



# **WOMEN'S LABOUR MIGRATION ON THE AFRICA-MIDDLE EAST CORRIDOR: EXPERIENCES OF MIGRANT DOMESTIC WORKERS FROM TANZANIA MAINLAND AND ZANZIBAR**

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Global Alliance Against Traffic in Women



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## ACRONYMS

<b>BRELA</b>	Business Registration and Licensing Agency
<b>DRC</b>	Democratic Republic of Congo
<b>FGD</b>	Focus Group discussion
<b>GCIM</b>	Global Commission on International Migration
<b>HIV</b>	Human Immunodeficiency Virus
<b>IDWF</b>	International Domestic Workers Federation
<b>ILO</b>	International Labour Organization
<b>IOM</b>	International Organization for Migration
<b>MDW</b>	Migrant Domestic Worker(s)
<b>MHA</b>	Ministry of Home Affairs
<b>MNRT</b>	Ministry of Natural Resources and Tourism
<b>NBS</b>	National Bureau of Statistics
<b>NGOs</b>	Non-Governmental Organisations
<b>NIDA</b>	National Identification Authority
<b>TaESA</b>	Tanzania Employments Services Authority
<b>UAE</b>	United Arabic Emirates
<b>UN</b>	United Nations

## EXECUTIVE SUMMARY

To gain a better understanding of the labour migration processes and trends, and experiences of Tanzanian and Zanzibari women working as domestic workers in the Middle East, the Conservation Hotels Domestic Social Services and Consultancy Workers Union (CHODAWU) conducted a research in Dar es Salaam and Zanzibar between November 2018 and June 2019. This research was undertaken in partnership with the Global Alliance Against Traffic in Women (GAATW) and the International Domestic Workers Federation (IDWF), two international organisations that are committed to end the abuse and exploitation of workers at home and abroad. The research, which was qualitative in nature, applied the Participatory Action Research (PAR) framework through which GAATW built the capacity of domestic workers and their advocates (trade unions and civil society organisations) to conduct evidence-based community research.

This study was part of a regional research project conducted by IDWF affiliates in six locations in East and West Africa. In Tanzania and Zanzibar, the field research was led by two colleagues (male and female) affiliated with CHODAWU-Tanzania and CHODAWU-Zanzibar, and both researchers worked closely with their trade unions' staff as well as with migrant domestic workers in order to plan the research and mobilise research participants. In Tanzania Mainland (Dar es Salaam) the researcher and his co-researcher, a migrant domestic worker, interviewed a 14 returnees and a number of trade union and civil society representatives. In Zanzibar, the researcher interviewed a total of 30 individuals including a migrant domestic worker currently working in Oman, returnee migrant domestic workers, recruitment agencies, government and trade union representatives, and non-governmental organisations (NGOs) working with migrant domestic workers.

The findings revealed that the migration process was flawed and majority of the workers migrated without the proper documents and without following due process by misinforming immigration authorities about the purpose of their travels. Bypassing the official channels presented a more convenient, faster and much more affordable option than the formal channel of acquiring the requisite approvals visas.

The study also found a significant disconnect between the expectations and the reality of working abroad. Domestic workers from Tanzania - mainland and Zanzibar - often have little understanding of the official migration process and are not fully aware of and equipped to demand their labour rights. They faced exploitation, in particular by unscrupulous recruitment agencies operating in Tanzania, and their employers in the Middle East. The contracts issued by the brokers often had exploitative terms which the workers were not aware of before departure and only came to know during their employment. Such contracts left them exposed to exploitation and abuse, such as withdrawal or underpayment of wages, long working hours and severe exhaustion, health problems, undernourishment, lack of privacy, and cultural and religious impositions by the employers.

Labour laws and policies on recruitment and migration in Tanzania and Zanzibar are different. For example, Zanzibari women are required travel with written consent from their husbands or male guardians while in Tanzania, this is not a requirement. Some of the labour migration frameworks that exist are very general. For example, in Tanzania, the labour law provides for formalisation of contracts for migrant domestic workers. The National Employment Promotion Services (Private Employment Promotion Agency) Regulations has some provisions relating to employment in relation to recruitment agencies. The Zanzibar Employment Act no.11 of 2005 provides some regulations on the recruitment of workers, which require that contracts stipulate wages, vacation time, working hours and annual leave.

There are no bilateral laws governing labour migration between Tanzania and Zanzibar and the UAE and Oman. Mainland Tanzania has the Labour and Employment Act (2014) that does not make provisions for migrant domestic labour.

There are “recovery” shelter facilities in the Tanzanian embassy in Oman that shelter workers who have left their employers. However, there are no laws to recover airfare costs or financial dues from agencies or employers to facilitate the return of workers to compensate them for any losses or damages.

Significant gaps in both policy and practice exist that present numerous challenges for stakeholders to safeguard the rights of migrant domestic workers. Both Tanzania and Zanzibar administrations carry the main responsibility of tackling these challenges through meaningful law and policy and strong implementing institutions. Stakeholders in the areas of human rights, migration, gender, labour rights and law enforcement need to address these gaps.

## BACKGROUND

Located in East Africa, Tanzania borders Kenya, Uganda, Rwanda, Burundi, the Democratic Republic of Congo, Zambia, Malawi and Mozambique. The country has a population of 57.31 million (World Bank, 2017) and is one of the world's poorest economies in terms of per capita income. The country is multi-ethnic with more than 120 distinct ethnic groups. The national languages are Swahili and English. The country's GDP per capita is \$1,133 (IMF, 2018) with high unemployment rates of up to 12.78% (2018) as per World Bank data. The country is abundant in natural resources which generate revenues from tourism, mining and export of precious minerals. Agriculture however accounts for 25% of the country's GDP. Zanzibar is a semiautonomous region of Tanzania composed of the Zanzibar Archipelago in the Indian Ocean. It is located 25-30 kilometres off the coast of the Tanzania mainland and consists of two large islands (Unguja and Pemba Island). Zanzibar's main industries are spices, raffia and tourism. The islands have a total population of 1.3 million.

Tanzania's labour trends include mixed migration flows including movements from surrounding conflict-affected states into Tanzania, rural-urban migration and more recently cross-border migration to the mining areas in South Africa and Zambia. As far as outward migration is concerned, approximated 60,000 Tanzanians live in the United States and Europe. In the last decade or so, the number of women leaving Tanzania Mainland and Zanzibar for countries in the Middle East to work as domestic workers has been on the rise.

International Labour Organization (ILO) estimates that among the estimated 244 million cross-borders migrants, there are 11.5 million migrant domestic workers and over three-quarters of them are women. Despite the high number of migrant domestic workers, this group remains an "invisible" workforce comprising mainly women, often belonging to disadvantaged ethnic minority groups. Their invisibility is compounded by their exclusion from protection of national labour law both in industrialised and developing countries (Kiaga & Medard, 2016).

This study sought to explore the women's labour migration patterns from the United Republic of Tanzania to the Middle East for domestic work, and to assess the experiences, challenges and opportunities that Tanzanian and Zanzibari migrant domestic workers face. More specifically the study sought to:

- document first-hand the experiences of Tanzanian migrant domestic workers, including the challenges and opportunities they face while working abroad and upon their return to Tanzania, and
- provide relevant up-to-date information to enable government bodies, trade unions and other stakeholders to develop or strengthen effective responses and national policies to deal with the challenges which migrant workers face and ensure they enjoy decent work.

## CONTEXT

The United Republic of Tanzania's location on Africa's east coast and its political stability relative to its neighbours has always exposed it to a variety of migration flows – as a country of origin, transit and destination. Border movement is significant, with eight neighbouring countries to the north, west and south and a long coastline to the east with several harbours. Migration to, within and from the country produces a complex and ever changing picture. The trend has been dominated by large movements of migrants from rural to urban areas, of refugees from neighbouring countries to Northwest Tanzania and international regular and irregular labour migration.

The main push factor for migration from mainland Tanzania and Zanzibar to other countries is the search for employment opportunities with expectations of higher wages and a better life in high income countries of the Middle East. The high rates of unemployment at home and low wages (especially for domestic workers. Oman particularly has a preference for workers from Zanzibar.

## LEGAL FRAMEWORK

Although a multilateral frameworks on labour exists through the ILO, there is no established equivalent framework governing labour in Tanzania. Tanzania has weak laws and policies to protect workers. Furthermore, most workers migrate via informal channels and do not benefit from the few protections available. The labour law in Tanzania's requires written contracts for employees working outside of the country. Mainland Tanzania's 2014 National Employment Promotion Services (Private Employment Promotion Agency) Regulations provide some provisions relating to the employment of Tanzanians overseas in relation to private recruitment agencies. For instance, private agencies should provide copies of the contract relating to terms and conditions of work including hours of work, remuneration and details of the employer, among others, to the labour commissioner, the employee, and the Tanzanian mission in the country of employment.

Zanzibar's Employment Act No. 11 of 2005 provides limited regulation of recruitment including that workers should be provided with a contract that details provisions on wages, accommodation, working hours, and annual leave. It also requires Tanzanian citizens who are from Zanzibar to register with the labour commissioner prior to departure, and for a labour officer to attest their contract, a copy of which is kept with the labour commissioner.<sup>1</sup>

Tanzania and Zanzibar are developing policies focusing on a contract-verification process for Tanzanian domestic workers in Oman and the UAE, but gaps in other aspects remain, such as assistance in cases of abuse. No complaints mechanism exists for abused workers abroad. Tanzanians migrating overseas for work must register with a local agency and apply for a letter to leave the country ("exit permit"). Workers in mainland Tanzania apply to TaESA, an executive agency in the Prime Minister's Office on Labour, Employment, Youth and People with Disability (Ministry of Labour), while workers from Zanzibar apply at the Department of Employment in the Zanzibar Ministry of Labour, Empowerment, Elders, Youth, Women and Children (Zanzibar Ministry of Labour).

The standard contracts devised by the Tanzanian embassies in Oman and the UAE are based on the Omani and UAE standard contracts but have more favourable terms. For instance, they require a limit of a 12-hour working day; a weekly rest day or compensation of at least 5 OMR/50 AED (\$13); one-month annual paid leave or compensation in lieu; and insurance for occupational injury, illness, and death. The employer must pay the worker's salary to a bank account, and allow her to use a mobile phone. The contracts exempt domestic workers from "washing employer's cars, and attending to gardens/farm." The contracts are written in Arabic, English, and Kiswahili.<sup>2</sup>

In Tanzania, data related to immigration and emigration patterns is available but is fragmented, primarily because data collection and management falls on the hands of different government institutions. Immigration authorities mainly hold monopoly over migration data and is not readily available or easily accessible to policymakers, researchers and the concerned public. The table below outlines a list of some of the key institutions responsible for assessment of migration data:

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<sup>1</sup> Employment and Labour Relations Act, No. 6 of 2004, art. 14(2) (mainland Tanzania) <<http://www.ilo.org>>

<sup>2</sup> <https://www.hrw.org/report/2017/11/14/working-robot/abuse-tanzanian-domestic-workers-oman-and-united-arab-emirates>

Institution	Criteria for inclusion in the MDMA
Ministry of health and social welfare (MOHSW)	Does not collect any data but plans to collect data on trafficking in the future following the introduction of the Anti-Trafficking Act of 2008
Ministry of home affairs (MOHA)	International migration both voluntary and forced
Ministry of labour and employment (MOLE)	Uses data from the immigration department of the MHA on migrants seeking employments in Tanzania.
Ministry of Natural resources and tourism. (MNRT)	Uses data from the immigration department of the MHA on migrants who arrive in Tanzania as tourists.
National bureau of statistics (NBS)	Conducts censuses and household surveys, has questions on international and internal migration.
National identification authority (NIDA)	Establishes and maintains national population register of all foreigners residing in Tanzania for more than 6 months and issues national identification cards.
President's office – public services management	Uses data from the immigration department of the MHA in migration and emigration of government officials.
Tanzania airport authority (TAA)	Data on flows of internal and international migrants by planes
Tanzania employment services agency (TaESA)	Issues permit (a letter) to Tanzanians going to work abroad and has data on Tanzanians working abroad/ seeking employment abroad.
Tanzania revenues authority (TRA)	Data on revenue contributed by international migrants in Tanzania.

## METHODOLOGY

This research project was conducted, with technical support from GAATW, by IDWF partner organisations in six locations in East and West Africa (Kenya, Uganda, Tanzania-Mainland, Tanzania-Zanzibar, Ethiopia and Ghana). To gain an in-depth understanding of labour migration trends and patterns as well as the experiences of African women migrant domestic workers in the Middle East, the study applied a qualitative feminist participatory action research (FPAR) methodology in all the six locations.

For this research, the lead researcher in Tanzania mainland and Zanzibar were staff members of CHODAWU. The primary research respondents were female migrant domestic workers. Other key informants of the survey included friends and family of the domestic workers, private recruitment agencies, Government authorities and workers' union.

The study used focus group discussion (FGD) with returnee migrant domestic workers (as the target population) and structured key informant interviews with government officials, private recruitments agencies and workers' union dealing with domestic workers. The Zanzibar cohort was based on 30 interviews conducted from December 2018 to March 2019, including domestic workers, labour union (CHOWADU), civil society organisation (Kiota Women's Health and Development (KIWOHEDE)) and

government. In Tanzania Mainland 14 returnee migrant domestic workers participated in the research, divided into two focus groups. Families and friends of the selected participants also participated.

Several appointments were set with government officials in Dar es Salaam but none of them was successful due to bureaucracy and the insistence on having a research permit. The migration of state offices from Dar es Salaam to Dodoma also presented logistical challenges as the researchers were sent back and forth between the two cities with no success of attaining the information. In Zanzibar, the researchers were able to conduct interviews with government officials including the Ministry of Labour and Economic Empowerment, Commission for Human Rights, Immigration Department and the Ministry of Health. The Zanzibari government officials had a positive view to migration of their nationals due to the limited employment opportunities on the island.



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"[Migration of domestic workers] has positive benefits because they take advantage of employment opportunities. Since in Zanzibar most of uneducated women are jobless so they take this opportunity as employment for them so that they can earn their lives in one way or another."

- Immigration Official, Zanzibar

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## FINDINGS

The factors accelerating women's migration to the Middle East to work as domestic workers were mainly economic. 61% of respondents attributed their decision to the lack of economic opportunities, low wages and lack of labour protections for domestic workers in the home country (Tanzania). 33% spoke more generally of personal ambitions, i.e. searching for greener pastures or to leave their family home. 6% of the participants specifically mentioned financial pressure from families.

The majority of the Zanzibar cohort preferred migrating to Oman as there is a preference for Zanzibari labour there given the historically close ties between the peoples of the two countries. A small number of the women had migrated to Dubai.

Respondents heard about migration opportunities from different sources including radio, friends, employment agents and travel agents who process the registration of national IDs and passports. Some reported paying the agents to improve their chances of placements. Some agents call the applicants on demand (as opportunity arises), while other travellers will arrange their travel under the false pretence of visiting relatives. In this case they become domestic workers as soon as they arrive in the destination country. Two official agents were identified in Zanzibar.



**Image 1: Returnee (left) with the researchers (centre) and her parents in Dar es Salaam**

Most of the women were given contracts, although they did not always understand their contents. In some instances, the translations were not different from the actual contract. Contractual omissions on rest days and vacation time were common point of misunderstanding.

As far as pre migration expectations go, the migrant domestic workers interviewed believed that they would earn higher wages than they do at home (Tanzania). One respondent aged 18 years mentioned that she was earning as low as TZS 10,000 (USD 5) per month and therefore viewed this as a means of improving her living conditions in Tanzania. It emerged that one woman expected to earn a salary of TZS 300,000 (USD 130) and another expected TZS 480,000 (USD 208) per month.

## **Working conditions and income**

### *Work type and wages*

The main tasks the women were expected to do were cooking, laundry, ironing, cleaning the house and care for the children. One respondent from the Zanzibar cohort confirmed that this has been her vocation having lived in Oman and Dubai for almost four years. She reported that the contractual agreements stated that her chores were limited to inside the house.

Asked on the benefits of being a migrant worker, they mentioned that they were able to save money, learn new skills, support their families and looking after elderly family members. Others reported

making substantive investments such as purchase of land and construction of a house. Other benefits included gifts from employers such as used new and used clothes, shoes and beddings.

#### *Working spaces*

The size of the houses varied depending on the size of the household members. Some had a single family unit dwellings while others reported accommodating up to three families under one roof. Returnees from Zanzibar who participated in this research spoke of working in family homes that hosted between six and 16 people. The latter scenario sometimes meant that the workers had a bigger workload due to serving the needs of extended family members. The Zanzibar group, reported that support staff such as drivers and personal assistants lived in the house.

#### *Working hours*

Participants worked between 15 and 19 hours a day (e.g. from 4 am to 11pm) with the exception of four participants who reported that they clocked 9 hours per day. Others worked extra hours (through the night) especially where an infant or child needed is concerned. Most were given two hour breaks. One participant would get a break of 2 hours a day while another of 1 hour. Others were not given breaks, or had additional chores given to them during breaks,

Most in the Dar es Salaam cohort said that rest periods were difficult to get. Since some of the contracts included working for extended families, they complained that their employers would add workload on their rest days.

#### *Vacation/leave and employments benefits*

Among the Zanzibar group, very few were granted leave of between one to three months after contract expiry. Most of them reported no possibility of renegotiation after expiry of their contracts.

The interviewees reported that they had 2-4 days of rest per month during which they were restricted to staying in the house but in some cases were allowed to visit friends. The Dar cohort on the other hand complained of having no leave days.

### **Living conditions**

#### *Accommodation and meals*

The Tanzanian respondents said that they were all live-in workers which means they were working and living in the same area. Some shared rooms with children and others with their employer. A few said they slept in the kitchen and beneath the staircases. They were provided with meals which they mostly could eat after the family had finished eating. The workers were required to sit separately from the family during meal times.

The Zanzibar respondents reported that they ate after their employers, although some ate before them. They ate in the kitchen area and never in the dining room. A few respondents reported that they shared a meal together with their bosses during the weekend but this was not a regular occurrence.

#### *Healthcare*

All interviewees in the Zanzibar group said that their employers facilitated access to healthcare either from hospitals or qualified health professionals such as family doctors. Some were provided with medicine purchased from pharmacies, but some of the women had also brought medication from home.

Only one participant stated that she got health payments. Her employer paid her sick bill as well as provided extra care for her when she was sick. Among the Tanzania participants, all but one had their medical costs paid for by the employers.

#### *Culture*

The survey also explored the expectations on clothes and personal appearance. It emerged that most workers were expected to dress in a manner compliant with Islamic religion. However, a few reported not having to comply with any dress code.

As far as religion and personal beliefs go, the Tanzania group was not allowed to meet with fellow domestic workers nor were they allowed to participate in praying worship at a mosque. Some prayed in secret in their employer's house. Regardless of belief, they were only allowed to wear long dresses and cover their head regardless of their religion.

#### *Experience of Abuse and exploitation*

Among the Tanzania group, 7 domestic workers stated that they were verbally insulted by the employer's children. One said that her employer and the children made racist insults and refused to have the domestic worker attend to them. A group of respondents from Zanzibar claimed sexual harassment while others claimed that they were physically assaulted. Others claimed wage exploitation where employers paid them considerably less than the contractually agreed amount.

Another group claimed their rights to rest and recuperation was abused as they were denied down time. Additionally, some identified foreign language as a challenge that increased the risks of bad working conditions. Others claimed that they were never issued contracts and hence worked "at the mercy" of their employers.

### **Return and reintegration**

There are two groups of domestic workers who return home: those who finish their contracts and those who return prematurely due to misunderstandings with their employers. In the latter case, many were forced to pay for their airfares from their own pockets.

Amongst the Tanzania cohort, seven returned due to health reasons, three returned due to labour exploitation and humiliation from their employers, and two returned after their contracts were terminated by the employers. One participant stated that she returned home after the employer refused to continue working with her, while another stated that she returned home after receiving reports that her child was missing. Almost all participants concurred that it was difficult for them to return to the Middle East for work again due to negative experiences abroad. It emerged from the survey that the expectations of working in the Middle East were all somewhat misplaced. Majority reported that they did not reach their goals and realised that that life abroad did not leave them better off than life in Tanzania.

## **CONCLUSION AND RECOMMENDATIONS**

### **Conclusion**

A majority of migrant domestic workers seek employment opportunities abroad blindly i.e. without understanding the migration process, their contractual obligations or rights. This leaves them open to labour exploitation and other rights violations.

This study established that the major challenges faced by domestic workers are long working hours, lack of health insurance, isolation, physical and emotional abuse and racial discrimination. The Zanzibar cohort specifically suffered from verbal abuse, being chased around the house, being fed stale or rotten food, confiscation of passports and mobile phones and harassment.

Human Rights Watch identifies countries such as Sri Lanka, India, Indonesia and the Philippines as countries that have stringent regulations and effective oversight of recruitment, rights-based training programmes, appropriately trained consular staff and bilateral negotiations and agreements with the Middle East countries. Tanzania's frameworks are comparatively weak with few redress mechanisms that specifically safeguards the rights of these workers. Advocacy is being undertaken by only a few organisations.<sup>3</sup> There is a need for focus and attention to be given to this at-risk group as part of wider efforts to combat labour exploitation.

### **Recommendations**

Based on the research findings, the authors make the following recommendations for Tanzania (both mainland and Zanzibar):

- The government of Tanzania should set a comprehensive system that facilitates the process of migration for domestic workers. There is need for an independent body with the mandate of monitoring labour outflows of domestic workers and maintaining accurate statistics of this.
- Collaboration between the Tanzanian embassies and the Middle East Migration office, to establish a documentation and tracker system. This would help identify and monitor migration patterns and help inform protection policies for this vulnerable group.
- Strengthen the institutional framework for dealing with migration of domestic labour force and create awareness in the home and destination countries.
- Strengthen the legal framework for dealing with migration. The current Employment and Labour Relation Act, 2004 needs to be amended to give protection to domestic workers within and outside the country.
- Bilateral agreements should be signed to between Tanzania and the host countries in the Middle East to safeguard the rights of domestic workers and employers.
- Public-private partnerships should be established between the Government and stakeholders in the private sector, relevant UN agencies dealing with labour and migration to provide vital pre-departure trainings, and create general awareness for migrant domestic workers. For example, KIWOHEDE has a great initiative for offering social protection to workers. The network comprises of police officers, teachers, witch doctors, lawyers, influential persons, media presenters and religion leaders. This task force helps to protect young girls.

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<sup>3</sup> Most notably, Conservation Hotels Domestic Social Services and Consultancy Worker's Union (CHODAWU) and Kiota Women's Health and Development (KIWOHEDE) and Waajiri Makini both dealing in advocacy and representation of domestic workers.

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