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# Advocating Women Migrant Worker's Rights through Social Services Organizations in Malaysia

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## Abstract

Dependency on migrant workers is a growing situation in Malaysia particularly the ones from Indonesia, the world's largest non-skilled and semi-skilled worker importer. Despite their decision to migrate in order to obtain better livelihood, there are various risks faced by Indonesian migrant workers, including exploitation. To this day, the problems faced by women migrant workers are mostly dominated by documents forgery, fraud, overstay, unpaid wages, sexual abuse, involvement in criminal cases, and other rights violations that are not in accordance with the proper work contracts. Indonesian women migrant workers are often segmented to work in production sectors, such as manufacturing, service sectors such as domestic work and the cleaning industry. This study used qualitative research with in-depth interviews and participant observation to access, collect the preliminary data from the government officials, NGOs and unions related to migrant worker's social welfare. The finding indicated that there were several migrant workers' rights that have been agreed upon to provide significant protection for migrant workers in destination countries whether they are related to employment or social security. However, with the different legal ratifications of specific countries, the destination country has the freedom to restrict any access to certain migrant workers' freedoms. In other words, protection is subject to the laws and constitutions of the country which have been formulated locally. However, in the case of migrant workers' rights violations, most parties work together to resolve the issues. This includes establishing non-governmental organizations to curb issues of social inequality that help all parties involved.

**Keywords:** Malaysia, Migrant Worker, Social Service Organizations, Women

## 1. Introduction

Cross-border migration is an increasing universal phenomenon that occurs continuously. The International Organization for Migration (IOM) through its latest report found that employment-based migration kept increasing since 2000 from 173 million to 244 million in 2015 (IOM, 2017). However, job migration is not like commodity trade or services because it is related to the migration of people who have rights and justice that need to be emphasized. This is because, according to statistics recorded by IOM, the majority of migration around the world involves less skilled and semi-skilled workers who are likely to be exposed to exploitation (IOM, 2017). The United Nations Universal Declaration of Human Rights (UNDHR) on Article 1 states that:

*“All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.”* (UNDHR).

Based on the above declaration, the rights of every human being clearly need to be protected by every group of society and it is no exception in the context of migrant workers. Labor law has provided the description of the basic or minimum rights of workers in employment. Through its enforcement, employees have legitimate rights to claim their rights or seek for protection. However, exploitation of rights and pressures keep happening to migrant workers around the world, including the ones in Malaysia. This indicates that compliance with human rights in the context of social protection is minimal and alarming. For example, a report submitted by the US Embassy in Malaysia reported an extreme case involving human trafficking in Malaysia. Although Malaysia is placed at Level 2 due to its increased efforts in expanding prosecution and conviction investigations, Malaysia is still evaluated as not complying with the minimum standards to eradicate such cases completely. This can be proven through the case of trafficking in 2016, where the government identified 1,558 victims of human trafficking, a significant identification compared to 305 victims in 2015 (US Embassy in Malaysia, 2017). The identification of human trafficking cases relies on reactive labor inspections based on complaints about unpaid workers and other rights violations. It is clear that compliance and implementation of human rights need to be enhanced in order to ensure the social protection of migrant workers in Malaysia.

According to the International Labor Organization (ILO), migrant workers are job-oriented migrations that describe the movement or migration performed by individuals from one place to another, for the purpose of working or seeking employment. Migrant workers who are migrating abroad fill jobs that are required for under-skilled, semi-skilled and skilled workers. The ILO defines a migrant worker as someone who has migrated, or has migrated from one country to another, with the impression that the person is under the provision of the state or employer (ILO, 2013). Ideally, sending Indonesian labor abroad is one of the alternatives to solve the problem of unemployment in Indonesia, including women labor. There are two dominant sectors in Malaysia involving Indonesian women migrant workers, one of which is the informal sector that requires these women to be maids. The other sector is the formal sector with manufacturing as one of the most highly chosen job since it is more secure and has comprehensive protection from the employers. Both of these areas of employment are well received by Indonesian women migrant workers which are shown statistically by a data recording a total of 38,664 maids in 2009 (Azmy 2012) and an estimation of 127,127 manufacturing workers in 2011 (Ministry of Home Affairs 2012).

However, despite this migration there are various risks faced by migrant workers, which includes exploitation of their rights. There are two main criteria that need to be considered in the definition of employee exploitation. The first is the fundamental right in employment and the second is the ability of employees to protect themselves. The protection here encompasses the ability to obtain statutory rights provided by law and other channels (e.g. trade unions) to make claims of rights. Exploited workers are workers involved in high risk, denied basic employment rights and low ability of workers to protect themselves (CONIAC, 2009). These two criteria outline boundaries which enable labor law to be the main basis for forming indicators and further identifying exploited workers. To this day, the problems faced by migrant workers are generally dominated by fraud, unpaid salaries or salaries below minimum wages, human trafficking, and also emotional, physical, and sexual abuse. Other problems include forgery of documents due to agent fraud, overstay, incomplete or illegal documents for staying, involvement in criminal cases, inability to communicate with family and other rights violations that are not in accordance with the employment contracts (Kolopaking, 2015). In addition, Osman and Shahiri (2014) stated that migrant workers also have very low employment benefits and are forced to work in an uncomfortable and dangerous workplace environment (Osman and Shahiri, 2014). They are also vulnerable to the threat of layoffs and excessive discrimination, making it difficult for workers in those jobs to seek legal protection. As a result, the basic rights of employment are also denied.

This article aimed to present social services organizations' roles in providing advocacy assistance to women migrant workers as they always are the object of suffering from marginalization. This paper argues that the practice of social protection of migrant workers is unparallel to the demand of their labor. Moreover, the

discussion encapsulates the question of how social services organizations play pivotal roles in advocating for women migrant workers, given that the discrepancies between policy and practice widen the debates. However, apart from the government or the employer there are certain organizations established to protect migrant workers who do not get the protection from their employers or to become temporary shelters for these migrant workers. There is a range of social services provided by non-profit organizations that actively promote equality, opportunity, and assistance to migrant workers in accordance with human rights.

### **Advocacy, Support and Social Protection of Migrant Workers**

In general, advocacy is known as activity to obtain the social rights by pleads acting or speaking on behalf of another people (Forbat & Atkinson 2005). Thus, advocacy and rights remain inseparable as advocacy signifies some interventions for improving the ability of individuals to cope with social risk (Bateman 2000; Beckett 2006). They also emphasize its role in fostering a sense of civic empowerment among particular groups and entire communities. Through empowerment, social services use advocacy to help improve people's lives through policy-oriented decisions and guidelines. However, typically, the social services are unknown or unavailable to the receivers. Therefore, it is difficult for people who do not have the resources to learn about services available and ways to overcome the obstacles that hinder human growth and development.

Therefore, as the most influential tool in representing marginalized groups, advocacy accomplishes its common objectives relatively on stating a case, influencing decisions, protecting from abuse, rectifying the balance of power, and promoting awareness in exercising rights (Dunning 1995). In the migration field in particular, according to Piper (2008) International Labour Organization (ILO) sets off as a pioneer in the promotion of a migration rights based. In fact, it allows a major change on civil society groups to advocate and initiate campaigns for the ratification of the Migrant Workers Convention. The initiative induces the effort towards the ILO prominent role in promoting the migrant rights, including the rights of women migrants. According to Elias (2010) and Migrant Forum in Asia (2006), the rights-based approach creates another avenue in developing a more gender-sensitive rights in migration, in regards to "empower women [migrants] to assert their rights" with the strong statement "Migrant Rights Are Human Rights" along with the campaigns of the transnational feminist movement of the 1990s that adopted the phrase "women's rights are human rights" (Bunch, 1990).

Social protection has various definitions and understandings. However, this diversity is influenced by the social, economic, and political conditions of a country. An Asian Development Bank (ADB) (2000) explains that social protection is basically a program designed to reduce poverty as well as to increase the capacity of the population in protecting themselves from disasters and loss of income. In this case, social protection is not included as risk reduction nor is it only focusing on development activities in the social field. ADB divides social protection into five elements, namely (i) labor markets; (ii) social insurance; (iii) social assistance; (iv) micro and area-based schemes for protection for the local community; and (v) child protection.

However, according to the World Bank in the "World Bank Social Protection Strategy," the concept used by ADB in providing social protection is still traditional. The World Bank defines social protection as (i) security networks and 'springboards'; (ii) investment in human resources; (iii) efforts to address social segregation; (iv) cause-focused and not symptoms-focused; and (v) actual situation consideration. In contrast, Barrientos and Shepherd (2003) argued that social protection has traditionally been known as a broader concept of social security, social insurance, or social security networks. Currently social protection is defined as a collection of public efforts in dealing with vulnerabilities, risks and extreme poverty (Conway, de Haan et al.; 2000). Deutsche Stiftung für Internationale Entwicklung (DSE) concludes that social protection used by the UN in the "United Nations General Assembly on Social Protection" is defined as the protection from a significant reduction in income or salary; assistance to families (and children) and health services and solutions availability. Holzmann, Koettle and Chernetsky (2005) classify migrant social protection into four systems. First system is the most beneficial for migrants. Under this method, migrants have access to social security and social services in destination countries that have social security agreements to prevent losses when immigrants return home. European Union and other developed countries use this system since they have bilateral social security

agreements with other countries. The second system regulates that migrants have access to the destination country's social services and security without the destination country has social security agreements with the migrants' country. Most migrants worldwide fall into this category. The third system is that migrants do not have access to social security and no social security agreements exist between the destination country and the migrants' country. The fourth system is for all illegal immigrants who have limited access to social security and uncontrolled working conditions.

Thus, their problems and rights need to be raised and protected respectively. Migrant workers benefit from the principles and rights outlined in the ILO Declaration 1998. This refers to the principles and rights in the workplace based on the eight principles of the ILO Convention and the United Nations Convention (1948) which are related to the following guidelines:

- i. The government needs to ensure that national laws and practices that promote and protect human rights are applied to all migrant workers and related parties. National laws and policies should also be guided by ILO standards in the field of employment, effective and competent employee screening, social security, maternity leave protection, employment protection, occupational safety and health, as well as in sectors such as agriculture, construction and hospitality and restaurants.
- ii. Information on human rights and responsibilities should be provided to migrant workers in helping to defend their rights.
- iii. The government must provide effective enforcement mechanisms to protect the human rights of migrant workers and provide training on human rights to all government officials involved in the management of migrant workers.

Internationally, human rights guarantees are regulated in the 1990 Migrants Convention. This nine-part and ninety-three-way convention emphasize the principle of non-discrimination and the importance of protecting human rights for foreign workers based on universal human rights norms. The convention incorporates the rights of foreign workers to be protected by the destination country, such as the rights for not being the object of torture, inhumane acts or conduct or punishment that degrades humanity (article 10), the rights to freedom and security as a person (e.g. arbitrary detention, national protection against terrorism, the rights to be prosecuted in time (article 16 paragraph 1) and the rights for not being targeted for expulsion collectively and the rights for decisions to be communicated to them in a language they understand (article 22). Further, the responsibility of the destination country to protect foreign workers and their family members from violence, physical injury, threats and intimidation is explained in article 16 paragraph 2. The importance of human rights protection for foreign workers also issued by the UN General Assembly in Resolution 63/184 on 18 December 2008 about immigrant protection and the needs of the government to make concrete choices and measures to prevent human rights violations of foreign workers (Waspada, 2010).

A study of each provision under Article 5 to Article 13 of the Federal Constitution in Malaysia showed that there is a specific use of expressions to distinguish the words "people" and "citizens." Therefore, the matter of protection of fundamental freedoms is not an absolute freedom for everyone. Article 9, Article 10 and Article 12 do not use the expression "person" but instead use the expression "citizen." In other words, Article 9 (Prohibition of exile and freedom of movement), Article 10 (Freedom of speech, assembly and association) and Article 12 (Rights to education) are fundamental freedoms that provide only protection for citizens.

The declaration of "The Universal Declaration of Human Rights" (UDHR) consists of 30 articles that are used as a basic declaration document related to human rights and protection for countries to be given recognition in the drafting of the Constitution of an independent country without it having the nature to bind the country (non-legally binding document). In the context of Malaysia, the case of *Merdeka University Berhad v. Government of Malaysia* [1981] CLJ 175, the Supreme Court has upheld the position that UDHR is a "non-legally binding instrument" (SeHAM 2016). Therefore, Malaysia is not fully subject to international recognition on this issue.

Despite this implementation, there are some aspects of social protection that practically need to be considered. In the issue of foreign workers' health, several methods mandate comprehensive health protection to protect migrant workers and the locals themselves, especially from infectious diseases. In 1991, Malaysia introduced

special guidelines for the policy regarding the Recruitment of Foreign Workers (Robertson, 2008). It specifies the employers' responsibilities in providing accommodation, health protection and various employment terms and conditions (Kanapathy, 2006). The Government of Malaysia declared that all migrant workers entering Malaysia must have medical insurance effective by 1st January 2011. Already working foreign workers should also be insured with the same insurance, during the process of renewing their work permits and all of the processes must be borne by the employers.

The employer can set any insurance company to provide medical coverage for each foreign worker up to RM120 (US \$ 38.8) per annum. In contrast, a study conducted by Karim and Diah (2015) on Bangladeshi foreign workers working in Malaysia found that these foreign workers' medical support or health protection were denied due to the absence of a clear agreement. This study is supported by Noh et al., (2016) finding which showed that 79% of foreign workers are not protected with health benefits (e.g. workplace injuries). In addition, there are about 3.1 million uninsured foreign workers working in low-tech and labor-intensive industries in Malaysia, resulting a high total unpaid hospital bills in public hospitals (Transport Economics Program, 2013).

Periodic monitoring through field surveys provides an insight into how the human rights and social protection of migrant workers are provided by their employers. For example, through a study conducted by the National Population and Family Development Board in Tawau Sabah on Indonesian Manpower in 2014 found that employers have provided facilities and welfare to Indonesian workers working in their companies. Overall, the majority of employers in all sectors have provided insurance facilities (97.3%), accommodation (83.8%), and health and medical care facilities (78.4%). In addition, they also have provided accommodation facilities for employees with family members (67.6%) and fares back to the country of origin (36.1%). Only a small percentage (8.1%) of employers provide remittance services to the country of origin (LPPKN, 2014).

## 2. Method

This paper used an exploratory, qualitative research approach. Interviews and participant observation were conducted to access preliminary data to gain insight into migrant-based stakeholders in Klang Valley, Malaysia. Specifically, the aim of this paper was to generate evidence and better understanding of the role of the migrant-based social services in managing, advocating and promoting a better livelihood for the women migrant workers. In order to obtain advocacy trends on policy and practice towards women migrant workers, this study used a collection of research data in 2011 and 2019. In-depth interviews were conducted with several informants such as the government officials from the Ministry of Home Affairs, Malaysia Labour Department and Indonesia Embassy (KBRI), Malaysia Trade Union Congress and Manufacturing in-house Union and Indonesian NGO, FOKMA in 2011. Moreover, in 2019, the author conducted informal interviews and discussions obtained from migration-based NGOs and Migrant Care Malaysia with supporting documents in advocating activities as secondary data. Participant observation was conducted at one seminar relating to Indonesia migrant worker's advocacy and strategies at Indonesia Embassy in Kuala Lumpur. The speakers invited to the seminar were Indonesia parliament members, special ambassador of Indonesia to Malaysia, law attaché and labour attaché.

The interviews were based on the institutional function, which was then analytically analyzed through the spectrum of advocacy and right-based issues on migration that elaborates the role of social services in order to enhance the social protection of women migrant workers. From the perspective of NGO in Malaysia, the questions were emphasizing on the advocacy and intervention strategies of assisting women migrant workers in Malaysia, including goals and constraints and perceptions of the institutional landscape. Moreover, the interview also aimed at investigating the people, networks or institutions that have been most relevant to the NGO in accommodating migrant workers. Before the interview started, the purpose of this study was explained to each participant and verbal consent was obtained.

### 3. Results

This section is divided into two important themes, which included the nature of migrant workers' rights that have been practiced in Malaysia, specifically the one that is related to employment relations. Furthermore, to portray the contribution of advocates in social services, this section also discusses the role of multiple stakeholders in promoting and advocating the rights of these women as migrant workers. This section explains the activities and programs run by these stakeholders, which included entrepreneurship programs or workshops, legal service and counselling.

#### The Rights of Migrant Workers in an Employment

The informants particularly the officials who manage foreign worker's systems, gave different opinions about the matters. According to MoHA official, Malaysian government has provided similar treatment to both local and foreign workers. In contrast, KBRI labour attaché stated that Malaysia had not played its role in protecting migrant workers particularly women that have been seen as the most vulnerable group. Their statements are as follows.

*"Initially, they will get all the rights that are provided to the Malaysian. For example, the rights as employees particularly the rights for health service, compensation, hospitalization and promotion in their job. They will get all of them, as what the local gets. But this applied to those who came here legally not PATI [read: illegal migrants]. They are not subject to discrimination, but in terms of salary there is a slight difference between locals and foreign workers. That one (read: the salary difference) can be seen as a kind of discrimination but not in other matters. The rights of foreign workers are guaranteed under workman compensation act 1952. If there is a dispute, they have the rights to be heard in the court of law." (MoHA official, 2011)*

*"Yes I agree especially about the enhancement of the law. It needs to be ratified about migrant workers. It is one thing to protect women moreover women have the right psychologically. When they are forced to work on a holiday or public holiday, it's sick. They are women. However, you cannot do it (by purpose). Sometimes if you take leave, there is punishment. About their livelihood, there are many Indonesian women living in the Cheras hostel, Sunway Kemuning, so many. There are around 12,000. It creates problems, one of which is social tension that causes women to feel inevitable due to women's sensitivity." (KBRI labour attaché, 2011)*

*"As a fact and the reality, Malaysia really depends on foreign workers and clearly depends on Indonesian workers. We could say that physically [read: employment] it is ready. However, from the regulation it is not perfect. As an example, Malaysia now has Employment Act 1955 but there is no article about protections for foreign workers, especially women workers. Then, on the second establishment of the act, it is said that workers can work for 48 hours. It is heavy for women. Personally, I think the woman can work compulsory for 40/42 to 45 hours and OT (working overtime) cannot be mandatory or compulsory. OT is done voluntarily. However, lots of things are mandatory or compulsory here in order to pursue target. Therefore, the law or Malaysia's regulations are not perfect. From physical protection point of view, the example can be seen from the women housing. I also see that women workers living in their hostel's placement have no protection from the government to specify the hostels for women only without men residents in order to ensure their safety. But women from different countries it is not a problem. The reality is that women hostels also allow men to live as the residents. It will create another social problem. If they are not strong mentally, then who knows, it is que sera-sera [what will happen, will happen]. It is kun fayakun [Arabic proverb similar to que sera-sera meaning]. It is only natural because the women or men are far from their family and their family supervision. For example, they are... you know... Let alone their faith is thin and not all Muslims from Indonesia, right? So yes, it happened like that." (KBRI labour attaché)*

As explained in the previous section, Malaysia is not fully subject to international recognition on this issue. This often creates a dilemma to those having the intention to help migrant workers, including in-house unions. Their statement is as follows.

*“Sometimes when we think of it over again, it is very difficult, especially for people like us [read: in-house union]. I am a staff of Infinity and on the other hand holding President position of company union. When there is a staff problem [read: dissatisfied], I need to negotiate or confront the management and in the same time I kene jaga periuk nasi I sendiri [read: I have to take care of my own job position]. It is very-very difficult. Recently, luckily, Alhamdulillah [read: grateful] we have Ms Nurul, as our senior manager, it means in our management. She is very concern. Whenever we brought Indonesian welfare issues, she will resolve it. The issues are varied. Even though they [read: Indonesian] are not our union member but as far as we have a sense of humanity, we have to help.” (In-house union President, 2011)*

#### **Advocacy and Activities in Promoting Human Rights towards Women Migrant Workers**

Based on the interviews, all informants agreed that women migrant workers really need support as working in Malaysia has made it becomes their second home and living away from their families creates a miserable life for these women. In comparison to male migrants, the majority of informants said that they were more capable and able to help themselves. On the contrary, women migrant workers were seen as weak and therefore need comprehensive protection. As MoHA officials explained, any foreign workers might be found to have been smuggled in or a victim of human trafficking. For such cases, they were referred to the Ministry of Women, Family and Community in Malaysia. The minister offered shelter, provided counseling and other protection strategies.

As an Indonesia-related NGO based in Malaysia, FOKMA plays a distinctive role in solving women migrant workers issues. Due to recent cases, FOKMA seeks different method of advocacy including counseling to those in need. As expressed by the former advisor:

*“Perhaps in the collaboration with KBRI, we could provide someone qualified in counselling study, who have psychology or human law background, who can guide and consult women migrants who are facing emotional and psychological problem. What we have now, especially in factory hostel only a warden who do not have that particular skill. We need to hire Indonesians who obtained their qualification from Law Faculty in Indonesia. We had done some tests and hope that KBRI will hire those who are qualified very soon.”*

Instead of the determination in giving legal advice, there are many forms of programs and activities prepared for women migrant workers. These include sewing and baking class and also Quran recitation class. Entrepreneurship seminar and workshop were among central programs provided by NGOs to empower women migrants to prepare their post migration life when they decided to return home for good. The author had an opportunity to participate in one seminar for Indonesian migrant workers at KBRI in Kuala Lumpur. This seminar was organized by Indonesian students who were studying in Malaysia University. The full-day seminar sponsored by Migrant Care Malaysia became a platform to create awareness to participants in order to understand their rights as legal workers in Malaysia. The seminar also helped them understanding the laws and policies of the host country as well as introducing them with several activities conducted by the Embassy to uplift migrant worker's livelihood.

#### **4. Discussion**

In the context of migrant workers, human rights theory is inseparable in discussing and determining why basic assistance and protection are needed to be provided to migrant workers. The concept of 'social rights' refers to government intervention for the purpose of protecting the economic position of the people, workers and others. In this context, the main issue is whether migrant workers are entitled to equal treatment by employers and access to protection and social facilities set by the country.

Through the results of a study conducted by Brickenstein (2015), it is shown that widely ratified agreements, conventions and regulations were only the lowest level of common interest in ensuring minimum protection for migrant workers. The problems that are circulating are more about the regulations that are not widely validated



with diplomatic and flexible law (soft law), and illegally binds members. The rights of social protection for the workers also need to be prioritized among the primary regulations in order to meet their specific needs. The ILO multilateral framework on labor migration can be referred as one of the most relevant non-binding provisions. The best practices analyzed were the relevance of the ILO Convention, UN-recommendations, UDHR articles and articles from ICRMW. In many terms, the provisions focus on public rights without discrimination.

The principle of equal treatment in this field is applied for all workers by human rights instruments as created by the United Nations (UN) through the United Nations Conventions on Migrant Workers (UNCMW). The concept of Human Rights has undergone a transformation from an abstract principle as stated in the Declaration of Human Rights to a form that prioritizes individual rights and places obligations on a nation. The practice that has been done by Malaysian government was viewed contradicted to Human Right declaration and therefore the implementation is still questionable. Countries around the world have developed international accountability systems to assess their commitment to human rights. The state has a duty and obligation in providing rights support to migrant workers because it is related to the sovereignty and security of the country. However, it is not applied to the practice of distinguishing support and protection which should be a human right for migrant workers as well as local workers.

Social services and protection provide access to meet the basic needs of human rights, including access to income, life, employment, health and education, nutrition and protection. In addition, social protection also aims to address the absolute poverty and vulnerability faced by very poor people. Thus, social protection according to the UN can be divided into two sub-categories, which are social assistance and social insurance. Social assistance is the distribution of resources to the poor resource group, while social insurance is a form of social security with financing that uses the principle of insurance.

In addition, although the provisions being used show an indication of different rights between migrant workers and the citizens, these provisions determine fair treatment of rights. For example, Article 6 (1) of the Convention on Migration for Employment (ILO Convention No. 97) states that the same treatment must be given in relation to working conditions, union membership, accommodation, social security and employment tax (Cholewinski, 2005). Moreover, Article 59 (1) of the ICRMW gives migrant workers a set of special rights, including the rights to freedom of movement in the destination country, including the freedom to choose one's residence. Most importantly the convention states that migrant workers should enjoy equal treatment with citizens in relation to unemployment benefits, protection against dismissal, and access to social and health services (Article 54 (1)).

There are a series of advocacy and diplomatic strategies taken by both countries. During ten years of the author's research, fieldwork data emphasized that every stakeholder plays their own roles to overcome the misconduct. This evidence through activities and programs developed in the workplace, community and structural level to empower women migrants in Malaysia. However, in general, Migrant Care data shows similar issues such as exploitation, human trafficking and high mortality rate which consequently urged Malaysia to revise its migration policy and implementation in order to meet human rights plea.

## **Conclusion**

The reliance on migrant workers is a growing situation for most countries in the world, whether in developed or developing countries. This phenomenon can be attributed to the establishment of world-class declaration rights, laws, bilateral agreements and social policies adopted by the countries concerned to protect the rights of both the source and destination countries. As a country that is ready to receive manpower from foreign countries, it can be assumed that the destination country is able to meet the needs of immigrant workers through appropriate and adequate social services. It is a necessity to protect the rights and interests of immigrant workers in terms of their employment and social life.

There are several rights of migrant workers that have been agreed to be given to protect them in the destination country. The rights are related to employment rights and social security rights. However, with differences in the

ratification of laws by specific countries, destination countries have the freedom to restrict any access to certain freedoms of migrant workers. In other words, this protection is subject to the laws and constitutions of the country that have been enacted locally. However, if there is a violation of the rights of migrant workers, most parties work together to address issues related to migrant workers. One of the ways is by setting up non-governmental organizations to curb the issue of social inequality through different activities such as legal advice, counselling and community empowerment strategies.

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