



ASIAN INTER-PARLIAMENTARY ASSEMBLY ON LABOUR MIGRATION

Endorsement of Human Rights Watch Report:

“They Deceived Us at Every Step: Abuses against Cambodian domestic workers migrating to Malaysia”

On November 1st, Human Rights Watch released a report entitled “They Deceived Us at Every Step: Abuses against Cambodian Domestic Workers Migrating to Malaysia.” This report presents detailed documentation of the significant abuses and exploitation of Cambodian domestic workers during recruitment, work abroad, and upon their return home.

We, members of the Asian Inter-Parliamentary Assembly on Labour Migration, welcome this report as a comprehensive analysis of this pressing issue. Between 40,000 and 50,000 Cambodian women and girls have migrated to Malaysia as domestic workers since 2008. The increase in the recruitment of Cambodian domestic workers was instigated by changes to the emigration policy of Indonesia, which imposed a 2-year ban on sending its own workers to Malaysia in 2009 after several high-profile cases of abuse and exploitation.

The report documents cases in which Cambodian recruitment agents forged identity documents to recruit children, offered cash and food incentives to prospective migrants and their families, deceived them about the jobs available, and have charged exorbitant recruitment fees leaving them heavily indebted and vulnerable. In Malaysia, migrant domestic workers face rampant workplace abuses. They are excluded from key protections in Malaysia’s Employment Act, including a weekly day of rest, annual leave, and limits to working hours. The most common complaint among these workers is the withholding of wages and unjustified deductions to their salaries. Many are confined to the workplace and deprived of adequate food, and there are many instances of physical and sexual abuse. Some cases reported amount to forced labour and trafficking.

REGIONAL COOPERATION AND RECOMMENDATIONS

The abuses presented in this report are all too common and are unacceptable. Migrant domestic workers face similar situations in other labour-receiving countries as well. The problems are regional in nature, and until there is greater cooperation among sending states, and between host and sending states, this “race to the bottom” in terms of employment conditions and human rights will continue unchecked.

Cambodia has recently announced a ban on new recruits to Malaysia. Similar policies have been seen in the Philippines and Indonesia. The policy of banning should only be seen as a short-term measure used to interrupt deployment until comprehensive reforms can be instituted that allow women to migrate voluntarily and safely. Closing official deployment channels often results in increases in undocumented migration, placing migrant women at a higher risk of abuse and exploitation.

In addition, deployment bans can have unintended consequences, as labour-receiving countries often respond by turning to other countries with lower standards for their labour recruitment. When the Philippines instituted greater protections for domestic workers, labour-receiving countries turned to Indonesia for their recruitment. When Indonesia enhanced their protections, labour-receiving countries turned to Cambodia, Nepal, and Bangladesh. Labour-sending countries must cooperate to demand regional minimum standards, otherwise the cycle of abuse will continue.

Cambodia, along with Indonesia, the Philippines and other labor-sending countries should introduce comprehensive migration laws that include strong oversight and monitoring of recruitment agencies. There should be accountability and penalties when violations occur. Labor receiving countries such as Malaysia and the Gulf countries should introduce reforms to their immigration laws, as current laws often trap migrants in abusive situations. Policies should also provide strong oversight and monitoring to recruitment agencies.

We call on all migrant sending and receiving countries to ratify ILO Convention 189: Decent Work for Domestic Workers, and to create national laws that comply with its provisions, including a minimum age for domestic work, protection from violence and abuse, equivalent labor protections for domestic workers as other workers, regulation and monitoring of recruitment agencies and their fees, and international cooperation.

Endorsed by:

Mr. Thampan Thomas, Former MP
Senator S. Ramakrishnan
Congressman Carlos M. Padilla

| | |
|-------------|------------------|
| India | November 3, 2011 |
| Malaysia | November 6, 2011 |
| Philippines | November 6, 2011 |

| | | |
|---|-------------|-------------------|
| Asian Forum of Parliamentarians on Population and Development | | November 7, 2011 |
| Mr. Dinh Ngoc Quy | Vietnam | November 7, 2011 |
| H.E. Tioulong Saumura, Member of Parliament | Cambodia | November 7, 2011 |
| H.E. Ke Sovanroth, Member of Parliament | Cambodia | November 7, 2011 |
| H.E. Yim Sovann, Member of Parliament | Cambodia | November 7, 2011 |
| H.E. Son Chhay, Member of Parliament | Cambodia | November 7, 2011 |
| H.E. Mu Sochua, Member of Parliament | Cambodia | November 7, 2011 |
| H.E. Sam Rainsy, Member of Parliament | Cambodia | November 7, 2011 |
| H.E. Khy Vandeth, Member of Parliament | Cambodia | November 7, 2011 |
| H.E. Kuoy Bunroeun, Member of Parliament | Cambodia | November 7, 2011 |
| H.E. Tak Lany, Member of Parliament | Cambodia | November 7, 2011 |
| H.E. Sovana Pisakha, Member of Parliament | Cambodia | November 7, 2011 |
| H.E. Men Sothavarin, Member of Parliament | Cambodia | November 7, 2011 |
| H.E. Nut Rumdul, Member of Parliament | Cambodia | November 7, 2011 |
| H.E. Ly Srey Vyna, Member of Parliament | Cambodia | November 7, 2011 |
| H.E. San Sang, Member of Parliament | Cambodia | November 7, 2011 |
| H.E. Van Narith, Member of Parliament | Cambodia | November 7, 2011 |
| H.E. Ho Van, Member of Parliament | Cambodia | November 7, 2011 |
| H.E. Pot Pov, Member of Parliament | Cambodia | November 7, 2011 |
| H.E. Chan Cheng, Member of Parliament | Cambodia | November 7, 2011 |
| H.E. Kim Laky, Member of Parliament | Cambodia | November 7, 2011 |
| H.E. Cheam Channy, Member of Parliament | Cambodia | November 7, 2011 |
| H.E. Kim Sour Phirith, Member of Parliament | Cambodia | November 7, 2011 |
| H.E. Long Ry, Member of Parliament | Cambodia | November 7, 2011 |
| H.E. Chea Poch, Member of Parliament | Cambodia | November 7, 2011 |
| H.E. Kong Bora, Member of Parliament | Cambodia | November 7, 2011 |
| H.E. Yont Tharo, Member of Parliament | Cambodia | November 7, 2011 |
| H.E. Cata Chiv, Member of Parliament | Cambodia | November 7, 2011 |
| Mrs. Sri Rahayu, Member of Parliament | Indonesia | November 8, 2011 |
| Mr. Charles Santiago, Member of Parliament | Malaysia | November 9, 2011 |
| Mrs. Eva Kusuma Sundari, Member of Parliament | Indonesia | November 9, 2011 |
| Congressman Walden Bello | Philippines | November 9, 2011 |
| Mr. Padam Lal Bishwokarma, Constituent Assembly | Nepal | November 11, 2011 |
| Mrs. Binda Pandey, Constituent Assembly | Nepal | November 11, 2011 |
| Mrs. Rieke Pitaloka, Member of Parliament | Indonesia | November 11, 2011 |