

LABOUR IMMIGRATION OR SLAVE TRADE IN MODERNISM: REFLECTION OF
CONDITIONS, CHALLENGES AND IMPACTS ON CAMBODIAN FEMALE WORKERS IN
COUNTRY X

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ABSTRACT

This paper aims to define the status of Cambodian female workers in terms labour immigration or slave trade in modernism. Especially, the study identifies the employment conditions, challenges and impacts in country of destination X in South East Asia Region. Data was predominately descriptive nature extracted from documents and video interviews. A direct analysis was employed to discuss an issue. The results identified that Cambodian female workers migrated to work in country X under a legal immigration system, however, the workers were trafficked and exploited, forced to work overload, physically mistreated, sexually and emotionally abused by the employers. Consequently, they were psychically suffered and economically impacted caused aggravate poverty. Some workers died during working without appropriate legal actions. In conclusion, Cambodian female workers become victims of modern labour trade under a legal procedure. The finding from this study suggests further strengthening cooperation and intervention from countries of origin and destination is a mechanism to integrate regional economy.

Keyword: Labour Immigrant, Slave Trade, Modernism, Cambodian Female Workers

1. Introduction

Globalization and economic transition has adversely impacted on socioeconomic and livelihood of people in the developing countries in South-East Asia, particularly Cambodia. The influx has pushed Cambodian people, especially women and girls, to make risky decision looking for better job opportunities oversea. After Cambodian and Malaysian government signed Labour Export Agreement in 1997, a large numbers of women workers have been recruited (Maltoni, 2006). Recently, Human Right Watch (2011) claimed that around 50,000 women and girls were sent to Malaysia for work. The process of immigration has been carried out through brokers and agencies who promise to give safe, well-paid and high incentive job to workers.

Regardless legal and illegal immigrants, several reports identified that Cambodian female workers were trafficked and being exploited by employers (Lee, 2007). According to ADHOC (2012), victims filed 141 complaints for reasons of poor work conditions such as overwork with very little rest time, untreated illness, torture, underpayment, being detained, and cut-off family contact. Even worse, some female workers were raped and killed in Malaysia (Press Release JUMP, 2012). The issue has become a grave concern to both countries as labour immigration is a new mechanism to alleviate poverty of regional countries. Therefore, the purpose of this article is to find out a scenario of Cambodian female workers whether has been operated in a form of labour immigration or slave trade in modernism. To reach this objective, a question is posed “What are the employment condition, challenges, and impacts in the country of destination?”

2. Labour Immigration vs. Slave Trade

Labour immigration refers to the legal process of sending and receiving people from one to another country for employment purpose. The process must follow government policies, labour law, and immigration legal system. The Regional Thematic Working Group on International Migration including Human Trafficking (2008) defined labour immigration as more recent and integral parts of political economy in South East Asia Region. By contrast, slave trade is a human trafficking which is against laws and human rights. In modern age, slave trade occurs in the form of labour exploitation and sexual orientation inside a country and cross-border countries (Asia Regional Cooperation to Prevent People Trafficking (ARCPPT), 2003).

3. Overview of Cambodian Population

Currently, Cambodia has an estimated 14.5 million population with an annual growth of 2.4%. About 80% of Cambodian are farmers living in rural areas, only 12% living in Phnom Penh. Cambodia has a notable growth of youth with median age 21.3 years considered as the highest in the region. Annually, there are 300,000 Cambodian youth enter employment market. This number will sharply increase in the future. The increase has due to poverty, landless, narrow job opportunities and low paid in the country of origin.

3.1 Factors of Cambodian Immigrants

For the past decades, Cambodian people escaped to other countries because of from wars, social disturbances, genocidal regime and political instability (FLURA, 2011). In between 1970s and 1980s, hundred thousands of Cambodian sought refuge to neighboring countries, the United States, and Europe. Entered globalization and economic transition shifted the purpose and trend of Cambodian immigrants. The changing trend has been due to poverty and personal fulfillment. Since then, Cambodian female immigrants have been steadily growing to seek for better job, to generate incomes and sustain livelihood (Maltoni, 2007; Human Right Watch, 2011). The new trend of immigration has occurred in different forms, provoked several problems and posed continuous impacts.

Migration of Cambodian people has been high since 1990. According to the NIS (2004), 35% of total population locally migrated from provinces to downtown for job. Although Cambodia has over male population, the female migrants (aged 15-25) have been considered outnumbered in the recent years (Maltoni, 2007). Researchers found some internal factors of the immigration influx, for instance, rapid population growth, lack of farming land, land grabbing, land deterioration, narrow employment, seasonal unemployment, and personal fulfillment for better livelihood (Sophal, 2009).

Recently, many countries have become the main destination for Cambodian female workers. According to Maltoni (2007), those countries include South Korean, Thailand, Malaysia, Kong Kong, Singapore, Taiwan, Japan, Saudi Arabi, and Quatar. The movement has extensively increased through public advertisements by brokers and recruitment agencies. Many aspects, Cambodian women and girls immigrated to work overseas due to some external factors such as influenced media, lured by brokers and recruitment agencies, and gained higher wages than local employment (Sophal, 2009).

3.2 Labour Immigration Policies in South East Asian Region

Amid economic transition in the region, South East Asian countries established individual labour immigration policies. In the country of origin such as Cambodia, labour immigration policies play as a cutting-edge mechanism for government to dialogue with donor communities in giving immediate supports and measures to promote migration's positive development outcomes, and reduce negative impacts. The policies include three components such as the governance of labour migration, the protection and empowerment of migrant workers, and the harnessing of labour migration and development to reduce problematic factors concerning with national labour migration policies and programmes, laws and norms, inter-state agreements, and multilateral processes (Ministry of Labour and Vocational Training, 2010). Memorandum of understanding (MoU) has also been agreed between Cambodia and countries of destination. For example, in 2003 Cambodian government signed MoU with Thailand for sending and receiving immigrant workers between the two countries (Regional Thematic Working Group on International Migration including Human Trafficking, 2008). Similarly,

Malaysian government has implemented several phases of immigration policies and signed memoranda of agreement (MoU) with labour-exporting countries. In May 2004, for example, the Malaysian government signed a MoU with Indonesia for the recruitment of Indonesian migrant workers (MoU 2004). Interestingly, the MoU are used for less-skilled migrant workers and highly-skilled workers through Free Trade Agreements (Kaur, 2008). The introduction of new legislation diversified recruitment policy and designed to reduce dependence on any racial group (Wong, 2006). This has also enabled the government to designate certain employment sectors for specific groups.

Putting forward the vision of economic integration, on January 13, 2007 ASEAN community approved ASEAN Declaration on Protection and Promotion of the Right of Immigrant Workers. The declaration comprises of 22 articles to task the government of Asian countries in protecting and improving immigrant workers rights (SEANF, 2010). All efforts have been made to achieve the ultimate goal of ASEAN integration in 2015.

4. Instruments and Method

Qualitative approach with specific desk research was employed in the study. Data was collected through documents and video interview with three victims who used to work in country of destination X in South East Asian Region. The video interviews were extracted from the international media such as Voice of America. A direct analysis was employed, and the results were discussed and presented in narrative texts.

5. Results

Table 1: Summary of Findings

Victims	Conditions	Challenges	Impacts
Tai Champey	Legal Employment Recruitment Agency Housemaid Salary (\$250-260)	being beaten, tortured, poured hot water over body, not allow to return home	mental illness effected future life deeper poverty
Ruos Sal	Legal Employment Recruitment Agency Housemaid Salary (\$250-260)	being beaten, raped, forced to use drug and too hard worked	mental illness, health affected, hopeless for future life aggravate poverty

Ok Seng	Legal Employment Recruitment Agency Housemaid Salary (\$250-260)	being beaten and raped, forced to use drug, threatened to be killed	physical illness poverty
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Table 1 highlighted three cases of Champey, Ruosal and Ok Seng about work conditions, challenges and impacts in country of destination. They immigrated to work under the Labour Immigration Law in 1997 under arrangement of recruitment agencies. They all work as housemaid with salary (\$250-\$260) per month under 2-year contract base. However, they all experience similar hardship and challenge. Champey was beaten, tortured and poured hot water over her body, while Rous Sal and Ok Seng were beaten, raped, and forced to use drug. They were also threatened to be killed if they revealed the truth. Consequently, they were chronically affected. They were mentally suffered that need large amount of money to cure. Their families sold farm land, property and borrowed money from bank, loan agency and relatives to treat their illness. In the long run, physical, emotional and sexual abuses affect their health and future lives.

Above findings revealed some pitfalls and malpractice between Cambodia and country of destination X. First, the labour immigration policies lack clarity and effectiveness to monitor and enforce the recruitment agencies and employers to respect workers' rights. Second, there is malpractice at workplace due to discriminating behavior of employers especially toward female workers. Third, it concerns with knowledge of workers about labour immigration law and human right. Before departing, the companies provided them language training, but not labour immigration law and human right training. Finally, there lack responsibilities among employers and recruitment agencies to deal with problem together government of both country of origin and destination. When the victims' families seek for help or file complaints, they did not do anything. They tend to give excuse rather than provide solution. All in all the findings of this study were consistent to recent studies and reports, for example, Maltoni (2006); Human Right Watch (2011); Lee (2007); ADHOC (2012) and Sophal (2009).

6. Conclusion

In conclusion, the results of this study revealed that Cambodian female workers experienced same work conditions, challenges and impacts. Although they legally immigrated to work in country of destination x, problems have remained. They were physically, sexually and mentally violated. They were trafficked and exploited in almost circumstances. Hence, the researcher concluded from the cases of Champey, Ruos Sal and Ok Seng that Cambodian female workers were traded by recruitment agencies and employers in the form of labour immigration under a legal system. Therefore, the study suggests further corporation and intervention from the government of original country and country of destination alike. The cooperation and intervention give key values not only to migrant workers but also to integral economy of origin and destination countries leading to improve regional economy that can reach the VISION OF ASEAN COUNTRY in 2015.

7. References

- ADHOC (2012). Report of migration situation of Cambodian male and female laborers. Phnom Penh, January-April, 2012.
- Asia Regional Cooperation to Prevent People Trafficking (ARCPPT) (2003). Gender, Human Trafficking, and the Criminal Justice System in Cambodia. December 2013.
- Human Right Watch (2011). They deceived us at every step: Abuses of Cambodian domestic workers migrating to Malaysia. New York: Human Right Watch Office.
- Kaur, A., 2008, 'The Movement of Indians in East Asia: Contemporary and Historical Encounters', in P. Ramasamy and A. Mani, Eds, *Rising India and Indians in East Asia*, Singapore: Institute of Southeast Asian Studies.
- Wong, D. 2006, 'The recruitment of foreign labour in Malaysia: from migration system to guest worker regime', in A. Kaur and I. Metcalfe, Eds, *Mobility, Labour Migration and Border Controls in Asia*, Basingstoke: Palgrave Macmillan, pp.213-227.
- FLURA (2011). Cambodian Immigration and the Cambodian Crisis Committee. Phnom Penh, Cambodia.
- Lee, C. C. (2007). Cambodian Women Migrant Workers: Findings from a Migration Mapping Study. United Nations Development Fund for Women (UNIFEM) Regional Program on Empowering Women Migrant Workers in Asia. Phnom Penh, Cambodia. June 2006.
- Maltoni, B (2007). Migration in Cambodia: Internal vs. External Flows. 8th ARPMN conference on "Migration, Development and Poverty Reduction," in Fuszhu. May 25, 2007.
- Maltoni, B. (2006). Review of Labor Migration Dynamics in Cambodia. International Organization for Migration. Phnom Penh, Cambodia.
- Ministry of Labour and Vocational Training (2010). Policy on Labour Migration for Cambodia. Phnom Penh, Cambodia. June 2010.

Press Release JUMP (2012). Enough Is Enough – Cambodian Woman Dies Working In Penang Malaysia. Jump Penang, Malaysia. May 20 2012.

Sophal, C. (2009). Costs and Benefits of Cross-Country Labour Migration in the GMS. Cambodia Country Study. Cambodia's leading independent development policy research institute. Phnom Penh, December 2009.

South East Asia National Human Right Forum (2010). 2010 South East Asia National Human Right Forum (SEANF) Paper on Migrant Workers. Asia Pacific Journal on Human Rights and the law (Vol1 63-98)

The Regional Thematic Working Group on International Migration including Human Trafficking (2008). Situation Report on International Migration in East and South-East Asia. Bangkok, 2008.