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The Malaysian authorities should take action to end widespread workplace and police abuses of the migrant workers who make up more than 20 per cent of the country's workforce, Amnesty International said in a report released today.

Trapped: The Exploitation of Migrant Workers in Malaysia documents widespread abuses against migrant workers from eight South Asian and Southeast Asian countries who are lured to Malaysia by the promise of jobs but are instead used in forced labour or exploited in other ways.

“Migrant workers are critical to Malaysia's economy, but they systematically receive less legal protection than other workers,” said Michael Bochenek, the report author and director of policy at Amnesty International. “They are easy prey for unscrupulous recruitment agents, employers and corrupt police.”

Migrants, many from Bangladesh, Indonesia, and Nepal, are forced to work in hazardous situations, often against their will, and toil for 12 hours a day or more. Many are subject to verbal, physical and sexual abuse.

Most pay recruitment agents substantial sums of money to secure jobs, work permits and training. Once they arrive, they often find that much of what their agents told them about their new jobs is untrue—the pay, type of work, even the existence of those jobs or their legal status in the country.

Most workers have taken out loans at exorbitant interest rates and simply cannot afford to return to their home countries. Some are in situations close to bonded labour.

Nearly all employers hold their workers' passports, placing workers at risk of arrest and in practice preventing them from leaving abusive workplaces. Coercive practices such as these are indicators of forced labour.

Labour laws are not effectively enforced, and labour courts may take months or years to resolve cases. For domestic workers, who are not covered by most of the labour laws, recourse to the courts is usually not an option.

“Malaysia can and must do better for its workforce. Everyone, regardless of immigration status, is entitled to safe and fair working conditions and to equal treatment under the law,” said Michael Bochenek.

Amnesty International's report concludes that many workers are victims of human trafficking. The Malaysian government has the responsibility to prevent such abuses but instead facilitates trafficking through

its loose regulation of recruitment agents and through laws and policies that fail to protect workers.

In addition, Amnesty International heard over a dozen cases in which Malaysian authorities delivered immigration detainees to traffickers operating on the Thai border between 2006 and 2009.

Malaysia imposes severe and excessive criminal penalties—in some cases caning—on migrants who work without proper permits, even when errors by the employer are the reason for immigration violations.

Large-scale, public roundups in markets and on city streets and indiscriminate, warrantless raids on private dwellings in poorer neighbourhoods are common. Police frequently ask migrants for bribes. Those who cannot pay are arrested and held in deplorable conditions in immigration detention centres.

“The Malaysian government must stop criminalising its migrant worker force and instead tackle forced and compulsory labour,” said Michael Bochenek. “Until the Malaysia’s labour laws offer effective protection and are effectively enforced, exploitation will continue.”

Amnesty International called on the Malaysian government to reform its labour laws and promptly investigate abuses in the workplace and by police. Malaysia should also make more effective use of its Anti-Trafficking in Persons Act to prosecute individuals who recruit, transport or receive workers through fraud or deception in order to exploit them.