February 2016

MODERN SLAVERY IN EAST ASIA

Protecting the rights and promoting the autonomy of domestic migrant workers from Indonesia and the Philippines

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The research for the study and publication of this report has been made possible
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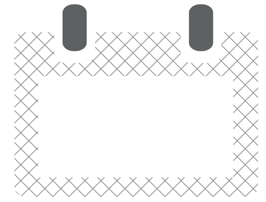
Protecting rights and promoting autonomy of migrant domestic workers

About

OVER **4,000** respondents

Average length of service 4.5 yrs (Filipinos) and 4 yrs (Indonesia)

4 countries
- Hong Kong
- Indonesia
- Philippines
- Singapore

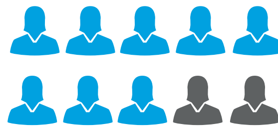


12 MONTH research study

Context

of the world's estimated 52 Million domestic workers in Asia Pacific.

80% are women

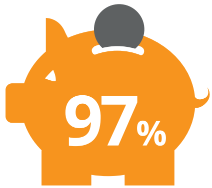


More than 2 Million

Indonesians and Filipinos are overseas at any given point as migrant domestic workers

Exploitation and rights violations occur during all phases of labour migration

Findings



Migrate for **economic reasons**

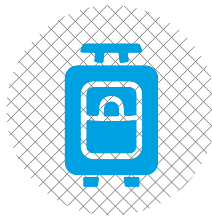
71 Percent experienced **exploitation** during the **recruitment process**

49 Percent suffer **limited freedom** of **movement**

32 Percent have identity and travel documents **confiscated**

77 Percent Returned Migrants still want to **go back overseas**

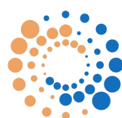
An average worker spends **4 months of a 2 year** contract paying back initial debts



63% of respondents faced exploitive practices while working abroad

Overcoming misconceptions

There is a misconception between foreigners and migrants alike that women who choose to migrate to work overseas are saving and accumulating wealth. This is not the case. They are participating in an overseas labour market to maintain a subsistence income.



FARSIGHT

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Contents

Executive Summary .... **i**

Background i
Key Findings i
Recommendations iv
A Note on Methods iv

Introduction **1**

Background and Rationale **3**

Method **5**

Samples 5

Prevalence of Modern Slavery **10**

Indicators of Modern Slavery 10
Prevalence of Exploitation During Recruitment 10
Prevalence of Exploitation During Work and Life Abroad 11
Worst Problems According to Migrants 11

Profiles and Motivations **12**

Profiles of Migrant Domestic Workers 12
Migration Decisions: Motivations and Influences 13
Knowledge and Perceptions about Working Abroad 18

Getting into Debt **20**

The Role of Recruiters 20
Salary Manipulation by Employers 29

Abuse of Migrant Domestic Workers **31**

Abuse by Recruiters in Sending Countries 31
Abuse by Employment Agencies in Destination Countries 32
Abuse by Employers in Destination Countries 33

Failure to Achieve Migration Goals **39**
The Role of Remittances 39
What Predicts Migration Outcomes? **43**
Conclusions and Responses **46**
Responses 47
Migrant Worker Sending Countries 47
Countries of Employment 54
References **57**
Annex 1 .... **59**
Annex 2 .... **61**

Protect rights of workers ◆ We need a clear job description in the contract ◆ We should not be scared to complain about problems ◆ Talk to the employer about the **salary increase** ◆ I hope this survey could help to have better work conditions here ◆ **Help those in miserable situations** ◆ I hope my employer will be nicer ◆ I hope the Singapore government can look into the transfer issue ◆ There are times I cry in the toilet ◆ Things are not fair and clear ◆ Employers are too strict ◆ Just work for family needs only ◆ **More Freedom!** ◆ No holding of passport please ◆ We are human ◆ Placement fee should be not too big ◆ **Be yourself** ◆ Privacy for helpers ◆ **Have confidence!** ◆ Push the law for time of working hours ◆ No salary deduction please ◆ I want my salary ◆I want to keep my own work permit ◆ Some employers are **stonehearted**, selfish and greedy ◆ Stop abusing domestic workers ◆ **Thank you for your project** ◆ **A lot of us are overworked** ◆ My employer says she will blacklist me if I transfer ◆ **After this interview, I feel more protected** ◆ All employers should follow the policies so none get hurts ◆ Do not give up ◆ Fix the employment agency here ◆ We need more jobs in Indonesia ◆ Give domestic workers rights ◆ Hopefully day offs will be 24 hours ◆ No a curfew for my day off ◆ Give us release papers ◆ Hopefully someone helps people like me ◆ Don't forsake us ◆ Implement proper loans at agencies ◆ Ban the middlemen ◆ I am stuck in this situation ◆ They shouldn't be so greedy ◆ We work here, tied and often abused ◆ **Bad employers should realize their mistakes** ◆ My placement fee should be 2 months, not 8 months ◆ Proper working hours ◆ I hope that this survey can help those with problems ◆ I hope to achieve success in Singapore ◆ I hope to succeed in Singapore and quickly return home to Indonesia ◆ Human Beings need rest ◆ I should hold my own documents ◆ **Respect domestic workers** ◆ My friends need help ◆ **The transfer fee is too high** ◆ I want to see employers appreciating our work ◆ It is stressful to work for a long time **without salary** ◆ I wish to return home as soon as possible ◆ Please fight for the rights of workers who are unlucky like me ◆ Ensure adequate food ◆ **Increase available help** ◆ Does even sleeping have to be in focus on cameras? ◆ My problem is stingy employers who have no hearts ◆ Don't use cameras ◆ Many employers are still paying below $500 ◆ Keep fighting ◆

Executive Summary

Background

Modern slavery[1] is a major global issue, with particular relevance in Asia. Victims of modern slavery are often hidden, which is especially the case for domestic workers, who live and work in the privacy of their employer's homes. There are many potential victims among the millions of women across the region – particularly from Indonesia and the Philippines – who are leaving behind their homes and families to work abroad in destinations like Hong Kong and Singapore.

What is difficult to see is even more difficult to measure. Without measuring the prevalence of exploitative practices, mapping where it occurs, and gaining a comprehensive understanding of the practices that lead to modern slavery, little can be done to address it. Unique to this research was the focus on collecting quantitative data to show the prevalence of indicators associated with modern slavery amongst domestic workers.

Modern slavery is not just a human rights issue. It is a transnational, economic and social issue that has implications for the development of emerging economies and their human capital. Promoting change has the potential to resolve harmful problems being faced by migrant domestic workers.

Key Findings

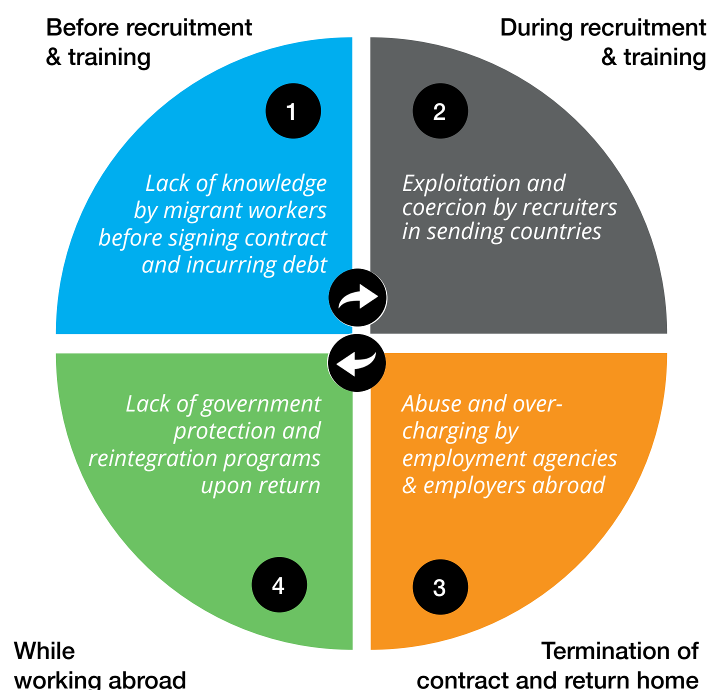
The research found that exploitation and rights violations occur during all phases of their migration. The prevalence of practices associated with modern slavery amongst Indonesian and Filipina domestic workers is high in Hong Kong and especially in Singapore – both key destinations for migrant domestic workers in Asia.

In relation to recruitment practices in Indonesia and the Philippines, the research shows there is more exploitation in Indonesia than in the Philippines, with Indonesian workers generally incurring more recruitment debt, and feeling more frequently forced by their recruiters to migrate.

ILO operational definition of forced labor / modern slavery

Work for which a person has not offered him or herself voluntarily and which is performed under the menace of any penalty applied by an employer or a third party to the worker. The coercion may take place during the worker's recruitment process to force him or her to accept the job or, once the person is working, to force him/her to do tasks that were not part of what was agreed at the time of recruitment or to prevent him/her from leaving the job.

Visualizing the cycle of common problems experienced by migrant domestic workers



[1] *For the purpose of this research, the definition of 'modern slavery' is that defined by the authority on international labor issues, the International Labor Organization (ILO).*

> “71% of respondents experienced problems during recruitment”

The exploitation of migrant workers begins during recruitment – before they even begin working. On aggregate, 71% of respondents said they had experienced some combination of confinement, confiscation of documents or verbal, physical or sexual threats and abuse.

A quarter of respondents indicated that recruiters provided them with false information regarding the nature of the work, their salary and their living conditions. This facilitates the placement of a migrant worker into a life which they have not agreed to. Whether this is done knowingly or not, it highlights the key role the recruitment industry plays in the exploitation of migrant workers.

Name of the problem during recruitment	Indonesians	Fillopinos	Combined
Confinement in the recruitment facility or confiscation of documents	64%	54%	59%
False information regarding nature of the work, contract, wages or living/working conditions	25%	25%	25%
verbal, physical or sexual threats and abuse	11%	5%	8%

> “63% of respondents faced exploitative practices working abroad”

Although the research found few cases of extreme abuse, the aggregate result was that 63% of respondents faced exploitative practices while working abroad. The majority of respondents also experienced a multitude of issues that reduced autonomy in their workplace and impacted their finances.

Nature of the problem (While working abroad)	Singapore	Hong Kong	Combined
Restrictions on movement and communications	67%	26%	45%
Difficult working and living conditions	54%	24%	38%
Verbal, physical or sexual threats and abuse	26%	20%	23%

Mistreatment of migrant domestic workers is a regional rather than a national issue. In destination countries, such as Hong Kong and Singapore, respondents tended to have similar experiences with employers and employment agencies, indicating that many problems identified from this research cannot be attributed to any one home country.

> "A migrant domestic worker spends 4 months of a 24 month contract repaying debts"

Many workers accumulate a migration debt, some of them unknowingly. On average, debts ranged between USD1,600 and 1,800 per person.

	Hong Kong	Singapore
Average Monthly salary	523	380
Averaged debt (USD)	1845	1653
Average repayment time	3-6 months	3-6 months

Restrictions on rights in destination countries caused the respondents to seek assistance from their employment agents, to whom they pay fees that seem disproportionate when compared to the salary and services received. As a result, many accumulate more debt or continue to work under difficult circumstances for little or no pay. It is clear that closer monitoring of institutions is not sufficient to address issues and that structural change is required. Our analysis of factors associated with wage levels suggests that spending time at a recruitment facility predicts lower average salaries. Perversely, working more hours is associated with a lower monthly salary.

The structures that create these situations are not easy to change. Stricter legislation has not stopped recruiters and middlemen from charging exorbitant fees to prospective workers who are then in debt before they reach their destination country of employment. Agencies in destination countries continue to profit by overcharging migrant workers for their services. Employers exploit the economic and psychological vulnerability of their employees by placing excessive demands and – in some cases – expecting workers to pay for the employer's share of the recruitment cost.

On the other hand, there seems to be a positive relation between more rights and a better situation for migrant domestic workers. In our data, the prevalence of many types of abuse, rights violations and other problems reported by migrant domestic workers are significantly lower in Hong Kong than in Singapore. Hong Kong grants workers more rights, including a minimum wage and the right to unionize. Nevertheless, the prevalence rates measured in Hong Kong tell us that more steps need to be taken to protect vulnerable workers and improve migration outcomes on all levels, including positive economic impact.

Recommendations

Our research puts new numbers on the prevalence of modern slavery in Asia amongst domestic workers. It also highlights the need for an integrated approach in response. The recommendations in this report require action by stakeholders on multiple levels, from national and regional government bodies, to the business community, to migrant networks. Key recommendations are of this report are categorized into four areas:

- **Recruitment:** Investing in rights awareness campaigns that target both workers and employers; Enhancing transparency around migration opportunities, risks and costs by investing in accessible and relevant information sources.

- **Debt:** Improving and implementing rules and regulations for workers, recruiters and employers, especially those targeting debt reduction and freedom of choice; Reducing recruitment costs and debt through more ethical and economically sensible recruitment practices.

- **Exploitation:** Monitoring and vetting of agencies by the government, between agencies, and by migrant workers themselves.

- **Return to country:** Increasing financial planning capacity for workers and their families to achieve positive economic outcomes by making necessary tools and trainings available.

A Note on Methods

Surveying took place during seven months with more than 4,000 respondents in four countries – Hong Kong, Indonesia, the Philippines and Singapore. In each country, comparable, comprehensive questionnaires were used. In this report, where we refer to "significance" or present statistical analysis, we are using a confidence level of 95%.

In designing our survey instrument, we were inspired by the definition of modern slavery provided by the ILO. We used their 2009 and 2012 "operational definitions to measure forced labour of adults" as an inspiration to design questionnaires that would pick up as many indicators of abuse and exploitation as possible. However, our methods differ from the ILO measurement framework, which is still under revision.

Our research aims to:

- Measure a wider range of abuses and problematic areas, in order to understand the breadth of harmful practices that lead to various degrees of labour exploitation.

- Analyze the effects of labour exploitation, including connections between human rights violations and economic development.

- Include the migrant perspective on what they consider to be their biggest problems, obstacles, and concrete solutions to their problems.

Introduction

Modern slavery among migrant domestic workers is a major global issue. Millions of women, often mothers with young children, feel compelled to work abroad, spending many of their productive years away from their families and communities. Over 40% of the world's estimated 52 million domestic workers are in the Asia-Pacific region, and 80% are women. Indonesia and the Philippines are the main sending countries of migrant domestic workers, with domestic workers making up 60–80% of the migrant work force. In other words, when someone mentions "migrant workers", they ought to be thinking most of the time of women traveling abroad to clean, cook and manage households in richer countries.

To understand the experience of migrant domestic workers and identify options to protect and promote their interests, we conducted large-sample, structured surveys with prospective, current and returned migrant domestic workers in Hong Kong, Indonesia, the Philippines and Singapore. We interviewed 4,189 women and supplemented structured surveys with qualitative questions and focus group discussions.

This report gives unique insights into the business of migrant domestic work, and provides comprehensive evidence of the systematic exploitation of migrant domestic workers heading to two important destination countries. The data allows for direct comparison between sending and receiving countries of migrant domestic workers, differences between source country nationalities, and other key variables. We provide insights into the main areas of origin, evaluate the experiences of migrants in all steps of the migration process, and analyze how these experiences have shaped migration outcomes. This report also includes detailed information on the causes of failed migration experiences and highlights areas of particular concern in fashioning responses.

The migration of women for work is a common phenomenon in many areas of Indonesia and the Philippines; it has changed social norms about what daughters and wives are expected to contribute in terms of income to the family household. According to the migrants we interviewed, this has created such strong pressure that some women are unable to see or determine an alternative career path. Furthermore, there are several other factors in the migration process that reduce their power and autonomy, and which minimize the benefits of migration for them and their families.

Our findings suggest revisions to the stereotype of a migrant domestic worker. That stereotype – common among foreigners and among the migrants themselves – is of a woman choosing to work overseas for some period of time in order to save money, then transferring herself back home with a cushion of wealth. In fact, it appears that most people are spending several of their prime years contributing cheap labor to a foreign economy and bolstering consumption in their country of origin, but without supporting their household's savings or investment. This is not temporary migration to save for one's family – it is recurring participation in an overseas labor market to maintain a subsistence income.

Our findings also suggest another way to look at the economics of this transnational labor market. Most women go into debt in order to migrate. They then pay back the recruitment agency via months of salary deductions. Once they finish their contract and seek a new one, the debt and repayment

cycle starts again. We estimate that the average migrant spends four months of a two-year contract paying back the debt on that contract. In other words, at least 17% of their time abroad is spent paying the recruitment agency and is in that sense unpaid labor.

Responses should begin at the local level but must take account of the whole labor supply chain, from origin to place of employment and return. Key challenges will include the creation and enforcement of legislative measures to protect workers across borders; reform of the (international) recruitment system; increasing international protection and redress systems; and designing programs and tools for migrants to manage their migration better to achieve their migration goals. The final chapter includes an outline of key recommendations, developed in consultations with experts in the field.

Farsight coordinated this research across four countries with four data collection partners: the Sigmantara Foundation in Indonesia; the Visayan Forum Foundation in the Philippines; the Humanitarian Organization for Migration Economics in Singapore; and a survey organization in Hong Kong. The respective surveys were designed in cooperation with the partners and with an aim to balance regional comparisons with local adaptations. We expect that the data gathered will also be presented in country-level reports by the research partners in the near future.

Background and Rationale

Modern slavery is a term used for describing labor exploitation of children and adults in their home country or as migrant workers in other countries. Various labor sectors are associated with higher prevalence rates of modern slavery, such as construction, the apparel industry, agriculture, fisheries and domestic work.

The violation of the rights of workers in Asia, and the situation of migrant domestic workers specifically, has received increasing attention among academics, the media, and national and international governing institutions.[2] This report does not aim to analyze the full extent of research related to modern slavery, but our literature review and consultation with other organizations suggested that targeted and large-scale primary research remains relatively rare. For example, the Global Slavery Index[3] aims to measure the prevalence of modern slavery worldwide, but has not gathered comprehensive statistics on domestic workers in Asia. Other notable research contributions include studies on rights violations conducted by Human Rights Watch[4] and Amnesty International[5], the mental health of domestic workers in Singapore by the Humanitarian Organization for Migration Economics (HOME)[6], and global and regional statistics on domestic workers gathered by the ILO.[7]

It has been noted by other researchers that there is a methodological bias towards qualitative research versus quantitative studies.[8] In-depth interviews and case studies have certainly helped to raise the profile of the issues and identified various factors for further research, but ours is primarily a quantitative study to generate sector-wide prevalence rates using broad, primary data. Quantitative research has the advantage that findings can be interpreted on a larger scale. It is also representative of a wider population and spans a wide full scope of migration experiences and economic outcomes for labor migrants in Asia.

The International Labor Organization (ILO) is one of the leading international institutions in promoting internationally recognized human and labor rights. The ILO takes a leadership role in the continuous development of international guidelines to define and measure labor exploitation around the world. The survey instrument used for this research was inspired by those guidelines and

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[2] Policies and regulations for migrant domestic workers in the countries of this research are addressed in the report. On a regional level, an example is the Tripartite Action for the Protection and Promotion of the Rights of Migrant Workers in the ASEAN Region, which is supported by the ILO and the Canadian government.

[3] Reports on modern slavery worldwide are available on www.globalslaveryindex.org. The 2015 survey in Indonesia did not include domestic workers.

[4] The 2006 report "Swept Under the Rug: Abuses against Domestic Workers Around the World" was based on interviews with domestic workers, including in Asia.

[5] The 2013 report "Exploited and Failed by Governments" by Amnesty International included 97 interviews with Indonesian migrant domestic workers in or returned from Hong Kong.

[6] In 2012, 151 residents of the HOME shelter were interviewed in order to measure the ILO Operational Indicators of Trafficking in Human Beings (the ILO Indicators) for the report "Behind Closed Doors". In 2015, HOME undertook a mental health research of domestic workers of 670 migrant domestic workers for the report "Home Sweet Home".

[7] The ILO collects statistics on labour migration. In 2013, it published "Domestic workers across the world: global and regional statistics and the extent of legal protection".

[8] Deshingkar, Priya, Benjamin Zeitlyn and Bridget Holtom, Does Migration for Domestic Work Reduce Poverty? A Review of the Literature and an Agenda for Research, 15 May 2014 (Working Paper funded by the UK Department for International Development)

indicators, including the 2009 Operational indicators of trafficking in human beings[9] and the 2012 "Hard to see, harder to count"[10] methodologies (see Annex 1 for all indicators).

Active coercion by recruiters or employers is not always necessary to create slave-like working conditions. For example, many migrant workers have large migration debts, which lead to high levels of economic vulnerability that may lead to various forms of exploitation and abuse. In addition to blatant abuses by recruiters and employers, there are some specific – sometimes hidden – rules and practices of migrant recruiters, employment agencies, individual employers and governments that have negative effects on migrant workers' freedom, well-being and the financial outcomes that migrants planned for.

This research fills an important data gap by conducting quantitative research into exploitation and abuse of migrant domestic workers during the migration process in Hong Kong, Indonesia, the Philippines, and Singapore. There are at least two important reasons for using a regional approach rather than limiting the research to one or two countries:

- Researching the experiences of migrants in these four sending and receiving countries allows us to cover flows that are regionally significant. The findings will be useful in interpreting the wider issue of modern slavery in the region, rather than just the countries directly involved in the research.
- Many of the problems experienced by migrants are related to the fact that rules and practices are different (and often clash) between countries. Specific problems may seem related to national rules, but the regional scope of this research reveals that several issues are not related to specific locations or nationalities, but are regional. Therefore, issues cannot always be addressed on the local level or by national governments.

The research design has a strong focus on the migrant perspective and draws on experiences throughout the migration process. Key problems and obstacles to successful migration need to be identified and addressed in all stages of migration, because migrant workers are at risk of becoming victimized during each stage of the process: during recruitment, employment, on return and re-integration. The research includes migrant's expectations, experiences, opinions, and needs. Their main concerns are included in the research findings to ensure that all outcomes and recommendations are relevant to their respective situations. The report presents actionable evidence of what should be done to counter modern slavery by supporting and improving advocacy and new program interventions.

[9] International Labour Organization, Operational indicators of trafficking in human beings: Results from a Delphi survey implemented by the ILO and the European Commission, first published in March 2009

[10] International Labour Organization, "Hard to See, Harder to Count": survey guidelines to estimate forced labour of adults and children, Geneva ILO, 2012

Method

Samples

Geographically, this research focused on Hong Kong, Singapore, the Philippines and Indonesia. Indonesians and Filipinas represent the majority of migrant domestic workers in Hong Kong and Singapore. The total number of prospective and returned migrant domestic workers in Indonesia and the Philippines are unknown, but based on recent estimates there are anywhere between two and five million domestic workers abroad from Indonesia and the Philippines at any given time, with many returning and re-migrating on a continuous basis.[11] The data in Figure 1 are based on the numbers reported by the Singapore Ministry of Manpower and the Hong Kong Immigration Department in 2014, combined with estimates on the percentages of Indonesian and Filipina workers.

Figure 1: Migrant domestic workers at the end of 2014

	Hong Kong	Singapore
Indonesian	149,000	120,000[12]
Filipina	172,000	70,000[13]
Other	10,000	32,500
Totals	**330,650[14]**	**222,500[15]**

Farsight's partners interviewed 4,189 prospective, current and former migrant domestic workers between March and September 2015. The sample consisted of the following:

- 970 were in Hong Kong (506 Indonesian and 464 Filipina current workers)
- 735 were in Singapore (461 Indonesian and 274 Filipina current workers)
- 1,043 were in Indonesia (536 prospective and 507 returned workers)
- 1,421 were in the Philippines (848 prospective and 573 returned workers)

Prospective migrants in Indonesia and the Philippines were defined as women who could demonstrate having taken steps towards migrating for domestic work; they said that they were planning to migrate as soon as possible (77%); used a recruitment agency to obtain the required documents (94%); and/or already had a valid visa for Singapore or Hong Kong (54%). Current migrants were defined as Indonesian and Filipina women who were employed by private employers

[11] Statistics on Labor Migration within the Asia-Pacific Region, Red Cross Red Crescent Manila Conference on Labor Migration 2015 / Manila, Philippines / 12-13 May 2015

[12] Article available on http://www.asiaone.com/print/News/Latest%2BNews/Singapore/Story/A1Story20130206-400566.html

[13] Article available on http://www.straitstimes.com/news/singapore/more-singapore-stories/story/hiring-maids-becoming-more-costly-tighter-regulations-20

[14] Hong Kong Immigration Department Annual Report 2014. Link: http://www.immd.gov.hk/publications/a_report_2014/en/ch1.html

[15] Singapore Ministry of Manpower. Link: http://www.mom.gov.sg/documents-and-publications/foreign-workforce-numbers

as a domestic worker in Hong Kong and Singapore at the time of the interview. Returned migrants were defined as women who have been employed by private employers as a domestic worker in Hong Kong. All selected respondent were female, because male domestic workers in Hong Kong and Singapore are relatively rare.[16]

Locations

According to data from the National Body for Placement and Protection of Indonesian Workers[17] at the end of 2014, most Indonesian migrant workers came from areas in West, Central, and East Java. The samples for this research were taken in two of the top five migrant sending districts in West Java (Cirebon, Indramayu), in East Java (Malang), and in the Greater Jakarta Area.

Figure 2: Interview locations of prospective and returned Indonesian migrants to and from Hong Kong and Singapore

Figure 3: Interview locations of prospective and returned Filipina migrants to and from Hong Kong and Singapore

Interview locations in the Philippines were selected based on knowledge of the local research partner regarding key source communities of migrants going to Singapore and Hong Kong. The four selected regions were Western Visayas (Negros and Panay), Ilocos Region (Ilocos Norte, Ilocos Sur, San Fernando and Pangasinan), Cagayan Valley, and the National Capital Region (NCR). Prospective and returned migrants were interviewed face-to-face in their native languages.

In Hong Kong and Singapore, interviews were also conducted face-to-face. Migrants were approached in locations where they are known to congregate during their days off, such as shopping malls and parks. Most interviews were conducted on Saturdays and Sundays when most migrant domestic workers get a full day off, or spend at least a few hours outside of the house. However, not all migrant workers get regular time off, so we made an effort to conduct interviews with migrants walking on the street and in markets during different times of the week.

[16] Although there are no hard rules on the eligibility of males to work as migrant domestic workers, a specific reason has to be approved by the authorities in Hong Kong and Singapore. An example is that the work is considered too strenuous for women, such as taking care of large houses or disabled people who need to be lifted on a regular basis.

[17] Commonly known by its Indonesian acronym, BNP2TKI.

Questionnaire development

Questionnaires varied between prospective, current and returned migrant respondents, and between countries. For current and returned Indonesian and Filipina domestic workers in Singapore and Hong Kong, we looked for the prevalence of indicators of labor exploitation, inspired by the ILO operational definition.[18] In addition, migrants were asked about various other aspects of the migration process. This included what they thought should be done about their situation, in order to identify responses that migrants themselves could support or drive. Questionnaires between Hong Kong and Singapore also differed from each other in some areas, adapted to contextual needs, information required for locally-specific responses and alignment with local regulations.

All questionnaires asked basic profile questions, like age, education level, and economic situation. In summary, the main differences between the three questionnaires were:

- **Prospective migrants:** This questionnaire included motivations, intentions, and sources of information feeding into migration decisions. This data provides an insight into the expected outcomes of migration, and how well prepared prospective migrants are to achieve their goals.
- **Current migrants:** The questionnaire addressed topics about motivations for migration, the recruitment process (including the experience with employment agencies abroad), and the circumstances of current employment. It also included questions about harmful and illegal practices related to changing employers and contract renewal, and what migrants considered to be their main problems. Additions by location include:
  - The questionnaire in Singapore gathered qualitative and in-depth information of migrants who experienced abuse by asking open-ended follow-up questions.
  - The questionnaire in Hong Kong gathered comprehensive quantitative data on how migrant domestic workers finance their migration, how much debt they have, and how they spend their earnings.
- **Returned migrants:** This questionnaire measured many of the same indicators as the current migrants around recruitment and employment abroad, and included questions on the economic results of migration. It sought to determine the economic situation of returned migrants, how migrants reflected on the experience of migration, and if they thought they were better off because of migration.

Questionnaires were available in Bahasa Indonesian, Chinese, English and Tagalog.

Limitations and challenges

This report mainly presents and discusses the data gathered through migrant questionnaires. Although labor migration and human rights experts in each country were consulted during the process, no data from other sources – such as employers or employment agencies – was collected

[18] International Labour Office, "Hard to See, Harder to Count": survey guidelines to estimate forced labour of adults and children, Geneva ILO, 2012. For an overview of the indicators that fall under the definition, see Annex 1.

to cross-validate findings. There are some common limitations for self-reported data, such as possible social-desirable answering behavior or extreme response styles (e.g. positively skewed responses regarding one's own situation).[19]

Various forms of coercion and punishment are subjective, and require an in-depth understanding of each person's situation during various stages in time and space and proving a direct relation between involuntary situations and continuous coercion. The biggest attempt to harmonize data collection in the area of modern slavery is spearheaded by the ILO. The ILO methodology to measure modern slavery is under continuous development, and recognizes that there are challenges to using the proposed methods in the field.[20] Our research has stayed close to the method in various ways, but does not adopt it fully.

Another challenge arises from the sensitivity of questions about mental, physical and sexual abuse. It is possible that certain issues have been underreported because participants may have difficulties discussing them, for example sexually abusive behavior. In order to mitigate this risk, we tested the sensitivity of questions with migrants during focus groups[21] and by conducting pilot surveys. In addition, we used several questioning techniques to obtain potentially sensitive information. For example, the interviewer gave the respondent various opportunities to give information on sensitive topics by asking similar questions during the interview, and by asking follow-up questions once an issue was identified.

Importantly, the most vulnerable migrants are likely the hardest to reach. For example, people who have limited freedom to go outside and to talk to interviewers have little chance of being interviewed. It is also reasonable to assume that migrants who live in fear of losing their job or defaulting on their loans are generally less willing to share the details of their situation with outsiders, especially if they are instructed not to do so by their employment agency or employer. This challenge was more likely an issue in destination countries than in origin countries, and more among current migrants than among returned migrants. Returned migrants can talk in the comfort of their own environment and at their own time, while prospective and current migrants have limited time available and may be under the influence of their recruiters or employers.

We also faced time constraints. Interviews lasted between 25 and 40 minutes on average, but time limitations and the risk of interviewee exhaustion made it challenging to measure each indicator of modern slavery, ask financial questions, and ask migrants about their perspectives on their respective situations. To make the research as relevant as possible within those time constraints, our local partners responsible for implementing the research included questions that were particularly relevant to each country. These variations and adaptations means that not all of the survey data is literally or practically comparable between countries.

Finally, this research captures migrants' attitudes and experiences during the three different stages of migration – before, during and after. This allowed us to take stock of the current situation and to

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[19] Chan, D. (2009). So why ask me? Are self report data really that bad? In C.E. Lance and R. J.Vandenberg (eds.), Statistical and methodological myths and urban legends: Doctrine, verity and fable in the organizational and social sciences, New York, NY: Routledge, p. 309-335

[20] The International Labour Organization launched its "ILO Data Initiative on Modern Slavery: Better data for better policies" in 2015 to work on the harmonization of concepts, definitions and methodology to measure modern slavery by 2020.

http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_364025.pdf

[21] Indonesian language and Tagalog language focus groups.

estimate broader migration issues and patterns, but it did not allow us to measure the direct impact of problems experienced during migration, because we did not follow migrant workers over time. A related challenge arises because some migration laws and regulations have changed during the past decade. New rules may have altered the situation for current migrants versus those who returned previously. Our approach is to look at the entire sample for overall patterns and to break it down by type sub-groups to understand problems by current migrants only, where this is important.

Prevalence of Modern Slavery

Indicators of Modern Slavery

This chapter provides a summary of the findings on the prevalence of indicators of labor exploitation in Hong Kong, Indonesia, the Philippines and Singapore. This chapter focuses on the results from questions that were present in *each* of the four country questionnaires.[22]

Two of the key findings, as further demonstrated and explained in the following chapters, are:

1. The prevalence of most – but not all – indicators of labor exploitation is higher in Singapore than in Hong Kong.
2. There are significant differences between exploitative recruitment practices and experiences by migrant workers in Indonesia and the Philippines, but differences by nationality largely disappear once they are working abroad.

In addition to the combined prevalence rates, tables related to problems during recruitment show differences by *nationality*, while tables related to exploitation abroad show the differences by *destination*. The following chapters identify significant differences by nationality and destination. An overview of the questions that underlie the summary categories used in the tables can be found in Annex 2.

Prevalence of Exploitation During Recruitment

	Indonesians (%)	Filipinas (%)	Combined (%)
Restricted movements while in the recruitment facility	64	47	55
No access to personal documents in recruitment facility	45	30	38
Recruitment linked to debt	51	3	28
False information about contract	16	13	15
False information about working conditions	12	10	11
Prevented from changing employers by placement agency	11	8	10
Verbal threats and abuse	10	3	6
False information about living conditions	5	6	6
Deception about the nature of the work	4	5	5
Sexual or physical abuse	4	3	4

[22] The sample for the prevalence rates of exploitation excludes the prospective migrants and is 2,785 in total. For the exploitation during recruitment, the sample also excluded migrants in Hong Kong who had been recruited while they were already abroad, and the sample size is 2,073.

Prevalence of Exploitation During Work and Life Abroad

	Indonesians (%)	Filipinas (%)	Combined (%)
Restricted movement and communications	55	21	37
Forced overtime	30	7	17
Verbal abuse	21	14	17
No free access to passport and other personal documents	26	8	16
Degrading sleeping and living arrangements	18	11	15
Being on call 24/7	17	8	12
Forced to do dangerous or degrading work	16	9	12
Locked in the workplace	17	3	9
Nutritional neglect	8	9	9
Medical neglect	6	7	7

Worst Problems According to Migrants

All respondents who were current or former migrant domestic workers were asked about what they considered their most disturbing problem, if they had any. Figure 4 shows a summary of the answers given, disaggregated by location and nationality.

Figure 4: Worst problem while working abroad, according to migrants

	Singapore (%)	Hong Kong (%)	Indonesian (%)	Filipina (%)	**Combined (%)**
Lack of communication / social life	22	19	15	27	21
Working conditions	14	9	7	16	12
Verbal, physical or sexual abuse	12	4	10	5	8
Wages, deductions, or debt	10	6	11	5	8
Working for multiple employers	4	2	4	2	3
Other	5	1	2	3	3
No problems	16	58	37	41	39
Refused to answer	18	1	14	3	8

Profiles and Motivations

Profiles of Migrant Domestic Workers

Among our sample of current migrants in Singapore and Hong Kong, the top areas of origin in Indonesia included West, Central and East Java, and Sumatra. Smaller numbers came from the islands of Bali, Sulawesi, Kalimantan, Maluku and Aceh.

Figure 5: Areas of origin of current Indonesian migrant domestic workers in Singapore and Hong Kong

In the Philippines, the main areas of origin were Metro Manila, Cagayan, Illocos Norte, and Central Luzon. Fifty-four percent of the respondents described their origin as "'rural" and 44% as "urban".

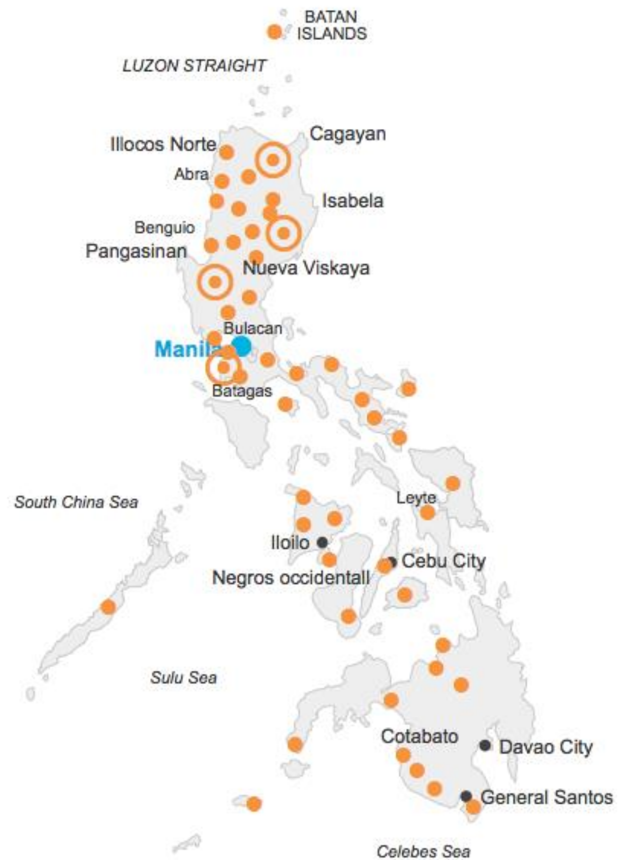
The average prospective migrant domestic worker in Indonesia or the Philippines to Singapore and Hong Kong in the sample was between 27 and 34 years of age, and was married with children. For younger workers, the research found examples of document falsification to meet the minimum age requirement.

Among Indonesian migrants going to Singapore or currently working there, 4% were below the Singapore minimum age requirement of 23. Among returned migrants, some were as young as 14 when they first migrated for work. Some Indonesian migrants mentioned that recruitment agencies provided forgery services for Resident's Identity Cards and birth certificates, likely in cooperation with the local government issuing the documents. In contrast, less than 1% of prospective and

current migrants from the Philippines were below Singapore's minimum required age of 23.[23]

The fact that the migrant domestic worker population from Indonesia included more young and underage girls than in the Philippines may be related to the difference in education levels in those countries. There was a large difference in education levels among prospective migrant domestic workers in Indonesia and the Philippines. Almost all interviewed migrants interviewed had some formal education, but more than half of the Indonesians did not finish high school, while 95% of Filipinas did. Among Filipinas, 50% went to college or university, versus 3% of Indonesians.

Figure 6: Areas of origin of current Filipina migrant domestic workers in Singapore and Hong Kong



Migration Decisions: Motivations and Influences

Economic motivations

The vast majority of respondents have economic reasons to migrate, as shown in Figure 7. The majority of prospective migrants did not have a paid job, not even part-time: in Indonesia, 26% of prospective migrant workers were employed versus 16% in the Philippines. In Indonesia, the average salary of those who worked was USD 120 per month, and in the Philippines the average was USD 157.[24]

In Singapore, there is no minimum wage for domestic workers set by the government, while in Hong Kong the minimum wage for migrant domestic workers is was around USD 543 at the time of writing this report.[25] In principle, therefore, even employed prospective migrants may expect to double or triple their current income by working in Singapore or Hong Kong. Indonesians on average expected to make USD 476 in Hong Kong and USD 388 in Singapore. In the Philippines, expectations were comparable but slightly higher, with an expected salary of USD 502 in Hong Kong and USD 436 in Singapore. Expectations about salaries abroad varied a lot among Indonesian prospective migrants, while expectations were relatively constant among Filipinas. This may indicate that Filipinas are better informed about economic benefits, or at least have more recent information about current salary rates abroad.

[23] The Philippine Household Service Workers Reform Package from 2006 set the minimum legal age at 23.

[24] Currency conversions are based on the Eurfor exchange rate of October, 2015.

[25] Starting October 1, the Hong Kong government set the minimum wage for new contracts at HK$4,210.

Figure 7: Prospective migrants' reasons to migrate (%)

	Country of origin	
Economic reasons	Indonesia[26]	Philippines[27]
Saving money for the future or invest	41	50
Sending children to school	22	15
Helping family/parents financially	21	32
Paying back loans	5	1
No jobs available in home country	8	2
Other reasons		
Getting training or a new experience	2	1
Leaving an unhappy life at home	1	<1
Replacing a runaway worker from my family	1	0

Echoing the findings from prospective migrants, current migrants confirmed that their main motivations have been economic. Migrants in Hong Kong said that they worked in order to be able to send money home to their families (80%), to earn a higher income (11%), and to find work (8%). In Singapore, respondents were asked to provide more detail about their motivation to work abroad, which is summarized in Figure 8.

Figure 8: Reasons to become a domestic worker – Singapore (%)

	Country of origin	
Reason	Indonesia[28]	Philippines[29]
Helping the family, including parents and siblings	38	27
Sending children to school	22	29
To find a job and earn money	15	9
Saving money for the future	8	24
Financial difficulties and debt in home country	3	3
Economic situation in home country/ lack of jobs	2	1
Getting new experiences abroad	1	1
Changing life	0	1
Replacing a runaway worker from my family	1	0

There are differences between motivations of current and prospective migrants; what stands out most is the fact that "saving money for the future" appears to be much less of a priority of those who are already abroad. There may be a worrying explanation for this: these migrants have realized their earlier ambition to save substantial amounts of money is unrealistic and shifted their justifications accordingly.

Between nationalities, there are also differences in motivations. Having a defined plan for saving and investing was not often mentioned by either nationality, but Indonesians said more frequently that they wanted to save money and for what purpose (6% of Indonesians versus 1% of Filipinas). Furthermore, among Filipinas, 3% said that they had to work abroad because they were single mothers, while no Indonesians mentioned this as a reason.

[26] n=535

[27] n=848

[28] n=535

[29] n=848

Quality and use of information sources

The decision to migrate typically precedes the step of contacting recruitment agencies or employers abroad. In Indonesia, it is common for recruiters to approach prospective migrants. These recruiters often act as a "middleman" between the migrant and the recruitment agency. Reportedly, many recruitment agencies in Indonesia do not allow migrants to register with them directly, forcing prospective migrants to use a middleman or "sponsor" to navigate the migration process.

In the Philippines, migrants often register directly with agencies that help them with their migration. To a lesser degree, prospective migrants in both countries find employers via friends or family already living abroad (usually domestic workers themselves). The main information sources used by prospective migrants to gather information on migration are shown in Figure 9.

Figure 9: Information sources used by prospective migrants to gather information on migration (%)

	Country of origin	
Information Source	Indonesia[30]	Philippines[31]
Family and relatives	34	58
Internet and social media	49	55
Friends	46	31
Government	26	41
School	3	1
Other sources	17	11
Getting new experiences abroad	1	1
Changing life	0	1
Replacing a runaway worker from my family	1	0

[30] n=535
[31] n=848

According to our respondents, there are a number of information sources that prospective migrants used to gather information on their options. However, it was much less common to consult sources outside of the peer group, such as government information, than it was to consult friends, family and social media. A problem with relying on migration-related information from friends, family or other personal connections – and online stories – is that these may not be realistic, accurate, or complete. Unless migrants are able to compare stories from a number of different perspectives, it is likely that they will not have a comprehensive understanding of options and the likely consequences of their decision.

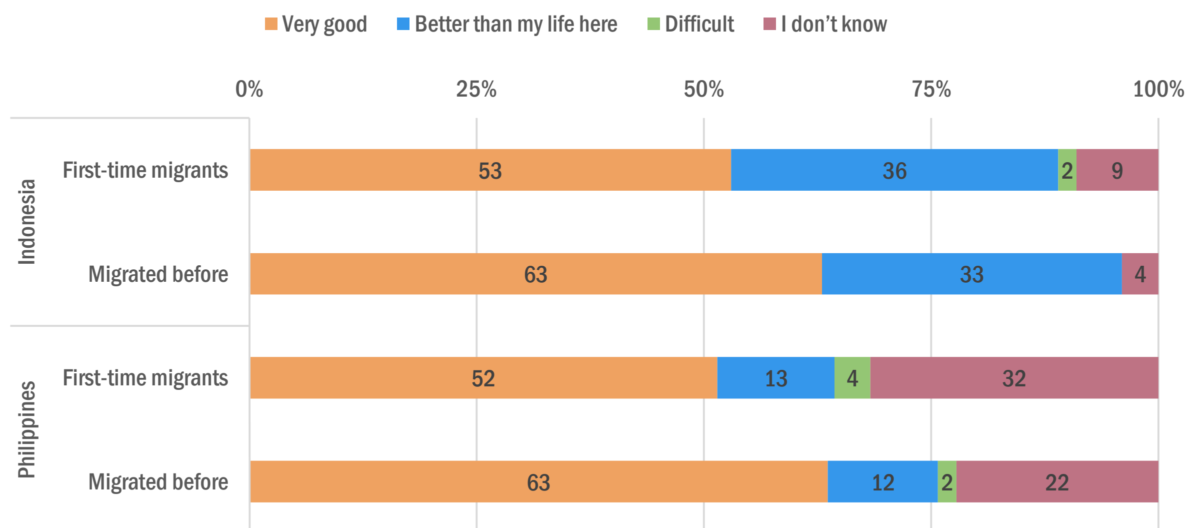
Another risk with relying on limited or informal information sources is that returned migrants may be reluctant to share information about difficulties experienced abroad. In this survey, 40% of prospective migrant respondents had already worked abroad as a domestic worker (54% of those in Indonesia and 32% in the Philippines). When these migrants were asked if they would share any mistreatment experienced abroad with their family back home, around 20% said that they would not. Instead, many migrants said that they planned to go to Hong Kong or Singapore in the hope that it will be better than other countries they had worked before.

Based on these sources, the majority of prospective migrants in Indonesia and the Philippines believe that they will have a good life abroad. The optimism is higher in Indonesia than in the Philippines. People who have migrated before are more confident that life will be "very good", which may be a positive sign. The number of respondents who thought that life would be difficult was very low to zero. Few first-time migrants from Indonesia say they do not know how life will be abroad. In contrast, almost a third of first-time prospective migrants in the Philippines said that they did not know what to expect.

I've worked in the Middle East for 9 years with different complicated stories. The salary that I earned did not compensate my work. There was no break and I had to keep alert all the time for 24 hours. I was considered as a slave, and I was often commanded to perform tasks beyond my physical capacity. I want to go to Singapore in order to look for other experiences and fulfil my children's education expenses. I hope Singapore is different from the Middle East countries.

- Yayah, 35 years old, Cirebon, Indonesia

Figure 10: Prospective migrants' expectations about life in Hong Kong and Singapore (%)



Note: Indonesia, n=535; Philippines, n=848

Family Pressure

Supporting the family by going abroad is an important factor for women to migrate. Ninety-seven percent of prospective migrants in Indonesia and the Philippines rated it as "important" or "extremely important". While about half said that they also wanted to save money, over 72% in both countries said that their earnings would be spent on general household income of the family, including school fees for their children and siblings. When asked why they are going abroad in an open question (in Singapore), most migrants referred to the needs of their family, for example to support their family members, pay back family loans, or pay for the medical treatment of a sick family member.

In Indonesia, it is common that the middleman/sponsor pays the prospective migrant as part of the recruitment process. Most women indicated that it was comparable to one month's salary – according to our research, around USD 120, with amounts ranging from USD 30 to USD 280. This "gift" typically became part of the migration loan that the prospective migrant worker is required to repay to the recruiters, along with the fee that the middleman received for recruiting her.

It is not difficult to imagine that the recruitment practice of "giving" money increases the likelihood that a woman would sign up: recruiters presumably would not do it otherwise. Once a woman has accepted the money, she likely feels more pressure to migrate, even if she changes her mind after learning what it entails. Moreover, in around 50% of cases, the money is not given directly to the woman, but to a family member, which likely adds to the pressure the woman receives from her family.

Since labor migration of women is now a common phenomenon in many areas in Indonesia and the Philippines, it has changed social norms about what daughters and wives are expected to contribute in terms of income to the family household. According to some of the migrants we interviewed, this has created such strong pressure that women feel unable to see or determine an alternative career path.

Not all people become migrant workers because of an economic problem. Many of my friends, including me, are forced to leave because of social pressures from the society. My neighbors often tell me that I should not be a burden for my family. Because of that, I decided to work abroad. Another social pressure also comes from my own family. A family whose daughter does not work abroad is considered as a weird family. Because of those reasons, I decided to be a migrant worker although deep in my heart, I do not want to be parted with my son.
- NN, 24 years old prospective migrant worker, West Java, Indonesia

Knowledge and Perceptions about Working Abroad

The vast majority of respondents received training in a recruitment facility before departure, and 40% had already worked abroad. Given this, it would be reasonable to expect that migrants have at least a basic idea of their rights as a domestic worker. These rights may vary between destination countries, but most countries have adopted the rights in Figure 11, including Singapore and Hong Kong.

Figure 11: Knowledge of prospective migrant domestic workers about their rights

	Country of origin			
	Indonesia[32]		Philippines[33]	
	First-time migrants	Migrated before	First-time migrants	Migrated before
The employer does not have the right to slap me as a punishment for doing something wrong	93	94	97	97
I have the right to enough, healthy food	83	85	97	94
I have the right to refuse work that is dangerous	81	80	90	92
I have the right to change employers	71	76	80	84
I have the right to one day off per week[34]	72	79	96	92
The employer does not have the right to yell at me as punishment for doing something wrong	76	72	50	52

One conclusion from Figure 11 is that migrants are generally more attuned to certain rights than others. For example, almost all migrants think they should not be punished physically, but many believe that verbal punishment is permissible. It is also likely that migrants – especially those groups that did not receive official information on their rights – tend to confuse rights with common practices, or simply make a guess based on which rights they consider important.

[32] n=535

[33] n=848

[34] Migrant domestic workers only have a government-mandated off in Hong Kong, but not in Singapore. Therefore, the data represented table is only for those migrants planning to migrate to Hong Kong.

Awareness of migration risks

Besides formal rights and obligations, there are a number of common practices, risks and problems experienced by migrant domestic workers. The prevalence of these issues was measured by this research, and is explained further in later chapters. Figure 12 shows some of these realities and the percentage of prospective migrants who think it could happen to them. The numbers suggest that prospective migrants generally have very different expectations about potential difficulties. Again, this is likely related to the fact that they base most of their information on limited or informal information sources. Almost all respondents think there are risks involved in migration. Figure 13 shows what they considered to be the main risk.

Figure 12: Expectations of prospective migrants about issues they may face while working abroad (%)

	Country of origin			
	Indonesia[35]		Philippines[36]	
	First-time migrants	Migrated before	First-time migrants	Migrated before
I expect that the recruitment costs will lead to 6 months of salary deductions[37]	84	91	22	20
I expect to work more than 12 hours per day	62	66	58	59
I expect that if I am unhappy abroad, it is very difficult to return home	42	56	74	72

Figure 13: Main risk in migrating, as identified by prospective migrant domestic workers (%)

	Country of origin	
	Indonesia[38]	Philippines[39]
Not getting paid	15	70
Homesickness	30	13
Excessive working hours	22	3
Mistreatment by the employer	16	6
Not being allowed to take a day off	10	1
Unable to pay off migration loans	6	1

Our analysis suggests that among Filipina prospective migrants there is a strong correlation between migration goals and fears; 97% migrated in order to earn money abroad, and 70% said that their main fear was not getting paid. The relationship seems logical, but it is not matched by the problems identified by migrants once they are working overseas. According to Filipina migrants in Hong Kong and Singapore, the main problems are excessive working hours and emotional, physical, and sexual abuse.

[35] n=535

[36] n=848

[37] Salary deductions of over 1 month are forbidden in the Philippines, but there is no limit in Indonesia.

[38] n=535

[39] n=848

Getting into Debt

The Role of Recruiters

In Indonesia, prospective migrants who want to migrate legally must use government-licensed recruitment agencies. These agencies are known as *Perusahaan Jasa Tenaga Kerja Indonesia* (PJTKI) and must have a counterpart agency in the destination country. Indonesian law 39/2004 stipulates that migrant domestic workers must leave the country with a written and signed placement agreement, written work contract, foreign employment identity card, and insurance. The law does not stipulate a minimum wage, but states that wages should be in accordance with local standards. Through the mandatory, Final Pre-Departure Program, migrant domestic workers receive training relevant to their destination, and information on laws and regulations abroad.

In Indonesia, Manpower and Transmigration Ministerial Decree No.98/2012 (hereafter Decree No.98/2012) stipulates the services and prices that recruiters are allowed to charge migrant domestic workers, and which costs the future employer should pay.[40] Figure 14 provides on overview of how the migration costs are supposed to be divided between the worker and the employee.

Figure 14: Indonesia's Decree No.98/2012 on Components and Amount of Placement Fee for Indonesian Domestic Workers for Singapore and Hong Kong

Paid by the migrant worker	Amount (USD)[41]	Paid by the employer	Amount (USD)
Insurance of migrant workers	273	Legalizing working contract	Depends on destination
Psychology test	17	Indonesia migrant workers insurance	Depends on destination
Medical check up	48	Indonesia migrant workers medical check up	Depends on destination
Passport	17	Employment Visa	Depends on destination
Training fee (600-hours[42]) incl. accommodation and meals at the training venue/shelter **Training equipment**	375 204	Transportation: round ticket Placement agency service	Depends on destination Depends on destination
Competency test	10		
Service of Private Recruitment and Placement Agency (PPTKIS): one month worker's wages)	280		
Agency Service (10% of worker's first month wages)	28		
Total amount	1,060		Depends on destination

[40] Indonesia Law No. 39/2004 concerning the Placement and Protection of Indonesian Overseas Workers regulates the recruitment process and sanctions for recruitment agencies that do not comply with the law. Decree No.98/2012 sets the maximum recruitment fee at IDR 14,780,400 and requires that migrant domestic workers are provided with a written contract in Indonesian language, with standard terms and conditions.

[41] Currency conversions are based on the European Commission exchange rates of October, 2015.

[42] For Singapore and Hong Kong a total of 600 hours of training is required. For other destinations the length of required training is shorter, for example 200 hours (e.g. for Saudi-Arabia) or 400 hours (e.g. for Malaysia).

The Philippines government prohibits employment agencies and employers from charging recruitment fees to workers "whether collected prior to their deployment, or on site through salary deduction."[43] However, the regulation states that Filipinas still have to pay for several services before leaving the country, including passport, official clearances, authentication, birth certificate, Medicare, pre-departure orientation seminar, training, trade test, inoculation and medical examination fees.

In the Philippines, the use of recruitment agencies is not mandatory. However, most women seeking to work abroad as domestic workers use them anyway. The Philippines Overseas Employment Administration regulates the recruitment and placement of Filipina migrants. Licensed recruitment agencies in the Philippines must have a counterpart agency in the destination country, and typically all documentation is completed through these agencies. The Philippines Overseas Employment Administration requires a signed standard contract that stipulates the minimum wage and other benefits.[44]

Use of recruiters

Despite the different requirements in Indonesia and the Philippines, there are no large differences in terms of respondents' use of recruitment agencies: 97% of interviewed prospective migrants were using a recruitment agency to organize their migration, and 88% of prospective, current and returned migrant domestic workers combined.[45] The only difference between nationalities was the reason why, as shown in Figure 15.

Most interestingly, respondents from the Philippines believe that it is safer to use a recruitment agency. As will be explained further below, using a recruitment agency comes with substantial costs and often leads to debt. The findings may indicate that Filipinas' immediate concern is safety, even though their stated motivations to migrate are economic. It may also suggest that custom and a lack of connections to other recruitment pathways lead them to continue relying on these agencies.

Figure 15: Reasons why prospective migrant domestic workers used a recruitment agency to arrange migration (%)

	Country of origin	
	Indonesia[46]	Philippines[47]
Because it is legally required	37	18
I didn't have enough money to arrange my migration	32	2
It is safer	22	71
I am unable to arrange everything by myself	9	9

Irregular migration

Not all migrants use a recruitment agency. Other methods reported by respondents included traveling on a tourist visa, entering the destination country illegally, responding to job

[43] Philippines Overseas Employment Administration Governing Board Resolution No. 6 (2006) – issued on 24 October 2006

[44] Philippines Overseas Employment Administration Rules and Regulations Governing the Recruitment and Employment of Land-based Overseas Workers

[45] n=3,440

[46] n=535

[47] n=848

advertisements, or using connections and informal recruiters to find an employer.

The group of migrants that entered Hong Kong or Singapore illegally appears rather small; only 1% of returned workers said that they used the "back door".[48] The number of migrants who entered Hong Kong or Singapore under different pretenses, such as study or tourism, also appears low: among prospective migrants, of those who had a visa for Hong Kong or Singapore, 3% had a tourist visa instead of the required working visa.

Personal connections

Despite the heavy reliance on recruiters for migration, personal connections play a role in recruitment for domestic work. In Singapore, migrants were asked if they knew their recruiter before they were being recruited and 72%[49] answered yes. It is common both in Indonesia (62%) and in the Philippines (47%). Migrants often knew their recruiters because they were relatives, family friends, friends of friends, classmates or because they were from the same village.

Figure 16: Connection with recruiters of migrant domestic workers in Singapore (%)

	Country of origin	
	Indonesia[50]	Philippines[51]
Neighbor/village recruiter	37	3
Friend	30	20
Family or relative	20	10
Former school mate	0	1
Agency	0	15
Advertisement	1	0
No answer	12	50

In Singapore, the 23% of current migrant workers who did not use a formal or informal recruiter were usually recommended by a friend or previous employer to a new employer, and applied for a working or tourist visa themselves. Only a few said that they used Facebook and other advertisements to find an employer.

In Hong Kong, the questionnaire tested which parts of the migration process migrant domestic workers on their first contract arranged themselves; for which services they relied on brokers or recruiters in their countries of origin; and for which services they relied on employment agencies in Hong Kong. The numbers in

Figure 17 show that migrant domestic workers are depending heavily on recruiters in the origin country for all services related to migration.

[48] This is not surprising, considering the logistical challenge to enter the well-guarded territories of Hong Kong or Singapore from the island nations of Indonesia and the Philippines. In contract, illegal migration from Indonesia to Malaysia is far more common, because Malaysia has more points to access from Indonesia.

[49] n=568

[50] n=288

[51] n=128

Figure 17: Who assisted migrant domestic workers to organize aspects of the migration process to Hong Kong (%)?[52]

	Migrant herself	Broker/recruiter	Agency in HK
Passport	22	74	4
Visa	2	92	5
Qualifications, certificates and/or endorsements	2	84	12
Flights/transport to Hong Kong	3	85	12
Medical examinations	2	83	14
Insurance	0	85	13
Training	4	81	11
Job placement in Hong Kong	1	78	14

Contractual issues

According to the laws in Indonesia and the Philippines, a prospective migrant domestic worker should sign a contract in front of a government official, which details her rights and obligations abroad. In the Philippines, there are standard contracts for specific destination countries. Since 2014, there is also a standard contract in Indonesia. This contract includes names and addresses of the employer and worker; occupation or job type; rights and obligations of both parties; terms and conditions of work, including working hours, wages and procedures of payment of wages, leave entitlements and periods of rest, facilities and social security, and the period of employment covered by the contract.[53]

The research identified several common problems with contracts. In Indonesia, 49% of returned migrant workers said that they did not receive a (copy of a) contract before they departed, versus 17% in the Philippines. Fifty percent of Indonesians and 15% of Filipinas did not have a contract during some or most of their time abroad as a domestic worker.

In contrast, among current migrants in Singapore and Hong Kong, most workers said that they had signed a contract in the sending country, the destination country, or both. In Singapore, 17% did not sign a contract in the sending country; however, almost all had signed a contract in Singapore. In Hong Kong, 8% said that they did *not* submit a signed copy of their contract to the authorities for their current job.

Not having a contract can make migrant workers more vulnerable to exploitation. Because it makes them irregular migrants, they do not have the rights that are supposed to protect legally employed domestic workers. However, migrants who have signed a contract but do not know what is in it may be equally vulnerable to contract violations. Migrants often reported that they did not have enough time to read it, or that it was written in a language they did not understand. Among returned migrants, 31% of Indonesians and 10% of Filipinas said that they did not understand the papers they signed.

Of the respondents in Singapore, 4% said that they were unable to read the contract they signed. The most common reason given was that the signing process happened in a rush that allowed them "no time" to read the contract, or that the recruiter "just pointed" to where they should sign. Some

[52] n=258

[53] Article 55.5 of Law No. 39/2004

migrants felt that they were "not allowed" to read the contract, or immediately gave it to their employer to keep.

Migrants usually sign another contract right before departure or immediately upon arrival in Singapore or Hong Kong. The use of multiple contracts makes it unclear what the validity of each contract is and where migrants could find redress in case either contract is violated. Asking migrants about how their second contract compared to the first contract signed showed mixed results. In Hong Kong, the survey did not detect any differences in the terms of the two contracts. In Singapore, 13% said that their current wage was actually higher than the wage stated in their first contract. However, when returned migrants in Indonesia and the Philippines were asked how their original contracts compared with their subsequent contracts, 11% and 3%, respectively, said that the terms were "less favorable".

Another problem is the use of illegal documents to obtain a contract.[54] It is likely that a contract containing false data does not provide the migrant domestic worker with much protection in case of a dispute with her employer, or if a worker returns home while still in debt. The survey found cases in which recruiters encouraged illegal practices, according to migrants. For example, in Hong Kong and Singapore, 2% of workers were told by their recruiters to use false identity papers or to lie to the authorities during the migration process. In reality, these numbers could be higher because current migrant workers may not want to reveal the use of false documentation out of fear of negative consequences, or may not even know that this has occurred. This may help explain why returned migrants reported many more instances of illegal migration practices. Figure 18 shows that illegal practices, at least in the recent past, have been much higher in Indonesia than in the Philippines.

Figure 18: Illegal practices during migration according to migrants returned from Hong Kong and Singapore (%)

	Indonesians[55]	Filipinas[56]
Used false documents, papers, or endorsements in the migration process	28	3
Were told by recruiters to lie about their age or the region they were from during the migration process	41	2
Were told to avoid authorities or to lie to them during the migration process	10	4

Measuring debt

Measuring debts related to recruitment accurately is challenging. Governments have largely standardized recruitment and placement fees, but the self-reported financial situation of migrants varies considerably. This seems attributable to the following factors, alone or in combination:

- Migrants used recruiters for different services related to their migration (see Figure 17, above).

[54] Qualitative information gathered in Singapore indicated that document falsification during the migration process was prevalent. The same information was not gathered in Hong Kong because the questionnaire was designed differently.

[55] n=507

[56] n=573

- Not all recruiters or employment agencies charged the same fees for the same services.
- Not all migrants borrowed from agencies to finance their debt, and those who do may borrow either directly from the agency or from a finance company (see Figure 17, above).
- The length of the deduction period and the monthly installments varied.
- Recruitment fees and exchange rates have changed over the years, making it difficult to compare migrants who have arrived in different years.
- Migrants do not know accurately how they incurred debt and how much.

For both nationalities, some of the highest migration costs were associated with pre-departure training and their stay in recruitment facilities. Among the 77% of Filipina prospective migrants who had received training, 100% paid something. However, there were large differences between what migrants paid, as shown in Figure 19.

Figure 19: Amount paid by Filipina prospective migrant domestic workers for training in the sending country (%)

Training fee	Filipinas[57]	Indonesians[58]
USD 0-100	25	41
USD 100-200	13	18
USD 200-500	30	38
> USD 500	32	3

Among the 98% of Indonesian prospective migrants who had received training, only 9% had paid something to the recruiters at the time that we interviewed them. This does not mean the others will avoid paying recruitment costs. As explained in the chapter above and Figure 14, there are fixed costs associated with recruitment in Indonesia. Those who had already paid something in Indonesia paid USD 183 on average. Considering that all except one respondent paid less than the standard training fees for Hong Kong and Singapore,[59] it is likely that these payments did not cover the full training fee, and that they will pay other fees later in the process or once they are abroad.

Recruitment costs and debt

Debt levels vary among current migrant domestic workers. We tested for various factors that may help explain this variety, including the country of origin of the migrant, the length of their employment abroad, and how they financed their debt.

Figure 20 provides a snapshot of the debt situation of the migrants that are *currently* in debt because of recruitment fees, i.e. the samples only include those who are currently in debt. The 'average debt level' should therefore be interpreted as the average amount of debt migrants with recruitment debt owe, not as the average amount across the entire sample of migrant domestic workers at the time

[57] n=500

[58] n=46

[59] Trainings for Hong Kong and Singapore are 600 hours, for which the standard government-determined fee is IDR 5,500,000 or USD 375. Training for other destinations can be 200 hours or 400 hours.

of the survey, or as an average of all debt migrants may have had in the past.

Of those migrant workers who were recruited in their country of origin, 62% had to pay for their recruitment costs after arriving in Hong Kong, versus 41% of those who were recruited while they were already in Hong Kong. First-time migrants were more frequently in debt and had higher debts than those who negotiated their contract while they were already in Hong Kong, as demonstrated in Figure 20. The level of debt for first-time migrants from Indonesia is significantly higher than for Filipinas.

However, this difference no longer exists between Indonesian and Filipina migrants who have been working abroad for two years or longer. Figure 20 shows that those who have been working abroad for two years or more, the level of debt is generally lower. On the other hand, the differences are not significant overall; the largest difference in debt is between Indonesians who have worked in Hong Kong for less than two years and those who have worked there for more than two years. But in Singapore, the difference between Filipinas who have worked there for less than two years or more than two years is relatively small.

Figure 20: Debt financing by migrant domestic workers

	Hong Kong		Singapore	
	Country of origin		Country of origin	
	Indonesia[60]	Philippines[61]	Indonesia[62]	Philippines[63]
Recruited in country of origin or working abroad for less than 2 years	USD 1,985	USD 1,626	USD 1,740	USD 1,479
Financed debt through employment agency	USD 1,994	USD 1,747		
Financed debt through family and friends	USD 2,010	USD 1,124		
Financed debt through finance company	USD 1,965	USD 1,826		
Average total	USD 1,845		USD 1,653	
	Indonesia[64]	Philippines[65]	Indonesia[66]	Philippines[67]
Recruited in destination country or working abroad for more than 2 years	USD 1,064	USD 1,289	USD 1,544	USD 1,504
Financed debt through employment agency	USD 1,135	USD 1,313		
Financed debt through family and friends	USD 1,028	USD 1,191		
Financed debt through finance company	USD 1,806	USD 1,786		
Average total	USD 1,172		USD 1,522	

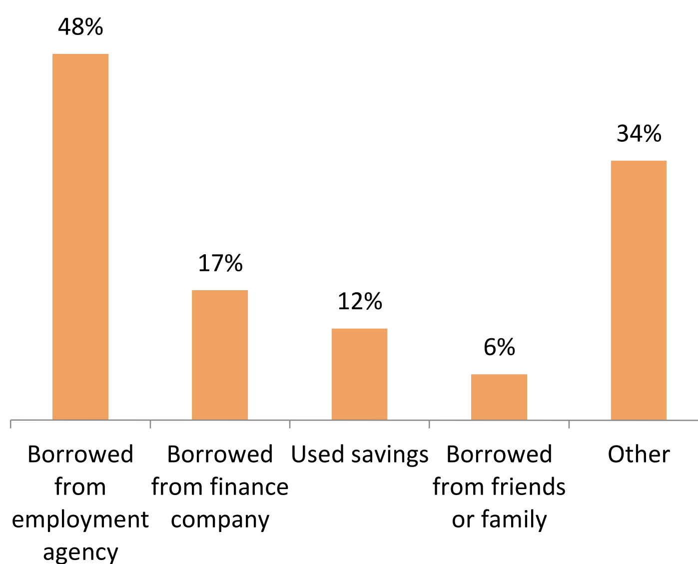
People who financed their migration through friends and family generally had lower debt; those who borrowed from the employment agency had more debt; and those who borrowed from finance

[60] n=50
[61] n=32
[62] n=78
[63] n=39
[64] n=52
[65] n=48
[66] n=69
[67] n=85

companies had the highest levels of debt.[68] However, generalizations are difficult to make because the patterns of debt are not consistent. For example, first-time Indonesian migrants in Hong Kong who had financed the recruitment costs through family and friends actually had the highest level of debt.

At least two important conclusions can be drawn from Figure 20. First, it appears that many migrants have bigger debts than are permitted under the laws in Indonesia and the Philippines. It is higher than the USD 1,060 as stipulated in Indonesia's Decree No.98/2012, and certainly beyond the Philippines Overseas Employment Administration's stipulation that recruitment charges should not exceed one month of salary.

Figure 21: How migrant domestic workers in Hong Kong financed their debt. N=160



Second, migrants incur new debt during subsequent employment contracts. The survey found that recruitment loans are paid back, on average, during the first 3-6 months of employment abroad. However, there are high levels of debt even among migrants who stayed abroad to secure a new contract – in order to avoid the recruitment process back home – and those who worked abroad for longer than 3-6 months. To a large extent, the debt is created to deal with charges by employment agencies, which will be further explained below.

Fees charged by employment agencies

Standard employment contracts and working permits for migrant domestic workers in Hong Kong and Singapore are for two years. Once a two-year contract finishes (or is terminated early), migrants have to leave the country within one or two weeks, unless a new contract is processed within that time.[69]

The governments in Hong Kong and Singapore have capped the fees that may be charged by local employment agencies. Hong Kong agencies are not allowed to charge migrants for contract certification or renewal fees in excess of 10% of the migrant worker's salary (currently that would be USD 54). In Singapore, the fee is capped at a maximum of two months' salary. Thus, in theory, no migrant domestic worker in Hong Kong should have a debt that exceeds USD 54, and in Singapore of around USD 760. However, as Figure 20 showed, these amounts are frequently exceeded.[70]

[68] This could be related to a lack of knowledge around the conditions of the loan, because 3 out of 10 who used a finance company in Hong Kong said that they did not understand the loan agreement they signed, and 8 out of 10 were not given a copy of the loan agreement.

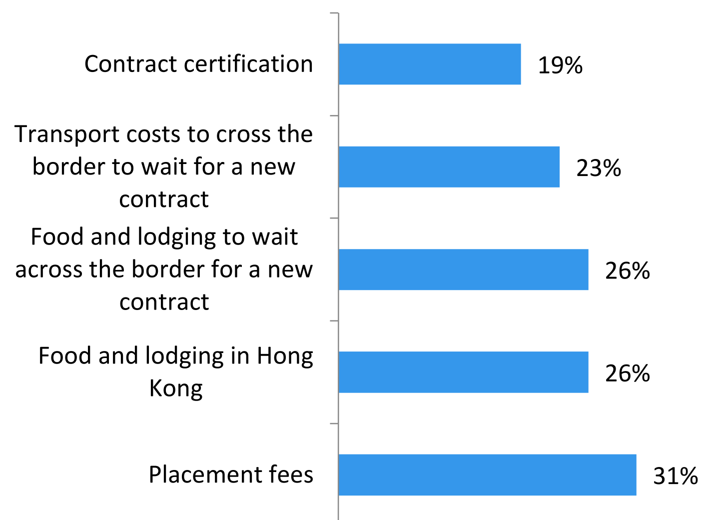
[69] Hong Kong Labour Department: http://www.labour.gov.hk/eng/public/wcp/FDHguide.pdf

Singapore Ministry of Manpower: http://www.mom.gov.sg/passes-and-permits/work-permit-for-foreign-worker/sector-specific-rules/work-permit-conditions

In Hong Kong, 63% of migrant domestic workers chose to use an employment agency to help them to obtain a new contract. Of those, 55% said that it was cheaper and 35% said that it was faster than going home. Some employment agencies help migrants to cross borders while they wait for the contract to be processed.[71] As shown in Figure 22, 26% ended up paying for fees related to these services such as transport and lodging. This practice partly explains why many migrants on subsequent contracts have debts.

The fact that most migrant domestic workers borrowed money from employment agencies in order to pay fees to these same agencies feeds into the argument that the situation of many migrants resembles debt-bondage, which is a form of modern slavery. The pressure on these women to continue working despite difficult circumstances is often high. In Hong Kong, 31% of migrant domestic workers said that they felt that they had no choice but to keep on working for their employer because of the amount of money they had paid to secure the job.

Figure 22: Percentage of respondents who paid for employment agency services



According to our respondents, the requirement to leave the country within two weeks of ending employment – even if dismissed – is an important reason why they endure the sometimes exploitative terms of renewal or replacement contracts, even though they are aware that what happens to them is unfair.

Below, migrant domestic workers in Singapore explain the role of employment agency debt in economic exploitation.

[71] The survey confirmed that from Hong Kong, borders are typically crossed to Macau or Shenzhen.

The money I earn fails to cover my loan in Singapore.

26-year old migrant from West-Java, Indonesia

If our salary gets deducted every time we transfer employers, it is as though we are sold.

33-year old migrant from Lampung, Indonesia

I live in the agency, and had to buy all my food. However, my salary still gets deducted. The agency keeps sending me around to all different employers and I keep being transferred. I am working only to pay the agency.

31-year old migrant from Cagayan, Philippines

Salary Manipulation by Employers

In Hong Kong and Singapore, 1 out of every 10 migrant domestic workers said that the salary she received was not what she was promised beforehand. In Hong Kong, 84% of migrant domestic workers received close to the Minimum Allowable Wage, with an average of USD 524, according to their contract. There was almost no difference between nationalities. In Singapore, the average salary was USD 380. Indonesians earned less on average than Filipinas, but the differences were small.

Figure 23. Average salaries of migrant domestic workers in Hong Kong and Singapore

Hong Kong		Singapore	
Country of origin		Country of origin	
Indonesia[72]	Philippines[73]	Indonesia[74]	Philippines [75]
USD 522	USD 525	USD 373	USD 386
USD 524		USD 378	

Salary deductions for recruitment debts are by far the largest costs migrant domestic workers face once they are abroad, but employers can also deduct money from their employees' wages. In Hong Kong, this practice seems relatively rare, with less than 1% of the sample reporting that their employer applied deductions to their salaries at least once. In Singapore, 6% of respondents said their employers applied salary deductions once or several times. Some said that their salary was deducted for "every mistake" or "every time I overslept". Other reasons mentioned by migrant domestic workers include salary deductions for:

- Groceries like soap and shampoo
- Damaging household items such as clothes, sheets and vases

[72] n=461
[73] n=504
[74] n=438
[75] n=255

- Mistakes made, including cooking mistakes
- Days not worked due to illness
- Being new and lacking experience
- Financial guarantees in case the worker breaks the contract

Another way for employers to manipulate wages is by demanding work on a day off without giving compensation. Domestic workers are entitled to a day off in Hong Kong and Singapore. In Hong Kong, 5% did not receive a weekly day off, but almost all of them were compensated for working on their day off. In Singapore, the situation appears different. This may have to do with the relatively recent change in rules, because domestic workers in Singapore have only been entitled to a day off since 2013.[76] According to the findings in Singapore, only 42% of current migrants received a day off. The majority of workers got only one or two days off per month, and 5% did not get any days off. More than a quarter of those who did not receive a weekly day off did not get compensated for it.

Some workers in Hong Kong did not receive allowances they were entitled to, such as work-related transport costs (12%). Food allowances, which are obligatory if the employer does not provide food, were given to 18%, but two% of those who did not receive a food allowance did not get enough food to eat from their employer.

In Singapore, 7% of migrant domestic workers spent part of their salary on repaying loans related to transport, meals, and personal necessities to employers. Some workers paid their employers instead of the other way around, for example because they had to pay for their own (eventual) flight back home, or because employers charged the migrant for the employer's share of the recruitment costs.

[76] Ministry of Manpower, www.mom.sg. "FDW are entitled to a weekly rest day if her Work Permit was issued or renewed after 1 January 2013. You and your FDW should mutually agree on which day of the week she should take the rest day. To avoid disputes, both of you could have this agreement in writing. If your FDW agrees to work on her rest day, you should compensate her […]."

Abuse of Migrant Domestic Workers

In this study, we defined abuse as any form of violence towards the migrant domestic worker that potentially harms her physically or emotionally. It includes all forms of physical, sexual or emotional mistreatment, abuse, negligent treatment or other exploitation that results in actual or potential harm to a person's mental and physical health, survival, development or dignity in the context of a relationship of responsibility, trust or power.[77]

Abuse by Recruiters in Sending Countries

Once prospective migrants have signed up to go abroad, they become an investment for recruiters. Recruiters incur costs by recruiting and training prospective migrants, and only make a profit once they successfully send a worker abroad. In practice, this often caused recruiters to restrict the freedom of prospective migrants in multiple ways to prevent them from leaving or changing their minds. The research found common practices that amount to coercion during the recruitment process.

It was surprisingly common to hear returned workers say they had "changed their minds" about going abroad, but that they were forced to continue by the recruitment agency. One in six migrant domestic workers in the survey reported feeling forced, although it happened much more frequently with Indonesians (29%) than Filipinas (4%).

In addition, some recruiters used so-called punitive measures for prospective migrants while they were confined to recruitment facilities. Some recruiters made them do unpaid work while waiting for a job abroad, or were responsible for the mental, physical or sexual abuse of prospective migrants. Others reported a lack of food and rest during training.

Even though almost all interviewed migrants spent time at the recruitment facility, many claimed that they did not receive the type of information they needed before going abroad, or said that recruiters provided incorrect information – or made false promises – about working conditions and benefits abroad.

Figure 24: Prevalence of illegal and harmful practices by recruiters in Indonesia and the Philippines (%)

	Indonesian[78]	Filipina[79]
Restricted movement while in the recruitment facility	64	47
No access to personal documents in the recruitment facility	45	30
Recruiter made false promises about salary abroad	19	10

[77] This definition is based on prior research and publications on migrant domestic workers in Singapore by the Humanitarian Organization for Migration Economics, which is based on several other abuse definitions, including those by:

Adams, A. E., Sullivan, C. M., Bybee, D. & Greeson, M. R. (2008). Development of the scale of economic abuse. Violence Against Women, 14, 563-588.

[78] n=1,105

[79] n=969

	Indonesian[78]	Filipina[79]
Did not understand contract signed in home country[80]	16	10
Not enough food while in the recruitment facility	7	3
Threatened by recruiters	10	3
Recruiter lied about the working hours	12	10
Recruiter lied about the nature of the job	4	5
Physical abuse by recruiters	5	2
Sexual abuse by recruiters	4	1

Abuse by Employment Agencies in Destination Countries

Most migrant domestic workers who arrive in Hong Kong or Singapore stay for some time at the facilities of the employment agency. Moreover, migrants who were already in the destination country typically needed the help of employment agencies to obtain a new contract or a contract renewal. In general, migrant domestic workers need the help of employment agencies for most matters related to their employment abroad; in Hong Kong and Singapore, around 90% use one.

As shown in Figure 25, migrant workers report several problems with employment agencies that limit their freedom to change employers, their freedom of movement, and add to their debt or financial pressures. We also identified some issues with employment agencies that were destination-specific. For example, in Hong Kong the government provides newly arriving migrant domestic workers with a package of documents that contains information about their rights. In the sample, 85% of migrants in Hong Kong received this package. However, in 14% of cases the employment agency took these documents away. Furthermore, even though migrant domestic workers have the right to a full day off in Hong Kong, 4% of current workers in Hong Kong said that the employment agency advised them to tell their employer that they did not need their day off.

In Singapore, many migrants said that they stayed with the employment agency for at least a few days while waiting for a contract. Of all interviewed migrants, nine% said that the employment agency did not allow them to talk to anyone without their consent, and 11% said that they were not allowed to go outside without the agent's permission. In some cases, the houses they stayed at were locked. According to respondents, their agents did not want them to run away, change employment agency, or "hang out with the wrong kind of people".

Figure 25: Prevalence of illegal practices by employment agencies in Hong Kong and Singapore

	Country of origin	
	Indonesia[81]	Philippines[82]
Employment agency confiscated documents	49	52
Employment agency charged a penalty for changing employers	22	12
Employment agency withheld payments in excess of the agreed amount	16	4
Employment agency abroad refused request to change employers	13	6
Employment agency substituted original contract with a less favorable contract	11	3

[80] Respondents did not understand contract because they either did not get enough time to read the contract, or the contract was written in a language they could not understand.

[81] n=971

[82] n=1,079

In Singapore, 15% of migrants "sometimes" or "often" had problems talking with their agent because of language differences. Six percent said that their agent at the employment agency had said something to them that was strongly impolite or offensive, often in front of other workers, using swear words or threats.[83] Below, migrant domestic workers talk about their experiences with their Singapore employment agencies.

Figure 26: What is said to migrant domestic workers

"They called me an uneducated stupid maid, villager."

"They are angry with most of the workers."

"They call me stupid and choosy."

"They threaten to send me back home."

"The agent is scared I am influenced to escape. They said: you ought to know your position."

"The agent calls me 'babi', which means pig."

Abuse by Employers in Destination Countries

In Hong Kong, the local employment ordinance regulating conditions of employment applies to all workers, including migrant domestic workers. The Hong Kong Labor Department issues rules and regulations for the employment and living conditions of migrant domestic workers. Employers usually extend a two-year standard contract to migrant domestic workers, including a salary that is no lower than the Minimum Allowable Wage of USD 543[84] and guarantees the provision of free medical treatment. This puts Hong Kong ahead of Singapore in formally regulating working conditions for migrant domestic workers.

In Singapore, the Foreign Manpower Management Division of the Ministry of Manpower addresses labor policy, management, and worker complaints. Migrant domestic workers are excluded from the Singapore Employment Act, which grants rights to other types of workers, such as a minimum of one rest day per week, a maximum of four work hours per week, limits on salary deductions, and paid sick leave.

Because of the "one-week" and "two-week" rules for leaving the country after termination of the contract, the power of migrant workers to stand up for their rights and demand better working conditions is limited; leaving their employer would mean risking a failure of the entire migration

[83] Violence imposed on other workers in front of all workers is a strong indicator of penalty for trafficking for labor exploitation (work and life under duress).

[84] Rate of October 2015, available on www.gov.hk

process. Some migrants mentioned that their employer threatened them with repatriation. Employers do not legally have the right to do so without just cause, but in practice migrants are extremely dependent on their employer for their legal right to stay and work.

This dependency and fear of leaving a difficult situation contributes to perceptions among migrant domestic workers that they are "stuck". In Hong Kong, 26% said that they stayed with their current employer because they believed that "all employers are the same". Eleven percent said that their reason for not leaving their employer was that they were afraid that it would look bad, and 6% mentioned their recruitment debt as the main reason for not being able to quit their jobs. In total, 53% of current migrant domestic workers in Hong Kong and Singapore said that they would like it to be easier to change employers.

In this research, 23% of current migrants in Hong Kong and Singapore identified one or more serious problems with their current employer. In Singapore, the number of migrants who identified problems is much higher (41%) than in Hong Kong (9%). Figure 27 shows the frequency of problems that disturb migrants most in their current jobs.

Figure 27: Most disturbing problems experienced by migrant domestic workers in Hong Kong and Singapore (%)

	In Hong Kong[85]	In Singapore[86]
Isolation and lack of social life	55	14
Working hours and conditions	24	21
Living conditions	9	4
Salary issues	6	11
Lack of freedom	5	2
Verbal, physical and sexual abuse	2	33
Other	0	16

Issues with working conditions

In Hong Kong and in Singapore, there is no limit on the working hours of domestic workers. Of current migrant domestic workers, 9% said that the working hours were worse or much worse than promised (11% in Hong Kong and 5% in Singapore). In Hong Kong and Singapore, 14-hour days are very common. Most domestic workers in the survey started working around 6 AM in the morning and finished around 8 PM, but also frequently around 10 or 11 PM.

Besides the long working days, migrants are often expected to be on call 24/7. It is particularly difficult for people to rest when they sleep in shared spaces or in a room with children. Among current migrants, almost half said that their employer "sometimes" or "often" woke them up in the middle of the night and asked them to work (22% in Hong Kong and 88% in Singapore).

In total, 73% of current migrant domestic workers got a weekly day off. In Hong Kong, 95% said they get a weekly day off, versus 57% in Singapore. However, 38% said that they still have to work before they leave on their day off and/or in the evening after they return from their day off. In Hong Kong, the majority said that they feel like they have no choice but to work if they are asked to, even though they have the right to a full 24 hours of uninterrupted rest per week.

[85] n=88
[86] n=304

Other issues with employers included working under dangerous conditions or having to do dangerous, degrading, or difficult work. Six percent of current migrants said that they have been forced to do work that falls within this category. Examples given by migrants include:

- Dangerous work: cleaning the outside of windows and air conditioners of high-rise flats, and standing on ladders on balconies of high rise flats; working with household chemicals without gloves.
- Degrading work: cleaning the toilet bowl with sponges and without gloves; cleaning up the feces and urine of incontinent elderly, and cleaning cat or dog feces and urine.
- Difficult work: carrying heavy items; cleaning cars, canals, roofs, and factories; plumbing; painting; trimming trees; cooking for large groups; working in extreme heat; taking care of children and elderly with special needs.

In addition, 6% of current migrants said that they were forced to do work that falls outside the scope of their contract. These situations include working in one or more houses other than the employer's house, and non-domestic work such as cleaning offices, giving massages, cooking in restaurants, and gardening, making small crafts, and giving manicures.

Issues with living conditions, violence, and limited freedom

Figure 28 shows the prevalence of some of the main illegal practices and issues with employers as identified by the survey, which are each explained in more detail further below.

Figure 28: Illegal and harmful practices experienced in Singapore and Hong Kong (%)

	In/returned from Hong Kong		In/returned from Singapore	
	Indonesians[87]	Filipinas[88]	Indonesians[89]	Filipinas[90]
Restricted movement outside of the house	29	21	33	33
Verbal abuse by the employer	12	17	18	24
Restrictions on communication and social life	11	3	22	16
Having to be on call 24/7	10	6	8	31
No free access to passport and other personal documents	10	7	18	37
Degrading sleeping and living arrangements	9	14	15	22
Excessive working hours (no weekly day off)	8	6	30	28
Medical neglect by employer	7	7	5	6
Forced to do work outside of contract (including dangerous work)	7	11	14	19
Not given enough food by the employer	6	12	6	10
Physical abuse by the employer	6	4	4	1
Given less salary than promised	2	3	7	6
Sexual abuse by the employer	1	<1	4	2

[87] n=706
[88] n=807
[89] n=726
[90] n=546

Migrant domestic workers are entitled to sleep in a bedroom with sufficient ventilation and basic amenities such as a mattress, blankets and pillows. Workers should not have to share their bedroom with members of the opposite sex unless they are young children. In Hong Kong and Singapore, 6% called her current living conditions unsanitary or unsafe, or said that it was worse than she was promised. The survey found several workers that were forced to sleep in storage rooms, balconies, or in front of the toilet.

Figure 29: Sleeping arrangements of Indonesian and Filipina migrant domestic workers (%)

	In Hong Kong[91]	In Singapore[92]	Average
Own bedroom	60	71	65
Shared bedroom	38	23	31
Other room (storage, balcony, kitchen, toilet)	2	6	4

The living-in requirement for migrant domestic workers in Hong Kong and Singapore gives them little privacy. Employers are not allowed to keep their workers under constant surveillance, for example by searching through their belongings or keeping them under camera surveillance. However, in Singapore, over a third of the respondents felt certain that there were surveillance cameras in the house, frequently in multiple rooms or in all rooms except the toilet.

As shown in Figure 27, for migrants in Hong Kong the biggest complaint was isolation and a lack of social life. When asked how often they communicated with friends and family, 56% said "daily" and 41% said "on a weekly basis". This implies that most workers have regular access to their phones. However, restrictions on leaving the house still appear to be a relatively common practice in Hong Kong and Singapore. When asked why they are restricted, many migrants said that they are not allowed to leave the house on other days than their weekly day off. Many others said that they have to ask permission each time they want to leave the house, and some said that their employer is afraid that they will speak to someone about their issues.

The confiscation of documents by the employer is more common in Singapore than in Hong Kong. In Hong Kong, 4% said they do not have free access to their passport. In Singapore, 75% said that the employer keeps her passport, and most said the employer also holds on to other documents, such as the work permit and work contract. Many do not know why their employer keeps their passports, while some think that it is necessary for "safekeeping", or said that her employer is scared that she will run away. Several workers said that they never had their passport, because the employment agency gave the documents straight to the employer.

Lack of freedom to practice their religion and discrimination were also an important problem for migrant domestic workers in the sample. Many migrants reported situations in which the employer or the family treated them like a second-class citizen. One in three migrants reported frequent insults, embarrassment in front of other people by the employer, and receiving hurtful comments about her religion or country of origin.

[91] n=970

[92] n=735

Figure 30: Verbal and physical threats and abuses by employers in Singapore, according to Indonesian and Filipina migrant domestic workers

> ***My employer***...shouts, scolds and hits me...always calls me stupid...the son keeps touching my butt ...says I'm not using my brain...often calls me dog...calls me pig...there is no end to getting mad at me...calls me monkey...says I only finished high school...uses impolite words...uses every swearword there is...calls me idiot...says I can't cook...damn ...brainless...scolds me every time I make a mistake...easily uses swearwords...likes to get angry...screams at me...threatens to send me back...scold me for no reason ...idiot girl... embarrasses me in front of others ...calls me shrimp.

As shown in Figure 30 (above), physical and sexual abuses were also identified by the survey, although the findings have to be interpreted with care. First, due to the sensitivity of these questions it is likely that the willingness to share this information is lower than for other types of information, probably resulting in some under-reporting. Second, there are many different types and forms of physical and sexual abuse. These numbers only include those types that the migrant domestic workers themselves believe to be physical or sexual abuse. Examples of the types of abuse reported by migrants in the research included touching, courting, molestation, rape, kissing, fondling, pushing, slapping, punching, hair cutting, kicking and spitting. In many instances the physical abuse was inflicted by underage children, and sometimes by elderly people (mainly women).

Asking for assistance abroad

Most prospective migrants in Indonesia and the Philippines were aware that there are a variety of institutions and organizations available for requesting assistance in case they need help. Most said that – if needed – they would request help from the employment agency (94%), the local government (86%), and especially their own government's embassy or consulate (96%).

In practice, migrant domestic workers rarely seem to request assistance during their employment abroad. In Hong Kong, only 3% of those who faced mistreatment (in their own assessment) had sought at least one type of assistance. The most common type of help was to talk to other migrant workers or friends, the employment agency, and the family back home. However, few said that it was helpful. Migrants rarely sought assistance from the local authorities, embassies, NGOs, or religious organizations.

In Singapore, 20% of current migrant domestic workers said that they feared the authorities in Singapore. A common reason for this fear was that the laws for migrant domestic workers are strict, and they feared negative consequences from contacting authorities. Several migrants said that local authorities do not prioritize migrant workers, and that they may end up being charged for stealing or being blamed for any problems. Some were scared because they were far away from their families; others feared that they may be detained, or already had negative experiences with the authorities in the past.

Among returned migrants, the numbers who sought assistance while abroad were much higher. Among returned Filipinas, 16% sought assistance and among returned Indonesians 89%. It may be that migrants who seek assistance are ready to go home, or alternatively, that seeking assistance from authorities is likely to lead to the end of their employment abroad. Nevertheless, this could not account for a finding as high as 89% and a third possibility is that – at the end of the contract period or when problems occurred – employers did not want to pay for the migrant to return home, causing the migrant worker to seek assistance. Figure 31 shows where returned migrants sought assistance and how many thought the assistance received was helpful.

Figure 31: Where migrant domestic workers sought assistance in Singapore and Hong Kong

	% that sought assistance	% that found it useful
Employment agency[93]	85	73
Embassy or Consulate[94]	43	70
Ministry[95]	22	72
Local organization[96]	34	64
Police[97]	9	61

[93] n=445

[94] n=227

[95] n=119

[96] n=166

[97] n=49

Failure to Achieve Migration Goals

The Role of Remittances

Remittances are an important part of the Indonesian and Philippines economies. Almost all of those who migrate for domestic work send part of their salary back home. Indonesian and Filipina prospective migrants expect to send on average 51% of their income home. The most common purposes of the remittances relate to supporting household expenditure in the community of origin.

Figure 32: How migrant domestic workers in Hong Kong and Singapore are planning to spend the remittances (%)

	Country of origin	
	Indonesians[98]	Filipinas[99]
General income for the family	38	47
Children's education	26	30
Future business investments	12	12
House	16	8
Paying back loans	3	1
Medical costs	2	2

In Singapore, 91% of migrant domestic workers sent remittances home, with USD 219 per month on average. In Hong Kong, 96% of migrant domestic workers sent an average of 50-60% of their salary, an average of USD 262 per month. Married women and mothers used a part of their remittances to pay for children's education and for supporting their husbands, while most single women sent remittances to parents and siblings. There are no statistical differences between the number of Indonesians and Filipinas who send remittances home. In many cases, migrant domestic workers supported several members of the (extended) family. On average four people in the home country depended on the remittances of one migrant domestic worker. Dependents were almost always direct family members, but 3% of the respondents answered that they sent their remittance to "friends".

As suggested by Figure 32, relatively few prospective migrants were planning to use remittances to save for future investments, such as business investments or buying a house. Even fewer planned to make productive use of the remittance by becoming entrepreneurs. Compared to the "main motivations" for going to work in Hong Kong or Singapore (Figure 7), it becomes apparent that there are competing interests for the money earned abroad. For remittances, the main *purposes* are helping the family and paying for school fees, but the main *motivation* for migration is to save money for the future. It is apparent that, for most people, money sent home is not invested, but spent by the family, and that any part of the salary that might go towards future needs or investments has to be saved by the remaining salary of the migrant worker. Put bluntly, remittances are not savings.

But saving, as earlier sections demonstrated, is difficult. For the first few months of a migrant

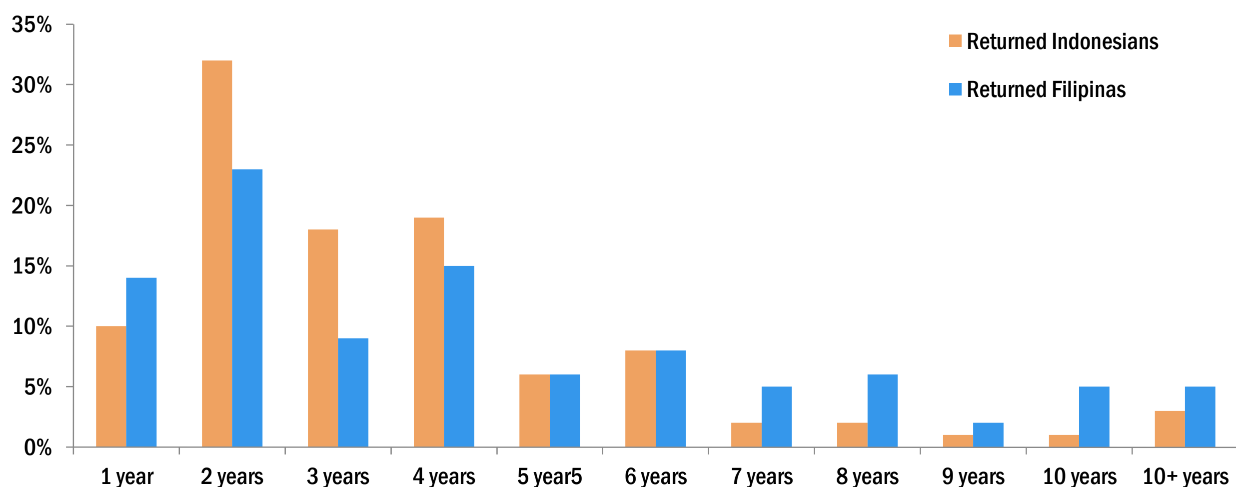
[98] n=535

[99] n=848

worker's contract, she receives little to no salary, because she has to pay back her migration loan. Once the salary increases, saving is still challenging because of other types of costs, including personal expenses, loans for a new contract, medical costs, and penalties charged by employers. This undoubtedly contributes to the long periods abroad that many migrant workers experience. Prospective migrants usually plan to return home after the first two-year contract has finished. Among prospective migrants, 60% said that they would return home after their visa expires or their contract ends. In practice, the low incomes that they make do not allow them to save a meaningful amount of money for the future. However, since their remittances are equal to or more than they can expect to earn back home, their families become dependent on them staying abroad.

In the Philippines, the average time of working abroad was 4.5 years, and 32% worked more than five years abroad. In Indonesia, the average time of working abroad was four years, and 22% worked more than five years abroad.

Figure 33: Duration of migrant domestic work employment in Singapore and Hong Kong (years)[100]



When migrants were asked if they experienced family pressure to stay abroad and send money home, 10% of migrants said yes. They explained that their family had repeatedly asked for them to send money; that they felt pressured because their husbands were unemployed; that they worked to pay for the medical bills of their parents; that they were pressured because the children's school fees were due; or that they felt responsible for helping to pay back a family debt.

Economic outcomes after return

When migrant domestic workers returned home after working in Hong Kong or Singapore, the most common reason they gave was that their contract or their visa had expired. Overall, this was the case for 61% of returned migrants. 17% of returned migrants took the initiative to return because they were homesick or because they were needed back home. Nine percent were forced to return because they were mistreated and/or deported. Only 6% returned home because they felt that they had earned "enough" money.

[100] 507 returned Indonesians and 573 returned Filipinas.

Figure 34: Reasons for returning home after employment in Singapore and Hong Kong (%)

	Indonesians[101]	Filipinas[102]
Contract or visa/work permit expired	67	56
Homesickness	10	7
Needed back home	5	12
Mistreated abroad	2	5
Forced to return	1	9
Earned enough money	10	3
Other	5	10

It is difficult to measure how much returned migrants gained (or lost) financially because of migration. Among returned migrants, 10% said that they had no money left at all, while around half of those only had material things that they brought back from abroad. Of those, 13% were still in debt to their recruiters.

Another way to measure the financial impact of migration is to explore how many migrants want to migrate again, and for what reasons. Of all interviewed returned migrants, 77% said that they wanted to migrate again (65% in Indonesia and 89% in the Philippines), and 10% were unsure. Interpreting the answers in Figure 35, it appears that most migrants felt that they have few opportunities to make a good income after their return, that they have not yet saved enough during the previous migration, and that the family is counting on them to earn an income abroad – especially Indonesians.

Figure 35: Reasons given by returned migrant domestic workers to consider migrating again (%)

	Indonesians[103]	Filipinas[104]
I can earn more money abroad	24	50
Because I have no money or job	19	26
My family encourages me	13	1
I am in debt with the recruiter	1	2
Because of natural disasters	0	1
My employer wants me to come back	8	1
I don't want to migrate again	23	4
I am undecided	12	6

Reintegration

The governments of Indonesia and the Philippines offer some return and reintegration programs for migrants, although they are limited in reach. Programs typically target a relatively small percentage of vulnerable migrants, and only those who have somehow come to the attention of the authorities usually benefit. They provide returnees with medical or legal services, or short-term livelihood training. Among returned migrants in Indonesia, 10% received government assistance upon return and among Filipinas 4%. The types of assistance received are summarized in Figure 36.

[101] n=494
[102] n=573
[103] n=494
[104] n=573

Figure 36: Types of assistance given to returned migrant domestic workers by in Indonesia and the Philippines (%)

	Indonesians[105]	Filipinas[106]
Livelihood	2	1
Medical	1	3
Counselling	1	6
Legal	0	1

Psycho-social and bureaucratic assistance would likely be useful. In terms of supporting women to find employment and business opportunities, there are inherent limits to what reintegration assistance can achieve in a local economy and society that has demonstrably failed to open alternative career paths for so many women. There would be much bigger opportunities for powerful reintegration assistance it is coupled to better preparation by women for savings and investment.

[105] n=494

[106] n=573

What Predicts Migration Outcomes?

From the migrant perspective, a successful migration experience depends on factors beyond abuses and rights violations. In general, such indicators do not say much about if migrants *feel* forced, or if their negative experiences have resulted in higher or lower earnings, savings, or remittances. Therefore, we tested the data for associations between outcome variables and demographic or experiential factors.

First, we looked at the group of migrants who said that they felt forced to work abroad and those who did not feel forced.[107] ***Factors associated with a higher probability of feeling forced to work abroad*** include:

- Fraudulent practices: migrants who were told by recruiters to use false documents, or to lie to the authorities, are nine times more likely to feel forced to work abroad.
- Origin country: In the survey, Indonesians were five times as likely to feel forced to go abroad, or to keep working, than Filipinas.
- Education: Migrants with tertiary education (college, university) are four times less likely to feel forced to work abroad than those who have only completed primary or secondary education, or who have no formal education.
- Returnees: Those who have already returned are twice as likely to feel forced to work abroad as a migrant domestic worker, compared to those who are currently working.
- Threats and abuse: migrants who are subjected to verbal threats and abuse are twice as likely to feel forced, while those suffering physical or sexual abuse are over four times as likely to say that they feel forced.
- Recruitment facilities: migrants who spent time in a recruitment facility before they went abroad were less likely to feel forced to work abroad compared to those who used other ways to migrate.[108]
- Deceptive information: migrants who received deceptive or no information about the working conditions or their contracts are more than twice as likely to feel forced.
- Understanding of the work contract: migrants who had enough time to read the contract, which includes details on migration debt and repayment, are less likely to feel forced to work abroad than those who don't understand their contract.

Figure 37 visualizes these relationships (not all variables are shown). The ranges show the confidence interval based on a 95% confidence level. The numbers indicate the odds of a migrant having the listed characteristic feeling forced, compared to a migrant lacking that characteristic and controlling for the other variables. For example, someone assisted to commit fraud during

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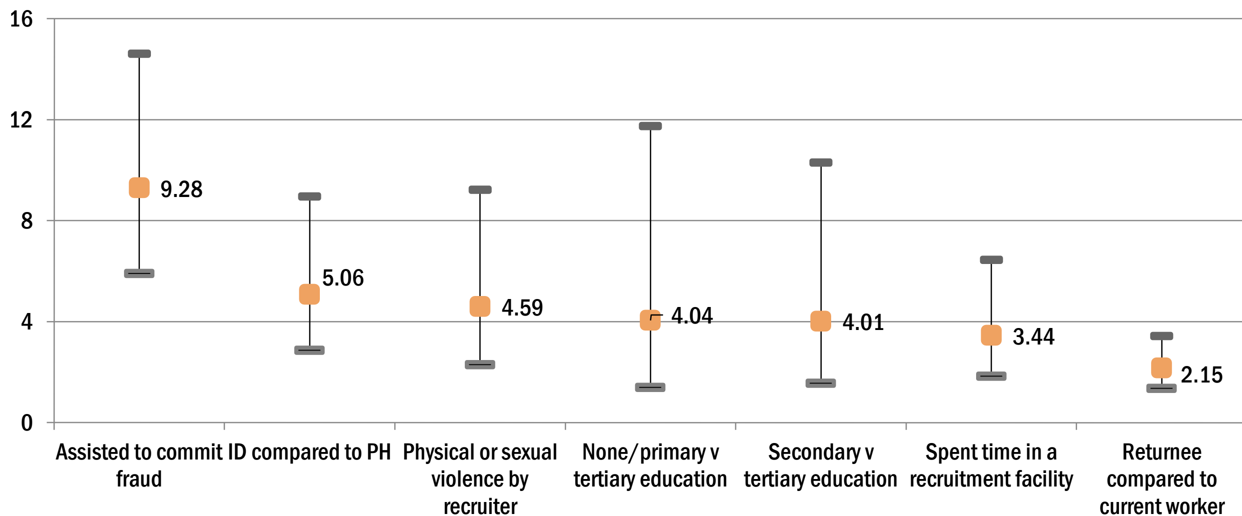
[107] Using logistic regression.

[108] For example, through friends, relatives, and informal recruiters.

recruitment is 9.28 times more likely to report feeling forced than someone who was not assisted to commit fraud.

Figure 37: Odds ratios for variables predicting a migrant feeling forced to go abroad or stay abroad



We used linear regression with the dependent variable of a respondent's salary and found that ***a higher salary is associated with*** the following factors:

- Origin country is *not* significant for earnings abroad.
- Destination country: migrant workers in Hong Kong earn more than those in Singapore (additional USD 136 per month).
- Recruitment agents and contracts: spending time at a recruitment facility to arrange migration results in lower average salaries, but having a contract frequently results in higher salaries. This suggests that migrants who negotiate contracts themselves – usually when they are already abroad – earn higher salaries.
- Fraudulent practices: migrants who were told by their recruiters to use false documents or endorsement, or to lie to the authorities, are more likely to earn lower salaries while abroad. It is possible that those migrants have less bargaining power because they are afraid of being discovered and/or that agencies and employers are using this weakness against them during salary negotiations.
- Working hours: sadly, earning more hours is associated with lower salaries. For every hour worked extra, the monthly salary is reduced by USD 2.27. Again, it suggests that this is not a free market.

We used linear regression on the respondent's debt burden[109] and found that ***a longer period of paying back recruitment debt*** is related to the following factors:

- Country of origin: Being from Indonesia causes longer pay back periods, even after the

[109] Measured by the number of months a respondent needed to pay back their debt.

sample is controlled for use of a recruitment agency, salary abroad, and destination.

- Destination: Working in Hong Kong makes it more likely that debt pay back periods are longer.
- Level of recruitment debt: migrants who have a higher recruitment debt are more likely to take longer to pay back their loans.
- Salary: earning a higher salary makes it more likely that the pay-back period is shorter.

We used linear regression on the size of remittances sent home and were unable to find a useful model that covered all countries. We therefore tested the Hong Kong and Singapore samples separately. In Singapore, our various models did not produce strong conclusions. In Hong Kong, we found ***bigger remittances*** are related to the following factors:

- Salary earned: the higher the salary is, the higher the amount is that migrants remit home. This confirms the finding that migrants mainly work abroad to support family and dependents back home. It seems to refute the idea that migrants "waste" consumable income abroad. For every additional dollar in the monthly salary, the migrant remitted approximately USD 38 cents more per month.
- Feeling forced: migrants who felt forced to go abroad because they had incurred debt during recruitment (but changed their minds after), are likely to remit, on average, USD 41 per month more than those who said they did not feel forced.
- Destination country: migrants in Hong Kong are more likely to remit more, on average USD 50 per month.

In conclusion, this analysis shows that there are some clear starting points for reducing a sense of being forced to work abroad among domestic workers. Broad factors include looking at specific origin countries (Indonesia, in this case) and the education levels of migrants. More specific problems are related to illegal recruitment practices and abuse. Migrants that feel forced are more likely to be engaged in document fraud, lacked information about the terms of their contracts and conditions abroad, and suffered verbal, physical and sexual abuse.

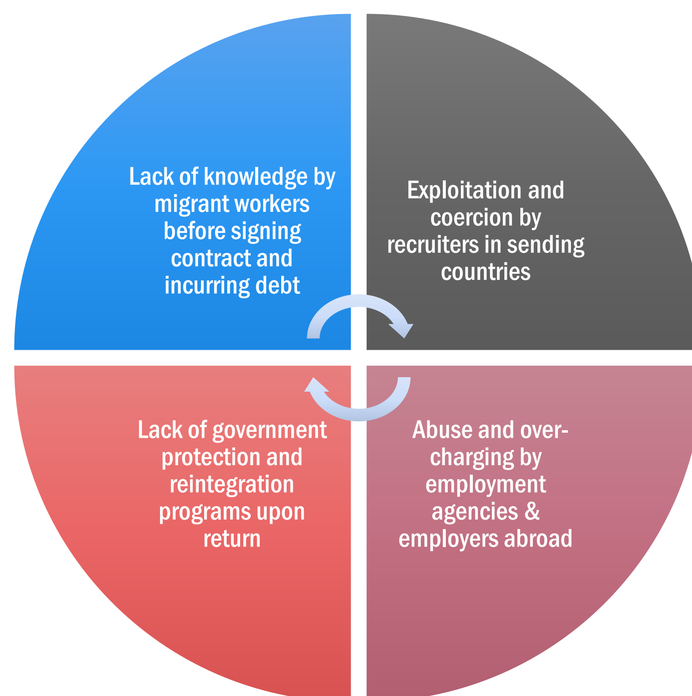
To enhance migration outcomes on an economic level, it is important to understand that migrants who are less in control of crucial aspects of their migration earn less. These migrants typically lose bargaining power by engaging (or being forced to engage) in fraudulent recruitment practices, and having recruiters negotiate contracts for them. In addition, excessive working hours damage migrants' economic situations.

In the case of migrant domestic workers, salary and debt cannot be understood separately from each other. Although higher salaries typically result in shorter payback periods, higher debt results in longer payback periods. This means that even in destinations where a minimum salary is (almost) guaranteed, such as in Hong Kong, the high levels of debt still place a heavy financial burden on migrant domestic workers. Regarding remittances, the research shows that there is a large price migrants pay for sending, on average, over half their incomes home; migrants who remit more are more likely to be in a situation where they feel forced to work abroad.

Conclusions and Responses

Figure 38 summarizes the cycle of problems in these transnational labor markets and helps to frame responses.

Figure 38: Visualizing the cycle of problems
Common problems experienced by migrant domestic workers before and during recruitment and training, while working abroad, and upon the termination of their contract and their eventual return home.



Our research finds that many indicators of modern slavery are present among the population of Indonesian and Filipinas migrant domestic workers in – and returned from – Singapore and Hong Kong. The problems identified in the quantitative include blatant rights violations such as physical confinement and abuse, but also many subtle forms of deception, exploitation and coercion. These practices take place in all four countries of the survey, during the various stages of migration (recruitment, going and working abroad). Many migrants reported feeling forced by their family, recruiters or agents to go abroad or to keep on working. Migrants often found it difficult to escape situations of exploitation. Major reasons to endure appear to be the significant amounts of debt they owe to agencies, finance companies and in some cases employers, combined with a hope that they will start earning more money once they become debt-free. Many hope to change employers, but highlight the challenges associated with this due to local regulations.

In the Philippines and Indonesia, the research found areas where migration for domestic work has become the norm; poverty, social pressure, questionable recruitment practices and limited access to information all seem to contribute to the vulnerability of prospective migrants. It seems that many

women stayed abroad for longer than anticipated and had little or no money left after their return. Many women in the survey experienced multiple rights violations abroad, but the majority still think migration is their best option to sustain themselves and their families. This is illustrated by the fact that most women in the survey consider migrating again, and that a large number among the prospective migrants we interviewed had migrated before. It appears that without intervention, the number of women affected by labor exploitation will continue to rise.

It remains to be seen what the impact of this trend is on the developing economies of Indonesia and the Philippines, but the signs are discouraging. Women who migrate for work usually do not manage to lift themselves or their families out of poverty, instead remaining on the level of a subsistence income. Recruiters and other profiteers appropriate part of the women's salary. Government regulations largely work in recruiters' favor, giving migrants little bargaining power. In most countries, migrant workers still need the services of recruiters and placement agents for obtaining an employment contract and other services.

Instead, institutions involved in this business should be encouraged to find a new economic model that focuses on the promotion of marketable skills and higher incomes. Such market-based approaches should be complemented with higher ethical standards and more transparency to prevent and respond to the harmful practices that are currently taking place in many recruitment and employment agencies.

Responses

This section uses the findings of the research as actionable evidence to address modern slavery through labor exploitation in the East and Southeast Asian region. We discuss the advantages and disadvantages of some of the key responses by governments and non-governmental organizations involved in modern slavery and labor migration issues. Recommendations are based on the premise that solutions should be firmly rooted in evidence and take account of the migrant's perspective on goals and how to achieve them, in an effort to reduce their vulnerability and increase their autonomy.

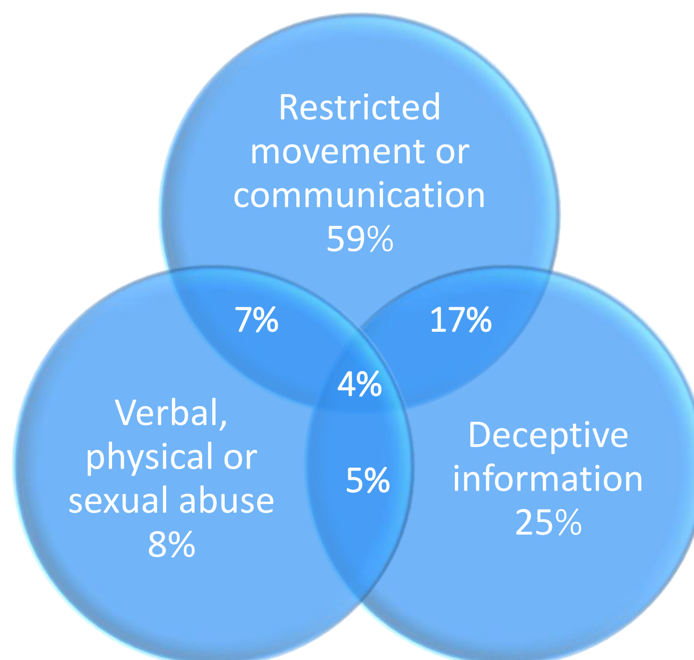
Migrant Worker Sending Countries

Recommendation 1: support legal advocacy for rights and implementation

Sending countries of migrant domestic workers should improve existing laws, increase and support monitoring efforts of recruitment agencies, and effectively implement legislation to protect migrants.

Governments in Indonesia and the Philippines have taken steps to transform and discourage labor migration for domestic work in recent years. In the Philippines, stricter regulations for recruitment agencies and better conditions for employment abroad have increased migrant domestic workers' rights vis-à-vis recruiters in the Philippines. Sending country governments are responsible for ensuring that rules and regulations are observed at home and abroad. To improve the results of their rules and regulations, governments will need to implement them more rigorously, for example by making more resources available to train frontline agencies and to conduct systematic monitoring.

Figure 39: Common violations during the recruitment process of Indonesian and Filipina domestic workers



In Indonesia, migrant organizations have united to advocate jointly for far-reaching reform of Law No. 39/2004 concerning the Placement and Protection of Indonesian Overseas Workers. Migrant organizations are particularly critical of the power this law gives to recruitment agencies. In addition, they claim that the regulatory and protective power of the Indonesian government in this area has been weak. Examples of extreme abuse of Indonesian domestic workers in countries such as Hong Kong featured prominently in the media in 2015.[110] Indonesian government efforts to lobby for its citizens, for example a minimum salary or the right to unionize, have yielded little results in key countries of employment, such as Singapore and Malaysia.

The Indonesian government announced in May 2015 that 21 countries in the Middle East are banned as destinations for migrant domestic workers employed by private employers.[111] In October 2015, the Indonesian government announced that it intended to reduce migration for domestic work to "zero" by the end of 2017. Several migrant organizations have already criticized the announcement, fearing that a lack of government power to implement the bans will lead to much larger flows of irregular migration, resulting in even less protection for migrant domestic workers.

Recommendation 1.1: advocacy for legal reform in Indonesia.

In Indonesia, Law 39/2004 should be revised in full consultation with migrant workers and their representatives, trade unions, NGOs, women's groups and other key stakeholders. If the law aims at regulating labor migration issues beyond Indonesia, then it needs to deal realistically with doing this, including to strengthen mechanisms by which Indonesians' experiences abroad can feed into diplomatic and economic action by the government. Laws for migrant workers should comply with

[110] For example, in 2015 the case of Indonesian domestic worker Erwiana Sulistyaningsih became prominent in the news after it was discovered that she was severely abused by her female employer in Hong Kong for a period of eight months.

[111] The Indonesian government wants to discourage "informal" labor migration, defined as employment by private employers, while encouraging "formal labor migration", defined as employment by legal enterprises.

international laws and standards, in particular the 2011 ILO Convention on Decent Work for Domestic Workers. Key areas for legal reform include measures to reduce recruitment debt and to make recruitment agencies accountable for the occurrence of human trafficking by putting in place appropriate punitive measures. For example:

- Oblige recruitment agencies to assess migrant workers' skills at the training center in order to set a training period based on existing skills and needs (instead of destination) and to reduce charges and fees accordingly.
- Stipulate that migrant workers who are working and living with families as trainees while at the training centers are paid for the work they do, and that they are not charged for accommodation, food or training while they are working.
- Place stronger sanctions on recruiters who use deception to recruit women by replacing the administrative sanctions currently outlined in Article 72 with stronger sanctions in line with international standards for punishment of violations for fraud and human trafficking.

Recommendation 1.2: monitor implementation in the Philippines.

In the Philippines, the Domestic Workers Act came into force in 2013, widely seen as a landmark piece of legislation. However, large gaps remain in the protection of migrant domestic workers abroad. Filipinas overseas and NGOs back home have a role to play in holding the government to account in its implementation of the law. Among the key issues of concern are that migrant domestic workers are still charged with excessive fees, migrants abroad are not properly registered on the national level – effectively disappearing "out of sight" – and front-line agencies need more capacity building to identify, report and record potential victims of trafficking.

Recommendation 2: empower migrants to make their own decisions

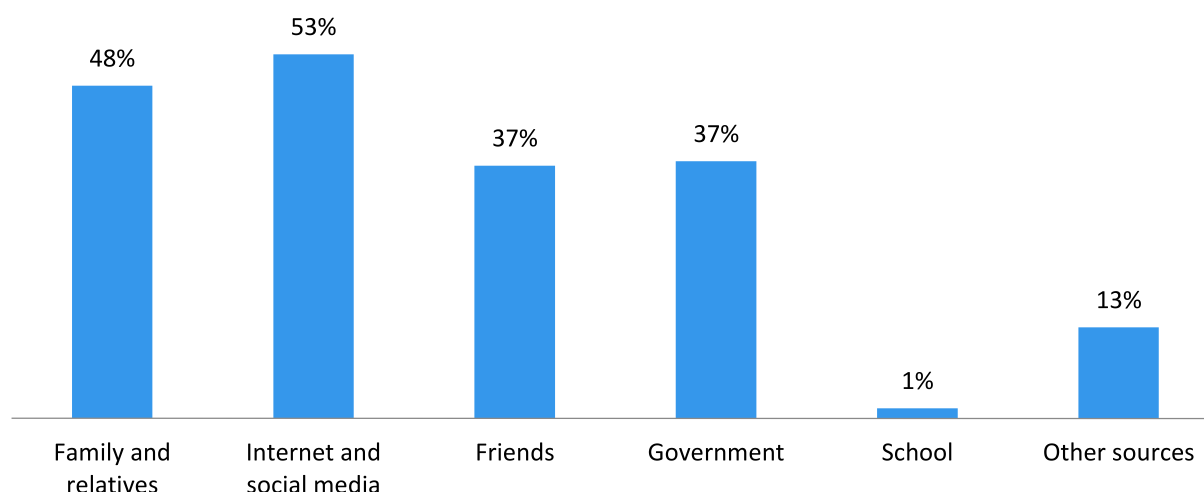
It is necessary to provide information and training on rights and migration costs and benefits to prospective migrant workers in order to avoid abuse and exploitation abroad, and to improve migration outcomes in the long run.

Prospective migrants to Hong Kong and Singapore are optimistic about migration, but they do not have a clear understanding of their rights. Prospective migrants seem most attuned to what they personally hope to achieve, rather than assessing objective and balanced information. Subsequent problems related to high expectations and a lack of information call for better pre-departure education and awareness of costs and circumstances abroad.

It is important that initiatives are developed to reach migrants *before* they have committed themselves to migration. However, providing information through sources that are not known and trusted by migrants is ineffective and often counterproductive. Providing prospective migrants with information on benefits and migration strategies may have the negative effect of strengthening already formed beliefs that positive outcomes are easy to obtain. As Farsight has found in migration

communications design and evaluation, the risk is high that migrants discard any information that does not fit with their own hopes and ideas, if sources are not trusted or if information is not delivered interactively.

Figure 40: Information sources on migration used by Indonesian and Filipina domestic workers



In recent years, governments and international organizations have issued a variety of brochures, manuals and magazines about safe migration that have been distributed in selected communities. However, these resources remain limited in scope, and there is little evidence that these materials are used or that they are even well-regarded by migrants. To be effective, information should be made available to migrants at times and in ways that migrants want it.

As demonstrated in Figure 40, prospective migrants rely on a combination of internet and social media sources, and word-of-mouth through relatives and friends. There are opportunities to connect with migrants through online and offline networks with information that is relevant to their personal situation, preferably on a local level by persons and organization who have an identifiable profile, or online through sources that can develop credibility through repeated interaction. Our research found that some migrants are reluctant to share negative experiences with people back home. However, many were willing – and felt empowered – to share their bad experiences with our interviewers. It is likely that, with the right support, they could help inform prospective migrants, either from abroad or after return.

Recommendation 3: improve migrant's financial planning

Rights awareness is not sufficient to encourage safe migration choices and positive outcomes for migrant workers. Recruitment training and pre-departure briefings pay little or no attention to financial planning and financial training.

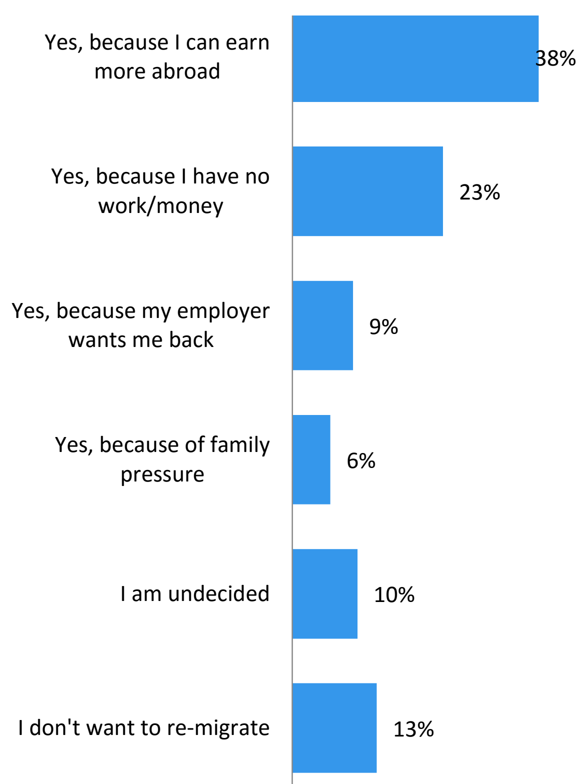
Most migrants only hear about basic financial issues – such as opening a bank account – during a two-day pre-departure briefing. As observed by some experts in the field, migrants do not remember anything from these short information sessions, because their mind is already set on their imminent departure. There are strong arguments for improving training by preparing migrants for the financial realities of their journey, financial risks, and opportunities to save and invest. Figure 41 shows that

77% of returned migrants are seeking migration again. The most popular response, with 38%, is "I can earn more abroad", followed by 23% answering that they have no work or money at home. This reinforces the view that migration is not a temporary opportunity to make an investment in the future, but a cyclical need to support consumption.

The World Bank and a number of national banks in Indonesia and the Philippines have already contributed to research in this area, which has resulted in the outline of a desired model that trains both the migrant workers and the families.[112] However, government budget limitations have severely limited the spread and scope of the implementation of this model. Of the hundreds of thousands of migrant workers who depart each year, only a few thousand receive financial training. Instead of giving training to both the worker and the family, only one of the two parties currently receives training. Training is still limited to a one or two-day course, while the long-term impact of one-off training is unclear. Moreover, these initiatives are scattered and not easily accessible to most migrants. There is no training directory or comprehensive evaluation of approaches, and there is little information on the capacity of the trainers. Much more could be done in this area to change the way migrants approach the financial side of their migration, for example:

- On the regional and national levels, coordination could be increased between migrant organizations representing key migrants source communities. Through cooperation and communication, best practices could be shared, monitoring of government initiatives could be systemized, findings could be disseminated, and access to training could be increased.
- On the local level, several models on financial literacy and planning have been developed and piloted – some of them regional in scope – to improve the financial outcomes of migration for migrant workers. These models could be compared for effectiveness and scalability, and receive donor support to be further developed and implemented on a wider scale.
- Reduce the focus on "training" and think more holistically about planning capacity. This conceptual shift would help to emphasize the need for migrants to have tailored support when it is most relevant to them, rather than fixed, discrete courses at times that are irrelevant to their decisions.

Figure 41: Reasons for seeking migration again



[112] Doi, Yoko, David McKenzie and Bilal Zia, "Who You Train Matters", Policy Research Working Paper 6157. The World Bank Development Research Group: Finance and Private Sector Development Team & East Asia and Pacific Region Financial and Private Sector Department, August 2012.

Recommendation 4: reform recruitment processes

Address problems with middlemen and recruitment agencies to stop rampant illegal recruitment practices and reduce migrant debt.

We found that Indonesian and Filipina migrants typically use recruiters to organize almost all aspects of their migration, even though most elements are not required in the Philippines. Using recruiters frequently makes bigger debt more likely, requiring more repayments once migrants are abroad. Recruitment fees often exceed the amount that recruiters are legally allowed to charge. Reasons include: migrants or their families are given an "advance" which later becomes part of the debt (common in Indonesia); migrants are recruited by middlemen who require a fee (mainly in Indonesia); and training costs are inflated by recruiters. These issues require a number of responses to restrict the power of recruiters over migrants. In addition, interventions are needed to reduce widespread coercive and punitive measures that undermine migrants' rights. It could be argued that, in the long run, migrants need to be provided with the necessary tools, information and confidence to take charge of their own migration process, instead of relying on recruitment agencies and getting into debt. In the short term, prospective migrants should have access to safer recruitment agents, for example by:

- Improved monitoring of recruitment agencies. It appears common that recruitment agencies violate government rules, but it is extremely rare for governments to sanction them. Other stakeholders may be needed to improve monitoring and accountability. For example, safe and responsive reporting mechanisms for migrants to rate agencies may help, as would more systematic information collection Information on the performance of recruitment agencies could be more systematically collected and published online and offline. In addition to expanding and updating a black list, a "white list" based on a peer-review system could be created in this way, especially if recruitment agencies that are willing to improve would be linked up with migrant organizations for direct cooperation.
- Create an "ethical" recruitment agency model. Recruiters should improve standard practices and work towards a fair and market-based approach instead of profiting from migrant vulnerabilities. In addition to government lobbying, migrant organizations could enter directly into a dialogue with recruitment agencies to create ethical standards regarding recruitment practices and fees. Some of the key issues that should be included in cooperation with recruitment agencies are:
  - **Transparency**. Training fees should become transparent, standardized, and reduced wherever possible for individual migrants – especially those who have already followed training before. Transparency and the general reduction of costs would significantly reduce migration debts.
  - **Anti-trafficking measures** should be put in place, along with positive incentives for recruiters to identify and stop potentially vulnerable migrants from going abroad. Too often, women feel forced to go abroad, particularly in Indonesia. There are

several trafficking "red flags"[113] that should prompt recruiters to allow women to stop the migration process without charging costs. Insurance is available for migrant workers, but it is something that has been little explored as a solution to avoid or manage recruitment debt.

- **No-obligation principle**. Since 2014, Indonesia and the Philippines both have standard contracts for migrant domestic workers. These contracts clearly stipulate the rights and obligations of migrants. However, the survey found that there are several issues with contracts that need to be further addressed. Prospective migrants are usually made to sign a contract at the start of the recruitment process, before they receive any training or enough information to oversee their situation. Many women did not fully understand the costs and conditions they committed themselves to, and said that they did not have enough time or opportunity to read and understand the contract. It would be a big improvement if migrants were not asked to sign a placement contract before starting the training, but later in the process.
- **Direct access**. The survey found that both in Indonesia and the Philippines, recruiters are often individuals who the migrant knew before they were recruited. However, in Indonesia the role of "middlemen" is more important than in the Philippines. These middlemen recruit women in their villages and neighborhoods, often by paying them or their families an "advance" fee. Middlemen receive commissions from the recruitment agencies for recruiting migrants for them. All of these costs typically get added to the recruitment debt of the migrants. Another negative result of the interference of these middlemen in the migration process is that they steer migrants towards specific destinations and recruitment agencies, thereby limiting the choices migrants have about the various migration options. Currently, many recruitment agencies in Indonesia only accept migrants who come through middlemen. This lack of direct access to recruitment agencies should be challenged and changed.

Recommendation 5: expand and test new reintegration strategies

Reintegration planning to achieve migration goals is an aspect of migration that is widely overlooked.

Existing return and reintegration programs for migrants are infrequently used and typically target only the most vulnerable migrants that came into contact with government during their return migration. These migrants received short-term legal or medical services and livelihood training. Prior research in this area has suggested that both the migrant and their families benefit from developing a remittance plan and a reintegration strategy. Ideally, a reintegration strategy would start before a migrant has left, or while a migrant is abroad, which should stimulate saving, support planning methods for specific goals, and include the development of specific skills needed upon return.

[113] Trafficking "red flags" include, but are not limited to: poor living conditions, multiple people in cramped space, employer is holding identity documents, signs of physical abuse, submissive or fearful behavior, unpaid or paid very little, restricted freedom of movement, unable to speak the individual alone, excessive/unusual working hours, large debts and inability to pay it off, false recruitment promises, security camera's, depression, malnourishment, and lack of knowledge of whereabouts.

- **Involve migrant worker families**. Families are the main recipients of the income of migrant domestic workers, and thus play an important role in making responsible and productive use of the money migrants earn abroad. To ensure that migrants and their families agree on how remittances and savings should be used, they should be supported to develop a joint "migration plan" that can be sustained overtime while the migrant is abroad. Because not all migrants aspire to become entrepreneurs – which is often assumed in existing livelihood schemes – this would not be a one-size-fits-all approach. On a community level, resources need to be made available for migrants and their families to develop and implement their personal plans, and to stay in touch with each other (for example, by using online platforms and social media).
- **Support local economic cooperatives of returned migrants**. Women who return after working abroad need to have resources for education and integration into the local workforce. Some examples exist in key migrant source communities in Indonesia and the Philippines of local cooperatives of former migrants. Supporting and increasing such local initiatives would help address an important gap in access to knowledge and capital required to improve the situation of returned migrants, invest in their education or businesses, and to prevent re-migration of the many migrants who do so out of pure financial necessity.

Countries of Employment

Recommendation 6: expose harmful and illegal employment agency practices

It is crucial to promote change to harmful employment agency practices, in order to reduce debt-bondage in destination countries, even in more "advanced" destination countries such as Hong Kong.

Monitoring employment agencies that work with recruiters in sending countries is the responsibility of sending country embassies and consulates. Destination countries ensure that the activities of employment agencies are in line with local regulations, and can revoke the licenses of those who violate local laws. In practice, it appears that few employment agencies are systematically monitored and that licenses are rarely revoked. Our study highlighted a number of pervasive issues with employment agencies that increase migrant debt and a feeling among migrants that they are unable to switch employment agencies or change employers. In some cases, migrants said that their entire salary went to the employment agencies. These issues could be addressed by:

- **A targeted regional campaign on the "right to change"**. There is much uncertainty about the right and possibility to change employment agencies and employers in destination countries. More needs to be done to create clarity and transparency on this issue in destination countries. This campaign would target all stakeholders, including government officials, some of whom tell migrants that they are not "allowed" to switch. Employment agencies, employers and migrants would be informed of the legal and practical procedures. In Singapore, the campaign would include advocacy to abolish "release papers" so employees can transfer to another employer. A change in this practice could have a huge impact on migrants.

- In addition, the campaign would **create clarity and instructions on what employment agencies are allowed to charge for new employment contracts**. This would address the finding of our study that many migrants who have worked abroad for years are still in debt.

- **Legal advice and assistance**. When migrants run into problems with their employment agency or employer, they rarely seek legal help, especially if they feel that they have no choice but to stay with their employer. Some NGOs in both sending and destination countries provide legal advice and services, and try to refer migrants abroad to the right organizations. This information is used to offer at least basic services to migrants in need, and to build a regional database of legal cases that can be used as an advocacy tool with the government. If more resources were available for legal assistance, NGOs could proactively assist migrants who have legal questions or issues. Methods currently used include the provision of easily accessible helpdesks and hotlines for migrant workers. The availability of legal assistance has the potential to reduce migrants' isolation – especially among those who fear the authorities – and raise the profile of the problems experienced by migrant domestic workers.

Recommendation 7: empower current migrant workers to achieve migration goals

Few migrants achieve the goals they set when they first decided to migrate. However, the financial situation of current migrant domestic workers varies considerably: being debt-free is a possibility for all migrants if they receive the right kind of support.

Our research identified numerous threats to the ambitions and safety of migrant domestic workers, including excessive working hours, dangerous working conditions, verbal, physical and sexual abuse, debt and salary issues, isolation, degrading living conditions, and lack of freedom. Living in these circumstances makes it difficult enough to maintain physical and mental health, let alone to ensure that personal and financial affairs are managed well. As a result, few current migrants have a clear idea about how to manage their savings and remittances, or how to make savings. Because few migrants see their financial situation improve, many stay abroad for much longer than they originally planned, away from their children, families, and community. Only a small percentage eventually returns home because they made enough money. Return is rarely followed by a smooth integration into the community, causing the majority of the migrants to decide to migrate again. Of all interviewed returned migrants, 77% said that they wanted to migrate again, mainly for financial reasons.

- **Increase rights awareness among workers**. In recent years, Hong Kong has taken significant steps towards promoting migrant rights by organizing awareness campaigns and disseminating information in airports and areas where migrant workers go. This has had the positive result that the majority of migrant domestic workers are now provided with a package of documents about working in Hong Kong. In Singapore, information should be made more widely available. Moreover, as laws and regulations have changed in recent years, there is a continued need to provide migrants with updated and relevant information.

- **Increase rights awareness among employers**. In Singapore, there is no minimum wage: the survey found that the average wage was USD 378, and only USD 239 after salary deductions. In Singapore, a lot of issues around salary manipulation by employers were identified, by making workers' pay for basic necessities, medical costs, mistakes made during work, or for any time not worked. The survey even identified several cases where migrants had to pay money to the employer for recruitment costs that, according to the contract, should be paid by the employer. These practices should be outlawed, because it further minimizes already low salaries that migrant domestic workers receive.
- **Increase access to (free) workshops and training**. In destination countries, some governments and NGOs provide free skills training and leisure activities for migrants. These include training in English language, computer skills, caregiving, baking, cooking, sewing, and drama lessons. More recently, some financial workshops have been given to migrants, although not always free of charge. Reportedly, there are more activities available for Filipina workers than for Indonesian workers in both Hong Kong and Singapore. More should be done to give better access to available options in the destination countries. For example, when migrants are briefed upon arrival in the destination country, they should be referred to specific places where services and training are available to them. In addition, it would be beneficial when employers are also made aware of the benefits of letting their domestic worker attend such trainings.

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Annex 1

2012 ILO Operational Definition of Trafficking in Human Beings for Forced Labor

Indicators of unfree recruitment of adults

Indicators of involuntariness	Indicators of penalty (or menace of penalty)
Strong indicators	*Strong indicators*
Tradition, birth	Denunciation to authorities
Coercive treatment (abduction, confinement during process)	Confiscation of identity papers or travel documents
Sale of the worker	Sexual violence
Recruitment linked to debt (advance or loan)	Physical violence
Deception about the nature of the work	Other forms of punishment
Medium indicators	Removal of rights or privileges (including promotion)
Deceptive recruitment (regarding working conditions, content or legality of employment contract housing and living conditions, legal documentation or acquisition of legal migrant status, job location or employer, wages/earnings)	Religious retribution
Deceptive recruitment through promise of marriage	Withholding of assets (cash or other)
	Threats against family members
	Medium indicators
	Exclusion from future employment
	Exclusion from community and social life
	Financial penalties
	Informing family, community or public about worker's current situation (blackmail)

Indicators of work and life under duress of adults

Indicators of involuntariness	Indicators of penalty (or menace of penalty)
Strong indicators	*Strong indicators*
Forced overtime (beyond legal limits)	Denunciation to authorities
Forced to work on call (day and night)	Confiscation of identity papers or travel documents
Limited freedom of movement and communication	Confiscation of mobile phones
Degrading living conditions	Further deterioration in working conditions
Medium indicators	Isolation
Forced engagement in illicit activities	Locked in workplace or living quarters
Forced to work for employer's private home or family	Sexual violence
Induced addiction to illegal substances	Physical violence
Induced or inflated indebtedness	Other forms of punishment (deprivation of food, water, sleep, etc.)
Multiple dependency on employer (jobs for relatives, housing, etc.)	Violence against worker in front of other workers
Pre-existence of a dependency relationship with employer	Removal of rights or privileges (including promotion)
Being under the influence of employer or people related to employer for non-work life	Religious retribution
	Constant surveillance
	Withholding of assets (cash or other)
	Threats against family members
	Medium indicators
	Dismissal
	Exclusion from future employment
	Exclusion from community and social life
	Extra work for breaching labor discipline
	Financial penalties

	Informing family, community or public about worker's current situation (blackmail)

Indicators of impossibility of leaving employer for adults

Indicators of involuntariness	Indicators of penalty (or menace of penalty)
Strong indicators Reduced freedom to terminate labor contract after training or other benefit paid by employer No freedom to resign in accordance with legal requirements Forced to stay longer than agreed while waiting for wages due Forced to work for indeterminate period in order to repay outstanding debt or wage advance	*Strong indicators* Denunciation to authorities Confiscation of identity papers or travel documents Imposition of worse working conditions Locked in work or living quarters Sexual violence Physical violence Other forms of punishment Removal of rights or privileges (including promotion) Religious retribution Under constant surveillance Violence imposed on other workers in front of all workers Withholding of wages Threats against family members (violence or loss of land or jobs) *Medium indicators* Dismissal Exclusion from future employment Exclusion from community and social life Extra work for breaching discipline Financial penalties Informing family, community or public about worker's current situation (blackmail)

Annex 2

Selected Survey Questions

Survey questions asked to determine indicators of labor exploitation among current and returned Indonesian and Filipina migrant domestic workers.

To measure prevalence of exploitative practices during recruitment

Deceptive information (on salaries, nature of the work, location, working conditions, legality of the employment contract, or wages)	*Did you receive deceptive information regarding salaries, nature of the work, location, working conditions, legality of the employment contract, or wages from the recruiter in your home country?*
Confinement in the recruitment facility	*Were you free to leave the premises of the recruitment training facilities when you were not in classes or training?*
Confiscation of documents	*Was your passport kept from you during your time at the recruitment facility in your home country, or by your agency once you arrived in the destination?*
Recruitment linked to debt	*Did your recruiter in your home country give your family any money before you migrated? Did you decide that you didn't want to become a domestic worker in Hong Kong, but you were forced to go because you had already incurred debt?*
Verbal threats and abuse	*Did your (last) recruiter in your home ever say something to you that was strongly impolite or offensive, used swear words or threats, or made you feel embarrassed, disregarded, and/or humiliated?*
Sexual or physical abuse	*Was there ever behavior by your recruiter in your home country involving physical contact or sexual things without your consent?*

To measure prevalence of exploitative practices during work and life abroad

Limited freedom of movement or communication	*Was your free movement outside the house impeded? Did the employer control who you talked to or interacted with? Did you have a curfew on your day off?*
Verbal abuse	*Were you subject to verbal abuse, or do you know someone this is currently happening to?*
Prevented from changing employer	*Did your placement agency refuse your request to change employers, or would you change employers right now if it were easier to do so?*
Degrading living or working conditions	*Did your living conditions include overcrowding, unsanitary or unsafe conditions, limited or no privacy, pest infestations, poor ventilation, no water or electricity, no working toilets, sinks or showers? Or did you have to do any chores that are degrading or humiliating? Or were you discriminated or treated like a second-class person by your employer by your employer?*

Forced to do illegal or dangerous work	*Were you forced to engage in dangerous or illicit activities, or do work outside of your contract, such as working for another person without your consent?*
Nutritional neglect	*Did you not get enough (healthy) food? Or does your employer withhold your food allowance or threaten to do so?*
Confiscation of documents by employer	*Did you hand over your documents to your employer (passport, work permit, contract) involuntarily, or did you not have access to when you wanted to?*
Being on call 24/7	*Did you have to work around the clock, or be on call 24/7? Did your employer wake you up in the middle of the night on several occasions?*
Medical neglect	*Did your employer not let you see a doctor when you needed to, or refused to pay for it?*
Forced overtime	*Did you not get a weekly day off, and were you compensated for working on your day off? Or did you feel that you had a choice to work on your day off?*
Locked in the workplace	*Were you locked in the workplace or did you not have your own key or access code?*
Sexual or physical abuse	*Were subject to sexual or physical abuse, or do you know someone this is currently happening to?*
Wage manipulation	*Does your employer deduct your wage (other than for initial placement fees), for example as punishment, for food, or when you get sick?*

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