

Mandates of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences; and the Special Rapporteur on trafficking in persons, especially women and children

REFERENCE:
UA IND 14/2019

12 July 2019

Excellency,

We have the honour to address you in our capacity as Special Rapporteur on contemporary forms of slavery, including its causes and consequences; and Special Rapporteur on trafficking in persons, especially women and children, pursuant to Human Rights Council resolutions 33/1 and 35/5.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the human rights abuses currently suffered by Ms. Ramu Magaswari, an Indian national.

According to the information received:

On 6 June 2019, Ms. Mageswari travelled to Riyadh to work as a domestic worker. She was reportedly trafficked from India to Saudi Arabia by recruitment agents.

Through a recruitment agent called "RIYASS", Ms. Mageswari was taken to a private Saudi employer who has allegedly subjected her to severe abuse, ill-treatment and exploitation.

Specifically, Ms. Mageswari is allegedly denied food, water and access to healthcare and she is subjected to sexual abuse. Furthermore, she is not allowed to communicate with her family or with other persons; she does not have a work permit nor has she received a salary since she arrived in Saudi Arabia.

Ms. Mageswari does not have a visa, as she is allegedly a victim of human trafficking. Her passport was confiscated allegedly by an Indian national named Akbar Barcha Jotja (passport number N 0354808) who entered Saudi Arabia on a visa.

Currently, it is not known where Ms. Mageswari is being held.

The Government of your Excellency was informed about the allegations raised through the Embassy of India in Saudi Arabia at the beginning of July 2019 but reportedly, no adequate follow-up action has been taken by the Embassy to locate Ms. Mageswari and to speak with her separately from her employer.

While we do not wish to prejudge the accuracy of this information, we are concerned at the reported human rights abuses committed against Ms. Mageswari.

We therefore urge the Government to take immediate measures to locate Ms. Mageswari, to ensure that she has access to adequate health and psychosocial care and that she is repatriated to India. We also call upon the Government of your Excellency to initiate an investigation into the alleged human rights abuses committed against Ms. Mageswari.

The full texts of the human rights instruments and standards recalled above are available on www.ohchr.org or can be provided upon request.

In view of the urgency of the matter, we would appreciate a response on the initial steps taken by your Excellency's Government to safeguard the rights of the above-mentioned person(s) in compliance with international instruments.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and any comment you may have on the above mentioned allegations.
2. Please indicate which measures your Excellency's Government has taken since 1 July to locate Ms. Mageswari and to bring her to safety.
3. Please provide detailed information on the measures taken by India – in law and in practice - to ensure the effective protection of migrant workers, including women domestic workers, from exploitation and abuse.
4. Please indicate which measures your Excellency's Government is taking to regulate private recruitment agencies and to criminalize domestic servitude.
3. Please provide information on the availability of complaint mechanisms for migrant workers in India who may be subjected to abuse and exploitation.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person responsible of the alleged violations.

A communication regarding the concerns raised will be sent in parallel to the Government of Saudi Arabia.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

Please accept, Excellency, the assurances of our highest consideration.

Urmila Bhoola
Special Rapporteur on contemporary forms of slavery, including its causes and
consequences

Maria Grazia Giammarinaro
Special Rapporteur on trafficking in persons, especially women and children