

Mandates of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences; the Special Rapporteur on the human rights of migrants; the Special Rapporteur on violence against women, its causes and consequences and the Working Group on discrimination against women and girls

REFERENCE:
UA ETH 2/2020

17 July 2020

Excellency,

We have the honour to address you in our capacity as Special Rapporteur 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, pursuant to Human Rights Council resolutions 42/10, 34/21, 41/17 and 41/6.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the **current situation of migrant domestic workers, the majority of whom are women and nationals of Ethiopia, who urgently require protection and assistance, including access to food, basic necessities, accommodation and healthcare. Due to the COVID-19 pandemic, many of them have stopped receiving salaries from their employers or have been left without employment opportunities and are unable to return to their home country. They have reportedly received insufficient and inadequate support by the consulate of Ethiopia in Lebanon. Many more have reportedly become homeless and are facing acute deprivation, exploitation and abuse.**

According to the information received:

The COVID-19 pandemic and its unprecedented socio-economic consequences have severely affected migrant workers in Lebanon, at least 250,000 individuals, many of whom have been employed as domestic staff, majority of them women. Ethiopian nationals make up the majority of migrant domestic workers in the country. It is estimated that some 144,000 Ethiopian domestic workers held new or renewed work permits issued to them as of November 2018. However, this figure does not account for the thousands of undocumented Ethiopian domestic workers in the country who lack work permits.

The current crisis in Lebanon has exacerbated the negative impacts of the Kafala (sponsorship) system, which excludes migrant domestic workers from the Lebanese Labour Law. Consequently, they do not benefit from legal protections, such as a minimum wage, maximum working hours, social security, and the right to organize and unionize. Among the unique aspects of the Kafala system, that

contributes to the vulnerabilities of migrant workers, is the delegation or ‘outsourcing’ of responsibility by the State to the private employer to oversee both a migrant worker’s immigration and employment status. As a result of these legal protection gaps, many migrant workers have been reportedly exposed to or put at risk of domestic servitude and forced labour, as well as exploitation, abuse and racism.

The exploitative nature of the Kafala system has been widely reported, including by the former Special Rapporteur on contemporary forms of slavery, including its causes and consequences in her report A/HRC/39/52, in addition to A/HRC/26/35/Add.1 by the Special Rapporteur on the human rights of migrants. During the Universal Periodic Review of Lebanon in 2015, your Excellency’s government was urged in the recommendations issued to abolish the Kafala system without further delay. Concerns regarding the negative impact of the Kafala system on the human rights of migrant domestic workers employed in Lebanon have also been raised by the Human Rights Committee¹ and the Committee against Torture².

The longstanding risks of exploitation and abuse of the migrant domestic workers have been compounded as a result of the COVID-19 outbreak. During the confinement declared as a measure to address COVID-19, abuse of women domestic workers has reportedly intensified and a number of frequent deaths of migrant workers, including due to suicide, have also been reported to us.

Furthermore, in the context of Lebanon’s economic crisis caused by the pandemic, many domestic workers have been dismissed from their jobs or their employers have refused to pay their salaries and/or ticket and quarantine costs for their repatriation. Those, who are self-employed and currently without employment contracts are unable to afford the living costs or pay for a flight to their home countries.

Consequently, they are exposed to homelessness and most cannot afford to buy food and basic necessities, facing an imminent risk of deprivation, abuse and further exploitation, including sexual exploitation and extortion while being left on the streets. Others remain trapped in their employers homes without being able to leave abusive and exploitative working conditions. Many are facing serious mental health problems and may be unable to access proper medical care.

At least 130 migrant domestic workers, many of them woman and Ethiopian nationals, reportedly have sought help at their respective embassies or consulates after losing their jobs, and/or unable to earn an income, in the first weeks of June

¹ CCPR/C/LBN/CO/3 (CCPR, 2018)

² CAT/C/LBN/CO/1 (CAT, 2019).

this year. We have received reports that they have not been provided with sufficient protection and they urgently require assistance to access food, proper shelter and basic services, including medical care. We understand that many are requesting repatriation to their home country, but are unable to bare the costs.

The consulate of Ethiopia in Beirut has reportedly provided shelter to a small number of women and Caritas has provided shelter to an additional number of Ethiopian nationals who allegedly left Lebanon by 22 June. Concerns were raised about the conditions at these shelters.

We are acutely concerned about the imminent risks faced by this group of individuals, as well as the lack of adequate protection of other migrant domestic workers in Lebanon. There is a serious risk that without immediate action taken by your Excellency's Government, these and thousands of other migrant domestic workers who have lost their income will be left stranded, facing severe deprivation, exploitation and abuse.

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 migrant workers, regardless of their migration status, 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/or comment(s) you may have to the above-mentioned allegations.
2. Please indicate what measures have been taken by your Excellency's Government to ensure the urgent protection of migrant workers from Ethiopia who remain abroad. In particular, please indicate which type of support is provided to those who have lost their jobs and who have become homeless and without adequate access to food and water as a result, including the 130 migrants, whose situation is highlighted in this letter.
3. Please indicate what steps is your Excellency's Government taking to protect these migrant workers from contracting COVID-19.
4. Please indicate what action your Excellency's Government is taking in coordination with relevant States to ensure the effective repatriation of

migrant workers who wish to return home and provision of adequate support upon their arrival in Ethiopia.

5. Please provide information on the number of migrant workers from Ethiopia, who have died in Lebanon and elsewhere in the past year and on the cause of respective deaths.
6. Please provide information on existing channels for Ethiopian migrant workers to report abuse and exploitation and to seek support.

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.

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.

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