



Examining the NGO - Migrant Domestic Worker Relationship in Hong Kong to Map Opportunities for Technology Interventions

"Domestic workers enjoying their day off" by Francisco Anzola via Creative Commons

Written by
Sophie Zinser and
Dr. Hannah Thinyane

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This study explores how non-governmental organizations (NGOs) and civil society organizations (CSOs) in Hong Kong use information and communication technologies (ICTs) to support migrant domestic workers (MDWs). It identifies critical patterns of access and technology use for MDWs in Hong Kong, advocating for a preventative, rather than remediation-focused approach to combatting forced labour in Hong Kong's MDW sector. Through defining the relationship between Hong Kong's NGOs and MDWs, the study suggests four concrete recommendations for technology to intervene in combatting forced labour for MDWs in Hong Kong: developing a single privacy preserving data repository of MDW employment agency contracts and loan agreements, linking ICT solutions to current communication pathways for MDWs, further study of MDWs' pre-arrival tech literacy, and separate, mandatory online pre-arrival trainings for MDWs and their employers.

The State of Migrant Domestic Work in Hong Kong

In January 2019, the Hong Kong government reported 399,320 migrant domestic workers (MDWs) residing in Hong Kong, mostly originating from the Philippines or Indonesia.¹ Most MDWs come to Hong Kong to support their families,² but many are unaware of how Hong Kong's live-in-rule – mandating that MDWs live with their employers – may negatively impact their working conditions. While wages, contractual benefits, physical and/or income security may materialize initially, their erosion overtime can trap MDWs in situations of forced labour. According to International Labour Organization (ILO) guidelines, an individual experiences forced labour if they are under menace of penalty, are working against their will and/or are victims of coercion, force, or fraud as a result.³ Hong Kong lacks comprehensive policies or legislation against forced labour.⁴ Local non-governmental and civil society organizations (NGOs and CSOs) tend to support service provisions for MDWs, but at best are only able to reach a small portion of this significant population.

In their move to Hong Kong, MDWs often pay additional moving, recruitment agency or training fees, and are subsequently forced to take out loans just to stay financially afloat. Hong Kong's live-in rule exacerbates existing vulnerabilities for MDWs, including towards sexual harassment and gender-based violence as MDWs in Hong Kong are 98.5% women.⁵

Recent COVID-19 conditions have exposed the precarity of MDW labour in Hong Kong. Further, the Hong Kong government claims that the estimated need for increased number of MDWs is likely to grow from current 340,000 workers to a total of 600,000 due to Hong Kong's aging population.⁶ As this population is likely to sharply increase, understanding how Hong Kong's MDWs access services and information will be critical to understanding how they could safely maintain their presence in Hong Kong and other destination countries.

Dozens of NGOs currently provide activities and services for and/or conduct research on MDWs in Hong Kong. Spanning legal, social, educational, and medical support, these NGOs offer a wide variety of highly specialized services mostly to MDWs who are already in Hong Kong. A mixture of private and international funding supports these efforts which have made meaningful strides towards improving circumstances for MDWs in Hong Kong. As of yet, there has been little study surrounding how many MDWs these organizations actually reach, on communication strategies and pathways between these NGOs and MDWs, or how these NGOs use technology as a tool to achieve their objectives.

Challenges to developing policy solutions using technology to support migrant domestic workers in Hong Kong

Increasingly, our technology-dependent global society is leading many governments, NGOs, and private companies towards considering ICTs as tools for streamlining service provision and information sharing. ICTs can play a pivotal role in empowering MDWs to balance information asymmetries, take charge of their employment processes, and elevate their voices in employee-employer relationships. However, as a double-edged sword, any technology-based tools can also be used to facilitate exploitation and further marginalize vulnerable workers. Designing ICTs to support Hong Kong's MDW population should never be treated as a one-stop solution. Rather, technology tools must be developed with the goal of supporting strong governance, legal systems, civil society initiatives, and cultural shifts against normalizing forced labour practices for MDWs in Hong Kong.

Other challenges include fragmentation across the NGO sector due to competition for limited funding and dissonances between NGO leadership. While these issues are endemic to civil society organizations across the world, they are exacerbated in this context because systemic abuse of MDWs in Hong Kong has endured for decades – since the Filipino government first encouraged large-scale emigration of MDWs to Hong Kong in 1974.⁷ From a funding perspective, MDWs in Hong Kong are not entitled to government funding earmarked for NGOs that support ethnic minorities, exacerbating competition for a small pool of financial resources.

Trust – between NGOs, MDWs, their employers, and governments or a combination of all four – remains the core obstacle to developing effective multi-stakeholder technology solutions. A lack of streamlined or transparent data collection methods from both the government and NGOs on MDWs exacerbates the issue. It remains unclear whether a rejection of information access requests from NGOs to governments about MDWs in Hong Kong is a prevalent phenomenon, or if NGOs do not lodge sufficient information requests to meet their needs. Further, many MDWs have been exploited through phone calls, digital payments, or soliciting from recruitment agencies, money lenders, or their employers. Many therefore remain suspicious of trusting calls or tech-based solutions even from NGOs. Additionally, a legacy of failed ICT tools in Hong Kong to support MDWs that have not generated universal uptake remain in the sector's collective memory as a bulwark for potential progress on new app-based initiatives. Even if ICT solutions are created, MDWs themselves have mixed technology literacy, data plan availability, and/or WiFi access when arriving in Hong Kong,

Towards Professionalization: A Call for Proactive, Preventative Solutions Against Forced Labour

From November – December 2020, the United Nations University (UNU) Institute in Macau interviewed a sample of representatives from 14 NGOs in Hong Kong. In the initial consultation period, participant recruitment was undertaken on behalf of the United Nations University in Macau's Migrant Tech Research Team by the International Organization for Migration (IOM)'s Hong Kong Office. IOM Hong Kong acted as the mediating agency between the researchers and the local stakeholders. They had the necessary local connections to suggest a broad range of direct and indirect stakeholders to participate in the interview. After this initial round, contacts were obtained through a snowball sampling method, in which contacts were able to refer UNU Macau's team to other key stakeholders. Interviews were transcribed and underwent three rounds of coding using Nvivo qualitative coding software.

All 14 conversations contained vivid descriptions of physical, financial, or emotional mistreatment of MDWs at the hands of employment agencies, money lenders, the Hong Kong government, other NGOs, employers, or a combination therein. One NGO representative commented: "...There is this sort of feeling that they must have done something wrong. When in reality, it's the system or employer that has done something wrong." To provide context, this comment was made by NGO staff that support MDWs in situations of labour exploitation and forced labour. However, it is clear that anti-immigrant racism, perceptions of MDWs as 'victims' rather than as professional employees, and decades of mistreatment have created a homogenously oppressive culture for MDWs in Hong Kong.



Source: Reuters

When asked what types of problems they faced, many NGOs remarked that more nuanced data provided from government sources would allow them to design their programs to better support MDWs. Types of data that NGOs claimed would be useful included: the current number of MDWs in Hong Kong grouped by country of origin, how many have lodged sexual harassment complaints against their employers, how many have been detained, and how many have cases that are pending court trials. From the MDW side, many NGOs shared that MDWs are often hesitant to report situations of illegal money laundering, lodge complaints against long waits for trial times, or feared speaking up for themselves to their employer. From the NGOs' perspective, this stemmed partially from what appeared to be a genuine lack of knowledge regarding appropriate legal pathways through which to stake a claim, and/or through legal means.

All NGO worker respondents noted that the primary tool that they used to communicate with MDWs was Facebook. NGOs had different and often novel ways to make use of this platform: maintaining communication and a sense of community with alumni of their courses, communicating with MDWs and their families as issues arose, or even facilitating social spaces for activities such as dancing or gameplay online. Some used Facebook to enlist MDWs in validating their experiences with corrupt employment agencies.

NGO staff gave mixed reviews on the potential of mobile apps to support MDW's access to information on either government or NGO services available in response to issues that may arise. While over half of surveyed organizations remained hopeful on the potential success of app-based solutions to aggregate data on MDWs in HK, many also cited fragmentation of service provision across NGOs and prior failed attempts to centralize information as issues around long-term uptake of such tools. One caseworker suggested: "You could have an app for foreign domestic helper for them to understand what resources they can access in case they have difficulties related to their work or pregnancy, so they know what organization (NGO) they need in Hong Kong." One NGO worker with decades of work experience across several organizations that supported MDWs remarked that this has been a long-standing conversation across the sector: "In Hong Kong, a lot of us have talked about having one place where domestic workers can find everything. There are bits of things everywhere, but there should be one tech portal in any form, one tech portal in terms of where they could access everything that they need."

In one section of the interviews, UNU Macau researchers brainstormed with respondents about potential pathways for ICTs to support MDWs in Hong Kong. Most respondents identified a need for more "proactive" or "preventative" solutions. Some specific suggestions included: an ICT tool for aggregating legal cases to be put forward to stop financial fraud in its tracks, providing MDWs and employers with the necessary training to better manage or complete the job of being a MDW, and understanding the general gaps in tech literacy for MDWs before they arrive in Hong Kong. Their ideas directly informed the recommendations below.





- **Data Collection:** Because eliminating criminal money lending or employment agency practices on the front end is the ultimate “preventative solution” to ending forced labour for MDWs in Hong Kong, funding should be made available to support the development of a single centralized database of MDW employment agency contracts and loan agreements. Using a privacy preserving data repository, individuals’ data could be obscured while aggregated data, such as employment agency bank account numbers and addresses, could be used by Hong Kong’s government agencies and/or legal NGOs to identify perpetrators of harmful forced labour practices
- **Facebook:** Any ICT solutions need to be designed around current communication practices of MDWs. Currently Facebook is overwhelmingly popular, but as ICT-use practices evolve, an up-to-date understanding of local communicative ecologies is required. For sharing video content, YouTube links are currently most effective method of connecting with MDWs. NGO resources allocated for creating or modifying stand-alone apps could better be allocated towards moderating Facebook groups around the topic being studied or program being implemented. Facebook group moderators could even be hired as NGO staff to engage directly with MDWs in their native languages, collect data to improve NGO programming or activities, identify legal cases for further prosecution, and cultivate a trusting online community.
- **Communication Back Home:** A nuanced portrait of tech habits for MDWs and their families in their countries of origin – beyond the idea that most use Facebook and WhatsApp as central streams of communication– could allow the Hong Kong government to better identify strategies for standardizing more effective pre-MDW arrival trainings (see Recommendation 4). It could also assist in NGO efforts to ensure that MDWs’ families are given a thorough and honest portrayal of the stresses and pressures that MDWs face once arriving in Hong Kong.
- **Separate but Mandatory Online Pre-Arrival Trainings for MDWs and Pre-Employment Training for potential Employers:** To ensure that MDWs are further prevented from situations or forced labour, the HK Department of Labour should mandate standardized online pre-arrival training for MDWs and their employers. While they should be standardized throughout, trainings should be offered by country of origin and sector of work; conducted in a language and context that makes sense for MDWs. For example, a community centre might be a more effective space for in-person training of recently arrived MDWs than a government office. Instead of perpetuating stereotypes, misinformation, and/or assumptions, trainings must educate all parties on the rights and responsibilities of an employer, worker entitlements, and ensure all parties are up to date with their rights and responsibilities under Hong Kong’s legal frameworks. Numerous FAQs, training videos, and in-person trainings on the aforementioned topics are already available. But because they are not mandatory or standardized they only reach a limited number of MDWs and their employers. In light of the current COVID-19 situation, this training should also be available in an online format.
 - **For MDWs,** training includes financial, digital, technology training, cultural training, job related training in Hong Kong – including training on how MDWs can raise concerns to their employer about infringements of their rights – legal rights, and emotional/mental health training to cope with the stresses that may occur as a result of Hong Kong’s live in-rule.
 - **For employers,** this includes MDW’s legal rights, their responsibilities as an employer, and best practices for managing MDWs in the home as live-in employees.

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- 7 Although MDWs had been coming to Hong Kong since its economic rise began in earnest in the early 1970s, it was in 1974 when Filipino government policies began to more actively facilitate labour emigration as a tool for domestic economic development. See: <https://www.migrationpolicy.org/article/maid-hong-kong-protecting-foreign-domestic-workers>