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*Addressing vulnerability and exploitation of child domestic workers:
An open challenge to end a hidden shame*

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* The views expressed in this paper are those of the author and do not necessarily represent those of the United Nations

Introduction

Child domestic workers (i.e. children in domestic labor) are people under the age of 18 who work in households of people other than their closest family doing domestic chores, caring for children, running errands and sometimes helping the employer run a small businesses from home. This includes children who are paid for their work, as well as those who are not paid or who receive ‘in-kind’ benefits, such as food and shelter.

Child domestic workers comprise the largest population of migrant working children, and they often work in conditions that can be considered a worst form of child labor. They are also mostly girls. Children as young as seven years old are routinely pressed into domestic service, and despite hopes to the contrary, most are deprived of the opportunity to attend school. Child domestic workers are isolated from their families and from opportunities to make friends – and are under the total control of employers who do not necessarily have their best interest as a primary concern.

Child domestic work is a child labor issue, a children’s rights issue, and gender issue. It is a child labor issue as it involves economic exploitation and hazardous working conditions. It is a children’s rights issue because the nature and condition of the work is unfavorable for child development. Finally, it is also a gender issue as it relates to sexual abuse, risk of sexual assault, and family perceptions about the limited value of girl’s education. According to ILO estimates, domestic service is now estimated to be the single largest employment category of girls under the age of sixteen worldwide.

The Visayan Forum Foundation (VF), a non-governmental organization working with child domestic workers in the Philippines for more than a decade, estimates that there are at least one million children in domestic work in the Philippines.¹ There is a great need for more accurate data about the exact number of child domestic workers because the lack of concrete information contributes to the invisibility of the sector. Nonetheless, there is broad agreement that the number of child domestic workers will continue to rise to keep pace with a consistent demand for accessible and affordable labor.

Special vulnerabilities as girl-children

Child domestic workers are predominantly (90%) girls. Many child domestics are found in very exploitative, slave-like conditions. These children are highly isolated, due to their invisibility behind closed doors and the failure of existing regulatory mechanisms to protect them.

The following examples clearly demonstrate the special vulnerabilities of these young girls:

¹ According to the Philippines Survey of Working Children conducted in 2000 by the National Statistics Office, 240,000 children make up part of the 1.5 million helpers “employed in private households”. The 2004 ILO-IPEC report on child domestic labor quotes a figure of 29,000 child domestics in the Philippines between the ages of ten and 14 and 273,000 between 15 and 19 years old.

- **Exposure to physical, psychological and sexual abuse**

Child domestic workers are prone to verbal, physical and sexual violence, and the impact of this abuse can leave permanent scars.² In the Philippines, the Visayan Forum has documented cases of physical abuse that sometimes result in serious physical injury or even death. In one case a child died six months after her employer forced her to drink acid for unclogging drains; another was burned with an iron by her employer; yet another child was forced to kneel on a wooden stool for hours with fire extinguishers in both hands.

Many child domestics are also vulnerable to sexual abuse. In Cebu City, the Department of Social Welfare and Development revealed that in the 1990s, 80% of reported victims of rape, attempted rape, and other acts of sexual abuse came from child domestic laborers.

“500 pesos” (\$10)

Elena was just 14 years when her parents sold her for 500 pesos to a recruiter in Misamis Oriental to work in the city. “I refused to go to Manila with the recruiter. But my mother said she had already spent the money. I was crying because I had no choice,” Elena recalls. For two months, Elena worked as a full-time helper for a policeman. Then one night, her fears were realized: “He knocked on my door at 12 midnight and said I must iron his police uniform. When I opened the door, he got in and locked it immediately. He pointed a gun at me and was holding a pair of scissors. I tried to fight back but he was a huge man and he threatened to kill me. I pleaded and even knelt in front of him. Then I cried to him ‘Please bring me back to the recruitment agency. I will not tell anyone’,” she recounts. Elena was brought back to the recruitment agency, but they told her she might as well be a “sex worker” since she was no longer a virgin. With the help of another recruit, Elena eventually escaped.³

There is growing evidence of a link between child domestic labor and sexual exploitation. Sexually abused child domestic workers are often thrown out of the employer’s house and forced to fend for themselves on the streets; shame makes it difficult to return home. In these cases, domestic work typically becomes a precursor to prostitution. In Tanzania, it is estimated that 25% of children in commercial sexual exploitation are former child domestic workers who had either run away or been thrown out by the employing family after becoming pregnant.⁴

“Video phone”

Nina was only 16 when she was forced to give in to the whims of her employer’s daughter Joan and her friends. “They would start undressing me and would take

² Research in Kenya (Bwibo & Onyango, University of Nairobi, 1987) showed that child domestic workers experienced significantly more psychological problems than other children (both working and non-working children).

³ For more detailed accounts of the case, download “Trafficked into Forced Labor: Selected Case Studies of Domestic Workers in the Philippines.” http://www.visayanforum.org/article.php?mode_id=718

⁴ Because of this link to sexual abuse, there is a strong concern that domestic workers are prone to HIV/AIDS. However, few studies have been made in this regard.

videos of me on their cell phones. They said they would post it on the Internet and earn money from it. They said they would also give me my share, so I would have extra income. But I didn't want to earn money that way. They would force me at first, but eventually I would simply give in because I couldn't fight them," Nina recalls. This degrading form of amusement continued for months, and Joan would physically abuse Nina whenever the latter refused to cooperate. "She would hit me and beat me up. I tried to escape once but I seemed to have gotten used to the beatings," Nina explains. Nina finally learned how to say no. "I felt so dizzy. But they just shook me and pushed me down. While I was lying down, they pulled my legs up and then spread them apart. I fought back. They let go of me and ran away. I escaped that same night."

- **Exposure to harmful and hazardous working conditions**

Child domestic laborers may have to use electrical equipment and other unfamiliar machinery, chemicals, acids, and other materials that are considered health hazards, often with very little protection and no training. They are expected to perform skilled tasks such as childcare with minimum training and are severely punished for their mistakes.

"Cradle"

When told that her parents could not afford her to send to high school, Julia, only 13 years old at the time, naively ran away with a stranger who then raped her. After the assault she landed in Manila as a domestic worker. "My employer promised me that I would just clean the house but when I got there I had to do a lot more. In the morning I would wake up at around 6am and would do the laundry until 9am. Then I would man the store. It is a hardware store, so I was asked to carry cement bags, plywood, nails and steel gates. I also had to fix the lighting and the owner also asked me to do extension wires. After the store closed at 8pm, I would have to clean the house and care for the elderly until 3am. I would sleep only between 3am-6am,"

Child domestic laborers can be on call 24 hours a day. Instead of the comfort and love of family, school, and friends, domestic workers struggle with constant demands and responsibilities. Because many child domestic workers live and work in private homes, the employer is a powerful force in their development. For those who are abused and exploited, the psychological effects can last a lifetime.

- **Vulnerability to trafficking and debt bondage**

Children are easy targets for traffickers because of a common belief among parents that domestic labor is the safest form of work for children. At the Visayan Forum-Philippine Ports Authority (PPA) Port Halfway House, a safe house providing protection and direct services to victims and potential victims of trafficking, 75% of the 4,000 women and children provided with assistance were recruited for domestic work.

Recruiters charge placement, transportation, handling, accommodation and other fees against the future income of domestic laborers. There are neither contracts nor interviews, and

the girls must fend for themselves once delivered to employers. To entice parents to allow their children to work, recruiters pay cash advances. As a result of these exchanges, children find themselves in a situation of bonded labor where they are forced to endure exploitative work conditions because of the debts incurred by the parents.

“Tarpaulin”

To hide Gelyn and 40 other recruits, the recruiter covered them with tarpauline and packed them inside a jeepney aboard a ferry during an inter-island crossover. They had been declared as “cargo.” Each jeepney was packed with double the normal capacity of 20 people. Some recruits were placed at the top load of the vehicle where their luggage was used to secure them. Some of them would vomit and urinate in the jeepney since they were not allowed to go out. The ordeal lasted for eight days.

- **Lack of opportunities for education**

The primary motivation of many children to work as domestics is the desire for a quality education. In an analysis of child domestic laborers carried out by VF as part of the Philippines Time Bound Programme, more than 20% of the children listed “came to the city to avail of better educational opportunities”. However, the same analysis shows that more than half of the 1,479 children listed had dropped out of school in the past and that 60% had yet to re-enroll.

The educational system in many countries fails to provide meaningful opportunities for CDW to go back to school. Most domestics fail to survive schooling because of heavy workloads, inability to pay tuition fees, and chronic absenteeism; most schooling curricula are not flexible enough to cater to the special needs of these children.

Measures to protect child domestic workers

No single intervention can address the complexity of the issues affecting child domestic workers. Measures to protect these young girls from exploitation entail a combination of crisis interventions and long-term healing and societal reintegration. A child who runs away or is rescued from traffickers or an abusive household needs immediate temporary shelter in a caring environment and access to legal counsel.

No program will be successful without active participation from the community it serves. Providing quality services and facilitating access to quality services are a vital way to attract and sustain participation among domestic workers. Domestic workers highly value services that help them meet their goals, such as child-friendly education services, recreation and sports activities, skills training, health care, and personal and job-related counseling. Services to support the redress of rights violations should also be given attention as protection from abuse is a high priority for child domestics.

In the Philippines, a sustained and massive information campaign initiated by the Visayan Forum popularized the use of the more politically correct term for domestic workers, *kasambahay*. This term, a contraction of *kasama sa bahay* (companions at home), imbues a

measure of dignity to the sector rather than throwbacks from slavery such as *alipin*, *alila*, and *katulong*. From this term was born the **Kasambahay Program**, which addresses the specific vulnerabilities of domestic workers and aims to change social perceptions and policies to recognize the dignity of the sector. Recognizing the link between trafficking and forced labor, the Visayan Forum also set up a comprehensive anti-trafficking program to identify victims as they pass through hotspots such as ports, bus stations and, most recently, the Manila international airport.

a. *Direct interventions*

Child domestic workers, because they are scattered and invisible, are most difficult to protect. The Visayan Forum and its partners have worked together to provide direct services including temporary shelter, fact-finding investigations, removal and rescue efforts, hotline/childline/ helpline, and emotional/material support or counseling. In these centers, service providers offer healing and empowerment support to build up resiliency and life skills. These include legal, medical, psycho-social counseling, return to families/repatriation, and skills/alternative education.

Across eight strategic regions, VF and its partners coordinate to ensure access to education by domestic workers. More than 4,000 have been mainstreamed in the past two years. Teachers are crucial in ensuring that domestics engage, instead of drop out of school. Truly, the call for universal access to education needs to be supported with efforts to protect and withdraw children from abusive situations. This is particularly true in the case of domestics who, because of lack of alternatives, often decide to work and go to school at the same time.

One innovative approach currently being undertaken by the Visayan Forum is its partnership with the Microsoft-Unlimited Potential Program. Together, VF and Microsoft provide computer training to prepare domestic workers for better employment opportunities. Community-based technology learning centers (CTLCs) have now been set up across the country, and the private sector is being mobilized to help absorb these future graduates.

b. *Lobby for enabling national laws*

Domestic work falls outside labor legislation in many countries, thus domestic workers are unable to access their rights. The non-recognition of domestic work as legitimate work combined with the hidden nature of the worksite results in exploitative living and working conditions and sometimes forced labor and trafficking. Reports of abuse are many, with workers facing, among other things, extremely long hours of work, absence of rest and leave periods, deprivation of food and adequate shelter, delayed or non-payment of wages, wage deductions for dubious debt, and physical and sexual violence.

For this reason, the VF has embarked to mobilize governments and employers to provide decent working conditions especially to adult domestic workers. Special registration schemes are organized to encourage access to social security, raise worker awareness about their rights, create opportunity for fair mediation, and allow for days off and participation in self-organizing activities. Work contracts are encouraged to formalize the relationships between domestic workers over the age of fifteen and their employers. More efforts are focused in monitoring hours of work and rest, access to schooling, and access to social benefits and facilities.

An ILO study of national laws revealed that only 19 out of 65 countries have enacted specific laws or regulations dealing with domestic work. These laws often afford lower protection to domestic workers than to other categories of workers. So far, there have been very few convictions of abusive employers or intermediaries involved in the trafficking of domestic workers.⁵

The Philippines has become a global pioneer in lobbying for a landmark national law to uplift the status of domestic workers. The latest draft of *Batas Kasambahay* offers remarkable innovations to institutionalize the rights of domestic workers, define decent working standards as well as propose practical measures for implementation. Once enacted, the *Batas Kasambahay* will bring this traditionally informal sector closer towards the benefits and protection accorded by law to the formal labor sector. Among the fundamental rights of domestic workers are the right to humane treatment, basic needs, security of employment, standard pay and 13th-month pay, prescribed hours of rest, clear days off, protection for minors, membership to social security and health programs, opportunities for self-development and the opportunity to form self-help organizations.

c. Address trafficking dimensions

Across the globe, sexual abuse is closely linked to child domestic work. Many parents believe that domestic work is safe work for their children. Many societies believe that domestic work is common and acceptable work for children. For this reasons, many traffickers find it very easy to lure young girls into prostitution by promising domestic work to their families. Likewise, many girls enter domestic work as an escape from sexual abuse in their own homes. To address this concern, the Visayan Forum in partnership with the Philippine Ports Authority set up strategic halfway houses across the country beginning in the year 2000. These shelters provide 24-hour safety and catchment services for trafficking victims, such as temporary shelter, travel assistance, quick case referrals and legal services, and telephone hotline counseling.

In these shelters, more than 4,000 victims have availed themselves of custody and safe haven while waiting for the proper inspection of recruiter's permits and records, or simply a return ticket home. Volunteers and staff comb the terminals everyday to provide stranded victims with contact numbers so they can call the hotline during an emergency. Through the program, the concerted action of the port community has come to full force. This community is composed of government agencies (PPA administration, port police and coast guard, security guards), employers (shipping companies and their crew on ground and on board), and workers (including porters, stevedores, vendors, etc.).

Empowering child domestic workers

A voice for domestic workers

Over ten years ago in 1995, the Visayan Forum organized the first domestic workers' association in the Philippines, the **SUMAPI** (*Samahan at Ugnayan ng mga Manggagawang Pantahanan sa*

⁵ [J.-M. Ramirez-Machado: Domestic work, conditions of work and employment: A legal perspective, Conditions of Work and Employment Series No. 7 (Geneva, ILO, 2003).]

Pilipinas). This self-help organization originated from VF's early efforts to reach out and organize young girls at the Luneta Park where they congregated during their days off every Sunday.

Today SUMAPI is among the largest registered national organizations with roughly 10,000 members nationwide. It is composed of linked core groups acting as support networks based in parks, schools, churches and other transit points for trafficking. Together they raise their voices on behalf of the plight of domestic workers, and they aim to increase protection for child domestics via national laws and codes of conduct. SUMAPI mobilizes domestic workers for the yearly Domestic Workers' Day celebration. The nationwide celebrations take place in public parks where domestics organize themselves throughout the year, and members organize trips to Social Security registration booths, counseling centers as well as other government agencies.

A social support network

"We talk to each other on the phone."

"(We) visit each other at our workplace."

"(We) help during outreach or sometimes with schoolwork."

"(Our) friends help us to find new jobs."

"Since I've been involved with SUMAPI, I have reported a rape case to the police and another case where a domestic worker was thrown out of her employer's house in the middle of the night."

For many domestic workers living away from their loved ones, SUMAPI has become a second family that protects and looks after them. Organizing SUMAPI is Visayan Forum's pioneering strategy because it provides space for members to participate meaningfully in the design and implementation of activities for their fellow domestic workers. Gathering and raising the consciousness of a critical mass of domestics took years of confidence-building based on a solid combination of immediate and caring set of direct services. These services—including counseling, shelter, and legal aid—are concentrated on young and vulnerable domestics who have no support system in the city. Working with domestics themselves is a strong recognition that they are partners in their empowerment, not just beneficiaries of welfare services.

A national agenda

SUMAPI caught the nation's attention during the first **Domestic Workers' Summit** in 2005. VF helped SUMAPI organize a 300-strong Summit in the Philippines from 21-23 September 2005 – the first time that local child and adult domestic workers and international migrant domestic workers had come together to discuss their issues and concerns as a sector. The gathering, which elicited a supportive statement by the President of the Philippines, emerged with a 10-point agenda on decent work for domestic workers for national and international action which included legislative reform, action against trafficking, the need to ensure safe migration and prioritizing education provision for child domestic workers. The Agenda will serve as the national framework for action and will guide all future interventions.

What needs to be done?

As a matter of urgency, it is important for countries to bring domestic work under the purview of existing labor legislation or to introduce specific laws for the protection of adult domestic workers and the prevention of underage worker recruitment. We should press governments to enforce these new laws and demonstrate their adherence to existing international standards to protect women and children from social discrimination.

The following measures should be given priority:

1. Intensify international support for the passage of national laws such as the ‘batas kasambahay’ or domestic workers’ bill in the Philippines.

- The Philippine government should take all necessary steps to ensure the speedy passage of this long-delayed piece of legislation, which would provide protection to both child and adult domestic workers. It’s never too late to pass this landmark law. Without this law, a source country like the Philippines will find it difficult to negotiate with its counterpart destination countries that employ its domestics because of its failure to provide protection to its own house helpers;
- Other governments can follow suit by drafting similar laws in their own countries; and
- Global institutions should start consultations for the drafting of a new international convention to protect migrant domestic workers in order to generate international commitment and national actions to address domestic worker rights.

2. Address trafficking dimensions in domestic work.

- Review and revise existing recruitment and placement regulations in every country to ensure compliance with the principles of national anti-trafficking legislations;
- Conduct research into the connection between trafficking and forced labor conditions such as domestic work;
- Generate greater awareness about how migration affects children; and
- Protect the rights of trafficked children through child-friendly investigation and prosecution strategies.

3. Implement educational strategies that take into account the unique situation of child domestic laborers, for example:

- Improved access to education either through night and Sunday schools or through non-formal or alternative learning systems;
- Life skills programs for the CDW to enhance their capacity to protect themselves and to realize their full potential;
- Opportunity for livelihood training, such as a customized Microsoft IT training
- Support services such as special tutorial sessions, resiliency-building activities, and emergency financial assistance, especially for newly-reintegrated children;
- Greater parity among formal, alternative, and vocational systems to enhance career and learning paths for child domestic laborers;

- Protective measures in schools, such as counseling and abuse prevention, detection, reporting, and handling; and
- Increased capacity of educators to understand and respond to the needs and development of child domestic laborers.

4. Expand protective services for domestic workers, especially those at risk and those already trapped in exploitation; and

5. Integrate the recommendations of child domestic workers into policy and practice:

- Establish and support self-help groups of domestic workers;
- Design interventions that seek to maintain or reestablish contact between child domestics and their immediate family;
- Explore direct, non-confrontational involvement with employers in order to reach out to more CDWs;
- Engage the active participation of employers in developing solutions to domestic work problems;
- Train educators on CDW issues;
- Assist in seeking redress from abusive and/or exploitative employers;
- Sustain long-term interventions focused specifically on CDWs;
- Design interventions with broader outlook on social issues that impact on child domestic work, such as teenage pregnancies, HIV/AIDS, etc.; and
- Provide more educational opportunities in both formal and non-formal schools.