**Safeguarding human rights through the protection of women migrants.**

Victim Advocates International (VAI), the Federation of Women Lawyers and Send Us Home Kenya are currently working on a project to support groups of victims of serious human rights violations perpetrated by the Kenya Embassy in Saudi Arabia and the Kenyan Consulate in Lebanon and Bahrain, which are overseen by the Kenyan Embassy in Kuwait, to claim justice within Kenya. The Kenyan government has human rights obligations to Kenyans who approach its diplomatic missions for assistance under the Kenyan Constitution and international and regional human rights law which includes both obligations not to proactively take action that will lead to human rights abuses, and obligations to act to ensure the rights of citizens are respected, protected and fulfilled.

The victims leading these movements are Kenyan women who worked as domestic workers in Saudi Arabia, Lebanon and Bahrain. These women are victims of violations and abuses committed by their employers in the Gulf Cooperation Council, the Kenyan Embassy in Saudi Arabia and the Kenyan consulates in Bahrain and Lebanon. The violations range from their rights to dignity, equality, freedom against inhuman and degrading treatment and the right to return to their country of origin. These women now want justice.

They also want to use their experiences and to capitalise on the momentum that is currently building around this issue in Kenya to create and lead a movement, through which;

1. They warn Kenyans about the unfair conditions of work under the ‘Kafala’ migration system in the GCC region;
2. Remind emigrants of their rights and inherent dignity;
3. Empower other victims to speak up to demand justice; and
4. Demand long-term, systemic change to prevent future abuses in both Kenya and abroad.

There are 6,000 -7,000 Kenyan domestic workers in the Gulf Cooperation - with the vast majority female.[[1]](#footnote-1) They work under the ***‘Kafala System’*** that gives their employers extensive control over their employment and living conditions, as well as tying their legal status to their work contract. The system is employed across the Arab region and has led to many alleged human rights violations.

According to FIDA-Kenya legal aid statistics, 10 family members of migrant workers have reported complaints from their family members of being abused physically and sexually by their employers. They complaint that they have been subjected to inhuman and degrading treatment by being denied a place to sleep, food, non-protective gear at the workplace leading to fatal injuries while at work.6 of the victims complained of human trafficking and when they approached embassies they were not assisted. Despite making formal complaints to the Kenyan embassy, they did not receive any assistance.

According to Victims’ Advocates International (VAI), over the past ten years, The Kenyan Consul, Mr. Sayed El Chalouhi, has encouraged a culture of exploitation and extortion at the Kenyan Consulate in Lebanon. The consulate’s abuses include corruption, extorting payments from migrant domestic in dire need of assistance after fleeing violent employers, coercing Kenyan women into sex work to pay for inflated consular fees, and refusing to help Kenyan citizens seeking consular support for repatriation back to Kenya and access to justice in Lebanon.[[2]](#footnote-2)

The Victims’ Advocates International has documented reports from victims of failure by the consul to undertake the basic duties of supporting Kenyan citizens. According to Victims’ Advocates International, when women have sought support, including in cases of abuse, unpaid wages and detention, the Consul has refused to help and often abused the women or called the police on them. Victims’ Advocates International, at least three Kenyan women have gone missing since 2014: Salome

Wanjiru Kagwi in early 2014, Margaret Wanja Wanjohi in 2015, and Yvone Wanjiru Mwangi in 2016. These were reported to the consulate but no support was given and there are no known formal investigations. At least 50 women have alleged abuse at the Kenyan Consulate when seeking help.[[3]](#footnote-3) The situation has further deteriorated since the Beirut explosion on 4th August 2020 that destroyed many homes. Since then, up to 30 Kenyan women have slept outside the Consulate, without shelters or alternative options.[[4]](#footnote-4)

VAI supported a group of Kenyan women in April 2020 who had been abused in the Beirut Consulate to write a letter to the main Kenyan Embassy in Kuwait, accusing the honorary consul of abuse. The Embassy replied, saying that the Kenyan Ambassador would visit Lebanon as soon as the lockdown was over to hold consultations with the Kenyan community.

1. [↑](#footnote-ref-1)
2. [↑](#footnote-ref-2)
3. [↑](#footnote-ref-3)
4. [↑](#footnote-ref-4)