

## Written Contribution of Migrant Forum in Asia to the Special Rapporteur on Contemporary Forms of Slavery Thematic Report on Debt Bondage



### Introduction

Migrant Forum in Asia (MFA)<sup>1</sup> welcomes the decision of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences to write a report on debt bondage that will be presented to the Human Rights Council this year in September.

Debt bondage is a major concern for MFA members and partners. Many of our members and partners handle cases related to debt bondage. Most of these cases involve migrant workers who, through the labour migration process, are often heavily indebted while members of their families are threatened and exploited by money-lenders or recruiting agents. Debt bondage is a major issue in migrant labour recruitment and is linked to the high cost of migration and exorbitant recruitment fees paid by migrant workers.

MFA, through the Open Working Group on Labour Migration and Recruitment, has developed a glossary of terms for its campaign on recruitment reform. In this glossary, debt bondage is defined as “the use of debt to ensure a person’s continued labour or services. In the case of labour migration, exorbitant recruitment fees are often charged to prospective migrant workers for work in sectors considered to be low-skilled. Debt is often used as a means to control migrant workers while in the country of employment, as workers may be coerced to accept rights violations and unfavourable working conditions to avoid defaulting on their loans and the loss of collateral. When recruiters or sub-agents act as money-lenders fear and intimidation are often used as an added mechanism of control.”<sup>2</sup>

MFA draws the attention of the Special Rapporteur to the adverse situations of migrant workers and members of their families who in the migration process are directly affected by debt bondage. MFA requests that the Special Rapporteur consider:

- Debt bondage in the context of international labour migration
- Debt bondage in practice through the Kafala system
- Civil society’s calls for zero fees for migrant workers
- Civil society’s calls for access to justice and reparations for migrants and members of their families

---

<sup>1</sup>Migrant Forum in Asia (MFA) is a network of civil society organizations, trade unions, and individuals in Asia working together to advocate for social justice for migrant workers and members of their families. The network is guided by a vision of an alternative world system based on respect for human rights and dignity, social justice, and gender equality for all. To date, MFA is represented in 16 nations by 48 civil society and trade union groups, and 6 key partners in the MENA region. The members and partners are also coalitions and networks, bringing MFA membership in Asia close to 200, and growing each year.

<sup>2</sup> <http://recruitmentreform.org/campaign-glossary>

MFA has circulated the questionnaire from the office of the Special Rapporteur among our members and partners and collected responses reflective of the situation on the ground. The following members and partners are the contributors to this submission:

Bangladeshi Ovhibashi Mohila Sramik Association (BOMSA), Bangladesh  
Welfare Association for the Rights of Bangladeshi Emigrants Development Foundation (WARBE DF), Bangladesh  
National Domestic Workers Movement (NDWM), India  
Rafeek Azeed, Pravasalokam (Migrants World), India  
Legal Support for Women and Children (LSWC), Cambodia  
Serikat Buruh Migran Indonesia (SBMI), Indonesia  
Elis Susendra, Victim of Debt-Bondage, Indonesia  
Human Rights and Development Foundation (HRDF), Thailand  
Migrants' Center, Nepal  
Kanlungan Center Foundation, Inc., Philippines  
Center for Migrant Advocacy, (CMA), Philippines  
Mehru Vesuvala, Volunteer Worker, Bahrain  
Partners from Oman  
Partners from Kuwait  
Partners form United Arab Emirates

## Responses

### Question 1

Please provide information as to how/in what capacity you organise activities concerning debt bondage.

The following responses were collected from the MFA members and partners in Bangladesh, Cambodia, India, Nepal, Philippines, Oman, Kuwait and Bahrain.

#### *Bangladesh*

The community-based migrants' organization, WARBE DF, states that many potential migrant workers come from rural areas and are often unaware of issues like debt bondage. With little or no information about the adverse situations they can encounter in the migration process, they are susceptible to abuse. Responding to the lack of access to information, WARBE DF has 12 Migration Information and Support Centers (MISC) placed in rural areas to inform aspiring migrants about issues faced by migrant workers, including among them debt bondage.

An organization of returnee migrant women, BOMSA, conducts pre- and post-departure support and training sessions for potential women migrant workers to equip them with information that will help them to avoid debt bondage.

## *Cambodia*

MFA's member in Cambodia, Legal Support for Children and Women (LSCW), reports that debt bondage is a common issue faced by Cambodian migrant workers. Cambodian domestic workers abroad are often unable to escape exploitative and abusive workplace situations, as they are heavily indebted to private recruitment agencies or money-lenders. In response, LSCW provides free legal assistance to victims of debt bondage, particularly for children, women, and domestic workers. The organization is also involved in advocacy and a campaign for Cambodia to ratify and implement ILO Convention 189 on domestic work as well as for Cambodia to have a national policy recognizing the rights of domestic workers.

## *India*

MFA's member in India, NDWM, notes that Tamil Nadu is an area where young women, many of whom are minors,<sup>3</sup> are being trafficked due to debt bondage to other states in the country. Poverty and lack of livelihood opportunities in the area prompts many parents to borrow money for the families daily needs. As they don't have a stable source of income, paying the debts is a challenge. This leaves most families vulnerable to agents promising employment opportunities and decent salary for the family – a chance to pay the family's debt/s. The young women in the family are taken to other cities for domestic work. Low-skilled labourers and women are recruited for labour migration particularly, in the Gulf countries.

NDWM organizes an information and awareness campaign on child trafficking and debt bondage and provides livelihood programs for families of trafficking victims.

## *Nepal*

Similar to NDWM, India, an MFA member in Nepal, Migrant Centre Nepal, indicates that a lot of the issues that migrant workers face relating to debt bondage happen mainly due to a lack of information. To address these concerns, Migrant Centre holds information education sessions for migrants at the district and central levels. They also have help desks at the airport to support migrants who are victims of abuse. These help desks allow migrant workers to report rights violations or request assistance.

## *Philippines*

For MFA members in the Philippines, engagement with debt bondage is through capacity building, policy advocacy, and assisting migrant workers who have been under debt bondage. The Kanlungan Centre Foundation Inc., with its pool of voluntary lawyers practicing Developmental Legal Advocacy (DLA), provides legal assistance to victims of trafficking and contract violations, of debt bondage by representation, feminist counselling and providing legal advice based on how the migrant worker preference on the case. For Kanlungan, the migrants workers themselves bring their cases to the organization. For victims of debt bondage, the main

---

<sup>3</sup> Below 18 years of age

concern is how to pay the debts as even if the case is settled; the monetary award is often not enough to pay the debts due to high interest rates.

Another MFA member, Center for Migrant Advocacy (CMA), is involved in policy advocacy specifically monitoring the implementation of the Philippine Magna Carta for Migrant Workers. The Magna Carta established a ceiling for interest rates for loans incurred by migrant workers in the process of migration.

Understanding the significance of informing migrants at a grassroots level, both Kanlungan and CMA conduct community-level education campaigns on trafficking and the realities of migration including debt bondage or bonded labour.

### *Indonesia*

SBMI, MFA's member in Indonesia, reinforces observations from other countries in Asia that migrant workers are mainly exploited and abused due to lack of access to information on migration and a comprehensive understanding of the consequences of international labour migration. Responding to the problem, SBMI works on strengthening community advocacy focusing on migrant workers and prospective migrant labourers. They also handle various cases related to migration, including deception from labour brokers. Recruitment agents in Indonesia often deceive prospective migrants about the financial cost of migration. Receiving many cases, the organization extends paralegal training to the origin communities of migrant workers.

### *West Asia*

MFA's partners in Oman, Kuwait, and Bahrain who are working on migration-related issues attest that many migrant workers experience debt bondage. The partners provide assistance to migrant workers who are victims of abuse, exploitation, and bonded labour. The partners provide support by facilitating rescues of abused migrant workers, assisting with the filing of complaints at the embassy or the Ministry of Labour, providing temporary shelter, and assisting with the repatriation of migrant workers. The practice of the Kafala (sponsorship) system<sup>4</sup> in the country often puts employees or the migrant workers in a situation of bonded labour.

Under the Kafala system a migrant worker's immigration status is legally bound to an individual employer or sponsor (kafeel) for their contract period. The migrant worker is not allowed to enter the country, change employment nor leave the country without the permission of his kafeel. A migrant worker needs to be sponsored by a kafeel in order to enter the country and remains bonded to this kafeel throughout his/her stay. The kafeel often exerts further control over the migrant worker by confiscating their passport and travel documents, despite existing legislation

---

<sup>4</sup> A tied-visa system in place in GCC countries that requires migrant workers to have an in-country sponsor, usually the employer, who is responsible for their visa and legal status and who is known as a "kafeel." The kafala system requires the kafeel to assume full economic and legal responsibility for the employee during the contract period. The migrant worker can neither enter the country nor transfer employment without obtaining explicit written permission from his/her kafeel. In some countries, workers must also have the permission of their kafeel if they wish to leave the country of destination. The kafeel must report to immigration authorities if the migrant worker leaves his/her employment and must ensure the worker leaves the country after the contract ends. If a migrant worker wishes to change employers, he/she must receive written permission from his/her kafeel.

in some destination countries that declares this practice illegal. Migrant workers may remain for years vulnerable in this situation living with the threat of unpaid wages, underpayment, and unlawful additional cost together with the debt from excessive recruitment fees, arrest, detention and ultimately deportation should they complain or leave trap migrant workers in bonded labour.<sup>5</sup>

## Question 2

What is prevalence of debt bondage in your country/the countries that you are working on/globally? Please provide disaggregated data (e.g. by sex/age/region/industry/sector), if available.

The following responses were collected from the MFA members and partners in Nepal, Bangladesh, India, Cambodia, Indonesia, Philippines, Oman, Kuwait, and Bahrain.

From the respondents there was no official statistics on the prevalence of debt bondage in the country. The prevalence of bonded labour is largely based on the cases the organizations have worked on.

### *Nepal*

Migrants Center reports that debt bondage is prevalent in the cases the organization has handled. Potential migrant workers often take out high-interest loans (sometimes the interest rate is more than 120% per annum) from informal money-lenders to cover migration costs by recruitment agencies and sub-agents. Burdened with debt and high interest rates, the need for the prospective migrant worker to secure employment increases dramatically. The financial burden and the welfare of the family left behind weighs a lot on the migrant worker, who is often left with no choice but to continue working regardless of the working conditions or treatment. In such cases, the migrant worker's priority is often to pay off debts to recruiters or to the employer first, only afterward providing for the family at home.

### *Bangladesh & India*

MFA members in Bangladesh report that there is no disaggregated data available regarding debt bondage, as there is little documentation on the issue. On the other hand, MFA's member organization in India reports that data on bonded labour is available in some sectors, but none is available for domestic workers, which is the constituency NDWM serves. Data on children in bonded labour is also lacking.

### *Indonesia*

MFA's member in Indonesia reports that around 40% of the cases the organization handled deals with bonded labour. The Hong Kong chapter of SBMI stated that 30% of the Indonesian domestic workers they have interviewed were victims of debt bondage but refused to take legal

---

<sup>5</sup> Reform of the Kafala (Sponsorship) System <http://www.ilo.org/dyn/migpractice/docs/132/PB2.pdf>

actions. Meanwhile, 70% were not aware of the rules regarding placement fees and has declined filing complaints even after being informed of the violations made by recruitment agencies and agents. The fear of losing their jobs matters more than fighting for their rights.

### *Philippines*

MFA members in the Philippines report that debt bondage is widespread. In a country of destination like the UAE, members of the Filipino community are profiting from lending money to migrant workers within the community who are often in distress<sup>6</sup>. Migrant workers who are unable to send remittances for the welfare of the family back home and to pay the debts incurred during the migration process borrow money from money lending communities. The non-payment of salary, underpaid wage and the need for money to cover the daily needs of those migrant workers who abscond from their companies or employers put migrant workers in debt even in the destination country. Such results in heavy indebtedness that forces migrant workers to accept unfavorable working conditions and even the violation of their rights to earn a living to pay off debts and support the family in the country of origin.

In cases received and complaints filed in Manila Economic Cultural Office<sup>7</sup> (MECO) and Philippines Overseas Employment Agencies (POEA), debt bondage also occurs through excessive fees collected from overseas Filipino workers in Taiwan who are working in the manufacturing industry. As articulated by CMA, the permitted amount to be collected by recruiters should be equivalent to one month's salary, or NT\$19,047 (27,400 Philippine pesos or 576 USD). However, the actual fee collected in these cases was more than 400% higher, with many workers paying 110,000 to 150,000 pesos (2,311 to 3,152 USD). The excessive fees results to debt bondage for migrants workers are forced to stay and endure living and conditions that workers would never freely accept. Filipino migrant workers' salaries for the first year of employment are practically billed to debt repayment due to the excessive fees<sup>8</sup> collected by brokers and recruiters.

### *West Asia*

Our partners in Bahrain, Oman, and Kuwait report that debt bondage is common among the number of abused migrant workers they have assisted for repatriation and facilitating filing of complaints in the embassy or Ministry of Labour. Many of these migrant workers are already indebted prior to migration often find themselves in bonded labour with the countries' practice of

---

<sup>6</sup> The migrant worker is already in debt before migration due to the recruitment fees and high interest rate of the money loaned and in the country of destination is not being paid and would borrow money to send home, is abused and would escape or be a 'runaway' and would seek assistance to be repatriated. In case of 'documented' migrant workers, the recruitment agency is supposed to cover the cost of the repatriation, when the agency refuses as the worker was not able to comply with the agreement; the family of the migrant worker back home will borrow money just for the migrant worker to come back.

<sup>7</sup> The Manila Economic and Cultural Office (MECO), exercising delegated functions, is the Philippines' representative office in Taiwan. MECO promotes trade, investments, tourism, labor, scientific and cultural cooperation with Taiwan, provides assistance to Filipinos in Taiwan and provides visas, legal and consular services. <http://www.meco.ph/mecog/index.php>

<sup>8</sup> The allowable fee including placement fee is PHP 50,000 pesos or 1,050USD but workers ended paying as high as PHP 200,000 pesos or 4,202 USD.

the Kafala system, which is easily exploited by the employers/sponsors by confiscating their travel documents, passports, withholding their wages and even changing the contract of employment. Pravasalokam said that large number of the cases they covered on missing migrants, particularly in the Gulf countries, reveal that many migrant workers are trapped in bonded labour.

What does debt bondage entail in practice and what forms does it take in your country/the countries that you are working on/globally?

The following responses were collected from MFA members and partners in Nepal, Bangladesh, India, Cambodia, Indonesia, Philippines, Oman, Kuwait, and Bahrain.

### *Nepal*

Migrant Centre Nepal reports that debt bondage for migrant workers often happens when migrants and their families use land, property, and other valuables like gold as collateral for loans to finance migrants' recruitment fees. These loans are easily accessible, but come with high interest rates. Even after the migrant works abroad, the family and the migrant often end up losing their properties and have no savings, as the salary went entirely to paying the debts. The lack of protection of migrant workers' rights, not just in their country of origin, but also in the destination country, significantly impacts the ability of the worker to recover from the debts incurred in the migration process. Most migrant workers are in debt prior to working overseas mainly due to the cost of labour migration. That, even if they are in deplorable working conditions are forced to stay in order, to raise the needed money to repay the debt incurred back home during the labour migration process

### *Bangladesh*

MFA members in Bangladesh report that most potential migrant workers take out loans from local lenders and microfinancing institutions, as they cannot pay the recruitment fees readily. Similar to Nepal, their properties are mortgaged. Migrants become even more dependent on labour migration to pay their debts, and many of them will not come back until the loan has been paid off, even if their rights are being compromised in the destination country.

### *India*

NDWM reports that with interstate migration many young women are trafficked by illegal agents from Villupuram district to Kerala. The agents claim that they will take good care of the young women and promise a decent salary to support the family left behind. Families borrow money from the agent or from the employer to cover recruitment fees, which the young women will repay by working. Until the family repays the debt, the woman has to work for that particular employer. In some cases, agents who have control over the young women as the recruiters, borrow money from the employer and young women have to work for less wages due to the agents' debt. In addition, family members must pay the agent between Rs 5000 and Rs 10,000. The agent receives a commission from the employer as well.

As previously shared by NDWM, migrant workers need to pay their agents considerable amounts of money for labour migration. As many cannot afford to pay fees and other expenses, they borrow money, hoping to pay off their debts quickly with their new employment opportunity. When realities of migration, including exploitation, deception, and unfavorable working conditions come into play, paying off the debt might take years and the cycle of migration will continue, as will the accumulation of debts.

### *Cambodia*

MFA's member in Cambodia reports that debt bondage takes place when parents send their daughters to work as domestic workers for the households of those to whom they owe money, and from whom they borrow money from when in need. In return, their daughters have to work in order to pay back the debt. When in a debt situation, these young women cannot move away or resign from the tasks, as they need to pay back the debt first.

### *Indonesia*

According to MFA's member in Indonesia, debt bondage for many migrant workers happens through falsification of documents. Migrants are asked by their agents to sign blank documents without an explanation of what they are for. The Indonesian agencies collect departure fees from migrant workers, which are deducted from their salaries. It is during this time that migrant workers find out that they are to pay more than what they owe the recruitment agency. Many migrant workers have come to learn that their recruitment agents have put them into debt using the blank documents they signed. Faced with enormous debt to pay and afraid to compromise their jobs which is their source to pay these debts don't take legal actions against the violation. In most cases, they are obligated to continue working with the employer and even accept abusive working and living conditions.

### *Philippines*

According to CMA, migrant workers in Hong Kong<sup>9</sup>, Taiwan, Japan, and Gulf countries like the UAE and Bahrain incur debts from other people or employer they are put on hold departure order<sup>10</sup> list which prevent them from leaving the country. In other cases, debt takes the form of credit cards that are liberally promoted to migrant workers in said countries; many migrant workers avail of these credit cards and use them until they are heavily indebted.

Factors such as family obligation, guilt and pride entice migrant workers to such marketing tactics. The family back home often thinks that the migrant is earning a lot and raises expectations. Such notion puts pressure to the migrant worker to provide more for the family. Many of the migrant workers use these credit cards to help not just their family but relatives as well. Some migrant workers spend a lot on expensive gifts for their children trying to ease the

---

<sup>9</sup> In Hong Kong, migrant workers are burdened with debts because of the enormous fees collected despite the policy of zero placement fee for migrant domestic workers in the Philippines. These fees are in the form of skills training fees and placement fees supposedly due for the Hong Kong placement agencies as provided for by Hong Kong regulations.

<sup>10</sup> Hold Departure Order prevents an individual from departing the country

guilty feeling of leaving them behind. With more debts accumulated, the migrant worker is compelled to secure his/her work and less likely to report violation of his/her rights for fear of getting terminated and losing the employment. Debts incurred must be paid before migrants workers are allowed to leave the country.

Kanlungan Centre Foundation, Inc, another MFA member in the Philippines, reports that debt bondage occurs even in 'regular' migration. Although no placement fees are collected, there are other expenses charged to migrants such as training of migrant workers and shelter fees, particularly by big recruitment agencies, resulting in indebtedness even before migration. The more fees being charged to the prospective migrant workers results to less bargaining power in the place of employment as the main priority is to settle the debts. The potential migrant worker even if his/her rights are compromised in the destination country would be coerced to accept even the violation.

### *West Asia*

Our partners in the Gulf countries report that debt bondage takes the form of forced labor when migrants are forced to extend their contract against their will and are not permitted to go home or be repatriated or change employment because of the Kafala system, under which employers must give consent before the migrant worker is allowed to leave the country. The kafeel has the power to alter the terms of the employment contract and coerce the migrant worker into submitting to unfair working conditions. Contract substitution leaves migrant workers compelled to accept lower wages and poorer living and working conditions than originally promised.

In addition, MFA's partner in Kuwait reports that selling "free visas" or residence permits to domestic workers and collecting fees for stamping the residence or work permit is another form of debt bondage. The annual fee for the free visa or residence stamp is generally KD 600 per year. The sponsor is a visa or residency trader. The domestic worker will work irregularly as part time workers. They will not be regularly employed and they are the most exploited by the contractors through non-payment, under payment, etc.

Who are the individuals and/or groups most affected by debt bondage in your country/the countries that you are working on/globally? Please provide information as to how debt bondage might affect individuals (e.g. men/women, boys/girls) or groups in different ways.

The following responses were collected from the MFA members and partners in Nepal, Bangladesh, India, Cambodia, Indonesia, Philippines, Oman, Bahrain, and Kuwait.

### *Nepal*

Migrants' Center Nepal reports that the migrant worker and members of his/her family are directly affected by debt bondage. The family back home is in direct contact with loan sharks who often try to exploit migrants' family members. Sometimes they try to take 'gratitude labour' from the family members. The loan sharks claim that the migrant worker was able to work overseas because of them and the family should be grateful and return the favour. Trapped in employment, the migrant worker cannot give up, as they have to finish paying off their debt. The

migrant worker needs to work harder and often takes on extra hours to pay back his/her debt; extra working hours can compromise the worker's physical and mental health. Many migrants return home in unhealthy conditions.

### *Bangladesh*

Similar to Nepal, according to our members in Bangladesh debt bondage impacts male and female migrant workers and their families. The migrant worker is unable to recover from the debts<sup>11</sup> and is unable to save enough during their time abroad. Many migrants will re-migrate, borrowing money again to pay the cost of migration and hoping to be able to settle the debt and start anew.

### *India*

NDWM specified that trafficked young women, domestic workers, and low skilled migrants are mostly affected by debt bondage. Young women are paid less than half of the wage they are promised, are abused verbally, and denied rest, weekly time off, and privacy. Instead of going to school, they work for long hours. Many of the young women after few years of work do not want to continue to work, as their general health is affected. These young women lose their childhood to bonded labour.

### *Cambodia*

In Cambodia, poor families are at risk of debt bondage and young women and young migrant workers are particularly affected. Poor families rely on the labour of members of the family, especially that of children and young women. Young women often become trapped as domestic workers and young men are often recruited for the fishing industry. They labour in exchange of their families' debts. For those in bonded labour, their freedom of mobility is affected, and their rights and access to education and to self-development are stripped away.

### *Indonesia*

SBMI reports that female migrant workers are most affected by debt bondage. Based on SBMI database as reflected in the Labour Ministry and Ministry of Foreign Affairs, the majority of prospective migrant workers are female. For victims of debt bondage, they are forced to work until they settle the 'debt' caused by overcharging of the Indonesian recruitment agencies during the migration process. If the migrant workers get into trouble within 6 months, the Indonesian agencies back home will go to the migrant worker's house demanding the family to pay back the money the migrant worker owes them. The migrant workers are afraid to fight for their rights as it would cause conflict between the employer and the agency. This, in turn, would lead to termination of the migrant worker if he/she refuses to pay.

---

<sup>11</sup> Usually taken at high interest rates and may take years to pay back

## *Philippines*

MFA members in the Philippines report that the remittances of women migrant domestic workers in Hong Kong for their families have greatly reduced over the last few years. With debts to be paid and not enough to send back to their families, migrant workers report pawning their passports; in extreme cases, some have committed suicide. In Taiwan, both male and female Filipino migrant workers in factories can be considered bonded labourers, because of the huge debts they owe to their recruiters. Failure to repay on time means an increase in their debts because of exorbitant interest rates. Their salaries for the first 6-8 months are mostly allocated to debt repayment; thus, the family back home suffers, for they are banking as well on the remittances of the migrant worker. Filipino migrant workers in Japan and in the GCC countries who are trapped in debt due to recruiters are they are put on hold-departure list by the destination country therefore, they cannot leave the country to go home to the Philippines unless their debts are settled.

For most migrant workers, the high cost of migration requires takes 4 years of the migrants' earnings to pay the debts incurred during the process. This means a migrant worker needs to leave the country three times which is the 5-6<sup>th</sup> year to be able to recover from his/her debts. This however, is in the context of being paid. The opportunity for a better future for migrant workers in abusive and exploitative working conditions is grim. In extreme cases, migrant workers mostly men, who are buried in debts and cannot go home until the debt is settled, an enormous burden to carry, commit suicide. Often, they would let themselves be hit or run-over by a car to pay their debts with the monetary settlement from the owner of the vehicle. There are cases as well involving seafarers committing suicide to pay the debts, as the pay-out from the insurance is bigger.

## *West Asia*

Our partners in Bahrain, Oman, and Kuwait also note that migrant workers are highly affected by debt bondage. The Kafala system makes the migrant worker dependent upon his/her kafeel for his/her livelihood. With such dependency on the employer, violation of the rights of the migrant worker is more likely, as they can neither leave nor transfer employment without the permission of the Kafeel. This practice exacerbates the conditions of migrant workers who are heavily indebted and who are not paid or who are paid less than they are owed in the destination country.

Based on the evidence available to you, how common is the situation when children are put into debt bondage by their parents in exchange for a loan or other benefits? And how common was it in 2014-15 for children to inherit a debt from a parent and be obliged to continue working off a loan taken by a parent?

The following responses were collected from the MFA members and partners in Nepal, Bangladesh, India, Cambodia, Indonesia, and Philippines.

## *Nepal*

According to Migrant Centre Nepal, cases of children being put into debt bondage have reduced due to increasing awareness among the general population. There are still cases, however, where children inherit the debts of their parents. Children are often groomed/prepared to become migrant workers. The economic desperation and promise of higher salaries leads to falsification of data, particularly the child's age, just to be able to migrate.

## *Bangladesh*

MFA members in Bangladesh said that when a parent/s die/s during migration or when deported due to health conditions, children are then beholden to work to pay off the recruitment debt or loan. The payment of the loan taken out in the process of migration is a responsibility of the whole family.

## *India*

Based on an interview with MFA members in India, the situation where children are put into debt bondage by their parents is common. NDWM conducted a survey from July 2014 to April 2015 with women and young women from Villupuram District of Tamil Nadu who migrated to different parts of India for domestic work. Within the working area of NDWM alone, Karnataka had the most women migrating for work, with 591 women and young women migrating to different parts of India for domestic work. Kerala followed with 480, Tamil Nadu (289), Mumbai (67), Goa (3), and Delhi (2). Many of the young women are sent as bonded labour to Kerala.

## *Cambodia*

MFA's member in Cambodia stated that children being put into debt bondage seems to be the norm in the country. It usually happens in domestic work. Most of the children are below age 18 and are placed into households to work to repay debts or in exchange for other benefits taken by the parents.

## *Indonesia*

MFA's member in Indonesia indicates that some families have placed their children in bonded labour due to the promise of high salary and, at times, due to intimidation from the recruitment agency. SBMI reports that families do not want to send their children to work; however, with no economic opportunities at home, they are left with no choice.

For example, SBMI supported an Indonesian migrant worker who was forced to leave for Hong Kong to pay off the accumulated debts of her family, as her mother who worked previously in Hong Kong is unfit to work anymore. As she is still a minor, the migrant worker forged her age to be able to go to Hong Kong where she worked for almost 24 hours a day and was treated inhumanely. The migrant worker was able to return to Indonesia with the help of SBMI, but refuses to go home to her family with the debts unpaid.

## *Philippines*

One of MFA's members in the Philippines reports that debt bondage by inheritance is common in rural areas. The cycle of migration transfers from the parents to the children. Sometimes the child migrates as a solution to the unpaid debts of the parents. Children then carry on the debts and have to work to settle the debts.

### Question 3

What are the main root causes of debt bondage in your country/the countries that you are working on/globally? What measures have proved most effective in dealing with these root causes?

The following responses were collected from the MFA members and partners in India, Bangladesh, Cambodia, Nepal, Indonesia, and the Philippines.

#### *India*

NDWM reports that debt bondage is often associated with seasonal migration, extreme poverty, and widespread discrimination. If migration is considered as an integral part of the survival strategies of the poor, the impact of migration in relation to exploitation is still very much debated. Poverty is the main cause of debt bondage and lack of employment opportunities for adults. In India, Dalits in rural areas are agricultural labourers. In history, they were bonded labourers within their village for agricultural employers (landlords). This history contributes to the continued existence of debt bondage. In the NDWM working area, most of the young women who migrated to Kerala are Dalits.

NDWM reports that the Indian government has not put in place any special programs to stop debt bondage, despite the presence of a law on protecting the citizens from debt bondage. The government only takes action on a few cases that are on the surface. There is also a lack of political will to abolish this unconstitutional practice. NDWM reports that in Villupuram district and other parts of Tamil Nadu, there are people living in debt bondage.

#### *Bangladesh*

In Bangladesh, WARBE DF reports that poverty and misappropriation of local resources are the reasons for debt bondage. The gap between the rich and poor is increasing, with the poor barely managing their daily livelihoods while the rich continue accumulating resources unethically and/or by adopting unfair means. According to WARBE DF, ethical practices, balanced resource distribution, and good governance in resource management can reduce this broadening gap.

#### *Cambodia*

LSCW stresses that poverty is the primary cause of debt bondage. The Cambodian government ratified the ILO Convention 29 on forced labour and adopted a labour law to prohibit forced

labour and debt bondage in Cambodia. However, the enforcement measures taken have been limited. To date, no debt bondage cases have been prosecuted in the country.

### *Indonesia*

SBMI reports that debt bondage is caused by lack of control mechanisms on government policies regarding placement fees which is easily exploited by recruitment agencies and agents. A lack of government support and programmes for migrants make prospective migrant workers susceptible to debt bondage.

### *Nepal*

Migrant Center Nepal reports that a lack of information and complex loan procedures of financial institutions are the main root causes of debt bondage in the country. Migrant workers are often lured by the easy process of loan sharks (sometimes microfinance institutions) that charge very high interest rates (36% per annum at least), eventually trapping them into bonded labour situations. According to Migrant Centre Nepal, a lack of skills and knowledge are some of the causes as well. Skillful and knowledgeable workers are often recruited without fees or with minimal fees, and are thus better able to claim their rights at work.

### *Philippines*

MFA members in the Philippines report that the causes of debt bondage include: lack of information, lack of social protection for migrants, lack of government or public loan facilities for migrants, unethical practices of recruiters, and loan sharks preying on migrant workers. Suggested measures to deal with the identified causes are information-education campaigns; comprehensive enforcement of existing laws; strong legislative measures such as regulation of recruitment costs; and prohibition of excessive interest rates.

### What are the main consequences of debt bondage in your country/ the countries that you are working on/globally?

The following responses were collected from the MFA members and partners in Nepal, Bangladesh, India, Philippines, Indonesia, Cambodia, Oman, Kuwait, UAE, Bahrain, and Thailand.

The continuous flow and repeated cycle of labour migration is one of the main consequences of debt bondage, as stated by our members. Exploitative and abusive working conditions only worsen the plight of many migrant workers who are heavily indebted. Non-recognition of their rights in the destination country, particularly in the GCC countries, and the power imbalance resulting from employer-tied visas, result in many migrant workers becoming victims of forced labour and bonded labour, as the employer holds the decision about when the migrant worker can go home and/or transfer employment.

NDWM in India reports that other consequences of bonded labour include growing human rights violations, increasing numbers of trafficked young women, women, and men, labour exploitation, and poverty in spite of continuous labour.

In respect to the children placed into debt bondage by their parents LSCW in Cambodia reports that most children of poor families do not go to school, as they need to help their parents with the financial resources to support the family as there is no stable or no source of income at all. The most common solution seen then is to work as a domestic worker in a household. Debt bondage according to our member aggravates the condition of poor families.

#### Question 4

What is your assessment of the legal and policy framework on debt bondage and the effectiveness of its implementation in your country/the countries that you are working on? In particular, are the methods used for protecting and assisting people who have been in debt bondage sustainable, or do you have evidence that significant numbers of people who have previously been assisted in leaving debt bondage have subsequently returned to debt bondage?

The following responses were collected from MFA members and partners in Nepal, India, Bangladesh, Cambodia, Philippines, and Indonesia.

#### *Nepal*

Migrant Centre Nepal reports that the policies and plans regarding debt bondage and its implementation are not effective enough. As an example, the Nepal government liberated the ‘Kamaiya’<sup>12</sup> and ‘Haliya’<sup>13</sup> from debt bondage more than a decade ago. There were efforts to resettle and rehabilitate these populations. However, carrying out these plans and policies failed. The ‘freed’ ‘Kamaiya’ and ‘Haliya’ either returned to their lenders, trading their labour for livelihood, or migrated abroad with loans from other lenders.

#### *India*

NDWM reports that, in spite of the existing Bonded Labour System (abolition) Act 1976, the government’s ineffectiveness in implementing the Act, along with the rooted practice of corruption from bottom to top in the government, have not protected and assisted the people. The Interstate ‘Migrant Workmen (Regulation of employment & condition of service) Act 1979’ came into force in 1980, and it applies to every establishment and contractor who employs 5 or more inter-state migrants. The young women who are in debt bondage in the domestic work field are not covered in this act. Employers do not employ more than 5 inter-state domestic workers.

---

<sup>12</sup> Kamaiya is a traditional system of bonded labour in the western plains of Nepal affecting mostly the indigenous Tharu community.  
[http://www.antislavery.org/english/slavery\\_today/bonded\\_labour/bonded\\_labour\\_in\\_nepal/default.aspx](http://www.antislavery.org/english/slavery_today/bonded_labour/bonded_labour_in_nepal/default.aspx)

<sup>13</sup> The haliya or “tiller” system is an agricultural bonded labour practice in the Western hills of Nepal. According to the ILO, the system affects an estimated 20,000 people in far western Nepal.  
[http://www.antislavery.org/english/slavery\\_today/bonded\\_labour/bonded\\_labour\\_in\\_nepal/default.aspx](http://www.antislavery.org/english/slavery_today/bonded_labour/bonded_labour_in_nepal/default.aspx)

## *Bangladesh*

The Government of Bangladesh has clear anti-trafficking law, “The Human Trafficking Deterrence and Suppression Act, 2012” which prohibits and punishes all forms of human trafficking. However; the Act does not strongly forbid deceitful recruitment of labour migrants.<sup>14</sup> The Task Force on Rescue, Recovery, Repatriation and integration (RRRI) of victims of Human Trafficking introduced Standard Operating Procedures (SOPs). The RRRI Taskforce supports abused and exploited Bangladeshis who are out of the country, including those in India and the Gulf. In 2013, Bangladeshi government in partnership with the ILO revised the Overseas Employment Policy of 2006 that, seeks among others, to improve the terms and conditions of employment in destination countries.<sup>15</sup>

## *Cambodia*

LSCW reports that the Cambodian government has policies prohibiting debt bondage such as the labour law and a plan of action towards eradication of child labour, in which debt bondage has been found as one of the worst forms of child labour in Cambodia. However, due to limited resources of the government, minimal interventions have been made. Cambodian fishers who were assisted from Thai fishing vessels and domestic workers who were assisted from Malaysia returned to the same industry due to the government’s inability or lack of capacity to eradicate such practices.

## *Philippines and Indonesia*

MFA members in the Philippines report that there are policies and a legal framework prohibiting debt bondage in the country. However, the problem lies with the effectiveness of the implementation. For Indonesia, the implementation and lack of control mechanisms render the policies ineffective.

What particular methods or strategies have you/has your organisation used to combat or reduce debt bondage or to assist people in debt bondage and with what effects? What lessons have you learned about methods that you consider to be effective?

The following responses were collected from MFA members and partners in Nepal, Bangladesh, India, Cambodia, Indonesia, Thailand, and the Philippines.

## *Nepal*

Migrant Centre Nepal reports that they have been successful in providing information and creating awareness on financial management in relation to labour migration. Migrant Center formed a network of returnees and migrants’ families at the village and district level to reach out

---

<sup>14</sup> [http://www.unafei.or.jp/english/pdf/RS\\_No89/No89\\_PA\\_Chowdhury.pdf](http://www.unafei.or.jp/english/pdf/RS_No89/No89_PA_Chowdhury.pdf)

<sup>15</sup> <http://www.globallaveryindex.org/country/bangladesh/>

to households and make people aware of the various issues concerning migration with a focus on financial planning and reintegration upon return to the country.

### *Bangladesh*

In Bangladesh, MFA members state that awareness about labour migration-related issues is a particular method they use to help combat debt bondage in the migration process. Returnee women organization, BOMSA holds pre-decision training for women on the realities of migration, including bonded labour. Such meetings and trainings are executed at the community level. WARBE DF also holds grassroots level information sessions on debt bondage and provides counselling. In addition, the organization advocates for bilateral agreements with destination countries to provide better protections for migrant workers.

### *India*

NDWM states that they have several programmes to reduce debt bondage or to assist people who are in debt bondage. Among these initiatives are awareness programmes on trafficking and debt bondage, including sessions held in villages. These sessions highlight the impact of debt bondage, provide legal and livelihood support for migrants' families and victims of debt bondage, encourage skills training for young girls towards self-employment, raise awareness on abuse and exploitation of children in cheap labour in Kerala, and form women's groups to educate the general population on the issues of debt bondage. Programmes and continued awareness at the grassroots level and targeting those who are at high risk helps fight debt bondage. Parents of children in debt bondage who once refused to speak about it now listen and engage with the organization.

Our member in India who produces the television program, Pravasalokam, indicates that television stories of migrant workers in distress educate migrant workers about their rights. This television program became a tool for migrant workers and their families to be more vigilant about unethical recruitment practices as well as laws and policies in destination countries.

### *Cambodia*

Although LSCW provides free legal advice to victims of debt bondage, particularly migrant domestic workers and fishers, as well as advocacy and interventions, they report that ratification of ILO Convention 189 on Decent Work for Domestic Workers will contribute significantly to the reduction, if not to the eradication, of debt bondage—particularly for children being put into bonded labour by their parents. The convention recognizes domestic work as work.

### *Indonesia*

SBMI reports that having a control mechanism with regards to the signing of placement agreements between employees and recruitment agencies is a good strategy. This would mean that all parties involved would be more responsible with a binding contract.

## *Thailand*

The Anti-Labour Trafficking project of HRDF, intends to do research and information gathering on court verdicts concerning debt bondage particularly according to international law. The information collected will be used in looking at debt bondage cases in Thailand aiming to define debt bondage in the context of the country to ensure compliance with international law. The link between debt bondage, forced labour, and the law to suppress and prevent trafficking in persons has to be clearly established.

## *Philippines*

MFA members in the Philippines report that awareness raising, education, and capacity building, not just for prospective migrants but also for local government officials and civil society organizations would combat debt bondage. It is equally important that the government address the lack of decent work in the country, which is a key factor in the decision of many Filipinos to leave the country to work overseas. MFA members indicate that even if the policies are good, they only go halfway if the main problem is not addressed.

Our member also shared that it is important to help the migrants understand and be informed of the existence of policies and concepts such as debt bondage, forced labour, human rights, etc., empowering them in the process.

## Question 5

Based on your knowledge and experience, are bonded labourers ensured access to justice and the right to an effective remedy, including the right to a full and effective reparation? <sup>16</sup> Please provide concrete examples from your country/the countries that you are working on/globally.

The following responses were collected from the MFA members and partners in Bangladesh, India, Cambodia, Indonesia, and the Philippines.

## *Bangladesh*

Based on experiences of our members in Bangladesh, access to justice for victims of debt bondage is not ensured, nor is the right to an effective remedy.

## *India*

Our members in India said that many labourers who were trafficked and trapped in bonded labour approached the judiciary and the police for justice, but they rarely get favourable results. Ensuring access to justice for bonded labourers presents a lot of complexities.

NDWM shared the case of 16-year-old Rani from Earaiur of Elavanasurkottai taluk in Villupram District. Her father is physically challenged and she has two younger brothers. Her mother is an

---

<sup>16</sup> For victims of gross violations of international human rights law, such as slavery and slavery-like practices, full and effective reparation may take the following forms: restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition.<sup>16</sup>

agricultural labourer. The family is in debt and they were unable to pay the interest. Her mother approached the local agent of the village to look for domestic work for her daughter. The family borrowed Rs. 20,000 from the agent, and it was agreed that the family would pay Rs. 4,000—one month of Rani's salary—to the agent as commission. The family has to pay the agent a total of Rs. 24,000 from her work, which means that her 6 months' salary will go to the agent. With this understanding, Rani was taken to Pondicherry as a domestic worker.

It was Rani's first time to leave the village to the city and everything was new to her, but she was able to learn how the work is done. Although her parents do not know the address of her employer, once in a while the family was allowed to speak with her by phone. Six months passed and the family was hoping to finally get Rani's salary as agreed. The local agent arrived at the family's house one evening. However, to their dismay, the agent said that their daughter committed suicide. The agent told the family that Rani placed more clothes in the washing machine and was reprimanded by her employer. Rani could not bear the scolding and consumed a pesticide used for plants, causing her death.

The agent took Rani's mother to Pondicherry. Before the village came to know of the incident, NDWM staff members were in the village along with local media to highlight the issue and to get justice for the girl. Rani's father was asking for support from NDWM to seek justice for her daughter, as he was suspicious of her death. All were waiting for the body to reach the village.

Some leaders of the political party from Pondicherry and some other local leaders from the village converged in the police station. Her mother was asked to sign a paper and she was told that her daughter committed suicide and that the employer paid Rs.1,50,000, of which the family was paid Rs.75,000. After that, the body was brought to the village. NDWM could not file a case, as the family said the daughter committed suicide.

### *Thailand*

HRDF reports that though debt bondage is well defined in international law, Thailand's domestic laws, either the labour protection law or the law to suppress and prevent trafficking in persons are not clearly defined. This results to victims of debt bondage having no strong legal basis for protection and reparation.

### *Cambodia*

LSCW reports that based on the organization's knowledge, no punishment has been made against perpetrators of debt bondage/bonded labour within Cambodia or for overseas cases. The state and the public recognize the issue but are not keen to take concrete action/s.

### *Indonesia*

For MFA's member in Indonesia, and based on her experience as a victim of debt bondage, access to justice and the right to an effective remedy, including the right to full and effective reparation, is not ensured. Many migrant workers who fall into debt bondage do not know about this crime and the rights they have as victims. They do not know that the situation they are

trapped in is called ‘debt bondage’. For our member, the first time she knew about debt bondage was when she became a victim and fought for justice for her own case.

### *Philippines*

MFA members in the Philippines report that legal remedies are available, but the victims of debt bondage will take these as last alternative, since their main concern is to be able to keep their jobs to pay their debts. Though the workers can file complaints, they must also face the added burden of paying a lawyer, as well as their remaining debts and other expenses in the course of seeking legal remedy, like food, lodging, and transportation for those coming from rural areas. These factors complicate access to justice.

### Question 6

Does debt bondage in your country/the countries that you are working on/globally also occur in business’ supply chains?<sup>17</sup>

Our members and partners in Nepal, Bangladesh, India, Cambodia, Indonesia and the Philippines agreed that debt bondage happens in business supply chains.

If so, please provide concrete examples and details, including on how debt bondage in domestic and/or international business’ supply chains is being addressed by the authorities.

MFA members in Bangladesh said that recruitment agencies in the country, as well the in the destination countries, greatly profit at the expense of the migrant workers and have no genuine concern for their well-being. For our members, lobbying with the Ministry of Expatriates’ Welfare and Overseas Employment resulted in some of the migrant workers being rescued from debt bondage and repatriated.

MFA’s member in Cambodia reports that the Private Recruitment Agency in Cambodia signs a loan contract with migrant workers requiring the migrant worker to go and work abroad. The agency has to deduct the loan from the migrant workers’ pay.

MFA’s member in India reports that migrant labourers who go to work overseas through a local agent have another agent in the country of destination. With the vast network of agents unregulated, the labourer can easily fall prey to bonded labour, with agents overcharging the labourer.

MFA’s member in Indonesia reports that debt bondage is caused by the agencies promising easy work and high salaries to prospective migrant workers. When the workers agree, the agencies claim various fees for administrative costs, manufacturing expenses (passport, visa, seaman book, etc.), placement fees, as well as accommodations.

---

<sup>17</sup> See the 2015 report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences to the Human Rights Council (A/HRC/30/35)

MFA's partner in Oman indicates that there are many reports of workers being paid low salaries and being kept as bonded labour at a local supermarket.

Kanlungan Centre Foundation, Inc. in the Philippines report that debt bondage occurs in business supply chains, citing the example of Labour Only Contracting (LOC)<sup>18</sup> which merely recruits, supplies or places workers to perform a job, work or service for a principal. The structure of recruitment agencies is labour only contracting as it is contracting out of work with a "cabo"<sup>19</sup> system. Recruitment agencies earn through processing and placement fees, with only labourers to offer. Unethical recruitment practices and non-compliance with placement fee limits imposed by government results in migrants with huge debts before leaving the Philippines.

### Question 7

What are in your view the necessary components of a comprehensive human rights-based approach to tackling debt bondage and its root causes?

The following responses were collected from MFA members and partners in Nepal, Bangladesh, India, Cambodia, Indonesia, Philippines, Bahrain, Kuwait, and Oman.

MFA's members and partners in Nepal, Bangladesh, India, Cambodia, Indonesia, Philippines, Bahrain, Oman, and Kuwait agree that a comprehensive human-rights approach is necessary in tackling debt bondage and its causes.

MFA members in Bangladesh report that the government needs to play an important role in addressing the issue, particularly its root causes. Debt bondage issues should be mitigated. The government also needs to take initiatives to protect migrant workers in the destination countries, particularly in countries with the Kafala system, which make migrants susceptible to debt bondage.

MFA's member in Cambodia reports that the inclusion and meaningful participation of those who are affected by debt bondage is necessary in addressing debt bondage in human rights based approach.

Our members in Indonesia said that the government should abolish placement fees, as it is the main cause of debt bondage for many migrants. Also, our members said that people should have the freedom to pursue decent work and wages without being indebted.

One of our members in the Philippines said that although a human rights-based approach is important, the problem is the human rights-approach it does not reach to the grassroots. There is

---

<sup>18</sup> labor-only contracting shall refer to an arrangement where the contractor or subcontractor merely recruits, supplies or places workers to perform a job, work or service for a principal [http://www.ble.dole.gov.ph/issuances/do\\_18-02\\_s02.pdf](http://www.ble.dole.gov.ph/issuances/do_18-02_s02.pdf)

<sup>19</sup> defined in Section 1 (ii), Rule I, Book V of these Rules. "Cabo" refers to a person or group of persons or to a labor group which, in the guise of a labor organization, supplies workers to an employer, with or without any monetary or other consideration whether in the capacity of an agent of the employer or as an ostensible independent contractor; [http://www.ble.dole.gov.ph/issuances/do\\_18-02\\_s02.pdf](http://www.ble.dole.gov.ph/issuances/do_18-02_s02.pdf)

a lot talk about people-centered development, but how to transform such an approach in reality is done by a few.

Please provide good practice examples of debt bondage eradication, including those designed with meaningful participation of those affected, in terms of prevention, rehabilitation and reintegration.

The following responses were collected from MFA members and partners in Bangladesh, India, Indonesia, and the Philippines.

WARBE DF, our member in Bangladesh, shared that the organization has a Community Based Organization (CBO) for returnee migrants and members of their families where they learn how to manage their remittances and savings. WARBE DF said that to help in eradicating debt bondage, there is a need for a strong international network for stronger advocacy.

Our member in India said that migrants need awareness on the impact of debt bondage in mandatory pre-departure orientation for migrants and information on livelihood alternatives. There should be educational facilities for women and children and more education for local leaders. Access to social security would also contribute to the eradication and/or reduction of debt bondage.

Our member in Indonesia said that in terms of prevention, embracing and understanding victims of debt bondage and encouraging them to share their experiences to prevent other people from becoming victimized is important.

Our members in the Philippines said that good practices would include mobilizing and empowering the migrants and making them part of the process. That they are not vulnerable, but have the ability to tackle their issues. Migrants' engagement with the government is necessary as well. Organizations' encouragement and support for migrant workers in distress is equally important, particularly in accessing justice.

#### Question 8

What are in your view the main challenges in eradicating debt bondage? How could they be overcome?

The following responses were collected from the MFA members and partners in Nepal, Bangladesh, India, Cambodia, Indonesia, Thailand and the Philippines.

For our member in Nepal, the main challenge in eradicating debt bondage lies in abusive recruitment practice. Migrant workers are exploited by the recruitment agents and agencies who also act as the primary loan sharks in most cases. Our member shared that the government of Nepal has a welfare fund that is not utilized at the moment. The fund can be utilized with a more tolerant approach to migrants taking loans for placement fees. Microfinance institutions often provide loans with complex procedures with affordable and fair interest rates, or easy loans with

very high interest rates. These banking practices should be penalized by the government's assessment and monitoring mechanism

Our members in Bangladesh report that a lack of political will is the main challenge to eradicating debt bondage. The members called for government, NGO, and private sector partnerships to tackle debt bondage and its causes and the country. Also, the international community should address the problem of debt bondage with urgency.

The member organization in India said that it is necessary to educate local leaders and even the government on the severity of bonded labour, particularly, its impact on poor families. It is also important that existing laws that are meant to protect people from debt bondage be effectively implemented and bonded labour in destination countries should be abolished.

For our member in Indonesia, the main challenge is trying to encourage the government to improve and/or review its policy on migrant workers, especially the Placement Financing Regulation for migrant workers.

Our member in Cambodia reports that poverty is the main challenge for the eradication of debt bondage, followed by lack of competence on the part of law enforcement, and corruption. Measures to address the issue of poverty can include productive consultation with affected groups as well as building capacity training for law enforcement. Balancing human and financial resources is necessary in overcoming debt bondage. Adoption of specific laws to punish perpetrators of debt bondage and preventive measures and education of the public about debt bondage to change their perspectives would contribute to combating bonded labour.

Our member in Thailand reports that ensuring access to protection for victims of debt bondage under the labour protection law and other laws using international standards and lack of or non-mitigation and prosecution of employers and trafficking syndicates with trafficking charges and concerning right to freedom are the main challenges in the country in combating debt bondage.

Our member in the Philippines said that the lack of information or awareness of the existence of debt bondage hinders eradication. Few migrants are knowledgeable or have the inclination to fully understand the concept of debt bondage. Many know about 'debt,' but few know about debt bondage. Trying to eradicate something that is not known is a challenge. In addition, as long as the government and numerous business institutions are profiting from trafficking and debt bondage, the problem will persist.

## Question 9

What role, if any, could the 2030 Agenda for Sustainable Development and the Sustainable Development Goals in your view play in eradicating debt bondage?<sup>20</sup>

---

<sup>20</sup> A set of Sustainable Development Goals was adopted by the United Nations General Assembly in September 2015. Goal 8 requires the international community to "Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all" and Target 8.7 states that the international community will "Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms".

The following responses were collected from the MFA members and partners in Nepal, Bangladesh, India, Cambodia, Indonesia, and the Philippines.

### *Nepal*

Mirant Centre Nepal reports that with the inclusion of migrants and migrant workers in the SDGs and with decent work as one of its goals, the promotion of fair and ethical recruitment practices coupled with government policies on zero recruitment fees can contribute to solving the problem on debt bondage.

### *Bangladesh*

MFA's members in Bangladesh assert that the SDGs will only be effective with collaboration with civil society and good governance. With the 2030 Development Agenda, indicators on eradicating debt bondage and its causes both globally and nationally should be specified.

### *Cambodia, Indonesia, India*

Our members in Cambodia, Indonesia, and India report that the fulfillment of the SDGs, particularly those goals on poverty, decent work, and inequality, would critically reduce if not eradicate debt bondage. Debt bondage is associated with poverty, lack of employment, and inequality.

### *Philippines*

Kanlungan shared skepticism on the 2030 Development Agenda. Kanlungan states: "The SDG is a technical paper written by technical and business people that doesn't reflect the true sentiment of the majority. They are general statements – just an aspiration and as long as the root causes of poverty are not addressed which includes inequality, class base, privatization, the SDGs will fail just like the MDGs".

### Question 10

Please provide information on any recent research/studies undertaken on debt bondage either by your organisation, if applicable, or by some other entity, whether the research focused on patterns of debt bondage and exploitation or rather on the effectiveness and impact of measures to reduce debt bondage. Please attach a copy/copies or a link to the webpage where it can be accessed.

Due to lack of resources and other priority thematic issues, some organizations have not undertaken specific studies/research on the issue of debt bondage. The members shared articles and several reports and write-ups related to the issue which can be found on their website.

## **NDWM, India**

- <http://www.thehindu.com/news/national/tamil-nadu/bonded-labour-persists-in-tamil-nadu/article7172882.ece>
- <http://www.newindianexpress.com/cities/chennai/Caste-curses-Dalit-tribal-children-to-life-of-slavery-beyond-borders/2013/06/17/article1638429.ece>
- [https://www.google.co.in/?gws\\_rd=ssl#q=study+on+bonded+labour+in+villupuram+district](https://www.google.co.in/?gws_rd=ssl#q=study+on+bonded+labour+in+villupuram+district)

*Note:* As of now, there are no studies available on young women in debt bondage in Kerala from Villupuram district

## **SBMI, Indonesia**

- <http://sbmi.or.id/menolak-biaya-mahal-penempatan-buruh-migran/>
- <http://sbmi.or.id/agus-gia-ada-peran-strategis-organisasi-buruh-migran/>
- <http://sbmi.or.id/kemnaker-akan-merevisi-struktur-biaya-penempatan-tki/>
- <https://t.co/TGaDJdYiyD>
- <https://sbmi.or.id/>

## **Kanlungan Centre Foundation Inc.**

- [www.kanlungan.org](http://www.kanlungan.org)
- <http://kanlungancentre.blogspot.com/>

## **Center for Migrant Advocacy**

License to Exploit, A report on the Recruitment Practices and Problems Experienced by Filipino Domestic Workers in Hong Kong

- [http://www.idwfed.org/en/resources/license-to-exploit-a-report-on-recruitment-practices-and-problems-experienced-by-filipino-migrant-domestic-workers-in-hong-kong/@@display-file/attachment\\_1](http://www.idwfed.org/en/resources/license-to-exploit-a-report-on-recruitment-practices-and-problems-experienced-by-filipino-migrant-domestic-workers-in-hong-kong/@@display-file/attachment_1)

Kav LaOved's (Worker's Hotline) Shadow Report on the Situation of Female Migrant Workers in Israel

- [http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/KavLaOved\\_Israel48.pdf](http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/KavLaOved_Israel48.pdf)

## **Human Rightst and Development Foundation**

A repor to assess the situation of the suppression and prevention of trafficking in persons in Thailand for 2014 and 2015 by Anti-Labour Trafficking project. Part of the report can be downloaded from:

- <http://hrdfoundation.org/?p=1476>

Article on Labour in Fisheries and Modern Slavery (English version please see in Page 32)

- <http://hrdfoundation.org/?p=987&lang=en>