

Event organised by KISA and PEO, *Working women in Cyprus in the fight against discrimination and racism* – Sunday, 15 March 2009

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Dear friends

On behalf of KISA, I would like to thank you for your presence here today and to also welcome you to this event, organised on the occasion of two important anniversaries: The 8<sup>th</sup> of March, International Women's Day, and 21<sup>st</sup> of March, International Day for the Elimination of All Forms of Racial Discrimination. The first of these anniversaries marks the continuation of the struggle for real and essential equality between women and men in life, employment, society and politics, whilst the second calls for mass action against the curse of racism and discrimination on grounds of racial or ethnic origin. In the beginning of the 21<sup>st</sup> century and against every reason and human dignity, the phenomena of gender inequality and racism continue to plague us all over the globe and to "weaken the whole of society", as stated by Navi Pillay, High Commissioner of the UN for Human Rights. As migrant women and victims of multiple discrimination, because of gender, racial or ethnic origin, colour or religion, I am sure you are aware that these two phenomena are intertwined, hence our decision to organise this event.

I would also like to thank the Minister of Labour and Social Insurance for being here with us today. We believe that her presence at our event is not only due to her close and long relations that bind her with PEO, but also to her commitment to the principles of equality and anti-racism, as well as her will to contribute, especially from her important post in the government, to the combating of the inequality between women, including migrant women, and men, as well as racial discrimination and racism.

Last but not least, please allow me to thank publicly PEO and especially my friend Marina Stavrinou-Koukou, Secretary of the Women's Department of PEO, for her prompt response to KISA's call for cooperation in organising this event, and which includes the whole technical set up as well as the reception at the end of the event.

In order to have a common picture about the situation migrant women in Cyprus face today, I would very briefly like to refer to the major parameters of the present policies and the migration model in Cyprus today. As it is well known, the migration model of Cyprus, which was instituted in agreement with the social partners with the decision to "import foreign labour", was adopted at the beginning of the 1990s, when the first migrants came to Cyprus, with the aim of meeting acute labour shortages, especially in low-skill or unskilled jobs and in sectors such as agriculture, services, the construction and hotel industries, etc, jobs that local labour could or would not do. This migration model prescribes a strict framework of entry and short-term stay (initially for 6 years, today 4) of migrants and the prior to their coming to the country signature of a contract with a specific employer in a specific sector and for a specific job. Even in cases of flagrant violations of the terms and conditions of the employment contract, a permit to change one's employer is not ensured and is subject to the administration's discretion, whilst on the contrary, at least as far as we know at KISA, there haven't been any cases of taking away from employers their permission to employ migrants if they violate the terms and conditions of their migrant workers. A determining factor in the production and propagation of inequalities is the total dependence of the employee on the employer in view of the absolute connection between employment and the right to stay in the country. These adverse conditions violate Cypriot law as well as international law and the international and European conventions ratified and/or signed by the Republic of Cyprus. Cyprus copied this migration model (and added some 'Europeanised' elements), from countries in the Middle East and the Persian Gulf, such as Lebanon and Saudi Arabia, whose record concerning gender equality, democracy and human rights is well known. It is

also similar, in some respects, to the German system of «gastarbeiter» (1950s through 1970s), which has long been abandoned because of its ineffectiveness as well as the socio-political consequences in Germany and elsewhere. It is worth noting that this model of migration, with its particular parameters and the state of siege under which migrants are in effect obliged to live, is not applied in any other member state of the European Union.

Indicative of the attitude that has been created institutionally is the fact that third-country migrants are not even called migrants but “foreign workers” or simply “aliens/ foreigners”. This is evidenced in the data of the Statistical Services, the Social Insurance Department of the Ministry of Labour and Social Insurance and other civil service departments, where there is segregation between “aliens” and “migrants”, the latter apparently refer to migrants from member states of the European Union.

In relation to migrant women, it is noted that they are employed in sectors such as the hotel and catering industry, retail trade and services in general, health and private households, and in the sex industry (cabarets, night clubs, pubs, etc). In line with the world trend of the feminisation of migration recorded by international and European organisations, but with much larger proportions in Cyprus, in 2006 migrant women from third countries constituted 69,41% of third-country migrants, while migrant women from the European Union were 42,4% of European citizens in Cyprus. The employment of domestic workers is closely linked to the mass participation of Cypriot women in the labour market, which increased substantially in the last 20-25 years, since that is the employment of migrant domestic workers and is today over 60%. It is also important to note that of the total number of migrant women from third countries, in 2006 35,7% worked in private households, compared to 0,9% of European migrant women, while the overwhelming majority (over 97%) of the total labour force employed in this sector were migrant women from third countries.

Despite the fact that migrant women in private households are known as “domestic workers”, a large proportion of these also have to take care of children, old persons, etc, especially when they are employed by old people or by people with young children or in cases of people with disabilities and seriously ill people. As a whole, these jobs make up a large part of social reproduction, which continues to be considered exclusively women’s responsibility. So in essence, migrant domestic workers replace Cypriot women in the social reproduction process, thereby ‘freeing’ them to pursue or continue their career or to enter the labour market. At the same time, in view of the acceleration of the ageing of the population, the reduction in births and therefore the smaller size of the family and hence the fewer women available for taking care of the old, migrant domestic workers also satisfy the ever growing social need for taking care of the old, a need that the state cannot or does not wish to meet through special institutions or in the home.

Nevertheless and despite this significant role and their contribution to the promotion of the participation of the Cypriot women in employment and to the social reproduction process, migrant women, in the role of domestic worker or minder, either of children or the old or persons with disability or the sick, are faced with the worst discrimination and violation of their working and other rights. As an example, let’s see a “list” sent by a Cypriot female employer to the domestic worker she was to employ, which reflects a clearly racist attitude and is full of violations of working and human rights.

Also indicative of the inequality and discrimination faced by migrant domestic workers is their pay, which remained unchanged from 1990 at £150 a month (then the lowest wage), when it was first set by the state, until 2008, when it was raised to €282 (£165). This amount is 3 times lower than the minimum wage, which is set by the government for certain occupations, the holders of which are particularly vulnerable. Even though migrants and especially migrant women are especially vulnerable, they are also excluded from all support measures, as shown by the Social Inclusion and Social Cohesion plans of the government, in which they

are considered to be a “risk” to the implementation of support measures to the vulnerable groups. It is obvious that the pay of domestic workers is not irrelevant to the fact that the competent authority for their employment is not the Ministry of Labour and Social Insurance, which sets the pay levels of all other migrants according to the collective agreements, but the Ministry of Interior, which does not have the know-how or the mechanisms for labour matters, including for the implementation of the relevant legislation. Characteristic of this attitude and the violation of fundamental human and labour rights of domestic workers are many provisions and terms of the contract, such as for example that [the employee] “Shall obey and comply with all orders and instructions of the Employer”, “Shall not be entitled in any way and for any reason to any increase of his fixed salary”, “Shall not engage, contribute or in anyway, directly or indirectly take part in any political action or activity during the course of his stay in Cyprus”. This latter provision replaced another one in force until recently that strictly prohibited domestic workers from joining trade unions or taking part in trade union action, probably due to the outcry from various organisations and agencies both in Cyprus and abroad, to which KISA had repeatedly denounced the fact. We would like to believe that the Ministry of Labour, especially under its present political leadership, would never accept such a contract for migrant domestic workers or any other employee for that matter.

Another gross injustice against domestic workers, which also concerns the greatest majority of third-country migrants, is the fact that they do not enjoy the benefits provided for by the Social Insurance Fund, either during their stay here (such as for example unemployment or sick benefit), or when they return home (pension). Despite the repeated lobby, memoranda and other pressure of KISA and other agencies, no government has made any move to conclude bilateral agreements with the countries of origin of migrants in Cyprus so that they can at least transfer their pension rights to their home countries. Thus, migrants are net contributors to the Social Insurance Fund, a fact that should be taken into consideration by the present government in its actions for a more just society but also in fulfilling its obligations for international solidarity to poor countries, many of which are the home countries of migrants in Cyprus.

Regarding migrant women working in the sex industry, it is well known and documented by the reports of distinguished organisations in Europe and internationally that Cyprus is a country of the trafficking of women for sexual exploitation. With the change of government, and largely because of these reports that exposed the country, the Minister of Interior announced a change of policy in terms of the abolition of the so-called ‘artistes’ visas, which had previously been given very easily to third-country migrant women employed in cabarets, night clubs, pubs, etc., in an attempt to combat the phenomenon of trafficking. The new policy also includes new types of visas for third-country genuine artists and intellectuals wanting to work in Cyprus. We as KISA welcome the new policy and, as we wrote to the Minister in a memorandum in response to the ministerial intentions, we are awaiting to see the measures and mechanisms for its implementation. It is very important to note that the jurisdiction and responsibility of the employment of these third-country migrant women has been moved from the Ministry of Interior to the Ministry of Labour and Social Insurance.

It is more than apparent that migrant women, especially domestic workers, who form the largest group of third-country migrants, are subject to multiple discrimination, not only by employers who in the ‘sanctity’ of the private home they literally do as they like, but also the state, through the employment contract and on the basis of the policies and procedures of the migration model in Cyprus. In agreeing with Navi Pillay of the UN that “domestic workers are excluded from the provisions of the labour law”, I would add that the law and courts in Cyprus seem to collaborate to exclude them even from Directives of the EU enacted with the aim of providing protection from discrimination and ensuring their rights and their integration into society. I refer particularly to Directive 109 of 2003 for the status of third-country nationals who are long-term residents. The transposition of the Directive to the Cypriot legal framework has not met the hopes of thousands of migrants who are eligible for this status. In

January 2008, on the pretext of a technical point in third-country visas in Cyprus, the Supreme Court in essence agreed with the narrow mindedness and xenophobia of the officials of the Civil Registration and Migration Department but also with the state policy and, by rejecting a case of a migrant woman, and sealed the non implementation of the Directive in Cyprus.

However, apart from the exclusion of the eligible migrants, the majority of whom are migrant women, from the status of long-term residence and the equal rights provided for therein, we have just been informed of the introduction of new procedures, with extremely serious repercussions. In particular, according to the new procedures, in the case of applicants for the long term residence status, a complaint to the Committee of Labour Disputes of the Ministry of Labour and Social Insurance, or to the Committee of Labour Disputes of the Ministry of Interior (!!), which has more power than the first one despite the fact that neither of the two Committees is regulated by law, and even if the complainant migrant is justified by one of the Committees, there is only one outcome: Deportation. This development causes grave concern because, in conjunction with the migration model and the whole set of policies and procedures in the migration field, it leads to the continuation and further hardening of the policy of segregation of migrants into those with rights and those with no rights, mainly on the basis of ethnic or racial origin and on religion but apparently also on the basis of other grounds and characteristics.

And I would like to finish with a question: Is this the society we can look forward to?