

BE THERE, TALK TO THEM AND LISTEN!

INDONESIAN (Undocumented) DOMESTIC WORKERS IN THE NETHERLANDS (Delft, 24 NOVEMBER 2010)

"Ma'am, I wonder .. Why on earth sex workers are able to gain their working permit in the Netherlands, whereas the domestic workers like myself are not be able to gain one? I have a Filipino friend who lives undocumented here for 6-7 years. She told me that Thai women who came here and work as prostitutes can easily get their residence permit. On the contrary, my dear Filipino friend who works very hard, cleaning the windows in the cold .. and is tired of working every day, is not able to gain a permission to stay, "chatted Wido to me the other day.

Such an innocent question brought a bit tittering smile on my face, yet a sad feeling at the same time. Domestic workers who do lots of important works including cleaning houses, yards and windows, ironing clothes, taking care of children or elderly; have not been recognized as workers. Similar with Indonesia, many families in the Netherlands including the government officers' also enjoy the benefit from using the domestic workers' valuable services. Unfortunately, housework/ domestic work is always being undervalued by the community.

At present, the world community began to take domestic work into account. ILO (International Labour Organization) has submitted a proposal of the Convention on the Rights of Domestic Workers which will take effect in 2011. Indonesia has also a proposal of Law on the Protection of Domestic Workers. In the meantime, the Netherlands itself despite voted in the ILO Convention, has not had any draft or proposal of the regulation on the Protection of Domestic Workers. One of the reasons behind this is laid on the fact that most of domestic workers in the Netherlands are the group of people who live without having valid documents.

This workers firstly came to the Netherlands with a valid permit through tourist visa or temporary working visa. Afterwards, they overstayed from the permit granted with the main purpose to find a job so as to continue their life, support their basic needs such as staple food for themselves and their families in Indonesia. If they could choose, they did not want to be without valid documents. All people just want to live and work well. The complicated rules, situation and condition force them to work in the Netherlands without valid documents.

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The Indonesian domestic workers share feeling with other Indonesian migrant workers (Tenaga Kerja Indonesia/ TKI) who work overseas regarding their unwillingness to work so far away from their families in the homeland. The economic reason, difficulties to get an employment and low wages in Indonesia, made them explore other possibilities and 'migrate' to get the job to fulfil their needs.

Most of the undocumented workers in the Netherlands do the domestic works because there is less attention from the immigration officers and police. Just like other people who live without valid

documents, the domestic workers' living condition is far from decent. They live in fear, nomadic, have no protection, and being stigmatized by others, even by fellow Indonesians. They are NOT criminal. They work very well. They just do not have valid documents. They do not obtain the rights like other workers such as the rights for holidays, sick leave, health insurance, overtime and so forth. Moreover, some of them have experience of being tortured similar with other Indonesian migrant workers (TKI) in Malaysia or in Saudi Arabia. To make the matters worse, their inability to present valid documents hinders them to report the employers' inhumane treatment to the authorities/ police.

Based on an information given by an undocumented fellow stated that a few years ago the Indonesian Embassy invited all undocumented Indonesian people in the Netherlands. At that time, Mr. Ambassador himself said that they should return to Indonesia. It is understood that Mr. Ambassador's expression is rooted from the diplomatic relations. Nevertheless, the Embassy should provide protection to its citizens. One of our undocumented fellows told me, "It can be understood even though it hurt our feeling, because we bear the good faith of Indonesia. Any Indonesian breaks any rules and regulations here would humiliate our nation. Thus, if we want to be protected by the embassy, we should not break the rules in the Netherlands. " What do you say about that statement?

Despite not having valid documents, Indonesian domestic workers give major contribution to their country. As TKI, Indonesian domestic workers in the Netherlands are also considered as heroes. The remittance or the money sent to their family in Indonesia is an income for the country. They need to assert this and be confident rather than feeling guilty for not having valid documents as well as feeling unworthy to get any protection from their embassy. The Indonesian embassy is the State representative. It SHOULD provide protection to its citizens including ones who do not have valid documents. The least protection manifest into providing a legal assistance to undocumented Indonesian citizens who are being captured and supervising the undocumented workers in the Netherlands including their return through IOM (International Organisation for Migration), and importantly that the Embassy SHOULD lobby the Dutch government regarding the protection of Indonesian undocumented workers.

In this moment, there is an active movement of domestic workers in the Netherlands led by Filipino fellows. They joined FNV, the Dutch trade union and together they held the Domestic Workers campaign to fight for the domestic workers' rights including the undocumented people. One of the goals of this campaign is to obtain the working permit for undocumented domestic workers. This step brings about a question the Dutch labour market is expropriated especially during current crisis period. Despite of the present crisis and huge numbers of unemployment in the Netherlands, those unemployment rates are subsidized without taking consideration on domestic works. Should the domestic sector being recognized, the domestic workers would pay taxes to the government in which an advantage also for the Netherlands.

Most of Indonesian undocumented workers are hesitant to join this campaign because having negative experience with some other resources that claimed to promise to help them which in the end playing the trick to capture and return them to Indonesia.

Trauma is understandable, but until when the Indonesian undocumented workers have to live in trauma? When could the Indonesian undocumented workers start to live their life properly? FNV open the door for the domestic workers documented and undocumented. They campaign for domestic workers' rights. Would you take this opportunity to fight your rights, hey Indonesian undocumented domestic workers? It's all your decision because this campaign is about you, from, by and for you.

And for other friends who have other opinions, please Come, Talk to these undocumented fellows, and LISTEN to them.

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