

# EXPLOITED FOR PROFIT, FAILED BY GOVERNMENTS

INDONESIAN MIGRANT  
DOMESTIC WORKERS  
TRAFFICKED TO HONG KONG

EXECUTIVE SUMMARY

**AMNESTY**  
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*This Executive Summary is based on Amnesty International, “Exploited for profit, failed by governments: Indonesian migrant domestic workers trafficked to Hong Kong” ( Index: ASA 17/029/2013), November 2013, to which reference should be made for a more detailed discussion.*

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# EXECUTIVE SUMMARY AND KEY RECOMMENDATIONS

“The wife physically abused me on a regular basis. She forcibly cut my hair with the pretext that my hair had fallen in their food but that was absurd because I didn’t cook for them. Once she ordered her two dogs to bite me. I had about ten bites on my body, which broke the skin and bled. She recorded it on her mobile phone, which she constantly played back laughing. When one of the dogs vomited, she forced my face down to the vomit ordering me to eat it, but I refused. When I asked her why she kept abusing me in this way, she told me that it was because she was bored so this is how she passed the time.”

NS, a 26-year-old woman from Jakarta<sup>1</sup>

## 1. OVERVIEW

Out of 319,325 migrant domestic workers in the Hong Kong Special Administrative Region (Hong Kong SAR), about half are Indonesian and nearly all are women.<sup>2</sup> Indonesians must migrate via recruitment agencies that are registered with their Government.

This report is a detailed examination of the experiences of Indonesian migrant domestic workers, from their recruitment in Indonesia to their employment in Hong Kong, and documents a series of human and labour rights violations that these workers are subjected to in both territories.

The findings are based on 97 in-depth interviews conducted in Indonesia and Hong Kong (from May 2012 to March 2013) with recent migrant domestic workers who had encountered problems during the migration process, as well as interviews with recruitment agencies and relevant government departments in both territories. Amnesty International’s findings were also compared with survey data collected by the Indonesian Migrant Workers Union (IMWU), between July and September 2011 from a random sample of 930 Indonesian migrant domestic workers.<sup>3</sup>

### **Amnesty International found that:**

- Recruitment and placement agencies, in Indonesia and Hong Kong respectively, are

routinely involved in the trafficking of migrant domestic workers and their exploitation in conditions of forced labour, as they are using deception and coercion to recruit Indonesian migrants and to compel them to work in situations which violate their human and labour rights. The principal mechanisms of coercion which are applied in both Indonesia and Hong Kong are the confiscation of identity documents, restrictions on freedom of movement and the manipulation of debt incurred through recruitment fees.

- Employers in Hong Kong frequently subject migrant domestic workers to serious human rights violations in Hong Kong, including physical or verbal abuse; restricting their freedom of movement; prohibiting them from practising their faith; not paying them the minimum wage; not giving them adequate rest periods; and arbitrarily terminating their contracts, often in collusion with placement agencies.
- Both the Indonesian and Hong Kong SAR governments have not complied with their international obligations to prevent and suppress trafficking and the use of forced labour. They have failed to properly monitor, investigate and sanction individuals and organisations which are violating domestic legislation in their respective territories. This relates to the recruitment agencies in Indonesia and to placement agencies and employers in Hong Kong. In addition, both governments have regulations in place which increase migrant domestic workers' risk of suffering human and labour rights violations. These include the obligation of migrants to migrate through government-registered recruitment agencies in Indonesia, and the imposition of the Two-Week Rule and live-in requirement in Hong Kong.

## 2. REPORT FINDINGS IN INDONESIA

Amnesty International found that recruitment agencies and brokers often deceive migrant domestic workers during the recruitment process. Prospective migrants are promised good jobs with lucrative salaries, but are not properly informed about the large fees they will incur during the recruitment process or the lengthy mandatory pre-departure training they will have to undertake. Many find on arrival in Hong Kong that their jobs and terms and conditions are not what they were promised.<sup>4</sup>

Brokers initially identify women in their local communities who might be interested in migrating as domestic workers. To begin the process, the women hand over their identification documents to the brokers, who liaise with recruitment agencies on their behalf.

When the prospective migrants arrive at the training centres, their personal documents (e.g. identity card, school diploma and family certificate) are normally handed directly to the recruitment agency by the broker. The recruitment agencies usually obtain additional documents from the women at this time, such as birth and marriage certificates, property titles or promissory notes from the family.

These documents are held by the agency as collateral for unpaid fees. If prospective migrants change their mind after a few days and want to pull out of the process, the recruitment agency will charge them a penalty or demand payment of the full recruitment fee, which in 2012 was set at IDR 14, 780,400 (US\$1,730). It would take a woman around 17 months to earn this if she was employed as a domestic worker in Jakarta. The women cannot retrieve

their personal documents unless they pay back this “debt” to the recruitment agency, which they will be unable to do without securing a job abroad.

The vast majority of those interviewed by Amnesty International had their personal documents retained by the recruitment agency.<sup>5</sup> IMWU’s survey also found that nearly two thirds (64 per cent) of the respondents had their documents retained by their recruitment agency prior to their departure for Hong Kong,<sup>6</sup> indicating that the confiscation of identity documents is likely to be a common practice.

In this way, recruitment agencies are able to coerce Indonesian women into accepting jobs with different terms and conditions of work to what they were originally promised and to sign documents without knowing what they are for, as was the case for 32 per cent of the migrant women who took part in the IMWU survey.<sup>7</sup>

Recruitment agencies also exploit prospective migrants in other ways. Amnesty International found that many of the women interviewed had to wash clothes, clean the living quarters and/or take care of the children of staff and/or the owner of the recruitment agency without payment while they were being trained.<sup>8</sup> Many interviewees also stated that they had to work as domestic workers for families outside the training centre as part of an “internship”, earning wages significantly below the market standard.<sup>9</sup> IMWU’s survey found that 43 per cent of respondents were employed on such low-paid “internships”.<sup>10</sup>

During the “internships” they were still charged the full training and accommodation fee even though they were not being trained, housed or fed by the agency while working as live-in domestic workers. Most women Amnesty International interviewed who had worked as “interns” felt that if they challenged their treatment, they would not get their application to work abroad approved and would subsequently be unable to pay their debts or support their families.

While in the training centres, the women interviewed had restrictions placed on their freedom of movement by recruitment agencies in order to ensure that they did not run away. Eighty one out of 88 respondents could not freely leave the training centre. In addition, the agencies frequently placed restrictions on the use of mobile phones and family visits which further isolated the women Amnesty International spoke to from support mechanisms and external advice.

Women from several different training centres reported that they were forced to have a contraception injection. Many women said they were forced to cut their hair short and were also frequently taunted, abused and threatened with the cancellation of their employment applications. More than a third of interviewees also told Amnesty International that they were not given enough to eat at the centres.<sup>11</sup>

Recruitment agencies also routinely fail to provide migrant workers with legally required documentation for their migration, including their contracts, mandatory insurance and foreign employment identity cards (*Kartu Tenaga Kerja Luar Negeri* or KTKLN). Amnesty International found that only 28 out of 75 respondents who responded to the question were issued a KTKLN card and only five out of 75 had a copy of their contract when they left for Hong Kong. Similarly, IMWU’s research found that 57 per cent had not received a KTKLN

card<sup>12</sup> and 77 per cent had not been given the mandatory insurance card.<sup>13</sup>

### 3. REPORT FINDINGS IN HONG KONG SAR

Once the migrant domestic workers arrive in Hong Kong, they continue to be at risk of abuse, as local placement agencies (contracted by the Indonesian recruitment agencies), and employers also confiscate their documents and restrict their freedom of movement. For example, Amnesty International documented that the vast majority of the women interviewed<sup>14</sup> had their documents taken by either their employer or the placement agency in Hong Kong and about a third of the respondents<sup>15</sup> were not allowed to leave the employer's house. IMWU's survey found that nearly three quarters of the women interviewed (74 per cent) had their documents confiscated by their employer or the placement agency.<sup>16</sup>

Migrant domestic workers are normally told that they will only get their documents back after their debts are fully repaid. The fees charged by recruitment agencies are generally higher than the maximum permitted under both Indonesian and Hong Kong law. Furthermore, if migrant domestic workers leave their job or have their contract terminated, they will normally have to pay a recruitment fee all over again.

Interviewees reported that contracts could be terminated if the worker complains about her treatment, is not considered to be a good worker or if the placement agency manipulates the situation in order to collect a new recruitment fee. IMWU documented that 17 per cent of the women it surveyed had their contracts terminated before the agency fee had been repaid.<sup>17</sup> The fear of having their contract terminated and either not being able to secure a new job or having to repay a recruitment fee a second time compels many Indonesian migrants to remain in abusive and exploitative jobs.

As a result of these abusive recruitment practices and poor government oversight of legal requirements for both recruiters and employers, Indonesian migrant domestic workers are at risk of serious human and labour rights violations in Hong Kong. For example, Amnesty International found that interviewees worked on average 17 hours a day; numerous respondents did not receive the Minimum Allowable Wage (the minimum wage for migrant domestic workers in Hong Kong);<sup>18</sup> were physically or verbally abused by their employer;<sup>19</sup> were prohibited from practising their faith;<sup>20</sup> and did not receive a weekly day off.<sup>21</sup>

Some regulations in Hong Kong exacerbate this problem. For example, migrant domestic workers are required, by law, to live with their employers as a condition for a work permit, preventing workers from moving out of their employer's house even when they are being exploited or are in danger of abuse. Amnesty International documented that many of the respondents did not have their own room,<sup>22</sup> which leaves workers without privacy, on call 24 hours a day and more vulnerable to sexual harassment or violence.

In addition, Hong Kong's Two-Week Rule stipulates that migrant domestic workers must find new employment and get an approved work visa within two weeks of their contract ending or being terminated, or they have to leave Hong Kong. This pressures workers to stay in an abusive situation because they know that if they leave their job they are likely to have to leave



the country, which for many would make it impossible to repay the recruitment fees or support their families.

This requirement in turn makes migrant domestic workers dependent on placement agencies to find them another job quickly. It also places them at risk of further exploitation, including having to accept excessive recruitment fees, a salary below the Minimum Allowable Wage, and/or poor living and working conditions just to be able to continue working in Hong Kong.

The Two-Week Rule also acts as a barrier to justice. If a migrant domestic worker leaves an abusive situation and is not reemployed within two weeks, she must leave Hong Kong, making it difficult, and costly, for her to file a case against an abusive employer. The only alternative is to apply for a visa extension, which does not allow her to work, at a cost of HK\$160 (US\$20) for 14 days. To take a case to the Labour Tribunal takes nearly two months.<sup>23</sup> During this time, the woman would have to renew her visa several times and pay for her own accommodation, food and other expenses without any income. The costs of doing so makes it impossible for the majority of migrant domestic workers to seek redress for human and labour rights violations. In this way, the Two-Week Rule provides a disincentive for the workers to denounce exploitative practices and seek justice through the legal channels.

#### 4. OBLIGATIONS OF THE INDONESIA AND HONG KONG SAR GOVERNMENTS

The Indonesian and Hong Kong governments have both ratified the United Nations International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination Against Women and ILO Convention No.29 on Forced Labour. Under these standards they have a particular obligation to suppress trafficking and the use of forced labour in all its forms and to ensure that those responsible face adequate penalties which are strictly enforced.

Neither government is fully complying with this duty. This is primarily a result of their failure to enforce appropriate domestic legislation in their own national territories. However, it should also be stressed that regulations exist in both countries that increase migrant domestic workers' vulnerability to abuse and the existing statutory frameworks do need to be further strengthened.

In the case of Indonesia, *Law No. 39/2004 concerning the Placement and Protection of Indonesian Overseas Workers* (Law No. 39/2004) sets out Government responsibilities for the regulation and supervision of the recruitment process and for investigating and punishing recruitment agencies which do not comply with the law.

The Government is not discharging these responsibilities adequately as numerous provisions of Law No. 39/2004 are routinely violated. For example, agencies are charging fees in excess of the limit set by the Government, are falsifying documents and are not providing migrants with contracts, insurance and KTKLN identity cards prior to departure.

Law No. 39/2004 also sets sanctions for infringements including prison sentences, fines and

the revocation of operating licenses for recruitment agencies. However, only 28 licences were revoked in 2011 despite evidence that violations of the provisions of Law No. 39/2004 are widespread.<sup>24</sup> This is reflected in the fact that respondents to the IMWU survey had been through 220 out of a total 558 recruitment agencies, with a third reporting that personal information had been falsified and more than half stating that they had not been given the mandatory KTKLN identity card.<sup>25</sup>

In 2007, Indonesia passed the Law on the Eradication of the Criminal Act of Trafficking in Persons.<sup>26</sup> Many of the cases documented by Amnesty International fall within the crime of Trafficking as defined in this law. The law also requires the government to launch prompt, comprehensive, and impartial investigations into alleged abuse. Furthermore, since 2007 several other agencies have documented practices by recruitment agencies which constitute trafficking in people under Indonesian law. These include the International Labour Organization (ILO), which recently concluded that Indonesian migrant domestic workers “are exposed to institutionalized trafficking and forced labour practices throughout the entire migration cycle”.<sup>27</sup>

Despite this, Amnesty International is not aware of any investigation or prosecution of recruitment agencies or brokers for the trafficking of Indonesian migrant domestic workers in Hong Kong.

The Hong Kong government maintains that “Hong Kong is one of the few places in the region that grants equal statutory labour rights and benefits to migrant workers. Migrant workers can also access the whole range of free services provided by the Labour Department and can seek redress through the legal system”<sup>28</sup> However, it has failed to properly monitor the activities of placement agencies within its territory and appropriately sanction those that are acting contrary to the law.

This is despite evidence that many placement agencies are routinely charging fees far in excess of the legally proscribed limit. Placement agencies often circumvent the law through collusion with employers and money lenders as well as manipulated contract termination.

Placement agencies and employers often pay salaries below the minimum wage set for domestic workers and do not give workers weekly rest days or statutory holidays. The IMWU survey alone identified 258 Indonesians who stated that they were underpaid (28 per cent of the respondents).<sup>29</sup> If this is representative of the general situation for all Indonesian migrant domestic workers in Hong Kong, then this would mean that more than 40,000 Indonesian women are not receiving the minimum salary that they are entitled to by law. Yet, in the two year period up to 31 May 2012, just 342 cases of underpayment were lodged out of a total population of more than 300,000 migrant domestic workers in Hong Kong.<sup>30</sup> Similarly in 2012, the Commissioner for Labour revoked only two placement agencies’ licences and one in the first four months of 2013.<sup>31</sup>

There is little doubt that regulations like the Two-Week Rule and the live-in requirement increase migrant domestic workers vulnerability to human and labour rights violations and limit their ability to access redress mechanisms in Hong Kong. This has been recognized by several United Nations human rights expert panels, including the UN Committee on Economic, Social and Cultural Rights (2005), the UN Committee on the Elimination of

Discrimination against Women (2006), the UN Committee for the Elimination of All Forms of Discrimination (2009) and the UN Human Rights Committee (2013). All of these bodies have specifically called on the Hong Kong Government to review or repeal the Two-Week Rule. The latter two also called for the repeal of the live-in requirement.

In addition, there is no comprehensive anti-trafficking law that prohibits all forms of trafficking in Hong Kong and there have been no prosecutions for trafficking for forced labour offences against Indonesian migrant domestic workers.<sup>32</sup>

It is the responsibility of the Indonesian and Hong Kong authorities to ensure that those who have suffered human and labour rights violations are able to access functioning redress mechanisms, and that those responsible face adequate punishments.

## 5. KEY RECOMMENDATIONS

The responsibility for protecting and promoting the rights of migrant domestic workers lies with both countries of origin and destination. Amnesty International's key recommendations to the governments of Indonesia and Hong Kong SAR in this regard are outlined below.

### **Amnesty International calls on the Government of Indonesia to:**

- Register and monitor brokers through the National Board for the Placement and Protection of Indonesian Overseas Workers (BNP2TKI);
- Ensure that recruitment agencies provide migrant domestic workers with a written contract in Indonesian and an itemised receipt for the recruitment fee charges which reflects the structure set out in Ministerial Decree No. 98/2012;
- Strengthen the monitoring of recruitment agencies, including through increased capacity for regular and unannounced inspections, and sanction recruitment agencies who violate Law No. 39/2004;
- Use the 2007 anti-trafficking regulations to prosecute recruitment agencies which are involved in the trafficking of migrant domestic workers and amend Law No. 39/2004 so that the use of deception as a means of trafficking faces adequate punishments rather than the administrative sanctions currently outlined in article 72 of the Law;
- Review and amend Law 39/2004 on the Placement and Protection of Migrant Workers to ensure it complies with international law and standards. The revision of the law should be conducted in full consultation with migrant workers and their representatives, trade unions, non-governmental organizations, women's groups and other key stakeholders.
- Pending the review and amendment of Law 39/2004 in line with international law and standards the Indonesian government should fully implement those provisions in Law 39/2004 which provide protection for migrant workers. In particular, implement the provisions which state that prospective Indonesian migrant workers can depart independently without the assistance of a recruitment agency (article 7) and that they can extend their work

agreement directly with an employer without going through a recruitment or placement agency (article 57).

- Incorporate the provisions of the UN Migrant Workers Convention into domestic law and implement it in policy and practice;
- Ratify and fully implement the ILO Domestic Workers Convention. In particular, take measures to ensure that fees charged by recruitment agencies are not deducted from the remuneration of domestic workers.

**Amnesty International calls on the Government of Hong Kong SAR to:**

- Thoroughly regulate and monitor placement agencies in its territory and sanction those which are operating in violation of Hong Kong's laws (e.g. in respect to illegal wage deductions and confiscation of contracts or identity documents), including the application of criminal sanctions when appropriate;
- Amend the Two-Week Rule to allow migrant domestic workers a reasonable period to find new employment, including incorporating the average time of 4-6 weeks it takes to issue a new visa;
- Amend current legislation which forces migrant domestic workers to live with their employers and excludes them from the Minimum Wage Ordinance;
- Waive the costs of visa extensions for migrant domestic workers who are seeking compensation for human and labour rights abuses, and ensure that they have effective access to appropriate support measures, such as shelters and interpretation, at all stages of redress, including the conciliation process at the Labour Department;
- Ensure that the prohibition of illegally exacted forced or compulsory labour is clearly defined in law with penalties that are adequate and strictly enforced, in accordance with obligations under article 25 of the ILO Forced Labour Convention;
- As a matter of priority, extend the UN Trafficking Protocol to Hong Kong SAR (ratified by the People's Republic of China in 2010), incorporate its provisions into Hong Kong law and implement them in policy and practice;
- Pursue with the Central Government in Beijing the ratification of the UN Migrant Workers Convention and ILO Domestic Workers Convention, incorporate their provisions into Hong Kong law and implement them in policy and practice.

# ENDNOTES

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<sup>1</sup> Amnesty International interview with NS in Hong Kong on 21 June 2012.

<sup>2</sup> Figures as of 30 September 2013 provided by the HKSAR Labour and Immigration Departments on 15 October 2013.

<sup>3</sup> ITUC, IMWU and HKCTU, *Final Report on Malpractices of Recruitment Agencies toward Indonesian Domestic Workers in Hong Kong* (unpublished, supplementary survey findings), in collaboration with the Institute for National and Democratic Studies (INDIES), 2013. Participants who answered a detailed questionnaire were approached in parks and other public places in Hong Kong where domestic workers meet on their rest day.

<sup>4</sup> The majority of Amnesty International's interviewees (53 out of 54 who were asked and responded to this question) were not properly informed about the recruitment fees they would have to pay. This is consistent with IMWU's survey results in which more than three quarters of the respondents stated they were not properly informed about either the cost or the length of the training, and 60 per cent said that their actual work was different from the terms and conditions they were promised. ITUC, IMWU and HKCTU, *Final Report on Malpractices of Recruitment Agencies toward Indonesian Domestic Workers in Hong Kong* (unpublished), in collaboration with the Institute for National and Democratic Studies (INDIES), June 2012, p46.

<sup>5</sup> 57 out of 57 who responded to this question stated that they handed over important documents that were not returned to them before they left for Hong Kong.

<sup>6</sup> ITUC, IMWU and HKCTU, *Final Report on Malpractices of Recruitment Agencies toward Indonesian Domestic Workers in Hong Kong* (unpublished), in collaboration with the Institute for National and Democratic Studies (INDIES), June 2012, p29.

<sup>7</sup> ITUC, IMWU and HKCTU, *Final Report on Malpractices of Recruitment Agencies toward Indonesian Domestic Workers in Hong Kong* (unpublished), in collaboration with the Institute for National and Democratic Studies (INDIES), June 2012, p25.

<sup>8</sup> Of those interviewed who responded to this question, 41 out of 79 interviewees had to wash clothes, clean the living quarters or take care of the children of the staff and/or the owner of the recruitment agency.

<sup>9</sup> Of those interviewed who responded to this question, 34 out of 62 interviewees said they worked as domestic workers for a family outside the training centre as part of an "internship".

<sup>10</sup> ITUC, IMWU and HKCTU, *Final Report on Malpractices of Recruitment Agencies toward Indonesian Domestic Workers in Hong Kong* (unpublished, supplementary survey findings), in collaboration with the Institute for National and Democratic Studies (INDIES), 2013.

<sup>11</sup> Of those interviewed who responded to this question, 35 out of 81 interviewees said they were not given enough to eat at the training centres.

<sup>12</sup> ITUC, IMWU and HKCTU, *Final Report on Malpractices of Recruitment Agencies toward Indonesian Domestic Workers in Hong Kong* (unpublished, supplementary survey findings), in collaboration with the Institute for National and Democratic Studies (INDIES), 2013.

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<sup>13</sup> ITUC, IMWU and HKCTU, *Final Report on Malpractices of Recruitment Agencies toward Indonesian Domestic Workers in Hong Kong* (unpublished, supplementary survey findings), in collaboration with the Institute for National and Democratic Studies (INDIES), 2013.

<sup>14</sup> Of those who were asked and responded to the question, 86 out of 93 stated that their employer or placement agency in Hong Kong kept their identity documents, such as their passport, KTKLN, Hong Kong ID card, and/or employment contract.

<sup>15</sup> Of those interviewed who responded to this question, 34 out of 91 stated that they were not free to leave their employer's home.

<sup>16</sup> ITUC, IMWU and HKCTU, *Final Report on Malpractices of Recruitment Agencies toward Indonesian Domestic Workers in Hong Kong* (unpublished), in collaboration with the Institute for National and Democratic Studies (INDIES), June 2012, p34.

<sup>17</sup> ITUC, IMWU and HKCTU, *Final Report on Malpractices of Recruitment Agencies toward Indonesian Domestic Workers in Hong Kong* (unpublished, supplementary survey findings), in collaboration with the Institute for National and Democratic Studies (INDIES), 2013.

<sup>18</sup> Of those who were asked and responded to the question, 33 out of 77 stated that they received a salary below the Minimum Allowable Wage.

<sup>19</sup> Of those who were asked and responded to the question, 63 out of 94 were physically or verbally abused by their employer.

<sup>20</sup> Of those who were asked and responded to the question, 62 out of 73 stated that they were not allowed to practice their religion.

<sup>21</sup> Of those who were asked and responded to the question, 51 out of 93 stated that they did not receive a weekly day off.

<sup>22</sup> Of those interviewed who responded to this question, 56 out of 94 said they did not have their own room.

<sup>23</sup> In 2012, the average waiting time for cases in the Labour Tribunal, from appointment to first hearing, was 50 days. See: [http://www.judiciary.gov.hk/en/publications/annu\\_rept\\_2012/eng/caseload06.html](http://www.judiciary.gov.hk/en/publications/annu_rept_2012/eng/caseload06.html), accessed 14 October 2013.

<sup>24</sup> US State Department, "Indonesia", *Trafficking in Persons Report 2012*, p188, available at: <http://www.state.gov/documents/organization/192595.pdf>, accessed 5 July 2013.

<sup>25</sup> ITUC, IMWU and HKCTU, *Final Report on Malpractices of Recruitment Agencies toward Indonesian Domestic Workers in Hong Kong* (unpublished, supplementary survey findings), in collaboration with the Institute for National and Democratic Studies (INDIES), 2013.

<sup>26</sup> This law defines trafficking as "Article 2 (1) Anyone who recruits, transports, harbors, sends, transfers, or receives a person through the threat of force, use of force, abduction, incarceration, fraud, deception, abuse of authority or position of vulnerability, debt bondage or the giving of payment or benefit despite the giving of consent by another individual having charge over the person, for the purpose of exploiting the person within the territory of the Republic of Indonesia" or "(2) If the act as described in paragraph (1) results in a person being Exploited". The crime also applies to bringing persons into Indonesia or into transit through Indonesia with such intentions (article 3) or taking an Indonesian citizen outside the territory with such intentions (article 4).

- <sup>27</sup> ILO, *Combating Forced Labour and Trafficking of Indonesian Migrant Workers*, available at: [http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-jakarta/documents/projectdocumentation/wcms\\_153145.pdf](http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-jakarta/documents/projectdocumentation/wcms_153145.pdf), accessed 5 March 2013.
- <sup>28</sup> HKSAR Constitutional and Mainland Affairs Bureau, "HKSAR Government welcomes constructive dialogue with UN Human Rights Committee", Press Release, 28 March 2013, available at: [http://www.cmab.gov.hk/en/press/press\\_3146.htm](http://www.cmab.gov.hk/en/press/press_3146.htm), accessed 6 October 2013.
- <sup>29</sup> ITUC, IMWU and HKCTU, *Final Report on Malpractices of Recruitment Agencies toward Indonesian Domestic Workers in Hong Kong* (unpublished, supplementary survey findings), in collaboration with the Institute for National and Democratic Studies (INDIES), 2013.
- <sup>30</sup> ILO Committee of Experts on the Application of Conventions and Standards, *Observation on Convention No.97 on Migration for Employment (Revised) for China – Hong Kong SAR*, 2013, available at: [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3084699](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3084699), accessed 5 July 2013.
- <sup>31</sup> HKSAR Legislative Council Panel on Manpower, "Intermediary Charges for Foreign Domestic Helpers", LC Paper No. CB(2)1356/12-13(03), 18 June 2013, para6, available at: <http://www.legco.gov.hk/yr12-13/english/panels/mp/papers/mp0618cb2-1356-3-e.pdf>, accessed 8 October 2013.
- <sup>32</sup> Amnesty International meeting with the HKSAR Labour and Immigration Departments in Hong Kong on 11 October 2013 and correspondence from the two Departments on 15 October 2013. See also US State Department, "Hong Kong", *Trafficking in Persons Report 2013*, p191, available at: <http://www.state.gov/documents/organization/210739.pdf>, accessed 26 September 2013.

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