

# 100 Best Practices

in the Protection of Migrant Workers





**100 Best Practices  
in the Protection of Migrant Workers**

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The Protection Project at The Johns Hopkins University  
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## Introduction

In an increasingly globalized world, challenges related to migration continue to mount. Migrant workers, including domestic workers and their families, face particular obstacles that are unique to their status as non-nationals, or in some cases, undocumented. The full enjoyment of their labor rights and their human rights are often at risk.

Stakeholders from all sectors are confronted with different issues, each of which requires carefully calculated responses to adequately promote migrants' protection. Governments around the world must balance safeguarding state security and efficiently using often limited resources with enacting and implementing legislation that promotes human rights and offers broad protection for those living and working within their national borders. Civil society plays a pivotal role in identifying vulnerable populations and providing necessary services, including education, health, social support and legal assistance which may be otherwise unavailable to migrants. And finally, the private sector is especially tasked with upholding labor standards devoid of exploitation and ensuring that migrants are aware of and able to exercise their labor rights. Maintaining a supply-chain which also reflects these standards is critical.

The Protection Project encourages the dissemination of information which outlines effective ways in which governments and civil society including private sector work to further the human rights of vulnerable groups, especially migrants. This publication is intended to serve as a guide of promising practices from which any relevant stakeholder may extrapolate concepts and methodologies that can then be formatted to best suit the needs of the migrant populations being served.

Furthermore, this publication is to provide a range of information for the general public to internalize and use in the promotion of human rights. It also attempts to show an array of approaches to facilitating safer migration, promoting more protective labor policies and procedures and designing innovative programs to reach the most marginalized of migrant workers.

The publication is divided into seven regional sections: Middle East and North Africa; Central and Sub-Saharan Africa; South East Asia, South Asia and the Pacific; Central and East Asia; Europe and Eurasia; Central and South America; and North America.

This publication is the second volume in a series of 100 Best Practices. The first volume covers 100 Best Practices in Combating Trafficking in Persons, focusing on the role of civil society.



## Acknowledgements

The Protection Project supports the efforts undertaken by governments and civil society, which includes academic institutions, religious establishments, non-governmental organizations, media and corporations to address violations of the rights of migrant workers.

This publication, which features 100 Best Practices in the Protection of Migrant Workers, is intended to serve as an educational tool to inform and perhaps serve as a guide for the implementation of practices which combat instances of exploitation and abuse of the migrant population.

I would like to thank Jennifer Litvak, my Human Rights Education Specialist, who supervised, edited and helped prepare this publication.

I would also like to thank the students in my Spring 2013 class on International Trafficking in Persons at The John Hopkins University (SAIS), Stephanie Bennett, Byron Boneparth, Ronit Gudes, Veronica Ko, Karis Painter, Cynthia Nyakeri and Wenxia Tang for drafting this publication.

I hope you find the 100 Best Practices in the Protection of Migrant Workers helpful and informative.

—Mohamed Mattar

A handwritten signature in black ink, appearing to read 'Mohamed Mattar', with a horizontal line above the first few letters.

Executive Director



# **Part I: Middle East and North Africa**

# 1. Providing educational, social and legal services for migrant workers

## Insan Association

Insan Association is an independent, non-profit human rights organization offering assistance to vulnerable populations in Lebanon, particularly migrant workers and domestic workers. The organization supports a range of educational, psychological, social and legal services for those whose needs are unmet, including both adults and children.

Within its education program, Insan provides schooling for children who are unable to participate in the Lebanese schooling system and aims to prepare them to integrate in the mainstream system. The organization offers English language courses to migrants and refugees, and also runs a home for migrant children complete with recreational activities, basic education in literacy and life skills and a library.

Insan Association's protection efforts include a wide scheme of services within the frameworks of psychological, social and legal support. Insan's social workers conduct regular home visits to identify vulnerable families in the community and to target specialized services needed. Counseling with certified psychologists is available in addition to group sessions, both of which aim to help attendees develop coping mechanisms and strategies to improve their emotional well-being.

In partnership with four other Lebanese non-governmental organizations, Insan launched a TV and radio campaign to raise awareness of the negative consequences of the Lebanese sponsorship program for migrant workers, also known as *kafala*. The campaign calls for the abolishment of the sponsorship system while adopting a framework that guarantees migrant workers their universal labor rights.

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Source:

<http://www.insanassociation.org/en/>

## 2. Raising awareness through online social media

### Migrant Rights

Migrant Rights is an activist website that aims to increase knowledge about the plight of migrant workers in the Middle East. It was formed by the ‘Mideast Youth’ organization, an online network formed in Bahrain which creates web platforms that amplify diversity and voices for change throughout the Middle East. Migrant Rights also serves as an online social action platform that aims to document the challenges faced by migrant workers in the Middle East and encourages exposing the abuse of workers’ basic human rights.

The website provides contact information for migrant workers about organizations in the Middle East that are involved in migrants’ rights issues in the region. Moreover, the website collects and periodically updates collection of videos describing migrant human rights violations. Through social media action on Facebook and Twitter, the organization helps connect migrant workers in need, such as migrant workers seeking shelter, or helping to connect an Arabic-English translator for a migrant worker undergoing legal procedures to claim his rights.

The organization’s social platform on Facebook currently has over 3,000 participants. The platform regularly posts policy studies, research papers and news regarding the latest developments in the field of migrant rights and rights violations.

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*Sources:*

<http://www.migrant-rights.org>

<http://www.mideastyouth.com/>

## 3. Empowering women and children through legal reform and lobbying efforts

### KAFA (Enough Violence and Exploitation)

KAFA Enough Violence and Exploitation is a non-governmental organization dedicated to the advancement of the human rights of women and children.

Established in Lebanon in 2005 by multi-disciplinary professionals and human rights activists, the organization's fields of action include violence against women, child sexual abuse, the exploitation and trafficking of women and girls and socio-legal counseling. These issue areas are addressed through lobbying efforts, research and publications, and training and awareness-raising activities. KAFA regularly organizes national campaigns to raise awareness, such as the 'Stop the Exploitation of Migrant Domestic Workers' launched in 2010.

The project was designed to build support against violence and exploitation of migrant domestic workers.

KAFA's approach to furthering the rights of migrant domestic workers includes:

- Advocacy and awareness efforts, which include holding workshops with stakeholders and organizing outreach campaigns with the national media
- Advocacy campaigns calling for an alternative to the current sponsorship system (*kafala*)
- Outreach and information sharing through newsletters and community meetings in which information about the rights and services available to the migrant domestic workers are distributed
- Direct support: Legal, social and psychological counseling by local KAFA staff

The organization provides detailed informational videos in various languages complete with potential warning signs of exploitative employment and advice to migrant domestic workers who are coming to work in Lebanon. Lastly, the organization publishes a monthly newsletter that provides information regarding services available to migrant workers, as well as a forum for workers to share their experiences of working in Lebanon.

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Source:

<http://www.kafa.org.lb>



## 4. Supporting migrant workers through special government agencies

### Migrant Workers Protection Agency

The Migrant Workers Protection Agency (MWPS) was established in 2005 under the Ministry of Social Development in Bahrain. MWPS is one of the sole governmental agencies in the region that works directly with its migrant community. The Agency helps educate and guide migrant workers through an understanding of their rights and responsibilities. It raises awareness about the abuse and exploitation facing migrant workers and stresses the community's role in addressing the persistence of abuse.

The Migrant Workers Protection Agency lobbies government authorities and institutions on behalf of workers' rights.

The agency provides support for victims of abuse or exploitation through:

- Providing temporary accommodation in shelter (for female workers only), as well as arranging medical treatment and legal services. The organization helps provide food and clothing in addition to financing visa fees and airline tickets for repatriation. To date, the agency has provided shelter for more than 1,000 women since its establishment in 2005.
- Providing migrant workers with translators and volunteer guidance related to their cases. Such guidance involves frequent visits to police stations, embassies, hospitals and courts.
- Providing media coverage on exploitation cases and establishing public awareness campaigns.

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*Source:*

<http://www.mwpsbahrain.com/>

## 5. Providing consultation and legal aid to migrant workers

### Kav LaOved

Kav LaOved is a non-profit organization that provides consultation and legal aid to migrant workers in Israel. Since its establishment in 1991, the organization has helped migrant workers, Palestinian workers, refugees, asylum seekers and victims of trafficking to realize their rights.

The organization focuses on the following areas:

- **Individual assistance:** Kav LaOved provides advice and legal representation for disadvantaged workers. Legal aid includes assistance on matters of labor laws, tax laws, national insurance issues, legal status in Israel, and assistance in receiving work permits
- **Public advocacy:** Kav LaOved files petitions to courts, drafts bills, and works vis-à-vis the Knesset (Israel's parliament), government offices and the media to increase exposure to this issue. Together with other stakeholders, the organization strives to amend laws and regulations and to introduce improvements in law-enforcement agencies.
- **Education and advocacy:** By issuing mini-notebooks that list basic rights in a number of languages, Kav LaOved engages directly with the community. Their content is regularly published online and in various types of publications. Workshops for workers as well as public lectures are organized.
- **Civic enforcement:** Kav LaOved encourages working to protect worker rights through activating the enforcement mechanisms of authorities, rather than turning to courts. Such mechanisms include exposing employers who violate workers' rights and discouraging consumers from associating with such companies or employers.

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*Source:*

[www.kavloved.org.il/](http://www.kavloved.org.il/)

## 6. Providing legal aid, consultation and training to promote migrants' rights

### Tamkeen

Tamkeen is a non-governmental organization based in Amman, Jordan which aims to encourage adherence to human rights and fundamental freedoms for vulnerable groups in society, such as migrant workers and their children.

The 'Tamkeen Program for Legal Aid and Human Rights' works for the protection and promotion of human rights. Through volunteering lawyers and activists, the program provides legal services and consultations, human rights education, advocacy and training programs, research and analytic studies, media campaigns, and creates awareness activities. Legal services provided by the organization include hearing and documentation services, legal aid, court representation, individual consulting, and referrals for psychological and medical help and out of court services such as arbitration and mediation services.

Through its 'Migrant Workers Program', Tamkeen collects testimonies of migrant workers' labor violations and provides protection and prosecution services to facilitate their access to justice. Moreover, through its website, the organization provides useful information regarding the rights and obligations of migrant workers and where to seek help if such rights are violated.

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*Source:*

[www.tamkeen-jo.org](http://www.tamkeen-jo.org)

## 7. Facilitating social initiatives for the integration of migrant workers

### **Migrant Workers Task Force**

Migrant Workers Task Force (MWTF) is a grassroots volunteer organization that champions for the improved treatment and social advancement of the migrant worker community in Lebanon.

Through local initiatives conducted in collaboration with various organizations focused on migrant worker issues, the Migrant Workers Task Force aims to provide a space for Lebanon's migrant worker communities to develop professionally.

At its three centers, MWTF provides professional services such as Arabic, English and French language classes, computer classes, cooking lessons, health awareness information, and also provides regular health check-ups.

Additionally, the organization provides opportunities for migrant workers to earn an additional income by connecting them with professional chefs at catered events and promotes interaction between diverse communities through a variety of themed activity days. The most recent 'Community Day' showcased photo essays of migrant workers through which they were able to convey their daily lives. Moreover, a series of info graphics visualizing migrant worker's rights and issues were displayed.

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*Source:*

[www.mwtaskforce.wordpress.com/about-2/](http://www.mwtaskforce.wordpress.com/about-2/)

## 8. Improving labor law coverage for domestic workers

### Government of Jordan

In 2009, Jordan became the first Arab country to amend its labor code to provide protections for domestic workers. Legislative initiatives provide an important stepping stone toward protecting the rights of domestic workers, as they clarify codified rights and entitlements. Tough enforcement mechanisms enhance the accountability of recruiters and employers according to their statutory and contractual obligations to domestic workers.

The revised Labor Code now includes No. 90 which provides regulations specific to protect domestic workers, cooks, gardeners and similar workers. Earlier, the Government adopted a uniform standard working contract for migrant domestic workers.

The contract includes:

- Provisions for employers to bear workers' travel costs
- Work and residence permits
- Life and accident insurance
- Suitable accommodation and meals
- Clothing and medical care
- A monthly salary with payment records kept by both parties
- No restrictions on workers' communications and correspondence
- A bonus equivalent to 15 days wages at the end of a 2 year contract

To give effect to the legislation, information was disseminated to raise employer and worker awareness on these protections and the consequences of violations. Complaint mechanisms have been established to further enforce these initiatives.

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*Source:*

[http://www.ituc-csi.org/IMG/pdf/unwomen\\_iutc\\_factsheets.pdf](http://www.ituc-csi.org/IMG/pdf/unwomen_iutc_factsheets.pdf)

## 9. Using MOUs to strengthen bilateral commitment to ethical labor standards

### Government of Kuwait and the Government of the Philippines

On March 23<sup>rd</sup>, 2012, Kuwait and the Philippines signed a Memorandum of Understanding (MOU) to strengthen bilateral cooperation in response to increasing labor and economic exchange between the two countries.

The accord between the two countries affirmed a number of provisions in the context of domestic migrant workers:

- Recruitment and employment of workers shall be in accordance with existing laws and procedures between the two countries
- The basic conditions of employment and the rights and duties of both the employer and the employee shall be specified in the contract of employment in accordance with the relevant laws and regulations
- The employment contract must be written in Arabic and English
- The employer in the host country shall issue the work permit along with a copy of the employment contract within two months of the arrival of the foreign worker to the country
- Any dispute between the employer and the worker arising out of the interpretation or implementation of the employment contract shall be settled by consultation or negotiation. The worker will have the right to utilize labor and criminal courts on such matters

The memorandum marks an important step in specifying migrant domestic workers rights and obligations to protect those rights while promoting the welfare of workers in accordance to existing laws and regulations. Lastly, it builds a stepping stone from which both countries can build closer economic cooperation.

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*Source:*

<http://www.gov.ph/2012/03/27/philippines-kuwait-sign-accord-strengthening-bilateral-labor-cooperation-workers-welfare/>

## 10. Training law students on migrants' rights

### The Clinic for Migrants' Rights

The Clinic for Migrants' Rights, a legal clinic founded at The College of Law & Business in Israel, allows law students to have the opportunity to learn from and engage clients during the many stages of the migration process. At the Clinic, migrant workers, asylum seekers and their children have access to counseling and legal representation.

Through their work, students are able to take part in preparing petitions to the Supreme Court and in supporting administrative appeals. From the policy perspective, students regularly participate in policy design activities, including writing policy memos and attending migrant committee meetings in the Knesset, Israel's legislative branch. Working in the Clinic also involves cooperation with international organizations such as The UN Refugee Agency (UNHCR) and other international human rights organizations.

In March 2012, The Clinic for Migrants' Rights requested to join an appeal to the Supreme Court by representing A.S.A.F. (Aid Organization for Refugees and Asylum Seekers), an Israeli aid organization for asylum seekers.

Through The Clinic for Migrants' Rights, law students become familiar with migrants' labor rights and needs and their vulnerable environment while having an opportunity to gain practical training in this field.

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*Source:*

<http://www.clb.ac.il/immigration>

# 11. Promoting regional capacities to combat trafficking

## **The Arab Initiative for Building National Capacities for Combating Human Trafficking**

Initiated in 2010 at the Doha Foundation Forum, the Arab Initiative for Building National Capacities to Combat Human Trafficking strives to enhance national capacities to address human trafficking by encouraging the formation of national, sub-regional and regional networks.

The State of Qatar has formally sponsored the Arab Initiative, which has partnered with the Qatar Foundation for Combating Human Trafficking, the League of Arab States and the United Nations Office on Drugs and Crime (UNODC) to capitalize upon and share best practices, thereby enhancing regional capacity to combat human trafficking and increasing national capabilities to address this phenomenon.

During the Second Doha Forum held in January 2012, the Initiative presented the launch of capacity building programs based on national training needs and specific country considerations. The Initiative is instrumental in raising awareness, providing education and promoting legislation to combat human trafficking, while serving as a platform to form coalitions national and regional levels.

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*Source:*

<http://qatarfcht.com/en/index.php/intro/intro>



## 12. Utilizing public campaign ads to galvanize support for anti-violence legislation

### The King Khalid Foundation

Approved on August 26, 2013, the “Protection from Abuse” law passed in Saudi Arabia following a successful nationwide anti-violence campaign launched by local charity, the King Khalid Foundation. Perpetrators of violence against women, including domestic workers, may now be found guilty of committing psychological or physical abuse with prison sentences of up to one year and fines as high as \$13,300.

The legislation has been championed by international and Saudi human rights activists as an important step in protecting domestic workers in the Kingdom. The campaign, launched in April 2013, featured a veiled woman with one eye blackened and was circulated widely among social media.

Given the strict application of Islamic law in Saudi Arabia, the “Protection from Abuse” law allows those who report abuse the right to remain anonymous in addition to guaranteeing immunity from litigation in the event that the abuse fails to be proven in court. Witnesses to the abuse are also able to report while maintaining anonymity. Previously, women were required to bring a male relative to file police reports. This is no longer required under the new legislation, representing a milestone for the rights of women and domestic workers.

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*Source:*

<http://www.aljazeera.com/news/middleeast/2013/08/20138290272119559.html>

## 13. Creating e-learning courses to reduce workers' risk of exploitation

### Microsoft

Following participation in an International Business Forum entitled, “Engaging Business: Addressing Human Trafficking in Labor Sourcing”, Microsoft partnered with the UN Global Initiative Against Human Trafficking and the advocacy group End Human Trafficking Now to design and implement an e-learning course with modules that address sectors and industries specific to the Middle East.

Participation in the e-learning course allows companies to look at their labor practices and the practices of their suppliers to ensure that not only basic steps are taken to ensure supply chains do not exploit migrant labor through forced labor, but that sector-specific risks are addressed as well.

The electronic resource is a simple user-friendly course designed specifically for both employers and employees. Through the learning portal, companies can better understand why exploitation of labor is a risk to their business and areas within their supply chain that may represent particular risk. The e-learning course was launched in December 2010.

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*Source:*

<http://www.microsoft.com/middleeast/humantrafficking/>

## **Part II: Central and Sub-Saharan Africa**

## 14. Providing affordable health care for domestic workers

### DomestiCare

Launched in February 2013, DomestiCare is a private, affordable healthcare option for South African domestic workers jointly run by Occupational Care South Africa (OCSA) and CareCross Health, two of the largest healthcare companies in South Africa. DomestiCare is an occupational health solution offered through the private medical practitioners of the CareCross Health Group, the largest national network of general practitioners, radiologists and pathologists who jointly believe in providing affordable healthcare for all.

DomestiCare has been designed for domestic workers in South Africa to help keep employees, for whom private healthcare was previously unavailable, healthy and working. Services are available for all domestic workers employed in a private household.

At minimal cost to the employer, the insurance is designed so that employers are able to provide their employees with occupational and private primary health care. Although it does not include coverage for chronic medicine or hospitalization, private primary health care includes general practitioner consultations, medicines, X-rays and blood tests. At a modest additional cost, employers can purchase DomestiCare Plus, which offers their employees basic optometry and dentistry benefits through the CareCross network after required waiting periods.

DomestiCare asserts that in addition to the immediate benefits of providing primary medical care to domestic workers, there are long-term benefits for the broader economy. Keeping the country's workforce healthy can dramatically reduce absenteeism and employee turnover, increase employee loyalty, improve productivity and increase employer satisfaction.

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*Source:*

<http://www.domesticare.co.za/>

## 15. Extending social security coverage to migrant workers and their families

### The MIGSEC Project

Since 2001, the International Labour Organization (ILO) has affirmed the necessity of extending social security coverage to all, particularly vulnerable populations including migrant workers and their families. However, migrant workers are often unable to obtain social security coverage due to staccato periods of residence and employment.

In an effort to ensure coverage for migrant workers and their families, the ILO Regional Office for Africa in cooperation with the ILO International Migration Programme and the Social Security Department in Geneva developed the MIGSEC Project, “Strategies for extending social security to migrant workers and their families from and within Africa”.

Funded by the Government of Germany, the MIGSEC Project covers Burundi, Ethiopia, Ghana, Kenya, Mali, Mauritania, Mauritius, Rwanda, Senegal, Tanzania, Uganda, Zambia and South Africa. The Project’s focus areas include:

- Amalgamating data regarding African migrant workers’ ability to access social security and innovative strategies to extend it
- Enhancing the institutional capacity of departments and organizations tasked with identifying, designing and implementing social security coverage strategies for migrant workers
- Developing operational capacity to adequately extend social security coverage to migrant workers and their families

Within the capacity of the MIGSEC Project, the ILO is also working with the Gates Foundation to develop the Micro Insurance Innovation Facility. The Micro Insurance Innovation Facility considers the sustainability of extending social security coverage through health micro insurance financed by remittances. A study is currently underway, with successful results expecting to catalyse a pilot program for enacting a micro-health insurance initiative.

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*Source:*

<http://www.africa-eu-partnership.org/fr/node/7062>

## 16. Researching options for empowering and protecting domestic workers

### The Domestic Workers Research Project

In January 2009, the Social Law Project at the University of the Western Cape launched the Domestic Workers Research Project (DWRP), a longitudinal inquiry into the best options for empowering and protecting domestic workers based on the recognition of their substantial role in the national economy.

*FNV Mondiaal*, an organization of unions based in the Netherlands, worked in partnership with the domestic workers trade union and other key stakeholders to support this project. *FNV Mondiaal* is part of the FNV trade union confederation, supporting projects in over 100 countries located in Africa, Asia, Latin America and Eastern Europe.

The Domestic Workers Research Project focuses on key challenges surrounding worker protection and the regulation of domestic employment process with presentations which consider:

- Advancing domestic workers' rights in a context of transformative constitutionalism
- Organizing and bargaining for the realization of the rights of domestic workers
- Migration and domestic work
- Building a culture of compliance

DWRP is also extremely vocal in supporting the promotion of ILO Convention No. 189 on *Decent Work for Domestic Workers* and champions for the incorporation of international best practices into national law and policies.

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Source:

<http://www.dwrp.org.za/index.php/about/the-project>

## 17. Educating children and mobilizing actors to improve and expand education infrastructures

### **Kenya Union of Domestic, Hotel, Educational Institutions, Hospitals, and Allied Workers**

The Kenya Union of Domestic, Hotel, Educational Institutions, Hospitals, and Allied Workers (KUDHEIHA) works closely with the Kenyan Ministry of Justice and Constitutional Affairs and children's rights NGOs to raise awareness on the issue of child domestic labor, with particular focus on the worst forms of child domestic labor.

In May 2013, KUDHEIHA's advocacy efforts calling for a review of the national Employment Act were met with a ruling by the nation's high court which effectively added domestic workers to groups protected by the Kenyan employment law. KUDHEIHA celebrated the ruling and is now encouraging the Government to ratify ILO Convention No. 189 on *Decent Work for Domestic Workers*.

In addition to championing legal reform, KUDHEIHA has removed over 800 girls and 700 boys from the informal sector and enrolled them in primary schools and/or in vocational schools. After assessing the older former child domestic workers, who may feel uncomfortable in a primary school setting, KUDHEIHA introduced a program that afford older children the opportunity to attend vocational and life skills training centers.

Other areas of focus include:

- Building the capacity of union officials' members and other key stakeholders
- Training branch officials on recognizing and dealing with child domestic labor in the context of the existing legislations and policy framework
- Awareness raising and social mobilization efforts led by KUDHEIHA officials, its members, Child Labor Committee members and other stakeholders.

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Source:

<http://circle.winrock.org/ngo/ke/KUDHEDHAW.cfm>

## 18. Working to defend domestic workers and fight against domestic child labor

### Conservation, Hotels, Domestic and Allied Workers Union

In Tanzania, the Conservation, Hotels, Domestic and Allied Workers' Union (CHODAWU) is instrumental in the fight against domestic child labor. Working in defense of domestic workers, the organization has five help centers in Dar es Salaam, the capital, which is the main destination of domestic workers from the rest of the country. Two additional centers have been established in regions estimated to be the areas from which many local domestic workers originate.

The CHODAWU centers' primary objective is to assist domestic workers who may have few other options, with a special focus on child domestic workers and an average intake of close to 4000 children per year. The staff at the centers includes teachers, nurses and counselors who provide advice and training.

Each center also provides counseling. Younger children are encouraged to re-enter mainstream education and older children are provided with training courses, which are organized in conjunction with specialized institutions such as driving schools, hotel management schools, and other trade schools to connect domestic workers with suitable employers. CHODAWU has organized child labor committees in local villages to help identify cases of exploitative labor, coordinate the withdrawal of children from exploitative situations and initiate legal action against employers when necessary.

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#### Sources:

<http://www.ituc-csi.org/spotlight-interview-with-titus,4118.html?lang=en>

[http://www.hrw.org/sites/default/files/related\\_material/HRW\\_ILO\\_brochure\\_lores.pdf](http://www.hrw.org/sites/default/files/related_material/HRW_ILO_brochure_lores.pdf)



## 19. Organizing domestic workers to defend their rights

### National Association Supporting Domestic Workers

Founded in 2004 by Félicité Mbida, a former domestic worker, The National Association Supporting Domestic Workers (RENATRAD in French) promotes the rights of domestic workers in Cameroon. Domestic workers represent approximately 3 percent of total workers in Cameroon, of which 80 percent are women.

RENATRAD provides training on the domestic workers' rights, salaries, contracts, and social security regulation. Through RENATRAD's efforts, domestic workers in Cameroon feel that they are able to negotiate their work contract with their employers, discuss their working hours and understand the benefits of social security through joining the National Social Security Service (CNPS in French).

RENATRAD contributed to the implementation of a national network on domestic employment regulated by the organization's Technical Monitoring Committee (CTS in French), as well as the preparation of draft legislation on domestic employment that is now under consideration with the Government.

As a result of their advocacy efforts, RENATRAD expects Cameroon will soon ratify ILO Convention No. 189 on *Decent Work for Domestic Workers*.

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Source:

<http://www.unwomen.org/2012/11/exploited-domestic-workers-in-cameroon-organize-themselves-to-defend-their-rights/>

## 20. Using the union to empower domestic workers and enlighten employers

### South African Domestic Service and Allied Workers Union

The South African Domestic Service and Allied Workers Union (SADSAWU) was founded by Myrtle Witbooi, a long-time advocate for domestic workers' rights, and Hester Stephens, a full-time domestic worker. Based out of the Salt River Community House in Cape Town, SADSAWU has over 25,000 members who are mostly women.

SADSAWU engages with parliamentary officials to discuss living and working conditions for South African domestic workers. The South African Domestic Service and Allied Workers Union was instrumental in the development of legislation guaranteeing a minimum wage and fair working conditions for domestic workers. Protections were written into the labor law itself, such as the minimum wage regulations, and SADSAWU helped draft a model contract.

Advocacy efforts are central to the work of SADSAWU. Key ongoing campaigns include:

- Preventing exploitation by recruitment agencies
- Living wage campaigns
- Health Act Campaign (Workers Compensation Act)
- Preventing sexual harassment at work

Partnering with the Government, SADSAWU offers skills development training for domestic workers with wide-scale government programs reaching tens of thousands of workers, benefiting both workers and employers. Other major successes include a role in designing unemployment insurance, a dispute resolution system and a protective mechanism which provides some income to the domestic worker when he/she is out of work or pregnant.

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*Source:*

<http://www.sadsawu.com/>

## 21. Promoting the regulation of domestic work

### The Leadership and Advocacy for Women in Africa, Ghana

The Leadership and Advocacy for Women in Africa, Ghana Alumnae Incorporated (LAWA-Ghana) works to ensure that the rights of domestic workers are recognized and respected. The organizational objectives are:

- To identify problems with the employment of domestic workers and to advocate for the formalization of the employment relationships between domestic workers and their employers
- To sensitize both employers and domestic workers about their respective rights and responsibilities
- To equip domestic workers with skills to advocate for the improvement of their rights
- To encourage professionalism in the employment of domestic workers
- To reach consensus on the guidelines for the employment of domestic workers

In 2003, LAWA-Ghana partnered with law students from Ghana and the United States to identify the trends and problems involved in the employment of domestic workers, focusing on the gendered nature of domestic work and labor rights issues. As a result of the findings, several recommendations were made including the need for legal reform and advocacy. Based on the analyses, LAWA-Ghana undertook programs to raise awareness and build consensus on draft labor regulations and met with policy-makers for a drafting workshop and capacity-building trainings.

LAWA-Ghana works with employment agencies to develop formal contracts for use in the placement of domestic workers. In collaboration with the Multidisciplinary African Women's Health Network, LAWA-Ghana is developing a training manual encouraging proper response for medical personnel when responding to reports of domestic violence. It is also working in conjunction with Virginia State University on a report addressing, "Combating Human Trafficking and Protecting Children from Abuses through Domestic Servitude in Ghana."

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*Sources:*

[http://www.ilo.org/wcmsp5/groups/public/---ed\\_protect/---protrav/--ravail/documents/publication/wcms\\_145332.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/--ravail/documents/publication/wcms_145332.pdf)

<http://www.modernghana.com/news/451271/1/lawa-ghana-observes-international-womens-day.html>

## 22. Tackling exploitative practices and violations of children's rights

### World Association for Orphans (WAO) – Afrique

Originally the African branch of the WAO (World Association for Orphans), WAO-Afrique became autonomous in 1990 and tackles various issues of social justice with a current focus on removing children from exploitative situations and assisting in their rehabilitation and reintegration.

Since 1996, WAO-Afrique has acted as the facilitator in the sub-region, particularly within the coordination of actions and initiatives pertaining to child domestic workers. Exploitative practices and rights violations have been examined in partnership with the International Council of the Global Campaign for Education and End Child Prostitution and Child Pornography and Trafficking (ECPAT) International.

WAO-Afrique enhances the capacity of children's rights NGOs by promoting education on children's rights, conducting studies on violations of children's rights and engaging civil society in its range of expressions in the fight against the exploitation of children.

Through public awareness campaigns, lobbying efforts and trainings, WAO-Afrique works to increase the public's knowledge about child domestic workers. Key initiatives concentrate on strengthening child protection legislation and ensuring its effective application.

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Source:

<http://waoenglish.wordpress.com/>

## 23. Using surveys to ignite activism of domestic workers

### **The Niger Confederation of Labour and the Christian Workers Movement**

In southwestern Niger, the Niger Confederation of Labour (CNT) and the Christian Workers Movement (MTC) initiated a first-of-its-kind survey to examine the working and living conditions of domestic workers in the country. Over 400 domestic workers participated in the survey. The survey results overwhelmingly indicated that the country's labor legislation and protection acts were too general in nature to properly apply to domestic workers.

The survey catalyzed action, with both organizations taking part in televised debates, first in December 2008 and again in May 2009, on the plight of domestic workers. In turn, these public awareness campaigns led to the establishment of a domestic workers union, called the Syndicat National des Travailleurs de Maison (SYNTRAMAN).

SYNTRAMAN works closely with CNT to provide legal counseling for domestic workers and assists in drafting domestic workers' contracts with clearly defined rights and responsibilities. Despite the harsh reality illustrated by many domestic workers' testimonials, SYNTRAMAN often chooses to highlight the valuable contribution of these workers to the national economy and promotes the harmonization of international agreements and protections into domestic legislation.

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*Source:*

[http://www.idwn.info/sites/default/files/attachments/Thematic\\_report\\_Respect\\_rights\\_recognition-EN.pdf](http://www.idwn.info/sites/default/files/attachments/Thematic_report_Respect_rights_recognition-EN.pdf)

## 24. Protecting the rights of vulnerable urban girls

### The Biruh Tesfa “Bright Future” Project

Implemented by the Bureaus of Youth and Sports, Biruh Tesfa, (*bright future* in Amharic) is a project underway in various regions throughout Ethiopia. The Population Council provided technical assistance and conducted the evaluation of the pilot project in the Mercado area of Addis Ababa.

Biruh Tesfa assists out-of-school adolescent girls between the ages of 10 and 19 by creating a safe space where they can meet friends, create a support network, learn basic literacy and life skills and gain access to information about HIV, reproductive health, and gender-based violence. These girls include rural-to-urban migrants, domestic workers and orphans.

This project connects the girls with educated adult female mentors who are respected members of the community and are trained using a curriculum that includes literacy and numeracy training tailored for different age groups, as well as broader life skills and HIV/AIDS and reproductive health education. The program also issues a photo identification (ID) card to all participating girls, which for many girls may be the only form of identification they have.

Over 55,000 girls have participated in Biruh Tesfa in the poorest areas of 17 cities in Ethiopia, of which two-thirds are child domestic workers or daily manual labor workers. A recent evaluation of the program found that girls in the Biruh Tesfa project sites were more than twice as likely to report having social support compared to girls in a comparison area where Biruh Tesfa was not implemented. They were also twice as likely to know where to obtain voluntary counseling and testing on HIV and to want to be tested.

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Source:

[http://www.popcouncil.org/pdfs/TABriefs/21\\_BiruhTesfa.pdf](http://www.popcouncil.org/pdfs/TABriefs/21_BiruhTesfa.pdf)

## 25. Building the capacities of regional institutions and national governments in the area of labor migration

### International Organization for Migration

The International Organization for Migration (IOM), Migration Initiatives 2012 works on facilitating refugee resettlement and family reunification from the Sub-Sahara Africa region to third countries, while providing medical screening documentation and logistical support.

In the Sub-Saharan Region, IOM's Migration Initiative focuses on:

- Working in partnership with the Mixed Migration Task Force to address the mixed migration flow across the Gulf of Aden, which regularly encounters vulnerable migrants travelling from Ethiopia and Somalia en route to Yemen via Somaliland, Puntland and Djibouti
- Responding to the actions decided upon in the 2010 Regional Conference on Refugee Protection and International Migration: Mixed Movements and Irregular Migration from the East and Horn of Africa and Great Lakes Region by enhancing the capacity of governments with regard to migration control, border management, anti-trafficking efforts and constructing synergized regional labor migration policies
- Creating sustainable solutions to combat irregular and often dangerous migratory trends from the East and Horn of Africa to South Africa
- Encouraging governments to increase data collection and utilize disaggregated statistics to better improve planning procedures and opportunities for regional comparative analyses regarding migratory movements
- Enhancing the capacity of governments and relevant institutions to improve migrant access to health and child care services, with a particular focus on women and children and other most vulnerable groups.

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*Source:*

[http://www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/published\\_docs/books/Migration-Initiatives-Appeal.pdf](http://www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/published_docs/books/Migration-Initiatives-Appeal.pdf)

## 26. Seeking to combat unfair instances of deportations and refoulements

### Justice Without Borders for Migrants

Justice Without Borders for Migrants (JWB-Migrants) is a multinational collaboration that seeks to prevent violations of migrants' rights linked to deportations and refoulements through transnational action that utilizes legal mechanisms, advocacy, documentation and reporting of abuses, capacity building, and strengthening collaborations and communication between partners.

JWB-Migrants pursues justice and policy changes on violations of migrants' human rights linked to deportation and refoulement through:

- Facilitating translation assistance, joint strategy-setting and action, nurturing of networking and partnerships and other means to simplify transnational communication and collaboration between civil society organizations across borders
- Enhancing capacity of partner organizations through trainings and technical assistance in legal and financial matters
- Increasing access to justice by strengthening the ability of civil society organizations to provide multinational legal assistance to migrants
- Championing for robust institutional change through the utilization of legal mechanisms including strategic impact litigation at the international, national and regional levels
- Conducting research, analysis and documentation of human rights violations linked to deportations and refoulements including gathering, preparing and presenting information to courts, governments, inter-governmental organizations, media, and the public
- Encouraging transnational advocacy as a catalyst for legal reform of the policies and practices that engender violations of migrants' rights linked to deportations and refoulements.

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*Source:*

[http://www.jsf-jwb-migrants.org/ENG/about\\_eng.html](http://www.jsf-jwb-migrants.org/ENG/about_eng.html)



## 27. Promoting migrant workers' rights in the workplace through research, training and advocacy

### The African Institute for Migrant Workers

The African Institute for Migrant Workers (AIMW) is a non-profit organization involved in the promotion, training and advocacy of migrant workers' rights in the workplace. The organization is also committed to assisting migrant workers and members of their families integrate into their adopted communities. The primary goal of AIMW is to utilize the expertise and skills at its disposal to promote and protect the rights, including labor rights, of migrant workers in South Africa and other African countries.

The African Institute for Migrant Workers undertakes research with a focus on the promotion and advocacy of migrant workers' rights in the work place in accordance with international human rights standards. The AIMW's objectives are:

- To liaise with international organizations, governmental and inter-governmental bodies concerning service provision to migrant workers
- To facilitate the integration of migrant workers into the South African society
- To influence and contribute to the development of legislation protective of migrants' rights
- To monitor the treatment and conditions of migrant workers
- To strengthen migrant workers' rights in South Africa and internationally.

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*Source:*

[http://www.jsf-jwb-migrants.org/ENG/about\\_eng.html](http://www.jsf-jwb-migrants.org/ENG/about_eng.html)

## 28. Providing legal assistance and advocating for migrant workers' rights

### Lawyers for Human Rights

Lawyers for Human Rights (LHR) is an independent human rights organization based in South Africa that provides legal assistance and tactical litigation services to vulnerable groups and marginalized communities, including migrant workers. LHR is able to use the law as a tool for positive meaningful change in democratizing South Africa.

LHR's Refugees and Migrant Workers Rights Program is a specialized program that lobbies for the rights of asylum seekers, refugees and migrant workers in South Africa. The project seeks to strengthen existing rights by providing free legal services to indigent asylum seekers, refugees and migrant clients. Litigation is used as a tool to advance clients' rights and to advance African jurisprudence in the field of refugee and immigration law.

LHR also engages in detention monitoring, documenting the human rights abuses suffered by migrants in the detention and deportation process and working as advocates for policy reform. Legal assistance and representation is also given to those who have been unlawfully arrested and who are at risk of deportation. Lawyers for Human Rights is the Southern African representative to the International Detention Coalition.

To encourage enforcement of legal reforms, the Refugees and Migrant Workers Rights Program has developed training programs for government employees who work directly with refugees and immigrants. LHR regularly offers trainings for social workers, police officers and refugee communities on the rights and needs of refugees and migrants.

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*Source:*

<http://www.ngopulse.org/article/lawyers-human-rights-profile>

## 29. Deterring illegal migration by fostering legal and safe migration

### International Organization for Migration

The International Organization for Migration (IOM), among many issue areas, works to encourage and facilitate safe, legal avenues of labor migration as opposed to the oft-travelled irregular migratory routes.

In Zimbabwe, the IOM has set up a Labor Center where potential migrants looking for work in South Africa can link with employers, thereby formalizing labor mobility between Zimbabwe and South Africa. By connecting employer with employee prior to migration, the IOM prevents misinformation passing to employees and reduces risks of abuse and exploitation.

To further mitigate the risks facing migrants, the IOM works to enhance the capacity of government departments responsible for the provision of birth certificates, forms of identification, passports, emergency travel documents and visas to ensure that Zimbabweans have access to official travel documents. In addition, women and girls are given information on procedures to obtain these documents.

On the border with Botswana, IOM oversees two Reception and Support Centers which are available to women who are in transit and may be in advanced pregnancy or have recently delivered. Some of the women and newborns received have recently been deported, posing a significant danger to the mothers and babies who run the risk of developing infections. Through its Centers, IOM advocates for special measures to be taken to assist this particularly vulnerable group of migrants.

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*Source:*

[http://www.globalmigrationgroup.org/uploads/UNCT\\_Corner/theme3/human-rights/Working\\_to\\_Prevent\\_and\\_Address\\_Violence\\_Against\\_Women\\_Migrant\\_Workers.pdf](http://www.globalmigrationgroup.org/uploads/UNCT_Corner/theme3/human-rights/Working_to_Prevent_and_Address_Violence_Against_Women_Migrant_Workers.pdf)

## 30. Securing miners' wages by instituting a deferred wages deposit program

### The Commercial and Investment Bank

In 2011, the Government of Mozambique partnered with the Commercial and Investment Bank (BCI), the second largest commercial bank in the country, to institute a deferred wages deposit program. The Commercial and Investment Bank now serves as the institution through which deferred wages are paid to Mozambican migrant workers who are returning from the South African mines. The Mozambican Labor Ministry and the BCI signed an agreement in 2011 to make sure all returning miners receive their wages in individual BCI accounts.

The agreement on mine labor between Mozambique and South Africa stipulates that only part of the miners' wages is paid in South Africa. After signing contracts with the mining companies, the miners receive their wages for the first six months in full; subsequently, they only receive 40 percent of their wages then collect the other 60 percent when they return to Mozambique on holiday, or at the end of their contracts.

Previously, the miners received their deferred wages in cash from the mine recruitment agency. This system was highly risky, and there are many tragic stories of returning miners being robbed of their hard earned wages. Now, the miners' paychecks are deposited directly in individual accounts, instead of receiving it in cash.

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*Source:*

<http://allafrica.com/stories/201109052631.html>

## **Part III: South East Asia, South Asia and the Pacific**

## 31. Establishing a “safe migration” program for migrant workers

### Jabala

Since 2006, the Calcutta-based NGO Jabala has been working with local governing councils in two West Bengal districts, Murshidabad and North 24 Parganas, to combat the rise in labor trafficking incidents. West Bengal, in the northeast of India, is among the country’s states where migrant workers are particularly susceptible to human trafficking abuses. People in this region are forced into trafficking situations for economic reasons such as landlessness, variable agricultural productivity, and lack of employment opportunities but also for additional reasons such as overpopulation, social marginalization, and political unrest. Furthermore, many trafficking victims are unaware of the potential threats of human trafficking and do not carry any form of personal documentation.

With the help of the local councils in Murshidabad and North 24 Parganas, Jabala has devised a “safe migration” program which consists of the following components:

- Distributing information to potential migrants on the dangers of trafficking including the risk of HIV/AIDS
- Providing potential migrants with “safe migration” cards which contain key emergency contact numbers and information for accessing a helpline
- Maintaining and regularly updating records of migrants at the local village councils
- Regular tracking of migrants to ascertain their whereabouts

The “safe migration” program has encountered success in its first several years and the central government of West Bengal has called it “a model to replicate.”

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*Source:*

[http://www.jabala.org/page.php?page\\_id=left\\_subcategory\\_master6LCCYKI1359837630&ref=What+we+do](http://www.jabala.org/page.php?page_id=left_subcategory_master6LCCYKI1359837630&ref=What+we+do)

## 32. Identifying areas for cooperative anti-trafficking efforts

### United Nations Office on Drugs and Crimes and the Government of Pakistan

In March 2012, the United Nations Office on Drugs and Crime hosted a workshop in Karachi, Pakistan, which convened 35 senior officials of the federal and local governments in Pakistan, including members of the Federal Investigation Agency, the provincial police, the Home Department, the Ministry of Social Welfare, the Ministry of Human Rights and the Ministry of Human Resources Development. Entitled “Strategic Dialogue on Smuggling of Migrants and Trafficking in Persons,” the workshop was an important event for Pakistan, which is a large source country for migrants but which has to date not been a center of anti-trafficking initiatives.

Participants of the workshop agreed on the need for better reporting of cases of trafficking crimes through better identification of the problem. Furthermore, participants reached a consensus that better information sharing and cooperation between the police and the Federal Investigation Agency, among other organizations, would potentially lead to increased prosecutions of human trafficking violations.

Finally, the workshop discussed the need for further cooperation and integration of government efforts in the future, with a focus on systematized data collection and a more streamlined reporting system. The workshop therefore set an important and significant basis for addressing the problem of human trafficking and smuggling of migrants in Pakistan.

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*Source:*

<http://www.unodc.org/pakistan/en/strategic-dialogue-on-smuggling-of-migrants-and-trafficking-in-persons.html>

## 33. Preventing potential trafficking abuses among migrant workers

### Migrant Services Center

The Migrant Services Center in Sri Lanka, a partner of the AFL-CIO affiliate Solidarity Center, is active in the prevention of migrants being victimized by human trafficking crimes. According to Sri Lanka's Bureau of Foreign Employment, overseas migrant worker remittances to Sri Lanka in 2011 were about as much as the country's entire export income; indeed almost a quarter of Sri Lanka's economically active population are employed as migrant workers in other countries. As such, migrant workers from Sri Lanka are particularly susceptible to human trafficking abuses from unscrupulous recruiters and employers. In 2010, the Sri Lankan Government received reports of 313 deaths and thousands of cases of abuse and sickness from migrant workers.

The Migrant Services Center has thirty Migrant Worker Associations spread across eight districts, in the country's areas most prone to worker migration. In addition to advocating for nationwide changes to legal structures and governmental practices, the Migrant Services Center also keeps a registry of corrupt recruiters and employers and maintains contacts with village officials. In this way, the Center tries to steer potential migrants away from illegal trafficking practices and away from illegal immigration channels which are more likely to result in trafficking abuses.

The Migration Services Center also provides assistance to migrants once they have left Sri Lanka and are working abroad. The Center monitors families, provides emergency helpline services, acts as a liaison between workers' families and the Foreign Employment Bureau in Sri Lanka, and works actively with Sri Lankan embassies in countries where migrants work as guest laborers.

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*Source:*

<http://www.solidaritycenter.org/content.asp?contentid=1567>



## 34. Launching a large-scale anti-trafficking campaign

### Winrock International and the U.S. Agency for International Development

In 2009, the U.S. Agency for International Development (USAID) implemented a four-year anti-trafficking campaign in Bangladesh to address the widespread human trafficking problems in the country. The Actions to Combat Trafficking-in-Persons (ACT) program is administered by Winrock International and is scheduled to remain operational until September 2014. According to USAID, Bangladesh is a major source and transit country for victims of human trafficking, with men particularly susceptible to recruitment by traffickers for overseas work, especially in the Middle East and Gulf countries. Bangladeshi women and children are also trafficked for labor exploitation in addition to domestic work and sexual exploitation.

In addition to an extensive commitment to preventative public awareness-raising efforts such as outreach and educational initiatives, the ACT program is also involved in protective measures such as identifying victims of trafficking, providing vocational training to victims, and assisting in reintegrating victims into normal patterns of life while minimizing the risk of revictimization.

Importantly, the ACT program advocates for improved prosecution of human trafficking criminals. Through collaborating with other leading migrant rights and anti-trafficking organizations, the program has been active in the following areas:

- Developing an advocacy agenda for improving the enforcement of current laws
- Pursuing dialogue with government officials concerning legal reform
- Enhancing the prosecutorial capacity of law enforcement and legal professionals
- Expanding the legal framework to include emerging issues such as the exploitation of migrant workers

As of February 2012, the ACT program has supported over 1,100 survivors of trafficking and successfully reintegrated more than 900 of them into their families and communities in Bangladesh.

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*Source:*

[http://transition.usaid.gov/press/frontlines/fl\\_jan12/FL\\_jan12\\_DRG\\_BANGLADESH.html](http://transition.usaid.gov/press/frontlines/fl_jan12/FL_jan12_DRG_BANGLADESH.html)

## 35. Providing care for children of migrant construction workers

### Mobile Creches

Since 1969, Mobile Creches has worked to provide care and education for the young children of marginalized and migrant populations employed in the construction sites and slums of Delhi, India. Concentrating on children from the earliest days through twelve-years-old, many of whom live on the construction sites or slums in which their migrant parents work, Mobile Creches strives to identify at-risk children and engage the community in learning more about this underserved vulnerable population.

Mobile Creches embodies a four-point approach to assisting the children of migrant workers:

- Provide education, nutrition and basic health care for children from 9am-5pm, six days a week
- Identify and reach out to families to alter attitudes and encourage the wellbeing of children through community meetings, street theater and public awareness campaigns
- Train community women and non-governmental organizations to provide quality care for children through capacity building workshops
- Advocate for affordable and accessible child care using active networks, sharing knowledge with other civil society stakeholders and leveraging resources to cultivate a common platform.

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*Source:*

<http://www.mobilecreches.org/index.html>

## 36. Holding employers accountable for the abuse of migrant workers

### Ankuram and Modi Builders

Based in Hyderabad in Andhra Pradesh, India, Ankuram is a non-governmental organization founded to mitigate some of the challenges facing vulnerable migrant workers in the area. Migrant workers in Hyderabad face serious challenges, with women and children particularly vulnerable to accidents, ill-health, and otherwise poor working and living conditions. Due to these workers' vulnerability, unscrupulous managers often resort to labor or sexual exploitation as they lack any obstacles or restraints on their behavior.

In response, Ankuram established mobile day nurseries for children victims of this abuse, many of whom resort to begging after their parents disappear. Ankuram drew the attention of builders associations to this exploitation and even succeeded at convening a meeting with the board of directors of Modi Builders, one of the largest construction companies in the state.

Ankuram requested of Modi Builders that they:

- End employment of children under 14 years of age on their sites
- Provide day nurseries on-site for the children of workers
- Encourage women on building sites to join protection committees so they may collectively identify ways to curb exploitative practices

Modi Builders acceded to Ankuram's requests and in addition to the above initiatives, Ankuram and Modi Builders have collaborated on the construction of a training center for survivors of trafficking in addition to other similar projects.

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*Source:*

[http://www.unodc.org/documents/human-trafficking/India\\_Training\\_material/Compendium\\_of\\_Best\\_Practices\\_by\\_NGOs.pdf](http://www.unodc.org/documents/human-trafficking/India_Training_material/Compendium_of_Best_Practices_by_NGOs.pdf) (Chapter 3, pp. 12–14)

## 37. Sponsoring workshops to enhance international cooperation

### United Nations Office on Drugs and Crime

In response to the growing trend of trafficking victims in South Asia, the United Nations Office on Drugs and Crime (UNODC), in partnership with Action Against Trafficking and Sexual Exploitation of Women (ATSEC) and a network of other NGOs, organized a three-day long workshop in Calcutta from March 6–8, 2010. The workshop, funded by the European Union, was entitled “International Cooperation in Trafficking in Persons/Smuggling of Migrants Cases” and included 27 representatives from Bangladesh, Bhutan, India, the Maldives, Nepal and Sri Lanka.

The participants in the workshop, among who were government officials, law enforcement officers, and judges, found that bilateral and multilateral cooperation among their nations needed to be improved, especially with regard to legal assistance and extradition of criminals. In light of this, the participants agreed on a series of recommendations from the UNODC including:

- The UNODC providing support to ratify and implement the United Nations Convention on Transnational Organized Crime and its protocols as necessary
- The UNODC working with member states to ensure adequate training of criminal justice practitioners
- The creation of national databases and improved information sharing between participating countries
- Promoting regional cooperation between states and civil society institutions with regard to the repatriation of trafficking victims.

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*Source:*

<http://www.unodc.org/southasia//frontpage/2010/March/international-cooperation.html>

## 38. Reducing exploitation of migrants during the recruitment phase

### TRIANGLE Project

Initiated in 2010 by the International Labour Organization (ILO) Regional Office for Asia and the Pacific/Migrant, the TRIANGLE Project is a cooperative effort among governments, workers and employers that aims to reduce the exploitation of labor migrants within and from the Greater Mekong Sub-region (GMS). By contributing to the development of legal and safe recruitment channels, the TRIANGLE Project seeks to improve labor protection mechanisms. The Project is implemented in Cambodia, Lao PDR, Thailand, Vietnam and Malaysia which are among the most dynamic migration hubs in the world.

One initiative of the Project is the promotion of government-sponsored job fairs held in Champasack, Lao PDR and run annually by the ILO in cooperation with the Government of Lao PDR. The Government and the ILO bridge job seekers who want to work in Thailand with lawful and licensed recruitment agencies. This reduces the opportunities for unscrupulous employment brokers to commit fraud and offers Laotian migrants a safer channel of looking for job opportunities abroad. In addition, government, trade union and civil society partners are running Migrant Worker Resource Centers (MRCs) which provide information, counseling and legal assistance to migrant workers.

This project strengthens legal recruitment channels and ensures the safety of Laotian migrants who want to work in Thailand. The MRCs enhance migrants' access to legal services and prevent any potential labor exploitation.

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#### Sources:

<http://www.ousaid.gov.au/countries/eastasia/regional/Documents/triangle-annual-report-year2.pdf>  
[http://www.ilo.org/asia/whatwedo/projects/WCMS\\_145664/lang--en/index.htm](http://www.ilo.org/asia/whatwedo/projects/WCMS_145664/lang--en/index.htm)

## 39. Helping migrants gain English fluency to prevent unfair labor practices

### Adult Migrant English Program

Australia's Adult Migrant English Program (AMEP) is the Government's largest settlement program, in operation since 1948. Legally based in the Immigration (Education) Act 1971 and the Immigration (Education) Regulations 1992, the AMEP reflects a commitment to meaningfully settling migrants and ensuring them access to the range of opportunities and services available in Australia.

The Adult Migrant English Program is available to eligible migrants, with the total number of free English courses depending on a case-by-case circumstantial basis. Knowing that many migrants may have suffered tortuous or traumatic migratory experiences, AMEP offers a Special Preparatory Program (SPP).

AMEP also offers a special Settlement Language Pathways to Employment and Training (SLPET) Program to help migrants gain an understanding of workplace culture and labor laws and rights in Australia. A combination of vocational-specific English classes, work experience and professional mentorship help protect migrants entering the Australian workforce.

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*Source:*

<http://www.immi.gov.au/living-in-australia/help-with-english/amep/facts-figures/amep-overview.htm>

## 40. Lobbying for more government action to combat violations of migrants' rights

### Migrant CARE

Migrant CARE, an Indonesia NGO, is dedicated to advocating for increased government action on trafficking by documenting cases in which Indonesian migrant workers have faced severe physical and sexual abuse by their foreign employers. Utilizing thousands of accounts of abuse, Migrant CARE has raised the Government's awareness of migrant rights violations and lobbied for stronger government regulations on employment agencies.

Wayhu Susilo, an anti-trafficking activist in Indonesia, founded Migrant CARE in 2004. CARE stands for "Counseling, Advocacy, Research and Education". It is reported that more than 2.5 million Indonesians from poor families travel overseas to work as domestic servants and laborers and more than half of them are likely to be trafficked by illegal recruiting agencies, unaware of legal recourse. Under Susilo's leadership, Migrant CARE lobbies the Indonesian government to enhance anti-trafficking efforts.

Migrant CARE has greatly raised awareness among the public and government, with current efforts concentrated on protecting Indonesian migrant workers who are experiencing mistreatment in countries of destination around the world. Particular efforts are raised in opposition to media campaigns, in Malaysia for example, which negatively portray Indonesian migrant workers.

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*Source:*

<http://iipdigital.usembassy.gov/st/english/article/2007/06/20070607164452dybeekcm0.7253229.html#axzz2PoAj2JBN>

# 41. Facilitating information exchange regarding migrant smuggling

## United Nations Office on Drugs and Crimes

Created by the United Nations Office on Drugs and Crime (UNODC), the Voluntary Reporting System on Migrant Smuggling and Related Conduct (VRS-MSRC) is a secure, internet-based mechanism that allows member states to share information and analyses regarding migrant smuggling and irregular migration. This database specifically addresses strategic knowledge gaps between member states and allows for better informed national and regional anti-migrant smuggling policies.

*The Fifth Ministerial Conference of the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime* has endorsed the VRS-MSRC system in April 2013. During the Bali Process, a number of states including Cambodia, Indonesia, Australia, New Zealand, Tonga, Fiji, the United States of America, the United Kingdom and other countries, participated in a test run of this system. They shared their feedback and confirmed that it provides an effective platform for centralizing relevant information and facilitating the sharing process, which has the potential to increase early detection of human trafficking issues within a region.

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Source:

<http://www.unodc.org/southeastasiaandpacific/en/2013/04/bali-process/story.html>



## 42. Crafting migrant-protective policies based on international standards

### The Philippines Department of Labor and Employment

In preparation for the Association of Southeast Asian Nations (ASEAN) 6th Forum on Migrant Labor, the Philippine Department of Labor and Employment (DOLE) has been redrafting policies based on recommendations from previous forums and the principles of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers.

The annual Forum provides the Department of Labor and Employment an opportunity to exchange best practices with other governments, employers and civil society players on combating issues confronting migrant workers. The DOLE is actively crafting policies to improve the integration and reintegration of migrants in addition to making information relevant to outbound-migration and in-bound migration readily available to its citizens.

In anticipation of the Forum, the DOLE's International Labor Affairs Bureau is hosting a preparatory workshop with the following objectives:

- Identify areas of success and those in need of improvement regarding previous forums' recommendations
- Discuss the theme of the upcoming 6<sup>th</sup> ASEAN Forum on Migrant Labor
- Prepare recommendations for the 6<sup>th</sup> Forum, to be held on November 26-27, 2013

The Department of Labor and Employment, in partnership with civil society stakeholders and other national and international organizations, will use this opportunity to gain a more comprehensive understanding of the broader challenges while sharing promising practices which will contribute to more robust migrant-protective policies.

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*Source:*

<http://www.dole.gov.ph/news/view/2208>

## 43. Ending forced labor in supply chains

### Virgin Group and Fortescue Metals

Corporate executives from top global corporations, including Virgin Group and Fortescue Metals, launched the campaign “Walk Free” in Yangon to embolden other global companies to sign a pledge to end forced labor by preventing it in their supply chains. The push of this campaign is to end modern slavery and create a world where everyone can work free from exploitation.

The pledge is named *Zero Tolerance for Slavery*, encouraging companies to be transparent in giving consumers the information they need to make informed buying decisions. Companies that have been asked to sign include Apple, Exxon Mobil, Microsoft, Wal-Mart, and Chevron. Besides this, the corporations will soon publish a global “slavery index” disclosing conditions on forced labor in 160 countries.

This Business to Business (B2B) model is anticipated to have a meaningful impact on human trafficking, as the leaders of top companies will be able to communicate directly with leaders from other companies to exchange information and best practices regarding human trafficking issues in their supply chains.

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Source:

<http://www.ft.com/intl/cms/s/0/ded07a54-4788-11e2-8c34-00144feab49a.html#axzz2RfPv6T1B>

## 44. Promoting ethical standards for media coverage of human trafficking

### **The Inter-Agency Council Against Trafficking, the International Justice Mission & KBP**

In 2012, the Inter-Agency Council Against Trafficking (IACAT) and the International Justice Mission (IJM) together with KBP, a major broadcasting company in the Philippines, held a conference in Pasig City, Philippines on promoting responsible media partnerships with regards to anti-human trafficking initiatives.

This conference was conducted to raise awareness among media professionals on relevant human trafficking issues including confidentiality requirements, necessary gender-sensitive considerations and child-appropriate approaches to reporting on trauma. A related Manifesto was issued by KBP, which promoted an industry-wide responsible standard of reporting and covering trafficking cases.

With the support of IACAT, KBP is championing social responsibility in broadcasting and reporting. The conference highlighted the necessary sensitivity required when reporting on trafficking, as vulnerable victims may be easily re-victimized or re-traumatized. Professional and ethical standards were outlined and the issued Manifesto continues to serve as a model for gender-sensitive and child-appropriate reporting.

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*Source:*

<http://www.iacat.net/index.php/48-iacat-intensifies-fight-vs-human-trafficking-through-responsible-media-partnership-with-kbp>

## 45. Designing regional solutions to protect migrant workers' rights

### The Association of Southeast Asian Nations

Members of the Association of Southeast Asian Nations (ASEAN) adopted the *ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers* in January 2007. This agreement has introduced a regional framework for addressing human trafficking within and among ASEAN countries.

The Declaration first outlines general principles to promote the full potential and dignity of migrant workers and encourages close cooperation to resolve the undocumented cases. Further, it contains separate obligations of receiving states and sending states. A committee was established to ensure the implementation of the Declaration and an ASEAN Forum on Migrant Labor has been set up as a regular activity.

The *Declaration on the Protection and Promotion of the Rights of Migrant Workers* is the first of its kind among the ASEAN Member States and is a positive step toward a regional legally binding convention addressing migrant protection.

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Source:

[http://www.humantrafficking.org/uploads/publications/ASEAN\\_DECLARATION\\_ON\\_MIGRANT\\_WORKERS\\_2007.pdf](http://www.humantrafficking.org/uploads/publications/ASEAN_DECLARATION_ON_MIGRANT_WORKERS_2007.pdf)

## 46. Providing data and reports on trafficking issues

### **Asian Research Center for Migration, Chulalongkorn University**

Focused on migratory patterns in Thailand and the broader South East Asian region, the Asian Research Center for Migration (ARCM) at Chulalongkorn University, located in Bangkok, Thailand, conducts relevant research projects on the trafficking of migrant workers in South East Asia. This research center greatly contributes to gathering data, undertaking research and providing policy recommendations to governments, NGOs and private sector stakeholders on cross-border migrant trafficking issues.

Its publications consider various topics specifically associated with human trafficking in the region, such as human trafficking from Thailand to Japan, Chinese women in the Thai sex trade and Burmese job brokers. Due to its prominence as a major academic institution in the capital city, the work of the Asian Research Center for Migration has greatly influenced the policy making process within the region.

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*Source:*

<http://www.arcythailand.com/projects.php>

## 47. Improving policy-making through active case analysis

### Human Trafficking Working Group

An initiative of the TC Beirne School of Law, the University of Queensland's Human Trafficking Working Group (HTWG) began its work in 2008. It is an active research team, providing comprehensive analysis of cases covering all forms of trafficking in Australia, including trafficking for commercial sexual exploitation, domestic servitude, forced and servile marriage, labor trafficking, child trafficking, and trafficking for the purpose of organ removal.

HTWG embraces a unique research method, collecting information based on reported or suspected cases of human trafficking through searching case law, news archives, academic journal articles and government reports. This relates to one of the Human Trafficking Working Group's key goals: to systematically catalogue cases of trafficking in persons in Australia.

This catalogue is the only database of its kind in Australia. These cases provide valuable information for policy makers and members of law enforcement including details regarding the background of the trafficker and the kind of exploitation faced by the victim and may shed light on the underlying causes prompting the abuse. Utilizing this data, Australia will be better able to identify the gaps and omissions in its own anti-trafficking policies while improving its ability to protect vulnerable groups from trafficking.

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*Source:*

<http://www.law.uq.edu.au/about-human-trafficking-working-group-project>

## 48. Empowering migrant workers to access health services

### CARAM Cambodia

Founded in 1999, CARAM Cambodia was established with the mission to empower migrant workers and their communities to protect their rights and reduce public health risks, particularly HIV/AIDS, and other vulnerabilities encountered during the migration process.

CARAM Cambodia has two main areas of work, which include the Action Research, Advocacy and Support Program and the Migrant and Mobile Population (MMP) Intervention Program.

Efforts within both fields of operation include:

- pre-departure training for domestic workers
- providing legal support for migrant workers seeking access to justice
- assisting in safe repatriation and reintegration of victims of exploitation
- outreach and education
- referral services for entertainment workers on reproductive health rights
- provision of information on HIV/AIDS and the effects of drug use

Active advocates at the national and regional levels, CARAM Cambodia successfully lobbied the Royal Government of Cambodia to issue a sub-decree on free of charge passports, pre-departure training and a post-return program for migrant workers.

Through its Migrant Worker Empower Program, CARAM Cambodia develops training and awareness-raising materials, organizes media broadcasts to share safe migration information, assists in capacity building of local authorities and continuously updates a case handling and referral mechanism system for cases relating to labor exploitation.

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*Source:*

<http://www.caramcambodia.org/>





## **Part IV: Central and East Asia**

## 49. Passing national legislation to fight human trafficking

### Government of Kyrgyzstan

On November 21, 2011, President Roza Otunbayeva of Kyrgyzstan signed into law an amended version of the Law on Preventing and Countering Human Trafficking, which addresses the crime of human trafficking as it exists specifically in Kyrgyzstan. Bermet Moldobayeva, head of the Kyrgyz national office of the International Organization for Migration (IOM) says that human trafficking is a serious and widespread problem in Kyrgyzstan and elsewhere in Central Asia with 92 percent of cases relating specifically to labor exploitation. Furthermore, 69 percent of victims are men who are sold into forced labor abroad.

Article 21 of the Law mandates, for example, that temporary shelters of human trafficking victims be established in order “to offer civilized living conditions” to the victims while they try to establish contact with family and/or obtain legal aid. Victims are eligible to stay in government-run shelters for ten-day periods, with the option to extend the period upon request. The shelters are free of charge for victim and independent NGOs are involved in their operation.

In addition, Article 124 of the Criminal Code, which addresses the punishment for perpetrators of the crime, was strengthened so that the term of imprisonment is now specified as being between five and eight years, moving human trafficking into the legal category of “grave crimes.” This also entails stricter requirements for probation and a longer statute of limitations for trafficking crimes.

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*Source:*

[http://www.loc.gov/lawweb/servlet/lloc\\_news?disp3\\_l205402972\\_text](http://www.loc.gov/lawweb/servlet/lloc_news?disp3_l205402972_text)

## 50. Developing pre-departure training for migrant workers

### Solidarity Center

The American Center for International Labor Solidarity (the Solidarity Center) is an American NGO affiliated with the AFL-CIO which works to promote workers' rights around the world. The Solidarity Center has partnered with civil society stakeholders and labor unions throughout Central Asia to research and develop pre-departure training for migrant workers and to help ensure safe passage and secure conditions in their destination countries. Crucial to the Solidarity Center's efforts is the education of potential migrants on their rights under labor laws in their origin and destination countries so as to help minimize incidences of labor exploitation.

Of the many Central Asians from the former Soviet Republics who migrate to the Russian Federation in search of work each year, many are vulnerable to trafficking offenses and other unscrupulous labor practices. In their home countries, they are susceptible to predatory corruption from customs officials and other state employees. Swindled by dishonest recruiters, the victims often hand over their passports to intermediaries and are subject to hostage-like conditions with minimal or no pay for their labor.

In addition, once in Russia, Central Asian migrants are often subject to violent, racially motivated attacks. Through publicizing these abuses and working to eliminate them, the Solidarity Center hopes to improve the environment for migrant laborers throughout the former Soviet Union and beyond.

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*Source:*

<http://www.solidaritycenter.org/content.asp?contentid=820>

## 51. Using legal education to prevent human trafficking

### Sana Sezim

Sana Sezim is a Kazakh NGO which advocates for the legal rights of woman and children, especially with regard to labor migration. In 2009, Sana Sezim initiated the Legal Education Project in cooperation with the Helsinki Foundation for Human Rights in Poland and another Kazakh NGO, Orken Ortalygy. Eighty percent of the Project's funding was contributed by the European Union as a part of the EuropeAid Development and Cooperation project, designed to address humanitarian issues around the world. The Legal Education Project was active from December 2009 to December 2012, however effects continue to multiply.

The victims, many of which are found in the South of the country, are migrant workers who arrive in search of legitimate opportunities for work and are subsequently lured into exploitative situations in the hopes of earning extra money. In response to the growing problem of trafficking abuses in the region, Sana Sezim designed the Legal Education Project to help vulnerable migrants avoid exploitative situations.

The Project's goals included raising awareness of the issue through educational activities, conducting legal training and providing legal assistance to combat the problem of trafficking, and providing confidential telephone consultations to victims and potential victims. As a result of the program, over 22,000 booklets and over 3,000 brochures were published and distributed, over 3,500 people received telephone consultation and over 2,000 potential victims and roughly 100 actual victims received legal assistance.

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*Source:*

<http://sanasezim.org/eng/node/45>

## 52. Designing a regional anti-trafficking response

### The International Labor Organization

An EU-funded project initiated by the International Labor Organization (ILO) in partnership with the International Centre for Migration Policy Development (ICMPD), the Organization for Security and Cooperation in Europe (OSCE) and the Ministries of Labor of Armenia, Azerbaijan, and Georgia seeks to curb instances of trafficking in the region by promoting legal channels of immigration and improving coordination between governments, NGOs, and other social partners and civil society organizations. The project was active from December 2006 to December 2009, but the effects are ongoing.

The main objectives of this project were:

- To assess current implementation of national action plans and training needed for law enforcement agencies and members of the judiciary
- To enhance the capacity of national stakeholders through workshops which discussed changes necessary to facilitate the implementation of national laws on human trafficking
- To support establishment of a fully functioning National Referral Mechanism based on standard operational procedures
- To organize trainings for law enforcement, trade unions, employers' organizations and NGOs
- To improve regulation and monitoring of private employment agencies, including agencies recruiting under disguise
- To organize regional workshops and conferences

The initiatives of this particular program remain in effect and the ILO remains active in the South Caucasus working to curb human trafficking abuses in the region.

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*Source:*

[http://www.ilo.org/sapfl/Projects/WCMS\\_082035/lang--en/index.htm](http://www.ilo.org/sapfl/Projects/WCMS_082035/lang--en/index.htm)

## 53. Enabling safe border crossings through increased bilateral cooperation

### Government of China and the Government of Burma

In response to the growing number of Burmese female migrants falling victim to human trafficking in China, the Chinese and Burmese police forces agreed on a bilateral cooperation framework and expanded the Border Liaison Offices (BLO) to include human trafficking as a key area of focus in 2007.

The first local cross-border meeting and joint border field visit to combat human trafficking took place in February 2007 in Ruili, China and Muse, Burma. Coordinated efforts were undertaken on rescue and repatriation of Burmese victims, control of illegal cross-border migration and extradition of Burmese nationals convicted of trafficking in China.

35 senior officials from two governments and 16 representatives from United Nations agencies and non-governmental organizations joined these activities. The relevant parties have agreed on ten cooperative activities: (1) establish BLO in Muse and Ruili; (2) conduct monthly information exchange meetings; (3) share experiences and good practices through visiting tours; (4) conduct meetings on the development of child & women friendly repatriation mechanisms; (5) organize joint training and study tour on international instruments and best practices; (6) hold local meetings as part of BLO mechanisms; (7) organize bilateral annual review meetings; (8) conduct joint audience analysis and develop communication strategies; (9) develop high quality Information, Education and Communication (IEC) materials; and (10) organize joint trainings and study tours on relevant issues.

Cooperative action by China and Burma continues to strengthen information sharing and intelligence exchange while contributing to an increase in the arrest of traffickers and a more fluid facilitation of assistance for the rescue and repatriation of victims from the two countries.

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*Sources:*

<http://www.humantrafficking.org/updates/530>

<http://www.dvb.no/news/female-migrants-see-dark-side-of-chinas-border/20416>

## 54. Preventing labor exploitation in supply chains

### EILEEN FISHER

American clothing designer EILEEN FISHER exhibits a strong commitment to combating human trafficking. As part of their corporate social responsibility initiatives, EILEEN FISHER trains its Chinese factory workers and managers on how to identify unfair labor recruiters, unsafe working conditions and other related issues in their outsourcing countries. They have also done mobile phone-based anonymous surveys among its workers in India, encouraging honest responses regarding workplace conditions.

In partnership with Verité, EILEEN FISHER conducts five worker training sessions per year for the factory workforce in China. Trainings are designed to promote and enhance workers knowledge of their rights with typical training topics including worker rights, health and safety regulations, grievance systems, responding to harassment and proper disciplinary procedures. EILEEN FISHER mandates that one training session be dedicated to educating workers specifically on human trafficking and labor exploitation.

In addition, EILEEN FISHER tries to eradicate human trafficking through a strict screening process of their labor suppliers, which are mostly located in developing countries. Verité and Social Accountability International provide training workshops for all managers of the seven EILEEN FISHER workplaces in China, focused on factory management systems, especially the use of labor brokers and formalizing effective grievance systems.

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*Source:*

<http://www.eileenfisher.com/EileenFisherCompany/CompanyGeneralContentPages/SocialConsciousness/training.jsp>

## 55. Encouraging safe migration using the railway network

### All China Women's Federation

The “Spring Rain Campaign”, a joint initiative of the International Labour Organization (ILO) and the All China Women's Federation (ACWF), targeted migrant women moving from rural to urban China in search of work. Often with lower levels of education than their male counterparts, rural Chinese women are particularly vulnerable to exploitation as they migrate unaccompanied through China's vast railway network.

As women and girls may be insufficiently prepared for migration and thus incur vulnerability to labor exploitation, ACWF helped train railway workers to recognize and address indicators of trafficking. In addition, ACWF offered practical advice to travellers including, “only provide photocopies of ID cards rather than the original ones”. A national strategy was devised with a common theme, common slogans and common logos to increase effectiveness and continuity of message at the local levels.

Informational materials were designed to be functional and discrete. Knowing that playing cards is a popular past time for migrant workers while on the train, the Campaign offered free playing cards with safety notices printed on the back, with some notices specifically targeting young female migrants. Other materials included bags, calendars and fans. To date, nearly one million promotional materials have been distributed.

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*Source:*

<http://www.ilo.org/ipeinfo/product/download.do?type=document&id=15115>



## 56. Offering supportive services for migrant workers

### Mission For Migrant Workers

Mission For Migrant Workers (MFMW) is a Hong Kong-based NGO which provides support for migrant workers and advocates for their rights. These migrant workers are mostly female domestic workers coming from the Philippines, Indonesia, Thailand, and other Asian countries. They are highly vulnerable to exploitative working conditions.

MFMW built Bethune House Migrant Women's Refuge in 1987 to act as a temporary shelter for women trafficking victims. In addition, MFMW has played a significant role in setting up various migrant worker associations, such as the United Filipinos in Hong Kong, the Association of Indonesian Migrant Workers in Hong Kong and the Indonesian Migrant Muslim Alliance.

Mission For Migrant Workers is one of the most active NGOs focused on promoting migrant worker rights in Hong Kong. It has also greatly contributed to the institutional capacity building of other migrant worker associations.

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*Source:*

<http://www.migrants.net/home/>

## 57. Starting a government-run registry for citizens seeking employment abroad

### Government of Uzbekistan

In May 2007, the Government of Uzbekistan introduced a resolution “on registration of the citizens of Uzbekistan seeking employment abroad.” Under the resolution, the State Statistics Committee and the Customs Statistics Committee make quarterly reports on the quantity of migrants leaving the country. In addition, the Ministry of Foreign Affairs conducts monitoring of Uzbek citizens employed abroad in order to help protect them from trafficking abuses. Furthermore, the resolution seeks to reform the complicated and expensive procedure for migrants to obtain permits to work abroad, requiring the Agency of External Labor Migration and the Ministry of Labor and Social Security to introduce proposals on simplifying the permit-granting process and especially in reducing the procedure’s cost.

High unemployment and low wages in the former Soviet republic of Uzbekistan has led to a large number of the country’s citizens migrating to find employment elsewhere. Russia has been a particularly popular destination for migrant workers with up to 58% of Uzbekistan’s migrant population seeking work there. The pool of migrant laborers, consisting of agricultural workers, blue collar workers and students, are often unaware of existing legal channels of migration and are thus registered as migrants neither in their home nor destination countries. Consequently, migrants are especially vulnerable to underpayment, absence of social protection and instances of maltreatment by employers, which can include enslavement or death.

In conjunction with the above resolution, Uzbekistan and Russia made a series of formal agreements in June 2007 relating to migrant workers during a visit to Uzbekistan by then-Russian deputy prime minister Sergey Ivanov. The agreements address issues such as bilateral cooperation in fighting illegal migration and the protection of the rights of both Uzbek citizens working in Russia and Russian citizens working in Uzbekistan.

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*Source:*

<http://www.cacianalyst.org/?q=node/4681>

## 58. Conducting a comprehensive anti-trafficking program

### MiraMed and The Angel Coalition

MiraMed is an American NGO focused primarily on delivering medical assistance to Russian children in need. In connection with its more general mission, the organization received funding from the United States' Office to Monitor and Combat Trafficking in Persons in 2003 for a four year anti-trafficking program in Russia called "The Russia Project."

The project, which has sought to respond to and prevent instances of both labor and sexual trafficking, including those in the migrant worker community, has had success in many respects, including the following:

- The establishment of Russia's first operational Trafficking Victim Assistance Center (TVAC)
- Russia's first network of safe houses for victims of trafficking
- Russia's first 24-hour toll-free national helpline
- Helpline assistance to over 9,000 victims, families of victims, and potential migrant workers in Russia and thirteen other countries
- Partnership with Russian and international law enforcement organizations in investigating international criminal trafficking rings
- Publication of the "Victim Assistance Protocol" and the "Counter-Trafficking Protocol and Plan of Action for the Russian Federation" which have been used as standard guides for anti-trafficking work in Russia
- Consulting with the National Training Academy of the Ministry of the Interior to develop methods in training cadets in counter-trafficking and victim profiling

According to MiraMed, which has partnered with the Moscow-based Angel Coalition, the project was, at the time of its founding, the only organizational network in Russia involved in the rescue, repatriation and rehabilitation of trafficking victims.

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*Source:*

<http://www.miramed.org/traffic.htm>

## 59. Adopting anti-trafficking standards in national trade union policies

### Georgian Trade Union Confederation

The Georgian Trade Union Confederation (GTUC) approved the Trade Union Anti-Trafficking Policy with raising awareness about trafficking for labor exploitation as the focal point for its 26 unions and their 200,000 members.

The GTUC strategy includes a number of actions:

- Include forced labor issues in bipartite and tripartite negotiations
- Advocate for legislation that defines and punishes trafficking for forced labor
- Take measures to eliminate discrimination
- Modify union structures to include migrant workers and other employees working in the informal economy
- Identify, document, and raise awareness about cases of forced labor and trafficking without jeopardizing the safety of those involved
- Form agreements with unions, NGOs and other organizations abroad to ensure that, through an integrated online system, migrant workers can access information about employment opportunities, working conditions and labor regulations in other countries
- Ensure political and financial support for developing policies against forced labor at all levels of the GTUC and appoint people to ensure implementation of these policies.

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*Source:*

ITUC, International Trade Union Confederation Guide February 2009. How to Combat Forced Labour and Trafficking- Best Practices Manual for Trade Unions. Page 39

## **Part V: Europe and Eurasia**

## 60. Using international best practices to design national policies

### Organization for Security and Cooperation in Europe

Armenia is among the former Soviet Republics which experiences problems with human trafficking among its population of migrant workers. The office of the Organization for Security and Cooperation in Europe (OSCE), based in the capital of Yerevan, has been working directly with the Armenian Government and local NGOs in order to reduce instances of trafficking and to assist victims of trafficking crimes.

In Yerevan, OSCE is strengthening Armenia's response to trafficking through the national referral mechanism, a cooperative framework whereby government actors and components of civil society coordinate their efforts to promote human rights. They have also published a training manual intended to help instruct government officials on anti-trafficking efforts based on domestic and international best practices.

Due to a joint initiative with the International Labor Organization (ILO), the OSCE has made anti-trafficking training a permanent part of the Armenian law enforcement curriculum. Furthermore, the OSCE office has coordinated with international organizations and NGOs on the issue of migration management with the goal of drafting a new national action plan for Armenia on migration management. Once a national action plan is formulated, the OSCE further hopes to aid in its implementation and to regularly monitor its performance.

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*Source:*

<http://www.osce.org/yerevan/43700>

## 61. Unionizing to push for amendments to existing labor laws

### British Trade Union

The British Trade Union Congress (TUC) and other national trade unions, including UNITE (Britain and Ireland's biggest union), have been a main proponent in developing national legislation to combat forced labor.

Over the years, TUC and UNITE have campaigned to protect migrant domestic workers from exploitation and forced labor. In 1998, together they persuaded the UK Government to modify standing regulations which bound a migrant domestic worker to a single employer. The Government introduced a renewable one-year visa for domestic workers, giving workers the opportunity and freedom to change employers. As a result, migrant domestic workers were able to escape abusive labor situations. Workers are now able to come forward, ask for assistance, and have the peace of mind that they are able to seek other employment.

Another law that was pushed through by labor unions was the Gangmasters (Licensing) Act 2004. The National Farmers' Union, UNITE and the TUC played a vital role in facilitating its passage, which created compulsory licensing system for gangmasters and employment agencies who supply or use workers performing agricultural activities, gathering shellfish and the packaging and processing related to it. Trade unions had recorded activities of forced labor and exploitative conditions in the agricultural sector and this regulatory system was put in place to address this problem.

In 2009, Anti-Slavery International, Liberty, the TUC, UNITE, and the Gangmasters Licensing Authority united to persuade the British Government that new legislation was necessary to protect workers from forced labor in the United Kingdom. The Government agreed that it would simplify prosecution if an offence existed that encompassed all of the elements that define servitude and forced labor. As a result, on November 5, 2009, the Government passed an amendment to the Coroners and Justice Bill, making forced labor and servitude a criminal offence.

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*Source:*

ITUC, International Trade Union Confederation Guide February 2009. How to Combat Forced Labour and Trafficking- Best Practices Manual for Trade Unions. Pages 18 and 41

## 62. Developing universal service employment checks for domestic workers

### Government of France

In the past, the process of hiring and paying a domestic worker on an official basis in France required extensive administrative procedures. As a result, many households found it less cumbersome to employ undeclared workers. This led to situations where the undeclared migrant worker was in a vulnerable position with the possibility of being exploited. In recent years, the French Government has sought to simplify procedures for legally recruiting domestic workers and contesting undeclared work; The “Chèque-emploi service universel” (CESU) or “Universal service employment cheque” was introduced in 2006.

The CESU creates financial incentives for employers to declare domestic workers to tax authorities and social insurance. Diverse types of work are covered by the program, including services in the home, gardening jobs, taking care of elderly persons and the provision of private lessons or instruction. The employer registers with the local branch of the Agencies for the Collection of Social Security and Family Allowance Contributions in the Service Employment Cheque (CES) department. The employer can then purchase checks from their local bank and become eligible for tax deductions. The financial implications are a significant incentive to declare domestic workers who were previously irregularly employed. Employers receive a deduction of 50 per cent of the yearly salary paid to the domestic worker from yearly taxes of the employer (for a maximum of €12,000 a year) and exemptions from the employer’s contributions.

One weakness of CESU is that it does not have any consequences with regard to the irregularity of the stay of a migrant worker. A separate administrative process must be started to allow regularization of a domestic migrant worker without a residence or work permit. However, CESU works towards the commodification and regularization of domestic labor, thus serving to prevent exploitative work situations for jobs that are often a vacuum for labor trafficking.

The estimated benefits of CESU and earlier variations of this scheme have been significant. It is estimated that 20% of people who were previously employed illegally in domestic work became official workers through CESU and its predecessors. By 2002, 53% of all employers of domestic workers used the CES scheme, a reflection of the increasing formalization of this employment sector. Informal activities in the domestic services sector declined to approximately 30% in 2005.

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*Source:*

<http://www.eurofound.europa.eu/areas/labourmarket/tackling/cases/fr003.htm>



## 63. Providing trafficked persons with residency permits

### Government of Italy

Italy has been at the forefront in the fight against trafficking in human beings and the protection of victims since 1998. The Italian model follows a victims-centered approach and the Italian Labour Union (UIL) has long been a supporter of changing previous legislation in order to provide trafficked persons with greater support and protection. Two legal provisions were drafted on these principles:

- Article 18 of the National Law on Migration (Legislative Decree 286 of 1998)
- Article 13 of the National Law against trafficking in human beings (Law 228 of 2003)

Article 18 provides a six month residency permit to victims of serious exploitation, who may still be facing danger. Receiving this residency permit is not contingent upon reporting the traffickers/exploiters to law enforcement. Victims must only meet the requirements provided by the law and to complete the assistance program outlined by Article 18. As a result, victims are allowed to stay and receive assistance and protection in Italy. UIL has worked closely with other organizations to help victims of labor and sex trafficking to apply for this residency, in addition to providing legal, administrative and psychological assistance to those in need. Article 13 also provides for temporary assistance programs.

The Department of Equal Opportunities is the national authority which coordinates and promotes the protection of trafficked persons. From 2000 to 2011, 640 projects were co-funded under the framework of Article 18 and 146 projects fell under Article 13. From 2000 to 2011, 20,142 people were assisted under Article 18 and 2,891 under Article 13 programs.

The online database was launched by the Department in January 2011 and monitors, in real time, the number of victims assisted on a national level, the services provided to them, as well as analysis of newly emerging trafficking trends. The Department also cooperated with government, public and private stakeholders to create a National Action Plan Against Trafficking in Human Beings.

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*Source:*

<http://ec.europa.eu/anti-trafficking/showNIPsection.action?country=Italy>

## 64. Opening counseling centers for migrant workers

### National Trade Unions

Trade unions in some European countries have set up a network of information and counseling centers for migrant workers who are vulnerable and at risk to end up trafficked or in forced labor. Frequently, other migrants run these offices and are therefore often able to provide assistance in various native languages. Assistance includes administrative and legal assistance, vocational training and language classes. These programs are extended to both documented and undocumented workers, and the migrant does not have to be a union member to participate.

Those who run these Centers include, but are not limited to:

- National Trade Union Confederation Comisiones Obreras (CCOO) in Spain
- National Association Oltre le Frontiere (ANOLF) of the Confederation of Workers Unions (CISL) in Italy
- German Trade Union (DGB) in Germany

The German Trade Union (DGB) has provided consultation to workers since 1970. On January 1, 2008 “Arbeit und Leben e.V.” took over the Centre of Counseling for Migrants. The group provides free assistance to citizens of all nationalities regardless of whether they are union members or not. The counseling center is supported by the Berlin Senate Department of Integration, Labour and Women. Assistance is available in a number of languages including German, Turkish, Polish, Russian, Greek, Kurdish, Arabic, French and English. On the premises of the DGB, there is a counseling center for Turkish nationals on pensions and one for Italian nationals of the UIL.

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#### Sources:

<http://www.berlin.arbeitundleben.de/migrantenberatung/englisch.html>

ITUC, International Trade Union Confederation Guide February 2009. How to Combat Forced Labour and Trafficking- Best Practices Manual for Trade Unions. Page 24

## 65. Ensuring fair wages and working conditions for migrant workers

### Fair Mobility Project

The Fair Mobility Project helps enforce fair wages and working conditions for migrant workers from Central and Eastern European (CEE) countries working in Germany. The Project falls under the political umbrella of the German Trade Union (DGB) Executive Board and is supported by the German Federal Ministry of Labor and Social Affairs and the European Social Fund.

As part of the Project, a study has been conducted to analyze problems which regularly affect migrant workers from Central and Eastern European countries. The need for advisory work regarding social and labor law was assessed, resulting in the development of recommendations for political action.

The Fair Mobility Project established six local advisory centers where migrant workers can obtain information in their native language about labor and social laws. The centers are part of a nationally active network and cooperate with institutions at the local level.

The Project has also produced numerous educational materials which outline the situation of migrant workers. These are targeted for employers and their staff, as they are usually the first point of contact in a company or government office regarding questions about wages and working conditions.

Initiated in August 2011, the project is to run through June 2014.

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*Source:*

<http://www.faire-mobilitaet.de/en/ueber-uns/++co++1553ebf6-697b-11e2-8499-00188b4dc422>

## 66. Educating migrant workers about unionization

### **General Confederation of Labor and Federation of Agriculture and Food Workers**

Every summer, about 50,000 migrant workers, many of them undocumented, are hired by labor agents to come to Italy for the tomato harvest. Workers may be subject to exploitative conditions working long hours in difficult temperatures. Furthermore, they live in temporary camps where access to portable water and proper sanitation can be difficult to come by.

The Red Gold Campaign was carried out by the General Confederation of Labor (CGIL) and its affiliate Federation of Agriculture and Food Workers (FLAI). The campaign addresses the aforementioned working conditions of migrant workers who are hired to harvest tomatoes on farms in southern Italy.

Between August 2 and 12, 2009, eighty FLAI-CGIL trade unionists gathered from all over Italy to meet with migrant workers to educate them about their abuse. The unionists traveled 8,000 kilometers, visited more than 150 tomato farms and met with 5,000 workers. The unionists spoke to them about their rights and distributed leaflets in 15 languages about minimum wage rates. The unionists also explained how to get the tomato workers unionized and provided legal assistance to workers who had been exploited the most. These workers are now aware of their rights and know that they can go to the union for help. Furthermore, the Italian public, local institutions and communities have been mobilized about this issue.

Following this initial movement, FLAI-CGIL aims to involve local authorities in the tomato regions, NGOs and other allies to ensure that decent working conditions and healthy living arrangements are maintained for migrant workers.

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*Source:*

<http://cms.iuf.org/?q=node/232>

## 67. Raising awareness of labor rights for potential migrant workers

### Confederation of Trade Unions of Armenia

The Confederation of Trade Unions of Armenia (CTUA) published and distributed a leaflet which outlines basic issues for Armenian migrants to be aware of before accepting a job abroad, such as making sure that they have a formal contract outlining their work, a salary, clearly set work hours, and a provision outlining how travel expenses are handled.

This kind of awareness campaign can be effective in making sure that migrant workers know their rights and can be knowledgeable about their work situation, thereby preventing exploitative conditions. These pamphlets outline measures on how to avoid situations that may make them vulnerable to forced labor and knowledge in these issue areas can also be applicable should the worker change employers or sectors.

The CTUA pamphlet explains that it is illegal to take away a worker's passport after they arrive in the destination countries and if this occurs, or the job does not have clearly outlined terms and conditions, then the migrant should seek out the local Armenian embassy or consult with a trade union. The pamphlet gives the addresses for unions and Armenian embassies in the most common destination countries for Armenian migrants and also provides phone numbers where a migrant worker can call for help.

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*Source:*

[http://hamk.am/default\\_eng.asp.htm](http://hamk.am/default_eng.asp.htm)

## 68. Championing justice for the undocumented migrant

### Migrant Rights Centre Ireland

With an estimated 30,000 undocumented migrants living in Ireland, the Migrant Rights Centre Ireland (MRCI) works for justice, empowerment and equality for migrant workers, including children and families. The Justice for the Undocumented (JFU) campaign group is a recent initiative of the Migrant Rights Centre Ireland formed to strengthen advocacy efforts regarding the rights of migrants.

The Justice for the Undocumented campaign group, comprised of undocumented migrants and their allies and supporters, is championing for the introduction of an Earned Regularization Scheme. With regular meetings, the group tries to identify ways for undocumented migrants living in Ireland to find formal ways to earn their residency status.

Regularization, the process for which Migrant Rights Centre Ireland advocates, affords undocumented migrants the chance to legalize their status through the acquisition of temporary and/or permanent residency rights over a given period of time. After registering with the government and all relevant authorities, migrants must pay a fine and then would be granted a probationary residency status with the ability to then earn points over a 2-5 year period in an effort to gain permanent residency status. MRCI continues to galvanize support for this Scheme and has recently gained endorsements from trade unions, businesses and voluntary organizations.

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*Source:*

<http://www.mrci.ie/our-work/justice-for-undocumented/>

## 69. Designing action plans to encourage robust defense of migrants' rights

### The Stockholm Programme

Endorsed by the European Council in December 2009, the Stockholm Programme (2011-2014) carefully outlines the necessary action required by the European Parliament and the parliaments of member states to synergize plans to protect migrant rights. Notably, the Stockholm Programme aims to build upon existing legislation, ensuring continuity from the previous Tampere and Hague Programmes. The Stockholm Programme prioritizes the following issue areas:

- **Human Rights:** Migrants and their children must be aware of their rights under the EU Charter of Fundamental Rights and the European Convention for the Protection of Human Rights and Fundamental Freedoms. The rights of the most vulnerable, including migrants and the children of migrants, must be protected and promoted.
- **Access to Justice:** The Stockholm Programme seeks to ensure that cooperation between facets of the judiciary and mutual recognition of court decisions further facilitate migrants' access to justice. Greater attention is being paid to e-Justice, using technology to make information regarding labor rights, social rights, legal questions and procedural concerns widely available online.
- **Protection of Citizens:** With a focus on internal security strategy, the Stockholm Programme suggests ways in which citizens can be better protected against human trafficking, labor exploitation and the exploitation of minors. In this regard, border management, emergency disaster relief and migrant services are partnering to ensure a harmonized approach which will promote the most robust defense for migrant rights.

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*Source:*

<http://www.opensocietyfoundations.org/sites/default/files/education-migrant-children-20101130.pdf>

## 70. Implementing measures to ensure victims' access to compensation

**Partner countries: Austria, Belarus, Bosnia & Herzegovina, Bulgaria, Czech Republic, Germany, Ireland, Italy, Macedonia, Moldova, Poland, Spain, Ukraine, United Kingdom**

Initiated in 2009, Project COMPACT European Action for Compensation for Trafficked Persons has worked to bring about system-wide changes to ensure that victims of trafficking receive compensation for their distress and any unpaid labor. Stakeholders in 14 countries partnered to conduct research on current obstacles and possibilities in systems and procedures that prevent compensation of persons who were trafficked. The partners formed national coalitions on compensation and presented their recommendations to ensure justice for victims of trafficking. Some of the partners teamed up with lawyers to support clients and worked with law firms to educate the legal community on the right to compensation.

COMPACT partners have helped claim compensation for over 50 trafficking victims, with the highest amount granted being €54,000. An international awareness-raising campaign helped bring about the inclusion of compensation in the anti-trafficking agenda of intergovernmental organizations. The EU Directive on preventing and combating trafficking in human beings and protecting the victims EU/2011/36 now covers compensation, as does The EU Strategy towards the Eradication of Trafficking in Human Beings 2012-2016.

A data-collection model developed by COMPACT for country-level research considers access to compensation for victims of human trafficking and provides analysis of national barriers to accessing this information. COMPACT used the outcomes of national researches and partners' experience to create a number of tools including posters on seeking compensation, flyers informing trafficked and exploited persons about their rights to receive compensation, guidance on representing victims of trafficking in compensation claims and a compensation promotion video.

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*Source:*

<http://www.compactproject.org/?main=home>



## 71. Developing a national referral mechanism

### Government of the United Kingdom

The National Referral Mechanism (NRM) is a system of procedures for identifying trafficked persons and then referring victims onward to appropriate care and protection services. It is the key protection available for victims of trafficking in the United Kingdom. Through the NRM, UK Border Agency (UKBA), Social Services and certain NGOs are able to guide potential victim of trafficking to the Competent Authority (CA), which include the United Kingdom Human Trafficking Center (UKHTC) and the UKBA.

Cases are divided between these two based on the victim's nationality: the UKHTC handles referrals involving all UK and EEA (European Economic Area) nationals and the UKBA is concerned with referrals of all other nationalities. Both agencies receive referrals from police, local authorities and NGOs.

The referral is voluntary, allowing adults to have agency in their decision to be referred to a Competent Authority by signing a referral form. If the individual does not want to be referred, the CA is not contacted. The referrals are made with a standard referral form and are sent to a central contact point. The relevant CA then makes an initial decision based on the information supplied on the form on whether or not the individual referred is a potential victim of trafficking. The Competent Authority aims to make this decision within 5 working days of the referral.

If the decision is positive then the potential victim will receive shelter in a Ministry of Justice "safe house" and he or she is given a 45 day recovery and reflection period to recover from their experience and to assess next steps. During this time, the CA collects more information relating to the referral from the First Responder and other agencies.

The Competent Authority uses this additional information to make a final decision on whether the individual is in fact a victim of trafficking. The Conclusive Grounds (CG) Decision is typically made by the CA within the 45 day period. The referred person and First Responder receive a letter notifying them of the decision.

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*Source:*

<http://www.hillingdon.gov.uk/media.jsp?mediaid=23490&filetype=pdf>

## 72. Publicizing a nationwide anti-trafficking helpline

### International Organization for Migration Turkey

The International Organization for Migration (IOM) has been active in Turkey since 1991 and has been fighting human trafficking in the country since 1994. Many migrants are attracted to Turkey due to its relative economic prosperity and political stability; However, migrants from the former Soviet republics of Ukraine, Moldova, Kyrgyzstan, Uzbekistan, and Turkmenistan may find themselves in Turkey as a result of labor trafficking.

In May 2005, with the funding of the US Government, the IOM started the 157 Helpline, which is in operation twenty-four hours a day and available to speakers of Turkish as well as Romanian, Russian, and English. The helpline was at first designed to rescue trafficking victims but has since expanded to provide information on a non-emergency basis and offer advice on visa applications and returning to countries of origin.

The IOM has spent much time and resources in publicizing the extent of human trafficking abuses in Turkey and the availability of the 157 Helpline through public service announcements on TV and radio broadcasts. Furthermore, the IOM has commissioned five buses to travel around the country, especially in areas where human trafficking activity is most severe, in order to promote the 157 Helpline. The International Organization for Migration has even prominently displayed publicity materials for the helpline at important Turkish football matches.

The helpline is reachable by dialing 157 from anywhere in Turkey and by dialing 90-312-157-1122 internationally. Between 2005 and 2010, the IOM rescued 165 victims of trafficking using the 157 Helpline.

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*Source:*

<http://www.turkey.iom.int/pa2.htm>

## **Part VI: Central and South America**

## 73. Providing migrant protection along the borders of conflict affected states

### Government of Ecuador

Commissioned by the German Federal Ministry for Economic Cooperation and Development, the Government of Ecuador has begun a project to identify and protect those migrants living along the border area between Ecuador and Colombia. Conflict along the border region between Ecuador and Colombia has had serious consequences for populations living in this area. Evictions and extortion is common, as is the forcible recruiting of youth for illegal groups. Every month, 1200 Colombians seek protection in Ecuador. The Government of Ecuador and local NGO partners are working to better protect these vulnerable migrants.

Through enhanced cooperation with civil society and an open dialogue with the Government of Colombia, the Government of Ecuador is better able to enhance migrants access to services and to protect the rights of those at high-risk of trafficking. Social and legal support is being offered in addition to facilitating the opportunities for children to enter into the Ecuadorian school system. Through the Project, entitled “Protecting Human Rights in Migration Situations (PRODEM)”, migrants and their families are able to access information about their rights.

The Project welcomes journalists to the border region as an opportunity to shed light on the plight of Colombian migrants and the efforts of the Ecuadorian Government in providing protection. Government offices are being counseled on effective measures for preventing the trafficking of migrants and a regional conference on the protection of vulnerable populations, including migrants, refugees and displaced person is currently being planned.

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Source:

<http://www.giz.de/en/worldwide/15019.html>

## 74. Raising awareness against forced labor in the logging industry

### National Federation of Wood and Related Industry of Peru

Out of concern for the growing number of indigenous workers entrapped in a cycle of debt and servitude in logging camps in Peru, the International Labor Organization (ILO) has committed itself to raising awareness on the problems facing these workers who are often discriminated against in the labor market. In August 2008, the National Federation of Wood and Related Industry of Peru (FENATIMAP), with financing from the Netherlands Trade Union Federation (FNV), started a joint project to combat forced labor in the logging industry.

The project's objective is to raise awareness on the problems facing indigenous workers and to engage in capacity building activities in an attempt to reduce the number of workers in situations of forced labor. This is done by training local trade unionists and indigenous leaders on issues such as forced labor, legal remedies to stop violations of labor or human rights and organizing effective protests. This training exhibits a multiplier effect as the trained leaders share their knowledge with the rest of the society, eventually creating a network of activists who, together with FENATIMAP, are ready to take action against forced labor.

These FENATIMAP activities provide access to legal mechanisms through advocacy work and offer a wider network of support to the indigenous workers while pressuring authorities to act on labor issues in the logging industry.

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*Source:*

[http://www.ilo.org/sapfl/Informationresources/ILOPublications/WCMS\\_144214/lang--en/index.htm](http://www.ilo.org/sapfl/Informationresources/ILOPublications/WCMS_144214/lang--en/index.htm)

## 75. Designing a government action plan to combat slave labor

### National Commission for the Eradication of Slave Labor

With support from the International Labour Organization (ILO), the Government of Brazil created the National Commission for the Eradication of Slave Labor (CONATRAE). CONATRAE was responsible for the first and second National Plans for the Eradication of Forced Labour, 2003 and 2008, respectively.

CONATRAE calls for a collaborative interagency effort comprised of the Ministry of Labor, the federal police, trade unions and NGOs to further this initiative. Its mission is to coordinate the implementation of actions prescribed in the National Plan.

This work has resulted in:

- Using legislative amendments to criminalize the recruiting and transporting of workers into forced labor
- The establishment of the Special Mobile Inspection Group under the Ministry of Labor, which consists of labor inspectors, attorneys and federal police officers who are mandated with ensuring that charges be brought immediately against those using slave labor
- The establishment of mobile labor courts in areas most affected by forced labor to ensure immediate punishment is possible, through fines or seizure of assets, for those using forced labor
- A Registrar of Employers of those who have previously used slave labor to name and shame organizations or individuals using slave labor

In conjunction with the Ministry of Labour and Employment (MTE), the Government now publishes a list of firms and individuals who have been charged with using slave labor.

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*Sources:*

[http://www.ilo.org/sapfl/Informationresources/ILOPublications/WCMS\\_111297/lang--en/index.htm](http://www.ilo.org/sapfl/Informationresources/ILOPublications/WCMS_111297/lang--en/index.htm)

## 76. Protecting domestic workers through training and legal counsel

### **Asociación de Trabajadoras Domésticas**

The Household Workers Association (ASTRADOMES) is a non-governmental organization based in Costa Rica that is affiliated to the Latin America and Caribbean Confederation of Women Workers in the Home (CONLACTRAHO). Members are mainly Nicaraguan, but some come from El Salvador, Honduras, and Guatemala. ASTRADOMES aims to educate domestic workers on their rights, improve their living conditions and represent their interests through advocacy efforts.

Some of the services provided by ASTRADOMES include:

- Telephone inquiries by household maids and employers
- Advice, support, and legal and social guidance for female workers with labor problems
- Temporary shelter for dismissed workers
- Training on labor rights and duties, self-esteem, sexuality and reproductive health

ASTRADOMES has a strong record for providing legal and social assistance to marginalized migrant domestic workers, many of whom receive education about labor rights and regulations through ASTRADOMES. Championing the rights of domestic workers, ASTRADOMES works to change the perception of domestic work as informal and worker-employer disputes as a private issue.

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*Source:*

[http://www.ilo.org/dyn/migpractice/migmain.showPractice?p\\_lang=en&p\\_practice\\_id=35](http://www.ilo.org/dyn/migpractice/migmain.showPractice?p_lang=en&p_practice_id=35)

## 77. Contracting with the US Department of Labor to protect migrant workers

### **The United States Department of Labor and the Governments of Mexico, Nicaragua, Guatemala, El Salvador, Costa Rica, Honduras, Peru**

Since 2011, the US Department of Labor (DOL) has signed partnership agreements with Mexico, Nicaragua, Guatemala, El Salvador, Costa Rica, Honduras and Peru in an effort to preserve the rights of their migrants and to protect them while in the American workforce. Labor Secretary Hilda Solis has close ties to La Raza, the largest Hispanic organization in the United States that lobbies for bilingual education, stricter hate crime laws and amnesty for illegal aliens.

The Department of Labor's regional offices have teamed up with local embassies and consulates to educate these countries' citizens about their rights in the United States on issues including health, safety and wage laws. This cooperation will also help both the US and signatory countries identify the problems faced by migrant workers and aid in targeting labor law enforcement efforts such as providing a forum to seek redress when their labor rights are disregarded or violated and informing them of their rights while in the US.

In addition, the DOL has created a special division to enforce the existing labor and wage laws in industries known to frequently hire illegal aliens. The "We Can Help" project consists of 1,000 investigators focuses on labor and wage laws in industries which typically employ many undocumented migrants. The "We Can Help" message is delivered in Spanish and aims to bring workplace protections to vulnerable and underpaid migrants.

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*Source:*

<http://www.judicialwatch.org/blog/2012/06/dol-signs-more-foreign-contracts-to-protect-migrant-workers/>



## 78. Conducting health research to influence migrant health policy

### Social Security Fund

According to data provided by the Household Survey, 46% of the Nicaraguan migrant population is not insured by The Social Security Fund (CCSS). CCSS is the public institution in charge of providing health services to Costa Rica's inhabitants. Social Security affiliation is paid by contributions from employees, employers and the Government.

The CCSS also conducts studies with the aim of providing workers with social security benefits and inspects work places to ensure that salaried workers are insured and their rights respected. With such a large portion of the migrant population uninsured, problems in the health industry are inevitable. Uninsured migrants often seek informal mechanisms for seeking assistance, such as visiting the emergency room services during non-working hours or using borrowed documents from those insured. These health care challenges have prompted major research that measures the impact of the migrant populations on health services. This information will be helpful in formulating comprehensive health policies for Costa Rica's vulnerable populations.

Nicaraguan migrant workers were greatly excluded from the 2001-2006 CCSS public documents mainly because previous studies did not include the nationalities of workers in Costa Rica. However, since then more interest has been sparked on the effects of migrant workers on the health care system. The 2007-2012 institutional plans recognized the contribution of migrant workers to the production of national wealth and hence addressed their concerns. Currently, the state allows temporary migrant workers to work legally in the country and enroll in the CCSS for short periods of time.

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Source :

[http://www.ilo.org/public/libdoc/ilo/2002/102B09\\_533\\_engl.pdf](http://www.ilo.org/public/libdoc/ilo/2002/102B09_533_engl.pdf)

## 79. Supporting migrant workers through education and advocacy

### Cáritas Costa Rica

Cáritas Costa Rica is an NGO run by the Social Pastoral Commission of Costa Rica's Catholic Church. As part of the Catholic Church, the organization shares in the social mission of the church and their core values of dignity, justice, solidarity and stewardship. Cáritas Costa Rica is part of Cáritas Internationalis which was started at the turn of the 19<sup>th</sup> century and has grown to be one of the largest networks dedicated to poverty reduction and injustice in the world.

Cáritas Costa Rica supports migrants in a number of ways. Cáritas Costa Rica provides support in:

- Documentation processes
- Community organization
- Leadership training
- Education
- Advocacy

Cáritas Costa Rica also works to educate working children and adolescents. Special attention is given on raising awareness of children's right to education and the negative effects of child labor.

A leaflet entitled "Human Mobility from the Church's Perspective" (Movilidad Humana desde la perspectiva de la Iglesia) is used during the training workshops and outlines each of Cáritas' areas of work.

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*Source:*

[http://www.caritas.org/worldmap/latin\\_america/costarica.html](http://www.caritas.org/worldmap/latin_america/costarica.html)

## 80. Signing and ratifying international agreements to protect domestic workers

### Government of Bolivia and the Government of Paraguay

On April 15, 2013, Bolivia became the sixth ILO Member State and the second Latin American State to ratify ILO Convention No. 189 on *Decent Work for Domestic Workers*. On May 7, 2013, Paraguay followed suit as the seventh Member State and the third Latin American State to ratify the Convention.

In both countries, around 18 percent of the women are employed as domestic workers. In Paraguay, domestic work is the second largest employment occupation for women. However, the average pay for domestic workers constitutes only 40 percent of the national minimum wage.

Due to these alarming statistics, the Governments of Bolivia and Paraguay expressed concern for the rights of these workers. The challenge will now be in harmonizing the international standard set by the Convention into enforceable domestic legislation.

The Convention requires that signatories promote and protect the rights of all domestic workers. The Convention, which addresses working age, minimum pay, length of work and working conditions among other things, entered into force on 5<sup>th</sup> September 2013, twelve months after the date it was ratified by two ILO member states.

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#### Sources:

[http://www.ilo.org/global/standards/information-resources-and-publications/news/WCMS\\_213101/lang--en/index.htm](http://www.ilo.org/global/standards/information-resources-and-publications/news/WCMS_213101/lang--en/index.htm);

[http://www.ilo.org/dyn/normlex/en/f?p=1000:12100:0::NO::P12100\\_ILO\\_CODE:C189](http://www.ilo.org/dyn/normlex/en/f?p=1000:12100:0::NO::P12100_ILO_CODE:C189)

[http://www.ilo.org/global/standards/information-resources-and-publications/news/WCMS\\_210941/lang--en/index.htm](http://www.ilo.org/global/standards/information-resources-and-publications/news/WCMS_210941/lang--en/index.htm)

# 81. Protecting the rights of domestic workers through legislation

## Government of Argentina

On March 13<sup>th</sup> 2013, the Deputies Chamber of Argentina unanimously supported a new law to regulate the working relationship of private-home domestic workers. The new law nullifies a previous law that was passed by Dictator Pedro Aramburu and had been used to regulate domestic work since 1956. This new law expands domestic worker rights to include a yearly bonus and compensation for dismissal and maternity leave, which was previously unrecognized, paid leave, and a restriction of working hours to eight hours a day and a total of 48 hours a week.

The new Law 26.844 will benefit the approximately 1.2 million domestic workers in Argentina, 80 percent of who work in precarious conditions of employment. Most are not registered within the social security system and thus lack access to health benefits or medical coverage in case of emergency or workplace accidents.

In addition to expanding upon domestic workers' labor rights regarding pay and health coverage, the new Law carries stipulations for those sharing a home with their employer. Night rest is guaranteed within the Law, fixed at eight uninterrupted hours and two hours rest between morning and evening duties. Special leave for marriage and the death of a spouse, live-in partner, child or parent is also included in the Law.

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*Source:*

<http://www.trust.org/item/20130510164717-qmx47/>

## 82. Raising awareness on domestic workers' struggles through scholarly publications

### **Care Work and Class: Domestic Workers' Struggle for Equal Rights in Latin America**

Published in May 2012, *Care Work and Class: Domestic Workers' Struggle for Equal Rights in Latin America* is a book written by Merike Blofield, an Associate Professor of Political Science at the University of Miami. *Care Work and Class* explores the long neglected topic of class and gender inequalities in Latin America, specifically the struggle for equal rights by women employed as domestic workers. Domestic workers make up 15% of the economically active female population in Latin America.

In the book, she outlines the multiple forms of discrimination and exploitation to which female domestic workers are subjected. She also analyzes the efforts of the domestic workers and those of their political allies to secure legal reforms that recognize their basic rights in Bolivia, Chile, Costa Rica and Uruguay.

While executive enforcement of the new legislations made in the respective countries still lags, *Care Work and Class* continues to further advocacy efforts and serves as an awareness campaign for the identification of the problems in the domestic worker industry.

The text is an important resource, providing a large volume of information regarding exploitation of domestic workers in different Latin American countries and the efforts made in protecting these workers.

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Source:

<http://www.foreignaffairs.com/articles/138380/merike-blofield/care-work-and-class-domestic-workers-struggle-for-equal-rights-i>

## 83. Exercising collective bargaining to promote the rights of domestic workers

### **Banco de Prevision Social**

A new initiative in Uruguay combines legislative protection and collective bargaining to protect their domestic workers. All employers are required by law to register their workers, including domestic workers, with the Banco de Prevision Social (BPS, Social Welfare Bank).

Both the employers and employees then make monthly payments to the employees' pension and health fund to help with securing their future. Further, Law No. 18.065, which was adopted in 2006, has been instrumental in regulating domestic work and has paved the way for their collective bargaining. This law was widely publicized through broad-based information campaigns following the adoption of Uruguay's 2006 law.

To monitor the compliance and regularization of domestic workers in respect to social security contributions, the labor inspectorate has instituted a special unit with the mandate of enforcing domestic workers' rights. This authorizes the Unit to inspect the work environment, including private residences, and receive complaints.

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*Source:*

[http://gfmd.org/documents/mauritius/gfmd12\\_mauritius12\\_rt\\_3-3-background\\_paper\\_en.pdf](http://gfmd.org/documents/mauritius/gfmd12_mauritius12_rt_3-3-background_paper_en.pdf)

## 84. Protecting the rights of domestic workers through tripartite consultation

### **Domestic Workers Union, the League of Home Makers and Consumers, Ministry of Employment and the Social Security Ministry**

A collective agreement protecting domestic workers from January 2013-December 2015 was signed in Uruguay by the tripartite group working on the Domestic Work Sector of the Wages Council of Uruguay. These usually include a union representing the domestic workers, an employer bargaining entity and an institution to monitor the process. The domestic worker collective bargaining agreement in Uruguay brought together the following parties:

- The Domestic Workers Union
- The League of Homeworkers and Consumers
- The Ministry for Employment and Social Security

The Uruguayan League of Homeworkers and Consumers acted as the representative of the employers and the Ministry of Employment and Social Security served as the monitoring agency. The first agreement was reached in August 2008 and it provided for minimum wages and increases, severance pay, overtime and early termination payments and banned sexual harassment, among other things. The second agreement, which was reached in 2010, increased the minimum wage levels and made slight adjustments to the 2008 agreement. The two agreements are widely used in the entire domestic work sector of the country.

The new collective will benefit more than 120,000 domestic workers. The agreement raises domestic workers minimum wage and sets adjustment rates according to three different salary levels. The agreement also created a premium for workers who have been consistent in attending work and gives all workers the right to paid leave and to undergo a breast cancer screening.

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*Source:*

[http://www.ilo.org/travail/areasofwork/domestic-workers/WCMS\\_212212/lang--en/index.htm](http://www.ilo.org/travail/areasofwork/domestic-workers/WCMS_212212/lang--en/index.htm)

## 85. Using legislation to guarantee equal rights for domestic workers

### Government of Brazil

New legislation unanimously passed in the Brazilian Senate in March 2013 now provides legal protection for Brazil's six and half million domestic workers. The constitutional amendment secures 16 new rights for the domestic workers, some of which include the right to overtime pay, a maximum working day of eight hours and a 44 hour working week.

While some of the changes came into force on April 2, 2013, others necessitate some time to normalize. One provision which will need to be standardized requires employers to pay the equivalent of eight percent of the worker's salary into a fund that will be made available in case of death or compulsory redundancy.

17 percent of all jobs for women in Brazil are in the field of domestic work, with Latin America as a region representing one of the fastest-growing domestic worker sectors around the globe. The new amendment marks a victory for domestic workers, as many domestic workers trade unions have been championing legal reform for decades.

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*Source:*

[http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS\\_208727/lang--en/index.htm](http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_208727/lang--en/index.htm)



## **Part VII: North America**

## 86. Offering services to domestic workers

### CASA de Maryland

Created in 1991, CASA de Maryland, a nonprofit organization based in Maryland, USA recently launched a program to ensure that undocumented children will be protected under President Barak Obama's Deferred Action Policy. The organization has created a packet of information to help applicants before attending a clinic where program staff and volunteers help youth prepare their applications in order to receive a deferral of action.

In addition, CASA provides advice and services to domestic workers. First established in response to the increasing number of day laborers in Maryland, some of the services it provides include employment assistance, financial literacy, adult English classes, Spanish literacy instruction, citizenship and legal services and health education. The goal of much of its work is to help workers achieve economic self-sufficiency through education. It is the largest Latino and immigrant organization in Maryland. CASA is able to provide its services because of partnerships with local governments, foundations, and religious groups and estimates that over 20,000 low-income Latinos and immigrants are served every year.

The organization has several welcome centers throughout Maryland where its focus is placing workers in fair-wage employment. The employment specialists register and screen workers, find them employment and follow-up with workers. Worker evaluations are conducted by employers who hire from CASA. All workers are required to sign a "Codes of Ethics" and "Standards of Practice." The organization facilitates the creation of workers associations so that workers may assume leadership roles in CASA's operations.

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*Source:*

<http://www.casademaryland.org/home>

## 87. Providing protection for children of migrants

### United States Citizenship and Immigration Services

In August 2012, the US Citizenship and Immigration Services (USCIS) began accepting requests for consideration of deferred action for childhood arrivals. USCIS will consider requests for relief from deportation from the United States in addition to employment authorization. These requests will be handled on a case-by-case basis according to established and extensive criteria including:

- Came to the United States before the age of sixteen
- Had continuously resided in the United States for at least five years preceding the date of this memorandum and were present in the United States on the date of this memorandum
- Are currently in school, have graduated from high school, have obtained a general education development certificate, or are honorably discharged veterans of the Coast Guard or Armed Forces of the United States
- Have not been convicted of a felony offense, a significant misdemeanor offense, multiple misdemeanor offenses, or otherwise pose a threat to national security or public safety
- Are not above the age of thirty

This initiative was catalyzed on June 15, 2012 when Secretary of Homeland Security Janet Napolitano announced that certain youth who were brought to the United States illegally as young do not pose a risk to public safety or national security. To confront the immigration challenge while simultaneously protecting the children of illegal immigrants, the USCIS will evaluate and grant relief from removal proceedings to children who will now be able to continue living and going to school in the United States.

It is estimated that this law will protect 800,000 undocumented young immigrants from deportation and allow them to apply for work permits. The deferral only lasts two years, requiring candidates to reapply after 2 years.

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*Source:*

<http://www.dhs.gov/news/2012/06/15/secretary-napolitano-announces-deferred-action-process-young-people-who-are-low>

## 88. Establishing laws at the state-level that protect domestic workers

### New York State Senate

In 2010, The New York State Senate passed the Domestic Workers' Bill of Rights that identifies the protections that are common in federally protected industries. In the past, domestic workers, including nannies, housekeepers and private elderly caregivers, were excluded from federal labor laws.

Some of these protections include paid holidays and vacations, standard overtime. The following rights and protections are guaranteed under the 2010 law:

- Defining an eight-hour day as a legal day's work
- Overtime pay at the rate of 1.5 times the regular rate of pay after 40 hours of work for live-out domestic workers and 44 hours for live-in domestic workers
- One day of rest in each calendar week, which should coincide with worker's day of worship if applicable
- Overtime pay if a worker agrees to work on her day of rest
- Three paid days off after one year of employment
- Protection against workplace discrimination & harassment based on race, gender, national origin, disability, marital status & domestic violence victim status
- Protection against sexual harassment by employer
- Workers compensation insurance for full-time and part-time domestic workers (pending legislation)

Following the passage of the Domestic Workers' Bill of Rights in New York State in 2010, the New York State Department of Labor developed guides for employers in English, Spanish, French, Haitian Creole, Hindi, Nepali, Chinese, and Tagalog, as well as a poster in both English and Spanish. The posters highlight the key aspects of the Law including minimum wage, overtime and requirements for paid leave.

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Source:

<http://www.labor.ny.gov/legal/domestic-workers-bill-of-rights.shtm>

## 89. Advocating for the rights of female domestic workers

### Jamaica Household Workers

The Jamaica Household Workers Association (JHWA) is an organization based in Jamaica that advocates for the rights of female domestic workers, who constitute 90 percent of the domestic labor force in the country. Founded in 1991 by Shirley Pryce, a former domestic worker, JHWA champions for fair working conditions and wages for household workers.

JHWA has 1600 members for whom it provides capacity-building seminars to educate workers and employers on their rights and responsibilities. Pryce works closely with JHWA's members, most of who are between 25 and 65 and many without formal education.

The Jamaica Household Workers Association partners with the National Training Authority and Human Employment and Resource Training Trust in Jamaica to provide skills training so that interested domestic workers have the ability to transition into higher-paying jobs. Additionally, JHWA runs a hospitality skills course that teaches food preparation to increase opportunities for work in the culinary arts.

In September 2011, Pryce represented JHWA at a regional conference in Jamaica that focused on the implementation of protections for domestic workers in Latin America and the Caribbean. The organization seeks to strengthen relationships with the Government of Jamaica, UN Women and the International Organization for Migration in addition to establishing connections with similar domestic workers' organizations in Latin America.

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*Source:*

<http://www.unwomen.org/2011/09/paving-the-path-for-jamaican-women-domestic-workers/>

## 90. Providing assistance for migrants in native languages

### Frente Indígena Oaxaqueño Binacional

Frente Indígena Oaxaqueño Binacional (FIOB) is a grass-roots group of organizations, communities and individuals from various backgrounds who work together on economic, political, cultural, and social issues that affect indigenous people in Mexico and the United States. As many migrant workers in the United States come from Mexico and Central America and may not speak Spanish, Frente Indígena Oaxaqueño Binacional recognizes the importance of providing assistance in one's native language.

Based in California, FIOB works to uphold legal rights for indigenous peoples and migrants by organizing efforts to provide training for speakers of Mixteco, Zapoteco, Trique, and Chatino, so that translators are available in courts, police departments, and in schools.

Both the US Census and private funders have provided assistance and encouragement to complete census forms in native languages. According to National Agricultural Workers Survey (NAWS) and the US Department of Labor, it is estimated that there are approximately 165,000 indigenous Mexican farmworkers and family members in California.

In October 2012, FIOB facilitated a four-hour cultural sensitivity training for the public that provided information on the backgrounds of indigenous populations in the United States. The training highlighted the linguistic and cultural challenges faced and offered practical strategies to make organizations and individuals more culturally competent in interactions with migrants and indigenous individuals.

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*Sources:*

<http://fiob.org/en>

<http://indigenousfarmworkers.org/demographics.shtml>

## 91. Maintaining media campaigns to highlight services for domestic workers

### Domestic Workers United

Founded in 2000, Domestic Workers United is an organization of Caribbean, Latina, and African nannies, housekeepers and elderly caregivers that offers several services for its members. The Domestic Workers Legal Clinic partnered with the Urban Justice Center to assist in case management for those who have been exploited, abused or unjustly treated. Members initially meet with a peer intake counselor. The organization also offers information about taxes, wages, penalties for non-compliant employers and unemployment insurance.

The Domestic Workers United website provides valuable resources including a handbook created with the assistance of Fordham Law School highlighting the rights of domestic workers. The website also outlines information about other relevant laws including sexual harassment laws and wage theft prevention laws.

Following the 2010 passage of the New York state Domestic Workers Law, Domestic Workers United implemented a media campaign which included a website dedicated to deconstructing the law to make it more understandable. The website featured sample standard full-time and part-time contracts in English, French and Spanish. The contracts are intended to assist in shaping the employment relationship prior to the start of work by establishing expectations for wages, sick days, days off, paid vacation and health insurance.

The use and discussion of the contracts can provide mutual understanding and protection for the employer and employee. Misunderstandings can be reduced while rights and expectations may be discussed and written prior to the start of employment. The contracts also include a notice of termination so both parties are protected in making future arrangements.

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Source:

<http://www.knowyourrightsny.org/>

## 92. Constructing adequate housing for migrant workers

### Michigan Department of Agriculture

The Michigan Department of Agriculture (MDA) division on Migrant Labor Housing Inspection and Licensing seeks to protect the health, safety, and welfare of migrant workers and their families. Approximately 90,000 migrant workers and their families come to Michigan each year to work in agriculture with a production value of over \$2.1 billion dollars annually. To ensure migrant protection and housing that is in compliance with basic regulations, the Migrant Labor Housing Inspection and Licensing Division provides information on applications, inspections, compliance assistance, and grants.

According to the Department of Agriculture, housing that is provided for five or more workers for agriculture related activities is required to be inspected and licensed by the MDA. There are approximately 4,000 licensed units that must meet requirements including fire prevention, proper waste disposal, sound construction, and bathing and sanitation facilities.

There are no fees for those who apply to provide housing for migrant workers. Before granting licenses, an inspector will examine the home. Inspectors make visits while under occupation to ensure the limits on the allowable number of occupants. Applications need to be renewed each year. MDA also issues construction grants with assistance from the US Department of Labor. Expenditures can pay for unit construction costs, utility connections, and septic permits to ensure that migrant workers' homes are safe and meet state, federal and international standards of adequate protection.

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*Source:*

[www.michigan.gov/mda](http://www.michigan.gov/mda)



## 93. Ensuring educational opportunities for children of seasonal workers

### Gloucester County School District

Since the 1970s, the Gloucester County Special School Services School District has been providing regional migrant education resources and intervention services to school districts with enrolled migrant children. Supplemental services support migrant workers' children in the nine most southern counties of New Jersey where more than 90 percent of the state's migrant student population lives. These services are provided with federal funds from the State Department of Education.

To mitigate the obstacles migrant children face in accessing a quality educational experience, some of which including extreme poverty, language barriers and frequent mobility, supplemental services help minimize these effects on learning. Throughout the school year, after-school tutoring is provided to re-enforce what is taught in the classroom in addition to complementary services designed to improve English language proficiency. Students also received medical care, social service referrals and translation services. In the summer, programs are relocated so they are near seasonal migrant work.

Students have access to transportation that takes them to school for daily lessons, meals and recreational activities. There are also evening learning opportunities for older students who may work in the fields during the day. This program works in cooperation with other educational and social services in the area to offer transportation, dinner and health services in addition to classes which focus on farm instruction, consumer skills and conversational English.

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*Source:*

[http://www.gcsssd.org/apps/pages/index.jsp?uREC\\_ID=27728&type=d&termREC\\_ID=&pREC\\_ID=20910](http://www.gcsssd.org/apps/pages/index.jsp?uREC_ID=27728&type=d&termREC_ID=&pREC_ID=20910)

## 94. Educating migrant workers on their rights prior to departure from their home country

### **Centro de los Derechos Del Migrante, Inc.**

Centro de los Derechos Del Migrante, Inc. (CDM) is a program founded in 2005 by a farmworker attorney in rural Florida. The organization became the first transnational migrant workers' rights organization in Mexico with the assistance of grants from the Initiative for Public Interest Law at Yale University and Stanford University's Public Interest Law Foundation.

CDM hosts educational workshops for workers in major migrant sending areas in Mexico. The "Know Your Rights" trainings focus on educating migrants about their labor rights prior to departure for the United States in an effort to prevent workplace abuses. The workshops address wage and hour laws, health and safety regulations, discrimination laws, workers' compensation and guest-worker regulations. By providing services in migrants' home country, workers are more comfortable speaking with advocates and have the opportunity to raise concerns and ask important questions prior to departure.

CDM also distributes "Know Your Rights" literature through various networks. Some of these materials are specifically designed for female migrants and the organization offers oral materials for indigenous migrants.

Since 2005, Centro de los Derechos Del Migrante, Inc. has provided resources to more than 6,000 people in 23 states in Mexico and has recovered more than five million dollars in unpaid wages of migrant workers. Currently, CDM has its headquarters in Mexico City with offices in Juxtluaca, Oaxaca and Baltimore, Maryland.

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*Source:*

<http://www.cdmigrante.org/cdms-work/program-areas/general-outreach>

## 95. Maintaining a list of individuals or corporations whose authorization to operate has been revoked

### The United States Department of Labor

The United States Department of Labor maintains a list of individuals or corporations whose authorization to operate as a farm labor contractor has been revoked. This online list is updated on a continual basis. The Migrant and Seasonal Agricultural Worker Protection Act (MSPA) seeks to protect migrant agricultural workers through the establishment of employment standards pertaining to wages, housing, transportation, disclosures and recordkeeping and by openly listing those who are not in compliance.

Under the act, farm labor contractors are required to register with the Department of Labor where they apply for a valid certificate issued by the Secretary of Labor. Registration requirements also include provisions for contractors who plan on housing, transporting, or driving a migrant worker.

The United States Department of Labor also has workers' rights cards available in English and Spanish. These include rights relating to wages, safety and health. Under the MSPA, employers are required to post notices clearly outlining for workers their rights and protections under the Migrant and Seasonal Agricultural Worker Protection Act, including terms and conditions of housing, employment terms, payroll statements and sanitation standards.

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*Source:*

<http://www.dol.gov/whd/mspa/>

## 96. Providing health services to migrant farm workers

### Migrant Health Act

In 1962, President John F. Kennedy signed the Migrant Health Act into law to authorize health services to migrant farmworkers. Currently there are 159 federally funded migrant health centers that are non-profit, but privately administered. Some are operated by local health departments. These centers operate more than 700 satellite services sites that serve migrant and seasonal farmworker, with no proof of citizenship required to seek care. Staff members are often bilingual and available services include primary care, preventative services, disease screening, family planning, and well-child services.

In 2010, the federal government spent \$166 million to help care for nearly 900,000 migrant and seasonal farmworkers. In 2011, \$8.5 million to support expanded preventive and primary health care at 23 existing health centers.

Following a conference in 2012 commemorating the 50<sup>th</sup> anniversary of the Act's passage, recommendations were suggested, some of which included increasing services to mobile populations of migrants through the use of electronic health records and other technology that allows health information to be accessible across state lines.

Additionally affirmed priorities include increasing training staff to encourage higher retention rates of farmworker patients. Education will address communities' perceptions of migrant workers and their value to farm work. A public health model is being designed that highlights the elimination of linguistic barriers to services and emphasizes extending partnerships as well as media and public relations campaigns.

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*Sources:*

<http://www.nwrpca.org/migrant-health-centers.html>;

<http://www.kaiserhealthnews.org/Stories/2012/June/07/migrant-health-clinics-immigration-debate.aspx>

## 97. Resolving wage theft issues

### Centro Humanitario Para Los Trabajadores

Founded in 2002, Centro Humanitario Para Los Trabajadores (El Centro) is a day laborer center in Denver, Colorado that promotes migrant workers' rights in Colorado. A collective effort of the El Centro Community, the 'Wage Theft Campaign' works to end wage exploitation of low wage, temporary workers.

El Centro's Wage Theft Program allows workers to access direct services relating to wage theft, including worker's rights trainings and fact-finding services. The Wage Theft Campaign, championed by Centro Humanitario Para Los Trabajadores, secured the passage of a 2005 Denver injunction defining predatory employers as thieves and affording Denver police the mandate to hold predatory employers criminally liable for their actions.

The Wage Theft Clinic works in collaboration with Denver University's College of Law and private wage-theft lawyers to help recover tens of thousands of dollars and advocate for penalties for employers who violate wage laws.

El Centro also partners in operating the Wage Theft Task Force with representatives from the Department of Labor, and Occupational Safety and Health Administration (OSHA). The Task Force meets monthly to address wage theft issues, including conducting capacity-building trainings and taking cases to small claims court.

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*Source:*

<http://www.centrohumanitario.org/campaigns/wage-theft-campaign/>

## 98. Signing bilateral agreements to protect the welfare of migrants

### The United States Department of Labor

In June 2012, the United States Secretary of Labor signed a partnership agreement with ambassadors from Honduras, the Philippines, Peru and Ecuador to help ensure that workers migrating from these countries are aware of their rights. Regional enforcement offices from the Labor Department's Occupational Safety and Health Administration and its Wage and Hour Division (OSHA) work with local consulates to educate migrant workers on their rights to safe workplaces and fair wages.

This partnership helps the Department of Labor's OSHA office more effectively enforce laws in industries that typically hire migrant workers. The agreement aids police and inspectors in identifying problems migrant workers face and assists in labor law enforcement, especially in high-risk and low-wage industries.

Agreements such as these reflect growing international cooperation regarding the necessary protection of and respect for the welfare of migrant workers and their families. The US Department of Labor had previously signed similar agreements with Mexico, Nicaragua, Guatemala, El Salvador, Costa Rica, the Dominican Republic and India to benefit migrant workers.

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*Source:*

<http://www.dol.gov/opa/media/press/ilab/ILAB20121175.htm>

## 99. Building emergency water stations for those who cross desert terrain

### Human Borders (Fronteras Compasivas)

Human Borders is a nonprofit, faith-based agency that places emergency water stations along routes recognized to be used by migrants in Arizona's desert. Founded in June 2000, Human Borders strives to reduce deaths along Arizona's border region, most of which are due to dehydration. The organization is composed of 1,500 volunteers and 100 affiliated organizations. Local soft drink companies have donated some of the water drums.

The water tanks are placed on public and private lands with written permission from landowners. There are currently thirty-five stations that have dispensed more than 100,000 gallons of water. Most water stations consist of a 65-gallon barrel of water that is fitted with plastic spigots. The water stations are marked with a flag for increased visibility. On some private ranches, water stations are placed next to cattle watering stations so that migrants use the drums rather than damaging private property.

Permits and agreements have been established between several government agencies including the United States' National Park Service, US Fish and Wildlife Service, US Bureau of Land Management, Pima County, Ariz., the City of Tucson, Ariz., Grupo Beta in Sonora, Mexico. Humane Borders works with the Pima County Medical Examiner to develop maps that detail regions where migrants have died. This information is used to develop strategies for appropriate placement in the most crucial areas.

Humane Borders also places warning posters along the border and in churches, shelters, and stores in Mexico that clearly inform about the dangers of crossing the border into the United States. The posters include information about the location of migrant deaths and the location of water stations.

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Source:

<http://www.humaneborders.net/warning-posters/>

## 100. Partnering with international organizations to facilitate safe migration

### Maple Leaf Foods

In response to a 2002 labor shortage in Manitoba, Canada, Maple Leaf Foods, a Canadian food processing company, partnered with the International Organization for Migration (IOM) to facilitate transparent and safe migration of temporary foreign workers to Canada. Prompted by the success of the initial partnership, Maple Leaf Foods opened an International Recruitment Office in 2007.

The IOM assisted in the identification of potential workers through advertisements in local media. Additionally, the IOM aids in:

- The processing, screening of applications, interviews, and medical assessments
- Assisting temporary migrant workers with obtaining and completing necessary travel documentation
- Offering ongoing support with workers' employment contracts
- Providing workers with pre-departure orientation information including English language skills and cultural training
- Escorting workers to their new homes and assisting with community familiarization
- Monitoring and evaluating workers in Canada

Maple Leaf finds apartments for workers in Canada and pays the first month's rent in addition to providing beds, bedding, a welcome package, one month bus pass, and grocery coupons until workers receive their first check. Workers also receive life skills training, health and safety, and language skills. Employees are hired for an initial two-year period. After this, Maple Leaf Foods can nominate employees who wish to remain in Canada to the Provincial Nominee Programme. If a worker is approved, he or she is issued a permanent residence status and can bring their family to Canada.

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*Source:*

[http://human-rights.unglobalcompact.org/case\\_studies/migrant-workers/migrant\\_workers/responsible\\_recruitment\\_of\\_foreign\\_workers.html](http://human-rights.unglobalcompact.org/case_studies/migrant-workers/migrant_workers/responsible_recruitment_of_foreign_workers.html)



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