

Report from Sumitha Shaanthinni Kishna, Founding Director of Our Journey on UN High Commissioner for Human Rights visit to Malaysia.

A group of lawyers met Volker Türk, United Nations High Commissioner for Human Rights, during his official meeting to Malaysia from 2 to 4 June 2024.

I shared regarding Bangladeshi workers coming into Malaysia with no jobs secured, remediation exercises undertaken by companies and on domestic workers.

Issue of workers coming into the country and not having jobs

1. Not new, has been happening for a long time.

2. The difference now are 2

(A) That the government allowed approval of quotas to employers without the usual checks which included advertising the jobs for local workers and also submitting necessary documents on the companies financial status - 900k + quotas were approved

(B) Prior to the pandemic there were many unregistered business and factories which would be where workers without documents or workers whose original employers didn't want them, would work. During the pandemic where movements were controlled, it was easier to spot these unregistered business and factories, many of whom were not able to weather the pandemic.

Employers with no real jobs nor intention to employ these workers are now facing problems because they are not able to find factories or business who want these workers. Complaints are being made because the wait is longer.

We have dealt with many cases and once the employer finds jobs for the workers even if they remain undocumented, the workers will choose to accept and not pursue action against the companies.

Also because the government is not able to find employers for these workers Remediation is big thing now in Malaysia where brands are ensuring that the supply chain here repays the recruitment fees of migrants. While it's welcome, it's turning negative in some ways 1. Because migrants still pay the fees in countries of origin and are told that they will be reimbursed when they come to Malaysia, because the remediation is focusing on the companies obligation and not the recruitment agents responsibilities. 2. It's becoming a money making business for those giving the services of remediation while ignoring other aspects of violation in the company. With regards to domestic workers, the word domestic servant was amended in the employment act to domestic employee. But no other change was made to the employment act to allow domestic workers more protection.

We have a lot of push back from all politicians who many have domestic workers, for a stand alone act for domestic workers or even regulations on domestic workers in the employment act