

DECLARATION OF HILDAH AJASI

Petition Alleging Violations by the United States of America of the Human Rights of Domestic Workers Employed by Diplomats

I, HILDAH AJASI, declare as follows:

1. I am a petitioner in the case of *Petition Alleging Violations by the United States of America of the Human Rights of Domestic Workers Employed by Diplomats* before the Inter-American Commission on Human Rights.
2. I am a national of Zimbabwe. I have received immigration relief from the United States government. I currently reside in the Washington, DC metropolitan area. I speak English fluently.
3. For four years in Zimbabwe, I was employed as a domestic worker for Ms. Poppy Majingo, a diplomat who worked in the Embassy of Botswana in Zimbabwe.
4. In September of 2004, Ms. Majingo brought me to the United States to work in her home when she was transferred to the Botswana Embassy in Washington D.C. and given the post of Secretary for Economics.
5. In order to get a visa to come to the United States, Ms. Majingo took me to the U.S. Embassy in Zimbabwe.
6. In order to receive my visa, the Embassy required a signed employment contract between Ms. Majingo and me. In addition to a number of other clauses, the contract stated that Ms. Majingo would provide food and accommodations, would not require me to work more than eight hours a day, and would pay me \$6.80 per hour.
7. We gave an original copy of the contract to the Embassy and I kept an unsigned copy. The consular official at the Embassy only interviewed Ms. Majingo; the official did not talk to me separately. She did not discuss the details of the contract with Ms. Majingo. Rather, the official merely read over the contract and said it was fine.
8. The consular official issued me a G-5 visa. However, when I arrived in the United States, the immigration officials told Ms. Majingo that I was issued the wrong visa. They said that I should have received an A-3 visa. As a result, they gave me an I-94 with a shorter time period than normal.
9. In the United States, my work involved caring for her children, cooking, and cleaning the house. Ms. Majingo's household consisted of six persons, including myself: Ms. Majingo, her husband, three children (9 years, 5 years, and 19 months), and me.

Wages

10. After the first month of working for Ms. Majingo in the United States, I received my first salary in cash, and was surprised to see that it was only \$250. I expected to receive around \$1088 based on the wage of \$6.80 per hour that we agreed to in the employment contract. When I complained to Ms. Majingo, she became angry and yelled at me. I did not bring it up again, because her yelling frightened me.
11. I was paid \$250 each month, except for the last month, when I left. Every month, I sent money from my salary to my husband, who remained in Zimbabwe.

Hours

12. Ms. Majingo's family never allowed me to rest. I worked anywhere from sixteen hours up to twenty-four hours a day, if one counts sleeping with the baby as working hours. I slept with the baby four days each week, which required waking up in the middle of the night and giving the baby a bottle.
13. On a typical day, I prepared the two older children for school, made sure they got to school, and then I returned to the house to prepare breakfast and lunch. Then I began cleaning the house. When the children came back at three o'clock, I helped them with their homework. Ms. Majingo often did not come home until eight o'clock at night.
14. I worked seven days a week. Ms. Majingo never gave me a day off.
15. In fact, in addition to my own job responsibilities at Ms. Majingo's house, Ms. Majingo required me to clean the house of a friend of hers once a month.
16. I never had a moment to rest. There was no free time because I was with the toddler all the time. I didn't even have time to sit down and eat lunch. I had no time for exercise, nor any personal time to read or listen to music. The few occasions I was allowed to watch television, I still had to watch over the toddler.
17. I told Ms. Majingo several times that I was getting tired, and that I wanted a day off during the week where I did not have to care for the children. Ms. Majingo refused each time to grant my request.

Liberty

18. The family took me to their Seventh Day Adventist church to care for the children. When I asked Ms. Majingo if I could go to my own church, she told me I should just go to hers. If I went to another church, I would have had to take the children with me.
19. I could only use the telephone while Ms. Majingo was in the house.

20. Ms. Majingo forbade me from leaving the home alone. If I needed something, the whole family went together. Ms. Majingo intimidated me into not leaving the house by threatening to tell my husband that I was with other men if I went out alone. She also told me that Americans did not like Zimbabweans, and that Americans would kill me if I left the house.
21. Only on two occasions did Ms. Majingo permit me to leave the house without her supervising me. I was allowed to go to the grocery store to buy carrots and tomatoes. However, I had to take the children with me, and we had to walk since I do not know how to drive. At the grocery store, I bought the children candy and kept the receipt. Ms. Majingo became angry that I bought the children candy and told me to pay her back.
22. Prior to my leaving Zimbabwe, a friend of mine told me she had a sister in Maryland, not far from where I was to live with Ms. Majingo. I was scared that Ms. Majingo would not allow me to see a sister of a friend, so I told Ms. Majingo that I had a "cousin-sister" in Maryland. While we were still in Zimbabwe I asked her if it would be all right if I went to see my "cousin-sister" and she told me it would be fine. After we were in the U.S. for a while, I again asked Ms. Majingo for permission to visit my "cousin-sister". She allowed me one visit. After that I was not allowed to visit her again. I asked a couple of times, but Ms. Majingo kept making excuses as to why I could not visit her again. I was allowed to make brief phone calls to her a couple of times.
23. Three months after I arrived in the United States, Ms. Majingo asked for my passport. She told me she was going to work on fixing my visa, so I handed her my passport. Around a month later, I asked her what was happening and if there was any paperwork I needed to complete. She became angry when I asked about the paperwork and she asked me if I thought she was keeping my passport. She finally returned my passport without having done anything with my visa. Around seven months after my arrival, she asked for my passport again so she could work on my visa, because it was about to expire. I gave her my passport again. About a month later, she gave me some paper work to sign. In the end, however, nothing was done and my visa was never renewed.

Safety, Health, and Well-Being

24. I lived in the guest bedroom, but I had to move out of the room whenever visitors came, so I didn't consider it to be my own space. For example, I had to leave for a month when Ms. Majingo's grandmother came. Whenever I moved out of the visitor's room I slept in the attic with one closet and a small bed.
25. I have asthma. My employment contract stated that Ms. Majingo would pay for my medications and asthma medicine. However, Ms. Majingo did not comply with the contract. She just told me to use her nine year old daughter's asthma medicine.
26. I had backaches while I was working. Ms. Majingo said that I was not sick, and refused to take me to the doctor. I was not able to go to the doctor until I left Ms. Majingo's employ.

Mental Abuse

27. At anytime, Ms. Majingo would harass me about the smallest of cleaning details. When Ms. Majingo found out that her underwear had been discolored in the wash, she told me I had to wash her underwear by hand. Her actions toward me in this regard were degrading and demeaning.
28. On August 24, 2005, I went to talk to Ms. Majingo's husband about my working conditions. He waited for Ms. Majingo to get back before talking. I told them that I knew my rights, that I was not being paid enough, and that I was working too many hours. Ms. Majingo said that I didn't know my rights because I was uneducated. She told me that I was a slave. Then she told me to get out of her house.
29. Ms. Majingo yelled at me many times, including the first month when I asked about money and again on August 24, 2005. Both time, she screamed and told me to get out of her house.
30. After Ms. Majingo yelled and screamed at me that I was a slave, she took her husband to the airport because he was going to Botswana. When Ms. Majingo left me alone, a neighbor came over to the house to see if everything was okay. The neighbor told me that I should not be treated this way in the United States and that it was not fair.

My Escape

31. After I complained to Ms. Majingo on August 24, 2005, she came to me and told me that the U.S. Department of State refused to give me the visa. She bought me a plane ticket to Zimbabwe and told me, "You need to pack your things; I'm going to take you to the airport today at 5:00 p.m."
32. When Ms. Majingo told me to leave the country, I called the police, and told them about the unfair wages. They would not help me, and they told me to return to Zimbabwe.
33. On September 10, 2005, Ms. Majingo took me to the airport. Some other diplomats from the Embassy came with us. Ms. Majingo gave me my passport in the car. Ms. Majingo made sure that I checked in for my flight, but I never got on the airplane. I hid in the airport and then went to my cousin-sister's house that I had met once before.
34. After leaving me at the airport, Ms. Majingo called my husband to say that he should beat me when I returned home because I had boyfriends in the U.S. This was not true. Because she was so determined to force me to return to Zimbabwe, my husband and I thought it was a good idea that he report back to her that I had arrived and that he had indeed beaten me. My husband told Ms. Majingo these things because we were afraid she would discover that I had not returned to Zimbabwe and that she would come after me or hurt my family back home. Ms. Majingo also called the Botswana Embassy in Zimbabwe to see if I had arrived.

35. Two months after I was supposed to have departed the United States, I ran into Ms. Majingo's colleague when I was out shopping. After that, Ms. Majingo must have discovered who I was staying with. She called the friend I was staying with, the friend I knew from Ms. Majingo's church, as well as the Pastor of her church, and told them that I was here illegally.
36. I believe that she took these actions to frighten me so that I would not take any legal action against her. Since then, my only contact with Ms. Majingo and her family has been mean and nasty emails I received from her daughter.

Legal Assistance

37. After leaving Ms. Majingo's employment, I went to Ayuda, a legal and social services agency in Washington, D.C. The attorneys there referred me to another organization in the area, Break the Chain Campaign. They assisted me with my immigration status.
38. I wanted to claim the wages I was owed from Ms. Majingo. My lawyer at the Break the Chain Campaign, however, informed me that there was no way to get compensation through a lawsuit because Ms. Majingo was a diplomat who has diplomatic immunity.
39. I did not contact the Botswana Embassy to inform them of the abuse I suffered. Because Ms. Majingo had immunity, it seemed like such action would be useless. I felt as though I had no rights. I was frightened and felt that even if I tried to pursue something, I would be harmed or my family in Zimbabwe would be harmed.
40. I have since met with a support group at Break the Chain Campaign to address the mistreatment of domestic workers. Based on my understanding of my rights, I think that it is important for domestic workers to try to pursue our claims, which are claims of human rights.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct, to the best of my knowledge.

Dated: 11/07/07, 2007

Executed in Washington DC

H.T. AJASI
Hildah Ajasi