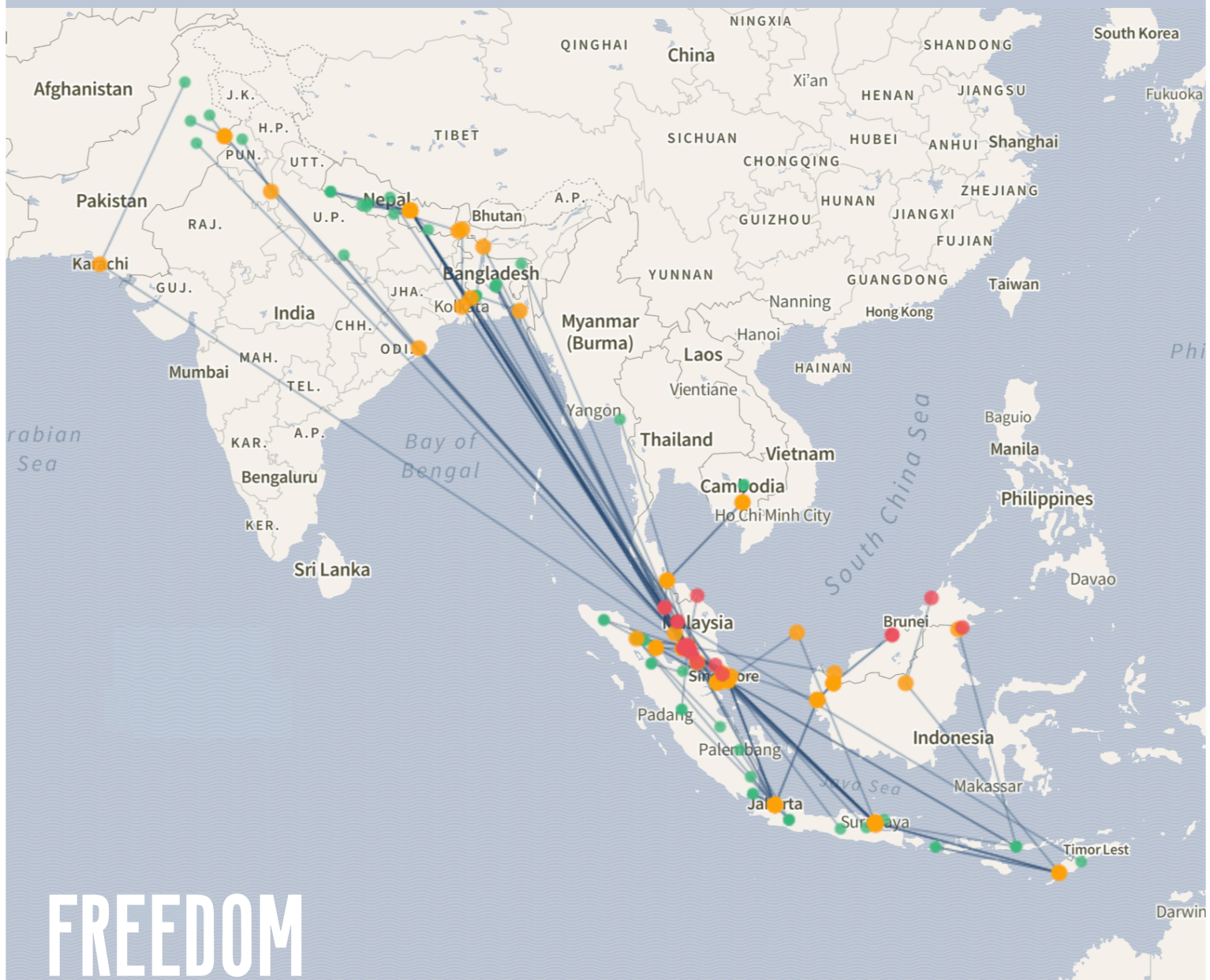# MALAYSIA'S HUMAN TRAFFICKING ROUTES: WHAT THE COLLECTIVE DATA TELLS US ABOUT MIGRANT WORKER EXPLOITATION

FREEDOM COLLABORATIVE

TO END HUMAN TRAFFICKING. TOGETHER.

2021

MALAYSIA'S HUMAN TRAFFICKING ROUTES: WHAT THE COLLECTIVE DATA TELLS US ABOUT MIGRANT WORKER EXPLOITATION

Thank you and congratulations to the following organisations for their contributions and collaboration on this report:

International Domestic Workers Federation

Persatuan Sahabat Wanita Selangor

Migrant CARE Malaysia

Human Trafficking Watch

Penang Diocese Migrant Ministry

North South Initiative

Seahut

Supported by Freedom Collaborative

September 2021

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INTRODUCTION

In the mid-1980s, Malaysia signed agreements with Bangladesh, Indonesia, the Philippines and Thailand to provide for the recruitment of migrant workers in its construction and plantation sectors, and as domestic staff. Aggressive industrialization meant that, since the 1970s, the country had required more labour than was available domestically.

Now, nearly one in five workers in Malaysia is a documented migrant worker – there are some 2 million documented foreign workers in the country. In addition, there may be as many as four million undocumented workers, meaning that migrant workers may in fact make up a majority of Malaysia's labour force.

Unfortunately, migrants in Malaysia are at risk of exploitation from a combination of unscrupulous recruitment agents and employers, harsh immigration policies, unmonitored supply chains, and the weak or non-existent enforcement of labour protections. They are subjected to passport confiscation, low pay in violation of minimum wage laws, salary deductions, poor living conditions, punishment by fines, high recruitment fees, debts to recruitment agencies and employers, forced labour and human trafficking.

A number of civil society organizations (CSOs) provide services and conduct advocacy on behalf of migrants, refugees, asylum seekers, trafficked victims, stateless persons and foreign spouses in Malaysia and the surrounding region. However, Malaysia is a very challenging place in which to obtain funding for human rights work, and the relationship between CSOs and the Malaysian government continues to be complicated.
As they operate in a system that makes it very difficult to prove abuse and establish that human rights violations have taken place, CSOs require data and a strong evidence base to support their advocacy work.

In 2021, Freedom Collaborative worked with several of these organizations, helping them to share their data on human trafficking and exploitation activity

with each other, and to use this collective knowledge to start capturing the movements of migrant workers coming to Malaysia.

As always, we want to highlight the great commitment of the contributing organizations to participating in this project and submitting their information to a shared data set. The mapping of relevant routes across organizations has never been done in Malaysia before, and we are grateful to the CSOs for coming together and spending time on this data collection with us.

This report provides an overview of the submitted data. In total, the participating organizations submitted 67 routes in which Malaysia was the destination country. These included recorded cases originating from Cambodia, Bangladesh, Indonesia, Myanmar, Nepal and Pakistan, as well as from within Malaysia itself. In addition to this data on routes used by at-risk migrants, the CSOs submitted extra details of the most recent cases they have encountered involving these routes. As a result, the data set provides the mode of transport and also the industries of exploitation for each specific destination within Malaysia.

The analysis is built upon the dedication and time spent by the CSOs to submit their information in a structured format. Even though the data set should not be understood as comprehensive, organizations and service providers on the ground are still the sector's most comprehensive data source. We applaud the organizations for participating in this data collection to address the need for more data coverage in the region and globally.

We want to emphasize that even if the data set we are working from is incomplete, it does not mean that those seeking to make impactful interventions cannot use it. The information is still useful to guide operational, tactical, and strategic decisions by relevant actors, and shows how much knowledge is available when information is brought together and shared across agencies.

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SCOPE AND METHODOLOGY

Data sources

All the participating organizations work directly with victims of human trafficking (VoT) and on cases related to forced labor and severe labor exploitation. They provide critical case support and services to vulnerable migrant workers – from the experience of these groups, it can be seen that migrant workers make up the overwhelming majority of trafficking survivors in Malaysia.

Many of them are undocumented, which puts them at risk of exploitation and makes accessing official services and redress for abuse and exploitation very challenging. Civil society organizations in Malaysia therefore fill a critical protection gap by making services available to them.

Nearly all submissions involve cases that CSOs worked on directly. Three submissions were made based on information that organizations had heard about through their work on the ground. All the cases are from 2019 to 2021, and the, CSOs expressed that these are all still active and highly frequented routes.

Data collection

The participating CSOs submitted their data through Freedom Collaborative's Victim Journey data collection tool. The submissions included the following data points:

- City and country of origin (origin)
- Transit points
- City and country of final destination/exploitation (destination)
- Mode of transportation used
- Type of exploitation
- Industry of exploitation
- Year in which clients took the route

In addition, CSOs submitted information on recruitment, plus further contextual information for each of the submissions made.

DATA SUMMARY

In total, the participating organizations submitted 67 routes in which Malaysia was the destination country. These included recorded cases originating from Cambodia, Bangladesh, Indonesia, Myanmar Nepal, Pakistan, as well as from within Malaysia itself. The majority of submissions included at least one transit location and many of them included more, highlighting the long and complex journeys of migrants en route to Malaysia.

The map below details some of the data contributed by the CSOs, with locations of origin shown in green, transit points in orange, and final destinations in red.

The following chapters provide an overview of the collected data, structured according to destination locations, including modes of transport referenced by the CSOs. The analysis also explores the relevant industries of exploitation and offer insights into the recruitment process of the migrants.
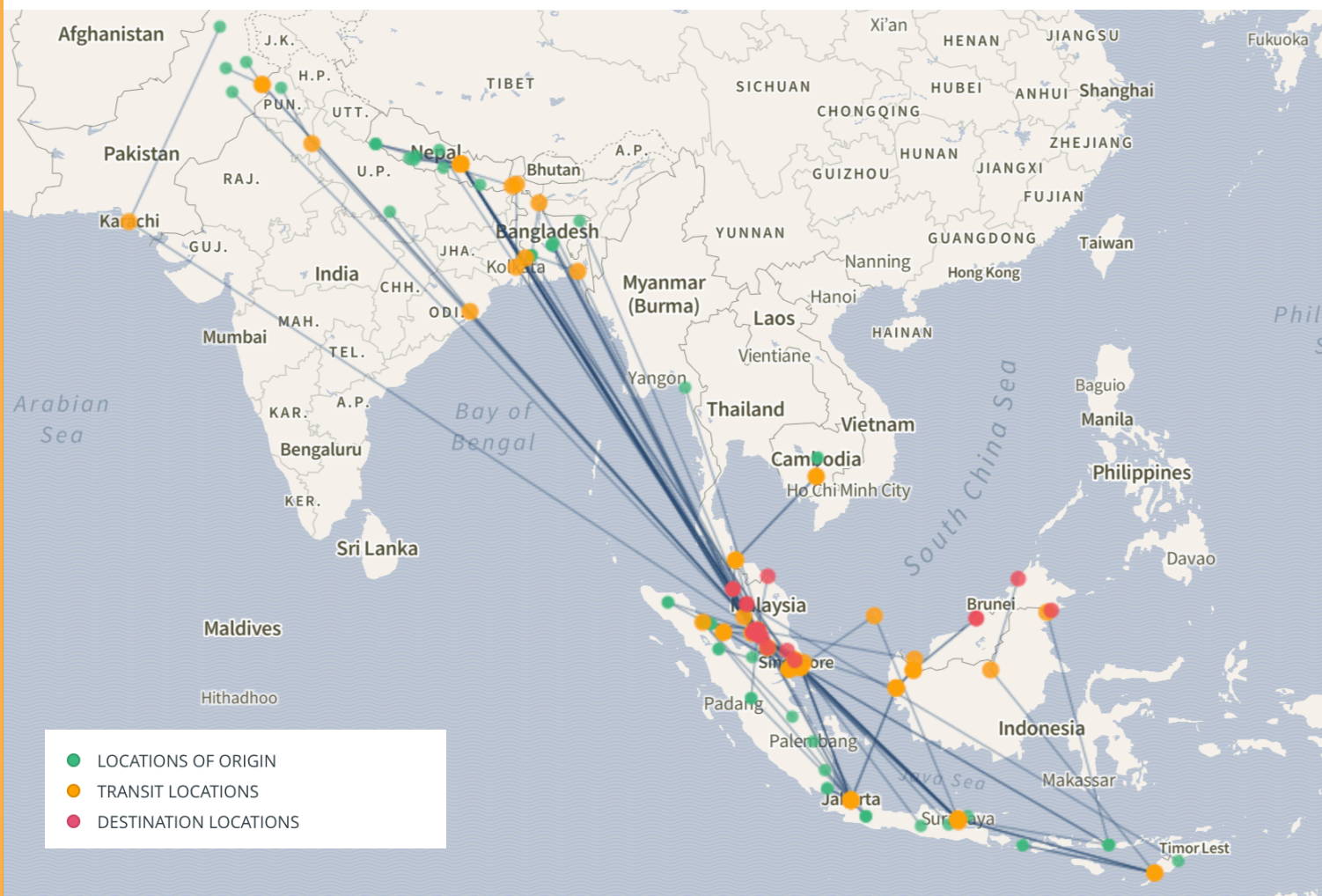
Map 1: Overview of all submitted routes and locations

DESTINATIONS WITHIN MALAYSIA

Migrants from Asia make their way to many destinations within Malaysia. In total, the CSOs submitted routes with 16 Malaysian cities as final destinations.

These are Batu Niah, Ipoh, Johor Bahru, Kajang, Klang, Kluang, Kuala Lumpur, Melaka, Negeri Sembilan, Penang, Perak, Sabah, Selangor, Shah Alam, Sungai Buloh, and Tawau. The capital, Kuala Lumpur, is the most cited destination (17), followed by Kuala Selangor (6), Klang (4), and Perak (2), Penang (2), and Batu Niah (2).

The other destinations were mentioned in one route submission.

Of the referenced destinations, 13 are located on Peninsula Malaysia (Semenanjung Malaysia), also known as West Malaysia or the Malaysian Peninsula, and three are located on East Malaysia (Malaysia Timur), also known as Sabah, Sarawak and Labuan.

● DESTINATION LOCATIONS
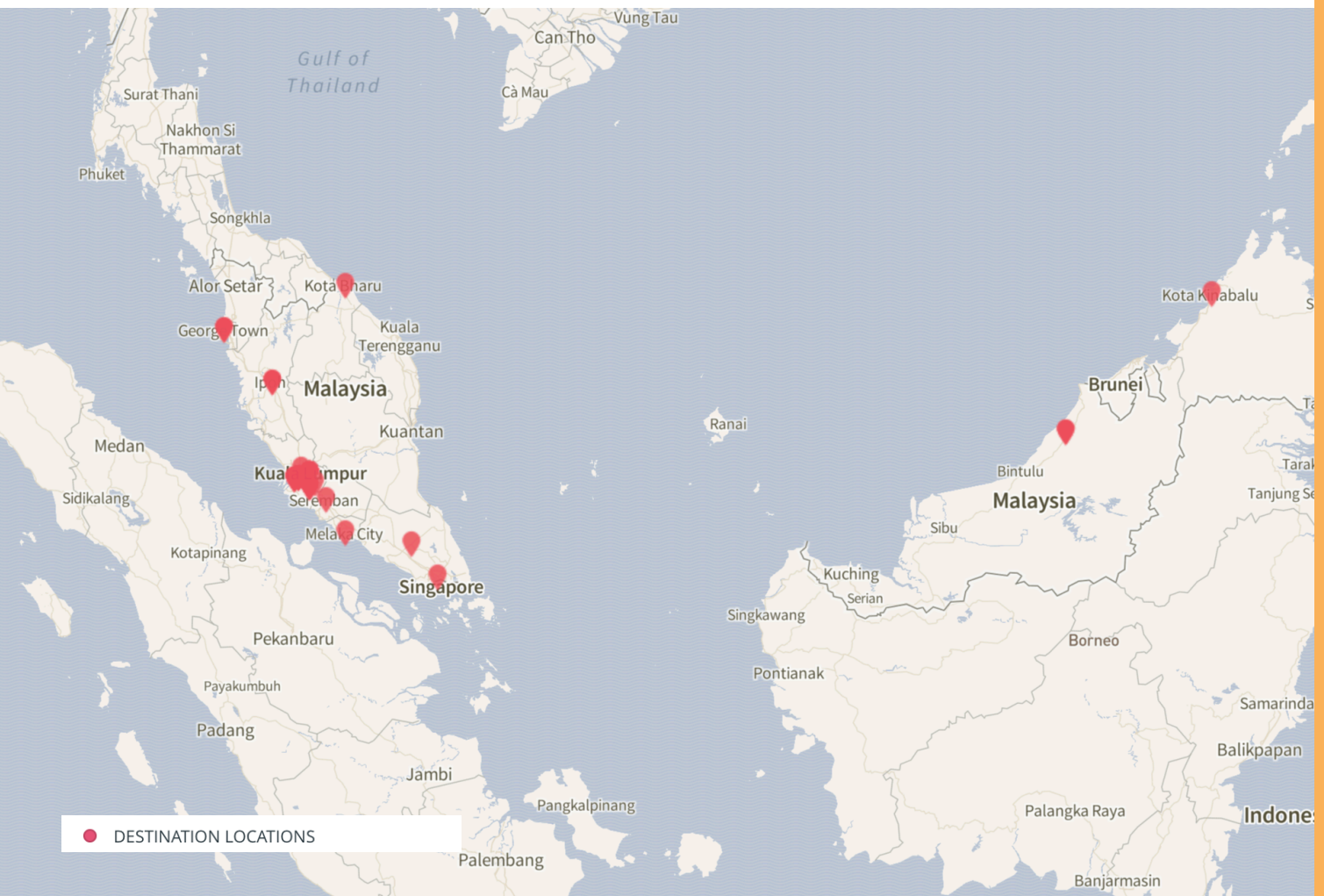
*Map 2: All identified destinations in Malaysia*

Kuala Lumpur

In total, 21 submissions were made with Kuala Lumpur as the final destination and in which migrants found themselves in an exploitative situation. Migrants traveled to Kuala Lumpur from relatively distant countries, including Bangladesh, India, Nepal, Pakistan and Indonesia.

The graphic below provides an overview of the journeys of Indonesian migrants from their hometowns to Kuala Lumpur, including known transit locations. Kuala Lumpur is a destination hub,

where migrants arrive via plane and bus. Port Klang, another destination in the data set, is only around 30km away and functions as Kuala Lumpur's gateway to the sea.

In Kuala Lumpur, migrants worked as domestic workers, caregivers and security guards, in construction and manufacturing, and in the commercial sex industry.
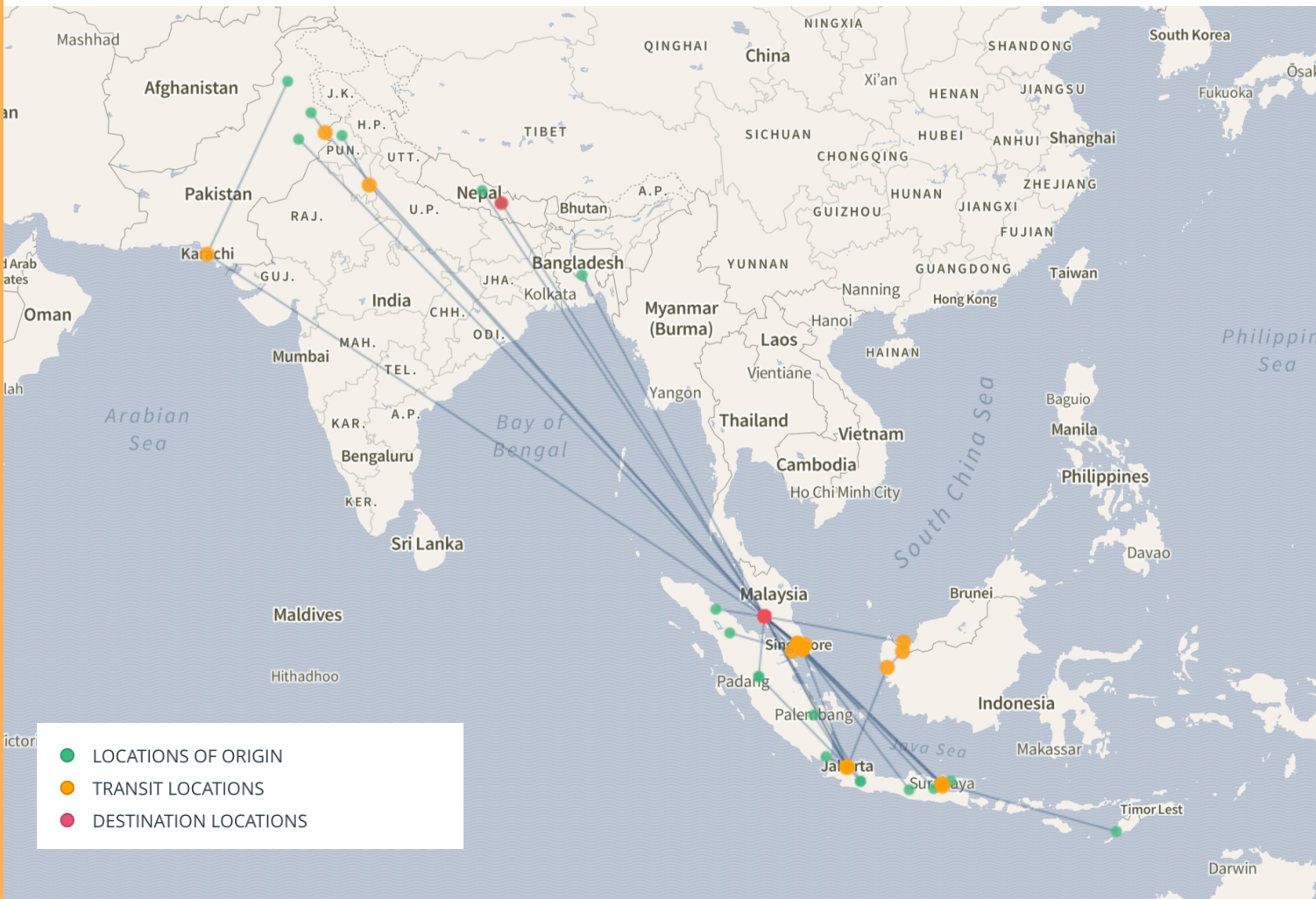
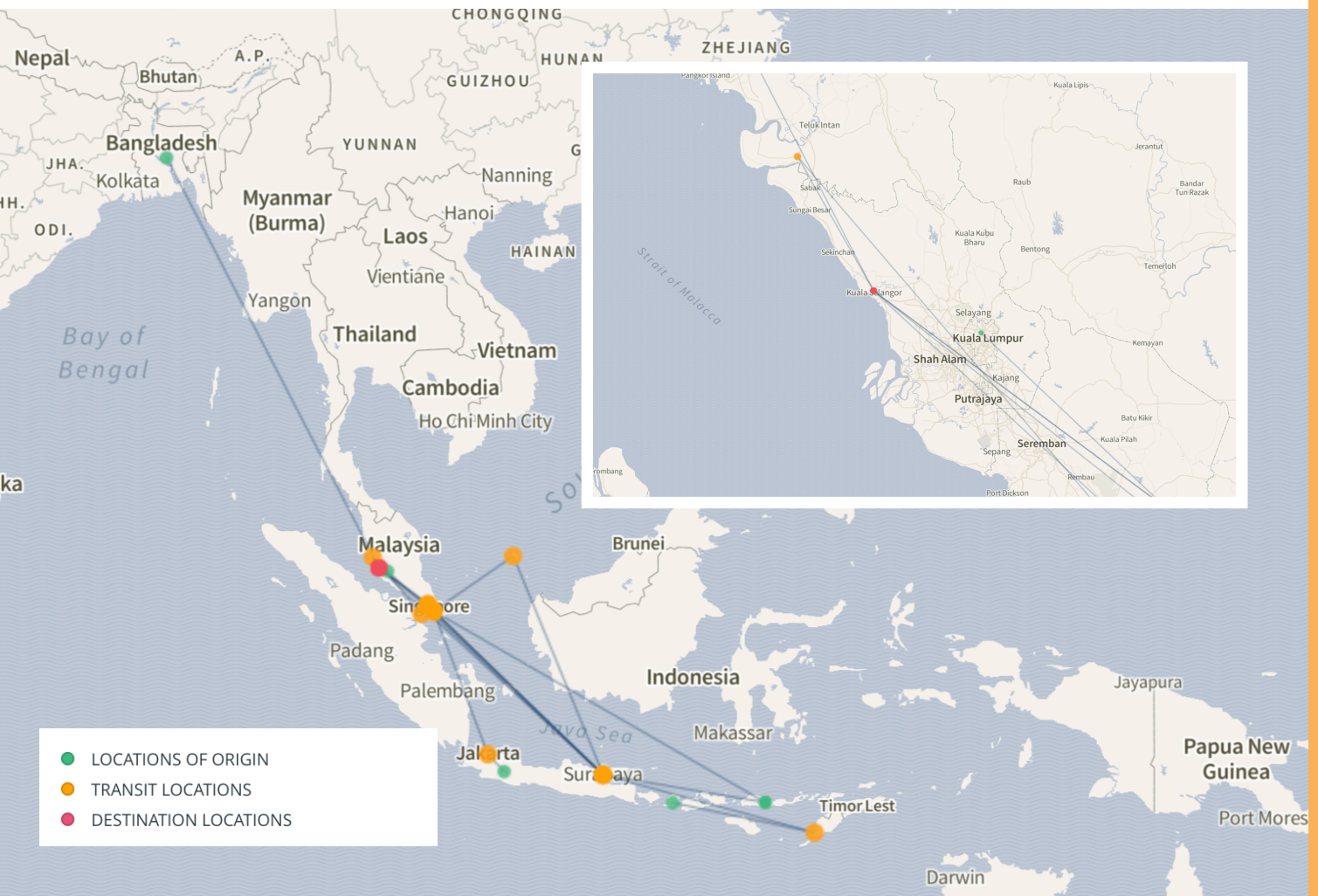*Map 3: All submitted routes relating to Kuala Lumpur*

Kuala Selangor

Six routes in the data set relate to the destination of Kuala Selangor, where migrants arrive from Bangladesh and from several cities in Indonesia. Migrants pass through multiple transit points, and Batam was recorded as a transit location in all submissions.

From there, migrants travel onwards to Johor, Kepulauan Riau and Tanjung Balai, before making their way to Surabaya, Hutan Melintang and, finally, Kuala Selangor.

At the destination, migrants worked as domestic workers, and on construction sites and plantations.

Map 4: All submitted routes relating to Kuala Selangor

Klang

Identified routes to Klang include North Sumatra and Aceh via Tanjung Balai Asahan, and Sei Rampah via Tanjung Balai. Port Klang functions as an entry point from where migrants travel on to the city.

Another identified route to Klang starts in Lampung, via Jakarta, Batam and Johor. This route is very well known and very popular, according to the CSOs.

Migrants arrived in Klang on both passenger and cargo ships, and worked as domestic workers, or in construction and manufacturing.
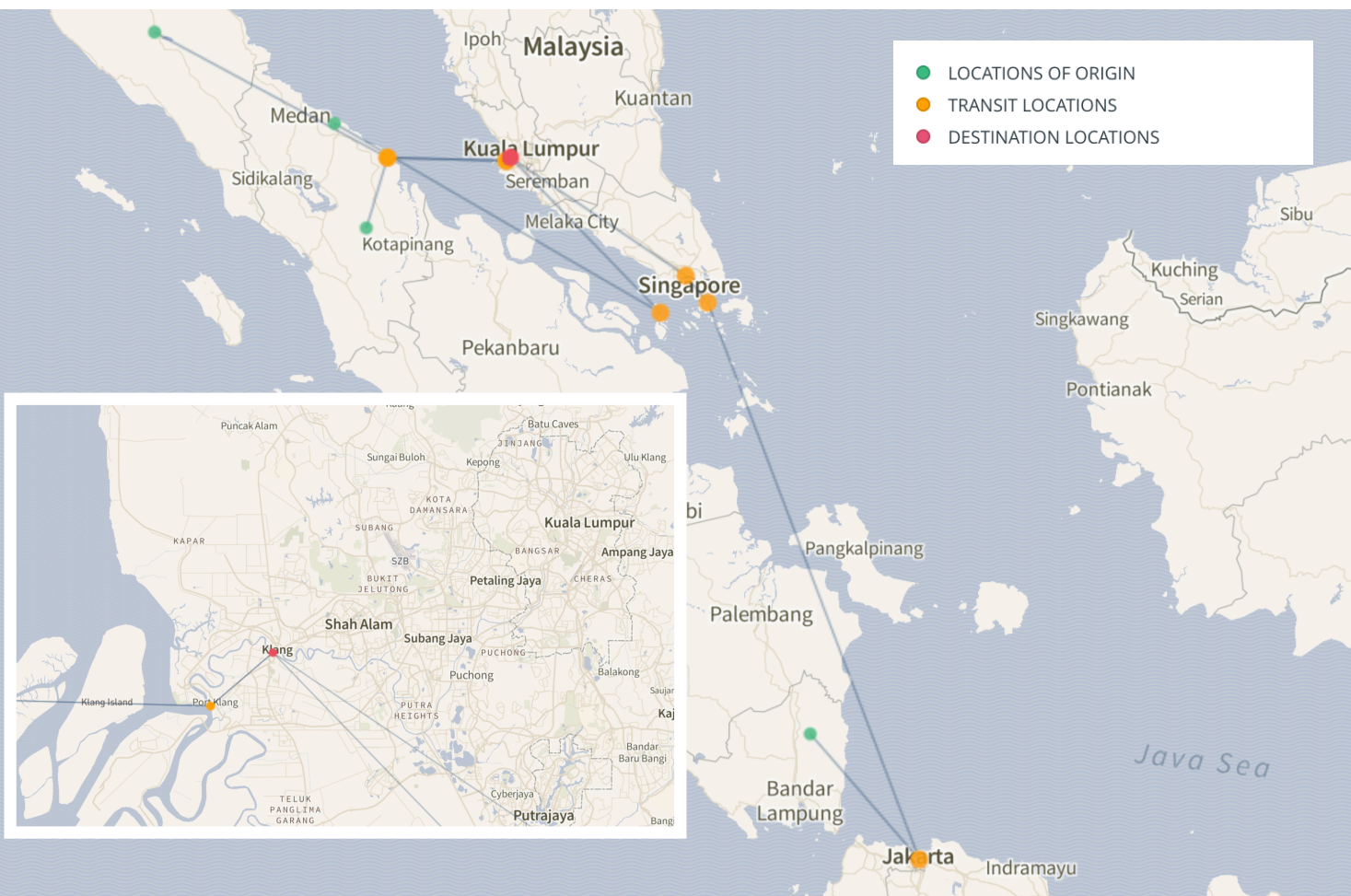
Map 5: All submitted routes relating to Klang

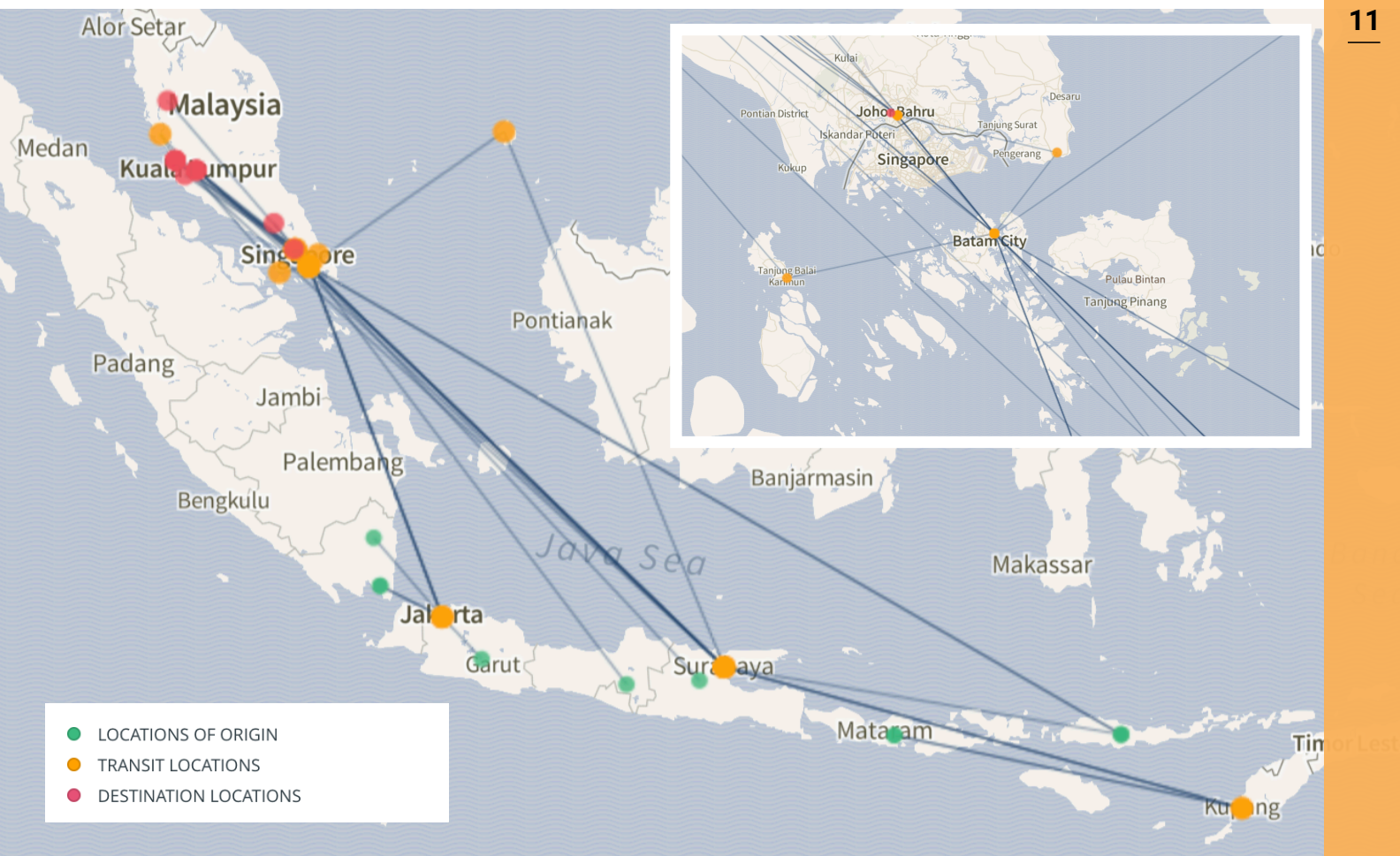# BATAM CITY AS A MAIN TRANSIT HUB

Batam City, on Batam Island in Indonesia, is a main transport hub between Indonesia and Malaysia. Within the data set, Batam was referred to as transit point 14 times, and the CSOs indicated that these are very common routes.

Migrants travel to Batam from various cities in Indonesia to then make their way to final destinations on the Malaysian Peninsula. Details included in the data submissions mentioned that migrants fly from Jakarta to Batam, or arrive via

ferries from other locations. From Batam, they either fly straight to Kuala Lumpur, or enter Malaysia via Johor Port (Pasir Gudang).

The graphic below provides an overview of the individual routes relating to Batam and the various transit points along these routes. The majority of migrants travel from Batam to Kuala Lumpur and Kuala Selangor/Selangor district. Others make their way to Klang, Perak and Klang.

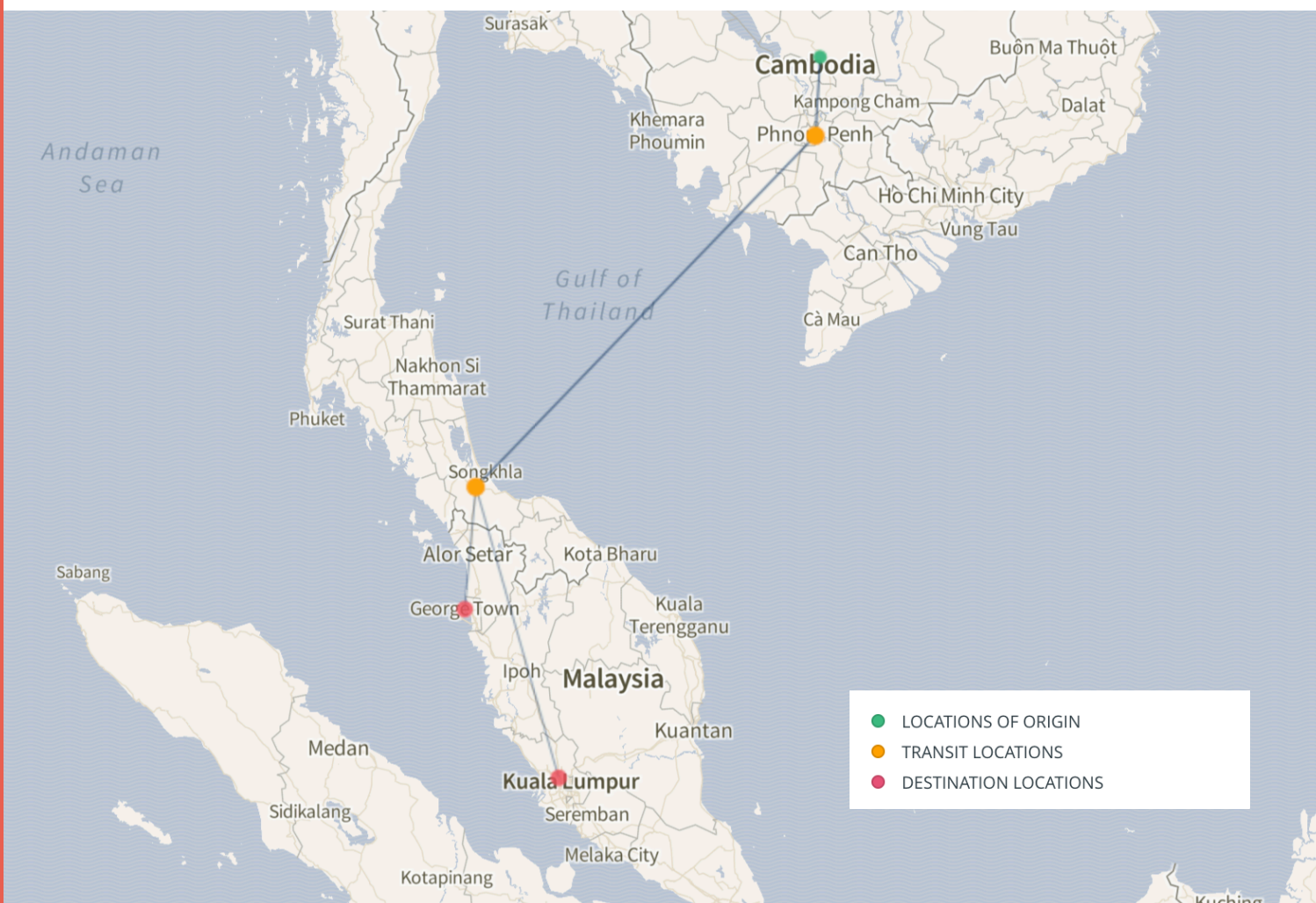*Map 6: All submitted routes relating to Batam City as a transit point*

CAMBODIA TO MALAYSIA

Two submissions were made concerning a route from Cambodia, via Phnom Penh and Hat Yai, Thailand, to Penang and Sungai Buloh in Malaysia. In these cases, the migrants travelled by bus and their agents arranged the whole journey.

According to the CSO, the migrants did not go through any immigration lanes but waited on the bus while the agents got their passports stamped. They entered using a tourist visa and were promised a work permit once they arrived.

Once in Malaysia, the migrants were sent to work in factories and did not have work permits at the time that the CSO handled their cases. While entering legally, they are now undocumented and do not leave the factory premises. Fresh produce, medicines and contraceptives are brought to them at the factory.

The CSO indicated that these were cases of human trafficking as per the legal definition.

Map 7: All submitted routes relating to Cambodia as country of origin
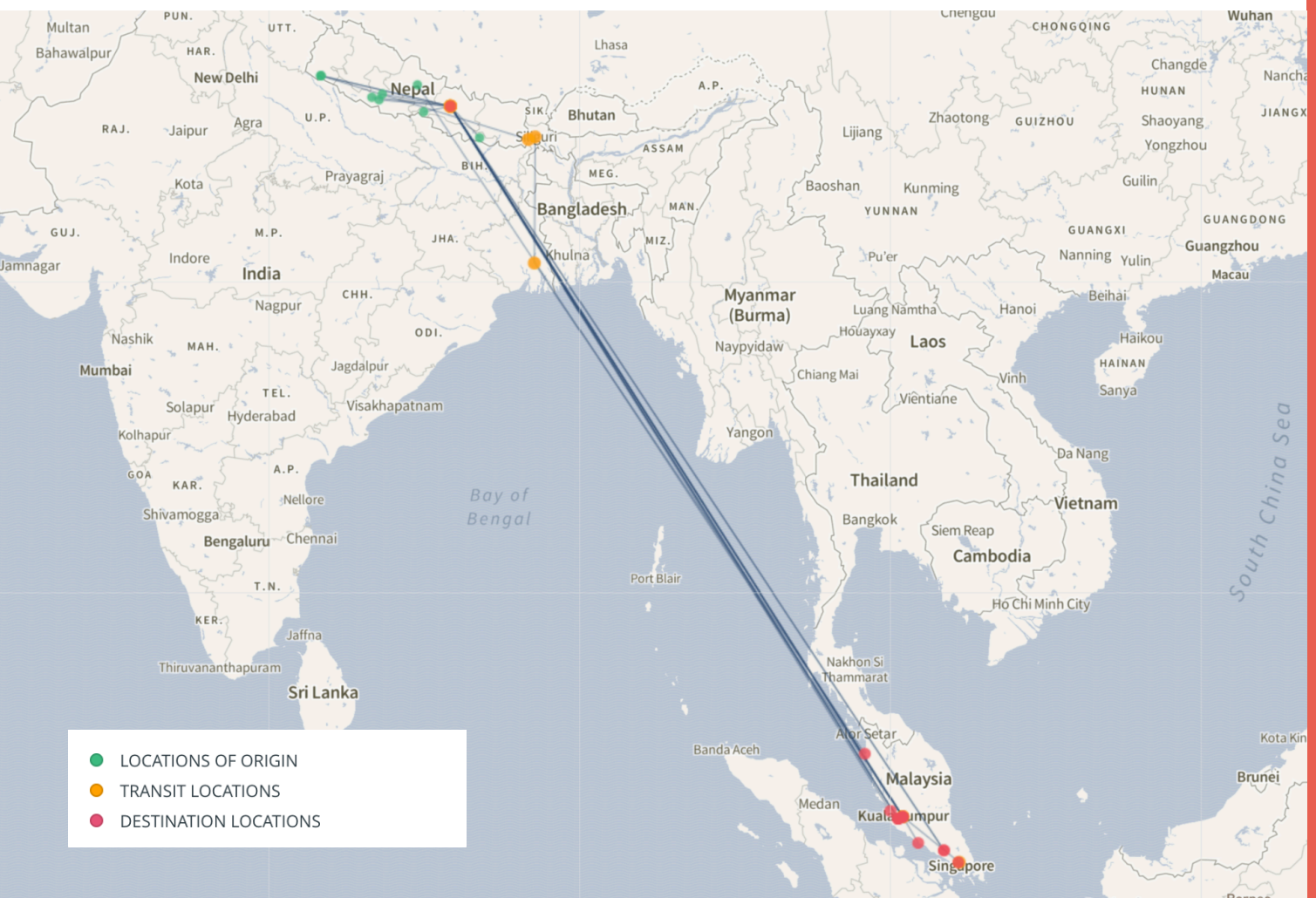
NEPAL TO MALAYSIA

14 submissions were made concerning routes from Nepal to Malaysia, with migrants flying from Kathmandu airport to Kuala Lumpur. Their final destinations include Ayer Hitam Johor, Bangsar, Melaka, Shah Alam, Selangor and Tampoi.

Another route is from Dhangadi to Kakarbhitta in Nepal, and via Siligur and Kolkata in India to Penang, Malaysia.

According to one submission, Nepali workers were charged an estimate of 120,000 Nepalese Rupees to get a manufacturing job in Malaysia. The CSO took on their cases because they experienced severe labour violations such as illegal salary deductions,

non-payment of overtime, and non-compliance to the Malaysian Employment Act.

Malaysia has a rehiring scheme under which employers engaged in four sectors – construction, manufacturing, plantations and agriculture – can apply to hire workers from among the undocumented, as per a quota fixed by the Department of Labour. One submission mentioned that Nepali workers were exploited after being hired under the scheme, and the CSO supported their civil law suit.

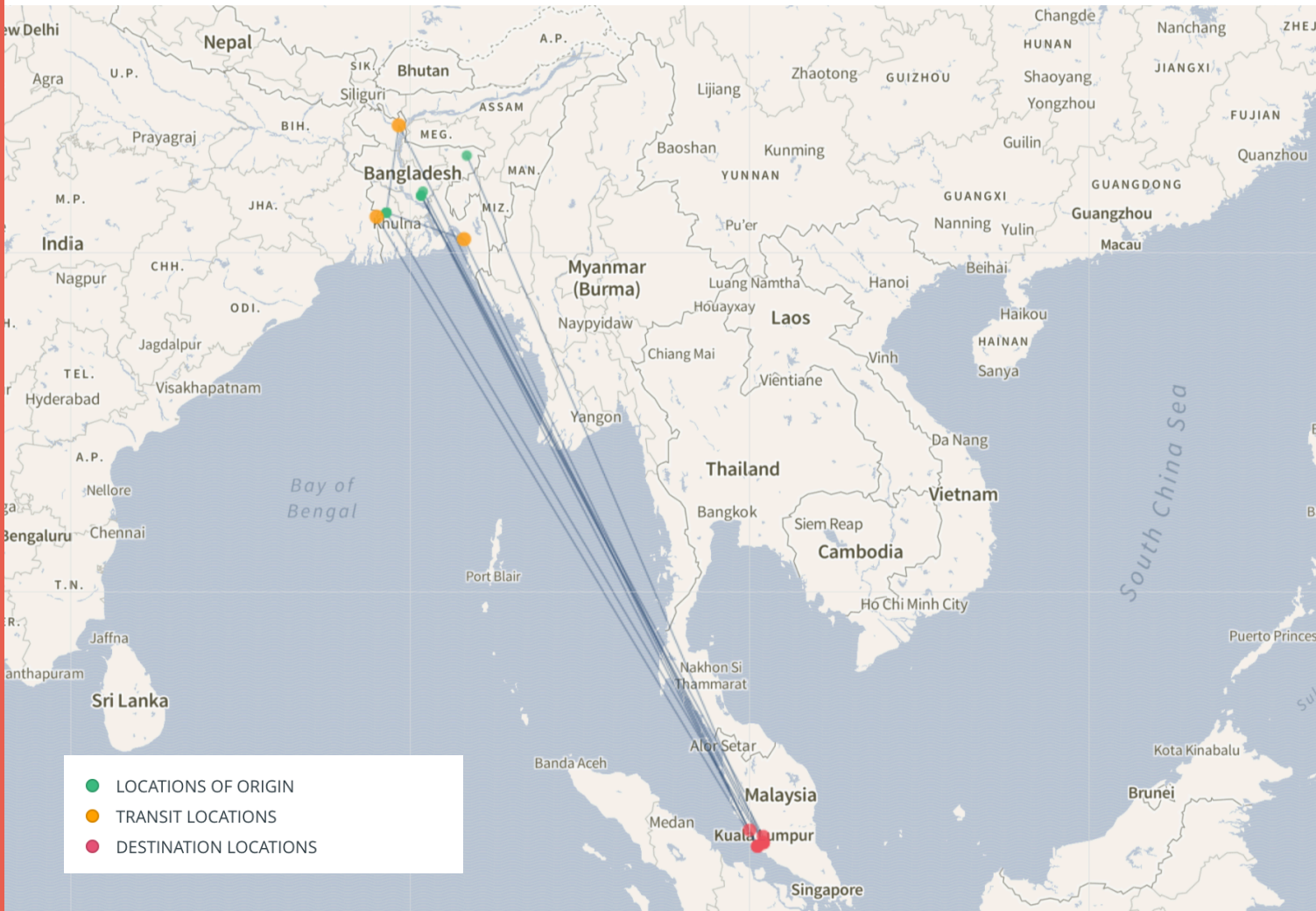*Map 8: All submitted routes relating to Nepal as country of origin*

BANGLADESH TO MALAYSIA

Nine submissions were made regarding Bangladeshi migrant workers in Malaysia. The submissions include Dhaka, Jashore and Sylet as cities of origin in Bangladesh, and, they reference Kuala Lumpur, Ipoh, and Selangor as final destinations in Malaysia.

One route involves a flight from Bangladesh to Jakarta, travelling on by car to Dumai. In Dumai the workers stayed on Rupat Island, then traveled to Sekinchan via boat, and from there via car to Bukit Jalil in Kuala Lumpur for employment.

Two submissions stated that the workers had been legally recruited by agents in Bangladesh, and had paid 20,000 Bangladeshi Taka during this process. However, upon arrival, it turned out that the agents had no business infrastructure in Malaysia and the migrant workers were left without jobs. The workers were then detained and arrested by Malaysian immigration authorities, accused of abusing their employment passes.

A third submission stated that, during Malaysia's moratorium on the recruitment of workers from Bangladesh, migrant workers resorted to going through unlicensed agents and smugglers from Indonesia to help transport them to Malaysia.

Map 8: All submitted routes relating to Bangladesh as country of origin

MODE OF TRANSPORT

In the majority of cases, the migrants travelled to via passenger plane. Followed by passenger ships and buses. In a small number of cases, migrants used cargo ships to reach Malaysia.

In many cases, migrants used different modes of transport for different legs of the journey. For example, Nepali migrants travelled by bus and by plane and Indonesian migrants by ship and bus to Malaysia.

■ Indonesia ■ Nepal ■ Bangladesh ■ Pakistan ■ India ■ Myanmar ■ Cambodia
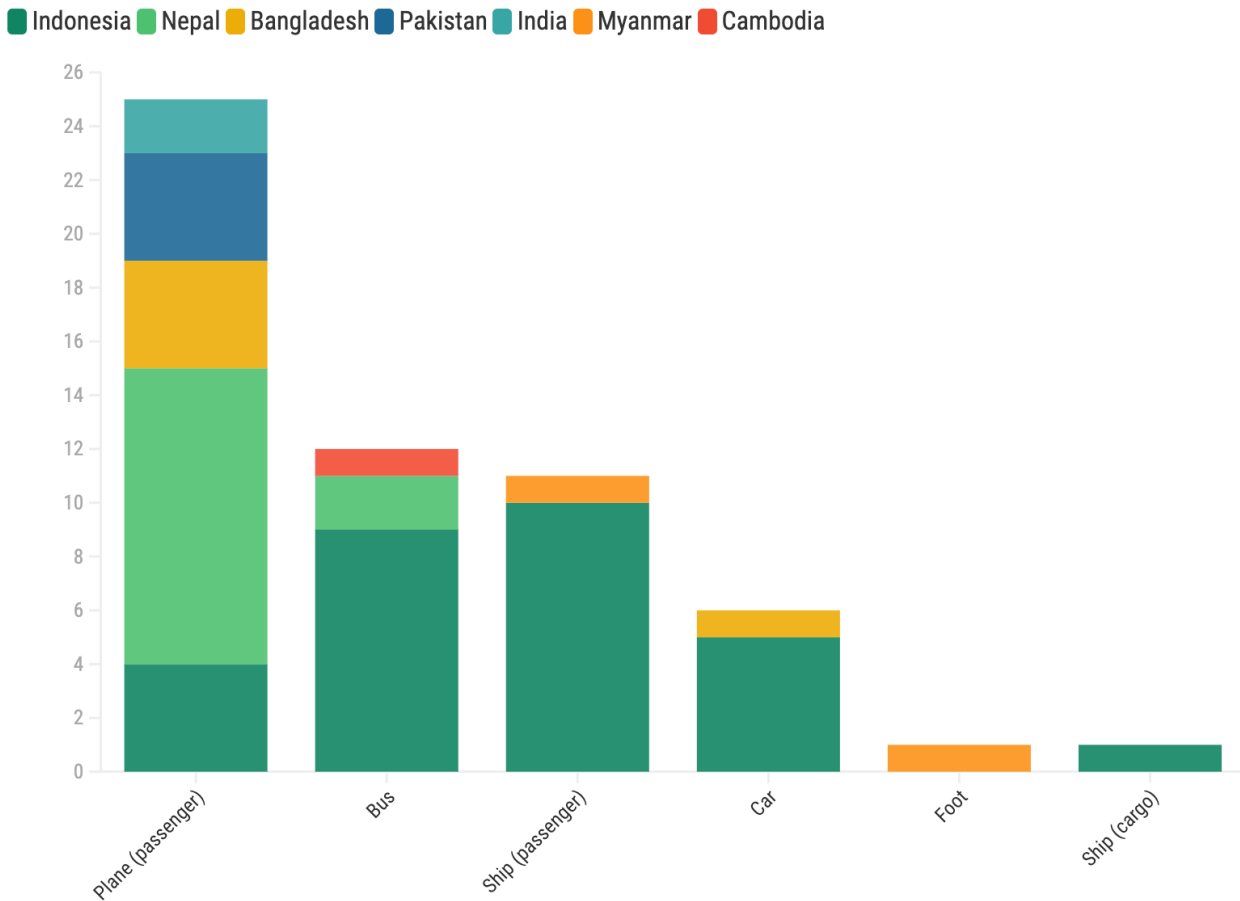
Visualization 1: Modes of transport used by countries of origins

INDUSTRIES OF EXPLOITATION

Within the data set, a number of industries of exploitation within Malaysia have been identified. The most referenced industries are domestic work and other manufacturing, followed by agriculture, construction and services industries.

A few submissions noted cases of migrants working as security guards, which weren't paid their wages for over a year.

Within the data set, 24 submissions relate to cases of human trafficking as per the legal definitions and 13 cases of other types of exploitation, such as forced labor, labor exploitation and domestic servitude.

The below graphic provides an overview of the countries of origin and nationality of migrant workers for each of the industries of exploitation.

● Indonesia ● Pakistan ● Cambodia ● Malaysia ● Nepal ● Bangladesh ● Myanmar
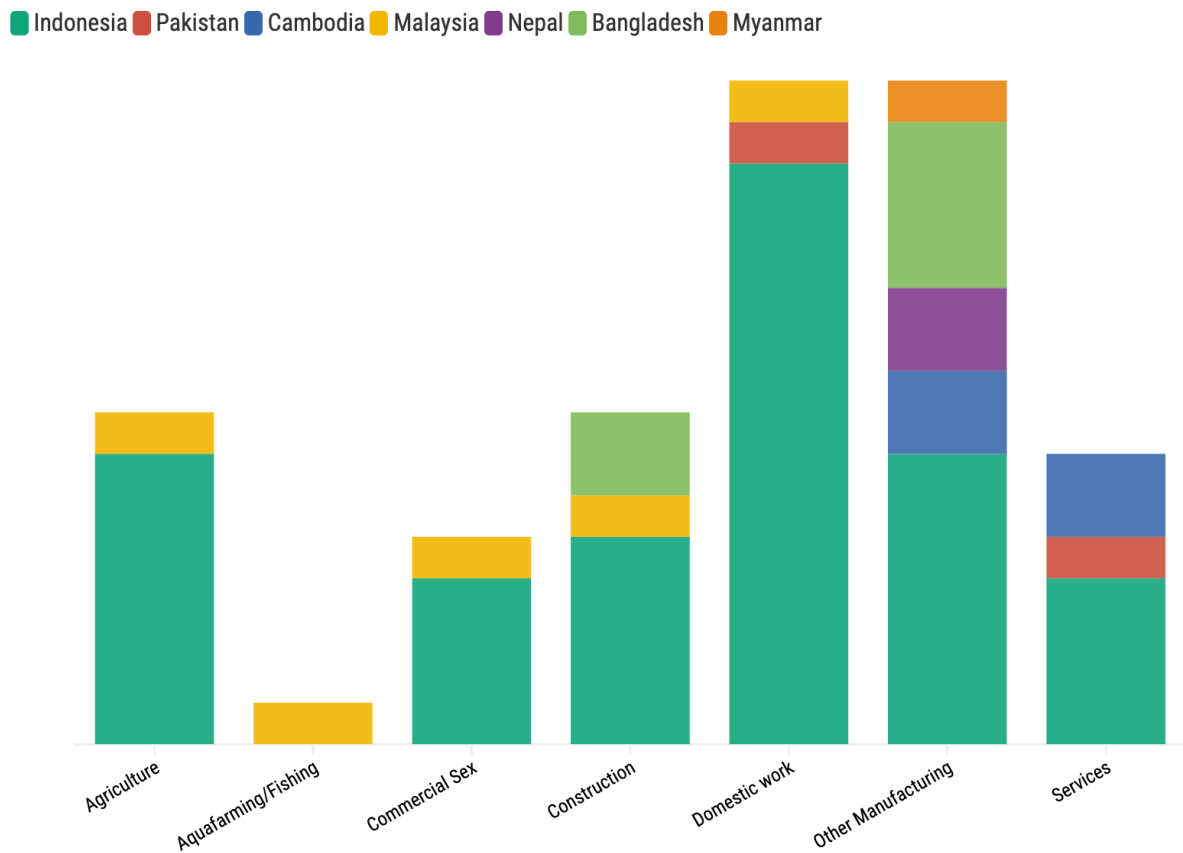
Visualization 2: Industries of exploitation by countries of origins

DATA APPLICATIONS

This is the first time that the participating organizations have contributed to a structured data collection exercise concerning the human trafficking and risky migration routes that relate to Malaysia, and this report represents their first shared dataset of this kind.

The report aims to contribute to larger data collection efforts in Southeast Asia. Across the region, organizations recognize the lack of consolidated credible data and information on current trends and risks for human trafficking and other forms of exploitation. The collected data contributes to addressing this gap and helps to highlight the scale of migration and exploitation activity in Malaysia.

As noted in Freedom Collaborative reports relating to other countries, the collected data about human trafficking and unsafe migration routes have several potential applications to help guide operational, tactical and strategic decisions made by civil society organizations, law enforcement, the private sector and government.

It is hoped that the data can support stakeholders to:

- Identify at-risk communities and recruitment hotspots in order to better target prevention programming and protection messaging
- Identify civil society and community based organizations along the identified routes to provide emergency services
- Identify destination hotspots in order to guide the development of bilateral partnerships and

to foster collaboration, so that more robust protection and after-care services can be provided
- Identify critical transit points in order to design more effective monitoring, outreach and intervention programming, and to inform the development of law enforcement/border protection and public-private partnerships (e.g. identify training needs for airport staff).
- Based on identified critical geographies, collaboratively assess these locations in terms of CSO coverage to avoid duplication of efforts and to help address gaps in areas of high need.
- Identify industries at higher risk of involvement with exploitative labour, in order to improve outreach and identification efforts and inform engagement with industry.

In addition, the report contributes to improving data capture and sharing and coordination across the region, with the aim of achieving the following outcomes:

- Enhanced sharing of information among civil society and with other stakeholders in Malaysia
- Decreased duplication of data collection activities and siloed data sets
- Improved overview of relevant actors in the region and available data contributors
- Increased participation and familiarity of Malaysian civil society actors with collaborative data collections
- Enhanced understanding of data usage and application for strategic planning and decision making

Freedom Collaborative is the largest community of professionals and other activists working to end human trafficking, forced labour and exploitation globally. It supports collaboration between a wide range of civil society, government, and private sector stakeholders from around the world, through tools and services for data and information sharing. By providing our frontline partners with accessible data collection and analysis tools, Freedom Collaborative brings together data sets on exploitation activity, contextual factors, and the existing response landscape. The team provides anti-trafficking organizations with free support for the development and implementation of data collection that can be adapted to local contexts and implemented quickly.