

# ISOLATED AND ABUSED

WOMEN MIGRANT DOMESTIC  
WORKERS IN JORDAN  
DENIED THEIR RIGHTS

**AMNESTY**  
INTERNATIONAL



## Tens of thousands of women migrant domestic workers in Jordan face isolation, exploitation and abuse, with little or no protection from the state.

### SOME FACTS SHOW WHY THEIR RIGHTS NEED PROTECTION:

- many are not paid some or all of their meagre wages, sometimes for years;
- many work 16 to 19 hours daily, with no day off;
- many are effectively held captive in their employer's home;
- many suffer physical and mental abuse, particularly beatings;
- some cannot leave the country because their employer has not renewed their residency/work permits and large overstay fines have accrued;
- some are raped and otherwise sexually abused in their workplace.

These women are crucial to the economy in Jordan, as well as in their home countries. They contribute to the well-being of the households where they work, and provide vital income for their own families and communities. They should be able to work without fear of cruelty and threats of imprisonment and deportation.



**T., a 27-year-old Filipina woman, says that she was forced to work 17 hours a day, seven days a week. Her passport was confiscated. She told Amnesty International that her employer gave her inadequate food and that "every time the family left the house they would lock me inside". After she worked the two years of her contract her employer forced her to work for two more months. She says her employer did not pay her nearly a year's salary.**

**Eventually, T. jumped from a window on the second floor to escape, hurting her leg. In an apparent attempt to avoid paying the overdue salary and the fine for not renewing her visa for two months, her employer filed a claim against her, accusing her of theft. T. is now seeking a remedy in court, with the support of the embassy.**

The vast majority of domestic workers are from South and South-East Asia. There are more than 40,000 migrant domestic workers registered with the Ministry of Labour, mostly from Indonesia, the Philippines and Sri Lanka. Up to a further 30,000 domestic workers are estimated to be in Jordan without correct documents.

## ABUSE

Abuse of women migrant domestic workers is widespread in Jordan, particularly economic exploitation. Many are paid only part of their meagre wages or are not paid at all, sometimes for years. One woman told Amnesty International that she was owed nearly four years' pay.

Most face a demanding work regime: women migrant domestic workers told Amnesty International that they worked 16 to 19 hours a day, seven days a week and without holidays. According to a survey conducted in 2005 by the UN Development Fund for Women (UNIFEM), three out of four migrant domestic workers in Jordan work "beyond their physical capability".

Many domestic workers are forced to work three or more months without pay, supposedly to cover the recruitment agency's costs, even though this is banned under Jordanian law.

Physical, psychological and sexual abuse is common. Women migrant domestic workers described being slapped, kicked, beaten, spat at and threatened with violence, usually by members of the household. One young woman said she had been sexually abused and raped. An embassy official told Amnesty International that the embassy had dealt with 12 cases of rape in 2007. The UNIFEM survey found that one in nine domestic workers in Jordan had been sexually abused.

According to lawyers and embassy staff interviewed, representatives of some recruitment agencies routinely beat domestic workers shortly after their arrival in Jordan, apparently to frighten the women and discourage them from making complaints about their employers or from running away from them.

Several domestic workers have fallen to their deaths in circumstances recorded as accidents but that appear to have been investigated inadequately. Two young women died in early 2008 after falling from the fourth and fifth floor of apartment blocks. The authorities reportedly concluded that they had fallen while cleaning windows.

## SUICIDE RISK

**R. is Indonesian and 22 years old. On two occasions the father in the house where she worked sexually abused her. On three other occasions, his son raped her. The mother found out and beat her. Eventually, R. attempted to commit suicide and was taken to hospital.**

**R. was offered an out-of-court "pay-off" worth several thousand US dollars to stay quiet and leave the country. She chose to try to seek justice.**

**Domestic workers are much more likely than any other group in Jordan to take their own life. The National Institute for Forensic Medicine told Amnesty International that of around 45 people who each year commit suicide, between five and 10 are domestic workers.**

According to information provided to the National Centre for Human Rights (NCHR), another woman fell to her death because she was "startled at seeing snow for the first time". Amnesty International is seeking further information on these cases.

The Jordanian authorities have said they are committed to improving the situation of migrant workers. They have introduced some encouraging reforms regarding migrant workers in industrial zones and are drafting legislation that may provide greater protection for the rights of domestic workers.

Amnesty International delegates visited Jordan in March/April 2008. They interviewed many women migrant domestic workers and met representatives of embassies of labour-sending countries, lawyers and representatives of organizations dealing with cases involving domestic workers. They also met government officials.

M., a 29-year-old Indonesian woman, was employed as a domestic worker for six years. She told Amnesty International she was owed around four years' pay, around US\$5,000. In the first house, where she worked for five years, the father beat her on several occasions and would not let her leave the house "even to throw away the rubbish". She said: "When I asked for my pay (about US\$125 a month) so I could send money to my daughters, he used to get angry, and sometimes beat me." He also did not pay several years' worth of overstay fines. M. managed to escape from her second employer, but he filed a claim of theft against her. M. was detained for several weeks, before being found not guilty of the charge. After a six-month wait while a lawyer supported her claim for unpaid salary, the overstay fines were paid and M. obtained half the salary she was owed. She then returned to Indonesia.



M., who asked that her name be withheld, was one of thousands of Indonesian domestic workers in Jordan.

## TRAPPED

Women migrant domestic workers in Jordan can be trapped both during their term of employment and after.

They are often prevented from leaving the homes in which they live and work – "not even once to go to church", as one woman migrant domestic worker told Amnesty International.

At the end of their employment, huge numbers of women migrant domestic workers are unable to leave the country because they do not have up-to-date residency and work permits. Both permits are issued initially for one year, after which they must be renewed or an overstay fine of 1.5 Jordanian dinars (around US\$3) a day is incurred. The employee, or former employee, is then liable to be arrested or otherwise prevented from leaving the country until the fine is paid, even though it is their employer's responsibility to maintain the permits. As one lawyer said, "It is the employer who has broken the law and should, if anyone, be arrested, but it is the employee who is detained."

Around 14,000 migrant domestic workers are said to be stuck in Jordan due to overstay fines. Of these, several hundred are sheltered at any one time by the embassies of Indonesia, the Philippines and Sri Lanka, and up to 100 are held at a detention centre in Jweidah, in south Amman. The women remain in limbo until the fine is paid. However, there is no legal procedure to oblige the employer to pay the fine. As a result, the migrant worker must wait, often for six months or more, for the employer to agree to pay. In many cases, the embassy pays or the Jordanian authorities waive the fine.

**"It is common practice for a migrant worker to arrive in the country and remain housebound until she leaves for the airport upon completing her two-year contract, or until she runs away..."**

UNIFEM, 2007

## BEHIND THE ABUSE

Many factors put women migrant domestic workers at risk of abuse. They are women and foreign, often young and poorly educated, always far from home, and doing low-status jobs in isolated and unregulated workplaces. Although illegal in Jordanian and international law, it is common practice for the employer to confiscate the worker's passport, further diminishing her independence and her ability to leave an abusive or exploitative family.

For years, Jordan's Labour Law explicitly excluded domestic workers, so they were not entitled to the protection it offers to other workers, such as minimum wage provisions, access to labour dispute mechanisms and the regulating of working hours, days off and sick leave. However, some steps have been taken in recent years to bridge the gap.

In 2003 the Ministry of Labour, in partnership with UNIFEM, introduced a "Special Working Contract for Non-Jordanian Domestic Workers". The contract outlined workers' rights to medical care, one day off a week and timely payment of wages, and noted that it is the employer's responsibility to bear the costs of work and residency permits. It also stated that the passport should remain with the passport's owner. However, Amnesty International could find no information indicating that this contract has had any noticeable impact. Lawyers and embassy officials said that the main shortcoming of the new contract is that it does not specify any punishment for the employer if the contract's conditions are not met.

In 2007 the UN Committee on the Elimination of Discrimination against Women called on Jordan to "ensure that the employment of domestic workers is covered by the Labour Code [Law]" and in July 2008 the Jordanian parliament made a number of amendments to the law. These included giving workers the right to leave their job if they have been subjected to any form of sexual assault, while maintaining all of their rights for end of service in addition to compensation for damages.

## SEXUAL ABUSE

**The failings of the Jordanian state mean that very few women migrant domestic workers who have been raped or otherwise sexually abused see the perpetrator investigated, prosecuted and convicted. There are usually no direct witnesses and vital medical or forensic evidence is lost if the survivor of such an assault cannot escape quickly.**

**An embassy representative spoke to Amnesty International about a woman migrant domestic worker who was raped. When she escaped her employer's house a week after the assault, the medical investigation indicated that her vagina was lacerated but could not provide evidence concerning the perpetrator. In fact, the alleged perpetrator filed a counter-accusation of theft and the young woman was arrested and jailed. She spent at least two weeks in detention. Amnesty International has not been able to clarify what happened subsequently.**

Amendments were made to Article 3, which had previously explicitly excluded domestic workers, among others, from the protection of the law. It now states that a separate regulation will be issued to define the terms of their "work contracts, working hours, rest periods, inspection and any other issue related to their employment".

Among proposals being considered are for the working week of domestic workers to be restricted to that specified in the Labour Law, currently 40 hours. Another is that the Ministry of Labour would inspect private homes in which domestic workers are employed if complaints are received.

A further proposal is that a recruitment agency could be shut down if it is found to be responsible for serious human rights violations. This may help end the climate of impunity which many people told Amnesty International exists for agencies, both in Jordan and in the sending countries, which are inadequately regulated and monitored. However, the proposals to date fall short of the protection offered by the Labour Law to other categories of workers, such as minimum wage protection and severance pay for end of service.

Two Filipina women, L., aged 23, and R., aged 29, worked for the same employer. They told Amnesty International that the daughter and son of the employer verbally abused them whenever possible. “The daughter used to threaten us: ‘My boyfriend is related to the king, I can put you in prison. Nobody will believe you, because you are only a Philippine woman.’ The son used to say: ‘You are only a Philippine woman, you are garbage!’”

L. said the son slapped her face, choked her, twisted her arms and spat in her face.

The two women worked seven days a week from 6am until midnight or 1am, or even later if there were visitors. They were never given a day off.

Eventually, the two women ran away and found shelter at their embassy. L. said she had been paid for only one year instead of the three years and 10 months that she had worked. The first three months’ salary had been deducted, purportedly to cover the recruitment agency’s fee, although this should not have come out of her salary. After a conciliation meeting, the employer agreed to pay the outstanding wages, buy her a flight home and return her passport.

The two women returned to the Philippines in May. The employer did pay L. around US\$4,000, but refused to pay R., claiming that she did not complete her contract. The embassy paid the accumulated overstay fines.

## OTHER FACTORS THAT FACILITATE ABUSES INCLUDE:

- domestic workers are generally isolated in their employer’s home, unable to report or flee from abuse;
- labour inspectors do not yet monitor private homes where domestic workers are employed;
- many victims of abuse are discouraged from lodging complaints because they believe that the law and legal practice are unsupportive;
- if a migrant domestic worker does go to the police to report abuse or exploitation, she may be the one who ends up in jail – whether for possessing incorrect papers or because, as often happens, the abusive employer files an unfounded counter-claim, usually of theft;
- embassies are rarely notified when one of their nationals is detained;
- migrant domestic worker detainees are usually interrogated in Arabic, or possibly English, but many speak neither language well.

Jordan has ratified various international human rights treaties that protect migrant workers from human rights violations: the International Covenant on Economic, Social and Cultural Rights protects their rights at work and guarantees them “just and favourable conditions of work”; the Convention on the Elimination of All Forms of Discrimination against Women guarantees their right to protection of health and safety in working conditions; the International Covenant on Civil and Political Rights guarantees their right to freedom of movement. However, Amnesty International’s research indicates that the Jordanian authorities are not meeting these obligations because they are failing to protect migrant workers from abuses and because their laws and policies do not guarantee these rights.

## ESCAPING ABUSE

Domestic workers held captive in the homes in which they work often risk serious injury or worse when they jump off balconies or out of windows in bids to escape.

One lawyer told Amnesty International of six women who had been seriously injured as they fled their employers' homes in the first quarter of 2008. An embassy official said that the embassy was currently helping four such women.

Each of the embassies of Indonesia, the Philippines and Sri Lanka has a shelter for runaway migrant workers. The embassy of the Philippines said that 10 to 15 domestic workers arrive at its doors weekly and that its shelter was housing more than 220 women. The Indonesian embassy said it had received 260 new domestic workers seeking shelter in the first quarter of 2008. The Sri Lankan shelter was hosting around 75 domestic workers in this situation.

Amnesty International visited one of the shelters. Several large embassy rooms had been converted into dormitories filled with bunk beds. The bathroom facilities were clearly overstretched.

In March 2007 the Minister of Labour announced that a shelter for migrant workers would be established, probably in partnership with UNIFEM and the NCHR. As of October 2008, it had not yet been established.

Embassy officials highlighted that not all migrant workers seeking shelter had fled abuse. Some, they said, particularly younger and less educated women, were suffering from culture shock and wanted to return home before the end of their contract or agreement.

The number of women migrant workers in embassy shelters is only part of the picture. Many women seek re-employment and shelter through working irregularly, without the correct papers, in restaurants, hotels, as domestic workers in different homes, or as sex workers. Lacking legal status or adequate documentation, they are at heightened risk of exploitation and abuse, and their experiences are poorly documented.

**B., a Filipina woman in her forties, told Amnesty International that she came to Jordan in April 2006 on a contract to work as a dressmaker for US\$400 a month. When she arrived she found out that she would have to work as a domestic worker, for less pay.**

**B. worked seven days a week for two years. At first, she was paid almost the correct amount and fairly regularly. Later, however, she was paid irregularly and only in small amounts. She said: "Every time I asked for my salary they would get angry and tell me to wait."**

**She told Amnesty International that when her contract was about to end, she was locked in a room for two hours with a man whom the family had asked to beat her. The man held her tightly by the wrist, beat her severely on her upper arms, kicked her in the back and hit her face. She said that for many days afterwards she was unable to lie down or sit without considerable pain.**

**One morning the family left a window open by mistake and B. escaped. She said she is still owed 800 Jordanian dinars (US\$1,130), which she is seeking with the help of her embassy.**



**B.'s arm, three weeks after she was beaten.**

# ACTION NEEDED NOW

## PLEASE WRITE TO THE JORDANIAN AUTHORITIES ASKING THEM TO:

- ensure that ongoing legislative amendments guarantee labour rights to migrant domestic workers in line with international human rights standards and, in particular, implement the recommendation of the UN Committee on the Elimination of Discrimination against Women that the Labour Law be amended to cover them fully;
- immediately establish government-funded shelter or shelters for domestic workers fleeing abuse and exploitation;
- improve monitoring of working conditions and recruitment agencies to make sure employment contracts are enforced;
- make sure that all employers and representatives of recruitment agencies who abuse migrant domestic workers are brought to justice;
- develop speedier and more efficient resolution mechanisms to stop migrant domestic workers from being detained or prevented from leaving Jordan on account of their employer's failure to maintain appropriate work and residency permits;
- make sure that all women migrant workers who are detained have prompt and, if necessary, free access to a lawyer, thereby allowing complaints based on flimsy allegations to be dismissed immediately, and ensure that those detained lawfully can apply for bail;
- ratify the Convention for the Protection of the Rights of All Migrant Workers and Members of their Families.

## PLEASE SEND APPEALS TO:

Minister of Labour  
Bassem Salem  
Ministry of Labour  
PO Box 8160  
Amman  
Jordan

Fax: +962 6 585 5072  
Email: [Info@mol.gov.jo](mailto:Info@mol.gov.jo)  
[www.mol.gov.jo](http://www.mol.gov.jo)  
Salutation: Dear Minister

**Amnesty International** is a global movement of 2.2 million people in more than 150 countries and territories, who campaign on human rights.

Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights instruments. We research, campaign, advocate and mobilize to end abuses of human rights. Amnesty International is independent of any government, political ideology, economic interest or religion.

Our work is largely financed by contributions from our membership and donations.

Amnesty International  
International Secretariat, Peter Benenson House  
1 Easton Street, London WC1X 0DW  
United Kingdom  
[www.amnesty.org](http://www.amnesty.org)

Index: MDE 16/002/2008  
October 2008

**AMNESTY  
INTERNATIONAL**

