THE KAFALA SYSTEM:

The Architecture of Modern Slavery



Civil Society Facility for the Mediterranean
قرفق المجتمع المدني لمنطقة المتوسط

Minority Rights Group

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1. INTRODUCTION:

1.1 PROJECT OVERVIEW:

The research examines the legal ecosystem and living conditions of migrant domestic workers in Lebanon under the Kafala system. The migrant domestic workers' population has long been considered among one of the most vulnerable groups in the country. The paper looks into how the contextual precarity of this vulnerable population has been entrenched in recent years as a direct consequence of the financial crisis and the Israeli war on Lebanon. The paper addresses the challenges and threats that were further exacerbated, hindering access to protection and justice.

By examining how legal frameworks and socio-economic conditions intersect, the study seeks to highlight existing and newly identified threats, barriers, and gaps and contribute to identifying practical steps that could strengthen protection mechanisms and improve access to justice for migrant domestic workers in Lebanon.

First, the research looks into the national legal framework, focusing on the Kafala (sponsorship) system in relevance to the Lebanese Labor Law. The paper analyzes how these legal instruments govern and affect the status of migrant domestic workers in Lebanon.
The study then examines the international framework that Lebanon is bound by and identifies opportunities within these instruments that can advance the conditions and rights of migrant domestic workers.

The Kafala system has long been identified as one of the main structural factors contributing to the systematic vulnerability of migrant domestic workers. The system creates a relationship of dependency that significantly restricts workers' autonomy and freedom. Consequently, this legal landscape leaves migrant domestic workers with minimal access to protection and justice. This context effectively deprives workers from their right to leave or end a work contract even under abusive conditions, trapping them in what scales up to be framed as modern slavery.

The research will also outline the Lebanese Labor Law in which migrant domestic workers are excluded from its scope of protection. It will address how this exclusion creates a discriminatory, high-threat environment.

In addition to analyzing legal frameworks, the research will review relevant case law addressing issues related to migrant domestic workers. Looking at the number and nature of cases brought forward by migrant domestic workers, as well as their outcomes. This will help shed light on how the national legal system responds to migrant domestic workers' claims and the extent to which existing mechanisms allow them to effectively access justice.

Beyond the legal dimension, the research will also explore the broader social environment affecting migrant domestic workers in Lebanon. Many migrant domestic workers face significant risks of exploitation, abuse, discrimination, xenophobia and malicious recruitment practices, these risks are further exacerbated with the security situation due to the Israeli war on Lebanon and financial crisis that Lebanon is going through. Examining these dynamics is essential to understanding the full range of challenges they encounter.

To assess the consequences of these challenges and risks and ensure that the research reflects real-life situation, the study will draw on qualitative insights gathered through eight key informant interviews with lawyers and human rights experts, as well as a quantitative analysis of 30 cases extracted from CLDH database.

1.2 RESEARCH OBJECTIVES:

OBJECTIVE 1:

To analyze the national and international legal framework governing the status of migrant domestic workers in Lebanon focusing on how the Kafala (sponsorship) system, supported with the exclusion of migrant domestic workers from Labor Law, creates structural barriers that contribute to the marginalization and vulnerability of the migrant domestic workers.

OBJECTIVE 2:

To examine the living and working conditions of migrant domestic workers resulting from the current legal and institutional framework and practices and to identify patterns of exploitation, abuse, discrimination, and other forms of violence faced by migrant domestic workers.

OBJECTIVE 3:

To assess the impact of Lebanon's financial crisis and the recent Israeli war on the vulnerability of migrant domestic workers, with particular attention to how these external factors have compounded existing protection gaps.

This research paper is in collaboration with "Minority Rights Group". It represents one of the project's key activities focusing on the status of migrant domestic workers in Lebanon. This research aligns with CLDH's long-standing efforts to promote equality, safeguard human rights, and address discriminatory practices affecting marginalized communities in Lebanon, as well as its focused projects and advocacy efforts on MDW's and the Kafala system.

2. METHODOLOGY:

2.1 DATA COLLECTION TOOLS:

The research adopts a mixed method approach. The desk review establishes the foundations of this study through examining relevant legal instruments and published grey literature. The qualitative data will be gathered through a series of key informant interviews (KII's) and supported by a quantitative case analysis of 20 cases sourced from CLDH's dedicated case management database.

For KII's, purposive sampling was adopted as the key individuals were identified based on their knowledge, expertise, and track record involved in the context of Kafala system and migrant domestic workers. The selection included experts and key actors with legal, case management, and community mobilizing experiences.

Whereas Criterion Sampling was deployed for the case analysis where a number of relevant criteria were selected in order to map out most relevant cases. The relevant criteria included, nationality, gender, age, type of service, and need for intervention.

The research applied a Policy analysis method to examine and assess the legal and institutional instruments that engineer different dimensions of what registers as a public issue.

Alongside, a Case Analysis lens was adopted in order to identify recurrent patterns, and to map key trends, and to explore the connection between a number of variables.

This analysis incorporated both qualitative and quantitative data to support the analysis, and findings were triangulated to ensure accuracy and validation of this study.

• DESK REVIEW:

A comprehensive desk review is conducted to map and analyze the international and national legal frameworks that shape the legal ecosystem of the migrant domestic workers in Lebanon.

This review will also examine relevant reports and grey literature published by international organizations, and non-governmental organizations that address the living experiences of migrant domestic workers in Lebanon.

The legal instruments and published reports and grey literature examined for this study are included in the annexes (Annex 1).

• KEY INFORMANT INTERVIEWS (KII'S):

A series of eight key informant interviews will be conducted with lawyers, human rights experts, social workers, and migrant domestic workers key actors. The KII's are divided among CLDH key personnel and external key actors. This attempts to balance external and internal experiences to avoid bias and hyper-contextualized data. The qualitative data extracted from these interviews will help ensure that the research is evidence-based grounded in the lived realities of migrant workers in Lebanon.

• CASE REVIEW:

This quantitative layer will draw on 20 cases for case review and analysis. The cases are criterion-based, selected from CLDH database. A coding framework will be deployed enabling measurement of cases to better identify patterns and key trends ranging from forms of violence and abuse, access to justice, and potential outcomes.

3. DESK REVIEW:

3.1 LEGAL FRAMEWORK: COMPLICITIES AND OPPORTUNITIES

The legal framework governing migrant domestic workers in Lebanon is shaped by multiple legal instruments, administrative regulations, contractual arrangements, and institutional practices, rather than by a unified legislative text. Together, these mechanisms form what is commonly known as the Kafala, or sponsorship, system. Under this structure, a migrant domestic worker's legal residency and employment authorization are tied to a Kafil, or sponsor. This legalized relationship of dependency grants the sponsor significant power and control over the worker, which can compromise the worker's freedom, safety, and security. The following section examines the legal and administrative mechanisms that sustain this system and contribute to the systemic vulnerability of migrant domestic workers.

KAFALA SYSTEM: SYSTEMIC CONTROL

The Unified Standard Contract, adopted by the Ministry of Labor under Decree No. 19/1 of 2009, is a key component of the Kafala system. The contract consists of 20 articles that define a set of rights and obligations for both parties. Although it is designed to regulate the relationship between the employer, or Kafil, and the employee, namely the migrant domestic worker, in practice it reinforces a relationship of dependency and vulnerability.

A closer examination of the contract reveals structural asymmetry. Article 10 creates a risk to the worker's legal stay by assigning the employer responsibility for obtaining and renewing residence and work permits. In this context, the worker's legal status depends on the employer's compliance, exposing the worker to significant risks when the employer fails to fulfill these obligations.

Article 14 further illustrates this asymmetrical relationship. It addresses communication between migrant domestic workers and their family members, requiring the employer to facilitate and cover the cost of at least one contact per month. In practice, however, access to communication is often restricted, including through limitations on phone use or external contact.

Article 8 requires employers to ensure decent working conditions and respect for dignity and privacy. However, its broad wording leaves room for multiple interpretations and creates ambiguity around the standards of protection and privacy that must be guaranteed.

This ambiguity has contributed to working and living conditions that can be both challenging and threatening. In some cases, migrant domestic workers are required to sleep in kitchens, storage rooms, or other non-private spaces, reflecting the absence of enforceable housing standards and compromising their protection and privacy.

Taken together, these regulations establish a relationship of dependency that affects multiple aspects of workers' lives.

INTERNATIONAL LEGAL INSTRUMENTS: UNREALISED POTENTIAL

The living and working conditions described above do not merely reflect deficient employment practices; they also engage a range of international and domestic obligations that Lebanon is bound to uphold. The relevant legal instruments and practices are outlined below.

Article 12 of the International Covenant on Civil and Political Rights (ICCPR) protects the right to freedom of movement, and Article 13 of the Universal Declaration of Human Rights (UDHR) establishes that every individual has the right to freedom of movement and residence within the borders of each state, as well as the right to leave any country and to return to their country. Several practices under the Kafala system undermine these protections. Migrant domestic workers are often subjected to passport confiscation and restrictions on movement. These practices are reinforced by General Security's tendency to hold sponsors accountable for offences a domestic worker may commit, despite the absence of a legal provision to that effect. The requirement that the worker reside in the sponsor's home is rooted in a 1959 administrative decree issued by General Security to regulate live-in arrangements on security grounds.

Article 17 of the ICCPR provides that no one shall be subjected to arbitrary or unlawful interference with their privacy, family, home, or correspondence, nor to unlawful attacks on their honour and reputation. It also guarantees everyone the right to legal protection against such interference or attacks.

Article 23 of the ICCPR guarantees the equal right of men and women to found a family, while Article 16 of the UDHR affirms the right to marry and found a family without discrimination based on race, nationality, or religion. These rights have been undermined by restrictions on migrant domestic workers' ability to marry or start a family. Although a Ministry of Justice circular imposing such restrictions was later revoked following advocacy efforts, evidence suggests that similar restrictions continue to be enforced in practice.

Under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), Lebanon is required to eliminate discrimination against women in employment under Article 11 and in access to healthcare under Article 12. Article 1 further obliges states to address all forms of discrimination against women, including sexual violence in the workplace. These obligations are undermined by practices such as mandatory medical testing upon arrival, including tests for HIV, malaria, syphilis, pregnancy, and psychiatric conditions. The CEDAW Committee has characterized such testing as sex-discriminatory, particularly where a positive pregnancy test can lead to deportation.

Articles 7, 11, and 12 of the International Covenant on Economic, Social and Cultural Rights (ICESCR) protect the rights to just and favourable working conditions, adequate living conditions, and the highest attainable standard of physical and mental health. The poor working and living conditions endured by migrant domestic workers, including the absence of private space and excessive working hours, undermine these rights. While the ILO Domestic Workers Convention, 2011 (No. 189), guarantees the right to understand employment terms and aims to ensure decent working conditions, Lebanon has not ratified it. The 2009 Unified Standard Contract has also not been amended to align with its provisions. This gap is heightened by the fact that contracts are often signed exclusively in Arabic, without translation into a language understood by the worker.

Advocacy efforts to amend the Unified Standard Contract led to the adoption of a revised version in 2020. The revised contract introduced improvements such as regulated working hours, minimum wage provisions, overtime pay, and the right to terminate employment without employer consent. However, its implementation was suspended by the Shura Council, meaning that the 2009 contract remains the operative text in practice.

LABOR LAW: SYSTEMIC VULNERABILITY THROUGH EXCLUSION

The exclusion of migrant domestic workers from the Lebanese Labor Law is a major factor enabling the working and living conditions described above. It also contributes to a legal ecosystem that facilitates violations and limits access to protection.

Article 7 of the Lebanese Labor Law expressly excludes domestic workers from its scope. It states that the following categories of workers are excluded: "(1) servants in private households; (2) agricultural unions not related to commerce or manufacturing; (3) institutions that only employ family members under the management of the father, mother or legal guardian; and (4) government administrations and municipalities in terms of temporary employees and daily wage laborers to whom the Public Sector Staff Regulations do not apply." As a result, migrant domestic workers remain largely unprotected and are instead governed by the Kafala system, which places them in a position of dependency on their employers.

This legal exclusion also reinforces a discriminatory culture in which domestic work is undervalued and not recognized as a full form of labor. It denies migrant domestic workers the same legal recognition and protections afforded to other workers, thereby reinforcing systemic inequality and vulnerability.

DIRECT VULNERABILITIES RESULTING FROM EXCLUSION

The exclusion of migrant domestic workers from labor law prevents them from benefiting from a range of rights and protection mechanisms, including minimum wage guarantees, paid leave, regulated working hours, and labor inspections. In this regulatory vacuum, working conditions are largely controlled by the employer. Such conditions may amount to forced labor under the ILO Forced Labour Convention, 1930 (No. 29), to which Lebanon is bound.

INDIRECT VULNERABILITIES RESULTING FROM EXCLUSION

Excluding migrant domestic workers from labor law also denies them access to freedom of association and collective bargaining, which are key mechanisms for collective advocacy and the protection of workers' rights and interests.

This exclusion contradicts Lebanon's international human rights obligations. The Universal Declaration of Human Rights affirms that everyone has the right to freedom of peaceful assembly and association. Article 22 of the ICCPR guarantees the right to freedom of association, including the right to form and join trade unions. Article 8 of the ICESCR further reinforces the right of everyone to form and join trade unions to protect their economic and social interests.

The Kafala system produces two interconnected spheres of violation: exploitative working conditions caused by inadequate legal and intervention mechanisms, and restrictive living conditions generated by a power asymmetry in which the employer exercises extensive control over the migrant domestic worker. Both spheres are examined below.

3.2 KAFALA SYSTEM: REGULATION OF WORK AND LIFE

This legal ecosystem does not operate in isolation. Reports, policy briefs, and practitioner accounts document how it shapes migrant domestic workers' daily working and living conditions in practice.

WORKING CONDITIONS

Working Hours

A report published by the International Labour Organization (ILO) indicates that, although the standard contract sets daily working hours and provides for uninterrupted rest, compliance remains weak, and enforcement is largely absent. Migrant domestic workers are subjected to highly unregulated working hours that often exceed contractual limits, with minimal rest periods. Many workers are expected to remain available around the clock, eliminating their right to personal time and rest[1]. A culture of exploitative labor is also documented in a report by the Lebanese Center for Human Rights (CLDH), which shows that employers frequently require workers to start early and continue working until late hours, often without meaningful breaks[2]. Amnesty International similarly found that 19 of 32 interviewed workers exceeded contractual maximum hours, while many received less than the required eight hours of continuous night rest[3]. Human Rights Watch further highlights that excessive workloads compel workers to perform duties on designated rest days, contributing to exhaustion, illness, depression, and severe psychological distress[4].

Paid Leave, Days Off, and Sick Leave

The standard contract guarantees a minimum of one full day, equivalent to 24 hours of uninterrupted rest. Yet the denial of weekly rest remains a persistent violation. Statistics published by the ILO in 2016 show that 57.3% of migrant domestic workers work seven days per week, while 53.9% of employers are not informed of workers' right to weekly rest, highlighting both limited awareness and weak enforcement[5]. The live-in arrangement makes accommodation and workspace inseparable, leaving workers continuously accessible to employers. Consequently, the distinction between working hours and personal time is significantly blurred, as noted in a 2021 report by UN Women et al. Amnesty International documented that 14 of 32 workers were denied their day off entirely[6]. CLDH also reports that workers are rarely granted official holidays; when leave is provided, it is typically limited to one day per week, without access to annual leave, sick leave, or other protections available to other workers[7]. Findings from both CLDH and Amnesty International show that deprivation of rest affects physical wellbeing and limits workers' ability to maintain social relationships, access support services, and participate in community life, thereby reinforcing dependency and isolation[8].

[1, 5] ILO: A Study of Employers of Migrant Domestic Workers in Lebanon.

[2, 7, 8] CLDH: Safe from Slavery: uncovering the reality of migrant workers in Lebanon.

[3, 6, 8] Amnesty International: Lebanon: 'Their house is my prison': Exploitation of migrant domestic workers in Lebanon.

[4] Human Rights Watch: Lebanon abusive Kafala System.

LIVING CONDITIONS



Access to Adequate Accommodation and Basic Needs

The ILO 2016 report identifies that access to food, healthcare, medication, and adequate accommodation is conditioned by the employer's capacity and recognition of workers' rights. Although contractual provisions require employers to provide food and acceptable living conditions, they do not define clear standards regarding the quality or quantity of these services. This creates significant grey areas in which neglect and abuse may occur[9]. Within these grey areas, Amnesty International's 2019 report documents cases in which workers were forced to delay meals because of excessive workloads, even when food was available. Embassy officials identify insufficient food provision as one of the most common complaints raised[10]. Comparable findings by CLDH and Amnesty International show that healthcare access is constrained because workers depend entirely on employers for medical treatment and intervention, and many report lacking access to professional care when needed[11]. This often results in workers substituting treatment with painkillers or delaying medical intervention until conditions become severe[12]. An International Organization for Migration (IOM) report further identifies cash assistance and food support as among foreign nationals' most urgent needs. CLDH also notes that certain communities face particular challenges in obtaining medications, while community-based support networks remain insufficient[13].



Freedom of Movement and Communication

Evidence from multiple reports, including CLDH (2023), ALEF (2019), Amnesty International (2019), and Human Rights Pulse (2022), shows that because legal residency is tied to a specific employer, migrant domestic workers are unable to freely change employment, terminate contracts, or leave without risking irregular status, detention, or deportation[14]. This dependency grants employers' extensive power that extends beyond employment into movement, communication, and social interaction. According to data presented in the ILO report, 22.5% of employers reported sometimes or always locking workers inside the household, while 43.1% of workers without house keys were effectively confined. Passport confiscation reinforces this dependency: 94.3% of employers retain workers' passports and 91.3% withhold residency permits. Amnesty International similarly reported that only five of 32 interviewed workers kept possession of their passports, significantly limiting their ability to travel, seek assistance, or leave abusive environments[15]. Communication is similarly conditioned by employer approval. Additional data from the ILO report shows that while 88.9% of employers allowed telephone contact with family members and friends, significantly fewer employers accepted workers' participation in social activities or in-person interactions[16]. Workers are frequently prevented from attending educational programmes, NGO activities, language courses, or social gatherings. A study by UN Women et al. found that 61% of employers did not permit participation in such activities[17].

9, 16 ILO: A Study of Employers of Migrant Domestic Workers in Lebanon.

10, 11, 12, 14, 15 Amnesty International: Lebanon: 'Their house is my prison': Exploitation of migrant domestic workers in Lebanon.

12, 13, 14 CLDH: Safe from Slavery: uncovering the reality of migrant workers in Lebanon.

14 Alef: Promotion and Protection of Rights of Migrant Domestic Workers.

14 The Socio-Economic Crisis In Lebanon Exposes The Harms Of The Kafala System.

17 UNWomen, ILO, LAU, IOM and others: Women Migrant Domestic Workers in Lebanon: A Gender Perspective.

DATA FINDINGS AND ANALYSIS:

KAFALA: THE ARCHITECTURE OF VULNERABILITY

This chapter synthesizes findings from key informant interviews (KIIs), CLDH case-review data, and the desk review to explain how the Kafala system not only produces vulnerability; it also raises the cost of leaving it. This chapter also provides an analysis that will, alongside the desk review, establish the foundation towards outlining practical recommendations and steps forward. The exclusion of migrant domestic work from Lebanese labor law is not merely a regulatory gap; it creates an alternative governance framework that enables a cheap, flexible, and highly controllable labor force. As one researcher interviewed stated, "the Kafala system denies ordinary protections around wages, working hours, rest, dismissal, unionization, and labor inspection. It is an ecosystem where dependency and vulnerability thrive." Interviewees also emphasized that Kafala should be understood not only through worker vulnerability, but also through the chain of economic and institutional interests it generates for employers, recruitment agencies, and the state.

Although several interviewees noted that sponsorship systems can, in principle, regulate work relationships and protect all parties, the Lebanese Kafala system fails to meet that purpose. Its core effect is to shift regulatory authority from the state to the employer, creating a power imbalance in which the worker's residency, living conditions, mobility, and access to services depend on the sponsor's discretion. One lawyer interviewed captured this dynamic by noting that migrant domestic workers are often identified through their sponsor, eroding their legal identity and practical control over decisions as basic as leaving abusive work conditions.
CLDH's previous report situates this vulnerability within a longer structural trajectory: migrant domestic workers in Lebanon peaked at approximately 250,000 in 2019 before declining during the economic crisis and then rising again to 160,738 recorded migrant workers in October 2023, with women representing 65% of the migrant population. This trend shows that demand for migrant labor persists despite repeated crises, while the legal framework governing that labor remains largely unchanged.

Living and working conditions are therefore shaped less by enforceable standards than by the employer's permission and discretion. Working hours, rest days, access to basic needs, freedom of movement, and communication are all conditioned by an unequal power relationship, reinforced by the fact that the worker's workplace is also the employer's private household. Interviewees described this as a multi-year condition of constant availability, limited privacy, and restricted mobility, often beginning from a pre-migration context of financial hardship, limited social support, and constrained access to information.

The CLDH case-review data reinforces this finding: 27 of 30 cases, or 90%, required legal aid because the workers could not afford legal representation while facing legal proceedings. This indicates that the system produces not only legal dependency but also acute economic vulnerability, as workers formally classified as employed were unable to meet basic costs of protection and redress.

Several interviewees framed Kafala as a system that protects entrenched interests by resisting even minimal reform. Years of civil society advocacy led to the adoption of the 2020 Standard Unified Contract, which addressed basic protections such as working hours, minimum wage, and rest days; however, its suspension by the State Shura Council left migrant domestic workers within the continued ambiguity of the Kafala framework.

The earlier report also traces a clear pattern of partial reform without structural transformation: a 2009 standard contract, a 2015 Ministry of Labor hotline, translated contracts in 2018, the suspended 2020 Standard Unified Contract, the replacement of "escape" language with administrative departure procedures, and the 2022 regulation of recruitment agencies. These measures demonstrate that reform efforts have existed, but they have not yet displaced the sponsorship logic that ties residency and protection to the employer.

THE PRICE OF EXITING VULNERABILITY

Kafala not only produces vulnerability; it also raises the cost of leaving it. One lawyer interviewed described the system as a legal formula that punishes escape from abuse more effectively than it prevents abuse itself.

Findings from the KIIs and case-review data show that legal status, because it is tied to the sponsor, becomes a central driver of detention, deportation, and informal economic survival strategies. These are not separate outcomes but interlocking mechanisms of control and dependency.

Because domestic workers are excluded from labor law protections, they also fall into a grey zone of accountability when violence or abuse occurs. One caseworker explained that the worker is treated as neither a family member nor a fully protected employee, creating ambiguity over the legal identity of the rights-holder. The case-review data shows that 90% of reviewed cases involved low-income workers seeking legal aid, with many linked to detention, arbitrary detention, deportation, and lack of valid residency.

The previous report further identifies passport confiscation as a central control mechanism: workers may be forced either to remain in abusive employment, leave without identification and risk theft accusations or prosecution, or seek placement through a recruitment agency with uncertain outcomes. This reinforces the finding that the cost of exiting abuse is deliberately high and often legally hazardous. This structural vulnerability is compounded by practical barriers to protection and justice, including language barriers, restricted movement, limited geographic knowledge, and inadequate access to safe shelters. These barriers reduce access to information, weaken communication with authorities, and increase the risk that workers seeking protection will face detention or forced return to abusive employers. Civil society actors respond actively, but their support is constrained by limited resources, shelter capacity, and the risk of replacing state protection with another form of dependency.

Most interviewees described General Security and the Internal Security Forces as procedurally responsive but severely constrained by capacity. One key informant noted that General Security follows procedures when handling complaints, yet another reported that, at one point, the investigative office included only six officers for the entire country while managing an estimated 7,000 to 8,000 migrant exits annually.

This capacity gap is consistent with the previous report's reliance on the 2023 Trafficking in Persons findings, which described Lebanon as downgraded to the Tier 2 Watch List and highlighted that domestic servitude remained prevalent while the government had not reported convicting a trafficker for this form of exploitation under the 2011 anti-trafficking law. The same findings also noted the anti-trafficking unit's limited staffing and lack of field offices outside Beirut, reinforcing the gap between legal tools and enforcement capacity. For many workers, leaving the sponsor does not create safety; it pushes them into informal economies where exploitation and trafficking risks increase. As one informant stated, "workers have no means of protection and seeking protection becomes a risk," creating gaps that push them into black-market survival pathways.

MECHANISMS AND ACCOUNTABILITY: BETWEEN THEORY AND PRACTICE

In theory, Lebanon's legal and institutional framework includes mechanisms to regulate work relationships, receive complaints, and provide protection. In practice, these mechanisms remain fragmented and reactive. The Ministry of Labor operates a 24/7 hotline and holds monitoring responsibilities, but interviewees questioned its effectiveness. General Security can process complaints, yet follow-ups are constrained by understaffing. Bilateral labor agreements, including those with the Philippines and Ethiopia, show potential for stronger safeguards, but implementation remains uneven. Most critically, the system lacks a direct monitoring mechanism capable of reaching private households; meaning violations are usually addressed only after harm has occurred.

Recruitment-agency regulation illustrates this implementation gap. CLDH's previous report notes that Decision No. 41 of 2022 introduced complaints channels, inspection requirements, black marks, and permit-cancellation grounds, and that approximately 45 non-compliant agencies were reportedly shut down in 2023. However, the report also cautions that office closure alone is insufficient where owners can reopen agencies and where suspected trafficking conduct is not systematically referred for criminal prosecution.

Rehabilitation services, including CLDH's Nassim Program, provide important support, yet the most urgent need remains legal aid because many workers face arbitrary detention, prison conditions, and prolonged deportation risks. KIIs and desk-review findings also indicate significant psychological distress linked to the Kafala environment, but case data suggests that these needs are often overshadowed by immediate legal and protection threats.

A further finding from the earlier report is that deaths of migrant domestic workers remain insufficiently documented, with no comprehensive central record and recurring difficulties in retrieving bodies from hospitals when friends or community members lack funds. This gap should be treated as a protection and accountability issue, not only as a humanitarian concern, because mortality data is essential to identifying patterns of abuse, neglect, suicide, workplace injury, or institutional failure. Non-governmental organizations have therefore become de facto protection actors within gaps created by Kafala. KAFA's advocacy for a decree protecting complainants without valid residency represents a notable breakthrough, while other NGOs provide legal representation, psychosocial support, capacity building, shelter, and repatriation assistance. However, the reliance on NGOs also reveals a fragmented protection architecture in which regulation, accountability, and survivor support depend heavily on external actors rather than a coherent state-led system.

The previous CLDH report's action plan remains directly relevant to this chapter's findings: it calls for amending the Labor Law, decoupling residency and work permits from individual employers, criminalizing passport confiscation, ratifying ILO Convention No. 189, strengthening penalties against recruitment agencies, improving trafficking investigations, ensuring access to lawyers and sworn interpreters during interrogation, and establishing a central database to document deaths. These recommendations align with the evidence presented here because they target the system's core control points rather than only its symptoms.

EMERGING LAYERED VULNERABILITIES ACROSS CIRCUMSTANCES AND CRISES

The vulnerabilities produced by Kafala intensify during national crises because workers' legal, economic, and social precarity rarely operate in isolation. Lebanon's financial collapse, the Israeli war, and the situation of migrant domestic workers with children each demonstrate how existing dependency structures become more severe when institutions are under stress. The following sections examine how these three factors deepen violence, exclusion, and injustice.

LEBANON'S FINANCIAL CRISIS: WORTHLESS SALARIES

The financial crisis exposed how little protection Kafala provides when the economic basis of migration collapses. Workers migrate for income-generating opportunities, yet the crisis stripped many of the core financial benefit of migration because wages were not reliably guaranteed in U.S. dollars and salaries paid in Lebanese lira rapidly lost value.

Wage collapse was the most immediate consequence. As access to U.S. dollars became restricted, some employers paid workers in Lebanese lira using inconsistent market rates, turning what key informants described as a lifeline for families abroad into a largely devalued income stream. Case-review data showing a 100% "low income" classification during this period underscores the severity of economic vulnerability.

The crisis also accelerated abandonment as a systematic pattern, with employers leaving workers outside embassies without return tickets or cash. A lawyer interviewed noted that Kafala's fragility enables employers to exit responsibility easily, dissolving legal and financial obligations at precisely the moment workers face heightened need.

The result was homelessness, delayed return to countries of origin, and increased exposure to black-market economies and trafficking.

Civil society attempted to respond, but available shelters, funding, and protection resources were insufficient for the scale of the crisis, revealing how quickly marginalized groups become invisible when state capacity is strained.

Abandonment and delayed repatriation also increased workers' exposure to exploitative networks. Caseworkers reported that some workers were deceived into unpaid or underpaid work, making them easier targets for labor exploitation, sexual exploitation, and human trafficking.

THE ISRAELI WAR: INVISIBILITY IN EMERGENCY

The Israeli war exposed migrant domestic workers' invisibility within emergency response systems. Attacks beginning in October 2023 and escalating in September 2024, with renewed escalation in March 2026, caused large-scale destruction, deaths, and displacement from South Lebanon and Beirut's southern suburbs, including Dahyeh, where many freelance migrant workers had been able to rent housing.

The emergency response revealed a protection gap: migrant domestic workers fleeing war zones did not fit easily into systems designed around citizens or refugees. As one informant stated, "emergency response often assumes a citizen or a refugee," while a lawyer summarized the consequence by saying that "an ambiguity of category became a matter of survival."

Because Lebanon was already facing shortages in adequate shelter for displaced populations, migrant workers encountered additional barriers linked to legal categorization, limited shelter access, and exclusion from formal emergency pathways. Many were left homeless or living in tents.

Access to food, healthcare, and hygiene items was also constrained, with much of the response led by informal initiatives operating with limited resources and funding.

For workers already in detention, the war introduced another layer of instability. Rapid transfers to safer zones created overcrowding, documentation gaps, and legal paperwork complications at a time when human resources were already limited, according to one lawyer interviewed.

MIGRANT DOMESTIC WORKERS WITH CHILDREN: THE REGULATION OF INTIMACY AND REPRODUCTION

Kafala's control extends beyond work into intimate and family life. One interviewee stated that "the legal framework assumes the worker is available for labor but not entitled to family life," reflecting a system that recognizes the worker primarily as labor while denying reproductive autonomy.

A Ministry of Labor document states that "a domestic worker cannot get pregnant or arrive pregnant to Lebanon." Pregnancy is therefore treated as a breach that can trigger punishment ranging from detention to deportation; as one respondent puts it, motherhood under Kafala is treated as a crime.

For children born to migrant domestic workers, vulnerability begins at birth. Birth registration depends on paternal acknowledgment, formal procedures, and the mother's legal status, leaving some children in a legal grey zone and increasing the risk of statelessness where paternity recognition is absent or contested.

Under these conditions, children face restricted access to healthcare and education, often depending on informal civil society services. One case in the database, involving an Ethiopian migrant domestic worker recorded as a single-headed household, facing health issues, and held in arbitrary detention, illustrates how these vulnerabilities extend from the worker to the child.

CONCLUSION

The Kafala system is the legal umbrella that governs the ecosystem of migrant domestic workers and consequently the injustice, violations, and abuse that can easily thrive. The Kafala system creates a fragile environment that co-produces vulnerabilities extending beyond work. Given that migrant domestic workers share the employer's place of residence, this entails an embedded obstacle the plays a major factor in key violations; working hours, working days, unconditional accessibility to workers, freedom of movement and other issues.

This fragile context can easily break and under sudden circumstances. This was witnessed during the economic crisis in Lebanon where the workers' salary was devalued and during the Israeli war on Lebanon where migrant workers were left unrecognized by emergency response. All of which have led to unregulated and high-risk economic pathways that facilitated organized abuse, trafficking, and sexual exploitation.

While the direct affected group is the "worker", this in some cases can extend beyond the migrant worker where in cases of pregnancy, a child struggles with legal registration, access to education, and healthcare.

The civil society in Lebanon is actively advocating for the rights of migrant domestic workers. It includes local organizations, international organizations, and grassroot initiatives. Programs range from advocacy and policy reform, protection and support, and capacity building. All of which are impactful but fall short to eliminate the root issue given limited resources, capacities, and as they face well organized networks benefitting from the Kafala system.

While the Kafala (sponsorship system) is a global legal instrument governing and regulating the work relationships between employers and workers for the ultimate protection both parties, in Lebanon it engineers an asymmetry power dynamic favoring employers and co-producing what can be framed as modern slavery.

RECOMMENDATIONS

TO LEGISLATIVE AUTHORITIES:

- Design alternative pathways and platforms to decouple work permits from employer sponsorship to enable independent visa and residency management.
- Ratify ILO Convention No. 189 on decent work for domestic workers.
- Lift reservations to CEDAW and align national laws with ratified international treaties.
- Impose stricter penalties on recruitment agencies, beyond office closures or blacklisting.

TO THE MINISTRY OF LABOR:

- Adopt KAFA's draft law and, pending its passage, mandate translated contracts and revise the standard contract to address inequalities.
- Strengthen inspection of recruitment agencies and publish compliance assessments.
- Establish a central database with the Ministry of Health to document and monitor worker fatalities and injuries.

TO THE MINISTRY OF JUSTICE:

- Promote legislative and policy reforms to strengthen the application of the principle of non-punishment of trafficking victims for unlawful acts committed as a direct consequence of their trafficking situation.
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- Continue supporting specialized trainings for judges, prosecutors, and justice sector professionals on anti-trafficking legislation, victim identification, and victims' rights, in coordination with the competent judicial bodies.
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- Recommend that the Council of Ministers initiate the necessary procedures for Lebanon's accession to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, including the submission of the necessary draft legislation to Parliament.

RECOMMENDATIONS

TO EMBASSIES OF RECRUITING COUNTRIES:

- Hold regular coordination meetings with Lebanese authorities to address nationals' welfare.
- Hold regular meetings with Key organization, key actors, and other relevant personnel for regular updates and for intervention.
- Pursue judicial action against violating agencies and notify home countries of persistent violations.
- Establish dedicated complaint hotlines per country that can provide guidance, support, and intervention when needed.

TO THE CIVIL SOCIETY:

- Strengthen networking and joint advocacy efforts to abolish the sponsorship system.
- Engage with parliament and relevant ministries for policy reform.
- Implement joint public awareness campaigns on domestic work and human trafficking.

ANNEXES

INTERNATIONAL LEGAL INSTRUMENTS:

- International Covenant on Social Political Rights (ICCPR)
- International Covenant on Economic, Social and Cultural Rights (ICESCR)
- Convention Against Torture (CAT)
- Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)
- All relevant ILO convention for instance:

  ILO Domestic Workers Convention of 2011 (No. 189)

  ILO Forced Labor Convention 1930 (No. 29)

  Freedom of Association and Protection of the Right to Organize Convention,1948 (No. 87)

  Right to Organize and Collective Bargaining Convention, 1949 (No. 98)

  Abolition of Modern slavery Convention, 1957 (No. 105)

  Discrimination (Employment and Occupation) Convention, 1958 (No. 111)

  Minimum Wage fixing Convention, 1970 (No 131)
- Human rights council observations and all other relevant Committees (for instance Committee of Experts on the Application of Conventions and Recommendations)
- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, 1990
- International Convention on the Elimination of All Forms of Racial Discrimination, 1965
- Slavery Convention Signed at Geneva on 25 September 1926
- Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, 1956.

ANNEXES

NATIONAL LEGAL INSTRUMENTS:

- National Labor Law.
- Lebanon: order no. 319 of 1962 regulating the status of foreign nationals in Lebanon.
- Focus on Kafala system.
- National laws on human trafficking
- Analyze a sample of the contract between employer and migrant domestic workers.
- Unified Contract Decree No. 19/1, 2009
- All relevant General Forces Circulars (especially most recent ones).
- Decision No. 41/1 of 11 May 2022 on Regulating the Activity of Female Migrant Domestic Worker Recruitment Agencies and related regulations.
- Order No. 1/1 Governing the Work of Placement Agencies, 2011.
- Decision No. 41/1, article 28 (concerning the fact that recruitment agencies are prohibited from charging fees to domestic workers)
- Ministerial Decision No. 1/168 of 2015 (concerning the fact that recruitment agencies are required to report disputes between workers and employers to the Ministry of Labor and to file a complaint).
- Ministerial Decision No. 2/13 (1996) concerning conciliation that a worker could apply for before the ministry of labor
- Decree No. 17561 of 1964 Regulating the Work of Aliens
- Concerning medical and health conditions:

  Decree n° 11802 30 January 2004 regulating the prevention, security and professional hygiene in all establishments subject to the Labor Code.

  Social security law 1964 Social Security Law
- Examine landmark national case laws involving migrant workers.

NON-COMPREHENSIVE LIST OF RELEVANT REPORTS TO STUDY:

- ILO: A Study of Employers of Migrant Domestic Workers in Lebanon
- UNWomen, ILO, LAU, IOM and others: Women Migrant Domestic Workers in Lebanon: A Gender Perspective
- LAU: Unprepared and Unsupported: Lebanon's Migrant Workers Amid Surging Israeli Attacks
- IOM: Well-Being and Security of Migrant Workers in Lebanon Deteriorate Since Beirut Blast.
- The New Humanitarian: Lebanon's migrant workers left stranded and homeless by Israeli attacks
- Anti-Racism Movement: Situation Brief and Forecasted Needs of Migrant Domestic Workers in Lebanon.
- Human Rights Pulse: The Socio-Economic Crisis In Lebanon Exposes The Harms Of The Kafala System
- Amnesty International: Lebanon: 'Their house is my prison': Exploitation of migrant domestic workers in Lebanon.
- Human Rights Watch: Lebanon abusive Kafala System.
- Alef: Promotion and Protection of Rights of Migrant Domestic Workers
- The Tahrir Institute: Unmasking Protection: Why Accountability Must Guide Lebanon's Approach to Migrant Domestic Work.
- BADIL: lebanon's slave trade: recasting migrant domestic work in the courts.
- Business and human rights center: Lebanon introduces contract protections for migrant domestics workers.
- CLDH: Safe from Slavery: uncovering the reality of migrant workers in Lebanon.

THE KAFALA SYSTEM:
The Architecture of Modern Slavery



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