

AMNESTY INTERNATIONAL PUBLIC STATEMENT

17 June 2011

Index: ASA 21/013/2011

Indonesia: Support for ILO convention on domestic workers must pave the way for protection in national legislation

Indonesia's support for an international convention on domestic workers must be followed by the enactment of a domestic workers' law in Indonesia, Amnesty International said today. Amnesty International welcomed the adoption of the International Labour Organization (ILO) convention and Indonesia's support for this key instrument. This commitment must however be followed through by adoption of domestic legislation protecting an estimated 2.6 million domestic workers in Indonesia – the majority of whom are women and girls – who face specific risks of abuse because they are not fully legally protected as workers.

Governments, employers, trade unions and other labour representatives met in Geneva on 16 June 2011 for the 100th session of the International Labour Conference to adopt a new ILO Convention on Decent Work for Domestic Workers, a landmark treaty for the protection of domestic workers worldwide.

Indonesia's President Susilo Bambang Yudhoyono, who is attending the conference, had earlier expressed his country's intention to vote in favour of the convention on 16 June 2011.

Amnesty International, together with other civil society groups in Indonesia, has long called for the enactment of specific legislation regulating the labour rights of domestic workers in Indonesia. There is currently a lack of specific mechanisms for monitoring and protecting their rights. Existing domestic legislation – in particular the 2003 Manpower Act – discriminates against domestic workers because it does not afford them the same protection which other workers receive under its provisions.

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, and are subjected to physical, psychological and sexual violence on a regular basis. Women and girl domestic workers also face significant barriers in obtaining the sexual and reproductive health care they need, including information and services on family planning, contraceptives and the prevention of HIV/AIDS and other sexually transmitted diseases.

A Domestic Workers Protection Bill has twice been placed on the legislative agenda – first in 2010 and again this year – however unresolved disputes between political parties have prevented progress on the bill.

Amnesty International also called on all governments, including Indonesia, to become parties to the new ILO convention as soon as it is opened for signature and ratification.

This new ILO convention also places obligations on sending governments such as Indonesia to ensure effective protection of the human rights of their nationals working as domestic workers abroad. The Indonesian government must ensure that all memoranda of understanding entered into between Indonesia and receiving countries such as Malaysia and Saudi Arabia meet the standards established in the ILO convention and other international human rights instruments.