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Statement submitted by Caritas Internationalis, a non-governmental organization in consultative status with the Economic and Social Council

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 30 and 31 of Economic and Social Council resolution 1996/31.

* E/2012/100.



Statement

About Caritas Internationalis and its relevance for the topic

Caritas Internationalis, the global confederation of 164 Catholic charities, promotes integral human development, namely, an integral approach that takes into consideration the well-being of the person and of all people in their economic, social, political, cultural, ecological and spiritual dimensions in order to achieve a just and fraternal society.

The members of the organization are service providers and employers. They serve an estimated 24 million people and employ approximately 500,000 people. Moreover, more than 600,000 people provide voluntary work for the organization.

The strategic vision of the organization is encapsulated in the overarching theme of its strategic framework for 2011 to 2015, entitled “One human family, zero poverty”.

The organization seeks a world in which every human being can live in dignity and peace and in which the continued existence of extreme poverty is unacceptable. A focus on the causes and effects of poverty should therefore be at the heart of all aspects of its work, on humanitarian emergencies, climate change, migration, health, education, food security or peacebuilding.

Throughout their action as major providers of social services, community organizers and as political interlocutors, the members of the organization are committed to defending and promoting the dignity and rights of workers, the rights of the weak and the poor and the obligations of workers and employers.

Promotion of women is the key

It seems uncontested nowadays and underpinned by research and reports that the promotion of women is the key to eradicating poverty, and Caritas joins the voices and forces that want to bring about change for and through women.

There are more women in vulnerable employment than men. Women do about 66 per cent of the world’s work in return for less than 5 per cent of its income. The injustice is even more marked in agricultural work, where women make up 80 per cent of the labour force but own less than 1 per cent of land and account for less than 1 per cent of credit offered to farmers globally.

More importantly, according to the Food and Agriculture Organization of the United Nations, if women had equal access to resources there would be around 100 million fewer hungry people.

Internal and international migration could be seen as connected to the situation of women in rural areas. Women, not finding enough opportunities or means to sustain their families, migrate from rural to urban areas. Cities, not providing the desired solution, often become the springboard for international migration.

Paradoxically, in times of globalization, where capital, goods and services move freely, the mobility of the less qualified segments of the human workforce has become subjected to restrictions by States. This drives migrants into the hands of traffickers and smugglers and makes them a vulnerable category of people.

Caritas has chosen to focus on the promotion of female migrants, since migration patterns are changing and more women are migrating alone to support their families by working abroad.

To counteract their vulnerability, migration should be made legal and safe, and Governments are called upon to develop policies that protect women throughout their migration journey as well as in the countries of destination. The contribution of migrant women in their countries of origin and destination with regard to social capital and remittances should be better valued by investing in specific research and providing data and relevant information.

Case of migrant domestic workers

A special case is migrant domestic workers. Domestic work is one of the largest sectors driving international female labour migration. According to estimates of the International Labour Organization (ILO), 100 million people are domestic workers, the vast majority being women and, in many parts of the world, migrant women. They perform daily household chores, including taking care of the elderly or children.

In 1948, the Universal Declaration of Human Rights provided that no one should be held in slavery or servitude; that all are equal without discrimination to equal protection of the law; that everyone has the right to peaceful assembly and association, social security, work, the free choice of employment, just and favourable working conditions, protection against unemployment, a just and favourable remuneration and equal pay for equal work; and that everyone has the right to form trade unions and to rest, leisure, paid leave and an adequate standard of living for health and well-being.

Many migrant domestic workers with whom the organization works every day cannot experience any of those rights. We have seen women working the whole week without rest or pay; being humiliated by violence and abuse and with no way to claim their rights; and having their residence permits, where such permits exist, often tied to the employer, thus making them vulnerable to be at the mercy of the employer.

Restrictions with regard to migration policies and access to labour markets in foreign countries, in spite of existing demand for domestic work, make women easy prey for unscrupulous recruitment agencies and traffickers.

Domestic work worldwide is a widely unregulated sector. Only 19 countries have legislation for work performed in private households. It is precisely because domestic workers are employed in the private sphere that there is resistance to recognizing and regulating the domestic work relationship. It has been recognized in ILO reports that domestic work, mostly performed by women, remains invisible and excluded from the scope of labour legislation since it is done in houses, which are not considered workplaces, or with private persons, who are not considered employers.

The pressure of needing to support their families left behind, paired with the experience of discrimination, humiliation, violence and exploitation, not only has devastating effects on migrant women themselves but also affects their relationships with their families. However, migrant women prefer to endure ill-treatment instead of going back home empty-handed.

In the worst cases, domestic workers are caught in a trap that combines a lack of opportunities for themselves, pressure from the family and the commitment to take care of it, traffickers and recruiters who exploit dreams, the lack of safe and legal options to migrate to domestic work and of legislation regulating domestic work, and a mentality that in many parts of the world still considers domestic workers as second-class citizens.

The whole dilemma is best expressed by the dream of Alem Dechasa-Desisa, a domestic worker in Lebanon who committed suicide in March 2012. Her life story is emblematic for many migrant domestic workers. According to the Caritas Lebanon Migrant Centre, Alem seemed very worried about her future and had dreamed of her eldest child saying to her: “Look, where you are, your plate is full of food; where I am, my plate is empty and I have no pen, no book to go to school”.

They care for us, we care for them: promoting capacity, employment and decent work for domestic workers

Human labour determines the economic, cultural and moral development of people, their families and society. The rights inherent to human labour are explicitly and universally recognized and reflect the centrality of the human being in all working relations. This centrality is essential in order to understand the intrinsic value of human labour and the importance of organizing economic and social systems in a way respectful of human rights.

It is a major achievement that the International Labour Conference at its 100th session, held in June 2011, adopted Convention 189 and its supplemental Recommendation 201 on domestic workers.

In 2009, Caritas Internationalis developed a campaign for the rights of migrant domestic workers. Its members started visualizing the plight of domestic workers, raising public awareness about their situation and building strategic alliances. The campaign entitled “Under one roof, under one law” called for the respectful treatment of domestic workers, residence permits not being tied to one employer, well-regulated recruitment agencies and a convention on decent work for domestic workers. Members of the organization contributed to the drafting of the ILO Convention and lobbied for its adoption.

Along with global and national advocacy work, Caritas organizations provide support and counselling for migrant domestic workers specifically and migrants in general. The organization (a) engages in microcredit schemes and training for women to assist migrants to weigh the options between migration and staying at home; (b) provides pre-departure counselling for migrants and potential migrants to ensure that they have the necessary information to know their rights and to seek help; (c) offers shelter for journeying migrants, as well as social, psychological and legal counselling and assistance in finding a job in the country of destination; and (d) facilitates the return and reintegration of migrants, making best use of its network.

Even if ILO Convention 189 is a big achievement for the rights and working conditions of domestic workers, including migrant domestic workers, it needs a process for ratification and subsequent implementation to have full effect. The organization has committed itself to promoting ratification of the Convention, or at

least a process on the labour rights of domestic workers in combination with other civil society actors.

The organization calls on Governments to:

- Protect migrant women from all forms of violence and exploitation
- Develop and implement policies and laws that address the concerns of migrant women, namely, options for affordable, safe and legal migration
- Ensure labour rights for migrant women, especially domestic workers
- Ratify ILO Convention 189 and/or start a process to align its legislation with the provisions of the Convention
- Ensure that, in the case where a domestic worker files a lawsuit against his or her employer for ill-treatment, exploitation or abuse, a temporary residence is allowed for the duration of the trial
- Conclude bilateral or multilateral agreements to expand employment options for women beyond the domestic sector; bilateral agreements should also guarantee the portability of pension schemes

Target 1.B of the Millennium Development Goals is inclusive in terms of people concerned and geographical scope. Regular and decent working conditions are empowering and allow for human development, and migrants have a right not only to emigrate but also to stay in their home country. It is the first responsibility of all relevant stakeholders to achieve full and productive employment and decent work everywhere, including in the countries of origin.
