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Indonesia: Parliament continues to fail domestic workers

Indonesian domestic workers, the vast majority of them women and girls, will remain vulnerable to exploitation and abuse unless the country's parliament enacts a Domestic Workers' Law, Amnesty International said today.

Currently, domestic workers do not benefit from many of the legal protections granted to other workers under Indonesian law.

"As Indonesians commemorate National Domestic Workers Day on 15 February, some 2.6 million domestic workers remain outside the law's protection," said Sam Zarifi, Amnesty International's Asia-Pacific Director. "Currently the 2003 Manpower Act, which safeguards workers' rights, discriminates against domestic workers. The Act does not provide the same protection it affords other workers, such as reasonable limitation on working hours and provisions for rest and holidays."

The failure to pass a bill to protect domestic workers in Indonesia, more than a year after it was prioritized by parliament, leaves domestic workers vulnerable to exploitation and abuse.

The result is that women and girl domestic workers live and work in abusive conditions which take place out of the public eye. They experience economic exploitation, and physical, psychological and sexual violence on a regular basis.

"The delay in extending legal protection to domestic workers seems at odds with steps the Indonesian government has taken to improve protection of Indonesian migrants, including domestic workers, outside the country. While we support these actions, there cannot be double standards when it comes to human rights protection," said Sam Zarifi.

The lack of adequate protection also has an impact on domestic workers' enjoyment of their sexual and reproductive rights. In a report entitled 'Left Without a Choice: Barriers to Reproductive Health in Indonesia' (<http://www.amnesty.org/en/library/info/ASA21/013/2010/en>) published late last year, Amnesty International found that domestic workers risk losing their jobs as a result of their pregnancy, without any form of compensation. They may also be forced to work in situations that are dangerous to themselves and their unborn children.

Ensuring the legal protection of women domestic workers would support the Indonesian government's efforts to enhance gender equality and maternal health, as part of its commitment to the UN Millennium Development Goals.

Amnesty International voiced its support for the Domestic Workers Advocacy Network (Jala-PRT), a national coalition which has been campaigning for the rights of domestic workers in Indonesia. Jala-PRT together with a range of organizations and unions in Indonesia will be organizing a series of public events across the country to commemorate National Domestic Workers Day.

Background

The drafting and passage of a Domestic Workers Protection Bill was placed on the National Legislation Program (Prolegnas) in 2010 after years of campaigning by national and international organizations.

A draft of the bill obtained by Amnesty International in April 2010 did not meet international human rights law and standards, in particular with regard to the protection of female workers prior to and after pregnancy. The draft also did not contain any provisions concerning the specific needs of women, although the overwhelming majority of domestic workers in Indonesia are women and girls.

In June 2010 the Parliamentary Commission on Manpower and Transmigration, Population Affairs, and Health, (Committee IX) at the House of People's Representatives, which is in charge of drafting the bill, announced it was postponing its discussion, citing unresolved disputes between the political parties.

In November 2010, Amnesty International's Secretary General Salil Shetty visited Indonesia and raised concerns about the need for protection of domestic workers in meetings with government ministries and other stakeholders.

The bill has been prioritized once again in the National Legislation Program 2011 but there has been no progress so far.