



Indonesian migrant workers activism in Hong Kong

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Abstract

Aim: The article explains why the Indonesian Migrant Workers Alliance (JBMI) has a chance of succeeding in Hong Kong. The JBMI is intriguing because it is the largest alliance of Indonesian migrant workers and consists of a confederation of separate organizations speaking with one voice.

Method: Methodologically, this study employs a qualitative strategy predicated on primer data. Primary data was gathered through in-depth interviews with a sample of politically active Indonesian migrant workers. Using the theory of political opportunity structures, this article explains why JBMI can thrive in Hong Kong.

Findings: Two factors make Hong Kong an ideal setting for the growth of JBMI: (1) the hybrid regime's characteristics allow for collective actions by creating expansive political spaces for migrant workers, and (2) Indonesian migrant workers in Hong Kong have the awareness necessary to effectively manage the city's resources.

Implications/Novel Contribution: This research hopes to add to what is already known about Indonesian migrant workers, especially in the self-organizing migrants' movement. We hope to demonstrate the strength of vulnerable migrant domestic workers through this study.

Keywords: Indonesian Migrant Workers, Migrant Workers Movement, JBMI, Collective Actions, Hong Kong's Politics

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BACKGROUND

The most vulnerable members of society are often migrant workers in the domestic sector (Abella, 2002). Human rights are often violated against domestic migrant workers because of discrimination based on gender, race, ethnicity, country of origin, and socioeconomic status (Menegatti, 2016). As a result, domestic migrant workers in Indonesia are often subjected to human rights violations and rank among the most vulnerable members of society.

There has been a recent trend of a rising number of Indonesian migrant workers in Hong Kong each year and a falling number of total Filipina migrant workers. Since Indonesian migrant workers tend to be more submissive and less familiar with their rights, dealer agencies view them favourably (International Muslim Women Union, 2017). Many migrant workers, especially women, have suffered because they are unaware of their rights and do not know who to turn to for assistance (Zarempka, 2000).

Research on Indonesian migrant workers often focuses on their difficulties and portrays them as vulnerable. Research into their migration patterns is still uncommon. This research hopes to dispel the myth that migrant domestic workers are too weak to advocate for themselves, despite widespread assumptions to the contrary.

Some academics have penned works on political possibilities in some states. Some people, including Piper (2006), believe that the state of Singapore or Malaysia is intolerable due to civil activism and the stigma attached to migrant workers. Therefore, it is challenging for migrant workers to self-organize (Piper, 2006). Using the term "labour in activism," Bal (2016) demonstrates that activism is constrained in Singapore.

Nonetheless, as shown by Hsia (2009) and Constable (2009), the Hong Kong regime does provide political space for migrant workers. But the political systems should be discussed in both types of literature. This paper aims to fill that void by discussing the political climate in Hong Kong and how it has helped to foster activism among the city's migrant workforce. To satisfy the needs of the expatriate community, there is a high demand for

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domestic migrant workers in Hong Kong [Hsia \(2009\)](#). This has led to a more accommodating stance of the Hong Kong government toward the needs of migrant workers ([Hsia, 2009](#)).

The migration patterns of Hong Kong's migrant workforce have been the subject of several studies. On the other hand, research on the activism of Indonesian migrant workers is scarce, and no available sources provide context for JBMI. One such group is the Asian Migrants Coordinating Body (AMCB), a group of countries in Hong Kong that have formed alliances and collaborated effectively ([Hsia, 2009](#)). Then, [Lopez-Wui and Delias \(2015\)](#) describes the work of the Filipino-founded organization's Mission for Migrant Workers (MFMW) and Asian Migrant Center (AMC). Together, these two groups organize migrants to better their lives and the lives of their fellow migrants through social services and political advocacy ([Lopez-Wui & Delias, 2015](#)).

In this piece, we examine the possibilities for the growth of the Indonesian Migrant Workers Alliance (JBMI) in Hong Kong. As the largest alliance of Indonesian migrant workers, the JBMI is fascinating because it brings together disparate groups to speak with one united voice. Primers provide the data for this study's qualitative approach. First-hand accounts from a cross-section of Indonesian migrant workers who are politically engaged formed the basis of this primer's data set. In August 2017, the author travelled to Hong Kong to conduct in-depth interviews with representatives from various organizations that are part of the JBMI networking.

Indonesian Migrant Workers in Hong Kong

Most Indonesian migrant workers are women and often find better social and economic prospects abroad ([Williams & Widodo, 2009](#)). The first waves of Indonesian migrants arrived a century ago, and the number has continued to rise rapidly since the 1960s and 1970s. To better their economic situation and escape poverty, many people decide to migrate. The high unemployment rate in Indonesia also pushes people to look for work elsewhere, where they can expect to make more money ([International Organization for Migration, 2010](#)).

Indonesian migrant workers have trickled into Hong Kong since 1985. After the 1990s, the governments of Indonesia and Hong Kong worked together to make Hong Kong a destination for Indonesian migrant workers. More people are leaving Indonesia and heading to Hong Kong for work thanks to the two countries' recent cooperation. Because of its proactive policy toward migrant workers, Hong Kong has become one of the largest receiving countries for most Indonesian migrant workers. People often think Hong Kong is a better place to find employment than other popular destinations. It does not, however, ensure that no underlying issues exist. Many non-governmental organisations, labour unions, and activists agree that Hong Kong can do more to better the lives of its migrant workers' social welfare ([International Labour Organization, 2007](#)).

The situation for Indonesian migrant workers in Hong Kong is difficult, especially regarding forced labour. Research by ([Justice Centre, 2016](#)) shows that migrant workers from Indonesia are 70.5% more likely to be forced labour victims than workers from other countries. Reports from the International Labor Organization (ILO) indicate that,

"Forced labour is all work or service which is exacted from any person under the threat of a penalty and for which the person has not offered himself or herself voluntarily."

Domestic labour is just one example of the many economic sectors where forced labour is practised. Movement restrictions, lack of compensation, and the retention of workers' personal documents are all symptoms of forced labour. Since so many issues confront Hong Kong's large population of Indonesian migrant workers, this fosters the growth of non-state actors, also known as civil society. A group of Indonesians in Hong Kong have started a movement to protect migrant workers from sexual and physical assault by their employers or agents and threats and intimidation ([International Labour Organization, 2018](#)).

Contractual deception, underpayment, excessive and exploitative work hours, denial of weekly rest days and holidays, excessive agency fees, dodging the law on recruitment, physical/psychological abuse and threats, removal and retention of documents, and manipulated contract termination are all issues that have been reported by Amnesty Internasional regarding Indonesian migrant workers in Hong Kong ([Amnesty International, 2014](#)).

About the JBMI

In 2012, a coalition of Indonesian migrant groups in Hong Kong called Jaringan Buruh Migran Indonesia

(JBMI) was formed. Several organisations, including the Asosiasi Tenaga Kerja Indonesia (ATKI), the Indonesian Migrant Workers Union (IMWU), the Gabungan Migran Muslim Indonesia (GAMMI), the Persatuan BMI Tolak Overcharging (PILAR), and the Liga Pekerja Migran Indonesia (LPMI), are part of JBMI (LiPMI). Especially in Taiwan, Macau, and Indonesia, JBMI has been expanding. JBMI operates autonomously and without restrictions. Each group works with others on an individual basis.

In 2009, as the Indonesian government considered revising Ordinance No. 39/2004 about the Placement and Protection of Indonesia Migrant Workers, the first seeds of JBMI were planted. To address the issue, Indonesian migrant workers in Hong Kong formed Aliansi Cabut UU 39 in 2009, which later evolved into JBMI in 2012. At first, this coalition worked to win over supporters of changes to the ordinance since the current ordinance does not do enough to protect migrants' rights. However, it has recently evolved into a forum where people can speak with one voice on various issues about their rights and safeguards.

The JBMI does more than just help clients and fight for their rights. According to Sringatin, coordinator of JBMI and leader of IMWU, JBMI is also encouraging the empowerment of Indonesian migrant workers so that they may gain an in-depth understanding of the labour laws and be able to solve their own cases as well as the cases of their fellow migrants. This is important for the movement's long-term viability, as its members who return to Indonesia can establish new bases there (Sringatin, JBMI and IMWU, 19 August 2017).

All five institutes (IMWU, ATKI, GAMMI, PILAR, and LiPMI) at JBMI are staffed with licenced and knowledgeable counsellors. These therapists belong to the same group called "Mission for Volunteers" (MOVER). According to Haryani, MOVER's coordinator, the organisation was founded in 2015 to assist Indonesian migrant workers in Hong Kong who are experiencing difficulties. Every Sunday in Causeway Bay, you can stop by the advice centres open for business (Haryani, MOVER, 22 August 2017).

JBMI is honouring major holidays like International Workers' Day and International Women's Day while also addressing pressing issues. On the occasion of International Women's Day, for instance, JBMI organised a forum and related events. Indonesian art performances, speeches, and rallies at the Indonesian Consulate General have all used the citation device known as "(ATKI, 2018)."

In addition, JBMI, AMCB, and a few Filipino groups frequently collaborate on events. For instance, representatives from AMCB and JBMI have filed a claim with Hong Kong's Labor Department. The petition calls for a better living wage, an increased food stipend, guaranteed access to nutritious food, and safe, comfortable living quarters for migrant workers (International Muslim Women Union, 2017).

Increasing salary and food stipend is a yearly tradition. The action is usually held every October and September, and there must always be a raising in October. As a result of the migrant worker movement's efforts, Hong Kong's minimum wage and food allowance for foreign domestic workers have been steadily rising over the past few years, and JBMI has played a significant role as a collective voice in this process.

POLITICAL OPPORTUNITY IN HONG KONG

Tilly and Tarrow (2015) argue that political opportunity structure includes regime and institution that facilitate or compress political actor collective action. The characteristic of state regime influences opportunity or challenge for the political actor while making a claim. The regime characteristics include six dimensions: 1) various centre of power that provide challenger opportunity to aim for majority of regime; 2) openness to new actors that provide access for them on making a claim toward elite; 3) political instability; 4) the availability of allies because of political instability; and 5) freedom for making claim or facilitates collective claim; and 6) decisive changes in point 1 to 5 (Tilly & Tarrow, 2015).

Hong Kong is implementing hybrid regime as Hong Kong Special Administrative Region (HKSAR), part of People's Republic of China (PRC) in One Country, Two Systems (OCTS) framework since 1 July 1997 based on Sino-British Joint Declaration and Basic Law (Central Intelligence Agency, 2018). The hybrid regime is one regime that implements democracy and non-democracy side by side (Tilly & Tarrow, 2015). The characteristics of the hybrid regime in Hong Kong provide openness for collective actions, by facilitating broad political spaces for migrant workers in Hong Kong. Hong Kong's hybrid regime characteristics include pro-democracy and pro-Beijing as the centre of powers, openness to new actors, political instability provides the emergence of potential allies, and freedom for claiming by the availability of freedom to associate and public space.

Pro-democracy and Pro-Beijing as Centre of Powers

In Hong Kong, the centre of power divided as pro-democracy and pro-Beijing. Fong (2017) argue that the OCTS framework in Hong Kong produces peripheral nationalism under central state and boost the development of counter-mobilization. OCTS framework created for preparing Hong Kong integration with China after a certain time, but Hong Kong society is insecure by the possibility of decreasing in Hong Kong autonomy. Moreover, peripheral identity grows as the result of insecurity and trigger the wave of local mobilizations that aim to oppose integration strategic with Beijing (Fong, 2017). Albert (2018) argue that a wide generation gap and high numbers of economic inequality, both strengthen political division in Hong Kong. Public opinion divided into a party that intends to sustain the current Hong Kong political system, with a party that supports to fundamental reform of Basic Law. On the other hand, Beijing views all kind of protests and political voices that pro-democracy as the potential challenge toward China one-party rule (Albert, 2018).

Openness to New Collective Actors

Based on the estimated informal between NGO in Hong Kong, there are almost a thousand NGO in many types: charity, association, or non-profit business organization, and many more (Sim, 2003). Domestic migrant workers in Hong Kong is not active in politics but highly visible, vocal and influential. Protest action aim at multiple directions of many levels of powers (Constable, 2009).

Civil society in Hong Kong is variously based on their ideology orientations, organization form, and relations with the political society. Moreover, civil society in Hong Kong is relatively free and strong. In contrast, the civil society itself is slow in democracy development. Hong Kong dependency toward China's power is the cause of the difficulty on democracy development. Ngok (2008) argue that hybrid regime shapes direction and objection of civil society development, which is demobilized democratic movements. Movements in Hong Kong have strong defensive shape but at the same time unable to make efforts to drive institutional reformation (Ngok, 2008).

Political Instability and Availability of Allies for Challengers

Political instability in Hong Kong describes by high demand for democratic participation in government. After 1997, the survey showed that public opinion dominated by support toward political reform to be a democracy (Constable, 2009). The political instability then makes a space for the availability of potential allies for collective actors. In political opportunity structure, one actor has many potential allies for supporting them in making claims (Ngok, 2008).

Right wings group (pro-democracy) give support for migrant workers and push Hong Kong government to review policy about domestic migrant workers. Emily Lau Wai-Hing, leader of Democratic Party assume that some rules (in this context is the two-week rule) make the migrant worker more vulnerable. Moreover, Labour Party supporter, Lee Cheuk-Yan, assume that the Hong Kong system is failing to protect the migrant worker (Lam, 2015). A pro-democracy legislative in Hong Kong also push the government to enact legislation against human trafficking and forced labour (Yeung, 2017).

Freedom to Associate and the Availability of Public Space Facilitates Claim Making

In Hong Kong, self-organizing of migrant workers movement can run effectively. It is supported by the importance of freedom to associate and freedom to establish the political organization (Piper, 2006). Therefore, migrant workers movement able to suppress regime in Hong Kong. The government allow protest in peace and not threatening Hong Kong's economy (Constable, 2009).

Hong Kong applies ILO 87 about Freedom of Association (International Labour Organization Convention) in the Basic Law (Hong Kong Constitution). In Chapter III: Fundamental Rights and Duties of the Residents, article 27:

Hong Kong residents shall have freedom of speech, of the press and publication; freedom of association, of assembly, of the procession and of demonstration; and the right and of freedom to form and join trade unions, and to strike (The Government of Hong Kong, 2012).

Based on the article 27 above, there is not diversification between local workers with a migrant. It means, migrant workers are allowed to establish and join with union and association (Hsia, 2009).

Besides freedom of association, migrant workers in Hong Kong have a certain place to gather depending on their country origin. In the late 1990s, Victoria Park in Causeway Bay become a major place for Indonesian migrant workers to gather and meet up (Constable, 2007). Victoria Park location is strategic because its near with Indonesia Consulate General in Hong Kong. Moreover, many Indonesian stores and Indonesia Bank in the area.

Many kinds of activities take place in Victoria Park by Indonesian migrant workers, especially on Sunday morning. A migrant worker in Hong Kong has one free day every week and the policy is written in Foreign Domestic Helpers Rights and Protection under the Employment Ordinance (The Government of Hong Kong, 2017). The leader of ATKI, Maesaroh, assume that Indonesian migrant workers association, alliances, and union utilize the availability of that public spaces to run socialization of collective voice in respond certain issues and to persuade people or another group to join JBMI (Maesaroh, ATKI, 22 August 2017).

So, why Hong Kong that has not ratified United Nations Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families is accommodative with migrant workers demand? Hong Kong dependence on migrant workers is a factor why Hong Kong is open and gives access to the migrant workers movement. The development of domestic migrant workers in Hong Kong can be seen as an opportunity for financial gain for both parties (Yip, 2014). The increasing of Hong Kong dependence on migrant workers is counterbalanced by the actions of migrant workers and pressure from civil society to improve legal protection against exploitation and abuse or violation of the rights of migrant workers (Bal, 2016).

Beside the political opportunity in Hong Kong, the opportunities for migrant movement on making collective action cannot be effective without the willingness from migrant workers itself to manage the available resources. Eni, leader of IMA and PILAR, said that the purpose of their collective action based on the awareness to help others in order to prevent them from experiencing the same problems. Moreover this movement is looking for a solution to a problem they have experienced before. At the same time, they are giving information and educating fellow migrant workers about labour law and policy (Eni Lestari, IMA, 23 August 2017).

THE AWARENESS OF INDONESIAN MIGRANT WORKERS IN HONG KONG

The awareness of migrant workers is shaped by their personal experiences in the past and supported by an activist from Filipina. This two factors then encourage the Indonesian migrant workers to establish self-organized movement in collective ways.

Migrant Workers Experiences

The establishment of Indonesian migrant workers collective action through the process of transition from their personal emotional experience. The mutual feelings of violation of their rights then become a milestone for collective action. Melucci (1996) argue that to define a collective identity, an emotional level is needed that allows them to feel like part of the unity (Melucci, 1996).

Indonesian migrant workers who are currently active in organization have experience as victims of rights violations during their work. Such violations for example overcharged, unpaid or underpayment, employed in two places, passport and other documents is retained by agency, and many more. Rosi, leader of GAMMI said:

I was underpayment and terminate. Then I lived in Bethune House shelter. From there, I learned how to organize, organizing masses, and how to handle cases. (Rosi, GAMMI, 20 August 2017)

Maesaroh also said that she started to know about migrant organization because she was a victim.

I came to Hong Kong in 2009 and worked to take care of two children. My employer hired me in two places and not give me a holiday. At first, I heard from Filipina friends that work in two places is illegal. If is known by immigration, the migrant worker will be arrested. Then I tried to find migrant worker organizations in Hong Kong. (Maesaroh, ATKI, 22 August 2017)

On the other hand, PILAR active members, Sumber and Leni, clarify that It is true if their personal experiences make them able to explain the others for not to be afraid to fight together (Sumber and Leni, PILAR, 20 August 2017).

My own experience in 2007, when I was only two years working in Hong Kong, that my passport was kept by the agency. Then my contract is terminated by employer before two months of finishing. At that time, I did not know what should I do. Then I met with Eni Lestari and she told me about my rights and things to do. From there I have strength and realize that agency is extorting us. (Sumber, PILAR, 20 August 2017).

Filipina Activist Roles

Piper (2015) argue that Filipina activist existence and leadership is very prominent and contributes to spreading the transnational and diaspora networks in various countries as the result of their government policy about exporting migrant workers since 1970s. In Hong Kong, the Filipina activist is actively providing leadership training for migrant. The training program the result in the establishment of other domestic migrant labour unions and also inspires migrant worker who already return, such as Indonesia, to establish migrant rights based organizations (Piper, 2015).

NGOs strategy to organize migrant workers can happen because of the openness of the political situation in Hong Kong. The NGOs organize migrant workers by migrant workers empowerment framework, and give them knowledge and capacity in order to be able in providing services to others and able to conduct political advocacy (Lopez-Wui & Delias, 2015).

Filipina activist roles can be seen where four organizations elaborated to establish ATKI. The four organizations itself are MFMW (Mission For Migrant Workers), the Bethune House Migrant Women's Refugee, APMM (Asia Pacific Mission for Migrants) and Unifil (United Filipinos). MFMW, Bethune House and APMM have role a to in helping migrant workers to establishing their own organizations. When their own organizations formed, MFMW, Bethune House and APMM will become supervision and let the organizations run by their self. Whereas, Unifil supported the self-organize organizations in networking matters (Hsia, 2009). In addition, the Asia Migrant Center also started providing counselling for migrant workers in 1990s and then changed their focus on organizing migrant groups. For instances is help on establishing the first Indonesian migrant workers union, IMWU (Asato, 2004).

MFMW and Bethune House does help migrant workers to develop their sense of personal subjectivity which encourages them to understand that all of their circumstances or experiences is the result of forced migration. So, start from those experiences then can help them in improving their quality of life (Hsia, 2009).

CONCLUSION, RECOMMENDATIONS AND IMPLICATIONS

Hong Kong is a unique city under the central government of China that applying hybrid regime. The uniqueness of Hong Kong political systems and the characteristics of a hybrid regime which provides openness for collective actions then can explain why JBMI can develop in Hong Kong. Political spaces for migrant workers in Hong Kong can be seen not only in economic interest of this city, but also from political situation.

In Hong Kong, pro-democracy and pro-Beijing wings make migrant workers can aim to the existening centre of powers. The openness to new actors then makes JBMI can make their alliance. Potential allies are also important and emergence from the political instability. The resources like freedom of association and the availability of gather space are avail for the collective actions.

The awareness of Indonesian migrant workers in Hong Kong to manage the available resources is also important. JBMI as the biggest alliances of Indonesian migrant workers, build from the personal experiences then become their power to fight back. There is the presence of resistance toward the effect of forced labour and global capitalism. Moreover, the roles of Filipina activist is effectively helping Indonesia migrant workers to realize their rights.

Finally, this study intend to give a contribution of literature about Indonesian migrant workers, particularly in self-organizing migrants movement. I intend to shows the power of migrant domestic workers that identic with vulnerability.

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