

MIGRANTS IN COUNTRIES IN CRISIS

LEBANON CASE STUDY

Migrant Domestic Workers and the 2006 Crisis

Dina Mansour-Ille & Maegan Hendow



Project funded by the European Union



Project implemented by ICMPD



In partnership with IMI



Migrants in Countries in Crisis (MICIC)

Lebanon Case Study: Migrant Domestic Workers and the 2006 Crisis

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Acknowledgements

This paper has been prepared based on the indispensable input of three research assistants, who assisted the local research partner for this case study: Laura Ferrero, PhD (University of Turin); Nora Sakabedoian (Lebanese American University) and Sally Youssef (Lebanese American University). Dr Ferrero worked on the case study throughout February and March 2016; Ms Sakabedoian worked on the case study from late February to July 2016 and Ms Youssef assisted on an ad-hoc basis from March until the conclusion of the case study in August 2016. The local research partner wishes to particularly thank Ms Youssef for her exemplary dedication to this research project and Ms Runa Baydoun for volunteering to assist in the data collection and analysis for this work.

The authors gratefully acknowledge the review and input provided by colleagues at the International Centre for Migration Policy Development (ICMPD), the International Migration Institute (IMI) and the European Commission (EC), who contributed to improving the quality of this report.

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List of Acronyms

ARM	Anti-Racism Movement
CLDH	Lebanese Center for Human Rights
CSO	Civil society organisation
EU	European Union
FENASOL	National Federation of Workers and Employee Trade Unions in Lebanon
GCC	Gulf Cooperation Council
GFMD	Global Forum for Migration & Development
GS	Directorate General for Security General within Ministry of Interior
HRW	Human Rights Watch
ICMPD	International Centre for Migration Policy Development
IGO	Intergovernmental Organisation
ILO	International Labour Organization
ILO C189	ILO Convention 189 on Domestic Workers
IOM	International Organization for Migration
ISF	Internal Security Forces
LCRP	Lebanon Crisis Response Plan (regarding Syrian refugees)
MECC	Middle East Council of Churches
MICIC	Migrants in Countries in Crisis initiative
MDW	Migrant domestic workers
MCC	Migrant Community Center
NARI	Group of Nepalese Feminists in Lebanon
NGO	Non-governmental organisation
NRF	Lebanon's National Response Framework for Disaster Management
OHCHR	Office of the High Commissioner for Human Rights
POLO	Philippine Overseas Labour Office
SORAL	Syndicate of the Owners of Recruitment Agencies in Lebanon
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
WCC	World Council of Churches

Executive Summary

This case study on migrant domestic workers (MDWs) in Lebanon has been conducted for the EU-funded project 'Migrants in Countries in Crisis: Supporting an Evidence-Based Approach for Effective and Cooperative State Action'. Six case studies have been prepared for this project, to provide detailed information on the impacts of crises on migrants, particularly in the longer-term. For this case study, we have adopted a two-pronged approach. First, we examine the impact of the July-August 2006 war on MDWs in the country at the time, to analyse how domestic workers and other relevant governmental and civil society actors responded to MDWs' needs during the crisis, and lessons learned as a result of this crisis. Nonetheless, MDWs themselves do not identify the 2006 war as a significant crisis for them, and Lebanon is currently in the midst of dealing with a humanitarian crisis due to the large number of Syrian refugees they are now hosting, some of whom have entered into domestic work. Therefore, as a second line of inquiry, we analyse the significance of 'everyday crises' in reference to acute humanitarian crises, where inequalities and abuse experienced by MDWs in the country can become exacerbated in a crisis situation.

Methodology

Research methodologies used included desk research, semi-structured interviews and focus group discussions. Information has been collected for this case study between February and July 2016. Interviews and fieldwork were conducted in Lebanon (with the exception of one interview that was conducted by Skype) with a variety of stakeholders, including MDWs, government representatives, international organisations, civil society organisations (CSO), employers and experts. Interview partners were selected based on their expertise and responsibility regarding responses to the 2006 crisis and/or to MDWs in Lebanon.

Migrant Responses to Crisis

During the 2006 crisis, some MDWs became active in helping 'trapped' domestic workers from their own as well as from other countries. Some retell how they collaborated with their embassies and with Caritas, the only civil society organisation at the time working with MDWs, to help locate and evacuate those who wished to leave or who were abandoned by their employers. Notably, MDWs do not express significant impacts on their own lives or those of their community due to the 2006 crisis, and do not view the 2006 war as a crisis for themselves or the wider community of MDWs in Lebanon. Nonetheless, the crisis was a turning point that directly or indirectly pushed MDWs to organise, coordinate and come together as a community. As a result they started to form associations and meet whenever and in whichever way possible, especially churches, to discuss their daily problems, raise awareness on their common plight and educate each other on their rights.

Although the recent Syrian refugee crisis has had minimal impact on the domestic work sector, when Syrians do enter the domestic work sector, their penetration of the market is considered temporary and irregular. They hence compete, if at all, with the community of 'freelance' (often irregular) migrant domestic workers rather than 'live-ins'.

Although acute crisis events can have significant impacts on migrant domestic workers, MDWs rather understand and experience 'crises' more broadly, and occurring more regularly for them in their lives (i.e. recurring or 'everyday crises'). Many feel that they are in a precarious situation, due to their challenging legal situation, with limited labour protections, their feeling of absolute reliance on their individual employer, and their lower socio-economic status in the country. In response, they often count on others in their national communities, as well as CSOs, for financial or legal support when the situation requires it. Such precarious situations can be compounded in a crisis situation, as was the case in 2006 with some of the 'trapped' MDWs, for example. On the other hand, protection, support and services offered to MDWs in regular times can also be instrumental in times of acute humanitarian crisis.

Institutional Responses

During the 2006 crisis, Lebanese and the country of origin authorities were caught unawares with regard to responding to the MDW population in the country, and most did not have a sufficient contingency plan yet in place. However, the General Directorate of General Security (GS) demonstrated flexibility and cooperation with Caritas in releasing and evacuating domestic workers

from the country, especially irregular migrants held in the GS detention centre at the time. Caritas was also instrumental in assisting embassies in processing and evacuating their nationals.

In part as a response to the 2006 war, and reports of abuse of MDWs in the country, several countries of origin of MDWs have implemented emigration bans on their nationals migrating to Lebanon. Although the intention of such bans was to protect their nationals from potential abuse or risky situations, in practice they have often led to increases in irregular migration (including trafficking) to Lebanon. Thus several countries have re-evaluated the use of such bans, as well as how best to respond to their irregular population in the country.

Civil society has emphasised the need for more efforts of Lebanese and country of origin authorities in protecting domestic workers' rights and improving their situation in the country in general, including changes to how the system is organised through sponsors and recruitment agencies, which can lead to abuse. From the Lebanese government side, although there have been several initiatives aiming at improving responses to and protections of MDWs in the country, the lack of a functioning national government in recent years has reportedly in part stalled movement on this issue.

Policy Learning

The majority of stakeholders lacked awareness of any specific policy changes based on the 2006 crisis. Nonetheless, there have been a number of relevant changes in the period since that highlight the higher priority MDW issues have taken: the development of a national contingency plan for cases of acute humanitarian crises (although not including responses to migrants), the work of the Inter-Ministerial Steering Committee on domestic workers, and the prioritisation of domestic worker issues by the Human Rights Committee of Parliament.

The past 10 years have also been important in terms of strengthening of migrant associations – through meetings, events, and social networking activities – and local non-governmental organisations (NGOs) – recently established or engaging with MDW issues. Together they have taken the plight of MDWs to Lebanese society through awareness raising campaigns, as well as to government officials and institutions through legal and political advocacy. The recent focus of intergovernmental organisations, particular the International Labour Organization's (ILO) work on domestic work in preparation for the Domestic Workers Convention (C189), have also placed this issue on the international and national stage.

1. Introduction

In 2015, the European Union (EU) launched 'Migrants in Countries in Crisis: Supporting an Evidence-based Approach for Effective and Cooperative State Action', a four-year project implemented by the International Centre for Migration Policy Development (ICMPD). This EU-funded project is a contribution to the global Migrants in Countries in Crisis (MICIC) initiative, a government-led process co-chaired by the governments of the Philippines and the United States, which shares similar goals. The project aims to improve the capacity of states and other stakeholders to assist and provide protection to migrants who find themselves in countries affected by crisis, as well as address the long-term implications of such situations. Within the project, six regional consultations with states and other relevant stakeholders have been conducted, contributing to the development of the MICIC initiative 'Guidelines to protect migrants in countries experiencing conflict or natural disaster'¹, which provide guidance for states and other stakeholders in responding to the needs of migrants caught in crisis situations. In addition, the project also develops capacity building activities to follow up on key recommendations that have emerged over the course of the project.² This case study report presents the results of one case study among six³ of the Research Component of the EU-funded MICIC project, whose goal is to complement these efforts by providing policy-relevant analysis of the implications of crises in host countries.

Within the framework of this MICIC project, the main scope of this case study is to investigate the situation of migrant domestic workers (MDWs) in Lebanon, and how their vulnerabilities to abuse and mistreatment can become exacerbated during periods of conflict. The case study thus proceeds along two main lines of inquiry. The first is to examine the impact of the July-August 2006 war on MDWs (primarily Asian and African – notably those from the Philippines, Sri Lanka, Ethiopia and Bangladesh as main nationalities in the country) and policy changes as a result of this crisis. We do this with the aim of examining how domestic workers and other relevant stakeholders responded to MDWs' needs during the acute humanitarian crisis of 2006, and lessons learned as a result.

The July-August 2006 Israeli invasion of Lebanon has been cited in academic and media reports as a significant reference point for the lack of protection and dangerous circumstances experienced by MDWs in the country.⁴ During this period, the Israeli Air Force conducted air and artillery attacks on Lebanon – particularly South Lebanon but also Beirut; Lebanese officials reported that over the 34 days of the war, there were more than 4,500 bombing raids on Lebanon.⁵ Huge portions of Lebanese civilian infrastructure were damaged⁶ - estimated at over US\$3.5 billion (EUR 3.2 billion) in damages – including roads, bridges, the Beirut International Airport, power plants, water and sewage treatment facilities, fuel stations, homes, hospitals and electrical facilities.⁷

During the crisis, over one million Lebanese were temporarily displaced, while approximately 70,000 foreign nationals⁸ were evacuated from Beirut.⁹ Caritas estimated approximately 20,000 migrant

¹ Migrants in Countries in Crisis (MICIC) Initiative. (2016). Guidelines to Protect Migrants in Countries Experienceing Conflict or Natural Disaster. Retrieved from: https://micicinitiative.iom.int/sites/default/files/document/MICIC_Guidelines_english_web_13_09_2016.pdf.

² For more information on the capacity building activities, as well as the regional consultations, see: <http://www.icmpd.org/our-work/migrants-in-countries-in-crisis/>.

³ The other case studies under study are: Central African Republic political unrest of 2013-2014; Côte d'Ivoire political unrest of 2002-2003 and 2010-2011; Libya political unrest of 2011; South Africa xenophobic violence of 2008-2015; and Thailand natural disaster of 2011.

⁴ Jureidini, R. (2011). State and non-state actors in evacuations during the conflict in Lebanon, July-August 2006. *The Migration-Displacement Nexus: Patterns, Processes and Policies*, 197-215; Parvaz, D. (2015, June 26). Lebanon's immigrant domestic workers remain vulnerable to abuse. *Al Jazeera America*; Hamill, K. (2011). *Trafficking of migrant domestic workers in Lebanon: A legal analysis*. KAFA (enough) Violence & Exploitation; Jureidini, R. (2009). In the Shadows of Family Life Toward a History of Domestic Service in Lebanon. *Journal of Middle East Women's Studies*, 5(3), 74-101.

⁵ Associated Press (2006, August 17). Mideast War, by the Numbers. *Washington Post*.

⁶ According to Amnesty International, they argue that civilian infrastructure was deliberately targeted during the war. See: Amnesty International. (2006, November 21). *Israel/Lebanon: Out of all Proportion – Civilians Bear the Brunt of the War*. Retrieved from: <https://www.amnesty.org/en/documents/MDE02/033/2006/en/>.

⁷ Associated Press (2006, August 17); Amnesty International (2006, November 21).

⁸ Some of this number may have been dual nationals, and not all are migrant workers (i.e. would include for example tourists).

workers were able and willing to evacuate the country by land, and the International Organization for Migration (IOM) evacuated and/or repatriated 13,318 people (90.6% female) over 85 flights.¹⁰ The number of Lebanese families who delivered their migrant domestic worker(s) to their respective embassies for safety and repatriation, or took their domestic workers with them as they fled, is not clear. Other MDWs were not only left behind but actually locked into their Lebanese families' apartments while their employers found safety. Faced with this abuse and the bombardment during the invasion, some leapt from high rise buildings to escape; reports indicated five or six women died in doing so.¹¹

Keeping in mind the impact the 2006 war had on MDWs, there are other factors at play that have an impact on the situation of MDWs in the country at the moment. On the one hand, Lebanon is currently in the midst of dealing with a humanitarian crisis due to the large number of Syrian refugees they are now hosting, some of whom have entered into domestic work, and on the other, MDWs themselves do not identify the crisis event of 2006 as a crisis, but rather speak of recurrent personal crises as a result of the current normative system in place as more impactful on their lives. Furthermore, activist MDWs, members of the community of MDWs, associations and authorities agree that the definition of 'crisis' within the Lebanese context is expansive and does not confine itself to one particular incident or turning point. Lebanon is a country caught in a tenacious cycle of crises – be it an acute humanitarian crisis like 2006, or longer-term political ones: Lebanon is “a country of conflict” (LB-C-09) as expressed by Caritas, “this country is always in crisis”, noted the Internal Security Forces (ISF) official (LB-A-04), and “Lebanon is always in a crisis”, in the words of the Ministry of Interior representative (LB-A-02).

Therefore, as the second line of inquiry, the case study examines how MDWs (including Syrians, who have now entered the sector) respond to the recurrent crises they experience in the country. In this way, we attempt to demonstrate how persistent inequalities and vulnerabilities to abuse (often manifesting in 'everyday crises') can increase the difficulties experienced by migrants during an acute crisis, an issue that has consistently been raised by civil society organisations (CSOs).¹² On the other hand, strengthening the resilience and agency of MDWs at all times could then improve their ability to cope with acute humanitarian crises, another point emphasised by civil society.

With regard to the root of these 'everyday crises', much of the literature available outlines the vulnerabilities to abuse that MDWs in Lebanon face, as well as examples of their – at times extreme – exploitation (especially with regard to trafficking in human beings and forced labour).¹³ This can include withholding wages, long working hours, withholding food, lack of time off, restrictions on their free movement outside the home, withholding of their passport, verbal abuse, physical and sexual abuse, and rape. Human Rights Watch (HRW) has also previously called attention to the high suicide rate of MDWs in Lebanon, due to such exploitative and abusive practices.¹⁴ The efforts of Lebanese society and the law to respond to these issues have been insufficient, while many of their countries of origin are unable to provide them with support or protection. Trapped in a social, legal and political limbo, MDWs often rely on non-governmental organisations (NGOs), informal associations or communities (such as churches) and their own community to support them, provide them with information, and address their basic needs.

Thus, this case study report aims to illuminate *how migrant domestic workers have experienced crisis in Lebanon* – not only the acute humanitarian crisis of 2006, but also the recurring or 'everyday' ones they experience due to ongoing structural factors. This includes also the ways in which both Lebanon

⁹ Jureidini, R. (2011), p. 2; Harbi, R. (2014, July 12). Looking Back at Lebanon's War 2006. *Al Akhbar English*. Retrieved from: <http://english.al-akhbar.com/node/20712>.

¹⁰ Jureidini, R. (2011), p. 14.

¹¹ Parvaz, D. (2015, June 26); Hamill, K. (2011); Jureidini, R. (2011), p. 12; Jureidini R. (2009), pp. 91-92.

¹² For example by CSOs involved in the MICIC civil society consultations. See: Global Coalition on Migration (GCM) (2016, June 15). GCM Civil Society Statement on Launch of MICIC Guidelines. Retrieved from: <http://gcmigration.org/wp-content/uploads/2016/06/GCM-Statement-on-MICIC-Guidelines-Launch.pdf>.

¹³ See: Aiazzi, E. (2015). *Lebanon Country Report for Assessment of the Impact of the Syrian War and Refugee Crisis on Trafficking in Persons Study*. UNRWA. Unpublished; Nasri, A. & Tannous, W. (2014). *Access to Justice for Migrant Domestic Workers in Lebanon*. Geneva, SUI. International Labour Organization (ILO); Hamill, K. (2011); Jureidini, R. (2011), pp. 142-63; Ministry of Justice, the Republic of Lebanon. (2008). *Measures to Prevent and Combat Trafficking in Human Beings: Lebanon Country Assessment*. Beirut, LBN.

¹⁴ Human Rights Watch (2008, August 26). *Lebanon: Migrant Domestic Workers Dying Every Week*. Retrieved from: <https://www.hrw.org/news/2008/08/26/lebanon-migrant-domestic-workers-dying-every-week>.

as a host country, as well the countries of origin of MDWs provide protection to migrants in times of crisis and respond to their needs, and the role other actors like civil society, inter-governmental organisations and private actors such as employers fit into this constellation.

The case study report is divided as follows: (1) this section presents the case study and the methodology followed in collecting the data for this study, the fieldwork conducted in Lebanon throughout the period of March to July 2016, and detailed information on stakeholder categorisation and selection; (2) provides a brief background on domestic work in general, to set up the broader context for domestic work in Lebanon; (3) covers the contextual and structural factors relevant to the migrant population under study by examining factors such as migration history, demography and the legal and social status of MDWs in Lebanon, as well as the socio-economic position of MDWs within Lebanese society; (4) analyses migrant responses to crisis, addressing the venues and means by which MDWs have adapted and coped with their situation of socio-economic and legal vulnerability in Lebanon, particularly with regard to the 2006 war and the 'everyday crisis' they experience; (5) examines the actors and institutions that play a vital role in the lives of MDWs and in responding during crisis situations, such as states (Lebanese and countries of origin), civil society, intergovernmental organisations and the private sector; and lastly (6) is dedicated to policy learning, which examines the lessons learned in responding to crises by each stakeholder group examined for this case study. A final section concludes with main lessons from across the case study, followed by relevant annexes.

1.1. Methodology

The methodology for this case study was based on collecting both qualitative and quantitative data through desk research on existing literature, informal discussions with experts, semi-structured interviews, attending events organised by academic institutions and other non-governmental associations, as well as organising focus groups throughout the period of February to July 2016. In one case, we received a written response in June 2016 about the Lebanese National Response Framework (NRF) – Lebanon's disaster management strategy that was under development at the time of the fieldwork.

Six separate stakeholder groups were targeted for interviews based on relevance to the case study aims, which was determined based on desk research, recommendations by other interviewees and informal conversations with experts on the topic prior to launch of the fieldwork:

- MDWs – those of the main nationalities (Philippines, Sri Lanka, Ethiopia) in Lebanon were targeted, as well as Syrians recently entering domestic work. Aside from interviews, focus group discussions were also conducted with this group.
- Government authorities – ministries, departments, agencies, and legislators at the central level, as well as representations abroad (embassies, consulates) of main nationalities of domestic workers in Lebanon.
- Experts and private sector actors – other knowledgeable interviewees not covered in the previous categories, including academic, community leaders, and professionals speaking for themselves and not for an organisation. Among the private sector actors included are employers and recruitment agencies.
- Civil society organisations: International, regional, national, and local non-government organisations whose members are individuals or associations. This category also includes community-based organisations, migrant associations, women's rights groups, faith-based organisations, labour unions, co-operatives, professional associations, etc.
- Intergovernmental organisations (IGOs): United Nations (UN) agencies, IOM, European Union agencies.

Tailored interview and focus group guidelines were developed based on an overarching topical guideline developed for all case studies within the MICIC project. The interviews for this case study were based on a number of set semi-structured questions that were tailored based on the stakeholder group (above) and individual expertise of those interviewed.

Interviews with 71 individual stakeholders were conducted, as per the following illustrative table:

Stakeholder Type ¹⁵		Number of Stakeholder ¹⁶
Migrants	in-depth individual interviews	25
	participants in three focus group discussions	12
	TOTAL	37
Civil society organisations		14
Intergovernmental organisations		4
Government authorities		12
Experts and private actors		4
TOTAL		71

1.2. Stakeholder Description and Selection

Migrant Domestic Workers¹⁷

The research team distinguished between two ‘types’ or ‘categories’ of MDWs: those who identified themselves or were identified by others as activists, and those who did not engage in activism. This was not an assumption with which the research team started, but rather became clear within the first set of interviews conducted for the fieldwork. The reason for this distinction is the fact that both categories of MDWs clearly display different characteristics in terms of their knowledge of their rights and their understanding of the context of their daily plight. Both perspectives are vital for understanding the overall contextual and structural factors affecting the lives of MDWs in Lebanon. Hence, though the starting point has been activist MDWs, the fieldwork aimed to purposively select a diversified sample. The coding for MDWs also differentiates between both categories of MDWs.¹⁸

The distinction between the two groups was based on three main elements: (1) their knowledge of their own rights, (2) their agency in advocating for their rights, and (3) the confirmation of fellow MDWs or members of their own community that they are activists. The identification and classification of activist MDWs were based on information gathered from their own interviews and primarily by whether they are engaged in advocacy, although the other two elements are not neglected. Activist MDWs demonstrated knowledge of their rights, a drive to instigate change through advocacy and were recognised by the wider community of MDWs that they are activists. On the other hand, non-activist MDWs demonstrated less knowledge of their legal and social status, had less of an interest to instigate change and spoke more of their daily plight than of policies. In some cases, non-activist MDWs interviewed had some knowledge of their rights and were well-educated, but they did not engage in advocacy activities in their free time, as did activist MDWs. Activist MDWs in our definition are those who engage in advocacy (i.e. participate in demonstrations, attend seminars, conferences and other events), volunteer to offer assistance and/or support to other MDWs, engage in awareness raising, actively communicate with authorities to provide other MDWs with protection when needed, and collaborate with their own governments to improve the situation of the citizens from their own country, among other activities.

Interviews and focus group discussions were conducted with MDWs from the different major nationalities of MDWs in Lebanon, particularly the Philippines, Sri Lanka, Ethiopia, Bangladesh, Cameroon, Madagascar, Kenya. We did not focus on one particular nationality as their experiences

¹⁵ In a number of other MICIC fieldwork countries family members of migrants were targeted for interviews as well, primarily to learn more about the impact of return migration on the family unit. In the Lebanon case study migrants interviewed did not return due to the crisis event of 2006, and family members benefitting from the migrant’s migration (e.g. through remittances) would not be located in Lebanon (primarily due to the fact that domestic workers’ spouses and children are not legally allowed to migrate with them to Lebanon). Thus no interviews were conducted with family members of migrants.

¹⁶ This represents the number of participants in interviews, not number of interviews. Some interviews with associations were conducted with more than one representative of the association. For example, if an interview was conducted with two members of an NGO at the same time, it has been counted as two, not one.

¹⁷ Coded ‘LB-M’ or ‘LB-MA’ – to indicate location of interview (Lebanon) and stakeholder category (migrant, migrant activist, respectively).

¹⁸ ‘LB-MA’ for migrant activists, and ‘LB-M’ for non-activists.

(including during the 2006 crisis) across nationality are by and large similar.¹⁹ One of the main criteria for sampling has been the date of arrival of MDWs in the country, as it was important for this study to obtain information from MDWs who were in the country during the 2006 crisis. However, we did interview several (3)²⁰ MDWs who arrived post-2006, to see if their experiences varied widely from others who arrived beforehand and in view of collecting information on 'everyday crises'. Two of these interviews, however, were with MDWs who arrived in 2007, so they could still speak to longer-term changes.

All interviews included questions on 'everyday crises', and we also aimed at obtaining evidence of the experiences of Syrian refugee domestic workers, as this is a new phenomenon developing as a result of the number of Syrian refugees currently hosted in Lebanon. Syrian refugee domestic workers represented 12 of the 37 migrants who were interviewed or who participated in focus group discussions, none of whom were activists. The aim for including Syrian refugees in this fieldwork is not to have a representative sample of this population per se, but rather to shed light on their vulnerable situation in light of the 'everyday crises' mentioned above and understand to what extent they are entering the market of domestic work differently as compared to other groups.

The fieldwork in the Bekaa region of Lebanon served as a sample of investigating the living and working conditions of other MDWs (Ethiopians in Bekaa were also interviewed) outside the capital of Beirut and for reaching out to the Syrian refugee population, who are largely non-existent in the literature on domestic workers in Lebanon. The Bekaa area as a location was selected based on the fact that it has a large community of Syrian refugees living within as well as outside camps. Reaching out to the population of Syrian refugees in Bekaa has also been facilitated by the fact that one member of the Lebanon case study research team came from the Bekaa valley and had 'insider' knowledge of the area and residents.

The MDW population is predominantly female, and the interviews conducted with domestic workers are in line with this (36 out of 37 interviews and focus group participants were women). Yet, engagement with the broader community of MDWs confirmed the existence of a minority of male MDWs in the country. As such, one male MDW was reached and interviewed as part of the sample population for this fieldwork, to add anecdotal information to the existing gendered perspective of MDWs in Lebanon.

In total, the research team collected information from 37 MDWs in Lebanon, through interviews (25) or focus group discussions (12). Seven of the 25 interviews were with activist MDWs, while none of the focus group discussion participants were activists. 13 in-depth interviews were conducted in the Bekaa area, while 12 interviews were conducted in Beirut. Out of the 25 in-depth interviews, 10 were with Syrian refugee domestic workers in the Bekaa area. The remaining 15 were with the main nationalities of domestic workers in Lebanon: Bangladesh (1), Cameroon (1), Ethiopia (4), Madagascar (1), Nepal (1), Philippines (5), Sri Lanka (2).

The three focus group meetings were conducted in the period between March and May 2016: (1) The first was conducted in March 2016 with Syrian refugees working as domestic workers in the Bekaa area (2 participants); (2) Two focus group meetings were conducted in May 2016 with MDWs from the Philippines (4 participants) and from Kenya (6 participants) at the St. Francis Church in Hamra (Beirut). Interviews and focus group discussions were conducted in either English or Arabic, depending on what language the interviewee was most comfortable speaking.

The Migrant Community Center (MCC) – a community centre located in Beirut where migrant workers come to meet, take courses, socialise and network – served as the starting point for this fieldwork and facilitated access to activist MDWs and leaders of their communities in Lebanon. In particular, the MCC facilitated access to MDWs from Madagascar, the Philippines and Sri Lanka and with community leaders in general who we interviewed either at the MCC or elsewhere. In addition, the MCC served as

¹⁹ As noted by Moukarbel: "What is interesting about all these studies is that the conditions and treatment of migrant housemaids are virtually identical across time and space. No matter where the job is taking place, by what nationality it is held, the experiences are very much alike." Moukarbel, N. (2009). *Sri Lankan housemaids in Lebanon: a case of 'symbolic violence' and 'everyday forms of resistance'* (p. 250). Amsterdam University Press, pp.13-14.

²⁰ Aside from Syrian refugee domestic workers, discussed in the next paragraph.

a meeting place for some interviews, where MDWs felt more at ease and within their 'comfort zone' to speak openly of their everyday struggles and challenges in the country.

Snowball sampling was the primary method used to obtain interviews. In particular, activist MDWs and civil society stakeholders were asked if they knew of MDWs 'engaged in activism' who would be interested in sharing their experiences. In one case a CSO interviewee stated that they knew non-activist MDWs who might be interested in speaking with the research team; in this case, the CSO checked first with the MDWs and came back to the research team with a list of those who would be open to being interviewed. Activist MDWs were based in Beirut, where they tend to enjoy more freedom of movement and mobility, thus the majority of the sample population specified for in-depth interviews and focus groups was also based in Beirut.

Throughout the months of March-June 2016, the team attended a number of events or talks organised by or for MDWs, as well as visited a number of meeting points for MDWs, where MDWs participated in large numbers (see Annex I). Such participant and non-participant observation served as a means to gain trust in the community and to observe the organisation and make-up of the migrant domestic worker community. Such events also served a purpose as site selection for potential interviews. All the events attended and meeting points visited were based in Beirut, because during the course of our fieldwork no other important events were announced outside of Beirut (including in Bekaa). Moreover, our interviews confirm that the most active MDWs are based mainly in Beirut: no information during the course of our work referred to another 'hub' of an active community of MDWs in Lebanon outside of Beirut.

Intergovernmental Organisations²¹: are those organisations that have more than one office of operation in countries across the globe and act as an intergovernmental body with state membership. International intergovernmental organisations were targeted that have experience in working with or supporting MDWs in Lebanon, as well as those that were involved in evacuations during the 2006 crisis. For this case study, we have interviewed representatives of the International Organization for Migration in Beirut, the International Labour Organization (ILO) regional office in Beirut and country office in Ethiopia, and the European Union Delegation in Beirut.

Civil Society Organisations²²: are those organisations that have been established locally, regionally or internationally and are purely non-governmental, such as Insan or Caritas. Seven interviews were conducted with local organisations, and three with regional or international ones. Interviews were conducted with those organisations identified by the desk research or other interviews as being particularly involved in responding to the needs of MDWs, particularly during the 2006 crisis. Some interviews were conducted with multiple members of the association, to include as many relevant stakeholders within the association working on these issues. Within this work, the Middle East Council of Churches (MECC) was categorised as a regional association operating under the umbrella of an international association (the World Council of Churches (WCC)). Several stakeholders suggested that we interview (or mentioned as a relevant stakeholder) the Syndicate of the Owners of Recruitment Agencies in Lebanon (SORAL), who refused to grant us an interview. We have also contacted the Association to Protect Family Privacy and the Worker²³, which has been established under the mandate to protect the rights of the Lebanese employers (sponsors). Their perspective, which stands against all the other associations interviewed, provides an interesting insight into the societal context for this case study.

Experts and Private Actors²⁴: An expert has been defined as someone who has expert field or (theoretical) research knowledge on the topic of MDWs, or someone who has not represented their association during the interview. Moreover, this category also comprises private actors such as employers, recruitment agencies or other for-profit agencies. In total, four experts or private actors were interviewed: two experts were interviewed by the ICMPD researcher (one preferred to be kept anonymous) and two private actors by the Lebanon research team. The two interviews by the Lebanon team were household employers, who also preferred to be kept anonymous.

²¹ Coded 'LB-I' – to indicate location of interview (Lebanon) and stakeholder category (inter-governmental organisations).

²² Coded 'LB-C' – to indicate location of interview (Lebanon) and stakeholder category (civil society organisation).

²³ The association has only been officially registered in April 2016, thus they are a very newly established association.

²⁴ Coded 'LB-E' – to indicate location of interview (Lebanon) and stakeholder category (expert/private actor).

Government Authorities²⁵: 12 interviews were conducted with Lebanese and country of origin authorities in Beirut in the month of May. Interviews with Lebanese authorities were conducted with the main government stakeholders engaged on issues related to MDWs in general and specifically during the 2006 crisis, namely: the General Directorate of General Security within the Ministry of Interior, the Ministry of Justice, the Ministry of Labor, the Ministry of Social Affairs, the Internal Security Forces and a member of the Human Rights Parliamentary Committee. Interviews with country of origin representations in Beirut were conducted with the Ethiopian General, the Embassy of the Republic of the Philippines, the Embassy of Sri Lanka and the Honorary Consulate of Kenya.

Some of the main challenges of the fieldwork for this case study have been: (1) obtaining access to MDWs in general, and Syrian refugees in particular, have been difficult. This is due to the fact that many of them have irregular status and are afraid of government authorities – so unless one is recommended by community leaders or civil society organisations, they would not be open to speak to you. Assurances with a university card or a document from an intergovernmental organisation did not have an impact. (2) Most CSOs of relevance to this focus were established (or started working on MDW issues) after the 2006 crisis. (3) Some associations were difficult to reach and to schedule an interview with. It is not clear the reasoning for this, but in one case a civil society organisation noted research fatigue on the topic of MDWs in Lebanon, as it is a frequent topic of research.

As a result, the fieldwork relied on participant and non-participant observation in spaces (like the MCC) and at events, to meet and engage with CSOs and MDWs, particularly activist MDWs, who then served as informants for locating other MDWs willing to be interviewed. As for reaching Syrian refugees, the research team depended on a researcher from Bekaa in order to reach and interview Syrian refugees living in and outside refugee camps in Bekaa, as well as Ethiopian MDWs in Bekaa. Lastly, the fieldwork focused on using the knowledge and memory of the crisis provided by activist MDWs who were in the country from before the 2006 crisis, in order to counter the lack of information from CSOs who weren't yet established or working on MDW issues at the time.

²⁵ Coded 'LB-A' – to indicate location of interview (Lebanon) and stakeholder category (government authority).

2. Domestic Work

Before proceeding to the main findings of the case study, we will provide a brief discussion of the meaning and nature of (migrant) domestic work, and in so doing place domestic work in the broader gendered and global context in which it is situated.

2.1. What is Domestic Work?

According to the International Labour Organization's International Standard Classification of Occupations:

"Domestic cleaners and helpers sweep, vacuum clean, wash and polish, take care of household linen, purchase household supplies, prepare food, serve meals and perform various other domestic duties.

Tasks include –

- sweeping, vacuum-cleaning, polishing and washing floors and furniture, or washing windows and other fixtures;
- washing, ironing and mending linen and other textiles;
- washing dishes;
- helping with preparation, cooking and serving of meals and refreshments;
- purchasing food and various other household supplies;
- cleaning, disinfecting and deodorizing kitchens, bathrooms and toilets;
- cleaning windows and other glass surfaces."²⁶

There is also a separate occupation code (513) for care-related activities. Nonetheless, such classifications do not match with the reality of work done by domestic workers, where their work often combines household chores (e.g. cooking, ironing, cleaning) with care activities (taking care of the employers' children and/or parents).²⁷ With this in mind, and in line with literature on the topic, domestic work clearly falls in the category of 'reproductive labour', which has traditionally and continues to be primarily assigned to women.

The ILO Convention 189 on Domestic Workers (ILO C189) defines domestic work as "work performed in or for a household or households" and applies to all those engaged in such work "within an employment relationship" as an occupation.²⁸ However, compared to many other occupations, domestic work is particular in that it is not uncommon for domestic workers to not only work for, but also live with their employers. As such, "[p]rivate life and work become intertwined; labour, a way of living in itself."²⁹ Scrinzi and Anderson identify three main types of domestic employment related to the organisation of living arrangements between employer and employee: (1) domestic workers who live with their employers, (2) domestic workers who live somewhere else but work full time with one employer and (3) domestic workers who live somewhere else but work for several employers. In Lebanon, the first and third categories are the most common and will be further described in relation to legal status in the next chapter.³⁰

For migrant domestic worker 'live-ins', they can at times be doubly isolated – both in terms of placement in the private sphere of the employer's home, but also due to language, racial or ethnic and cultural barriers, as well as distance from their own families.³¹ The domestic worker's living situation can also have a significant impact on her rights and duties, as well as in some cases on her legal status within the country. These issues will be discussed further in the chapter 'Contextual and Structural Factors' as they are tied to the legal and customary practice systems in place in Lebanon.

²⁶ International Labour Organization (ILO). (2008). International Standard Classification of Occupants: ISCO-08. Geneva, SUI. Retrieved from: http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_172572.pdf.

²⁷ Anderson, B. (2000). *Doing the dirty work?: The global politics of domestic labour*. Palgrave Macmillan, p.15.

²⁸ ILO Convention 189.

²⁹ Moukarbel, N. (2009), p. 12.

³⁰ Scrinzi, F. (2003). The globalisation of domestic work: women migrants and neo-domesticity. In: Freedman J. (Ed.), *Gender and Insecurity: migrant women in Europe*. Ashgate, Aldershot; Anderson, B. (2000).

³¹ Frantz, E. (2014). *Breaking the isolation: Access to information and media among migrant domestic workers in Jordan and Lebanon*. Open Society Foundations, p. 6.

2.2. A Gendered Perspective

As noted before, migrant domestic work can be categorised within 'reproductive labour', work that has conventionally been done by women in the domestic sphere, and as such tends to be undervalued and underpaid. ILO studies confirm that domestic work is predominantly carried out by women (83% of domestic workers globally are women), and that a significant share are in the Middle East region (where 64% of domestic workers are women).³² Further, based on 2010 estimates:

"[s]ince women often face particular obstacles in obtaining paid employment, some 7.5 per cent of all female wage workers are in fact domestic workers (compared to 1.0 per cent of male wage earners), reflecting the importance of domestic work as a source of employment for women around the world. This fact is particularly accentuated... in the Middle East, where almost one-third (31.8 per cent) of female wage workers are domestic workers. The case of the Middle East is due to the generally low labour force participation of native women, and the fact that a large share of female migrant workers are in domestic services."³³

In 2013, 1.6 million female MDWs were employed in the Middle East, representing 73.1% of all domestic workers and 60.8% of all migrant workers in the Middle East.³⁴ Nonetheless, over half (50.8%) of all male MDW in the world are in the Middle East.³⁵ However, male domestic workers in the Middle East – particularly the Gulf Cooperation Council (GCC) countries – usually have male-connoted domestic work roles, such as gardeners, drivers, security guards or cooks.³⁶

In general, however, migrant domestic work is conducted by women, including in Lebanon. As such, MDWs represent a portion of a wider global trend of feminisation of migration, where an increasing proportion of women are migrating independently for work (rather than as family migrants). In 2015, women made up 48.2% of international migrants worldwide.³⁷

Kofman and Raghuram have noted that there is a heavy focus in the literature on migrant women in un- or less-skilled sectors of the labour market (e.g. sex work or domestic work), despite the fact that skilled female migrants are also significant contributors to the global economy.³⁸ In fact, a particular challenge for skilled migrant women is deskilling: while they may have obtained secondary or tertiary education in their country of origin, following migration they may then be employed in unskilled sectors such as domestic work.³⁹ This has been noted especially with regard to migrant women from the Philippines and Eastern Europe.⁴⁰ Deskilling as a phenomenon is not unique to migrant women, yet some factors may impact women more strongly than men, especially when reskilling conflicts with family expectations or obligations. Such factors can include access to professional language courses, lack of social networks, and deprioritisation of reskilling based on family decisions.⁴¹

³² Simonovsky, Y. & Luebker, M. (2011). *Global and regional estimates on domestic workers. Domestic Work – Policy Brief*. International Labour Organization (ILO), p. 8.

³³ Simonovsky, Y. & Luebker, M. (2011), p. 8.

³⁴ International Labour Organization (ILO). (2015 a). *ILO Global estimates on migrant workers. Results and Methodology*, pp.18, 21.

³⁵ International Labour Organization (ILO). (2015 a), p.21.

³⁶ Fernandez, B. (2014). Essential yet Invisible: Migrant Domestic Workers in the GCC", *Gulf Labour Markets and Migration*. GLMM No. 4/2014.

³⁷ United Nations, Department of Economic and Social Affairs. (2016). *International Migration Report 2015. Highlights*. New York, US. United Nations, p. 7.

³⁸ Kofman, E. & Raghuram P. (2009). *Skilled Female Labour Migration*. Focus Migration, Policy Brief. Hamburg Institute of International Economics (HWWI), p.3.

³⁹ There are many studies of domestic work that highlight the deskilling and disqualification of migrant women, see: International Organization for Migration (IOM). (2012). *Crushed Hopes: Underemployment and deskilling among skilled migrant women*. Geneva, SUI. IOM; Kofman, E. (2008). Gendered migrations, livelihoods and entitlements in European welfare regimes. *New Perspectives on Gender and Migration: Livelihood, Rights and Entitlements*, 1, 59; Andall, J. (2000). *Gender, migration and domestic service: The politics of black women in Italy*. Ashgate Publishing; Friese, M. (1995). East European women as domestics in Western Europe-new social inequality and division of labour among women. *Journal of Area Studies*, 3(6), 194-202; Zontini, E. (2002). Female domestic labour migrants and local policies in Bologna: The story of a Filipino woman. *Grillo R. e Pratt J.(a cura di), The Politics of Recognizing Difference. Multiculturalism Italian Style*, Aldershot, Ashgate.

⁴⁰ IOM (2012); Kofman, E. (2008).

⁴¹ Kofman, E. (2008), p.6.

2.3. The 'Global Care Chain'

Migrant domestic work must also be viewed as part of a 'global care chain'⁴², with migrant women from poor developing countries providing care services for families in rich developed countries: "Focusing on care chains highlights the way in which gender relations at origin and destination are linked in the migration process."⁴³ The typical chain as described in the literature begins with a woman in a developed country pursuing professional employment, due to which she is no longer able to fulfil her (gendered) obligations within the family. To meet these obligations, the man in the family does not take on additional household tasks – rather, the woman delegates the household responsibilities to migrant women employed as domestic workers and caregivers.⁴⁴ Whereas previously women may have received support from extended family or the state⁴⁵, nowadays this has shifted to migrant labour. The (semi-)privatisation and marketization of elderly care, for example, which up to the 1980s and 1990s had been organised in institutionalised care facilities, particularly in Europe, is now more commonly conducted in homes by migrant women.⁴⁶ This has been described as 'subcontracting' by Hondagneu-Sotelo: "By subcontracting to private domestic workers, these women purchase release from their gender subordination in the home, effectively transferring their domestic responsibilities to other women who are distinct and subordinate by race and class."⁴⁷ This process has been noted as a means for women employers of a domestic worker "to avoid renegotiating their own gender roles"⁴⁸ – employment of a female domestic worker maintains (in fact, arguable reinforces) the gendered status quo in the domestic sphere, while simultaneously allowing the woman employer in the developed country to enter the public sphere and the labour market.⁴⁹

There are two important caveats to this. Firstly, women's employment does not fully explain increased demand for domestic workers.⁵⁰ Particularly in the Lebanese case, there is a low labour force participation of native women.⁵¹ Thus, as in other studies⁵², employment of a domestic worker becomes also about a high-status lifestyle and class – with domestic workers' nationalities also connoting a certain level of status:

"In Lebanon this kind of [domestic] help, nowadays, is no longer restricted to the high and middle classes (just as it is not restricted to 'career' women). This is partly explained by the low cost of this service... Employing two Filipina housemaids rather than one is a sign of status, as it is almost exclusive to high social classes. Lower and middle classes employ Sri Lankans or Ethiopians."⁵³

The second caveat is that while a domestic worker's tasks are viewed as a 'replacement' for the woman employer, employers may demand above and beyond what they would be prepared to do

⁴² Hochschild, A. R. (2000). Global care chains and emotional surplus value. *On the edge: Living with global capitalism*, 130-46.

⁴³ Carling, J. (2005). Gender dimensions of international migration. *Global Migration Perspectives*, 35, 1-26.

⁴⁴ See: Carling, J. (2005). Gender dimensions of international migration. *Global Migration Perspectives*, 35, 1-26; Yeates, N. (2005). *Global Care Chains: A Critical Introduction*. *Global Migration Perspectives*, No. 44. Global Commission on International Migration, 1-20.

⁴⁵ The state may have provided support for care work, but typically not household work.

⁴⁶ Simonazzi, A. (2009). Care regimes and national employment models. *Cambridge Journal of Economics*, 33(2), 211-232.

⁴⁷ Hondagneu-Sotelo, P. (2001). *Immigrant workers cleaning and caring in the shadows of affluence*. Berkeley, California: University of California Press, pp.22-23.

⁴⁸ Moukarbel, N. (2009), p. 104.

⁴⁹ Moukarbel, N. (2009); Anderson, B. (2000); Momsen, J. H. (1999). Maids on the move: victim or victor. *Momsen ibid*; Pappas-DeLuca, K. (1999). Transcending gendered boundaries: migration for domestic labour in Chile. *Gender, migration and domestic service*, 98-113.

⁵⁰ Anderson, B. (2003). Just Another Job? The Commodification of Domestic Labor. In: Ehrenreich, B. & Hochschild, A. (Eds). *Global Woman: Nannies, Maids and Sex Workers*, Granta Books, 104-114.

⁵¹ In 2001, Lebanese women between 15 and 64 represented 21% of the Lebanese workforce compared with 77% of men of the same age. One Lebanese woman is employed for every four Lebanese men, and the rate of employment of Lebanese women decreases sharply as women age. This reflects a broader trend in the Middle East region. See: Moukarbel, N. (2009), pp. 105-106; Simonovsky, Y. & M. Luebker (2011), p. 8; Jureidini, R. (2009), p.88.

⁵² For example: Cock, J. (1989). *Maid and Madams: Domestic Workers Under Apartheid*. London: Women's Press; Parreñas, R. S. (2001). *Servants of globalization: Women, migration and domestic work*. Stanford University Press.

⁵³ Moukarbel, N. (2009), p. 106.

themselves: “descriptions of actual housework performed by domestics indicate that, while some women hire to replace their own labor, others hire women to do much more demanding household labor.”⁵⁴ This also has been seen with Lebanese employers.⁵⁵

While the above illuminates particular facets on employers’ side of the global care chain, there is also a significant impact for the female migrant domestic worker and her family in her country of origin. Indeed, the second part of this global care chain is that, upon employment and emigration of the female MDW, the care tasks within her own family are reorganised. If she has children, they may be taken care of by her own mother, an older daughter, another female relative, or even a ‘live-in’ domestic worker from a poorer non-migrant family⁵⁶ – usually not by the father (who may also be an international migrant), thus maintaining the gendered dimension of this care work.⁵⁷ The domestic worker’s migration and employment, however, should also be recognised as an important form of independence, as she travels abroad and becomes a main breadwinner for her own family. Her migration brings significant benefit to her own family economy (through remittances) and social mobility, as well as at an aggregate level to the economies of the country of origin. Nonetheless, there has also been recent critical research on the psycho-social impacts on families of migrants left behind, particularly migrants’ children, arguing that the negative impacts on them outweighs the positive impacts of remittances.⁵⁸

A final dimension to touch upon with regard to migrant domestic work in general is the importance of racial stratification that emerges with regard to their employment in the country of destination. As noted previously, domestic work tends to be undervalued and underpaid. In addition, Kofman remarks: “Together with the racialization of migrant women, this reifies them in an inferior position which devalues their skills and portrays them as unskilled and only fit for domestic work.”⁵⁹ In addition, stratification by nationality, race, language skills and even religion can lead to different working conditions and pay.⁶⁰ These trends have been observed in the Lebanese case and will be discussed further in the chapter ‘Contextual and Structural Factors’. Domestic workers may however also use such stereotypes for their own benefit: “Domestic workers from the Philippines ... present themselves as the ‘Mercedes-Benz’ of domestic workers.”⁶¹ This can inadvertently perpetuate this racialisation and stratification.

⁵⁴ Romero 1992:100 cited in Moukarbel, N. (2009), p. 102.

⁵⁵ Moukarbel, N. (2009), p. 102-103.

⁵⁶ Carling, J. (2005).

⁵⁷ Yeates, N. (2005); Carling, J. (2005).

⁵⁸ Yanovich, L. (2015, January 23). Children Left Behind: The Impact of Labor Migration in Moldova and Ukraine. *Migration Policy Institute*. Retrieved from: <http://www.migrationpolicy.org/article/children-left-behind-impact-labor-migration-moldova-and-ukraine>; Antman, F. M. (2013). 16 The impact of migration on family left behind. *International handbook on the economics of migration*, 293.

⁵⁹ Kofman, E. (2008), p.27.

⁶⁰ Kofman, E. (2008), p.28; FRA – European Union Agency for Fundamental Rights. (2011). *Migrants in an irregular situation employed in domestic work: Fundamental rights challenges for the European Union and its Member States*. Vienna, AUT: FRA.

⁶¹ FRA (2011), p.16.

3. Contextual and Structural Factors

This section provides a background to the situation of MDWs in Lebanon prior to the 2006 crisis, and main factors of significance for their circumstances in the country today. In particular, this section will cover the historical, legal and socio-economic factors of relevance to MDWs when a crisis occurs. These factors are of particular importance as they are often strongly related to the ‘everyday crises’ experienced by MDWs that are also under study in this report.

3.1. Migration History, Demography

As of July 2016, the Lebanese population was estimated at 6.2 million.⁶² Prior to the 2006 crisis, the population of female MDWs was estimated at over 160,000 (100,000 Sri Lankans, 30,000 Filipinas, 30,000 Ethiopians, in addition to an unknown number of Indians, Bangladeshis, Nepalese, Ghanaians, Nigerians).⁶³ Currently it is estimated that over 250,000 MDWs are employed in Lebanon – with CSOs estimating that up to 85,000 of these workers may be undocumented.⁶⁴ In 2010, the Ministry of Labour reported 117,941 renewals and first-time issuance of work permits for MDWs (80,209 and 37,732, respectively), and 146,326 in 2012.⁶⁵ The main nationalities of MDWs are: Ethiopian,⁶⁶ Filipino, Bangladeshi, Sri Lankan, Nepalese, and Madagascan. These statistics do not include the small number of domestic workers reportedly brought to Lebanon by affluent Syrian families fleeing the conflict.⁶⁷

Table 1: Nationality of migrant domestic worker permits (first issuance and renewals) issued by the Ministry of Labour in 2010

Nationality	Number
Ethiopia	31,556
Philippines	29,049
Bangladesh	24,081
Sri Lanka	12,527
Nepal	11,975
Madagascar	3,470
Other nationalities	5,283
Total	117,941

Source: Hamill, K. (2011). *Trafficking of migrant domestic workers in Lebanon: A legal analysis*. KAFA (enough) Violence & Exploitation.

Historically, the arrival of Asian and African MDWs is closely linked to the period of and immediately following the Lebanese Civil War (1975-1990). Previously, Lebanese and Arab MDWs from the region were employed primarily due to geographic proximity and political circumstances in the region: girls and women from poor families across Lebanon and Syrian children from Alawite families were commonly placed in Lebanese households, but for Syrians this ended “in the 1960s when Hafez al-Asad came to power and young women were redirected into the developing manufacturing industries.”⁶⁸ In the 1920s and 1940s Kurdish women in the region entered the domestic work sector, and following 1948 and the arrival of Palestinian refugees in Lebanon, they also became a labour source.⁶⁹ In the 1950s and 1960s agreements between Egypt and Syria also facilitated the arrival of Egyptian women to Lebanon.⁷⁰ Domestic work during this period tended to be informal arrangements

⁶² Central Intelligence Agency (CIA) (2016). *The World Factbook*. Retrieved from: <https://www.cia.gov/library/publications/the-world-factbook/geos/le.html>.

⁶³ Jureidini, R. (2011), p.11.

⁶⁴ Austrian Red Cross/ACCORD (2016). *Ethiopian female domestic workers inside Ethiopia and abroad (household slavery, trafficking)*. Vienna, AUT: ACCORD, p. 19 International Labour Organization (ILO) (2016). *Intertwined: A Study of Employers of Migrant Domestic Workers in Lebanon*. Beirut, LBN. Retrieved from: http://www.ilo.org/beirut/publications/WCMS_524149/lang-en/index.htm; also: LB-C-07.

⁶⁵ Hamill, K. (2011); Frantz, E. (2014), p.11; Nasri, A. & Tannous, W. (2014), p. 16.

⁶⁶ In 2010 and 2012, the highest proportions of all domestic worker permits issued were for Ethiopians, 27% and 43%, respectively.

⁶⁷ Aiazzi, E. (2015).

⁶⁸ Jureidini, R. (2009), p.76.

⁶⁹ Jureidini, R. (2009), p.76.

⁷⁰ Jureidini, R. (2009), p.76.

between families of the employer and the domestic worker.⁷¹ As this was organised by informal arrangements, there is no information on the scale of domestic work during this time period.

Following the start of the Lebanese Civil War, domestic workers either left due to the violence (e.g. Egyptians and Syrians) or were no longer seen as suitable due to the increased interreligious and cultural tensions in the country at the time (e.g. Palestinians).⁷² Further, according to Jureidini, although Lebanese families could have recruited from their own communities:

“It can be argued that, by the end of the war, all Lebanese who remained in country during that period had been politicized, and the idea of employing Lebanese women and girls in such a servile position was anathema to a national pride that was emerging along with the country’s physical and social reconstruction.”⁷³

However, by the 1980s, migration agents (i.e. recruiters) in Lebanon began establishing connections with and recruiting domestic workers from Asian or African countries: first in Sri Lanka, and later in the Philippines and Ethiopia. These domestic workers were hired under more formal contracts, and this historical process of formalising the contractual relationship with MDWs has subsequently shed more light on the actual number of domestic workers in the country, which is now reflected in the annual number of work permits issued (LB-C-08).⁷⁴ One related trend noted by the Sri Lankan Embassy has been the ageing of their domestic worker population. This has led to certain challenges for them, for example medical coverage of their citizens (LB-A-9).

While the existing literature focuses predominantly on MDW women, there are also a small number of MDW men in Lebanon. Male MDWs in Lebanon are hired as domestic workers but according to cultural and social norms male non-family members would not be free to enter and walk freely around the house, therefore how, where and what he performs as his work is largely dependent on the decision of his sponsor. Based on an interview for this case study with a male MDW from the Philippines and in line with the literature on domestic workers in the GCC⁷⁵, main tasks for male MDWs include driving and gardening as well as cleaning. Female MDWs also perceived that male MDWs were responsible for tasks such as fixing things, driving and carrying heavy items. Female MDWs in Lebanon are expected to do more housework than anything else, but also babysit, care for the elderly and walk the dog. The MDW man interviewed also claimed that he does not live in the same home as his employer, although he lives in the same building. Moreover, with his previous employer:

“I [was] not allowed to go inside the house, only in the lobby, in the parking lot or in my room...I understand because she [the employer] was separated from her husband and she only has twin sons and no other man in the house, that’s why I think she was afraid of something going up or something.” (LB-M-23)

On the other hand, female domestic workers are expected to live in the same home as the employer (unless they are ‘freelancers’, discussed in more detail in the next section on legal situation).

Lebanon’s total population has also of late witnessed a substantial demographic change in recent years as a result of the influx of refugees fleeing the Syria conflict. Indeed, Lebanon is considered to be the country with the highest current per capita concentration of refugees worldwide, in large part due to the Syria crisis.⁷⁶ As of end of June 2016, 1,033,513 Syrian refugees⁷⁷ were registered by

⁷¹ Jureidini, R. (2009).

⁷² Jureidini, R. (2009, pp.88-90).

⁷³ Jureidini, R. (2009), p.90.

⁷⁴ Jureidini, R. (2009), p.91.

⁷⁵ Fernandez, B. (2014).

⁷⁶ UNHCR (2014, April 3). *Syrian refugees in Lebanon surpass one million*. Retrieved from: <http://www.unhcr.org/533c15179.html>.

⁷⁷ This number is a decrease as compared with previous numbers. In 2015 the Ministry of Social Affairs requested UNHCR to deregister Syrians who arrived in Lebanon on or after 5 January 2015, and to suspend new registrations, regardless of date of arrival. Thus registration of Syrians has been suspended since 6 May 2015, although new-born babies of already registered Syrian parents are registered: UNHCR (2016). *Syria Regional Refugee Response – Inter-agency Information Sharing Portal*. Retrieved from: <http://data.unhcr.org/syrianrefugees/country.php?id=122>.

UNHCR in Lebanon, as well as approximately 9,000 refugees from Iraq, Sudan and elsewhere.⁷⁸ An estimated 53,000 Palestinian refugees from Syria have fled to Lebanon, in addition to the Palestinian refugees already living in Lebanon, an estimated 493,000.⁷⁹

3.2. Legal Situation and Relevance for Migrant Status

3.2.1. The Sponsorship, or *Kafala* System

Lebanon's sponsorship, or *kafala* system⁸⁰, links a MDW's legal status to one employer and has been noted by many interlocutors as the main structural factor contributing to MDWs' vulnerabilities to abuse and mistreatment (see: LB-C-01; LB-C-02; LB-MA-03; LB-MA-01; LB-MA-04; LB-A-6; LB-A-10; LB-A-5; LB-A-12, among others). This is due to the fact that the living and working conditions of MDWs are often dependent on the 'fortune' of the MDW to land with a good sponsor family.⁸¹ As noted by an official at Ministry of Social Affairs, "The *kafala* system is the main issue – and any changes to it can have a big impact, positively or negatively" (LB-A-10). The significant and myriad issues related to this system have been well documented in the literature on domestic work in the Middle East region and specifically on Lebanon, thus here we will just touch on some of the key issues briefly.⁸²

MDWs are generally categorised within the sector as 'live-ins' or 'freelancers' – which has much to do with their relationship to their sponsor/employer and legal status.⁸³ 'Live-ins'⁸⁴ are those who live in the employer's/sponsor's home and work there for the period of the contract (usually two or three years, LB-A-09; LB-M-02; LB-MA-01; LB-E-02). A domestic worker's freedom of movement outside the home is often based on the decision of her employer/sponsor and can sometimes be quite limited.⁸⁵ Two officials interviewed for the study specifically noted the challenges they have in accessing and providing assistance to 'live-in' Ethiopians and Kenyans (LB-A-06; LB-A-14). Those MDWs who were locked in their employers' homes during the 2006 crisis would have been of this category. 'Freelancers'⁸⁶ often entered Lebanon as a 'live-in', but now live and work independently, usually for different employers. They still require a sponsor, as per the law, and in some cases have arranged

⁷⁸ UNHCR (2016).

⁷⁹ Aiazzi, E. (2015).

⁸⁰ The *kafala*, or sponsorship, system is a customary practice applied in Lebanon, as well as in other Gulf Cooperation Countries, by which the migrant worker is required to have an in-country sponsor responsible for their residence permit and legal status, usually the migrant's employer. The system has been strongly criticised by civil society organisations as a practice that can create opportunities to exploit the migrant worker, as the migrant would be less likely to complain about abuses and exploitation by the employer when her legal status is dependent on the sponsor. In the case of domestic workers this can be compounded by the fact that the domestic worker is required to live in the same domicile as the employer or sponsor.

⁸¹ For this reason treatment (freedom of movement, access to their own identity documents, access to food and water, privacy, living space) can at times vary widely. Out of the MDWs interviewed for this case study, 10 reported that their passports are held by their employers and some claimed that there were periods where they were not allowed out of the household for weeks at a time (see for example LB-M-09). Some MDWs who had a good relationship with their employers claimed that they preferred to leave their passports with their employers for safekeeping, since they feared to lose it (for example LB-MA-07; LB-MA-21; LB-E-03).

⁸² See for example: Fernandez, B. (2014); International Labour Organization (ILO) (2015 b). *Cooperating out of isolation: the case of migrant domestic workers in Kuwait, Lebanon and Jordan*. Working Paper. Beirut, LBN: ILO. Retrieved from: http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_325243.pdf; Pande, A. (2013). "The paper that you have in your hand is my freedom": Migrant domestic work and the sponsorship (*Kafala*) system in Lebanon. *International Migration Review*, 47(2), 414-441; Nasri, A. & W. Tannous (2014); Abdulrahim, S. (2010). *Servant, daughter, or employee?: a pilot study on the attitudes of Lebanese employers towards migrant domestic workers*. KAFA (enough) Violence & Exploitation.

⁸³ See: Pande, A. (2013); Jureidini, R. & Moukarbel, N. (2004). Female Sri Lankan domestic workers in Lebanon: A case of 'contract slavery'? *Journal of Ethnic and Migration Studies*, 30(4), 581-607; Pande, A. (2014). Forging Intimate and Work Ties: Migrant Domestic Workers Resist in Lebanon. In: Fernandez, B. & De Regt, M. *Migrant Domestic Workers in the Middle East: The Home and the World*. New York, NY: Palgrave Macmillan.

⁸⁴ 12 of our migrant interviews were conducted with 'live-in' migrant domestic workers.

⁸⁵ However, it should be noted that restrictions are not solely due to employers, but also extend to Ministry Directives, as for example the October 2014 directive number 1778 of the Ministry of Justice through GS, declaring that the MDW must not engage in romantic relationships.⁸⁵ This directive was suspended just a few months later in a notable victory by CSOs fighting for workers' rights in general and MDWs' rights in particular in Lebanon.

⁸⁶ 13 of our migrant interviews were conducted with 'freelance' migrant domestic workers.

with their previous employer (or a new one) to sponsor them (at the migrant's cost) to stay in Lebanon. Some 'freelancers' are 'runaways' who for a number of reasons (e.g. abuse, withholding salaries) decided to leave the employer's/sponsor's house. In such cases, as the MDW has left without the permission of her employer, who also sponsors her residency in the country, she thus has irregular status.

In case the MDW wishes to end the contract and find a new employer, she is unable to do so without the explicit approval of her employer. Without this approval, she jeopardises her legal status in Lebanon. The legal requirement that they be 'released' in order to be able to move to a new employer is often criticised by the literature, and in interviews has been identified as an important hindrance to the well-being and protection of MDWs, particularly during an acute humanitarian crisis like the one in 2006 (LB-C-05; LB-A-06).

If identified by the authorities, irregular migrants⁸⁷ are detained⁸⁸ by GS in the foreigner detention centre (Adlieh, opened in 2002), the conditions of which have been strongly criticised and denounced as inhumane.⁸⁹ The amount of time an irregular MDW spends there depends largely on her ability (or that of her embassy or consulate) to pay her fees accrued from having an irregular status⁹⁰ and can vary from weeks to months. Caritas is present in the detention centre to respond to health needs.⁹¹ During the 2006 crisis, migrants detained in this centre were at particular risk due to the centre's location under a bridge – as bridges were targeted – and their evacuation was an important example of cooperation and coordination during the crisis.

3.2.2. Labour Protection and International Frameworks

Another structural factor that adds to the vulnerability of MDWs is their exclusion from labour protection in Lebanon. "Domestic servants employed in private houses"⁹² are excluded from the standard labour protections applicable under the country's labour law,⁹³ including provisions on minimum salary, contracts, working hours and social security.

Civil courts are not prevented from adjudicating on disputes related to employment contracts – however, in reality, the ability of MDWs to "seek and obtain compensation through the civil courts is limited" and has been in practice primarily on issues related to withholding wages.⁹⁴ Domestic workers are not, however, excluded from lodging offenses related to the Criminal Code, e.g. human trafficking, withholding identity documents, etc.⁹⁵

Lack of access to their own identity documents was an important hindrance for MDWs during the 2006 crisis who wanted to leave Lebanon. In 2014, a first of its kind ruling by the Lebanese judge Jad Maalouf at the Summary Affairs Court came in favour of a Filipina domestic worker suing her employer for withholding her passport. The Court required the employer to return the passport to the plaintiff and argued that "the practice of employers withholding passports limits the freedom of movement as stipulated in the Universal Declaration of Human Rights (UDHR) and as transcribed in the Constitution of Lebanon"⁹⁶ Although this case has been argued to lay the groundwork for a precedent on the

⁸⁷ All irregular migrants, not only irregular MDWs.

⁸⁸ See: General Security regulations in relation to migrant domestic workers: General Security (2017). *Domestic workers*. Retrieved from: <http://www.general-security.gov.lb/en/posts/23>.

⁸⁹ This detention centre has been criticised for its inhuman conditions, see: Harbi, R. (2014, June 27). Lebanon: Adlieh center detainees subject to inhumane and illegal incarceration. *Al Akhbar English*. Retrieved from: <http://english.al-akhbar.com/node/20354>; Slemrod, A. & Meguerditchian, V. (2012, November 24). Inside Adlieh's infamous detention center. *The Daily Star*. Retrieved from: <http://www.dailystar.com.lb/News/Local-News/2012/Nov-24/196043-inside-adliehs-infamous-detention-center.ashx>.

⁹⁰ US\$200 (EUR 186) per year of irregular status or lack of sponsor.

⁹¹ For a description of Caritas' work in the centre, see: Caritas (2017). *Detention Center for Foreigners*. Retrieved from: <http://caritasmigrant.org.lb/our-action/projects/migrants-inside-the-detention-center/>.

⁹² See: Lebanese Code of Labour. (1946, September 23). International Labour Organization (ILO), Art. 7.

⁹³ Lebanese Code of Labour. (1946, September 23), Art. 7(1), which excludes domestic workers and agricultural workers.

⁹⁴ Nasri, A. and W. Tannous (2014), pp. 17-18.

⁹⁵ Nasri, A. and W. Tannous (2014), p. 18.

⁹⁶ Migrant Forum in Asia (MFA). (2015). *List of issues for Lebanon*. Written submission of the Migrant Forum in Asia network to the Committee on the Elimination of Discrimination against Women (CEDAW) for the 62nd session of the Pre-Sessional Working Group. Retrieved from: http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/LBN/INT_CEDAW_NGO_LBN_19552_E.pdf,

illegality of withholding a MDW's passport, it is still unclear what impact this has had (if any) – in particular due to the fact that MDW's knowledge of the implications of this court case is likely limited. Fieldwork showed a general lack of knowledge by MDWs of the implications of court cases concerning MDWs. However, an official at the Ministry of Justice indicated that more employers, judges and lawyers are aware of this ruling, particularly as the employer in that case was imprisoned (LB-A-07).

There are key obstacles for MDWs to access the justice system, especially for 'live-ins', which includes: lack of evidence (as the burden of proof is on the plaintiff), the marginalisation of migrant workers by stakeholders (i.e. the judiciary system), lack of knowledge of the law and how to access the court system by MDWs, lack of guarantees in receiving a fair and speedy trial⁹⁷, unlikelihood of 'live-ins' to sue their employers while still living in the same house, and the likelihood that the employer would press (or threaten to press) counter-charges⁹⁸ of stealing (LB-C-01; LB-C-05).⁹⁹ According to Kafa, the vast majority of MDWs who do press charges usually have as their main goal to receive their salary so they can leave Lebanon and return to their home country (LB-C-01).

A Ministry of Interior official also noted that a key challenge in the past has been discrimination in treatment of MDW claims by police forces, and that they are working to improve responses through training (LB-A-02). A Human Rights Watch representative clarified that even though the Criminal Code does protect MDWs, it is not properly enforced with regard to MDW rights:

"We focus on Lebanese laws that are actually in place which are not being enforced. One of the issues [is] when employers are beating up domestic workers. That's a crime in the penal code. You don't need a new law! The only problem is that it's not being enforced seriously." (LB-C-10)

On the other hand, there are also limited resources for authorities, including a lack of sufficient personnel to deal with such issues (LB-A-04; LB-E-01). The anti-trafficking team of the ISF comprises 25 officers to cover trafficking issues for all of Lebanon, a clear challenge for a small team (LB-A-04). Moreover, the team's approach to labour trafficking is that they receive cases due to complaints from neighbours or neighbours' domestic workers (through balcony chats between domestic workers) on the possible abuse of a domestic worker: "Lebanon is a small country and everybody knows everybody so nothing can stay hidden for long" (LB-A-04). Moreover, no case comes directly to the trafficking office, rather, it must first be referred from a regular police station. Thus the police officer responding to the complaint must identify the case as having a trafficking element and refer it to them (LB-A-04).

Lebanon's trafficking law was passed in 2011, although interviews noted the lack of knowledge and use of this law (LB-A-10; LB-E-01). Since 1977, Lebanon is also party to the ILO Convention on Forced Labour (C029). Although Lebanon has signed the 2003 International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, it has not ratified this convention, which aims to guarantee basic human rights protection for all migrant workers and their families regardless of their occupation. This was identified by the Parliamentary Human Rights Committee official as an important next step (LB-A-05). Finally, Lebanon has not signed the ILO C189, although an official at the Ministry of Labour has noted that they are looking to train inspectors on international laws, including the Domestic Workers Convention, as well as plan to ask the government to ratify this convention (LB-A-12).

p. 1; Wansa, S. (2014, August 14). A Judicial Blow to Lebanon's Sponsorship System: Employer Must Return Domestic Worker's Passport. *The Legal Agenda*. Retrieved from: <http://legal-agenda.com/en/article.php?id=639&folder=articles&lang=en>; Sidahmed, M. (2014, October 10). Lebanon's migrant workers under pressure. *Aljazeera English*. Retrieved from: <http://www.aljazeera.com/news/middleeast/2014/09/lebanon-migrant-workers-pressure-201495111252217645.html>.

⁹⁷ The process can take an average of five years (not only for MDWs, but for most court cases), see: LB-C-01; LB-E-1.

⁹⁸ According to a 2010 Human Rights Watch Report, in 74% of Lebanese judicial decisions affecting migrant domestic workers, migrant domestic workers were defendants: See: Human Rights Watch (2010). *Without Protection: How the Lebanese Justice System Fails Migrant Domestic Workers*. Retrieved from: <https://www.hrw.org/report/2010/09/16/without-protection/how-lebanese-justice-system-fails-migrant-domestic-workers>.

⁹⁹ See: Nasri, A. & W. Tannous (2014), pp. 16, 18-19.

As a result of the mistreatment of MDWs, several countries (including Ethiopia, the Philippines, Nepal and Madagascar) have enacted bans over the years against their nationals migrating to Lebanon (or the Middle East in general) as domestic workers. The bans “reflect common concerns about the vulnerability of migrant domestic workers to mistreatment and exploitation in Lebanon. Often this concern about vulnerability is attributed to a lack of adequate labour protection and legal redress in Lebanon.”¹⁰⁰ The bans from the Philippines and Ethiopia were in fact implemented as a direct response to the crisis situation of 2006, as will be discussed later on. However, these bans have been counterproductive: MDWs still come to Lebanon despite these bans¹⁰¹ and due to the lack of regulation are subject to illegal recruitment activities, which often involve misleading (or deceptive) information on the conditions awaiting them in Lebanon (LB-A-06; LB-A-09; LB-A-11). Further, as they have bypassed the usual pre-departure orientations (as they leave irregularly), they do not have any information on their rights and ways to access protection in the destination country, particularly in cases of abuse, urgent need or emergency (LB-I-02). Finally, such bans can decrease the likelihood that these nationals would seek help from a representative of their home government if they have left irregularly.

3.2.3. Recent Syrian Arrivals

With regard to Syrian arrivals in Lebanon, there are a number of relevant legal frameworks and recent changes of note. Lebanon is not a signatory to the 1951 UN Refugee Convention, nor its 1967 Protocol, although Article 26 of Lebanon’s 1962 Law Regulating the Entry and Stay of Foreigners in Lebanon and their Exit from the Country does allow non-Lebanese people to request asylum if their lives or freedoms are in danger in their country of origin. However, Syrians are not defined as “refugees” in Lebanon but rather “displaced persons” and there are no official refugee camps for them in the country.¹⁰² According to the Lebanon Crisis Response Plan (LCRP) which outlines the Lebanese government’s priorities in responding to displaced Syrians, the government’s position with regard to displaced Syrians in Lebanon is to either repatriate them to Syria (when safe and feasible) or resettle abroad.¹⁰³ Further, as of 6 May 2015, the United Nations High Commissioner for Refugees (UNHCR) Lebanon has temporarily suspended new registration of Syrians as per the Government of Lebanon’s instructions.¹⁰⁴ Syrians interviewed for this case study were all legally and officially recognised as refugees (by UNHCR) and claimed to have taken up domestic work temporarily to support and answer to the needs of their families to survive.

For Syrians who are not registered as refugees with UNHCR, their legal status is subject to the GS directive issued on 31 December 2014 (and amended 13 January 2015), whereby the entry of Syrians became subject to the discretion of the Ministry of Social Affairs and GS, and Syrian workers “became subject to what looks like the *kafala* sponsorship.”¹⁰⁵ According to the directive, the purpose of the travel of Syrians into Lebanon must fall under one of the following categories: tourism, business, shopping, real estate or tenancy in Lebanon, study, transit, medical treatment, visa application at a foreign embassy or under the *pledge or guarantee from a Lebanese sponsor*. Regarding the latter option, a Lebanese sponsor agrees to a “pledge of responsibility” for any Syrian wishing to enter the country and payment of relevant fees.¹⁰⁶

¹⁰⁰ Hamill, K. (2011), p. 34.

¹⁰¹ As can be seen in the number of Ethiopian migrant domestic workers in the country, despite the fact that a ban has been in place since 2008. Lebanese officials will allow the person to enter Lebanon, “irrespective of whether a deployment ban is in place in the country of origin”, if the person has a valid tourist or work visa on arrival. See: Austrian Red Cross/ACCORD (2016), p. 6.

¹⁰² Pizzi, M. (2015, January 6). In Syria’s war refugees, Lebanon sees echoes of Palestinian crisis. *Aljazeera America*. Retrieved from: <http://america.aljazeera.com/articles/2015/1/6/lebanon-syria-refugees.html>; Rainey, V. (2015, March 11). Lebanon: No formal refugee camps for Syrian. *Aljazeera*. Retrieved from: <http://www.aljazeera.com/news/2015/03/lebanon-formal-refugee-camps-syrians-150310073219002.html>.

¹⁰³ Government of Lebanon & the United Nations (UN) (2014). *Lebanon Crisis Response Plan 2015-16*, p.9.

¹⁰⁴ See: UNHCR (2016, February 29). *Daily Statistics. Syrian Refugees in Lebanon*. Retrieved from: [http://reliefweb.int/sites/reliefweb.int/files/resources/UNHCR Lebanon Daily stats 20160229.pdf](http://reliefweb.int/sites/reliefweb.int/files/resources/UNHCR%20Lebanon%20Daily%20stats%2020160229.pdf).

¹⁰⁵ See: Shoufi, E. (2015, February 20). A New face for the Exploitation of Syrian Workers in Lebanon? *Al Akhbar English*. Retrieved from: <http://english.al-akhbar.com/node/23883>.

¹⁰⁶ Shoufi, E. (2015, February 20); author correspondence with security expert in Lebanon.

3.3. Socio-Economic Position and Human Capital Factors

Although the relationship between Arab domestic workers and the families they served often previously extended beyond the provision of labour (e.g. adoption by the family of a girl domestic worker, treatment of the domestic worker as a daughter, teaching the domestic worker to read and write) in the years prior to the Lebanese Civil War, this changed with the arrival of Asian and African domestic workers. This has been linked in part to “status, lifestyle and power relations (including racial) between women”.¹⁰⁷ Domestic work is considered a ‘shameful’ line of work for Lebanese women, especially after being racialized. Reflecting this racialized understanding of domestic work, the term *Srilankiyya*¹⁰⁸ is now sometimes used as a synonym for maid.¹⁰⁹ However, it was also considered a shameful occupation previously, and *Kurdiyya*¹¹⁰ used to denote maid.¹¹¹

With the exception of the Association to Protect Family Privacy and the Worker, all civil society associations interviewed confirmed that Lebanese society and the Lebanese ‘mentality’ towards migrants and domestic workers is a huge constraint for upholding the basic human rights of MDWs and against progress on these issues. Even several interlocutors from public authorities interviews reiterated that the mentality of Lebanese society towards MDWs is a significant hindrance to change or something only recently changing (LB-A-02; LB-A-07; LB-A-10): “It’s all about the mentality of people in Lebanon changing – people are becoming more aware and more trained [on these issues]” (LB-A-07). According to Insan, for example, “[f]or the Lebanese, Syrian is not Sri Lankan. They cannot imagine treating a Syrian woman like a Sri Lankan woman, in their head. It is racism” (LB-C-04). Similar examples have been stated on more than one occasion by all associations interviewed (except the Association to Protect Family Privacy and the Worker).

Furthermore, some interlocutors from public authorities surmised that Lebanese employers likely prefer to hire a non-Arab domestic worker, as she would not be able to judge them on the way their household functions, tell neighbours or friends about it (and be believed), or could be less likely to accept long working hours without breaks (LB-A-07; LB-A-08; LB-A-12): “the more different you are as a person, the safer I [as a Lebanese person would] feel as to not be exposed in my secrets, way of living, habits” (LB-A-07). When asked why their family employs a migrant and not a Lebanese domestic worker, one employer claimed “[a] migrant because I don’t want a Lebanese judging me or my house or what goes on inside the house” (LB-E-03). However, it should be noted that, according to Moukarbel, “Lebanese and Arab maids in the past were treated with the same disdain and control. I believe that race is used as yet another ‘excuse’ for further exploitation but is not at the core of the abuse.”¹¹²

Still, MDWs are ‘racialised’ and categorised according to their nationality – even in terms of levels of payment: Filipino domestic workers regularly receive the highest salary level¹¹³, while Bangladeshis receive the lowest. Government representatives explicitly noted that Filipino domestic workers are the “most expensive” (LB-A-04), and that their minimum salary will likely be raised to US\$400 (EUR 372) per month based on current ongoing negotiations between the Philippines and the Lebanese Ministry of Labour (LB-A-12). Ethiopians tend to make a salary on the lower side, typically around US\$150 per month (LB-A-06). Sri Lankans are paid around US\$250-300 (EUR 232-279) per month as a ‘live-in’¹¹⁴, but could make around US\$700 (EUR 651) per month as a ‘freelancer’ (all nationalities would earn more as a ‘freelancer’).

25 out of the 37 migrants participating in the study, as well as both the Ethiopian and Philippines consular officials (LB-A-06; LB-A-11), argued that it is their situation of poverty in their home country that pushed migrants to come Lebanon in order to financially support their families back home. As

¹⁰⁷ Jureidini, R. (2009), p. 90.

¹⁰⁸ In Arabic, ‘Sri Lankan woman’.

¹⁰⁹ The word ‘Srilankiyya’ was also explained in LB-C-8. See also Jureidini, R. (2009), p.92; Moukarbel, N. (2009), p. 30 Pande, A. (2012). From “balcony talk” and “practical prayers” to illegal collectives: Migrant domestic workers and meso-level resistances in Lebanon. *Gender & society*, 26(3), 382-405, p. 5.

¹¹⁰ In Arabic, ‘Kurdish woman’.

¹¹¹ Moukarbel, N. (2009), p. 30.

¹¹² Moukarbel, N. (2009), p. 18.

¹¹³ This has been connected both to the efforts of the Philippines government with regard to their nationals, as well as the high English language proficiency of Filipinos (LB-A-12).

¹¹⁴ Minimum salary enforced by the Sri Lankan government is USD 225 (EUR 211) (raised from USD 180 (EUR 169) in 2013), (LB-MA-02).

indicated by one Ethiopian MDW when asked about the reasons for coming to Lebanon, “[f]or the money! Here the income is higher; I can make more money here” (LB-M-08). The defining narrative of poverty calls for understanding the reasons that motivate domestic workers to leave their countries in the first place. Many came to Lebanon (or the Arab region) by choice given what recruitment agencies and return migrants or their families propagate as being an economically lucrative choice. Others were ‘tricked’ into coming to Lebanon and in one case a MDW was not even told the correct country to which she was being sent:

“The agency told us that we will work in Cyprus, and our tickets’ final destination was Cyprus. Once we arrived to Cyprus, the agency’s men moved us through boats to Lebanon. At that time, I never had heard of Lebanon before, and the agency didn’t inform us about our destination, neither did they give us any information about our job and legal conditions. It was war, and the airport was closed, so we arrived through the seaport of Beirut.” (LB-MA-02)

On the other hand, Syrian refugee domestic workers (12 of the 37 migrants interviewed) contended that the ever-exacerbating conflict situation in Syria led them to come to Lebanon (e.g. LB-M-18). In contrast to other MDWs, they pursued domestic work due to their financial need and extreme socio-economic vulnerability in Lebanon. All 12 Syrian refugee domestic workers interviewed explained that because they or their husbands are not given the right to work (as well as being unable to find work) they seek opportunities as ‘freelance’ domestic workers. “Six months after our arrival, I started working as a domestic worker. We were four families living in the same house and we needed the money, especially because my husband wasn’t able to find work” (LB-M-11) said one.

The level of education of MDWs often determines the socio-economic status of MDWs and their knowledge of their own rights. Interviewed Kenyan MDWs (LB-FG-02) who had high levels of education confirmed that poverty pushed them to move, yet they demonstrated how they stand up for their rights against abusive employers. The Honorary Consulate of Kenya emphasised the importance and strength of education, particularly of Kenyan arrivals in Lebanon: “...education means your eyes opening up to the world. This means the girl coming here already knows her rights and she cannot be fooled” (LB-A-14).

Migrants’ lack of Arabic language skills proved to be a barrier to understanding employment contracts and the law, as well as to locating and contacting CSOs working on issues related to MDWs. During a focus group session with Kenyan MDWs (LB-FG-02), participants explained that one of the main challenges they first encountered in Lebanon was the Arabic language, which made it difficult for them to read or understand their contracts prior to or upon their arrival.

Issues with contracts are indeed a key issue for MDWs: Four MDWs (LB-MA-21; LB-MA-02; LB-MA-07; LB-MA-06) interviewed for this case study contended that they were given several versions of the same contract to sign (i.e. one version in their home country and another in Lebanon), and two MDWs noted that they have sometimes been forced to sign contracts in a language that they did not understand (LB-M-06; LB-M-07, also noted by LB-C-01; LB-C-04; LB-C-09).

All activist MDWs had a level of education that has enabled them to understand their legal status and their rights as well as communicate in either English or Arabic or both. Migrant domestic workers who did not understand or even care about their rights (e.g. LB-M-05), had basic levels of education, if at all, and spoke basic Arabic or English, but had no other more proficient linguistic means of communication (aside from their native language/s).

4. Migrant Responses to Crisis

This section clarifies the myriad ways in which MDWs respond to crises, focusing on migrants' experiences and their immediate responses to crises. It touches on their decision-making processes and the effects of these decisions on their situation, particularly in the longer-term. As noted in the introduction, the 2006 war had a significant impact on the lives of both Lebanese and migrants in the country, not least due to the human and structural toll the crisis had on the country. Nonetheless, in many cases MDWs, members of the community and associations express the situation for MDWs as a constant or recurring crisis due to their living and working conditions as well as undermined socio-economic and legal status. As such, their definition and understanding of crisis encompassed the challenges they face in their overall living and working conditions ('everyday crises'). Thus, in addition to outlining MDWs' response strategies during acute humanitarian crises, this section will also delve into their strategies in non-humanitarian crisis situations.

4.1. 2006 Crisis

The 2006 crisis did have long-term and lasting effects on MDWs individually, within their community, and in relation to locally founded CSOs providing services to MDWs. MDWs have as a result of the crisis created and further developed their own forms of coordination, mobilisation and organisation that developed over phases of resistance to the mistreatment they suffered as a result of both the law (and lack of coverage of their rights under it) as well as broader trends in society. In their view, the main impact of the 2006 crisis was to make them realise that their strength largely depends on building a strong community to advocate for themselves.

None of the MDWs interviewed for this case study themselves experienced being 'trapped' or 'locked' away during the crisis, but some confirmed personally knowing MDWs who were 'trapped' or at least heard of such stories. As one activist MDW claims, "I know a hundred girls who were trapped in the houses during the war" (LB-MA-03). Another activist MDW recalls:

"[During the war] [t]here were six workers including my cousin in Saida whose employers had left and locked the doors on them. I told them to break the doors and collect themselves and get a cab and come to Achrafieh [an area of Beirut]. The cab took US\$400 (EUR 372) – of course using the situation." (LB-MA-01)

Another activist MDW who fled Beirut with her employer and stayed at the Intercontinental Hotel in Faraya until the war was over recalls her treatment:

"They were sleeping on a bed and I was sleeping on the rug. They would eat in the open buffet and nobody would remember me... [Then] my cousin called the hotel and told them to send me to the embassy... I went down to Beirut, I didn't even have a coin on me. I had a small bag with a pyjama and an underwear, my employer took it." (LB-MA-03)

Six out of seven activist MDWs interviewed for this case study came to Lebanon before the 2006 crisis. As expressed by four activist MDWs, the 2006 crisis in Lebanon resulted in some MDWs engaging in activities to help other 'trapped' or 'locked away' domestic workers from their own country of origin as well as from other countries, which also pushed them into activism. Once they started to work together with their embassies and with Caritas to find 'trapped' and 'locked' MDWs, they started to learn and better understand the importance of their coordination and of them coming together as a community.

The 2006 crisis in fact served as a turning point that directly or indirectly pushed MDWs to organise, coordinate and come together as a community to advocate for their own rights. Prior to 2006, activists noted that there was not really a community but rather ad hoc or one-on-one relationships among friends and across balconies (LB-MA-01; LB-MA-03). Experiences from the 2006 crisis apparently pushed more MDWs to engage, and also led increasingly into activism, raising awareness on their common plight and educating each other on their rights:

"I do consider that the situation improved after the 2006 war due to open channels and communications. People started to think of connecting with each other and communicating,

the war alarmed them that they could have died and no one ever will know it. The collaborations between migrants started after 2006 crisis.” (LB-MA-04)

Another MDW explained that since the war she has become active online, particularly Facebook, and that the community has also started to connect through WhatsApp and Viber (LB-MA-03). These social network and messaging services only gained global popularity as of around 2010¹¹⁵, but demonstrate the increased connectivity and diversification of communication within the community post-2006. How much the use of these services is related to their experiences of the crisis cannot be verified.

Church meetings under the patronage of priests and leaders of the community also reportedly allowed MDWs to form a stronghold, which they claim not to have had prior to the 2006 crisis. Following the crisis, MDWs reportedly started off from feeling completely helpless and disconnected to being a largely connected and stronger force on the ground now.

Furthermore, all activist MDWs who were in the country at the time reported that after the crisis they felt alone and helpless and thus started to coordinate with institutional actors. The four activist MDWs interviewed who confirmed that the war was the impetus for them to engage in activism, retell how they collaborated and worked together with their embassies as well as with Caritas – the only CSO working with MDWs at the time – to help locate and evacuate other MDWs who wished to leave or those abandoned by their employers. One activist MDW recalls that during the 2006 crisis “[t]here were no NGOs at the time to take care of the MDWs. We were working by ourselves with the embassy” (LB-MA-01). She adds, “[a] lot of people were killed, but the [2006] war helped us, the Filipino community, unite. All of us being together, we bonded and this bonding stayed with us till now” (LB-MA-01).

All migrant activists reported coordinating and working in one way or another with Lebanese CSOs that were established (or added to their work a focus on MDWs) after the 2006 crisis, and only one confirmed to have worked with both Caritas and her embassy during the 2006 crisis to help other MDWs. This activist MDW explains how her initial work with Caritas in the context of the 2006 crisis grew to collaboration with other Lebanese CSOs and MDW activists:

“I started [working] with Caritas, because it was the first NGO present. Then moved on to Kafa, Insan, CLDH [Lebanese Center for Human Rights], Amel and ARM [Anti-Racism Movement]¹¹⁶ and wherever I went I was seeing the same activists Mala, Julia, Rose and so on. So, with time we built trust amongst us and built a community of activists. We have meetings twice a week: one here in MCC and the second in Insan.” (LB-MA-01)

This reflects both the building of the community, as well as the importance of local CSOs and community spaces for such development.

4.2. Responses to ‘Everyday Crises’

MDWs have demonstrated agency in self-organisation, coordination and carving out spaces of their own as a form of resistance to ‘everyday crises’ related to abuse and exploitation. Some of these actions have been linked to a realisation following the 2006 crisis that they needed to build up their community. However, as this type of organisation has also been a response to the ‘everyday’ or recurring crises MDWs in Lebanon face, they are presented here in this context.

Based on fieldwork conducted between 2000 and 2003, Moukarbel documented the different (non-confrontational) strategies, from coping to resistance, which Sri Lankan MDWs in Lebanon employ within the restrictive environments in which they work: “Just as violence is ‘symbolic’, insidious, yet

¹¹⁵ Fowler, G.A. (2012, October 4). Facebook: One Billion and Counting. *The Wall Street Journal*. Retrieved from: <https://www.wsj.com/articles/SB10000872396390443635404578036164027386112>; Olson, P. (2014, August 25). WhatsApp Hits 600 Million Active Users, Founder Says. *Forbes*. Retrieved from: <http://www.forbes.com/sites/parmyolson/2014/08/25/whatsapp-hits-600-million-active-users-founder-says/#3b9b9f45635f>.

¹¹⁶ These are all Lebanese (Kafa, Insan, CLDH, ARM) or international CSOs (Amel, Caritas) that respond to the needs of migrant (domestic) workers in Lebanon, through direct assistance, support to migrant associations, awareness raising and advocacy.

powerful, taking unusual routes that are harder to detect and overcome, resistance occurs in the same 'discrete' pattern, through almost imperceptible yet influential acts."¹¹⁷ This ranges from "everyday forms of resistance"¹¹⁸ such as foot-dragging or lying, to pretending to be sick in order to 'visit' home (and then not returning to Lebanon), to attempted escapes or acts of suicide¹¹⁹ from balconies.¹²⁰ This also supports the descriptions by MDWs of a lack of strong community before 2006, where individual or ad hoc actions are the norm.

Nonetheless, as of 2008, Pande¹²¹ identifies three types of meso-level¹²² collective action that MDWs have strategically used in Lebanon:

- Dyads formed across balconies by 'live-in' MDWs who are most restricted in their movements. For those MDWs who are not allowed to leave their employer's home, they often still manage to communicate with other MDWs of neighbours' homes across balconies on issues such as how to negotiate time off or leisure time, information on salary and contracts, and access to passports. Pande identifies this as the first step for MDWs in forming a community and finding support structures, especially in cases of extreme confinement – although in these cases, 'balcony talks' may sometimes merely be coping mechanisms to ease feelings of isolation.¹²³
- Small collectives formed at churches are also an important space for MDWs to socialise, receive support and air their grievances with other MDWs. The main drawback of this is the lack of such communities for non-Christians: several interviewees in Pande's research confessed that they pretended to be church-going Christians in order to join the community.¹²⁴
- Larger worker collectives of irregular 'freelance' workers and 'runaways' are largely organised in the Dora neighbourhood of Beirut (a neighbourhood with many migrant-friendly spaces such as international calling stores, money transmitting offices such as Western Union or Polygram, etc.). They are generally organised within apartments in this area, and Pande describes them as similar to formal unions, with some even recognised by their consulates for their contribution to "social work".¹²⁵ They are often led by older MDWs with a better understanding of the labour and deportation laws in Lebanon, established networks and who can counsel on conflict resolution between employers and workers. At the same time, the majority of these 'freelancers' and 'runaways' are irregular, which can limit their recognition and access to justice.

The small and large collectives and communities of MDWs (often organised across shared cultural backgrounds or faith) are those to which MDWs refer when speaking of their 'community'. They are guided and led by so-called 'community leaders' as well as activist MDWs, namely those MDWs with the longest experience in the country and who have the ability in terms of time and freedom as well as the willingness to engage in advocacy and awareness raising. The Philippines Embassy and Sri Lankan Embassy noted that they also use such community leaders to disseminate important information to the community, including in terms of crisis response in the case of the Philippines (LB-A-09; LB-A-11).

The Filipino community in Lebanon is particularly well organised (LB-A-11). On Sundays, for example, many Filipino migrants in Beirut (many of whom are domestic workers) gather at the St. Francis Church in Hamra, which has a mass in English and Tagalog. In the courtyard behind the church, community members sell hand-made crafts, food, DVDs in English and Tagalog, and gather before and after with each other to chat, eat home-made food and support each other – as observed also by

¹¹⁷ Moukarbel, N. (2009), p. 199.

¹¹⁸ Scott, J. C. (1990). *Domination and the arts of resistance: Hidden transcripts*. Yale University Press.

¹¹⁹ See: Human Rights Watch (2008, August 26). *Lebanon: Migrant Domestic Workers Dying Every Week*.

Human Rights Watch. Retrieved from: <https://www.hrw.org/news/2008/08/26/lebanon-migrant-domestic-workers-dying-every-week>.

¹²⁰ In this regard, Kafa, Amel and Human Rights Watch highlighted the increasing number of deaths of migrant domestic workers as a result of suicide or otherwise. See: Kafa (n.d.). *Migrant Domestic Workers Deaths in Lebanon: More Investigation Needed*. Kafa. Retrieved from: <http://www.kafa.org.lb/kafa-news/82/migrant-domestic-workers-deaths-in-lebanon-more-in>.

¹²¹ Pande, A. (2012).

¹²² As opposed to individual acts of resistance such as dragging one's feet, etc. – and also as opposed to macro-level resistance through unionised collective action which is not legalised for domestic workers in Lebanon.

¹²³ Pande, A. (2012), pp. 10-13, 19.

¹²⁴ Pande, A. (2012), pp. 13-15.

¹²⁵ Pande, A. (2012), pp. 15-17.

the Lebanese research team (see Annex I). As noted by the Philippines Embassy: “it becomes like a mini-Philippines, a mini-Manila” (LB-A-11). Both the Philippines Embassy and the Ethiopian Consulate noted that they try to attend and organise events for their communities in Lebanon, for example for national holidays (LB-A-06; LB-A-11).

Such events and level of organisation are significant for MDWs as they provide assistance when MDWs are in dire need – particularly in cases of personal crisis. For example, an ISF interviewee surmised that a main reason for the low number of Filipino women he has seen recently as trafficking victims (as opposed to other nationalities) can be attributed in part to the level of education and organisation of Filipinos in Lebanon (LB-A-04). As another example, they also provide financial assistance for one another. As one community leader explains, “[w]e have a community group of around 30-40 people ... We collect US\$10 (EUR 9) each of us each month to help each other in buying tickets to go back home, paying hospital bills, etc.” (LB-MA-03). Such support networks have been instrumental in cases of ‘everyday crises’, but could also be effective in times of acute humanitarian crisis.

This self-organisation has culminated in the founding of the Domestic Workers’ Union, in order for them to come under one umbrella as a political and legally recognised organ. The Union was the idea of several leaders of their communities of MDWs, and MDWs who have been in Lebanon before and through 2006. The National Federation of Worker and Employee Trade Unions in Lebanon (FENASOL) has been one of the main supporters of the union, including “providing financial guidance, trade union management, outreach organising and communication and documentation” (LB-C-08), as well as ILO, Kafa and MCC.

In 2015, however, the Union was rejected as unlawful by the Ministry of Labour because MDWs are not regarded as workers under Lebanese law and are excluded from the Labour Law (see section ‘Labour protection and international frameworks’). Some CSOs argue that this rejection was inevitable, and the wrong advocacy strategies and approach were taken – namely calling for the establishment of a Workers’ Union before being able to integrate domestic workers into Lebanese labour law. Therefore, at the moment, although the union has been organised and has over 400 members¹²⁶, it is currently in a legal limbo due to the lack of recognition by the Ministry of Labour and the lack of a new law on domestic workers.

4.3. Syrian Refugee Domestic Workers

As noted previously, a certain number of Syrian refugees now in Lebanon have entered into domestic work, due to their financial need and extreme socio-economic vulnerability: ‘everyday crises’ they face as a result of their position in Lebanon. Syrian refugees argue that they wouldn’t work in domestic work if they didn’t have to pay for their tents in the unofficial camps¹²⁷ or pay for some of their basic needs, such as water, food and gas. Syrian domestic workers confirmed that they are working as domestic workers to support themselves and their families since they are not allowed to work legally in Lebanon (while asylum claims are processed) and are only given minimal financial, legal and material support and assistance from CSOs on the ground. As one Syrian refugee argued, “I never worked before ... Once I arrived to Lebanon, I started working as a domestic worker. I have three children and I need to feed them and pay for the rent. The rent is LL. 100,000 [per month; EUR 60] for the tent.” (LB-M-15).

There are no statistics or estimates available on the number of Syrians working as domestic workers (‘freelance’ or otherwise). Some CSOs as well as some Syrian refugees interviewed claim that Syrian refugees are indeed entering the market of migrant domestic work in particular areas outside of Beirut and among a small community of Lebanese who may be unable to afford to bring in a MDW from abroad. This is also supported by Lebanese authority interviews, who noted that generally they are not seeing MDWs entering the domestic work sector, but where they are it is likely a subsistence strategy and in areas of Lebanon with very high concentrations of Syrians (e.g. Bekaa Valley or North Lebanon) (LB-A-02; LB-A-08; LB-A-12). Syrians have thus not replaced Asian and African MDWs

¹²⁶ Kasinof, L. (2016, February 15). Behind closed doors: mobilising Lebanon’s migrant maids. *The Guardian*. Retrieved from: <https://www.theguardian.com/global-development/2016/feb/15/lebanon-migrant-maids-domestic-workers-union>.

¹²⁷ There are no official refugee camps for Syrians in Lebanon, so Syrians often rent tents from landlords. See: Rainey, V. (2015).

within the market, particularly not in Beirut. If anything, they are largely filling a gap: providing freelance service to those Lebanese who are otherwise unable to afford a MDW, in return for shelter (for the whole family), food, a small fee or a combination of all of those. As noted previously, several interviews noted that employers would not generally replace Asian and African domestic workers with Syrian ones, even if the services offered by the latter were cheaper.

As such, the penetration of Syrian refugees to the market can be said to be temporary and irregular. It is temporary because all Syrian refugees interviewed for this report (with the exception of one who was born in Lebanon and considers herself Lebanese (LB-M-13)), confirmed that they plan to leave the country once the war in Syria is over and explained that they dislike doing domestic work. In terms of being irregular, as per the GS directive, Syrians no longer have the automatic right to work in Lebanon and their status as refugees (or asylum-seekers) deprives them of this right. As such, their work is irregular, since all of them confirmed that they work as 'freelancers' and not as 'live-ins'. They hence do not compete with regular 'live-in' MDWs (i.e. formal sector), but rather would, if at all, compete with the community of 'freelance' MDWs (i.e. informal sector). No non-Syrian MDWs confirmed that they are feeling any sort of competition by the Syrian community.

At the same time, the large number of Syrian refugee arrivals to Lebanon has been argued by a few interviews as pushing Lebanese government stakeholders to be stricter and more rigid in checking MDW or other foreigners' papers and in granting work permits to foreigners in general. As put by one Filipina MDW, "I think because of this [Syrian refugee] crisis the Lebanese government is stricter in following and checking locations where you work and so on" (LB-MA-06). Insan Association, a Lebanese CSO, also noted that they observe an increase in government checks on MDWs and their children¹²⁸ and linked it to increased pressure due to the Syrian refugee crisis (LB-C-04).

Thus, based on the fieldwork conducted for this study, an increased number of Syrian refugees in Lebanon are engaging in domestic work as a subsistence strategy, primarily in regions of high populations of Syrians and outside of Beirut. They do so as 'freelancers', often for Lebanese families who could not afford to hire (and bring over from abroad) a 'live-in' domestic worker. They have therefore not had a significant direct impact on the everyday lives of other MDWs, for example in terms of displacing them in the market. Nevertheless, their engagement in a sector that is known to have serious issues regarding lack of labour protection and other human rights protections should not be overlooked and suggests important lines of future research.

¹²⁸ As of 2014, due to a GS directive, MDWs are unable to renew their children's residency in Lebanon. Although there were previous GS directives prohibiting MDWs from getting married and having children in Lebanon, and excluding them from family reunification, these regulations were not implemented. For more information on the situation of children of MDWs in Lebanon, see: Hamati R. & Crompton, R. (2015). *Shattered Dreams: Children of Migrant Workers in Lebanon*. Insan Association. Retrieved from: <http://www.insanassociation.org/en/images/Shattered%20Dreams-%20children%20of%20migrants%20in%20Lebanon.pdf>.

5. Institutional Responses

This section addresses the role of various institutional actors vis-à-vis MDWs in Lebanon. This includes how different institutional actors have responded to MDWs caught in a crisis situation, the perceptions of these actors by migrants and the impact this can have on responses, and the ways these various actors cooperate with each other. Longer-term effects of these actions are also highlighted when relevant. The institutional stakeholders and actors identified are: (1) Civil Society; (2) Intergovernmental Organisations; (3) The Private Sector, which includes employers and recruitment agencies; and (4) States. The following sections will outline the responses of these institutional actors to MDWs during the 2006 crisis, as well as to MDW needs in terms of 'everyday' or 'recurring' crises.

5.1. The Role of Civil Society

The majority of CSOs in Lebanon have been working on issues related to MDWs for less than 10 years.¹²⁹ Though some CSOs interviewed were established even before the civil war, they confirm to have only recently included a focus on MDWs. This is true for the trade union association FENASOL, Amel, the Middle East Council of Churches and Human Rights Watch. This recent attention was largely due to increases in suicide rates amongst MDWs and a surge in attention about the plight of MDWs:

"[t]he main issue that promoted us to adopt the focus on MDWs in 2010 is the fact that 2010 was a year of a lot of suicide stories. Suicides were happening before, but for some reason they weren't as visible prior 2010. Other NGOs started to take attention of the problems faced by MDWs, like ARM [the Anti-Racism Movement, now MCC]." (LB-C-01)

Over this same period of the past 10 years, we have also seen the increasing problematisation of MDW issues in academic research and through global activism, for example in the context of the Global Forum for Migration and Development (GFMD) and ILO's work, which culminated in the Domestic Workers Convention. This could also be a contributing reason for increased awareness on domestic workers issues in civil society, and has been noted by one ILO interviewee (LB-I-03).

Thus for most, the 2006 crisis was not a direct impetus for the inclusion of MDW issues into their portfolios. Caritas was in fact the only civil society organisation working on issues concerning MDWs in 2006, and as such was the most important civil society stakeholder involved in responding to this group during the crisis.

5.1.1. 2006 Crisis

During the 2006 crisis, Caritas was the only civil society organisation working to help MDWs in terms of providing them with shelter, arranging for their repatriation and cooperating with the Lebanese government as well as their respective embassies. As explained by Caritas:

"During this time, we worked a lot with embassies. We were providing them with buses from Beirut to Syria and from Syria they would fly home. We were even sending people to go with them in these buses. The embassies were helping with travel documents...We worked with the Lebanese government on an evacuation plan. We used it back then and it was quite efficient." (LB-C-09)

Significantly, Caritas successfully lobbied GS to allow for the release and evacuation of irregular MDWs held in the GS detention centre under the bridge, Adlieh, which was under high risk at the time as bridges were targeted by the bombardment. According to Jureidini and an expert interviewee (LB-E-01), two days after the invasion, and one day after Caritas lobbied the GS to release the irregular migrants in detention, the Lebanese officer in charge of the GS detention centre offered to release all inmates (500) and declare an amnesty for the irregular migrants "on condition they leave the country and not return for at least five years."¹³⁰ Caritas facilitated the evacuation of irregular female domestic

¹²⁹ Relevant CSOs all have slightly different approaches or focuses, responding to MDWs as part of larger sections of society, for example: feminist (Kafa), marginalised groups in general (Insan), racism (ARM), legal advocacy (CLDH), humanitarian assistance (Amel, Caritas).

¹³⁰ Jureidini, R. (2011), p. 13.

workers in the centre (primarily from the Philippines, Sri Lanka and Ethiopia), who were given release papers by GS, accommodated by Caritas or others¹³¹, and then transported first by bus to Syria and then on chartered planes to their country of origin by IOM (LB-E-01).¹³²

As noted by Caritas, “[w]e were coordinating the most with the GS to obtain authorisation for evacuation for these migrant domestic workers” (LB-C-09). Caritas also provided support to embassies in facilitating the issuance of *laissez-passers*, particularly the Sri Lankan Embassy, which was hosting large numbers of Sri Lankans and was located at the time at Damascus Street, which was also being targeted as it was near the Lebanese Ministry of Defence (LB-A-09; LB-E-01).

Jureidini and Caritas have highlighted that the previous experience of Sri Lanka and Caritas responding to the effects of the tsunami in Sri Lanka in 2004 helped clarify for this crisis what needed to be done in terms of efficient evacuation of nationals (LB-C-09).¹³³ Moreover, considering the vulnerable situation in which many MDWs were placed, Jureidini notes that “if it were not for the immediate funds provided by the European Commission and the capacity of Caritas Liban along with the IOM, it may be assumed that many more migrants would have been in direct danger.”¹³⁴ Caritas furthermore collaborated with MDWs themselves to reach other trapped or locked MDWs – including intervening with the ISF to rescue them – as well as in disseminating emergency information to MDWs (LB-C-09; LB-E-01): “From the communities, [associations] were helping out in translation and spreading the word for whoever wanted to escape and so on” (LB-C-09).

5.1.2. Responding to ‘Everyday Crises’¹³⁵

Advocacy and Lobbying

CSOs’ increasing outreach and advocacy roles have supported MDWs to come together more formally, and they are continuously working to raise awareness among the MDWs themselves as well as within Lebanese society. These efforts did not yet exist in 2006, as most CSOs were not working on or knowledgeable of MDW issues at that time, but are in fact focused on addressing some of the root causes of the recurring or ‘everyday crises’ that MDWs currently experience.

Some recent (limited) gains have been made with regard to labour protection of MDWs, due in large part to the activism of migrant associations (e.g. the Group of Nepalese Feminists in Lebanon (NARI) and the MCC) and through the work of local CSOs, including Kafa, Insan Association, Caritas Lebanon, etc.¹³⁶ For example, in a notable victory by CSOs, the Ministry of Justice declared the suspension of the October 2014 directive number 1778, which declared that MDWs must not engage in romantic relationships, where it deemed it to stand “in violation of the principles of freedoms and human rights that are explicitly stressed on by international organisations and international conventions.”¹³⁷

In December 2015, on the occasion of International Migrant’s Day, and under the auspices of Kafa,

“four groups of migrant workers sent out letters each to one stakeholder: one asking for the GS the release paper [for MDWs to change employers] and provide a grace period; a second to the notary public asking for a translated contract in their mother tongue; a third to the ISF, asking for investigations in the suicide incidents; and the fourth to the Ministry of Labour to acknowledge the union.” (LB-C-01)

¹³¹ According to one interviewee, a Lazarist priest hosted Filipina migrants at a convent in the mountains outside of Beirut (LB-E-1).

¹³² Jureidini, R. (2011), p. 13.

¹³³ Jureidini, R. (2011), p. 15.

¹³⁴ Jureidini, R. (2011), p. 17.

¹³⁵ For an extensive mapping of CSO services to migrant domestic workers in Lebanon, see: Tayah, M. (2012). *Working with Migrant Domestic Workers in Lebanon (1980-1012): A mapping of NGO services*. Beirut, LBN: ILO. Retrieved from: http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_204692.pdf.

¹³⁶ International Labour Organization (ILO). (2015 b), pp. 29-30.

¹³⁷ See: The Legal Agenda (July 2015). *Suspending the ‘Slavery Directive’ is a Positive Step towards the Protection of Foreign Workers’ Rights in Lebanon*. Retrieved from: <http://legal-agenda.com/article.php?id=1186>; Shoufi, E. (2015, July 8). The Ministry of Justice retreats from Implementing the ‘Prevention of Love’ Directive. *Al Akhbar*. Retrieved from: <http://www.al-akhbar.com/node/237399>.

These four letters were focused on four areas where MDWs face important obstacles in their daily lives. In response, the notary public confirmed that they are willing to work on translating the unified contract into the native languages of MDWs (LB-C-01).¹³⁸

Awareness raising about the negative aspects of the sponsorship system are also an important aspect of the work of CSOs aiming at improving the situation of MDWs, either by improving employer-employee relationships by raising awareness on rights and responsibilities (e.g. LB-C-07), or by publicising abuses among the general public to raise awareness of these issues (LB-C-05). Moreover, in terms of advocacy work, with the exception of MCC, all CSOs interviewed explained that they have worked with and lobbied the government of Lebanon in one way or another to instigate policy changes. MCC, on the other hand, contended that they

“have been here for so many years and the situation is not improving, but it is even getting worse...We prefer to invest our efforts into helping these people [MDWs] with their daily struggles. We want to change policies, but we don't invest in that direction.” (LB-C-02)

Other CSOs interviewed argued that they are intensifying their lobbying efforts targeting different state institutions and government authorities to improve the status, conditions and rights granted to MDWs. Kafa noted that one of their main goals is to “lobby to adjust the laws and the legal situation for migrant domestic workers” (LB-C-05). At the same time, interviews highlighted in this regard the importance of a politically stable environment to see results for their advocacy work (LB-C-07; LB-C-11):

“We are trying to work on small things that could bring change until the country has a president hopefully... [w]e worked so far with four to five ministers of labour, which is a problem for us to always start with a new political agenda. It's not easy to change the direction according to their agenda, that's a drawback in not having consistencies in the ministries.” (LB-C-07)

The Association to Protect Family Privacy and the Worker is the only CSO interviewed not advocating for MDW rights – rather focusing on the rights of the sponsor – and they also expressed a desire to change the sponsorship system to improve protection of the rights of the employer. They are also open to alternatives to the sponsorship system, since in their opinion there are also negative aspects on the side of the sponsor, including high costs and risks (of loss of investment) in hiring of an MDW from abroad (LB-C-11). However, considering their recent establishment in April 2016, they have not yet proposed alternatives, and their focus is currently on improving the image of the Lebanese family as sponsor and employer (LB-C-11).

There is no coordinated approach to such advocacy or lobbying activities among the various CSOs (those advocating for MDWs), a fact that several interviews highlighted as a key challenge. Although there was a consortium of all CSOs in the past to coordinate on common strategies for advocacy, today that consortium no longer exists and CSOs no longer have the same set of priorities or agenda with which they could approach the government or ministries (LB-C-09; LB-C-03). Divisions of approach among CSOs can in fact hinder their chances of success in lobbying for change:

“We don't agree between us as organisations: should the migrant domestic workers be included in the labour law or separate by themselves. If we cannot agree on this, each one has an approach about the topic.” (LB-C-03)

Such problems have been seen in terms of the development of the Domestic Workers Union, where an uncoordinated approach before it was established (i.e. advocacy on a domestic workers law beforehand) has been blamed for its failure to be recognised.

It is unclear whether such a consortium as previously existed will be re-established. Nonetheless, all CSOs (except the Association to Protect Family Privacy and the Worker) have confirmed that they do work and cooperate both with migrant associations as well as with each other. This can range from referring cases to another organisation, to providing a safe space for meetings of migrant associations (see LB-C-02).

¹³⁸ No other institutions had responded to the letters sent to them by the time of the interview in March 2016.

Moukarbel however notes a tendency to dramatise the situation of MDWs, on the part of CSOs. At a 2006 film screening on the situation of Sri Lankan MDWs in Lebanon, funded by Caritas, the Netherlands Embassy and ILO, with the support of the Office of the United Nations High Commissioner for Human Rights (OHCHR), in response to her comment that the film was “perhaps a little ‘dramatic’... portray[ing], unrealistically in my opinion, the migratory experience as being mainly totally grim”¹³⁹, the film director noted:

“Yes I know. Actually, almost all the Sri Lankan women I talked to wanted to stay in Lebanon or come back [to Lebanon]. But I cannot say this in a documentary funded by Caritas.”¹⁴⁰

In her view, this dramatization is common among CSOs and human rights activists, and could be related to the high amount of funding for this issue from international organisations (including the EU). Further, suggesting that abuse is wide-spread or universal is disingenuous. According to the Ministry of Justice interview: “[MDW] rights are in many cases being abused – but this is not all of them, it is a small percentage, and it is decreasing now with more awareness raising campaigns” (LB-A-07).

Furthermore, it can be noted that nearly all non-activist MDWs did not know of the existence of any CSOs nor of services provided by them. This included, for example, the second focus group with Kenyans, who were all well-educated (LB-FG-02). Thus the reach of Lebanese CSOs to the ‘average’ MDW in Lebanon is unclear – not least ‘live-ins’, who are least accessible.

Cooperation with Other Stakeholders

All of the CSOs interviewed for this case study confirmed that as part of their advocacy and providing for the basic services, needs and support of MDWs, they have established links of cooperation with other stakeholders. With the exception of the MCC, all CSOs interviewed cooperate in one way or the other with the Lebanese government. Cooperation with the government takes the form of advocacy or referrals in cases of abuse, rape, confiscation of passports and refusal to ‘release’ the MDWs, ‘runaways’ wishing to return to their home countries or any other extreme circumstances that require the interference of the state and the GS. On the other hand, as reported by the Ministry of Interior interview, governmental stakeholders find some CSOs difficult to work with, particularly if they are not open to compromise on for example new legislation (LB-A-02).

Furthermore, embassy representatives from the Philippines and Sri Lanka noted that they also attend events organised by CSOs as a way to engage with migrant associations, as well as to exchange experiences (also with other country of origin representatives) (LB-A-09; LB-A-11). The Philippines Embassy also co-hosts events (for example the Independence Day celebration, see Annex I) and sponsors events for the migrant community (LB-A-11).

Of all the CSOs interviewed for this fieldwork, it has been observed that Caritas collaborates the most with governmental organs and works closest with governments – whether the Lebanese government or embassies. Indeed, all authority interviews (both Lebanese and country of origin), except the Kenyan Honorary Consul, highlighted Caritas as the most important actor with whom they exchange and on whom they count for support with regards to responding to the needs of MDWs. This is especially as Caritas maintains a shelter for MDWs, they are present in the GS detention centre for irregular migrants, and they actively participate in the Inter-Ministerial Steering Committee on Domestic Workers, discussed later on.

Filling the Gap

Organisations and migrants interviewed noted that in practice CSOs assume the role of filling a perpetual gap created by the absence of an organ to guarantee that the needs of MDWs are fulfilled and that they are provided with legal, health, or other assistance when needed. Given their low salaries, MDWs are usually unable to afford to cover such needs and their employers are in many cases unwilling or unable to provide for them when they are experiencing a personal health or legal crisis for example. As put by one activist MDW,

“[w]hen we need services we go to the NGOs and sometimes the churches. The pastor helps by telling us go to this doctor he is good and go to that doctor or we know this lawyer, this NGO and so on.” (LB-MA-07)

¹³⁹ Moukarbel, N. (2009), p.80.

¹⁴⁰ Moukarbel, N. (2009), p.80.

Insan, for example, who focuses on providing educational services to the children of MDWs, remarks that they even provide health services at times, because “[h]ospitals never cooperate, even governmental ones, they always ask for money. If they are foreigners, then [they] have to pay” (LB-C-04). Caritas explained that MDWs rely on them “for all kinds of services such as medical, social, legal, shelter and much more” (LB-C-09). Country of origin authorities also noted that they also count on CSOs to support their nationals and the authorities in providing such services (LB-A-06; LB-A-09; LB-A-11). Such services are essential in supporting MDWs when they are facing ‘everyday crises’ or recurring crises, from health problems to administrative detention. Still, one can see how such services can be even more instrumental in a crisis situation, where such issues can become exacerbated in extreme ways.

5.2. The Role of Intergovernmental Organisations

5.2.1. 2006 Crisis

For IOM, the 2006 crisis was the reason they started operating in Lebanon, although they primarily operated from Syria at the time. IOM received funding from the EU, US, Belgium, Australia and a Qatar charity for evacuations of third country nationals during the crisis (LB-E-01)¹⁴¹:

“In the 2006 crisis, IOM worked on the evacuation of migrant domestic workers with coordination with Lebanese government, different embassies, and COOs [countries of origin]; we also coordinated with Syrian government as the evacuation was done then by land through Syria and the airport was closed. IOM started operating in Lebanon during the 2006 crisis, where we were asked by the Prime Minister ‘Saniora’ in order to assist in evacuating migrants. We moved the migrant domestic workers to safe transit centres before evacuating them.” (LB-I-04)

Caritas and an expert interviewed highlighted the importance of IOM in ensuring the final step of evacuation from Syria to countries of origin (LB-C-09; LB-E-01). IOM was in fact the only intergovernmental organisation mentioned in interviews (but not migrant interviews) for their role during the 2006 crisis.

The European Commission provided emergency aid (EUR 20 million) to immediately address humanitarian needs due to the 2006 conflict, and also assisted with the evacuation of around 40,000 EU citizens and around 10,000 third country nationals in Lebanon.¹⁴²

5.2.2. Responding to ‘Everyday Crises’

One of the main characteristics of intergovernmental organisations is their – by definition as member state-based organisations – close cooperation with governments. This doesn’t exclude working closely with local CSOs and the community, particularly in understanding the needs of the community. Nor does it exclude assisting (including in terms of funding) and reaching out to MDWs and translating their needs into advocacy strategies in their approach to the Lebanese government and country of origin governments. This wide-ranging collaboration has been stressed by the EU Delegation, IOM and ILO (LB-I-01; LB-I-04; LB-I-02).

The EU Delegation highlighted cooperation with the Lebanese government (particularly with regard to recent negotiations around the Mobility Partnership) and with regard to funding relevant projects with partners in civil society and other inter-governmental organisations.¹⁴³ In particular, the EU has funded projects focusing on improving protection of and services to vulnerable persons, implemented by Caritas or IOM (LB-I-01). The former project has focused on supporting Caritas in their activities regarding protection of domestic workers, including awareness-raising activities, establishing shelters and maintaining a presence at the GS detention centre, and liaising with authorities. IOM’s EU-funded

¹⁴¹ Jureidini, R. (2011), p. 13.

¹⁴² See: European Commission (2007). *Lebanese republic: Country Strategy paper 2007-2013 and National Indicate Programme 2007-2010*. European Neighbourhood and Partnership Instrument. Retrieved from: https://ec.europa.eu/europeaid/sites/devco/files/csp-nip-lebanon-2007-2013_en.pdf.

¹⁴³ For more information on European responses to migrants caught in situations of crises, please note that a separate publication on ‘European responses’ is forthcoming. More information is available at: <http://www.icmpd.org/our-work/migrants-in-countries-in-crisis/>.

project 'Action to Protect and Assist Vulnerable and Exploited Migrant Workers in the Middle East and North Africa' (PAVE) also included relevant information on protection of domestic workers in Lebanon.¹⁴⁴ PAVE was also highlighted by the Philippines Embassy as providing support to them on identifying victims: "[the Embassy's] biggest take away from that project was victim identification. We learned a lot from them we can implement here" (LB-A-11).

For ILO, cooperation with countries of origin and destination are key in improving responses to MDWs:

"We do work very closely with the government ourselves, when we try to provide information sharing or kind of capacity building trainings in destination countries. There has been a very close partnership with the ministry of affairs here [in Ethiopia] and the embassies at the destination country." (LB-I-02)

This mirrors what ILO in Beirut explained when asked about their relationship with the Lebanese government or embassies. As put by ILO Beirut,

"In 2005 it was the first time that the issue of domestic work becomes a national topic... [Accordingly,] the ILO organised a national conference on domestic work. It was in the preparation for the [Domestic Workers] Convention to be adopted and as a result of that national workshop, a national steering committee was formed by the Council of Ministers." (LB-I-03)

As noted above, the international debate spurred by ILO's work on domestic work globally can be seen to have to a certain extent spurred discussions and policy work on the topic in Lebanon. This Steering Committee is further discussed in the section 'Role of States', as it has been an important step in improving government knowledge of and responses to issues faced by MDWs in Lebanon and mentioned by several government authority interviews as significant in framing their work on this issue. ILO's work globally has been significant in improving government policies towards domestic workers, in both countries of destination and origin. ILO has come up with policy recommendations on the legal status, working conditions and treatment of MDWs, particularly through ILO C189 on Domestic Work (2011). ILO C189 has accordingly become a prime goal on ILO's agenda in terms of pushing the Lebanese government to ratify and implement it (LB-I-02). As explained by ILO, "even in the context of *kafala*, C189 still makes sense and can be an entry point to change this situation towards more protection to domestic workers" (LB-C-03). However, an expert interviewed highlighted that the lack of knowledge of judges on the basic human rights protections of domestic workers, including the standards promoted by ILO's Domestic Worker's Convention, is still a main factor blocking MDW's access to justice (LB-E-01).

At the same time, an interviewee from ILO criticised the emigration ban imposed by Ethiopia, which precludes the possibility for Ethiopians to migrate legally and regularly abroad, and for them to receive any pre-departure training:

"I will say it's [the ban] been doing more harm than good because the irregular migration is becoming worse than it was. So, I think that the ban is not doing justice to the migrants. There is no regular migration now and everybody is migrating irregularly which is putting them in more vulnerable situations...once that ban is lifted migrants can only leave once they have the necessary vocational training." (LB-I-02)

This conclusion – that the ban has inadvertently led to an increase in irregular migration – was also supported by an official at the Ethiopian Consulate (LB-A-6). This is why ILO is currently working with the Ethiopian government to prepare the necessary structures to support safe regular emigration, in advance of the discontinuation of the ban (LB-I-02). This includes implementing mandatory and targeted (to the sector and region where the migrant will work) pre-departure training programmes for migrants taking jobs outside Ethiopia, as well as presenting an employment contract before departure (LB-I-02). Ethiopia is also working to establish bilateral agreements with destination countries, and although this is government-to-government work (further discussed in the section 'Role of States'), ILO

¹⁴⁴ For more information, see the final report of the project: McCormack, S. & Joudo Larsen, J. (2015). *The Other Migrant Crisis: Protecting Migrant Domestic Workers against Exploitation in the Middle East and North Africa*. Geneva, SUI: IOM. Retrieved from: http://publications.iom.int/system/files/pdf/other_migrant_crisis.pdf.

has reportedly supported the Ethiopian government in the drafting of the agreement and development of a standard contract (LB-I-02).

In terms of the importance of intergovernmental organisations as noted by other stakeholders, from interviews it is clear that ILO and IOM have been the most active stakeholders – among other intergovernmental organisations in the country – in responding directly to the needs of MDWs in Lebanon. In this regard, interviews specifically noted ILO's support (since withdrawn) for the establishment of the MDW union, and IOM's EU-funded PAVE project on vulnerable migrant workers in the Middle East (LB-A-10; LB-A-11; LB-I-01). The EU has been important in terms of funding provided for PAVE, but was not explicitly noted by any other interview. No migrant interviews noted any intergovernmental actor. Given the nature of IGOs, which are involved in shaping legal frameworks and cooperating primarily with government agencies and CSOs, they are not perceived as main actors by MDWs, although their work 'behind the scenes' can be important in shaping wider debates and priorities on domestic work and migration.

5.3. The Role of the Private Sector

5.3.1. 2006 Crisis

As already mentioned, during the 2006 war, employers either fled with their MDWs, locked them away in their apartments while they themselves escaped the bombardment, or handed them over to their respective embassies for safety and repatriation. According to Jureidini, a quarter of domestic workers brought to their respective embassies during the crisis were living in areas not affected by the conflict; he argues that Lebanese employers in such cases took advantage of the evacuations to avoid paying for the domestic worker's transport home (required by contract).¹⁴⁵ FENASOL, IOM, Caritas and the expert interviewed all confirmed to have interfered in cases when employers locked MDWs in their homes and left, particularly calling on the support of the ISF to rescue the MDWs. As FENASOL put it, during the 2006 crisis:

"We talked to a lot of girls who were stuck in the houses. We talked to their employers, confronted them and asked them why should these girls stay locked up in the house during wartime? So, they let them go, they provided their ticket and everything." (LB-C-08)

However, many MDWs interviewed expressed a different more positive narrative of the role of their employers in ensuring their safety during the crisis. This, however, could potentially be a result of the fact that rescued MDWs could have been evacuated and repatriated to their home countries and thus unavailable to interview during this fieldwork. A MDW activist recalled that at the time of the 2006 crisis:

"I was with my current family, who was supposed to leave back to their country and wanted to take me with them, but instead they stayed and volunteered to help in the church. They told me 'if this becomes worse, we are not leaving you here.'" (LB-MA-06)

The same narrative was confirmed by other activist MDWs:

"During the 2006 war, I was at my home with my madam and I felt protected. 'She said if the war will be bigger we will go together'. She is British." (LB-MA-07)

"During the war I stayed with my employer in the mountains for 6 months before returning to Beirut, I stayed away. At that time, I didn't have a phone, I was away from my community." (LB-MA-04)

Such narratives demonstrate the diversity of responses of employers, also supporting the notion that a MDW's situation is completely dependent on whether she ends up with a 'good' or a 'bad' family or sponsor.

¹⁴⁵ Jureidini, R. (2011), p. 15.

5.3.2. Role Regarding 'Everyday Crises'

Much of the 'everyday crises' experienced by MDWs are often at least in part connected to the sponsorship system, where a domestic worker's experience is largely based on her 'luck' in being matched with an employer who will either respect or disregard her rights. The two employers interviewed as part of this research claimed that they treat their MDWs well and give them their freedom (LB-E-03; LB-E-04). The interview with representatives of the Association to Protect Family Privacy and the Worker, a Lebanese CSO that has been established for the rights and for the support of the employer and the Lebanese family, highlighted that the main reasoning behind their establishment has been to counter what they view as "tendentious campaigns against Lebanese families" portraying them as abusive (LB-C-11). Their standing has been attacked by other CSOs as supporting the potentially abusive party in the relationship between employer and domestic worker. Nonetheless, they also recognise and want to change the sponsorship system as they also see it as problematic for the employer: "We do not support the *kafala* system, but this is the current available system. We don't mind studying any alternatives" (LB-C-11).

In addition, recruitment agencies bolster the unequal relationship between employer and employee, as it is also in their best interest to keep the employer satisfied and to avoid having to return an 'uncooperative' MDW to the country of origin. MDWs, CSOs, ILO and some authorities (Sri Lankan Embassy and Honorary Consul of Kenya) interviewed also stressed the negative role played by recruitment agencies whether in the host or origin country. Recruitment agencies are reported to: misinform MDWs on their status, rights, living and working conditions; side with the employer in cases of physical and/or verbal abuse; inflict physical and emotional harm on 'non-obedient' MDWs; and extract illegal and unjustified fees from both the employer and the MDW (see LB-MA-02; LB-C-01).¹⁴⁶ As confirmed by ILO, "the agency sometimes can take the liberty to be violent against the domestic worker like hitting her or asking her to change her attitude so she goes back to the employer. There have been documented cases of abuses by the recruitment agencies" (LB-I-03).

In the country of origin, agencies are said to make the MDW sign a 'fake' contract that is often nullified by another once the MDW arrives in Lebanon (LB-MA-07). It has been noted that recruitment agencies can misinform or provide no information on the country the MDW is being sent to for work (LB-MA-02). In other instances, MDWs are given the wrong information on their occupation and the kind of work they will end up doing (LB-FG-02). This has been particularly stressed and reported by the Honorary Consul of Kenya (LB-A-14) and during the second focus group session with Kenyan domestic workers, who were to a large extent well-educated and contend to being 'tricked' into coming to Lebanon. "They tell you you'll work in a hotel and we find ourselves in houses," (LB-FG-02) said one Kenyan domestic worker. This is considered a particular risk when the MDW migrates irregularly, especially when their country of origin has issued a ban.

5.4. The Role of States

5.4.1. 2006 Crisis

During the 2006 war, governmental stakeholders both on the Lebanese and the country of origin side were caught unawares, and most did not have a sufficient contingency plan yet in place. Nonetheless, state authority responses to the 2006 war have been highlighted by the desk research and interviews as one example of governmental actors demonstrating flexibility in responding to the needs of foreigners in the country (including MDWs). At the time, the Lebanese government established a Higher Relief Council to coordinate crisis response, which coordinated among Lebanese ministries, UN organisations, the Syrian government (as many evacuations took place via Syria), and civil society.¹⁴⁷ Evacuations of migrants (and other foreigners) were primarily conducted by these foreign nationals' governments, in coordination with Caritas, other CSOs and IOM in Syria. Nonetheless, GS played an important role in facilitating the exit of foreigners from the country: "In 2006 we didn't interfere with any operations, but just made the [administrative] procedures easier" (LB-A-01). GS worked with Caritas and foreign governments to ensure the evacuation of foreigners from Lebanon, by land or sea. Moreover, as mentioned in the previous section on civil society, Caritas lobbied the government to release irregular domestic workers held in the GS detention centre. GS agreed and

¹⁴⁶ See also: Human Rights Watch (2010).

¹⁴⁷ Jureidini, R. (2011).

subsequently liaised with Caritas and country of origin authorities throughout the process in the transfer of the irregular domestic workers to shelters nearby, issuance of laissez-passers with home country authorities, and then during evacuation to Syria, from where MDWs took chartered planes back to their home countries. Moreover, in coordination with MDWs, IOM, or CSOs, the ISF also reportedly intervened when they received reports of a domestic worker trapped in an apartment (LB-E-01).

On the side of country of origin governments, the Philippines Embassy has been reported (also by MDW interviews) to have been the most prepared, already having outlined a contingency plan for evacuation. An estimated 6,000 (out of an estimated number of 30,000 nationals in the country at the time¹⁴⁸) were repatriated during the crisis, via the Syrian land border, as well as the sea border (LB-A-11). Both the Philippines and the Sri Lankan governments relied in particular on Caritas during the emergency in order to process laissez-passers and facilitate evacuations of domestic workers via Syria (also with the support of IOM). The Sri Lankan Embassy in particular faced significant challenges: in 2006 they were located near the Ministry of Defence, a target of the bombings, and also were responding to huge numbers of migrants – thousands came to the embassy, of the estimated 80,000¹⁴⁹ in Lebanon at the time (LB-E-01). According to an expert and the Sri Lankan Embassy: after migrants came to the embassy, often on their own or dropped off by sponsors, the embassy processed identity documents when migrants didn't have them, and liaised with the GS to issue *laissez-passers* (LB-A-09; LB-E-01). Then, once migrants were ready to leave, they gathered at a nearby location (e.g. a church basement) before embassy-rented buses picked them up to drive them to Syria (LB-E-01). On the way, embassy officials communicated with GS to pass checkpoints in the country, and once in Syria, migrants boarded chartered flights to Sri Lanka (often organised by IOM) (LB-A-09; LB-E-01).

MDW interviews confirm the work of their embassies. As one Sri Lankan MDW notes:

“During the war, the embassy hosted the Sri Lankan domestic workers. People were sending the domestic workers to their embassies and sometimes unaccompanied. No Sri Lankan worker was trapped in Lebanon, the embassy helped the girls to return if they want[ed] to, but many girls stayed and didn't leave even after the end of the crisis...many Sri Lankans were allowed to leave without paying for their irregularities in Lebanon.” (LB-MA-02)

A MDW from Madagascar also noted the work of her embassy:

“[d]uring the war in 2006, they [the embassy] brought a plane and took all of the Madagascar migrant domestic workers back. They put us in the Moroccan Embassy then took us to Syria and from there we took the plane to Morocco then from Morocco to Madagascar. I heard that there were 40 girls in the plane. My sister and I sent food to our best friend in the embassy.” (LB-MA-07)

Following the crisis, there were two main policy impacts that affected longer-term policy making. Firstly, on the Lebanese authority side, the 2006 war served as a main impetus¹⁵⁰ for the launch of a national contingency plan.¹⁵¹ In 2010, the Presidency of the Council of Ministers (Decision No. 103/2010) established a National Task Force to develop Lebanon's National Response Framework for Disaster Management, which includes response plans for four different types of disasters: earthquakes, floods, forest fires, and wars and armed conflicts.¹⁵² The NRF has been under development since 2012 (foreseen to be finalised in 2017), and is based on previously existing institutional contingency plans and international standards of disaster management. The NRF has involved and consulted fourteen Lebanese authority stakeholders, as well as the Lebanese Red Cross, the only civil society actor involved, in the drafting of the plan – and outlines each institution's roles and responsibilities for each crisis situation. It also establishes the National Committee to Respond, headed by the Secretary General of the Highest Council of Defence, as the national focal

¹⁴⁸ Jureidini, R. (2011).

¹⁴⁹ The estimate of 80,000-100,000 Sri Lankan migrants (particularly domestic workers) in Lebanon at the time is also cited in Jureidini, R. (2011).

¹⁵⁰ The other, according to a written response received on the NRF, was the Ethiopian Airlines Flight 409 crash in 2010.

¹⁵¹ As reported in written correspondence with a leading author of the plan.

¹⁵² Information on this plan has been obtained by correspondence with a leading author of the plan – all information in this paragraph refers to the written correspondence, unless otherwise indicated.

point in charge of disaster response in case of a crisis. However, although the NRF includes a chapter on internal and external displacement due to natural disasters and conflicts or wars, it does not specifically include contingency planning for migrants (LB-A-08).

The second long-term policy response identified by the research and linked explicitly to the 2006 crisis has been the Ethiopian and Philippine governments' bans on emigration to Lebanon, which was implemented as a direct result of the volatile situation (LB-I-02; LB-A-11). Ethiopia further expanded the ban in 2013 due to abuses reported by migrant workers¹⁵³ (LB-I-02), while the Philippines government subsequently partially lifted the ban, but only for skilled workers to migrate to Lebanon (LB-A-11). In 2012, the Philippines and Lebanon signed a Memorandum of Understanding on Labour Cooperation, clarifying protections and minimum standards for Filipino workers in Lebanon, including specific provisions for domestic workers, such as that Filipino domestic workers must be recruited through Philippine licensed recruitment agencies, have the right to keep their identity documents, and have the right to weekly rest of 24 uninterrupted hours and to leave the house of the employer on the rest day. It also established information sharing on statistical data on Filipino domestic workers between Lebanon and the Philippines.¹⁵⁴

However, at the time of the fieldwork, the ban on unskilled Filipino worker deployment to Lebanon was still in place. Nonetheless, Filipino MDWs still come to Lebanon, but now irregularly and without the pre-departure training and information usually provided beforehand.

Several government stakeholders interviewed for the research spoke not of a direct impact of the 2006 crisis but rather of an increase in awareness of the rights of domestic workers today as compared with 2006 – both by authorities and the general public (LB-A-12; LB-A-02; LB-A-07). This is attributed in a large part to awareness-raising campaigns (LB-A-07).

5.4.2. Responding to 'Everyday Crises'

Lebanese Authorities

In terms of responses to MDWs' needs during 'everyday crises', governmental stakeholders' actions vary. Some of the more significant efforts have been those made through the Inter-Ministerial Steering Committee on Domestic Workers, which is tasked with examining how to improve the situation of domestic workers in Lebanon (LB-A-10; LB-A-12). Established in January 2006¹⁵⁵, the Committee is led by the Ministry of Labour and currently includes the main Lebanese governmental stakeholders (i.e. DGSG, Ministry of Justice, Ministry of Foreign Affairs, Ministry of Social Affairs, the Internal Security Forces), as well as ILO, Caritas, the National Committee of Women, the Syndicate of the Owners of Recruitment Agencies in Lebanon (SORAL), and the Association to Protect Family Privacy and the Worker. Embassies or country of origin authorities do not participate. In 2014 the current Minister of Labour insisted that the Committee meet once a month, and is reportedly quite supportive¹⁵⁶ of the Steering Committee's work (LB-A-12). In fact, the effectiveness of this Committee reportedly depends greatly on the position of the Ministry of Labour, so work on improving the situation of domestic workers "goes up and down" (LB-A-10) based on their position on MDWs.

One of their achievements has been the development of a unified contract for domestic workers, as contractual issues have been an important problem for MDWs in Lebanon (see Section 'Legal Situation'). In 2009, the Steering Committee, in cooperation with the Office of the High Commissioner for Human Rights (OHCHR) and ILO, developed a unified contract for MDWs, which was signed and adopted by the Ministry of Labour. The contract aimed at providing a common set of standards recognising MDW's rights to decent living conditions, food and clothing, privacy, and rest.¹⁵⁷ This was

¹⁵³ See, for example: Aljazeera (2012, March 14). Maid in Lebanon abuse video kills herself. *Aljazeera*. Retrieved from: <http://www.aljazeera.com/news/middleeast/2012/03/2012314142844277446.html>.

¹⁵⁴ Memorandum of Understanding on Labor Cooperation. *The Government of the Republic of the Philippines - The Governmnet of the Republic of Lebanon*. (2012, February 1). Retrieved from: http://www.poea.gov.ph/laborinfo/bilateral/LB/BLA_PH_Lebanon2012.pdf.

¹⁵⁵ Its mandate at the time included drafting a unified contract, amending the Lebanese labour code and developing information booklets on rights and responsibilities. See: Caritas Lebanon (2009). *Day of General Discussion on Migrant Domestic Workers*. Committee on Migrant Workers. Retrieved from: <http://www2.ohchr.org/english/bodies/cmw/dgd141009.htm>, pp.6-7.

¹⁵⁶ This is according to other authorities interviewed, while CSOs interviewed have mixed responses.

¹⁵⁷ OHCHR (2009, March). Creative Solution: a unified contract to protect domestic migrant workers in Lebanon. *OHCHR*. Retrieved from: <http://www.ohchr.org/EN/NewsEvents/Pages/UnifiedContractLebanon.aspx>.

lauded as an important step in ensuring the rights of MDWs. However, a number of limitations have been noted in the implementation of this unified contract, including the use of ambiguous language (e.g. 'values and principles of Lebanese families'); the fact that the contract is in Arabic, without official translations to MDW's native languages; and the lack of any mechanisms to monitor implementation. Finally, it does not address a number of important specific issues, such as withholding of passports and locking of MDWs inside the house. Such issues are important with regard to 'everyday crises', but are compounded in extreme ways in times of acute humanitarian crisis, as was seen during the 2006 crisis regarding trapped MDWs and MDWs without access to their identity documents.

At the same time, fieldwork showed that MDWs, even activists, interviewed did not show any knowledge of the existence of (even a proposal) for a unified contract – in fact, some highlighted the need for a unified contract as an issue needing future work:

"[I]n the future, I want a new unified contract. I want them to protect us." (LB-MA-07)

"For me I will be the first one to be very glad to know that what we were fighting for or what we have asked from the government is being implemented: A unified contract translated to our language, the *kafala* system changed, the employers should also have the medical responsibilities of the migrant domestic workers." (LB-MA-06)

Due to these problems of implementation, the Steering Committee is currently examining ways to improve the unified contract, and the notary public is looking at translating the current unified contract (LB-A-12; LB-C-01).

The Committee also drafted a law on domestic workers in 2010, aiming at "granting domestic workers annual vacations, and at cooperating with social workers to inspect their living and working conditions" (LB-A-05).¹⁵⁸ However, due to the lack of government in Lebanon between 2014 and 2016 and reported ineffectiveness of Parliament in passing bills, this law has still not been passed (LB-A-05). The Committee is also currently working to improve Lebanese insurance contracts, in order to expand coverage for both employer and employee. This was noted as an important step by government stakeholders as a way to improve the situation for both domestic workers (especially considering their lack of coverage under the Labour Law) and sponsors (LB-A-10; LB-A-12). For example, interviews noted that mental health of the domestic worker should be covered, as well as loss of investment on the part of the employer if the employee runs away.

The Human Rights Committee of the Parliament has also called for further work on improving the living and working conditions of domestic workers, particularly in their recent National Action Plan and Strategy. Their Action Plan explicitly calls on the Parliament to amend the Labour Law to include a special chapter on domestic workers, or to enact a special law covering them, as well as signing and ratifying relevant international conventions on migrant workers and domestic workers.¹⁵⁹ It also plainly criticises the sponsorship system for limiting the rights and freedoms of domestic workers, calling for its abrogation.¹⁶⁰ However, their work is primarily to "keep the dialogue going and keep these issues on the table" (LB-A-05) rather than concrete action.

However, the Ministry of Labour has expressed openness and interest in examining how to change the *kafala* system – calling on civil society to provide options on ways forward (LB-A-12). Although it's unclear how tangible this call for reform is, it is significant that the Ministry of Labour expresses recognition that the system is not functioning and could be amended.

Aside from participation in the Steering Committee, the Ministry of Social Affairs has also had several relevant actions responding to the needs of MDWs. One project with ILO focused on training social workers from CSOs contracted by the Ministry of Social Affairs working as first responders in ministry health centres (LB-A-10). They were trained on the rights of domestic workers and how to refer them to the appropriate services or support organisations if they are facing any problems or if the social

¹⁵⁸ See also LB-A-10; LB-A-12; Parliamentary Human Rights Committee (2013). *The National Action Plan for Human Rights in Lebanon 2015-2019*. Beirut, LBN: Parliamentary Human Rights Committee. Retrieved from: http://www.lb.undp.org/content/lebanon/en/home/library/democratic_governance/national-human-rights-action-plan--2014-2019--.html.

¹⁵⁹ Parliamentary Human Rights Committee (2013), p.82, p. 133.

¹⁶⁰ Parliamentary Human Rights Committee (2013), p.133.

worker sees something wrong like evidence of abuse (LB-A-10). For the same project they established a core team from among the social workers to provide trainings to employers (LB-A-10). However, as they had difficulties getting employers to attend: they thus advertised the event as information on women's rights in general, and then included domestic workers' rights within the session (LB-A-10). Finally, MDWs are provided free access to services offered by ministry health centres, as they are considered a vulnerable group (LB-A-10). However, the Ministry of Social Affairs interviewee recognised that MDWs may not be able to access these services due to the requirement to show an identity document and the difficulty for both 'live-in' and 'freelance' (often irregular) domestic workers to access the centres during the opening hours of 8am to 2pm (LB-A-10).

In general, it seems that for Lebanese government stakeholders – even if there has been work on these issues in recent years – the lack of an effective government has paralysed any efforts. The Ministry of Interior interviewee highlighted that although he understands the critiques that the “government is not proactive enough” (LB-A-02), he argued that their perspective is one of incremental change: “We can't change the system overnight, but give me something to enhance the situation” (LB-A-02). For example, the *kafala* system in their view is not going away, but they can work on specific aspects that can be improved or amended (e.g. access to documents, right to rest day, etc.), to respond to the particular issues MDWs face and that may lead to situations of ‘everyday crises’ (LB-A-02; LB-A-12).

However, all associations and MDWs interviewed (with few exceptions) agreed that Lebanese authorities are not doing enough in terms of policies, services and rights. The GS and police (ISF) are not (at least as perceived by MDWs interviewed) accessible nor are they properly investigating cases of abuse, rape and suicide. This is in fact an issue recognised by the Ministry of Interior, which is currently examining the way the police process domestic workers' claims (particularly regarding sexual harassment), as they recognise that “police forces can be discriminatory and might not take the claim seriously” (LB-A-02). For this reason they are currently working on improving the police's Code of Conduct and their processing of claims of abuse.

The GS is intimidating for MDWs in general and with the exception of two activist MDWs, MDWs interviewed expressed their mistrust in it as an institution. Even one activist MDW, who didn't show mistrust in the GS and Lebanese authorities explained that “[u]sually we don't contact the police, unless there are extreme cases of violations” (LB-MA-04). Another activist MDW added:

“The girls [are] afraid of the police. One time I hear the girl go to the police and say she has a problem with the madam, the police say okay, they call the madam and they make arrangement and she go[es] back. Every time they do this: she go[es] to police, they call madam, she go[es] back.” (LB-MA-07)

Furthermore, all the country of origin interviews highlighted that the fees imposed by GS on irregular migrants can become unbearable, and a significant barrier for irregular migrants who want to leave the country and/or are in detention. For every year that the migrant is irregular (i.e. not sponsored), she accrues a US\$200 (EUR 186) fine. The fine is paid by the MDW if she is a ‘runaway’, while the original sponsor pays for the return flight to the home country (thus GS usually has to also take time to find the sponsor). Thus for those irregular MDWs who have been in the country several years, this can be a very heavy and prohibitive fine. As has been discussed previously, MDWs may at times pool resources to support MDWs in such situations of personal crisis. In times of acute humanitarian crisis, however, broader waivers or support would be needed to ensure the protection and evacuation of this population, particularly those in detention: in 2006, GS's waivers for detained irregular MDWs were indispensable in their evacuation.

Country of origin authorities

An important narrative that all non-Syrian MDWs interviewed agreed on was the importance of the role of their respective governments in protecting their status and rights in the host country. In this regard, across the board all non-Syrian MDWs (except one activist MDW from the Philippines), associations and even most authority stakeholders (Lebanese and country of origin (LB-A-02; LB-A-04; LB-A-05; LB-A-06; LB-A-9)) recognise the Philippines as one of the, if not the, most active country of origin supporting its nationals in Lebanon and collaborating with its community, CSOs and the Lebanese government, or a country from which they can learn a lot about how to respond. As put by Kafa, “the Philippines government cares more than others” (LB-C-05). One activist from the Philippines argued that:

“[the Philippines Embassy] respond[s] very fast and very well. If an MDW calls to say she is mistreated then automatically the embassy with the police goes to conduct a search and see what is going on. The MDW is taken and put in a shelter until her papers are processed to leave. The Memorandum of Agreement with the Lebanese government was signed years ago on a minimum wage of US\$400 (EUR 372).” (LB-M-01)

She adds that “[t]he stronger a government becomes the more it can protect its people under the *kafala* system” (LB-MA-01). The Philippines government has already signed a Memorandum of Understanding with Lebanon’s Ministry of Labour, and is currently negotiating with the Ministry of Labour to further improve the unified contract – including on issues related to working hours, rest hours and minimum salary (LB-A-12). The Embassy of the Philippines in Beirut is a combined office of the Ministry of Foreign Affairs – which covers immigration related problems, legal problems, repatriation issues and medical assistance – as well as the Department of Labour’s Philippine Overseas Labour Office (POLO) – which covers issues related to contracts and employer/employee relationships, as well as administers the Migrant Worker and Overseas Filipinos Resource Centre at the Embassy, which offers training programmes and information.

The Ethiopian government is also currently working with the Lebanese government to develop a bilateral agreement. At the time of fieldwork, a draft agreement had been reviewed by the Ministry of Labour and Social Affairs of Ethiopia and was with the Lebanese Ministry of Labour for review. An official at the Ethiopian Consulate General emphasises, “This agreement is very important” (LB-A-06) as it covers issues related to communication between domestic workers and their sponsors, treatment of domestic workers, the obligations and duties of domestic workers and sponsors, and other issues. Ethiopia has already concluded similar bilateral agreements with Jordan, Qatar and Kuwait, and views such bilateral agreements as a concrete way to “minimise the risks of emigration ... through agreements with countries of destination” (LB-A-06). The Lebanese CSO Kafa also highlighted the importance of country of origin engagement, particularly through bilateral agreements:

“The role of the country of origin is very important in supporting the domestic workers. This support will provide the help and lead to a decrease in the rate of abuses witnessed in Lebanon. Most sending countries suffer from economic problems and accordingly they are not concerned with bilateral agreements that might protect the migrant domestic workers’ rights.” (LB-C-05)

Such higher-level policy negotiations may not bring immediate benefits to their nationals already in Lebanon, but will likely be beneficial in the longer term and particularly for future arrivals, in cases of ‘everyday crisis’ but also acute humanitarian crisis.

The government is also reportedly planning to organise a pool of money for domestic workers so if there are any problems the woman has access to funds for medical treatment, legal assistance or other help. Based on information gathered from consultations with other embassies, the Ethiopian Consulate wants to establish this pool through regulation of recruitment agencies, so that “recruitment agencies are held responsible” to save funds for the domestic workers they recruit. In this way, recruitment agencies would then be responsible for following the activities of the domestic workers they employ, addressing issues that come up as a first line of defence, and are responsible in case of failures (LB-A-06).

The Sri Lankan Embassy also reported developing a number of policy priorities (based also on lessons learned from other embassies in Lebanon), such as lobbying for an amnesty of irregular workers, as well as improving insurance and health services to Sri Lankan migrants (LB-A-09). Improving insurance coverage for their nationals, especially considering that their population in the country is aging, is considered an important priority. They have also allowed Sri Lankans in the country who have let their insurance lapse to sign up for it again for US\$ 106 (EUR 98) (LB-A-09).

However, a common narrative across the interviews with the representatives in Lebanon from Ethiopia, the Philippines and Sri Lanka was the significant and negative situation of their nationals in Lebanon with an irregular status (LB-A-06; LB-A-09; LB-A-11). This was noted as one of the largest challenges they deal with on a regular basis. For Sri Lankan nationals it is even more challenging due to the fact that the Embassy cannot use government funding to help irregular migrants, thus they are “facing a dilemma on how we can assist them” (LB-A-09).

Related to the issue of irregular populations is the fact that embassies do not have accurate numbers of their nationals in the country – although the interviewee at the Philippines Embassy noted that they rely on official figures provided to them by the Lebanese government (Ministry of Labour and GS). One expert noted that a registration process at embassies including irregular migrants, and data sharing with Lebanon's GS would help embassies better prepare and respond to their nationals, especially in a crisis situation (LB-E-01). As it is now, embassies rely on focal points or community leaders to help embassies disseminate information, including as a contingency plan in times of crisis (LB-E-01; LB-A-11). As a representative from the Philippines Embassy noted: "It would be a nightmare if we couldn't contact them" (LB-A-11).

For the Philippines and Ethiopia, a significant contributing factor for the number of irregular migrants in the country is due to the bans these countries have in place on migration to Lebanon – this was also recognised by the country of origin authorities themselves (LB-A-06; LB-A-11). Although often imposed as a response to maltreatment of domestic workers in the past (Ethiopia) or security risks in the country (Philippines), interviews with country of origin authorities and ILO noted the ineffectiveness of these policies – even with a ban, domestic workers still come to Lebanon. In fact, now they do so irregularly without any protection (e.g. insurance) or pre-departure (vocational) training from their government, and at increased risk (e.g. for trafficking and other forms of exploitation) – which is recognised as a major challenge for country of origin governments. The one male MDW interviewed for this case study explains how the ban imposed by the Philippines government pushed him to come through illegal means – as he put it, through the 'back door':

"[M]y direct hire got me a fake visa that I am working in a company in Abu Dhabi and I went to immigration and I showed them the complete papers that I am legally working in Abu Dhabi, I don't show them my ticket and visa going to Lebanon, I hid it. So I went from Manila to Abu Dhabi and then to Lebanon." (LB-M-23)

The Lebanese CSO Amel provided a suggestion,

"[w]e should not accept the migrant domestic workers who are coming from countries that have a ban on Lebanon, because this is putting them at a larger risk of exploitation. So, a way to do this would be telling the Minister of Labour not to grant visas for these migrant domestic workers to protect them." (LB-C-07)

The objective of barring immigration of domestic workers from countries which have emigration bans would again be to protect the potential migrants. However, this suggestion should be questioned as it may not solve the issue of irregular MDW arrivals, but rather may merely serve as another push into irregularity, as has already occurred with the emigration ban. Other CSOs have emphasised the ineffectiveness of the bans, and that they should be removed (LB-C-02; LB-C-04; LB-C-10).

One of the key related gaps the Kenyan Honorary Consulate, the Ethiopian Consulate General and ILO interviewees noted was the need for pre-departure and on-arrival training programmes for MDWs:

"[Ethiopian domestic workers] need to have basic life skills before they leave Ethiopia... [it is] very crucial to have captured the most important aspects of their new life [in a training programme]...new language new culture, different behaviours." (LB-A-6)

The Philippines does have an extensive pre-deployment training programme¹⁶¹ (covering both skills needed in the job sector as well as information on rights) for migrant workers, but due to the current ban on migration of low-skilled workers to Lebanon (further discussed in the next section), Filipino domestic workers arriving after 2006 would not have the benefit of such training. In fact, none of the migrant domestic workers interviewed for our study received (or recalled receiving) pre-departure training, including those who arrived before 2006.

For MDWs themselves, they also reported difficulties in accessing support from their own country, particularly when their representation in the country is via an honorary consulate – usually a Lebanese national tasked to respond to the needs of a migrant community – or when there is no representation. As put by one Cameroonian MDW activist,

¹⁶¹ The Philippines has had some form of pre-departure orientation seminar for potential migrant workers since 1983. See: Tyner, J. A. (2013). *Made in the Philippines*. Routledge.

"[t]he nearest...embassy is in Cairo; here in Lebanon we only have a symbolic consulate. We fight a lot with the [Lebanese honorary] consular in order to force him to help us. As I am the head of community, many women reach out to me for help. Sometimes, I can't interfere in some cases, so I refer them to the consulate. The consular doesn't take any actions by himself; I keep chasing him through phone calls, messages, emails, and visits in order to force him to take any action. I even shout at him in some cases." (LB-MA-04)

She further adds, "If we had a strong embassy, things would be better for us here as we need someone who can help us. The voice of official personnel will be heard more than my voice" (LB-MA-04). As put by one Nepali MDW, "[t]he Nepalese government should send someone who can help in the emergency cases...We also need representatives in Lebanon. There is no one to help us here!" (LB-MA-21). Further, being refugees in the country, all Syrian domestic workers interviewed for this case study expressed that they have no relation to their embassy or government and that their country of origin plays no role in their lives in terms of support or assistance (LB-M-11; LB-M-12; LB-M-13; LB-M-14; LB-M-15; LB-M-16; LB-M-17; LB-M-18; LB-M-19; LB-M-20; LB-FG-01). In such cases, the lack of strong representation in the country could be negatively compounded in an acute humanitarian crisis situation, where an embassy would be needed for issuance of identity documents, laissez-passers, and liaising evacuations of their own nationals with the Lebanese government or other representations in the country.

For both Lebanese and country of origin authorities interviewed, some cited a "lack of will" (LB-A-07) as the most important challenge to improving the situation of MDWs in Lebanon – both in society in general, and on the part of government officials (both Lebanese and countries of origin):

"Even though there is much burden, I think it's not beyond the capacity of both governments, but what matters is the willingness to regulate it." (LB-A-06)

"Legislative needs are great and the work of Parliament is low...legislation is not high on the priorities of parliament members, as the public and the media place little value on it." (LB-A-05)

Several interviewees also cited a lack of resources (both financial and human) as a hindrance to Lebanese and countries of origin authorities' work and responses to MDWs (LB-A-06; LB-A-11; LB-E-01). One expert also noted that corruption is an important hindrance to both accessing support and building trust between official representation and MDWs: "there is a lot of corruption. We hear this from migrant domestic workers themselves" (LB-E-01).¹⁶²

Finally, country of origin authorities also highlighted the challenge they have in reaching out to MDWs, especially those who are irregular and thus perhaps distrustful of state authorities, as well as 'live-in' domestic workers who may not regularly (or ever) leave their employer's home (LB-A-06; LB-A-10; LB-A-14).

¹⁶² There is also reference to corruption in Moukarbel, N. (2009).

6. Policy Learning

First, this section summarises the lessons learned by institutional stakeholders from their experiences in responding to migrants caught in a crisis – whether the 2006 war, or the ‘everyday’ crises MDWs experience more acutely. Secondly, this section also highlights other relevant changes that have occurred in Lebanon since 2006, that are not linked directly to the crisis but that have an impact on MDWs nonetheless.

6.1. Lessons from Institutional Stakeholders

As confirmed by Caritas, the 2006 crisis helped in devising their own evacuation plan that can be employed in future crises as they arise. As noted by Caritas,

“we worked with the Lebanese government on an evacuation plan. We used it back then and it was quite efficient. If anything were to happen again, hopefully we can follow this plan again.” (LB-C-09)

However, for government stakeholders, in terms of preparation for responding to migrants in a similar crisis situation, in the words of the GS interviewee: “nothing has changed” (LB-A-01). Indeed, GS pointed out that the situation would be much more complicated, as evacuation via Syria (which was heavily used in the 2006 situation) is no longer an option due to the ongoing conflict there: “If it happens again, it would be more difficult” (LB-A-01). Indeed, although their responses during the 2006 crisis did demonstrate a certain amount of flexibility, the majority of interviews conducted with government (Lebanese and country of origin) stakeholders explicitly stated that they have not observed any particular policy lessons or changes as a result of the 2006 crisis.

However, as mentioned in the section ‘Role of States’, the 2006 crisis led in part to the development of a national disaster response plan (National Response Framework for Disaster Management). The NRF establishes contingency plans across the Lebanese government authorities for responses in times of crisis, although they do not take specific note of migrants in the plan.

Thus for government stakeholders the amount of policy learning from the 2006 crisis in terms of responding to migrants caught in a crisis situation has been quite minimal. The primary development in terms of policies and programmes focusing on migrants has been framed rather as a reflection on societal changes in mind-set and approach to MDWs, as well as economic necessity, as expressed also by government officials themselves:

“There are more and more awareness-raising campaigns, and more people are aware that these migrant domestic workers are human beings and need to be respected even if they are not covered by the labour law.” (LB-A-07)

In the words of the Ministry of Interior interview, improvements in the situation of domestic workers is “not a result of the society becoming more open, but rather the economic situation pushes it... It’s becoming something you need to live with” (LB-A-02).

The 2006 crisis also directly and indirectly positively contributed to advancing responses to the ‘everyday crises’ of MDWs in Lebanon. As mentioned previously, for MDWs, the 2006 crisis galvanised them as a community. It led them to organise themselves into informal communities to lobby for their own rights. CSOs since 2006 (although not always as a direct result of the crisis) have included MDW issues within their portfolios or new organisations have been established. While this is not a ‘policy lesson’ per se, the consequences of this can be seen in the increased legal and political advocacy by CSOs in general and migrant associations more specifically, including the establishment of the Domestic Workers Union (although still not officially recognised). In fact the MCC noted that the union actually began through informal meetings of domestic workers (LB-C-02).

The formal rejection of the Domestic Workers Union as an official union by the Lebanese government has also led to certain lessons being taken up by various stakeholders who were involved in its establishment. In particular, stakeholders have recognised the need to coordinate approach, steps

and coordination among relevant actors (migrant associations, trade unions, local and international CSOs, ILO), and to clarify more carefully the legal steps required beforehand (LB-C-08; LB-A-10).

There are also several examples of government work addressing the root causes of MDW's 'everyday crises'. For example, the Steering Committee's renewed work on improving the unified contract and the notary public's pending translations of it, as well as the interest of the Ministry of Labour and the recommendation of the Human Rights Committee of Parliament in finding an alternative to the *kafala* system. These highlight the higher priority these issues have taken in recent years, although they have not been linked to the 2006 crisis.

For country of origin authorities, there also seems to be minimal learning from the 2006 crisis, in part also due to diplomatic staff turnover.¹⁶³ However, there has been policy learning to a certain extent on the effects of the emigration bans by countries of origin for migration to Lebanon, which were originally implemented in response to the security situation of the 2006 crisis. In the meantime, some countries have realised the counter-productivity of these bans: the interviews with the Philippines and the Ethiopian embassies noted issues related to the ban such as illegal recruitment, trafficking in persons, and insufficient pre-departure preparation (LB-A-06; LB-A-11; LB-I-02). Furthermore, in 2015, Ethiopia was reassessing its labour migration legislation, in order to improve protection of its citizens abroad, although this seems to be focused primarily on Ethiopian domestic workers in Saudi Arabia.¹⁶⁴ According to ILO, the government is currently "doing the ground work" (e.g. establishing pre-departure training programmes), with the support of ILO, to lift the ban within the next year (LB-I-02). In 2012, the Philippines overturned its ban for skilled workers (not unskilled workers), after signing a Memorandum of Understanding with Lebanon (via the Ministry of Labour) on labour cooperation, in particular to regulate recruitment and employment (LB-A-11).¹⁶⁵

6.2. Other Relevant Developments

The fieldwork has clarified that at the moment, the primary impact of the Syrian refugee crisis with regards to the domestic work sector is that it has diverted the attention of the Lebanese government, as well as civil society and international actors, from the plight of MDWs. For many of these actors, while the issues and vulnerabilities of MDWs may remain important and recognised, the large number of Syrians arriving in Lebanon and in need of support have taken a top priority. This is also in terms of funding by international donors, including for other vulnerable groups in the country:

"We don't forget [about the other issues, like MDWs], but donors forget." (LB-A-10)

"[The Syrian refugee crisis] is a big time distraction." (LB-A-02)

As noted previously, it may have also had an impact on increasing controls by Lebanese government authorities on foreigners in general, including MDWs (LB-C-04; LB-MA-06). On the other hand, two other interviewees noted that it has made more public health care centres and services available (LB-C-02; LB-M-22).

In 2015, Lebanon developed a national plan (before their national crisis response plan) in response to the number of Syrian refugees hosted in the country and a follow-up plan in 2016: the Lebanon Crisis Response Plan.¹⁶⁶ The LCRP outlines specific plans for various sectors and establishes management and coordination structures (under the leadership of the Minister of Social Affairs and the UN Resident Coordinator/Humanitarian Coordinator). Indeed, the impact of the Syrian refugee crisis on

¹⁶³ At the time of the fieldwork, no country of origin representative in Beirut had been there since 2006. In the case of the Sri Lankan embassy, the researcher was able to speak with local Lebanese staff members, who have been employed at the embassy since 2006.

¹⁶⁴ Sisay, A. (2015, June 8). Ethiopia seeks to protect migrant workers from abuse in Middle East. *The EastAfrican*. Retrieved from: <http://www.theeastafrican.co.ke/news/Ethiopia-seeks-to-protect-migrant-workers-abuse-in-Middle-East/-/2558/2744338/-/ny7jsz/-/index.html>; The Ethiopian Herald (2015, August 27). Ethiopia, Saudi Arabia to Conclude Labour Recruitment Contract. *The Ethiopian Herald*. Retrieved from: <http://allafrica.com/stories/201508270774.html>.

¹⁶⁵ Memorandum of Understanding on Labor Cooperation. *The Government of the Republic of the Philippines - The Governmnet of the Republic of Lebanon*. (2012, February 1).

¹⁶⁶ See: Government of Lebanon & the United Nations (UN) (2014).

neighbouring countries (including Lebanon), particularly on displaced Syrians themselves, has been an important subject of recent study.¹⁶⁷

The crisis has not, however, impacted regular and 'live-in' MDWs directly, but it may have indirectly impacted 'freelance' irregular MDWs, particularly those located outside Beirut: "Definitely there are Syrians going into that field [of domestic work]... but they are mostly working in the informal sector" (LB-A-08). However, alternatively, it could be that Lebanese families who previously could not afford a migrant domestic worker (as recruitment from abroad entails significant fees) are those now employing Syrian refugee domestic workers.

As concluded from interviews conducted with the Syrian refugee community, Syrian refugees are not entering the formal domestic work labour market to make profit and are not intending to stay in the market long-term. Their access to the market is merely a means of survival and in their opinion would end with the end of the conflict in Syria. As such, it can be said that their impact on the market is minor and is viewed as largely temporary.

Further research would be needed to confirm or refute these findings.

¹⁶⁷ See: Healy, C. (2015). *Targeting Vulnerabilities. The Impact of the Syrian War and Refugee Situation on Trafficking in Persons. A Study of Syria Turkey, Lebanon, Jordan and Iraq*. Vienna, AUT: International Centre for Migration Policy Development (ICMPD); Skulte-Ouaiss, J. (2015). *The Syrian Refugee Crisis: Policies of Receiving Countries and Crisis Impact on Displaced Syrians and Receiving Societies*. Conference Report. Research Gate.

7. Conclusions

Lebanon is a country caught in a tenacious cycle of crisis. Moreover, for MDWs in the country, due to the legal situation and the norms of the society, they often feel that they themselves are in a state of perpetual crisis, experiencing personal recurring or 'everyday crises' often related to their legal or socio-economic situation in the country. In this context, their situation when an acute humanitarian crisis hits – like during the 2006 war – can become exacerbated in quite extreme ways (as with MDWs locked in homes), simultaneously unveiling these extreme inequalities. It is significant though that most MDWs interviewed in this case study did not focus on the 2006 war as the crisis point, but rather on the recurring or 'everyday crises' they experience. Alternatively, this case study has demonstrated that efforts made to strengthen MDW's agency and resilience in regular times can be important measures to help them cope when a larger crisis (personal, recurring, or acute humanitarian) hits. This has indeed been recognised by MDWs themselves, through the development of their own community in the years following the 2006 crisis.

As such, the 2006 crisis was a turning point or 'wake-up call' that enabled MDWs to see that "we are on our own" (LB-MA-06). In this sense it encouraged them to come together as a community to share their experiences, raise awareness and to provide support for one another.¹⁶⁸ It also highlighted the needs of domestic workers in the country for local, regional and international CSOs, who subsequently founded to work on this issue, or developed portfolios on it. For authorities, however, this has not been the case. Rather, there have been a number of relevant initiatives and programmes addressing the needs of MDWs fairly independent of the 2006 situation, spearheaded by either individual ministries or under the auspices of the Inter-Ministerial Steering Committee on Domestic Workers. However, the political scene in Lebanon under an interim government¹⁶⁹ has stunted this policy development, for example with the draft law on domestic workers that has languished in Parliament for years. For countries of origin, they face challenges in responding to their nationals in the country, particularly those with irregular status. While the emigration bans were meant to improve the situation of their nationals abroad by discouraging migration to countries they viewed as having problematic labour laws regarding domestic workers, the actual result has been an increase in irregular migration, further undermining the protections available to their nationals. The lack of accurate information¹⁷⁰ on their nationals in Lebanon with irregular status can hinder their responses in case of a future crisis situation.¹⁷¹

As for the Syrian refugee crisis, there has not been any concrete information on the extent of the impact of the crisis on MDWs and the market for domestic work, and responses from the fieldwork have been mixed. It can be surmised, however, that to the extent Syrians are entering the domestic work sector, they are entering on a freelance basis and are more likely in regions outside of Beirut and thus would have a larger impact there. Hence, the impact on this sector has likely been negligible. However, the fact that Syrian refugees are entering a sector with documented issues related to labour and human rights violations may have important implications for their situation in the country. Further research would be required to elaborate on these related issues.

Some of the policy implications suggested by stakeholders interviewed for this case study are the following:

¹⁶⁸ Empowering migrants to help themselves, their families and their communities during and following an acute humanitarian crisis is emphasised in the MICIC 'Guidelines to protect migrants in countries experiencing conflict or natural disaster', Guideline 3. This includes also ensuring migrants' access to identity documents, public services and other resources. See: Migrants in Countries in Crisis (MICIC) Initiative (2016).

¹⁶⁹ After two years and five months this interim government ended with the election of Michel Aoun as president on 31 October 2016.

¹⁷⁰ Collecting and sharing information on migrants – in a privacy-aware way – has been highlighted by the MICIC 'Guidelines to protect migrants in countries experiencing conflict or natural disaster', Guideline 2 as an important step in improving responses to migrants during a crisis, particularly irregular migrants. See: Migrants in Countries in Crisis (MICIC) Initiative (2016).

¹⁷¹ With this in mind, a capacity building initiative has been launched in the framework of the EU-funded MICIC project aimed at improving consular contingency planning. The first activity took place in Beirut on 4-6 October 2016 and focused on developing contingency plans for consulates and embassies in Beirut for potential future crises, referencing also experience with previous ones (Libya in 2011, Lebanon in 2006). Representatives were present from: Bangladesh, Ethiopia, Indonesia, Jordan, Morocco, Pakistan, the Philippines, Somalia, Sri Lanka and Sudan. For more information on the capacity building component, see: <http://www.icmpd.org/our-work/migrants-in-countries-in-crisis/>.

- Enforcing the laws that are currently in place, as well as signing, ratifying and transposing existing international conventions. This includes those relevant provisions of the Criminal Code and the 2011 trafficking law, as well as the 2003 International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families and the ILO Domestic Workers Convention (C189).
- Improving access to justice. Implementing training programmes for law enforcement, judges, prosecutors and lawyers to ensure that MDWs can access the justice system in cases of abuse and the violation of basic rights, and have protection in case of false accusations.
- Improving the labour protections of MDWs: Ending the *kafala* system and amending the Labour Code to allow for MDWs to be recognised as workers has been a prime goal of most CSOs interviewed as well as activist MDWs, and has also been recommended by the Human Rights Parliamentary Committee. Several authority interviews also admitted the problems related to the *kafala* system, and also a certain amount of openness to finding an alternative system. Related to this system are a number of other specific issues stakeholders are working to change, that also have clear implications in times of crisis:
 - » The non-confiscation of MDW passports and guaranteeing their right to freedom of movement and mobility.
 - » Abolishment of the legal requirement that MDWs be 'released' in order to be able to move to a new employer.
 - » Applying strict safeguards (some of which are already in place) that guarantee that MDWs: receive their wages, are allowed a day off in the week, are allowed to go out in their time off, are not to be forced to work over 8 hours per day, and are provided with appropriate living space, their privacy in their living space, adequate food and health care, when and if needed.
- Improving the unified contract. Guaranteeing the 2009 unified contract is being implemented across the board and making sure that agencies, employers and MDWs understand its contents well. The contract should then be made available in both Arabic and in the native language of the MDWs and prior to departure from their countries of origin.
- Carry out or bolster pre-departure orientations to ensure MDWs are made aware of the work conditions and society to which they are being deployed, including language training.
- Amending the insurance coverage. Insurance should cover more cases for both MDWs and sponsors.
- Coordinated crisis response between all actors. Although flexibility in finding solutions on the ground immediately has also been a positive result from the 2006 crisis, such mechanisms and procedures should be established pre-crisis as much as possible, to improve protection of migrants during a crisis. This involves also establishing close links of communication between the Lebanese government stakeholders, relevant embassies or consulates, migrant associations and other civil society actors.¹⁷² Such a plan is dependent on maintaining close relations with and access to the community as well as working on sustainable venues of cooperation between all concerned associations.

¹⁷² Establishing effective communication channels among all stakeholders is also emphasised in the MICIC 'Guidelines to protect migrants in countries experiencing conflict or natural disaster', Guideline 6. Such communication channels should also take advantage of social media, religious institutions and migrants' networks to improve outreach and information dissemination during a crisis situation. See: Migrants in Countries in Crisis (MICIC) Initiative (2016).

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9. Annexes

Annex I: Information on and Pictures from Events Attended

9.1.1. Events Attended

- Panel Discussion on Migrant Domestic Workers in Lebanon, organised by the Intersectional Feminist Club at the Lebanese American University on 7 March in celebration of the International Women's Day.
- The Spring Market, an event organised by the MCC and Dammeh Cooperative to allow migrant domestic workers to sell their products and raise awareness on their situation. The event took place on 10 April.
- Panel Discussion on the Reality of Migrant Domestic Workers, organised by the American University of Beirut Policy Institute on 14 April.
- The fashion show 'Celebrating Colours 2016' organised by Insan Association in collaboration with ESMOD Beirut, supporting migrant domestic workers (and where migrant domestic workers modelled some of the designs) at Oliver's restaurant in Achrafieh, Beirut on 15 May.
- The Celebration of the Philippines 118 Anniversary of its Independence Day on 12 June held at the grounds of St. Joseph Church, Tabaris. The celebration was organised by the Philippines Embassy and the Philippines community.

9.1.2. Meeting Points Visited

- A number of visits to the Migrant Community Centre (MCC), where migrant domestic workers gather, meet and engage in advocacy and awareness raising activities. The aim from such visits was to meet migrant domestic workers and gain their trust and confidence within the community.
- A number of visits to St. Francis Church in Hamra, which has a particular mass conducted for the Philippines community in English and Tagalog.
- A visit to a telephone shop in Hamra, where a large number of migrant domestic workers from Bangladesh make phone calls to their families back home. They use the opportunity to meet others from their community.



Pictures taken at the Philippines Independence Day Festival



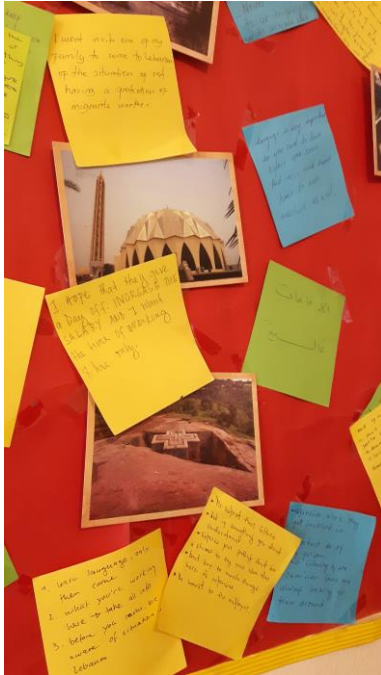
Pictures taken at the Philippines Independence Day Festival



A picture taken at the mass in St. Francis Church in Hamra. The screen projector on the left displays the words of the mass in the native language of the Philippines attendees (Tagalog).



A picture taken outside the St. Francis Church in Hamra



Notes by migrants at the MCC



Fashion show 'Celebrating Colours 2016'



LEBANON CASE STUDY

SUMMARY OF PROJECT

In 2015, the European Union (EU) launched 'Migrants in Countries in Crisis: Supporting an Evidence-based Approach for Effective and Cooperative State Action', a four-year project implemented by the International Centre for Migration Policy Development (ICMPD). This EU-funded project is a contribution to the global Migrants in Countries in Crisis (MICIC) initiative, a government-led process co-chaired by the governments of the Philippines and the United States, which shares similar goals. The project aims to improve the capacity of states and other stakeholders to assist and provide protection to migrants who find themselves in countries affected by crisis, as well as address the long-term implications of such situations. Within the project, six regional consultations with states and other relevant stakeholders have been conducted, contributing to the development of the MICIC initiative 'Guidelines to protect migrants in countries experiencing conflict or natural disaster', which provide guidance for states and other stakeholders in responding to the needs of migrants caught in crisis situations. In addition, the project also develops capacity building activities to follow up on key recommendations that have emerged over the course of the project. This report presents one case study of the Research Component of the EU-funded MICIC project, whose goal is to complement these efforts by providing policy-relevant analysis of the implications of crises for host, transit and origin countries.