

AMNESTY INTERNATIONAL PUBLIC STATEMENT

Index: ASA 21/017/2014
15 June 2014

Indonesia: House of Representatives must expedite passage of domestic workers protection bill

As people across the world mark International Domestic Workers Day on 16 June, millions of domestic workers in Indonesia remain vulnerable to economic exploitation and abuse because of the failure of the Indonesian House of Representatives to pass the Domestic Worker Protection Bill for nearly a decade.

Amnesty International has long held concerns about domestic workers in Indonesia, the vast majority of them women and girls, as they are not legally protected as workers under Indonesian law. Existing domestic legislation – in particular the 2003 Manpower Act (Law No. 13/2003) – discriminates against domestic workers because it does not afford them the same protection as other workers.

Without adequate legal protection, domestic workers are often exploited economically and denied their rights to fair conditions of work, health, education, an adequate standard of living and freedom of movement. As a result many domestic workers live and work in abusive conditions without due protection, and many of them are at risk of physical, psychological and sexual violence.

A Domestic Workers Protection Bill has been on the legislative agenda since 2004 but has faced ongoing delays because of the lack of political will by parliamentarians to ensure its passage. Further, Amnesty International is concerned about provisions in the draft legislation which do not comply with international law and standards.

The failure to pass the bill has been raised consistently by UN treaty bodies after reviewing Indonesia's human rights record. These include the Committee on the Elimination of Discrimination against Women in 2012 and more recently by the UN Committee on Economic, Social and Cultural Rights (CESCR) in May 2014.

Amnesty International urges the House of Representatives to debate and pass the domestic workers law as a matter of urgency, in accordance with international law and standards, before its term expires in September 2014.

The organization is also concerned about the delay in Indonesia ratifying the International Labour Organization (ILO) Domestic Workers Convention (No. 189), a landmark treaty setting international standards for the protection of domestic workers' rights. The Convention was adopted on 16 June 2011 and came into force in September 2013. Three years ago, President Susilo Bambang Yudhoyono spoke at its adoption at the International Labour Conference in Geneva, making public commitments to support it in and urging other delegates at the conference to do so. The Minister of Manpower and Transmigration has also committed to its ratification sometime this year.

Amnesty International calls on President Yudhoyono to stand by his commitments to ensure the ILO Domestic Workers Convention is ratified before he leaves office later this year.

The organization believes these measures would send a strong message to domestic workers in the country that the Indonesian government is committed to the protection of their rights. It would also further strengthen the efforts of the Indonesian government in ensuring the legal protection of Indonesian domestic workers overseas.