



ENoMW Statement for International Domestic Workers' Day 2014

16 June 2014, Brussels – The European Union must urgently strengthen efforts to guarantee the equal rights and equal treatment of Migrant Domestic Workers.

On the occasion of International Day of Domestic Workers, the European Network of Migrant Women [ENoMW] draws the attention of the European Union institutions and all national and European stakeholders to the situation and treatment of Domestic Workers within the European Union member states, as well as their contribution to European society.

Domestic workers are active EU residents

Domestic workers, care workers and au pairs, both third country nationals and EU nationals exercising their right to free movement, constitute the largest group of migrant women as a working population across Europe. Based on governmental statistics, in some countries such as Cyprus, up to four percent of the total population is comprised of documented domestic workers and reportedly almost equal numbers of undocumented workers.¹

Domestic workers are real and tangible contributors to European society: they sustain European families by acting as conciliators of work and family life, and facilitate the integration of many EU national women in the labour market. Domestic workers are active contributors to the GDPs of EU member states and with their labour they often remedy the failure of some EU member states to provide comprehensive care and health services for children, the elderly and other dependents.²

Domestic workers play a pivotal role in social inclusion by supporting people in need in their natural social network/family; therefore, they prevent institutionalisation and segregation of persons with a disability, seniors and others with support needs. As this work is so important, decent working conditions for the workers and quality assurance of service must be guaranteed.

Austerity measures weaken labour rights

At a time when economies of the 'productive'³ sector are recovering from the economic crisis, their output remains heavily dependent on the labour and skills provided by migrant women within the 'reproductive' sector⁴, demand for which has not decreased.⁵

1 Eurostat, 2012, noting reports from KISA Cyprus for figures on undocumented migrants

2 ILO, Labour Migration Branch: Promoting integration for migrant domestic workers in Europe: a synthesis of Belgium, France, Italy and Spain

3 Productive sector of the economy: output-defined; includes all manufacturing industries seen as increasing the material wealth of a society

4 Reproductive labour: pertaining to day to day life, including the overall "economy of care" and all "care labour" e.g. child-rearing, housework, cleaning, cooking, health-based care assistance.

5 PICUM Submission to the UN Special Rapporteur on extreme poverty and human rights

The ENoMW recognises that the effects of the economic crisis and the introduction of austerity measures - namely cuts in social expenditures- have contributed to increases in poverty which now affect 123 million people of 24 percent of the EU population.⁶ These measures have had a dramatic impact on domestic workers who, in recent years, have reported cuts in salaries that in some states are already below minimum wage⁷, an increase in workload and the further fracturing of working hours. Unfavourable migration policies, and lack of regulation and enforcement of employment standards in domestic work, have placed domestic workers under temporary and non-renewable work permits, which have further decreased their access to labour rights and integration. Tied-visa policies like those of the UK where domestic workers are tied to their employers, are particularly open to exploitation and abuses. This creates a situation of dependency which frequently leads to a loss of status.

Compounding the conditions of vulnerability of domestic workers are private employment agencies that are rarely regulated or monitored by state institutions. Private employment agencies have been reported as placing domestic workers under conditions of debt-bondage, depriving them of the right to change employer or exit the domestic work sector. Such dependency impedes domestic workers accessing basic services and shelter, thus increasing their vulnerability to destitution and violence.

Legal protection is still unacceptably lacking

Migrant women, and especially migrant domestic workers, are particularly vulnerable to exploitation and abuse. The Council of Europe's Istanbul Convention requires that measures are taken to prevent such violence and support to victims. The Convention has enough ratifications to enter into force this year. We now call on all EU Member States, and the European Union itself, to also ratify the Istanbul Convention and allow all female migrant domestic workers the rights to protection from violence.

The ENoMW welcomes the EU Council of Ministers Decision authorising Member States to ratify the International Labour Organisation (ILO) Domestic Workers Convention, 2011 (No. 189, or C189) proposed by the Commission in March 2013 and endorsed by the European Parliament. C189 requires signatory countries to take measures to ensure fair and decent working conditions for domestic workers and to prevent violence and abuse in domestic employment. So far only two EU member states, Italy and Germany, have ratified the Convention, and only in one state (Italy) is it already in force.

The ENoMW also welcomes the new legally binding protocol to ILO Convention 29 on Forced Labour, supported by a Recommendation, adopted on 11 June 2014.

The delay in Member States signing and ratifying the Domestic Workers Convention is of urgent concern, and enforcing the Convention across the EU should be a priority in moving forward with securing decent work and social security for all domestic workers, and the overwhelming majority of migrant women among them.

ENoMW and other organisations endorsing this statement therefore call on all EU member states to ratify C189, the Domestic Workers Convention.

We also call on EU member states to ensure that the protection of domestic workers and their access to rights and justice is not limited to documented migrants only, but is extended to all migrants employed in this sector, without exception and irrespective of their migration status.

ENoMW discuss migrant domestic workers in more detail in their contribution to the European Commission's public consultation "Debate on the future of Home Affairs Policies: an open and safe Europe: what next?"

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List of signatory organisations

ENoMW - European Network of Migrant Women

SOLIDAR

PICUM – Platform for International Cooperation on Undocumented Migrants

EAPN – European Anti-Poverty Network

EWL – European Women's Lobby

RESPECT-Europe

CFMW – Centre for Filipino Migrant Workers

J4DW – Justice 4 Domestic Workers

FEANTSA – European Federation of National Organisations Working with Homeless

People

EPHA – European Public Health Alliance

IFSW Europe – International Federation of Social Workers

Babaylan Denmark

MIGS – Mediterranean Institute for Gender Studies