

**THE ADVOCACY OF INDONESIAN DOMESTIC WORKERS
IN SINGAPORE
BY HUMANITARIAN ORGANIZATION FOR MIGRATION
ECONOMICS**

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Abstract

As we know that Singapore is become one out of best five most chosen destination country by Indonesian women to work as a domestic worker. Aside of that, they experience a lot of abuse, violence, sexual harassment, and other mistreatment while working there. Meanwhile, the government in Indonesia and Singapore also tend to ignore the specific regulation towards their protection in individual. Therefore, here the researcher would like elaborate the current condition of the Indonesian Domestic Workers in Singapore and the role of the local NGOs in Singapore which is Humanitarian Organization for Migration Economics (HOME) and partners in advocating the issues, also local NGOs partners in Indonesia. As to emphasize, HOME and partners tries influence the government as the policy makers in order to pay particular attention towards the protection of Indonesian domestic worker and the issues they faced in Singapore.

Keywords:

Advocacy, Humanitarian Organization for Migration Economics, Indonesian Domestic Workers

INTRODUCTION

Singapore is painted as a land of opportunity, where you have an outside chance once you returning home bring more income to the families. That is one of the main reason why there are many foreign workers work as a domestic worker in Singapore. According to the Indonesian's research center for domestic workers placement and protection, from 2010 – 2016, Singapore become one out of the best five most chosen destination country by the Indonesian workers to work as domestic workers, together with Malaysia, Saudi Arabia, Hong Kong, and Taiwan. (Badan Nasional Penempatan dan Perlindungan Tenaga Kerja Indonesia, 2016). In Singapore, there are three different categories of labor migrant;

1. Highly skilled work permit holders (expatriates) who earn a minimum of SGD 2,500 per month;
2. S-pass holders, who earn salary more than SGD 1,800 per month; and
3. Unskilled (temporary) workers who earn less than SGD 1,800 per month.

From the different categories above, Indonesian labor migrants fall into the third category which is most of Indonesian labor migrants working in construction, manufacturing, or as domestic workers (International Organization for Migration, 2010). A research by International Organization of Migration shows a report from the Indonesian embassy in Singapore that the largest number of foreign domestic workers in percentage of 55 come from Indonesia, followed by the Philippines with 40 percent and the remaining 5 percent are spread from other countries including Thailand, Myanmar, India, and Bangladesh (International Organization for Migration, 2010).

Being domestic worker, it does not mean working in peace and receive their rights fully, in fact there are several problems appeared during their work in Singapore as a domestic worker. In 2014, HOME reported that in the shelters had helped 750 domestic workers with several cases reported. There are 97 cases of physical abuse, 19 cases of sexual harassment, and 333 cases of verbal or psychological abuse (O'Brien, 2015). Others data from HOME, showed in 2015 it is recorded 299 case of emotional abuse, 108 cases of unpaid wages, 102 cases of

physical abuse, and 75 cases of insufficient food, among 1212 cases in total (Salvá, 2016). The data show that there are actually still many abuse experienced by the domestic workers in Singapore in which unrecorded. In accordance to the data explained previously, it is clear that the protection of Indonesian Foreign Domestic Worker in Singapore is has not been implemented in their well-being regulations, since there are still a lot of abuse, violence, and others inhuman activity during the FDW works abroad. Thus, their protection should become one of the important concern for the government. In accordance with the remarks of the UNHCR in General Assembly on Migration and Development, that: “Managing migration flows effectively requires understanding that migrants are not simply agents of development but human being with rights, which States have an obligation to protect”.

Meanwhile, the protection of the migrant domestic workers is still ignored by the stakeholders and the policy makers from both government of origin country and destination country. Although in Indonesia, the issue or case of Indonesian migrant workers has been managed in UU No. 39/2004 as the highest regulation in concerning the migrant workers issue but still, there are some regulation in which the regulation and law are not explicitly written towards the protection of the migrant workers. In this case, Singapore’s government has largely relied on market forces rather than labor laws to regulate working conditions and recruitment practices. It is then not surprisingly that migrant domestic workers are not protected under the Employment Act (Wong, 2010). It will be different if the Employment Act as the policy makers make a regulations and its protection for the migrant domestic workers, there will be a guarantee and protection for the migrant domestic workers regarding their mandatory weekly rest day, overtime pay, paid sick leave, annual leave, and maternity leave. But in opposite, migrant domestic workers are covered by the Employment of Foreign Manpower Act in which provide protections that is less comprehensive than the Employment Act (Wong, 2010).

However, the regulations made are worded too vaguely to ensure effective and consistent enforcement. The act stipulates that rest days will be provided in accordance with the terms of employment contract. Although there was a standard

of employment contract in which was introduced in 2006, it is still did not set a minimum wage nor did it set limits on working hours and employers are allowed the option of giving only rest day in a month, which is far below accepted international labor norms (Wong, 2010). Aside from that, a research and complaint are received by HOME informed that most of the issue experienced by Indonesian foreign domestic workers in Singapore are such as less training, paid high payments for agency, unpaid wages and levy, insufficient food that contains of expired food, and less nutrition meal they receive, and lack of accommodation.

Responding to many issues experienced by the foreign domestic workers that happened in Singapore, some Non-Governmental Organization, International Non-Governmental Organization in Singapore, and other advocacy actors take a role as an organization that concerns to the rights and protection of foreign domestic workers in which somehow the Singapore's Government gives less attention towards the issue. There are several actors involved in both countries in advocating the issue of Indonesian migrant domestic workers in Singapore who experience such abuse and any maltreatment. Thus, some non-governmental organizations play an important role in advocating their rights and protection in which all of them mostly has the same concern has its vision and mission to promote safety for Indonesian foreign domestic workers. In addition, their advocacy activity also refers to influence the government as the stakeholder's authority to create, revise, and add a regulation where possible and ratify some constitution or convention in relating with the protection and rights for Indonesian migrant domestic worker, especially in Singapore. One of the main organization that has been mentioned above is HOME.

Model of Integrated Advocacy

Advocacy is an effort to revise or to change the public policy to fit with the purpose or interest of those who insist or who want a change. Advocacy originally come the word "advocate" in which means to protect, to defend, to promote, or to advocate, or even in other means is to create and create an organized or systematic change (Azizah, 2013). In underlining the term of advocacy, the main purpose of

advocacy is to realize a revise, or change of public policy. According to Laswell, the process of policy is divided into 4 steps, including: agenda setting, policy formulation and legitimation, implementation, and evaluation. In brief, advocacy is the pursuit of influencing outcomes – including public-policy and resources allocation decisions within political, economic, and social systems and institutions – that directly affect people’s current lives.

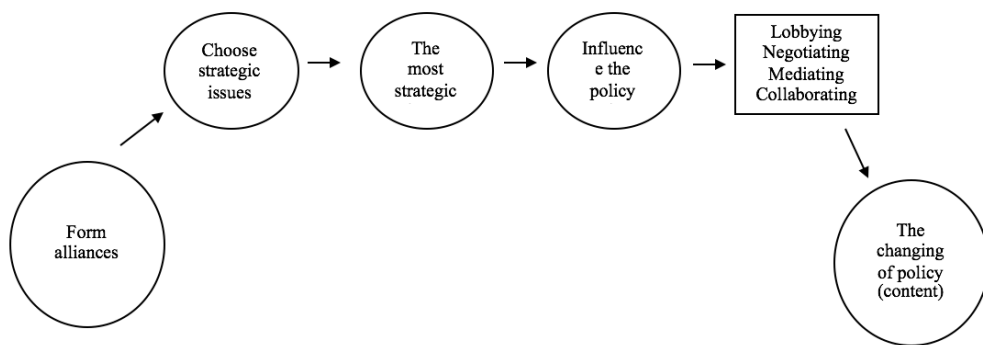


Figure 1
Integrated Advocacy Process.
Source: (Azizah, 2013)

From the model stated previously, it can be seen that the advocacy process goes to each step in each sector. In the issues of Indonesian foreign domestic workers in Singapore, the process of integrated advocacy started from the very start up which is forming the alliances before begin the advocacy activity and what kind of issues or problem that will be advocated. As how the HOME formed alliances with TWC2, AWARE, and local NGOs in Indonesia which is *Yayasan Dunia Viva Wanita* also widely known as *Viva Wanita*, to discuss and form the strategic issues and problem experienced by most of the foreign domestic workers especially the Indonesians which is also one of the step before realizing the advocacy activity. Then right afterwards, it continues to choose the most strategic issue which happen to be the rights and protection of Indonesian foreign domestic workers in Singapore, as there is still many violence refer to physical and sexual abuse, economic abuse that refers to unpaid salaries, and wage deduction for a long time, bad

accommodation they receive, insufficient food, and even their limit of association with their families or relatives. Those mentioned issues have been experienced by Indonesian Foreign Domestic Workers in Singapore. After knowing the fact there are still several issues appeared, as the NGOs, HOME form a cooperation with TWC2 in conducting an interview as one of the research method's to get more accurate and specific information from the Indonesian Foreign Domestic Workers in Singapore in order to observe and divide the issue before it will be advocated afterwards by countering a plan to influence the authorities' stakeholder or policy makers.

From the data and information collected from the previous step, the process will continue to the next step in which to influence the policy makers in Singapore and Indonesia towards their previous or the available policy or law regulations as to suggest and recommend put more particular attention which related to the issue faced by Indonesian domestic worker in Singapore. Following by the next step will be the lobbying, negotiating, mediating, as well as collaborating with all the involved advocacy actors which involve, in making the policy revised, added, or changed comparing to the previous policy regarding the issue. As the advocacy runs smoothly, then it means the advocacy process following the Integrated Advocacy Model is applicable and match to conduct an advocacy activity in further which related with the issue of migrant workers.

ANALYSIS OF THE ADVOCACY EFFORTS OF HOME AND PARTNERS

Advocacy is the pursuit of influencing outcomes – including public policy and resource allocation decisions within political, economic, and social systems and institutions – that directly affect people's current lives (Azizah, 2013). In other words, advocacy is an effort aims to recreate or change the public policy in order to be more specific with the needs or importance of the people who want changes. In basic means, the main purpose of advocacy is the emergence of policy-changing. In this case, the Humanitarian Organization for Migration Economics shows the effort to accomplish its advocacy achievement with its partner towards the policy-changing in terms of the Indonesian foreign domestic worker in Singapore. Through lobbying, negotiating,

mediating, and collaborating, then the goal of advocacy which is the policy changing towards the problem will be achieved.

1. Lobbying with the Indonesia and Singapore Stakeholder

As a part of the advocacy in changing the policy related to the core issue which is the domestic workers, HOME as the main advocacy actor plays an important role in handling the first step which is lobbying. Lobbying means an effort to influence government decisions, legislation, or the other part of the policy-making process in this modern democracies (CleanGovBiz, 2012). The main purpose of doing the lobby to the stakeholders of both countries involved is to improve the government decisions regarding to the issue by providing valuable insight and data. Good lobbying means getting involved at the very earliest stage of policy formulation which also means getting into think tanks to champion the ideas or feed in to the policy reviews (Zetter, 2008). In this case, HOME and other advocacy partners in Indonesia such as *Viva Wanita* lobbied the both countries' stakeholder to ratify the convention which is related to the problem and issue faced by the Indonesian foreign domestic workers in Singapore.

There are several conventions that the Singapore's Government has not yet ratified regarding the issue of the domestic workers. Despite those unratified conventions, the Singapore's government argued that although the government has not ratified International treaties such as mentioned above, the substance of Singapore's laws is generally in compliance with the standards stipulate by these international treaties. Those declared disclaimer motivate HOME to lobby the government to ratify the convention if only the Singapore's laws are generally in compliance with international standards as the government claims, then HOME argues that it should not have any problem in ratifying the UN Convention for migrant workers and the ILO Domestic Workers Convention (Wham, 2016). However, it is a kind of bizarre option chosen by Singapore's Government for not ratifying the ILO Convention for Domestic Workers while ILO and Singapore Ministry of Manpower have signed a partnership agreement to improve labor and workplace practices in which the partnership agreement has been entering the two-year partnership agreement. Thus, HOME argues that by ratifying

these treaties, it will however show Singapore's commitment to uphold the migrant worker's rights. Upon those arguments above, HOME urges the government to do so.

2. Negotiating with Indonesia and Singapore Stakeholder

Negotiation is a basic human activity in which it also means a process that clearly undertake in everyday activities to manage relationships between two parties. In some case of negotiations, the stakeholders are not that high and do not have to pre-plan the process and outcome, even in some cases, the stakes are high and have to prepare, plan, and negotiate more carefully (Ghauri, 2003). On the other hand, negotiation refers to a win-win negotiation where both or all parties that involved can end up with equally beneficial or attractive outcomes. It is more likely related to a problem-solving approach, where both parties involved perceive negotiation as a process to find a solution or decision to a common problem (Ghauri, 2003). Negotiation works as a part of the advocacy process conducted by HOME and partners, in which it stands as a tool to recommend the stakeholders from both states, Indonesia and Singapore, in changing or providing recommendation in some policies related to the rights of foreign domestic workers in Singapore. Some part of negotiations that HOME and partners conduct are mostly upon the prior of departure and the arrival of the workers while working in Singapore. Regarding with this matter, there are two other advocacies actors in Singapore beside HOME that conduct some research and give some recommendation to the Singapore stakeholder's and one local NGO from Indonesia, *Viva Wanita* collaborate with HOME gives some recommendation to the Indonesian Government.

a. HOME recommendation to the Singapore Government

Indonesian foreign domestic workers are under the protection of Employment Foreign Manpower Act which does protect several issues in detailed. There is an exception of Migrant Domestic Workers in the protection under the law in which not included in the Employment Act of MOM Singapore. However, the State-under-review claimed which means to protect low-skilled migrant workers under the EFMA in which it provides more proper and particular accommodation, timely payment and sufficient food and rest. Thus, the existing frameworks meant to protect the low-skilled migrant workers are theoretically sound but lacking in practical application. However, through several recommendations from HOME,

Singapore government support the following recommendation in the Universal Periodic Review in 2011 below:

- a. Ensure universal access to health services and continue efforts in providing health care.
- b. Protect the rights and improve the working conditions of migrant domestic workers and promote the well-being of their human rights
- c. Strengthen the efforts to protect the rights of migrant workers
- d. Strengthen cooperation is required with countries of origin of the domestic workers so that it can support a better protection from exploitation
- e. Improve and review some legislation to the further step of the protection in term of the dignity and safety of the foreign workers.
- f. Contribute to the efforts of neighboring countries to combat the human trafficking which means to decrease or tackle this issue

b. HOME and Viva Wanita recommendation to Indonesian government

HOME works in close partnership with *Viva Wanita* which is based in Batam, Riau Island, Indonesia. *Viva Wanita* established to provide a shelter for the victim of trafficked survivors and migrant returnees. HOME and *Viva Wanita* wrote a report and its recommendation. HOME and *Viva Wanita* reported the discrimination and inequality experienced by female Indonesian domestic workers in Singapore and the trafficking of Indonesian women into domestic servitude in Singapore and into sexual exploitation in Batam.

In fact, HOME and *Viva Wanita* appreciated to note the ratification by Indonesia on the Migrant Workers Convention in April 2012. Indonesia was the only one beside the Philippines who ratified the convention. Thus, in other ways HOME and *Viva Wanita* encouraged the Indonesian government to take urgent steps to:

- a. Incorporate its obligations under the Migrant Worker Convention into domestic law
- b. Encourage other ASEAN member nations to sign and ratify the convention

Use its obligations under the convention as a basis for discussion and negotiations with the migrant destination countries such as Singapore, it is expected that a good condition for Indonesian domestic workers should be improved.

c. TWC2 recommendation to Indonesian and Singapore government

Knowing the fact that most of FDWs in Singapore is lack of freedom movement as well as faced by the Indonesian FDWs, TWC2 also recommended the stakeholder of Singapore to make a legal protection for the freedom of movement which means the prohibition of wrongful confinement in the Penal Code must be enforced to prevent employers from locking workers inside their residences. The 2007 Passport Act must also be enforced. More importantly, as many data and research provided the current condition of Foreign Domestic Workers condition in facing abuse and other mistreatment, there are still many unreported cases and unknown cases that is unpublished. Therefore, TWC2 also recommend the government to regularly provide statistical data which permit and inform the public of the status of migrant domestic workers in Singapore.

On the other hand, as a part of advocacy activity, TWC2 conducted an interview with Indonesia FDWs and showed a report which lead TWC2 to create a recommendation for both states stakeholders in paying more attention towards the issues of Indonesian FDWs. TWC2 recommends the Government of Indonesia to:

- a. Ensure that citizens consider going to work abroad are given complete and clear information about what costs they may legitimately be expected to bear, including precise details of charges made by official bodies and approximations for the charges that agencies are legally entitled to make and that constitute “standard practice”. The information should be made available through an official website and local government offices (Transient Workers Count Too, 2008).
- b. Require training centers to give greater attention in providing information on the conditions that the workers will face in the receiving country. There should be instruction on their rights and how to defend them (Transient Workers Count Too, 2008).

3. Mediating with the Employers, Workers, and Stakeholders

Mediation is increasingly being used to resolve disputes in many areas of life. It is one of the processes and alternative ways which involves a neutral third party bringing two sides together to reach a mutual agreement. Policy-makers and organizations increasingly recognize that mediation. Moreover, in mediation, employment tribunals do not resolve systemic problems at work that may underlie an individual dispute. Mediation is more likely to enable the employer to get beneath the problem and make changes to working practices that can benefit employees and the organization more generally in the long term. In another hand, mediation can help to address issues around and helping to prevent long-term absence.

Discussing about mediation, the mediation session goes once the problem appear in term of the role of agency in following the placement and relation dispute between employer and employee. The foreign domestic workers in Singapore are all recruited from the Singapore local agent to be placed in the employers and find the employers to hire them. Thus, as an agency they should pay their responsibility towards the workers they have recruited. Most agencies run this role as businesses in which the agencies might find it preferable to cease to have any role or responsibility towards the employers or foreign workers once the workers are placed in employment (Transient Workers Count Too, 2010). Meanwhile, many foreign domestic workers are running away from their employers to their agents which this showed the problem that the workers experienced with their employers. Although in the employment agencies license conditions has written to be concern and watch the current condition of the workers during their placement, there are still a basic problem which somehow does not require active ongoing monitoring for each branch.

Therefore, as the advocacy actor, TWC2 propose solution and conduct mediating session between employers, foreign workers, and the agents to solve this problem. TWC2 requires the agencies in Singapore to be required to perform spot checks on the workers they place to their employers. In-person visits to the employers' premises and direct talk with the workers in accordance with the

absence of the employer since checking the workers through phone call does not give enough information and the real condition as well. Agents should record their observations in details and notify any breaches happened. Thus, TWC2 mediate with the worker, agent, and employer in order to require them to have a balance and unbiased manner (Transient Workers Count Too, 2010). This mediation conducted because basically formalizing the role of the agent in the post-placement is not unprecedented in the industry. Making the agents more aware and realize to formalize their duty is one of the goal in this mediating session.

4. Collaborating with Local NGO from Indonesia and Singapore

According to Keck and Sikkink (1999), transnational advocacy networks means framing the issues to make it comprehensible and get the audiences' attention as the target, to attract and encourage its action and make it fit with the institutional venues (Keck & Sikkink, 1999). In doing the advocacy, it needs advocacy actors in the amount needed as to support the goals of the advocacy itself. As it is explained to attract the attention of others, there are also several processes that need to be done. Humanitarian Organization for Migration and advocacy partners in Singapore, TWC2 and AWARE collaborate together to in formalizing the process. Kick and Sikkink have developed several kinds of tactic in maximizing it. These include:

1. Information politics which means the ability to provide usable information quickly and credibly that has the most impact (Keck & Sikkink, Transnational advocacy networks in international and regional politics, 1999)
2. Symbolic politics which means the ability to call upon symbols, actions, or stories that make sense of a situation or claim for an audience that is frequently far away (Keck & Sikkink, 1999).
3. Leverage politics which means the ability to call upon powerful actors to affect a situation where the weaker members of the network are unlikely to have influence (Keck & Sikkink, 1999).

4. Accountability politics which means the effort to oblige more powerful actors to act on vaguer policies or principles they formally endorsed (Keck & Sikkink, 1999).

Information politics binds network members together and brings its effectiveness to influence and attract the audience in conducting this advocacy activity. Non-state actors gain influence by serving as alternative sources of information in which means the information is not only provided through the fact but also testimonies – stories told by the person in charge in which their lives has been affected. As the advocacy actor, HOME provides a digital platform consist of website in which the domestic workers are the current writer to write and express all of their stories. MyVoice at HOME aims to give a voice to the voiceless – foreign domestic workers in Singapore. Other way to provide information is writing a research and report as part of the advocacy role done by HOME and partners. HOME and TWC2 often conduct interview sessions with the domestic workers and provide some questionnaire to research and observe regarding their current condition. Thus, this first step is important to be done as part of collaboration of the advocacy actors.

The next part is symbolic politics which the evidence of the creation of International Migrant Day on 18th December and the emergence of International Domestic Workers Day in 16th June. The purpose of the establishment of both celebrations is to make the audience and the society know and raise its awareness regarding the issue that the victim experienced. Besides that, HOME and TWC2 also conduct a campaign to raise the people – especially employers to provide a mandatory day off for their domestic workers. A platform of website and direct campaign has been done by HOME and TWC2 since 2003.

The next step is the leverage politics in calling upon the powerful actors to effect the policy, the researcher of TWC2 informed that TWC2 greatly formalized their role as NGOs by creating advocacy goal of a mandatory day off for migrant domestic worker in Singapore as the public agenda (Wee, 2016). Over the past 10 years, HOME and TWC2 have forged new frames of understanding the rights of migrant domestic workers and realizing a responsibility towards them. Advocacy

for a mandatory day off for the foreign domestic workers came up in 2008 along with the collaboration of HOME, TWC2 and UNIFEM Singapore (Wee, 2016). Through several campaign conducted, in 1st January 2013 then the policy came into force for all migrant workers to receive a day off.

Lastly, the collaboration of all the advocacy actors in maximizing the advocacy efforts is giving big impact in the advocacy process. As for instance, below is highlighted timeline for day off policy recommendation to the government.

CONCLUSION

The problem of foreign domestic workers will never stop and somehow will increase time by time. The Singapore and Indonesia' government are tended to take this issue not as a big issue and needs long time to solve the issue. However, it will never decrease and remain the same if there are no current actions or direct regulations to protect their rights from both governments. Indonesian foreign domestic workers in Singapore experience some issues and problems during their work with their employer and still the stakeholders from Indonesia and Singapore tend to be late to protect their rights. The grim reality shows that many foreign domestic workers in Singapore face exploitation, discrimination, and unjust treatment, from their recruitment process in the home country to their job placement. In fact, the issues faced by foreign domestic workers globally are old cases and often intertwined which most of them faced such as hefty recruitment fees, absence of a proper contract, withholding of personal documents, low or unpaid wages or salaries, no day off, lack of rest, access to healthcare, physical and psychological abuse – all of those are common issues faced by the migrant workers. It is inevitable that the HOME, TWC2, AWARE, and *Viva Wanita* as NGOs are still take a role in handling this issue as the advocacy supporting actor who is also try to advocate and fulfill what the domestic workers deserve to receive as a worker.

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