

Migrant Domestic Workers and Human Trafficking Indicators

*A Guidebook to Measurement and Implementation
for Civil Society Organisations in Lebanon*

February 2019

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Acronyms

CSO	Civil Society Organisation
DGGS	Directorate General of General Security
ICCPR	International Covenant on Civil and Political Rights
IAHTI	International Association of Human Trafficking Investigators
MDW	Migrant Domestic Worker
NGO	Non-governmental Organisation
SORAL	Syndicate for the recruitment agencies in Lebanon which monitors the rules, duties and ensures the rights of recruitment agencies in Lebanon.
UDHR	Universal Declaration of Human Rights
UPR	Universal Periodic Review

Introduction

“What did we do? Did we steal? Did we kill someone?”

Kumari, a migrant domestic worker detained and subsequently deported with her daughter, 14, after working in Lebanon for 30 years.

In 2015, Lebanon expressed its support to several Universal Periodic Review recommendations to improve the situation of Migrant domestic workers (MDWs), combat trafficking, and support its victims. Although this means that the State commits to undertaking these recommendations, it is difficult to monitor whether real change has been made on these issues, especially due to the lack of detailed evidence around Lebanon’s progress on human rights issues in general.

As promoters and catalysts of change, Civil Society Organizations (CSOs) play a crucial role in monitoring the State’s performance in and holding it accountable for upholding, respecting, and fulfilling international human rights commitments. However, in the absence of appropriate tools and country- specific guidelines for objective and comprehensive human rights assessments, *ALEF-act for human rights* acknowledges the essential need for monitoring frameworks which help CSOs conduct situational analyses, inform and evaluate public policy, monitor progress, and measure performance and overall outcomes on human rights issues.

This guidebook has been developed to support a systematic and comprehensive translation of universal human rights standards on the rights of MDWs and the prohibition of trafficking into indicators that are contextually relevant to Lebanon. This approach favours using objective information for monitoring the national implementation of human rights. CSOs can use this guidebook’s methodology to organize their own research and advocacy, however, duty-bearers, advocates, and international partners alike can also use it to track progress, or to delve into particular areas in depth. The guidebook can also be adopted by National Human Rights Institutions and National Mechanisms for Reporting and Follow- up responsible for reporting on the implementation of human rights treaty obligations.

Structure of the Guidebook

Before addressing the issues related to MDWs and human trafficking, this guidebook is going to introduce the methods used in the process. It will therefore elaborate on the different forms of indicators and their value in explaining and exploring the issues at hand for practitioners, but also their limits. The manual is then divided into two major parts, aiming at equipping practitioners with a roadmap to monitoring and tackling human trafficking and the exploitation of MDWs.

Part I singles out MDW's rights, as well as indicators within each right to monitor their state and engage (international) partners into related programs. Part II outlines indicators to combat human trafficking in Lebanon. This, and the thematic mapping of indicators is intended to help practitioners working on specific sections of the issues at hand to identify their roadmap more easily. Part III provides practitioners with methods for the implementation of the indicators at hand into practical applications.

Definitions

Migrant domestic workers: Also known as foreign domestic workers, foreign domestic helpers, are according to the international labour organization is any persons moving to another country or region to better their material or social conditions and improve the prospect for themselves or their family, engaged in performing in a household.

Human trafficking: The action or practice of illegally transporting people from one country or area to another, typically for the purposes of forced labour or sexual exploitation.

Human rights indicators: Human rights indicators are used in the implementation of human rights standards and commitments to support policy formulation, impact assessment and transparency.

Immigration: The action of coming to live permanently in a foreign country.

Human Rights: Human rights are rights inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status. Human rights include the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work and education, and many more. Everyone is entitled to these rights, without discrimination.

UPR: The Universal Periodic Review (UPR) is a unique process which involves a review of the human rights records of all UN Member States in a four-and-a-half-year cycle. The UPR is a State-driven process, under the auspices of the Human Rights Council, which provides the opportunity for each State to declare what actions they have taken to improve the human rights situations in their countries and to fulfil their human rights obligations.

Why use indicators?

Indicators are **S**pecific, **M**easurable, **A**chievable, **R**ealistic and **T**ime-bound and predetermined tools used to monitor the progress of a certain project. In social research, indicators are employed to link the theory or the hypothesis with the field i.e. the reality of how things are occurring and taking place in the social world. Generally being used to prove the implementation of a certain action, indicators are therefore very useful in the evaluation of outcomes, such as monitoring progress in the 2015 UPR.¹ Especially in societies with complex societal and political structures, indicators can help to create structured approaches and find access points for projects. They are therefore especially useful to explore the multifaceted environment in which Lebanese CSOs act.

Chart 4: How can indicators be used?

Indicators are used for

Analysing unplanned impacts of laws and making new policies.

Identifying actors related, their obligations and impact whether positive or negative.

Predicting areas of possible breaching and Initiating preventative strategies.

Shedding the light on marginalized problems and encouraging unity when facing constraints in resources.

Source: Adapted from the UNDP, Human development Report, 2000

This guidebook distinguishes three types of indicators: structural, process, and outcome (see chart 1). Each category, through its information sets, assesses the steps taken by the State to meet its obligations, be it that of respecting, protecting or fulfilling a human right.

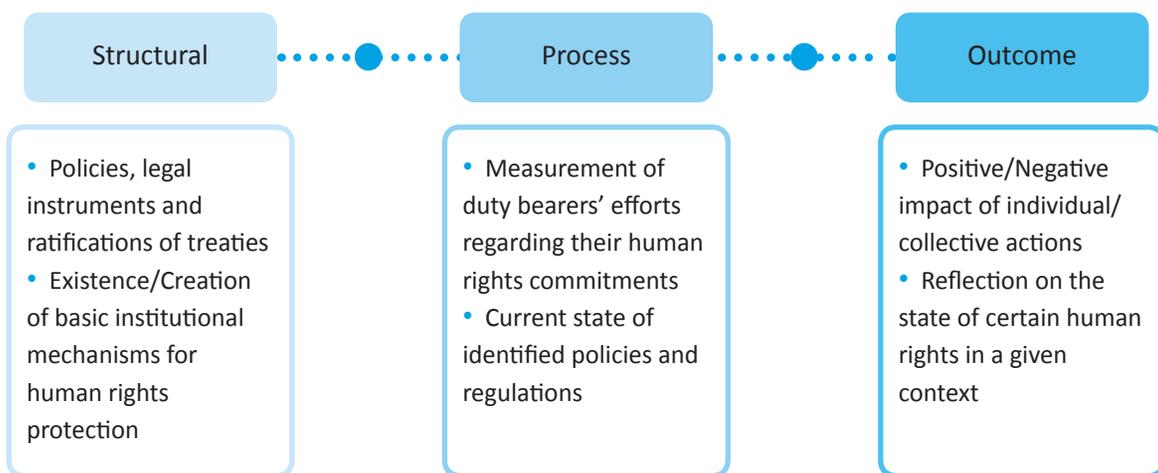
Structural indicators: Reflect the ratification and adoption of legal instruments and the existence of basic institutional mechanisms deemed necessary for the promotion and protection of human rights.

¹ <http://www.mnestudies.com/monitoring/what-indicators-and-types-indicators>

Process indicators: Measure duty bearers' ongoing efforts to transform their human rights commitments into the desired results. This requires looking into policy, including public programmes for development and governance, budget allocations and specific regulatory or redress interventions, that the State is willing to take to give effect to its human rights commitments.

Outcome indicators: Capture individual and collective attainments that reflect the state of enjoyment of human rights in a given context. It consolidates over time the impact of various underlying processes.

Chart 1: Indicators in the Guidebook



Limitations of the guidebook

Accuracy

Although the guidebook appears to result in readily understandable measurements, it does not attempt to quantify progress. It rather seeks to provide guidance on what factors need to be considered in order to make an informed assessment of progress on achieving human rights standards.

The main source of information for the indicators in this guidebook is events-based data on human rights violations. As such, this data may underestimate, or also rarely overestimate, the incidence of violations and depends on the awareness, access to information, and overall capacity of research staff. Information has therefore always to be critically reflected upon in a given context, when seeking to draw generalized conclusions for the country.

Scope

This guidebook does not measure the full range of factors, policies and institutions affecting the implementation of human rights standards on MDWs and the prevention of trafficking. It does not, for example, include aspects of economic stability, development, corruption, the quality or size of the labour force. To be able to create a meaningful analysis of progress, the scope of the guidebook has been deliberately limited based on recurring trends in violations identified through previously conducted social research. Although this may come at the expense of generality in some instances, it also helps to ensure the comparability of data and ability to systematically track progress over time.

Access to information

It is essential to keep in mind that although the guidebook was designed to fit the Lebanese context, it ultimately aims to monitor compliance which, in the human rights context, is explicitly anchored in human rights standards. This requires for certain types of information to be accessible for a proper assessment to take place. The information required to answer to indicators in this guidebook may not always be readily available or publicly accessible to researchers, however. While recognizing this challenge, it is also important to note that the lack of information may be indicative to the degree of willingness or commitment of certain state agencies to implement human rights commitments fully.

Part I: Indicators on Migrant Domestic Workers

MDWs in Lebanon face widespread human rights violations and poor protection caused by immigration and labour policies that link legal residency status with employment by a particular “sponsor.” In addition, the weak Lebanese protection framework exacerbates the risks these workers face.

The indicators in this section have been developed according to the below highlighted basic rights guaranteed by international human rights law. These rights not only figure prominently in the Universal Declaration of Human Rights (UDHR) and International Covenant on Civil and Political Rights (ICCPR) but were also found to be the most frequently violated according to ALEF’s previous research and work. This categorization is also intended to facilitate access to a roadmap for practitioners working on monitoring more specific aspects of MDWs rights.

1 - Right of access to primary care and Public Health

2 - Right to Adequate housing and shelter

3 - Right to Fair Trial

4 - Right to immigration/repatriation protection

5 - Right to adequate procedure in case of legal detention

6 - Right to Children Protection

7 - Right to favorable labor practices

8 - Right to social security

Table 1: Illustrative indicators on the Right of Migrant Domestic Workers to Public health

	Accessibility to health care facilities	Prevention, treatment and detected diseases	Mental health care	Sexual and reproductive Health
Structural	International human rights treaties relevant to the right to the enjoyment of the highest attainable standard of physical and mental health (right to health) ratified by the State Time frame and coverage of national policy on physical and mental health including MDWs and their families.			
	<ul style="list-style-type: none"> • Date of entry into force and coverage of regulation on mandatory health insurance including MDWs. • Coverage of health insurance for undocumented migrants 			Time frame and coverage of national policy on sexual and reproductive health
Process	<ul style="list-style-type: none"> • Proportion of the migrant population that was extended access to affordable healthcare, including essential drugs on a sustainable basis. • Proportion of MDWs benefiting from insurance coverage 	<ul style="list-style-type: none"> • Proportion of disease cases detected and cured • Proportion of physical and mental health cases responded to in the reporting period 	<ul style="list-style-type: none"> • Proportion of the MDW population that was extended access to psycho- social support services • Proportion of the MDW population benefiting from psycho- social support services 	<ul style="list-style-type: none"> • Proportion of reported cases of rape and other violence restricting women’s sexual and reproductive freedom responded to effectively by the Government
Outcome	<ul style="list-style-type: none"> • Proportion of population that renounced health- care services during the past 12 months for economic reasons, by service (e.g., dental care, medical consultations, drugs, surgery) 	<ul style="list-style-type: none"> • Death rate associated with and prevalence of communicable and non-communicable diseases 	<ul style="list-style-type: none"> • Suicide Rates among MDW 	<ul style="list-style-type: none"> • Perinatal mortality rate • Maternal mortality ratio

Table 2: Illustrative indicators on the Right to Adequate Housing and Shelter

	Habitability	Accessibility to services	Housing affordability	Security of Tenure
Structural	<ul style="list-style-type: none"> • Date of entry into force and coverage of regulation on adequate housing and shelter • Date of entry into force of minimum standards for housing and shelter for MDWs 			
Process	<ul style="list-style-type: none"> • Proportion of safe spaces for MDW that are publicly funded • Average habitable area (sq. m.) of MDW accommodations during the reporting period • Proportion of population with enough living space (persons per room or rooms per household) or average number of persons per room among target households 	<ul style="list-style-type: none"> • Proportion of MDWs that were extended access to an adequate water source, sanitation, electricity and waste disposal. • Number of safe spaces for MDW per district 	<ul style="list-style-type: none"> • Proportion of homeless MDW population that used public or community-based shelters in the reporting period 	<ul style="list-style-type: none"> • Number of recruitment agencies with adequate shelter for MDW. • Number of inspections of living spaces conducted by Government authorities
Outcome	<ul style="list-style-type: none"> • Proportion of households living in permanent structure in compliance with building codes and housing regulations 	<ul style="list-style-type: none"> • Proportion of population using an improved drinking water (public / private) source, sanitation facility, electricity and waste disposal 	<ul style="list-style-type: none"> • Proportion of rent and housing expenses from salaries 	<ul style="list-style-type: none"> • Proportion of households living in permanent structure in compliance with building codes and housing regulations

Table 3: Illustrative indicators on the Right to Fair Trial

	Access to and equality before courts and tribunals	Public hearing by competent and independent courts	Presumption of innocence guarantees in the determination of criminal charges	Accountability of perpetrators	Right to appeal and compensation
Structural	<ul style="list-style-type: none"> • Date of entry into force and coverage of legislation guaranteeing due process rights • Date of entry into force of mechanisms to protect victims and witnesses from risk of retaliation • Date of entry into force and coverage of regulations on legal pursuit in absentia 				
	<ul style="list-style-type: none"> • Date of entry into force and coverage of legislation guaranteeing non-discriminatory access to courts including provision of legal aid in a language that the migrant understands. • Date of entry into force and periodicity of review of civil and criminal procedure codes. 	<ul style="list-style-type: none"> • Time frame and coverage of national policy on judicial services, including on strengthening courts against extortion, bribery, or corruption 	<ul style="list-style-type: none"> • Identified/prescribed time limits to guide pre-trial and trial stages in the determination of charges against a person • Time frame and coverage of national policy on the provision of legal aid to MDWs. 	<ul style="list-style-type: none"> • Date of entry into force and coverage of complaint mechanisms for domestic violence 	<ul style="list-style-type: none"> • Date of entry into force and coverage of the right to appeal to a higher court and full review of legal and material aspects of a person's conviction and sentence
Process	<ul style="list-style-type: none"> • Number of MDW provided with legal aid • Proportion of requests for interpreters being met (criminal and civil proceedings) 				
	<ul style="list-style-type: none"> • Proportion of lawsuits related to property/ theft where MDWs appear in person or through counsel as plaintiff or defendant • Number/proportion of cases referred to alternative dispute resolution • Proportion of crimes (e.g., rape, physical assaults, domestic violence) reported to the police • Proportion of crime victims in cases sent to court by police who confirm charges 	<ul style="list-style-type: none"> • Share of public expenditure on courts and prosecution system • Number of MDWs who rate services and court as highly accessible in their own language • Average time taken to settle disputes with employers in tribunals and courts • Number/proportion of cases referred to alternative dispute resolution, including the Ministry of Labour's Labour Arbitration Court 	<ul style="list-style-type: none"> • Proportion of appeal cases where MDW are provided with legal aid 	<ul style="list-style-type: none"> • Number of reported cases of criminal violations referred to judicial authorities • Number of independent investigations launched by public prosecutors on allegations of hate crimes discrimination or domestic violence against MDWs 	<ul style="list-style-type: none"> • Proportion of cases where the right to appeal is restricted to specific areas of law • Number of cases appealed by MDW • Proportion of migrants deported prior to or during trial • Proportion of court cases involving MDW that were pursued after repatriation

Outcome	<ul style="list-style-type: none"> Conviction rates by type of adjudicated crime (e.g., rape, homicide, physical assaults) and characteristics of victims and perpetrators (e.g., sex, juvenile) 				
	<ul style="list-style-type: none"> Conviction rates for indigent defendants provided with legal representation as a proportion of conviction rates for defendants with lawyer of their own choice Proportion of crimes (e.g., rape, physical assaults) brought before judicial authorities Number of habeas corpus and similar petitions filed in court in the reporting period 	<ul style="list-style-type: none"> Proportion of adjudicated cases for which at least one irregularity in the pre-trial determination of charges was noted by the courts Proportion of total hearings opened to general public 	<ul style="list-style-type: none"> Reported cases of presumption of guilt and prejudgement by a court or public authorities (e.g., adverse public statements) Proportion of convictions obtained in absentia (in whole or in part) 	<ul style="list-style-type: none"> Prevalence/incidence of crimes, including hate crime and domestic violence, by MDWs Reported number of victims of direct and indirect discrimination and hate crimes and proportion of victims (or relatives) who received compensation and rehabilitation in the reporting period Number of perpetrators of direct and indirect discrimination and hate crimes and proportion of perpetrators held adequately accountable 	<ul style="list-style-type: none"> Proportion of criminal convictions in which sentence was reduced or a criminal conviction vacated or returned for retrial or resentencing Reported cases of miscarriage of justice and proportion of victims who received compensation within a reasonable time

Table 4: Illustrative indicators on the right to Immigration/Repatriation protection

	Immigration, repatriation and deportation	Fraud and illicit actions
Structural	<ul style="list-style-type: none"> • Date of entry into force and coverage of policies concerning (im) migration and repatriation • Date of entry into force of and coverage of national policy on deportation measures • Existence of mechanisms to facilitate repatriation processes 	<ul style="list-style-type: none"> • Date of entry into force of and coverage of national policy and mechanisms to detect fraudulent required documentation for immigration
Process	<ul style="list-style-type: none"> • Number of voluntary departures, repatriations, and deportations • Number/proportion of legal procedures seeking compensation following deportation 	<ul style="list-style-type: none"> • Number of cases of forgery by MDW identified and referred to embassies
Outcome	<ul style="list-style-type: none"> • Number of voluntary departures, repatriations, and deportations 	

Table 5: Illustrative indicators on the Right to adequate procedure in case of legal detention

	Arrest and detention based on criminal charge	Deprivation of freedom	Effective review by court	Accessibility to legal services
Structural	<ul style="list-style-type: none"> Date of entry into force of code of conduct for law enforcement officials, including rules of conduct for interrogation of arrested, detained and imprisoned persons 			
	<ul style="list-style-type: none"> Date of entry into force of policies for the protection of undocumented or unidentified migrants in detention 	<ul style="list-style-type: none"> Date of entry into force and coverage of formal procedure governing inspection of police cells, immigration detention centres and prisons by independent inspection institutions 		
Process	<ul style="list-style-type: none"> Presence of cultural and religious considerations for inmates (nutrition options, religious services...) 			
	<ul style="list-style-type: none"> Number/proportion of arrests or entries into detention under national administrative provisions of immigration control in the reporting period Proportion of detained and imprisoned MDWs in accommodations meeting legally stipulated requirements (e.g., drinking water, cubic content of air, minimum space, heating) Proportion of inmates per prison staff Number of criminal allegations against MDWs investigated, and proportion of false allegations and measures taken 	<ul style="list-style-type: none"> Proportion of law enforcement officials (including police, military and State security force) trained in rules of conduct concerning proportional use of force, arrest, detention, interrogation, and punishment when interacting with MDWs Proportion of cases where MDWs were detained longer than authorized by law 		<ul style="list-style-type: none"> Proportion of arrested or detained persons given access to a lawyer or legal aid Number/proportion of releases from administrative detention in the reporting period Proportion of MDW identified and visited by consular services
Outcome	<ul style="list-style-type: none"> Reported cases of arbitrary detention in the reporting period 	<ul style="list-style-type: none"> Number of deaths in custody, by cause of death (e.g., illness, suicide, homicide) 	<ul style="list-style-type: none"> Number of detentions, based on a court order or action by executive authorities at the end of the reporting period 	

Table 6: Illustrative indicators for the Right to Child Protection

	Access to Healthcare	Access to Education	Violence and exploitation	Underage workers
Structural	<ul style="list-style-type: none"> • Date of entry into force and coverage of regulations and policies concerning the residency of children of MDWs • Time frame and coverage of national policy concerning the children of MDWs • Time frame and coverage of emergency helplines for children 			
				<ul style="list-style-type: none"> • Date of entry into force and coverage of regulations and policies concerning underage MDWs
Process	<ul style="list-style-type: none"> • Number of migrant children turned away from accessing healthcare and education 		<ul style="list-style-type: none"> • Number of MDWs reporting forms of violence or exploitation against their children 	<ul style="list-style-type: none"> • Number of MDWs that are children
Outcome	<ul style="list-style-type: none"> • Number of MDW parents or their children arrested/ detained • Number of deported migrant children 			

Table 7: Illustrative indicator for the Right to favourable labour practices

	Just and safe working conditions	Protection from forced labour and exploitation	Access to decent work and unemployment	Decent Wages and social security
Structural	<ul style="list-style-type: none"> • International human rights and ILO treaties relevant to the right to work ratified by the State • Time frame and coverage of policy for universal implementation of the right to work and the right to just and favourable conditions for all migrant workers • Date of entry into force and coverage of domestic laws for implementing the right to work, including regulations to ensure equal opportunities for all and eliminate employment-related discrimination as well as (temporary) special measures for MDWs 			
	<ul style="list-style-type: none"> • Date of entry into force and coverage of regulations and procedures to ensure safe and healthy working conditions, including an environment free of sexual harassment, and establishing an independent monitoring body • Maximum number of working hours per week stipulated by law • Duration of maternity, paternity and parental leave and leave entitlements on medical grounds and proportion of wages paid in covered period 	<ul style="list-style-type: none"> • Time frame and coverage of policy for the elimination of forced labour, including worst forms of child labour, domestic work and work of migrants and human trafficking 	<ul style="list-style-type: none"> • Time frame and coverage of national policy on unemployment periods of MDWs • Time frame and coverage of policies for minimum standard to decent work • Coverage of minimum wage of MDWs in national legislation or policy 	<ul style="list-style-type: none"> • Date of entry into force of legislation defining employment fees through setting a minimum wage and salary scale considerate of housing and transportation needs. • Date of entry into force and coverage of international agreements on wages including double taxation with countries of origin for MDWs and families • Date of entry into force of bilateral or multilateral agreements around the portability of social security services for foreign nationals

	Just and safe working conditions	Protection from forced labour and exploitation	Access to decent work and unemployment	Decent Wages and social security
Process	<ul style="list-style-type: none"> • Average length of labour arbitration procedures • Proportion of received complaints investigated and adjudicated by Government actors • Number of unions that represent MDWs 			
	<ul style="list-style-type: none"> • Proportion of crimes reported to the police (e.g., rape, physical assaults, domestic violence) 		<ul style="list-style-type: none"> • Proportion of time dedicated to unpaid domestic work and caregiving • Number/proportion of legal procedures seeking compensation following termination of a contract • Proportion of MDWs who moved from precarious to stable contracts during the reporting period 	
	<ul style="list-style-type: none"> • Frequency of collection and dissemination of information relevant to assessing the implementation of the right to work and the right to just and favourable conditions for all migrant workers • Accessibility and coverage of data relevant to assessing the implementation of the right to work and the right to just and favourable conditions for all migrant workers • Proportion of enterprises that conform with business and workplace practices that protect MDWs 	<ul style="list-style-type: none"> • Proportion of victims of exploitation and abuse provided with legal assistance • Number of persons (including law enforcement officials) arrested, adjudicated, convicted or serving a sentence for exploitation and abuse of MDWs • Proportion of MDWs reporting forms of violence or exploitation against themselves • Proportion of forced labour cases reported to the police in the reporting period • Proportion of employees reporting exploitation and abuse who initiated legal or administrative action • Proportion of MDWs reporting satisfaction with how involved they feel in the decision-making affecting their enjoyment of rights 		

<p>Outcome</p>	<ul style="list-style-type: none"> • Prevalence of deaths, injuries, diseases and disabilities caused by unsafe natural and occupational environment • Proportion of MDWs participating in social security scheme • Proportion of MDWs covered under social security who requested and received social security benefits in the reporting period 	<ul style="list-style-type: none"> • Proportion of MDWs that feel unsafe (security from crime and abuse from law enforcement officials) • Proportion of MDW victims of exploitation or abuse who received compensation and rehabilitation, in the reporting period • Reported cases of violation of the right to work, including forced labour, discrimination and unlawful termination of employment and proportion of victims who received adequate compensation • Proportion of women subjected to psychological and/or economic violence by their employer or a member of the employer's household • Proportion of MDWs who have experienced physical and/or sexual violence by their employer or a member of the employer's household in the past 12 months/ during their lifetime • Incidence of harassment in the workplace 	<ul style="list-style-type: none"> • Proportion of workers in precarious employment (e.g., short-, fixed-term, casual, seasonal workers) • Long-term unemployment rates • Employment-to-population ratios • Wage gap ratios for MDWs by gender and countries of origin 	
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Part II: Indicators on Combating Human Trafficking

Lebanon is a destination country for internationally trafficked persons, primarily women. Women from different countries of origin travel to Lebanon, in the belief that they will work as domestic workers and have reportedly been forced into domestic servitude and sexual exploitation.

The indicators in this section have been developed according to access points for the work of CSOs in human trafficking. This categorization follows the intention to facilitate a roadmap for practitioners focusing on certain aspects of the human trafficking cycle.

The first section of [Labour Exploitation](#) focuses on everything related to the recruitment practices up until the abuse of victims. Therefore, gaps in legal provisions, prevention mechanisms, as well as investigations can be monitored. In addition, the mentioned indicators also provide structured approaches to statistically capturing trafficking and abuse data.

The [Accessibility to Services](#) section outlines indicators to map and monitor the current accessibility, adequacy, adaptability, and quality of different support systems. These indicators can therefore be used to identify gaps herein, as well as in the degree of capacity utilisation.

The [Trainings and Awareness](#) section highlights indicators that monitor the current provision of awareness campaigns and trainings of all stakeholders and practitioners engaged in the human trafficking cycle, as well as the lack thereof.

The final section [International Cooperation](#) covers indicators related to bilateral and international commitment of Lebanese stakeholders. These indicate degrees to which certain state parties can be held accountable for (negative) developments in the context of human trafficking.

1 - Labour Exploitation

2 - Access to Services

3 - Trainings and Awareness

4 - International Cooperation

Table 8: Illustrative indicator for Labour Exploitation

Structural	<ul style="list-style-type: none"> • Date of entry into force of legislation to regulate the activities of private recruitment agencies and of informal labour providers through the introduction of a system of licensing or registration and presence of a responsible institution for this. • Date of entry into force of legislation criminalizing fraudulent recruitment • Presence of legal provisions to ensure that migrant workers are not charged directly or indirectly any fees or costs for recruitment and placement • Presence of guiding principles promoting gender equality and prohibiting trafficking in the SORAL code of conduct. • Presence of a system of warnings and penalties for recruitment agencies engaging in exploitative practices and in other breaches of licensing/registration requirements and labour standards² • Presence of a mechanism to monitor and enforce standards of recruitment and employment in order to curb abuse and exploitation • Presence of questionnaires pre- departure and post- departure to examine recruitment agencies' performance • Presence of clear recruitment policies that ensure the clarity and explicitly of recruitments costs and mention who is responsible for paying them • Presence of a contract between state actors and employers that provides MDWs with protection from racial and gender discrimination. • Presence of systems to verify, demonstrate and document that costs of recruitment were not recovered, directly or indirectly, from workers through salary deductions, reductions of other benefits or other type of charges or changes in the terms and conditions of work
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² Measures may include, but are not limited to: license/registration revocation or suspension, temporary or permanent ban on business activity

Process	<ul style="list-style-type: none"> • Presence of independent monitoring, verification and certification mechanisms to document compliance and implementation of codes of conduct or self-established ethical standards and commit to share data with law enforcement on suspected exploitation • Existence of guarantees that MDW retain the right to freedom of association and to collective bargaining. • Presence of guarantees that migrant workers whose rights and freedoms were violated enjoy equal access to justice and remedy for harms committed against them through civil, administrative, judicial or other legal action, regard-less of their status. • Rate of pre- approved visas obtained by MDW to the rate of approved residency and work permits • Presence of an employment contract that includes information about wage level, payment modalities, working hours, overtime, frequency of rest days, indemnities and bonuses if any, safety of working conditions, responsibility for occupational health and safety, insurance, availability and accessibility of grievance mechanisms. • Ability of workers to terminate a contract at any time by giving reasonable notice and without penalty, such as withholding of wages or having to pay a fee for early termination of work. • Proportion of MDWs that are underage in Lebanon. • Number of documented Human Trafficking cases in Lebanon. • Establishment of a safe environment in Recruitment Agencies. • Proportion of Recruitment Agencies that have been closed without being blacklisted and held accountable • Proportion of MDWs whose passport are confiscated annually. • Number of cases where MDWs reported verbal or physical abuse. • Number of cases investigating MDWs' violation. • Number of litigations that involve Trafficking of MDWs. • Number of MDWs that have reported being deceived into forced labour/ prostitution. • Proportion of MDWs that escape from their work place before end of contract. • Proportion of MDWs arrests caused by runaways. • Number of MDWs deported for having escaped from their employer's house • Proportion of MDWs that have been deported after being trafficked. • Number of investigations on the causes of MDWs' escapes. • Proportion of trafficked victims that have been compensated. • Proportion of investigations opened into the causes behind MDWs escaping from their employers' home (instead of automatically arresting them). • Proportion of Human Trafficking cases that have not been investigated and litigated
Outcome	<ul style="list-style-type: none"> • Proportion of blacklisted Recruitment Agencies. • Number of court cases involving human rights violations at employer's house. • Proportion of exploited and trafficked migrant workers allowed to lawfully stay in the country to pursue compensation claims before civil, labour or criminal courts. • Number of times the Anti-Trafficking Law was successfully applied.

Table 9: Illustrative indicator for Accessibility of Services

Structural	<ul style="list-style-type: none"> • Accessibility, adequacy, adaptability, and quality of legal support systems and services for trafficked victims. • Accessibility, adequacy, adaptability, and quality of psychological, and medical support systems and services for trafficked victims. • Proportion of the Trust Fund used to help trafficked victims • Frequency of reporting on the use of the fund and transparency of reports of to ensure its effective use
Process	<ul style="list-style-type: none"> • Presence of independent monitoring, verification and certification mechanisms to document compliance and implementation of codes of conduct or self-established ethical standards and commit to share data with law enforcement on suspected exploitation • Existence of guarantees that MDW retain the right to freedom of association and to collective bargaining. • Presence of guarantees that migrant workers whose rights and freedoms were violated enjoy equal access to justice and remedy for harms committed against them through civil, administrative, judicial or other legal action, regard-less of their status. • Introduction of technology that facilitates the communication of MDWs rights and commitments. • Use of audio guides or number of translators at airports to explain MDWs their rights. • Presence of institutional guidelines that respect workers’ privacy when processing personal data collected about them. • Presence of operational level complaint mechanisms to respond to labour abuses of migrant workers, and make them easily, safely and confidentially accessible to migrant workers so that they understand the process, are not afraid of complaining, and are confident of receiving an effective and timely response • Accessibility, adequacy, availability, and quality of centres and organizations that can provide support and help in cases of Trafficking and forced labour • Proportion of trafficked victims who report their trafficking and seek for help. • Proportion of trafficked victims who report their trafficking and do not receive help. • Presence of free legal counselling and assistance for trafficked victims in a language that they understand during proceedings.
Outcome	<ul style="list-style-type: none"> • Proportion of Trafficked victims that are in detention for being trafficked. • Proportion of Trafficked victims that seek help and report the crime. • Proportion of trafficked migrants whose status was regularised

Table 10: Illustrative indicator for Trainings and Awareness

Structural	<ul style="list-style-type: none"> • Number of awareness- raising initiatives of the 2011 Anti-Trafficking law and relevant international law to ensure its application and the prevention of crime. • Presence of training curriculums to be given to the Ministry of Interior and DGGs on anti-trafficking cases.
Process	<ul style="list-style-type: none"> • Number of awareness raising sessions about the Lebanese anti- trafficking law • Number of training sessions given to lawyers and law enforcement officers to improve the understanding and application of the Anti-Trafficking law.
Outcome	<ul style="list-style-type: none"> • Number of Anti-Trafficking trainings given to judges, lawyers, and law enforcement officers. • Number of awareness campaigns by State agencies about MDWs rights in Lebanon.

Table 11: Illustrative indicator for International Cooperation

Structural	<ul style="list-style-type: none"> • Number of bilateral agreements with the MDWs’ country of origin that ensure their protection from trafficking, discrimination, and abuse, in exchange for their labour • Cooperation with the International Association of Human Trafficking Investigators (IAHTI) (or any other International organization) who offers worldwide training to lawyers and officers, among others, to ensure the right content and quality of Human Trafficking education.
Process	<ul style="list-style-type: none"> • Number and quality of collaborations with international organizations and actors to combat trafficking. • Number of agreements between Lebanon and MDWs’ countries of origin that cover recruitment and return of migrants

Part III: Interpreting Indicators

This section seeks to show some techniques on how to accurately interpret and use indicators, to lead an efficient monitoring process.

According to the Human Rights Indicators manual published by the OHCHR, three main methods are typically employed when dealing with human rights indicators such as the ones outlined in this guidebook.

Techniques to analyse indicators related to Migrant Domestic Workers and Human Trafficking		
Trend Analysis	Ratio Analysis	Advanced statistical and econometric analysis
<ul style="list-style-type: none">• Based on the idea that what has happened in the past may happen again in the future.• Includes comparisons of the same indicator over two or more periods of time.	<ul style="list-style-type: none">• Based on the study of the relationship between two indicators measured in the same unit.	<ul style="list-style-type: none">• Based on the identification of determinants and causal agents of social outcomes and their consequences.

The metadata sheets in the following section illustrate how each or the indicators are designed to be understood and interpreted in research

Indicator 1: Time frame and coverage of national policy on health and access to health care, including for reproductive health and for persons with disabilities

(e.g. the Right of Migrants to Public health)

Definition	The indicator refers to the date of entry of the national policy on the access to health care for reproductive health and disabilities. The indicator also includes the population number covered by the policy
Rationale	A national policy statement is an instrument used to display the government’s standing regarding a certain subject. It is the mean used to render the government accountable for under-achievements or flaws in tackling related subtopics.
Method of Computation	The time frame is the date of adoption of the policy in the country (dd/mm/yy). As for coverage, it is the number of administrations or population covered under the national policy.
Data collection and source	The most relevant source of data would be official administrative records
Periodicity	Continuous
Comments and Limitations	It is limited to the display of what policies the state is willing to adopt but shows no indication regarding proper implementation.

Indicator 2: Date of entry into force and coverage of regulation on adequate housing and shelter
(e.g. *Right to Adequate Housing and Shelter*)

Definition	The indicator refers to the date on which the national regulations in relation to the right to adequate housing and shelter is enforced. The indicator also covers the geographic spectrum. Regulations refer to the main concepts that are followed when insuring a proper place of living for the MDW.
Rationale	Regulation on adequate housing and shelter, as well as related policies, are included in the domestic workers contract, in line with Article 25 of the Universal Declaration of Human Rights. This indicator confirms the state's and recruitment agencies commitment to respect the right of adequate housing and shelter for MDW.
Method of Computation	The time frame is the dated of adoption of the regulation in the country (dd/mm/yy) as for the coverage, it is the proportion of administrations or population covered under the national policy.
Data collection and source	The most relevant source of data would be official administrative and legal records
Periodicity	Continuous
Comments and Limitations	It is limited to the display of whatever the state is willing to adopt policy wise but shows no indication whether it has been properly implemented or not in addition to which extent.

Indicator 3: Proportion of arrested or detained persons given access to a lawyer or legal aid
(e.g. *Right to adequate procedure in case of legal detention*)

<p>Definition</p>	<p>The indicator refers to the proportion of detained MDW who throughout their detention were given access to a lawyer or legal aid to assist them. The indicator includes the records of arrested MDW who did not have legal aid access or were not provided with a lawyer to defend them.</p> <p>Where there is a contact/communication with the judiciary system, the indicator should include what is qualified as “effective” response.</p>
<p>Rationale</p>	<p>This indicator is there to follow up on the state’s effort to fulfil and respect the right to have access to adequate procedure in case of legal detention. The state and its judiciary sector in specific should insure that MDW in detention have access to their right of defence. State parties must insure the access of the MDW to lawyers or any form of legal aid.</p>
<p>Method of Computation</p>	<p>The indicator is calculated following the number of complaints filed to give notice of the breaching of this right. The proportion investigated of the complaints is compared to the proportion of cases who were provided with legal aid. (?)</p>
<p>Data collection and source</p>	<p>The most relevant source of data would be official administrative and legal records as well as records kept in NGOs who work in prisons and deal with human rights.</p>
<p>Periodicity</p>	<p>The information is produced annually.</p>
<p>Comments and Limitations</p>	<p>It is limited since most of the data gathered in this indicator is human based events related in reports or legal cases. This data sometimes lessens or overrates the event in question, making the event far from being as exact as their reality.</p>

Indicator 4: : Reported cases of miscarriage of justice and proportion of victims who received compensation within a reasonable time

(e.g. table on the right to indicator on the Right to Fair Trial)

Definition	This indicator refers to the number of reported individual cases of flawed judiciary procedures during the reference period. “Miscarriage of justice” is defined as a failure of a court or judicial system to attain the ends of justice, especially one which results in the conviction of an innocent person.
Rationale	This indicator is there to follow up on the state’s effort to fulfil and respect the right to have adequate fair trial. It insures that proper management of the judiciary cases of Migrant Domestic Workers which witness fraud and motivation by fear by their employers.
Method of Computation	The indicator is saved as the number of all reported cases of forced eviction in a specific period.
Data collection and source	The most relevant source of data would be official administrative and legal records as well as records kept in NGOs who work in prisons and deal with human rights.
Periodicity	The information is produced periodically and annually
Comments and Limitations	It is limited since most of the data gathered in this indicator is human based events related in reports or legal cases. This data sometimes lessens or overrates the event in question, making the event far from being as exact as their reality.

Indicator 5: Suicide Rates among MDW

Definition	This indicator refers to MDWs committing suicide in Lebanon during the specified period.
Rationale	As a measure of MDW protection scheme, suicide rates are a key component to monitor the application and flaws in the implementation of their rights in Lebanon. Consequently, it will be particularly important in monitoring the results of State parties' actions in fulfilling their obligations to create favourable and necessary conditions in which infant mortality rates are minimized.
Method of Computation	The indicator is computed as the number of suicide cases per year.
Data collection and source	The most relevant source of data would be official administrative and legal records as well as records kept in NGOs that deal with human rights.
Periodicity	The information is produced periodically and annually
Comments and Limitations	It is limited since most of the data gathered in this indicator is human based events related in reports or legal cases. This data sometimes lessens or overrates the event in question, making the event far from being as exact as their reality.

