

Local

# Despite laws, Kuwait domestic helpers still vulnerable to abuse

Some workers unaware of rights, others too afraid to confront sponsors

By Saoud Al-Marzouq

**KUWAIT:** Throughout the last 40 years, there have been many instances of domestic workers having their basic human rights violated in Kuwait. Few laws have been written and enforced by the Kuwaiti government throughout this period to protect the rights of domestic workers in Kuwait, as they do not fall under the protection of the regular Kuwaiti labor law, and despite the passing of the domestic worker law in 2016.

If both the Kuwaiti sponsor and the domestic worker are unaware of the basic rights and responsibilities they are afforded under the domestic worker law, then those laws are but ink on paper. Kuwait Times spoke with multiple

break under article 22, as she is afraid of challenging her sponsor verbally or in court.

**Dream becomes nightmare**

Domestic workers imagined that having the privilege to work in Kuwait would be heaven, until Suzie found herself sleeping in a tiny room with nine other housemaids. This is in direct conflict with article 9 of the domestic worker law, which states that adequate housing must be provided for domestic workers.

The conditions in which Suzie and many other domestic workers live, in many cases, are dire and appalling. Some are forced to work long hours, sometimes under the direct sun, and are given inadequate compensation for doing so. Being given insufficient food, privacy and housing is not uncommon. In some instances, their living conditions are comparable to the living conditions of working-class New Yorkers documented by journalist and photographer Jacob Riis in the 1920s. The notorious photographs that Riis took sparked the rise of the labor movement in the United States in the decades to come.

Domestic workers are not the only ones who are not aware of their rights, but citizens too. Farhan Al-Shemiri confirmed to Kuwait Times that he has no clue about the basic rights that domestic workers have, including paragraph 3 of the domestic worker law's article 22 which guarantees domestic workers the right to a weekly day off. "Have they made this law?" he wondered.

Shemiri agreed that domestic workers should get some of their rights, but stressed that the sponsor has the right to keep the maid's passport. "I don't think domestic workers must keep their passports with them," he insisted, even though article 12 states otherwise. "Domestic workers will run away if they have their passport in their possession," he added.

Abu Abdullah however disagrees with Shemiri. "Honestly, the concept of keeping the domestic worker's passport with the sponsor will change nothing, because at the end of the day, their passport being in their possession or not isn't the decider for whether or not they will run away. That the passport is in my hands will not necessarily tie them to me. If they want to run away, they will," he argued.

The sources said the circulars targeted assistant undersecretaries, department directors and heads of divisions of various sectors, as tens of security officials are expected to leave and be replaced by new officials in the next few months, adding the new appointment chart is almost ready with the minister and undersecretary.

Sources said the government will issue a decision after the formation of the new Cabinet to give financial incentives to senior leaders who reached 60 years of age with the rank of major general, brigadier and colonel at the interior ministry, defense ministry, national guard and fire force.

It is known that military leaders can remain in their posts until the age of 65 and will not be sent into retirement against their wish before that age. Sources said that widespread reshuffles will take place and will include undersecretaries and directors to coincide with the new plan and changes to expats' residency permits and fees.



**Workers' rights**

Stripping domestic workers of their rights is also unacceptable to Abu Fahad, who vehemently disagrees with not protecting them by Kuwaiti labor laws, affirming that maids are also workers at the end of the day and have to get their rights. "The offices - both in Kuwait and abroad - that recruit domestic workers, are responsible for educating them as soon as they arrive at the airport. Yet, despite the offices' knowledge of widespread abuse, they look the other way because they want to profit," he said, blaming recruitment offices for an irresponsible lack of care.

On the other hand, recruitment offices say labor employment offices abroad are the ones that are responsible for informing domestic workers about their basic human rights and safeguarding the livelihoods of their workers. One of the offices said recruitment offices in Kuwait inform new maids of the conditions written in their contract -

no more and no less, pointing out that their rights are supposed to be explained by the office recruiting them in their home country. "The office abroad should inform them about their salary, bonus and the likes."

Another recruitment office told Kuwait Times that they are aware that domestic workers are not familiar with their rights under Kuwaiti law because many offices do not feel the obligation to inform them about their rights and how to adequately protect themselves against sponsors who do not respect them.

Abdulrahman Al-Ghanim, General Secretary of the Kuwait Trade Union Federation, helped pass the domestic worker law in 2016. In an interview with Migrant-Rights, he said: "We hope it will be a good first step to start regulating and centralizing recruitment and other issues of expat workers." The next step lies in making these laws a reality for domestic workers in Kuwait.



**Sponsors keep passports to 'prevent escape'**

Kuwaiti sponsors, domestic workers and recruitment offices to learn more about people's awareness of their basic rights and responsibilities.

The regular hours of work for domestic workers shall not exceed a total of 12 hours per day, but this is not the case for Maria, who told Kuwait Times she works unstopably. "I am working unpaid overtime. I do not know that there is a law that defines working hours and paid overtime," she said sadly, unaware of her rights under article 28 of the domestic worker law.

As for Perlah, the struggle is in keeping her passport, although article 12 specifically mentions that she has the right to keep her passport in her possession. "My passport is with my sponsor. I'm afraid to request to get it back, as it will spark anger and suspicion that I will run away," she said. Gloria only gets one day off a month to rest, despite being aware of her legal right to a weekly

## Interior Minister seeks to retire long-serving officials

**KUWAIT:** The interior ministry's plans to launch strict campaigns to ensure security and arrest residency violators and intensify field action around the clock, in addition to not resorting to granting grace periods for violators to leave the country, made Interior Minister Sheikh Ahmad Al-Nawaf Al-Sabah to ask new security leaders to replace many of the old ones, according to senior sources. The ministry sent direct circulars to leaders who reached 60 years of age to ask for their retirement and leave their posts, because they will not remain in their posts after October, sources told Kuwait Times.



## Ministry Inspectors confiscate counterfeit automobile parts

**KUWAIT:** Commerce and Industry Ministry inspectors confiscated thousands of counterfeit automobile oil filters for several types of vehicles. Violators had kept the filters in a Sulabiya farm, a camels' resting area and in transport vehicles to keep them away from inspectors, the ministry said in a press statement. Inspectors are accounting for the distributed filters in order to pull them out of oil changing shops, it added.

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