Land, Sea and Air; and the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, both of which supplement the UN Convention against Transnational Organized Crime.
9. The GoE has promulgated a comprehensive legislation to prevent and suppress trafficking in persons and the smuggling of persons with a particular focus on protecting women and children. The proclamation envisages strict measures on perpetrators of these crimes and provides redress for victims. Since the promulgation of the Proclamation, 2,686 persons have been indicted at both federal and regional levels out of which 1178 have so far been convicted.
10. The law imposes harsher punishments for traffickers and creates a national protection, rehabilitation, and compensation regime for victims of human trafficking. The Proclamation established a National Council for Anti-human Trafficking and Smuggling of Migrants accountable to the Prime Minister and chaired by the Deputy Prime Minister. The establishment of the Council is aimed at better coordinating activities designed for victims' protection, assistance and rehabilitation, for advising in policy, planning and implementation processes, for accommodating the interest of victims and to combat the crime of human trafficking and smuggling of migrants. The proclamation has established a fund for protection of victims of trafficking in persons. A special unit for investigating crimes of human trafficking was also established by the Federal Attorney General to prosecute traffickers. Recently, twelve local traffickers have been arrested and their cases are under investigation.
11. Ethiopia has launched the first ever migration profile of the Country in collaboration with the International Organization for Migration (IOM). This was a major leap in filling the gap of a disaggregated data to effectively govern

human mobility and to curb the adverse impact of irregular migration on the destiny of its citizens. Ethiopia has always been actively participating in multilateral and migration governance forums such as the Valletta Summit. Besides, it has been contributing its fair share under the auspices of mechanisms such as the Khartoum Process and the African Union Horn of Africa Initiative. In this regard, creating and raising public awareness through different channels and offering several capacity building and refresher trainings to the law enforcement agencies has been a matter of priority. Despite the extensive efforts that have been made over the years, human trafficking and smuggling of migrants remains a daunting challenge.

III. The situation of Ethiopian migrant domestic workers in Lebanon

12. According to accounts from several sources including from the Lebanese Immigration authorities, there is an estimate of over 400,000 (Four hundred thousand) Ethiopian migrants living in Lebanon. These migrants are predominantly engaged in domestic household works.
13. As described in the joint urgent appeal, the issue of migrant domestic workers does not fall under the jurisdiction of the Lebanese labor law. Hence, the Kafala (Sponsorship system) formed a substantial protection lacuna. Principally, as it is the sponsor deciding on the fate of the residence and work permit of the domestic workers including possession of their travel documents coupled with the lack of an inbuilt system has made the situation difficult to prevent violation and give victims a redress.
14. As it currently stands, there is no labor agreement between Ethiopia and Lebanon which guides the overall employment framework. This is acknowledged as a major stumbling block. Therefore, for an effective protection of the workers' rights and prevention of violations, the two parties have exchanged notes to reach final decision. In the meantime, as an ad-hoc measure, the Ethiopian side has invited the Lebanese side to join the Joint Workers Protection Declaration and it is awaiting response.

15. In 2017, the GoE passed decision prohibiting domestic migrant workers from travelling to the Middle East countries that have not yet signed a joint labor agreement with Ethiopia. The decision included a ban on employment agencies. In overseeing the implementation of the decision, strict control measures were put in place by, *inter alia*, tightening of screening during the issuance of travel documents and special assessment at immigration departure points. Though this has meaningfully reduced the number of migrants travelling to Lebanon, the fact that the authorities in Lebanon did not halt issuing visas was exploited by human traffickers where victims are transported into neighboring countries, ultimately facilitating their entrance to the country. This further impeded an effective follow-up activity by the Ethiopian Consulate in Beirut. With the lifting of the decision in 2019, close to 16, 000 workers are said to have left for countries in the Middle East with which Ethiopia had signed a bilateral labor agreement and 800 new employment agencies are registered.
16. It is reported that, in the first weeks of June 2020 alone, approximately 130 migrant workers, many of whom are women sought support at the respective Ethiopian Embassies or Consulates in the Middle East after losing their jobs. The report indicated that they have not been provided with sufficient protection and urgently require subsistence including medical care. The Ethiopian Government has tried its level best to address the above-mentioned problems in collaboration with different stakeholders. Before the outbreak of COVID-19, a senior delegation of the GoE went to Lebanon and assessed the situation. On 25 March 2020; after a discussion with the Lebanon General Security office, 225 undocumented citizens including children have been voluntarily repatriated.
17. Regarding Covid-19 and its negative impacts on Ethiopian citizens abroad, a national task force led by H.E the Deputy Prime Minister and comprising of Ethiopian diplomatic and consular missions has been operational. Priorities are given to bring back those who are stranded due to closure of borders, in deportation centers and other categories who are identified as most vulnerable. Particularly, regarding Ethiopian citizens in Lebanon, issues related to renewal of

residence permit, nonpayment of salary, human rights violations and conditions of deportation centers and other issues are being closely followed and consultations are underway with the Lebanon government.

18. At the initial stage of the pandemic, the Consulate had activated its system of registering undocumented migrants voluntarily committing to return to their home country. With the outbreak of the COVID-19 pandemic, the Consulate had to change its approach and exert every possible effort towards providing subsistence to citizens.
19. For migrant domestic workers that have faced rights violations and forced to flee their home, the Consulate has a longstanding arrangement of hosting them at the Ethiopian community association shelter and provides them with basic necessities until the settlement of their cases. Among the services availed are bringing the concerns of citizens to the attention of the Lebanese authorities, sponsoring air fares by organizing grass root societal support and liaising with volunteer groups and partner organizations that are in a position to provide legal and psychosocial support.
20. The Ethiopian government reviewed its repatriation process for a lasting impact during COVID with better data management, coordination with line Ministries and partners and collaboration between the Ethiopian Consulate, the Ethiopian Community and other humanitarian organizations in Beirut. It has prioritized welfare of its citizens on the ground through provision of subsistence and giving legal protection and identifying the most vulnerable for full assistance for repatriation and facilitating discounted travel for those who can cover their plane ticket cost.
21. When Lebanon declared the closure of all its borders on 16 March 2020, those who had registered during the 7th round were stranded. On 28 May 2020, an aggregate of 658 citizens including children who have been held in deportation centers and other shelters for staying in Lebanon, were repatriated. In this connection, liaising with Lebanon government, the GoE secured for the entry of

two Ethiopian Airlines chartered flights and fully covered their transportation cost including 14 days quarantine upon arrival. A large number of employers are said to be inappropriately using this as a precedent to communicate to their employees that the GoE will bear the cost of their travel. They are, therefore, bringing them in mass and leaving them at the entrance of the Consulate in an appalling condition. After reporting this incident to the Lebanese authorities, they have facilitated for the 66 of them to be hosted at Caritas shelter and other places. Even though the government pledged to institute a legal action against the perpetrators, this inhumane act continued unabated due to lack of legal action.

22. During the 8th round, more than 405 citizens were registered, and they were cleared by the Lebanon immigration to leave the Country. The Consulate further expanded its outreach of identifying vulnerable citizens in close collaboration with the Ethiopian community association, the International Labor Organization, and volunteers who availed lodging services to 200 migrants. Around 360 migrants are still receiving shelter and basic necessities as well as sanitation items. Based on the recent figure, 165 citizens were repatriated in August and the same number of people with increased vulnerabilities are moved into the shelter. 3,500 citizens are now registered and waiting for their exit visa. In this regard, mentioning the economic slowdown and the COVID-19 pandemic, the Consulate managed the waiver of fines imposed on citizens who lived there illegally.
23. Drawing lessons from previous experiences, the Consulate has carefully analyzed the repatriation system and identified bottlenecks and submitted a proposal that can radically address the time-consuming procedure. Generally, it takes two to three months to issue an exit visa for a migrant worker and if this new proposal which calls for an accelerated procedure is found to be acceptable by the Lebanese side, it will significantly improve the extended delay and will contribute to a smooth repatriation. Since Lebanon reopened its border on the 1st of July 2020, citizens having a valid travel and residence permit are confirmed to

be leaving the Country. According to the statistics from the relevant government departments, more than 300 citizens are travelling back home every day.

24. The GoE in collaboration with international partners has allocated more than 30 million United States Dollars for the repatriation scheme and until 31 August 2020, records reveal that a total of 915 citizens have been brought home. Since the COVID-19 pandemic occurred, a total of 1, 572 citizens have been repatriated. The GoE has devised a short and long-term solutions to this phenomenon and seeks the support and cooperation of the international community and partners. In this regard, a number of agencies and other sources of funding are identified, and effort will be made to reach out to them without delay to facilitate speedy implementation.
25. The African Union Commission (AUC) has shown its commitment to fully harness the benefits of migration on the continent and effectively addressing the real drawbacks when migration is not well-managed. In this aspect, the GoE would like to commend AUC in initiating the technical discussion on assisting African migrants in Lebanon. This is a collaborative effort that has taken the issue to a higher level. The GoE commits to AUC-IOM initiatives that seek to achieve the goal of enhanced migration governance on the continent include the Joint Labor Migration Programme, the Protocol on Free Movement of Persons and the African Union Horn of Africa Initiative on Human Trafficking and Smuggling of Migrants.
26. The Consulate is effectively mobilizing various stakeholders and until now secured shelter for 360 citizens that are receiving the provision of basic necessities. Out of these, 145 have a total of USD 154,000 salary in arrears. The Consulate brought these rights violations, requested for the salaries to be paid and the concerns to be addressed by the Lebanese authorities. Some activities are underway in order to engage those who are working on human rights protections.

27. Regarding the measures taken to minimize vulnerabilities of the migrant workers to COVID-19, numerous precautionary measures were taken such as disseminating accurate information through the Consulate's social media platforms and Ethiopian community associations. Sanitary and preventive items are constantly provided with the generous support of stakeholders. Citizens that are eligible to be transferred to the shelters are first tested and screened for COVID-19, and the strict observance of preventive measures within the shelters.
28. Given the enormous challenges faced by our Embassies and Consulates in handling the issues of our citizens, a dedicated diaspora affairs desk has been set up at all Embassies and Consulates in the middle eastern countries. At least, one legal professional per mission alongside a consular affairs section are working together to visit citizens at hospitals, shelters and detention centers, secure the release of citizens from detention, safely repatriate those who need to voluntarily return, secure payment of salary and other emoluments, facilitate access to justice for those who have faced abuse, etc. A triangulated evaluation and follow-up mechanism within the mission, with other missions in the region and with the headquarter is put in place and cascaded plans are strictly monitored against delivery. In this connection, a three-month action plan has been prepared and now it is under implementation. In addition to this, a pilot project has been developed and its implementation is being evaluated every week.
29. The Consulate receives complaints from domestic migrant workers on rights abuses and violations through various means which includes electronic communication, reporting in person (migrants, family members and/or whoever has the information) directly or through the head office. Additionally, the consulate provides tailored advises and orientation to all citizens seeking different consulate services in person or through telephone calls.
30. The precarious situation of migrant domestic workers is compounded by the increasing impact of COVID-19 as well as the entrenched problem in the very system of Kafala. As it was reported on several occasions, people at detention centers and other places where they are deprived of their liberty face particular

risk and require immediate attention. Otherwise, the problem may soon grow into a humanitarian crisis draining the existing efforts. Thus, the GoE urges mandate holders and those that are involved in the protection of the rights of migrants to use their good offices and call for a greater collaboration and response. In this regard, the GoE remains committed to bring a durable solution to this matter.

IV. Appeals by the Government of Ethiopia

31. The GoE underscores the universality of human rights and urges for ending violations against all migrants irrespective of their migration status and call upon the international community to intensify its efforts in mitigating the health and socioeconomic challenges of the pandemic by migrants and ensure that no one is left behind.

Citizens who have died in Lebanon from July 2019 until 2020

No.	Month	Number of deaths	Cause of death			Remark
			Natural cause	Suicide	Others	
1.	July	-	-	-	-	
2.	August	3	1	-	2	
3.	September	4	4	-	-	
4.	October	7	2	5	-	
5.	November	1	-	1	-	
6.	December	7	4	3	-	
7.	January	5	3	2		
8.	February	9	4	4	1	
9.	March	3	3	-	-	
10.	April	4	4	-	-	
11.	May	6	3	3	-	
12.	June	7	5	2	-	
	Total	56	33	20	3	
			58.9%	35.7%	5.3%	
After COVID-19			66.7%	55%		