Routledge
Taylor & Francis Group

∂ OPEN ACCESS | Check for updates

Reducing vulnerability to forced labour and trafficking of women migrant workers from South- to West-Asia

Hagar ElDidi ⬤, Chloe van Biljon, Muzna Alvi, Claudia Ringler, Nazmun Ratna, Sawsan Abdulrahim, Patrick Kilby ⬤, Joyce Wu, and Zahid ul Arefin Choudhury ⬤

ABSTRACT
Millions of short-term, low-skilled women migrant workers from South-Asia to West-Asia experience exploitative and unsafe conditions. We review evidence from literature and interview 18 key informants to assess the exploitation migrant women face, and highlight the impacts of past interventions to determine their potential, and realised effectiveness, in reducing forced labour and trafficking. We find that women face varied precarious situations along the migration pathway, including interactions with recruiters in the home country, incurring debt, pre-departure formalities and training, withheld wages and mobility restrictions. We discuss varying degrees of success of mechanisms that aim to reduce vulnerability to forced labour.

Introduction

The global scale of migration has grown in line with other globalisation processes, and with growing inequity. The World Migration Report 2020 estimates a total of 272 million international migrants in 2019, with two-thirds migrating for employment. This includes an estimated 96 million male and 68 million female migrant workers generating recorded remittance flows of US$ 689 billion in 2018, including US$ 44 billion from the United Arab Emirates and US$ 36 billion from Saudi Arabia (IOM 2020). However, total remittance flows are likely much larger due to the high cost of formal channels (Ahmed, Mughal, and Martínez-Zarzoso 2020). Other reasons for migration include conflict and climate hazards (Castles 2013).

The focus of this paper is on the South- to West-Asian corridor of migration, with the Arab countries of West-Asia being the key destination, including low-skilled female workers who often work in the domestic care and garment sectors. In 2017, 41% of all male and 40% of all female workers were migrants (ILO 2018). The growing feminisation of labour migration saw a rise of women migrants from Bangladesh, Sri Lanka, and Nepal who sought work first in the domestic service sector of wealthy Arab Gulf countries and later on in middle-income countries such as Lebanon and Jordan (ILO 2017).

There is evidence that women migrants in this corridor are vulnerable to forced labour and trafficking; both processes that can last throughout the entire migration pathway and can improve or worsen over multiple migration cycles. An in-depth study of 162 women migrants of South-Asian origin working in Arab countries found that all interviewed women had their documents confiscated, 87% were confined in the employer's house, 76% reported withheld wages, 73% and 61% suffered psychological and physical abuses, respectively, while more than 50% reported

excessive work (McCormack, Larsen, and Abul Husn 2015). Another study conducted in 2009 in Jordan found that around 70,000 women domestic workers from Indonesia, Sri Lanka, and the Philippines experienced abuses (Tamkeen 2015). It remains unclear, however, how many people in total are affected by forced labour and trafficking (Feingold 2005).

Very little research has been implemented to assess what works and what does not in the field of preventing forced labour and trafficking in migration (see Bryant and Landman 2020; Davy 2015, 2016). Bryant and Landman (2020) conducted a review of 90 anti-trafficking programme evaluations to assess lessons learned about what mechanisms work to combat various types of modern slavery, including forced labour and trafficking. They found that evaluations of anti-trafficking programming primarily focus on assessing to what extent project outputs were achieved rather than outcomes (for example the reduction of trafficking), and only one was conducted in an Arab country.

In this paper, we draw on extensive literature and conduct interviews with key informants[1] (KIs) to highlight the most and least effective mechanisms found to reduce forced labour and trafficking along the migration route. This analysis can help policymakers as well as programmes focused on preventing forced labour and trafficking refine intervention strategies and theories of change.

Methodology

We conducted 18 in-depth interviews with KIs chosen from NGOs, academia, government, and international agencies that are involved in migration[2], to evaluate, qualitatively, instances of forced labour and trafficking and the effectiveness of interventions along the entire migration route. The KIs interviewed were knowledgeable in migration practices and worked in both sending (Bangladesh and Nepal) and destination countries (Lebanon and Jordan). More details about the group of KIs interviewed can be found in the Appendix.

The interviews were semi-structured, and covered questions about the entire migration route, including on support women migrants receive before departure, during migration, and upon return; their working conditions and how they can be improved; responses to poor working conditions; on mechanisms found to be more or less effective in reducing vulnerability to forced labour; and additional challenges due to the COVID-19 pandemic.

The interviews were conducted in English virtually via online platforms from August to October 2020. They were conducted in English virtually via online platforms and recorded where consent was given. The data was analysed against broad themes of what interventions/mechanisms KIs mentioned to have worked well, which did not work well and reasons for shortcomings, and how they see COVID-19 changing the situation for migrant workers. The various interventions mentioned were then classified according to their position along the migration route (pre-departure, post-departure, and upon return). The methodology and study protocol received ethical clearance and authorisation from two separate Institutional Review Boards (IRB) – one at a university and another in a large international research organisation.

Reducing women's forced labour and trafficking along migration pathways

Push and pull factors in short-term migration for work

The large difference in incomes between West- and South-Asia is one of the key factors stimulating international migration in this corridor. Lack of domestic income generation opportunities, as well as natural disasters, are additional push factors. Women might also migrate if domestic income generation opportunities are structured so that only men are qualified or eligible, or if local norms and traditions are not favourable for women's employment close to home. KI 11 notes for India that "the most important issue is poverty. Not necessarily targeting trafficking but additional social reform in the country of origin" [is needed]. Moreover, some women migrants seek work abroad to escape a bad family situation or seek more personal freedom.

There are also pull factors provided by early migrants who returned after sending large remittances. Some countries have a strong interest in female migrants. For example, to ensure a steady supply of low-skilled female labour from Bangladesh, Saudi Arabia aimed to link male low-skilled migration to a steady supply of female low-skilled workers, requesting that 10,000 women be sent every month and promising funds of US$ 2000–2500 per woman. Negotiations between the Government of Bangladesh and Saudi Arabia ultimately failed (KI 16). Moreover, migration costs have remained lower for women migrants. Blanchet and Biswas (2020) report, based on a survey of migrants in five districts of Bangladesh, that one-third of female migrants to Saudi Arabia reported not paying any fees, while only 0.1% of men reported not paying any fees.

In countries of origin (sending countries), pre-departure

Migration bans, age limits, and restrictive regulations

As a protective measure against exploitation and trafficking, some South Asian governments such as Nepal and Sri Lanka have instituted migration bans for prospective women migrant domestic workers (MDWs) headed to some West Asian countries (Napier-Moore 2017). While well-intentioned, such policies often result in women taking more expensive and potentially more perilous migration routes, foregoing formal, registered migration, in favour of undocumented, illegal migration that leaves them more vulnerable to exploitation (ILO 2015; KI 5). Women who continued to migrate to the Gulf Cooperation Council (GCC) countries, unlike men, were not entitled to repatriation or support if they became ill during the Covid-19 pandemic, and consular services were similarly more restricted. Overall, the evidence suggests that the bans increased irregular migration (KI 3; ILO 2015).

Pre-departure training, networks, and rights awareness

Pre-departure orientation training has been a key intervention for protecting MDWs abroad by supplying them with needed information on expectations and rights and to ease their transition (Asis and Agunias 2012). Training for formal migrants to West Asia has become mandatory in several countries, like Bangladesh, Nepal, and Sri Lanka. Government-provided training days in Bangladesh increased from 14 days to 21 days and most recently to 45 days (KI 13). However, it is often provided far away from women's homes and presents a trade-off as it competes with other important daily activities such as domestic work and childcare. This has led, at times, to payoffs to *dalals* (migration brokers) to waive attendance requirements or purchase attendance certificates on the black market (KIs 2 and 14). A survey of 522 MDWs in Jordan and Lebanon finds that only 38% of respondents completed a formal pre-departure training course (Frantz 2014).

There is evidence of inconsistent or poor implementation of these trainings (Asis and Agunias 2012). Curricula have been criticised for being overly general and for not providing enough information on support channels and migrants' legal rights (Frantz 2014). Language training, especially destination country dialect, was suggested by MDWs as an important topic for trainings. Regmi, Aryal, and van Teijlingen (2020) also call for the inclusion of mental health awareness as part of pre-departure training to aid with isolation, work stress, and potential employer abuse.

Raising awareness amongst migrant women workers of their rights and conditions of their employment contracts in the destination country is important. Sixty-eight percent of Nepalese domestic workers surveyed in Lebanon were not aware that they had a legal right to hold on to their passports and only 26% of respondents held on to their passports (Frantz 2014).

While pre-departure training plays an important role in providing information for prospective first-time migrants and can help them develop networks that can transcend to the country of work, such training on its own is unlikely to prevent forced labour and trafficking for those who

migrate out of compulsion and it will not reach women who travel informally or cannot attend the trainings.

Pre-departure networks

Frantz (2014) collected stories of MDWs in Lebanon and Jordan that illustrate the importance of communication among migrants, as well as the establishment of connections, and access to media, especially under the Kafala sponsorship system where the employer controls migrants' legal presence. One useful mechanism for reducing vulnerability would be for women migrant workers to establish their own networks, prearranged and pre-departure–among themselves-without relying on the government and embassies. This is especially important for domestic workers who live with their employer with few outside contacts (Barsbai 2018). Moreover, Frantz (2014) notes that domestic care workers prefer their own social networks over that provided by official channels for information.

Improving regulations on intermediaries in sending countries

Migration brokers and recruitment agencies fill a huge information and knowledge gap for migrants in South Asia, especially in rural areas. Better regulation of these private-sector actors as well as inspection of their practices may help reduce the exploitative costs incurred by migrant women as well as malpractice and fraud, while elevating agencies that are better managed (Kern and Müller-Böker 2015; Tamkeen 2015).

Recruitment agencies in sending countries have been found to replace contracts approved by the destination country with contracts that state different terms and conditions. This might also happen in destination countries (Bajracharya and Sijapati 2012). A survey of migrant workers in Jordan found that 70% of domestic workers signed a contract but did not receive a copy, 42% received a lower salary than that stated in their contract, and many others did not have contracts (Tamkeen 2015).

The proliferation of dummy agencies operating under other firms, the mobility of agents, and the informality of practices in some cases make it difficult to regulate the system and indicate the intertwined nature that makes it possible to both support and exploit migrant workers on various fronts. Recruitment agencies can range from formal, highly professional, and certified enterprises to informal or un-registered one-person agents, such as *dalals* in Bangladesh (Siddiqui and Abrar 2019). Kern and Müller-Böker (2015) and KI 12 note that these actors also play positive roles for women from rural and remote areas who do not have access to formal, urban-center based agents.

Indebtedness

Migrant workers are often charged fees to apply for, get accepted to, and travel to jobs, before their departure. Migrant workers or their family members often borrow money (either formally or informally) and become indebted in the process. This traps them into being unable to refuse a job pre-departure, ask for higher salaries, demand their rights, or forces them to continue working even if there is abuse or contract violation when they reach the destination country (Paoletti et al. 2014). In most cases, migrants have entered a vicious circle of indebtedness before they start to earn money for themselves and their families (KI 5).

It has become a norm and cultural expectation in sending countries that workers pay to migrate abroad. For example, a domestic worker from Nepal can owe recruitment agents up to $20,000 in placement, travel, and accommodation costs (Kilby and Wu 2020). Indebtedness coupled with the Kafala system leads to vulnerability and provides the perfect conditions for trafficking and debt bondage (KI 5).

Although recruitment fees are a key challenge in sending countries, there are linkages to destination countries as well. Fees paid by migrant workers also fund kickback bribes to employment agencies in destination countries. The employment agency often links giving labour supply contracts to recruitment agencies in sending countries to the receipt of "presents" (KI 5). On the macro level,

through this recruitment process, millions of dollars are exiting labour-sending countries to pay for these bribes.

The Sri Lankan Bureau of Foreign Employment implemented a "Zero Chargeable Recruitment Fees" policy for female MDWs, by banning recruitment agents from charging any fees (MFA 2019). Other governments such as Nepal have mandated fee caps (in this case $700). However, migrants continue to be charged higher fees (Paoletti et al. 2014).

In destination countries

Tackling economic exploitation in destination countries

In addition to receiving low wages, many workers in destination countries face economic exploitation through delayed, docked, or entirely withheld wages. This has been named as "wage theft" by the Migrant Forum in Asia to emphasise the criminal nature of such practices (KI 5). Outstanding wages are often used against workers as coercion, to prevent workers from reporting abuse or leaving their employer (KI 7). Various strategies have been adopted by countries to tackle the economic exploitation of workers. Some countries have increased the penalty for non-payment of wages. In Qatar non-payment of wages is punishable by one year in prison and 10,000 Qatari Rial (approximately US$ 2500). However, KI 5 observes that this fine remains too low and insufficient to effectively prevent this crime (KI 5).

UAE and Qatar also require that the employer pays wages directly into a bank account (KI 1). This policy aims to remove economic exploitation by monitoring wage payments and thereby improving enforcement (KIs 1 and 10). The policy also has the benefit of identifying wage theft without the need for it to be reported by the worker (KI 10).

Some countries, such as Jordan and Lebanon, have introduced standardised contracts. Although these do not set wages, they explicitly state that workers should receive their wages in full at the end of every month. Standard contracts also aid in setting standards of work and wages, improve workers' bargaining power, allow workers to bring complaints to a judicial authority, provide for fairer and more efficient judicial proceedings, and encourage domestic and international monitoring of the enforcement of judgments (KI 1; Manseau 2007). Recently, Lebanon attempted to revise the standard contract to improve migrant workers' rights by allowing them to terminate their contracts and change employers, two important elements in reducing vulnerability (KI 7). Unfortunately, this attempt did not succeed in the face of lobbying by the private syndicate of recruitment agencies. Moreover, difficulty in monitoring working conditions and payments results in weak enforcement of contracts (KI 10). This highlights the need for inspections, including private interviews with migrant workers (KIs 1 and 10). In addition, the consequences for workers must be considered when convicting an employer of wage theft, such as provisions to allow these workers to remain in the destination country and seek alternative employment if they wish to do so.

Discrimination and employer attitudes

Many workers face racial abuse and discrimination, both as a result of systemic issues as well as some employers' attitudes (KI 5). Understanding how these different forms of discrimination compound to a unique pattern of discrimination is important to effectively tackle forced labour and trafficking.

In many contexts, salaries and wages are nationality-based (KI 6) and migrant salaries can differ by migrant's country of origin, rather than skill set. A full recognition of migrant workers in domestic labour law could reduce this type of abuse (KIs 1, 7, and 10).

Many projects include educational campaigns to change the attitudes of employers (and the public) as part of their intervention. In their review of programme evaluations focused on anti-trafficking, Bryant and Landman (2020) find that such interventions had mixed results. They note that campaigns need to be targeted, adapted to local contexts, and contain clear messages to be effective in achieving behavioural change.

Some strategies could cause a backlash, worsening the situation for migrant workers (KI 5). KIIs described an unsuccessful sensitisation campaign in Lebanon, which depicted Lebanese women dressed in domestic worker uniforms. Instead of identifying with migrant women, Lebanese women felt dehumanised themselves, rendering the intervention meaningless (KI 5). Carefully considered interventions can be effective. In one study, randomly selected Filipino domestic workers were given a pack of dried mangoes and were encouraged to give it as a gift to their employer upon their arrival. They were also encouraged to show their employer a photograph of themselves with their family. The aim was to humanise the domestic worker in the eyes of their employer and create goodwill through the gift. This intervention was successful in decreasing verbal, physical, and sexual violence by the employer. Workers who participated in the intervention were also more likely to renew their contracts and their family members had a more positive view of the migration experience (Barsbai 2018).

Given the importance of having rest days and freedom of movement, as well as access to mobile phones for well-being, and to enable women to access support networks and services, these topics should also be included in behavioural change communication with employers. Interventions that encourage employers to allow workers to own a mobile phone and to give workers complete privacy in their usage of their phone would be valuable.

Improving migrant worker awareness of support services

Many efforts have been made to increase support services to workers, but research shows that few workers know how to access these (Bajracharya and Sijapati 2012). Frantz (2014) found that of their sample of MDWs in Lebanon, 29% knew how to access a hotline while only 1% knew how to access legal services. Knowledge of how to contact support services was found to be higher in Jordan with 42% of workers aware of how to access a hotline and 28% aware of how to access legal services (Frantz 2014). A multipronged approach to make workers aware of support services and how to access them is important to the success of such services in aiding workers (KI 10). To be effective, interventions focused on support services might need to be linked with other interventions, such as increasing mobile phone access.

Supporting existing safe spaces

While many projects aim to create safe spaces in strategic locations, in most contexts, there are existing places where migrants meet or make short visits to buy goods from their home country, remit money, or make phone calls. The church is one such place where MDWs go out and meet (KI 10). Also, individuals, migrant associations, and embassies organise concerts and cultural activities (Frantz 2014). Programmes should aim to support and strengthen already existing safe spaces and cultural events rather than creating new ones and work closely with migrants, migrant associations, and shop and café owners to identify appropriate channels to provide support. Support could include indoor communal spaces where migrants can meet, subsidised phone calls, placing radios or TVs along with audio or video information on support services and rights, providing pamphlets on support services and rights, practical assistance for passport and other applications, and financial support for existing cultural events (Rashid and Watson 2017). Further, there are existing safe houses which are generally seen to be an effective mechanism to have, but KI 5 cautions that this is only useful for after the women have already been abused and have escaped and need a safe place to stay before they find another job or leave the country (KI 5).

Virtual safe spaces

Physical safe spaces are only accessible to women who are not imprisoned by their employers (Bajracharya and Sijapati 2012; KIs 5 and 6). Even the standardised contracts introduced in Jordan allow employers to determine whether live-in domestic workers can leave the household during their time off (KI 5). In Jordan and Lebanon, 28% and 29% of live-in MDWs respectively reported they did not have a set day off from work. In addition, 24% of live-in MDWs said that they were not allowed to

leave their employers' homes even if they had a set day off (Frantz 2014). Freelancers who are more loosely tied to an employer might have more freedom and account for 70-80% of migrants in Lebanon (KIs 2 and 12).

To reach women with almost no freedom of movement, arguably the most vulnerable women, programmes need to develop strategies that reach women within their employers' homes and create spaces accessible to migrants without leaving their place of work. Studies have found that mobile phones serve as the most important communication channel for MDWs (Frantz 2014). Eighty-two percent of MDWs in Jordan and Lebanon reported owning a mobile phone. Radio access was lower; in Jordan 62% of women reported owning or having access to a radio, and 85% of these listened regularly. In Lebanon 45% of women reported owning or having access to a radio; among these 83% listened regularly. Interest in radio shows in their native language is large; 85% and 98% of MDWs in Jordan and Lebanon, respectively, expressed interest in radio programmes in their native language (Frantz 2014). Information dissemination over the radio, and access to legal advice and mental health services over the phone could reach women at employers' homes. Programmes could also create means for workers with limited mobility to organise (KI 10), such as introducing women to group messaging services or organizing group calls with other migrants.

One risk programmes must be aware of is that there have been reported cases of domestic workers who are allowed to own mobile phones, but whose employers closely monitor their usage (Esim and Smith 2004). However, there is no recent study that has quantified how prevalent this behaviour is. Programmes should get insights from migrant workers in their focus area before planning a mobile phone-based intervention. Consideration must also be given to ensuring resources accessed through mobile phones are accessible to migrants who are not literate.

Regulate employment agencies

KIs in both Jordan and Lebanon highlighted that employment agencies wield considerable power and that their practices, driven by their financial interests, contribute to the vulnerability of migrant workers. In addition to bribery systems that operate between some sending and receiving countries, employment agencies have a vested interest in having both employers and migrants depending on them and extracting fees from both. According to KI 9, there are approximately 500 recruitment agencies in Lebanon that are working outside the governmental office for recruitment. Rather than focusing on legalizing the paperwork of women migrants who are already in Lebanon, their financial interest is to bring in new migrants.

If sending countries were to maintain a database of all applications and their status, pre-departure, in-destination, returned, or repeat, then resources could be targeted better to more vulnerable migrants. Increased information, transparency, and accountability could help crowd out labour brokers at lower levels of the chain (Rashid and Watson 2017). However, such a system would need to respect the privacy of workers, prevent worker surveillance and other misuse of their data.

Strengthen embassy support

Sending countries do not always have embassies and accessible safe houses in destination countries (Bajracharya and Sijapati 2012). For example, Nepal only has embassies in four GCC countries, while many women have expressed that a strengthened government presence through embassies would offer more protection to migrants (ILO 2015). During the Covid-19 pandemic, the need for embassy presence has become even more important. Governments can also better advocate for eliminating wage theft, abuse, and discriminatory practices through greater in-country presence (Rashid and Watson 2017).

As KI 15 notes, the Embassy of the Philippines is very responsive to concerns raised by their citizens abroad with reports and responses published on Facebook for transparent monitoring. However, some embassies are less responsive, or are considered to value existing bilateral

trade relationships over the welfare of low-skilled migrant citizens in the domestic and garment sectors.

Redress mechanisms

Migrants tend to have limited means to report abuse, such as forced labour, in host countries. This is mainly a result of the exclusion of domestic work from national labour laws. Other challenges include limited mobility, lack of language skills, and lack of host country legal and redress mechanisms. In some countries, formal redress mechanisms do exist, but often require the filing of lengthy reports, and might require proof of the abuse, which can be difficult to produce (KI 14). A recent report that analysed court cases involving MDWs and their employers in Lebanon revealed legal biases that denied justice to the workers (ILO 2020).

To ensure that situations of abuse are reported and addressed, government-sponsored redress mechanisms through NGOs or other institutions trusted by migrant women, and in locations that they frequent, are needed. These should be confidential, readily accessible, not require extensive literacy skills, and include mechanisms that ensure that complaints are acted upon without adverse impacts for the complainant (KI 17). Embassy/consular support is, moreover, needed in the event of violence and abuse, and should include the provision of shelter. NGOs and other providers could be contracted to provide these services with appropriate consular oversight and reporting mechanisms (KIs 3, 17, and 18).

Unionisation

The balance of power between an MDW and her employer is skewed in favour of the employer. Unions are an important tool for increasing the power that workers hold to improve the balance of power (KIs 1 and 5). Historically unions for MDWs have been illegal and have had low membership (KIs 1 and 5). In Lebanon recent attempts to legalise the unionisation of migrant workers have not been fruitful (KI 1). Jordan has not ratified the ILO Convention on Freedom of Association and Protection of the Right to Organise; and while migrant garment workers have union fees automatically deducted from their wages, they cannot be elected to union positions, and unions generally only represent national workers (KI 9). Unions have difficulties reaching workers, especially live-in domestic workers whose ability to organise remains largely dependent on their freedom of movement (KI 10). The ILO is beginning to develop a system whereby the paperwork for migrants is centrally stored, helping to prevent contract substitution. This system presents an opportunity for unions to easily access the information needed to aid their members (KI 5).

Reintegration

Reintegration assistance

Economic, social, and cultural reintegration back into countries of origin is one of the least researched phases of the migration pathway. One reason for this is the lack of data on returning workers and their reintegration patterns (Wickramasekara 2019). Several reintegration challenges have been reported, including inadequate employment services, lack of skill certification and recognition, especially for unskilled migrant workers, lack of social protection and pension coverage, resource constraints, and stigmatisation – especially of women migrants – by families and society. Beydoun (2006) argues that a key element of preventing forced labour and trafficking is through supporting returning workers. Returnees are at a high risk of illegal migration or being trafficked if they are unable to integrate back into society. In addition to support with education and employment, long-term assistance with trauma, in particular for cases of victims of trafficking, is needed (Bryant and Landman 2020; Wickramasekara 2019).

Reintegration of female migrants seems particularly challenging in South-Asia. Female returnee migrants in India often had to move to shelters or government houses, as they would not be

accepted back into the family due to strong societal norms against independent living. Norms for women's families have changed, however, because of the large demand for garment workers (KI 11). A further complication is that rural landholdings are very small, making claimants by returnees on rural assets unwelcome. There is thus a need to create jobs for women and girls, for example, through vocational schooling for returnees (ibid.).

The Nepalese government started thinking of ways to support and integrate returning migrants through grants to start small enterprises (Kilby and Wu 2020). However, informal or illegal migrants such as migrant women travelling indirectly through India, are likely to be ineligible for the proposed reintegration programme. Wickramasekara (2019) recommends that sending countries develop comprehensive and inclusive reintegration programmes and policies, regardless of age, gender, skills, or migratory status (regular or irregular channels).

Interventions in the institutional and policy framework

Policies and laws can further increase or reduce the risk of trafficking and forced labour. National laws in sending and destination countries determine migration destination, pathways, and resources available to migrants and employers. They often contribute to migrant workers' vulnerability by giving employers disproportionate control over workers (Abimourched 2011). Additionally, bilateral agreements can determine the rules and conventions governing the flow of migrants from one country to another. Finally, there are international agreements related to migration, signed and agreed upon by multiple countries, that function predominantly as non-binding regulations that countries sign up to (or not) agreeing to uphold with no real penalty for non-implementation. This includes international agreements by organisations such as the United Nations, its specialised organisations, like the ILO, and other regional bodies.

The Kafala system prevailing in the Arab countries of West-Asia reflects the imbalance between employers and migrant workers. It requires migrants to not only have sponsorship from an employer for permission to work but also approval from the employer before leaving or switching jobs (KI 10). The system not only binds migrants in unequal contracts but also criminalises non-compliance by workers. The elimination of the Kafala system, some argue, would reduce women MDWs' vulnerability as well as create competition between employers, establishing a local market for migrant labour that is not yet present (KI 5).

While in principle most laws and policies aim to make the migration experience fair and equitable, and free from discrimination, guarantee safe working conditions, and recourse to redressal, policies need to be especially cognizant of the special needs of women migrants. Despite this, female migrants continue to face systemic and structural disadvantages in sending and destination countries, and segregated labour markets that leave women in low-paying jobs and sectors. They are also more likely to experience physical and sexual violence and exploitation. Migrant women from certain regions, like South-Asia, are also much less likely to have access to a network of fellow migrants because women still make up a relatively small proportion of total migrants.

Conclusions

As migration increases, many migrants, particularly women migrating along the South-to-West Asia corridor, face precarious situations that put them at risk of forced labour and trafficking at various moments along the migration pathway. Literature and the key informants interviewed concur that this includes first interactions with recruiters in the country of origin, incurring debt to pay questionable fees, pre-departure formalities and training, departure itself, and the risk of deception upon arrival, together with forced labour conditions, such as low wages, mobility restrictions, and passport confiscation. The Kafala system prevailing in the Arab countries of West-Asia contributes to the abuse experienced by female migrants, and particularly those working in the domestic care sector.

A variety of interventions have been implemented to address the vulnerability of women migrants with mixed success. Banning women from migrating is a policy that is still in place in some countries even though it has been shown to increase the risks of trafficking. Providing appropriate information pre-departure to migrants can improve outcomes, while generic information to women is unlikely to be cost-effective. Supporting migrants who plan to work abroad with a network of other migrants can help reduce challenges in destination countries. Safe physical spaces in the country of work are important but will not reach migrants without adequate mobility. Migrants without mobility can often be reached through mobile phones and radio. Reintegration programmes are important and can break cycles of negative migration experiences. Moreover, there is a need to develop much more credible knowledge of migration experiences and ensure that women migrants themselves are more involved in institutions and programmes aimed to support them.

Notes

1. These key informant interviews (KIIs) constituted formative research to prepare for further quantitative and qualitative studies as part of a larger project on migration, forced labour, and freedom of work.
2. Due to delays caused by COVID-19, interviews with migrants had not been conducted at the time of writing of this paper. They will form part of future outputs of this study.

Disclosure statement

No potential conflict of interest was reported by the author(s).

Funding

Notes on contributors

Hagar ElDidi is a Research Analyst with the Environment and Production Technology Division, at the International Food Policy Research Institute. Her research focuses is on equitable and sustainable communal governance of natural resources, and gender roles in rural development and migration.

Chloe van Biljon was a Research Analyst with the Environment and Production Technology Division, at the International Food Policy Research Institute, at the time of writing this paper. Her research focused on women's empowerment in agriculture and in migration.

Muzna Alvi is a Research Fellow with the Environment and Production Technology Division, at the International Food Policy Research Institute. An economist by training, her research interests include agriculture extension, self-help groups and collective action in agriculture, and studying the relationship between social identity and its effects on economic, education, and employment outcomes.

Claudia Ringler is the Deputy Division Director Deputy Division Director of the Environment and Production Technology Division, at the International Food Policy Research Institute. Her research focuses on measures to grow the agency of rural women and men to face natural resource management challenges, related to climate change, water and energy resources, and associated impacts, such as food insecurity and migration.

Nazmun Ratna is a development economist working at the Faculty of Agribusiness and Commerce, Lincoln University. Her work focuses on the interface of institutions and economic development, specializing in food and nutrition security, and women's empowerment to address resource-use conflicts, climate change, migration, and sustainable development challenges.

Sawsan Abdulrahim is an Associate Professor of public health in the Faculty of Health Sciences at the American University of Beirut. Her research focuses on social inequalities and health, and the structural conditions that influence the wellbeing of women refugees and labor migrants.

Patrick Kilby is an Associate Professor and convener of the Master of Applied Anthropology and Participatory Development Program at the Australian National University, and the Editor in Chief of the journal Development in Practice. His research interests are: NGOs; gender and development; and the history of foreign aid. He has published five monographs: dealing with women's empowerment in India; NGOs; philanthropic foundations, China and the US as aid donors, and the Green Revolution.

Joyce Wu is a Lecturer at the School of Social Sciences, University of New South Wales, as well as a Visiting Fellow at the Australian National University. Her research specialisations include gender and intersectionality, migration, and sustainable environment.

Zahid ul Arefin Choudhury is an Associate Professor at the University of Dhaka. He teaches political economy, political methodology, and game theory in the Department of Political Science and the Department of Peace and Conflict Studies. Dr. Choudhury's research focuses on government responses to crises, especially natural disasters; conflict processes; and forms of human rights abuses, especially torture, and in the context of industrial labor and international labor migration.

ORCID

Hagar ElDidi 🅾 http://orcid.org/0000-0002-2685-5416
Patrick Kilby 🅾 http://orcid.org/0000-0003-2850-4473
Zahid ul Arefin Choudhury 🅾 http://orcid.org/0000-0002-6276-6349

References

Abimourched, R. 2011. *Migrant Domestic Workers in the Mashriq: Towards a Rights-based Regulatory Framework* (CARIM Research Reports 2011/3). Robert Schuman Center for Advanced Studies.

Ahmed, J., M. Mughal, and I. Martínez-Zarzoso. 2020. "Sending Money Home: Transaction Cost and Remittances to Developing Countries". *Center for European, Governance and Economic Development Research*. Discussion Papers No. 387, February 2020. http://dx.doi.org/10.2139/ssrn.3532974.

Asis, M. M. B., and D. R. Agunias. 2012. *Strengthening Pre-Departure Orientation Programmes in Indonesia, Nepal and the Philippines. Issue in Brief*. Bangkok: IOM and Migration Policy Institute.

Bajracharya, R., and B. Sijapati. 2012. The Kafala System and Its Implications for Nepali Domestic Workers. Center for the Study of Labor and Mobility, Policy Brief, March 2012, No.1.

Barsbai, T. 2018. Pre-departure Policies for Migrants' Origin Countries, PEGNet Policy Brief, No. 14/2018, Kiel Institute for the World Economy, Poverty Reduction, Equity and Growth Network (PEGNet), Kiel.

Beydoun, K. A. 2006. "The Trafficking of Ethiopian Domestic Workers Into Lebanon: Navigating Through a Novel Passage of the International Maid Trade." *Berkeley Journal of International Law* 24 (3): 1009–1045.

Blanchet, T., and H. Biswas. 2020. *Migration and Gender: Survey on Contrasted Patterns in Five Districts of Bangladesh*. Dhaka: Drishti Research Centre.

Bryant, K., and T. Landman. 2020. "Combatting Human Trafficking Since Palermo: What Do We Know About What Works?" *Journal of Human Trafficking* 6 (2): 119–140. doi:10.1080/23322705.2020.1690097.

Castles, S. 2013. "The Forces Driving Global Migration." *Journal of Intercultural Studies* 34 (1): 122–140.

Davy, D. 2015. "Understanding the Support Needs of Human Trafficking Victims: A Review of Three Human-Trafficking Program Evaluations." *Journal of Human Trafficking* 1 (4): 318–337.

Davy, D. 2016. "Anti–Human Trafficking Interventions: How Do We Know if They Are Working?" *American Journal of Evaluation* 37 (4): 486–504.

Esim, S., and M. Smith. 2004. *Gender and Migration in Arab States: The Case of Domestic Workers, June*. Beirut: Regional Office for Arab States, ILO.

Feingold, D. A. 2005. "Human Trafficking." *Foreign Policy* 150 (Sep-Oct): 26–30.

Frantz, E. 2014. *Breaking the Isolation: Access to Information and Media among Migrant Domestic Workers in Jordan and Lebanon*. New York: Open Society Foundations.

ILO. 2015. *No Easy Exit – Migration Bans Affecting Women from Nepal. International Labor Office, Fundamental Principles and Rights at Work (FUNDAMENTALS), Labor Migration Branch (MIGRANT)*. Geneva: ILO.

ILO (International Labor Organization). 2017. *Migrant Domestic and Garment Workers in Jordan: A Baseline Analysis of Trafficking in Persons and Related laws and Policies*. International Labour Office, Fundamental Principles and Rights at Work Branch. Geneva: ILO.

(International Labour Office) ILO. 2018. *Global Estimates on International Migrant Workers – Results and Methodology*. 2nd ed. Geneva: ILO.

ILO (International Labor Organization). 2020. *The Labyrinth of Justice: Migrant Domestic Workers Before Lebanon's Courts*. ILO: Beirut.

International Organization for Migration (IOM). 2020. *World Migration Report 2020*. Geneva: IOM.

Kern, A., and U. Müller-Böker. 2015. "The Middle Space of Migration: A Case Study on Brokerage and Recruitment Agencies in Nepal." *Geoforum; Journal of Physical, Human, and Regional Geosciences* 65: 158–169.

Kilby, P., and J. Wu. 2020. "Migration and the Gender Impacts pf COVID-19 on Nepalese Women." *Global Development Working Paper Series* 2020/1, HARDI, Western Sydney University, Australia.

Manseau, G. S. 2007. Contractual Solutions for Migrant Laborers; The Case of Ddomestic Workers in the Middle East. http://www.nottingham.ac.uk/hrlc/documents/publications/hrlcommentary2006/migrantlaborers.pdf

McCormack, S., J. Larsen, and H. Abul Husn. 2015. *The Other Migrant Crisis: Protecting Migrant Workers against Exploitation in the Middle East and North Africa*. Policy Research Report. Geneva: International Organization for Migration.

MFA (Migrant Forum in Asia). 2019. Migrant forum in Asia input for UN SR on Human rights of migrants: Good Practices and Initiatives of Gender-Responsive Migration Legislation, Policies and Practices.

Napier-Moore, R. 2017. *Protected or Put in Harm's Way? Bans and Restrictions on Women's Labor Migration in ASEAN Countries*. Bangkok: ILO and UN Women.

Paoletti, S., E. Taylor-Nicholson, B. Sijapati, and B. Farbenblum. 2014. *Migrant Worker's Access to Justice at Home: Nepal*. New York: Open Society Foundations.

Rashid, S. R., and S. K. Watson. 2017. *Assessment of BOESL Recruitment Practices from Bangladesh to Jordan*. Dhaka: ILO.

Regmi, P. R., N. Aryal, E. van Teijlingen, et al. 2020. "Nepali Migrant Workers and the Need for Pre-Departure Training on Mental Health: A Qualitative Study." *Journal of Immigrant and Minority Health* 22: 973–981. doi:10.1007/s10903-019-00960-z.

Siddiqui, T. and C.R. Abrar. 2019. Making Dalals Visible: Towards Transparency in Recruitment, Dhaka, Refugee and Migratory Movements Research Unit (RMMRU).

Tamkeen. 2015. "Invisible Women: The Working and Living Conditions of Irregular Migrant Domestic Workers in Jordan," Tamkeen Fields for Aids, Amman, Jordan.

Wickramasekara, P. 2019. *Effective Return and Reintegration of Migrant Workers with Special Focus on ASEAN Member States. The ILO ASEAN Triangle Project*. Bangkok: International Labor Organization. doi:10.2139/ssrn.3579358.

Appendix

Basic characteristics of key informants.

Country of Work*	Number of KIs
Bangladesh	6
Nepal	4
Lebanon	3
Jordan	5
Broader region	4
Work Sector*	**Number of KIs**
Advocacy/NGO	15
Government	1
Academia	5

*Not mutually exclusive categories, therefore sums up to more than 18.