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Indonesia: Ensure legal protection for domestic workers

The Indonesian government must take immediate steps to better protect its domestic workers in the country and working overseas, said Amnesty International today.

On 16 June people across the world will mark International Domestic Workers Day, and celebrate the second anniversary of the adoption of the International Labour Organization (ILO) Domestic Workers Convention (No. 189), a landmark treaty setting international standards for the protection of domestic workers' rights. However, for the millions of Indonesian domestic workers in the country and working overseas in destinations such as Hong Kong, Malaysia, Saudi Arabia and Singapore, many of these protection measures have yet to become a reality, leading to their exploitation and abuse.

Domestic workers who work overseas are routinely trafficked for forced labour and subject to contractual deception and excessive recruitment fees, while those in Indonesia are not afforded equal labour and legal rights as other workers in the country. Due to the isolated nature of the work, domestic workers are also at risk of physical, psychological and sexual abuse. As a consequence, many are denied their rights to fair and equitable work, a safe and healthy work environment, and freedom of movement and association.

The Indonesian government's continuing failure to provide adequate protection for its domestic workers, overwhelmingly women – both at home and abroad – is in violation of country's obligations under international law and standards. It also runs contrary to statements made by President Susilo Bambang Yudhoyono, who two years ago urged delegates at the International Labour Conference in Geneva to support the adoption of the ILO Domestic Workers Convention, and commitments by the Indonesian government during its Universal Periodic Review in 2012 to ratify the Convention.

In line with the recommendations made by the Committee on the Elimination of Discrimination against Women in its 2012 Concluding Observations, Amnesty International calls on the Indonesian government to take immediate and concrete measures to ensure adequate legal safeguards for the rights of all domestic workers.

As a first step, Indonesian authorities should ratify the ILO Domestic Workers Convention at the earliest opportunity, incorporate its provisions into domestic law and implement them in policy and practice. Such a move would not only provide a strong basis for domestic legislation safeguarding domestic workers' rights, it would also strengthen protection measures for the millions working abroad.

The Indonesian House of People's Representatives should also prioritize the debate and passage of a domestic workers protection law which complies with international law and standards. A draft law has been under debate for several years, facing continued delays. Whilst Amnesty International welcomes this initiative it is concerned that the draft as it stands does not contain adequate provisions on wages, limitations on working hours, redress mechanisms, and specific provisions relating to women, in particular maternity provisions.

The ILO Domestic Workers Convention was adopted at the 100th International Labour Conference in Geneva on 16 June 2011. To date, the Convention has been ratified by Uruguay, the Philippines, Mauritius, Nicaragua, Italy, Bolivia and Paraguay, and will come into force on 5 September 2013.