



INTERNATIONAL COUNCIL SUPPORTING FAIR TRIAL & HUMAN RIGHTS

Registration No. 2795/2012

OFFICIAL LETTER HEAD OF THE ORGANIZATION



Kuwaiti Severe Exploitation of Migrant Workers Must End Now

May 1, 2018 marks International Labor Day or International Workers Day. **Today ICSFT commends and advocates for the struggles and rights of workers globally, regardless of class, religion, immigration status, gender, or socioeconomic background.** In commemoration of the struggle for fair and equitable labor rights, today we will highlight an ongoing and severe violation of these rights: the situation of migrant workers in Kuwait.

Kuwaiti's 1.3 million citizens employ over 660,000 migrant workers every year. **These workers are subject to coercion, control, exploitation, verbal, physical, psychological and economic abuse, and sexual exploitation.** Severe cases include forced labor in the form of labor trafficking.

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- 90% of all Kuwaiti households employ a migrant worker
- The majority of migrant workers in Kuwait are women.
- Kuwaiti domestic workers earn less than 20% the salary of the Kuwaiti citizens
- 2,247 Housemaids have required rescue since 2010¹

The migrant workers come from all over the world, but largely from Asian and African countries. They are largely tasked with being domestic workers, and fulfilling duties in the homes of Kuwaiti citizens. This includes housekeeping, childcare, meal preparation, and more.

Once employed, the domestic workers commonly face confiscation of their passports. This makes them more vulnerable to control by their employers: they can't leave the country if needed, or if the situation becomes untenable or exploitative. The passports can be used as blackmail or means of control over the employees behavior, and can be used as leverage to force sexual assault.

The wages paid are often significantly below the living wage, which further makes the employee vulnerable to their employer, and at a higher risk for exploitation and abuse. The lower wages also perpetuate patterns of poverty and migration, systemically. The hours worked are also often extremely high, without sufficient time provided for the workers to rest, to buy and prepare food for themselves. The living conditions are also often constricting, without privacy, and such that allow sexual assault to be a pervasive risk for the employees, at the hands of their employers.

Further, Kuwaiti law keeps domestic workers exempt from fair labor practices, including minimum wage, benefit regulations, sick days and holidays or time to rest from exploitative working hours. The immigration law system regarding visas creates instability, and a further point of vulnerability. Employees can often be punished for absconson of their positions, creating another systemic means of exploitation be employees.

We would like to highlight the especially tragic and institutionally abusive employment situation of the Bedoon people. The Bedoon are people who have lived within Kuwait, and are not migrants. However they are not recognized by the state of Kuwait as citizens, but rather

¹ Source: <https://www.migrant-rights.org/statistic/domesticworkers/>



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labeled “stateless” people. They are not provided with any registration, identification or status documents.

Due to this, they are entirely, systemically restricted from accessing any education, economic, healthcare, livelihood, legal, social, or other benefit or acknowledgement from the Kuwaiti state within which they reside. They are barred from any form or means of access to sustainable livelihoods. They are functionally barred from any basic right to support themselves. They are forced to live lives of extreme exile in their own homes.

They live in food-insecure states, not knowing when their next meal is from, due to the entirely restrictive status forced on them. They cannot hope to be trained for stable employment at school due to their status. They are forced to hope to find under-the-table, low paying, low skill jobs. They can't expect economic stability or success for their children, because the statelessness is also passed onto them.

This, along with other intersectional vulnerabilities, makes them targets for labor exploitation and trafficking: without any chance of hope to find stable, paying work the Bedoon must accept work that comes to them, regardless of how far from fair labor standards this work is.

ICSFT calls on Kuwait to reform its immigrant employment policies.

ICSFT stands for human rights, including the right to sufficient and safe livelihoods. We recommend the following amendments to Kuwaiti labor practices to ensure safer working environments for migrant workers:

- **Kuwait must grant citizenship, with full benefits, to the Bedoon people.** Denying the existence of a whole people group within their countries borders is a form of silent, constant genocide and is a severe abuse in access to safe, equitable employment for the Badoon people.
- **Kuwaiti employers should be barred from confiscation of worker's passports, including those of domestic workers.** Confiscation of passports is a significantly impactful means of power and coercion by Kuwaiti employers, and is an intervention point to provide migrant workers more control over their freedom of movement, and to facilitate escape from exploitative situations if necessary.
- **Penalties for absconsion should be lifted,** as these act as a coercive measure for vulnerable populations: workers who are economically, socially and often racially

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marginalized due to institutional inequities are forced to stay within the system that is disenfranchising and exploiting them. With the penalties lifted, there would be a higher percentage of workers who would be able to exit unjust employment situations. This would allow a more functional and healthy system of employees in the Kuwaiti economy, which could then have ripple effects to the home countries of the migrants, creating a more economically just economic environment.

- **Sexual assault of all forms of domestic workers and other migrant workers must be defined as a punishable crime** by the courts, the laws, and society. Follow up for victims of sexual assault including immigration remedies, advocacy tools, safe houses, economic support and more must be made available
- **Kuwaiti laws for migrant workers, including domestic workers should be in line with international human rights and humanitarian law.**

ICSFT condemns all exploitative labor practices, and especially those perpetuated by institutional inequities such as racism and classism. **Kuwait must hold itself accountable to international law and labor standards upholding equitable pay and treatment for all people, regardless of class, religion, immigration status, gender, or socioeconomic background.**