

Domestic Workers Who Accused Diplomats of Human Trafficking Settle With Kuwaiti Government

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ACLU Claimed Diplomatic Immunity Is No Excuse for Trafficking and Abuse

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WASHINGTON – The Kuwaiti government agreed to settle a case brought by three women who claimed that they were trafficked to the United States by a Kuwaiti diplomat and his wife and forced to work as domestic employees at the diplomat’s home in Virginia against their will and under slavery-like conditions.

The American Civil Liberties Union filed a lawsuit in 2007 on the women’s behalf against Kuwait, the diplomat Major Waleed Al Saleh and his wife Maysaa Al Omar. The lawsuit claimed that the Kuwaiti government was responsible for the conduct of the women’s employers because several human rights reports have noted that trafficking and forced labor were commonplace among its diplomats. The government had an obligation as the diplomat’s employer to take measures to protect the three women. The women were also represented by the law firm Jenner & Block, and the terms of the settlement are confidential.

“This settlement affirms the principle that no form of immunity should allow diplomats to treat their employees like slaves,” said Galen Sherwin, staff attorney with the ACLU Women’s Rights Project. “Domestic employees brought to the U.S. from other countries should expect the same level of protection from violence and exploitation as anyone else.”

The three women – Kumari Sabbithi, Joaquina Quadros and Tina Fernandes – all originally from India, were employed as domestic workers by Al Saleh and his wife at their home in McLean, Virginia. The complaint alleged that they were brought to the U.S. in the summer of 2005 and that they were forced to work every day from 6:30 a.m. until sometimes as late as 1:30 a.m. for approximately \$250 to \$350 a month. The complaint further alleged that they were subjected to threats and verbal and physical abuse, including one incident in which Al Saleh threw one of the women, Sabbithi, against a kitchen table, knocking her unconscious.

The women alleged that they were often not allowed time to eat or to use the bathroom and frequently were deprived of food, that two of them were allowed only one hour off a month to attend church, and that they had their passports taken away and were isolated from contact with the external world. The complaint alleged that, fearing for their lives, the three women fled the household toward the end of 2005.

As a diplomat, Al Saleh was legally required by the State Department to sign a contract with each of the women guaranteeing them a fair wage, specific working conditions and safe passage home. Instead, the complaint alleged, he and his wife brought the women to the U.S. under false pretenses, intending to exploit them all along.

“This settlement sends a message to others that the U.S. will not tolerate the trafficking and abuse of human beings under any circumstances, and that those who do suffer such abuse can obtain some form of justice” said Steven Watt, staff attorney with the ACLU Human Rights Program. “These women should be commended for having the courage to stand up and demand that they and others like them be treated with dignity and respect after enduring such shocking and cruel conditions.”

More information on this case can be found at: www.aclu.org/human-rights-womens-rights/case-profile-sabbithi-et-al-v-al-saleh-et-al

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