

Malaysia

Malaysia urged to strengthen protection for foreign workers

MAY 28, 2017



File picture shows foreign workers crowding the streets at Jalan Tun Tan Siew Sin (Jalan Silang). — Picture by Choo Choy May

KUALA LUMPUR, May 28 — Malaysia has yet to strengthen its laws to provide greater protection to foreign employees despite reports of rampant abuses, an international human rights watchdog said.

The Human Rights Watch (HRW) pointed out that foreign domestic workers here are especially at risk, being largely excluded from key employment protection laws and often exposed to having their

earnings “abused” by their employers and agents.

It said the bilateral agreements signed between Malaysia and the source countries exporting their labour, like Indonesia and Cambodia, lack effective enforcement mechanisms.

“Many employers deduct part or all of their domestic worker’s salary for six or more months to recoup their recruitment costs, putting intense financial pressure on domestic workers who must repay their own debts (often for recruitment brokers’ fees in the sending country), and are expected to send money to support their families at home,” HRW said in its [latest report \(https://www.hrw.org/news/2017/05/24/human-rights-watch-submission-committee-elimination-discrimination-against-women\)](https://www.hrw.org/news/2017/05/24/human-rights-watch-submission-committee-elimination-discrimination-against-women) to the United Nations committee on the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) on Malaysia.

The watchdog is asking CEDAW to exert pressure on the Malaysian government to improve its legislations to prevent further labour abuses against the at-risk migrant group.

Malaysia ratified the CEDAW in 1995 but with reservations.

HRW also said that while Malaysia has made progress in terms of efforts to strengthen its anti-human trafficking laws, victims of such crimes were still hobbled in getting legal redress.

The prosecution rate for trafficked persons into forced labour was also found to be “rare”.

In its report released Wednesday, HRW made several recommendations for CEDAW to take up with Putrajaya.

This included the need to provide full labour rights protections for foreign and national domestic workers in Malaysia in line with the International Labour Organization (ILO) Domestic Workers Convention and other relevant ILO conventions, as well as to strengthen regulations governing recruitment and employment agencies, with clear mechanisms to monitor and enforce the said standards.

HRW called for a stop to the practice of employers and recruitment agents deducting the salaries for workers.

It also called on Malaysia to “rigorously” investigate allegations of human trafficking, forced labour, food deprivation, sexual abuse, physical abuse, and forced confinement of domestic workers, and prosecute those found responsible.