

## Impact of COVID-19 Pandemic on the Migrant Workers and Public Policy in Case of Malaysia & Indonesia

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### KEYWORDS

COVID-19, pandemic, migrant workers, public policy, Malaysia, Indonesia, IMO, UN, ILO.

### ABSTRACT:

The COVID-19 (Corona Virus Disease 2019) pandemic has changed the world altogether to a different plane. It has disrupted economy, health, family, society, etc. and there is no one left who has not been affected by it. Public Policy in case of migrant workers finds important place in this calculation. For, they play an important role in many of the economies, and still are the most vulnerable section of people who has been affected by the COVID-19 pandemic. Their problem emanates from various angles like that of being a legal or illegal (unaccounted) migrant worker, vulnerabilities emanating from lack of bargaining power with their employers and host nations, lack of safety working and hygienic living conditions, access to proper affordable health care facilities, etc. For the international migrant workers (who crosses border from home state to another state for purpose of employment or better economic aspirations), things have been really difficult in these pandemic times in terms of how they were treated by the authorities in the host countries and what kind of national public policy measures was taken to assure their physical health and mental wellbeing, engaging with them to assuage their psychological trauma caused due to various pressures and stress, economic condition, etc. Women migrant workers were more affected in way of losing their jobs, livelihood, family pressures and responsibilities. This paper looks into the effect of COVID-19 pandemic on the migrant workers, particularly with a focus on public policy measures taken in Malaysia and Indonesia, as these two nations contribute major chunk of migrant workers (inward and outward respectively) in the south-East Asian region. Apart from detailing the problems faced by the migrant workers during the pandemic times, this paper will dwell deep into the kinds of national public policy measures implemented towards the migrant workers as a response to the pandemic condition and its impact. In addition, this paper will also look into the role and policy of international organisations and NGOs towards the same. Apart from analyzing the problems and identifying the gaps in the approach of the respective governments, recommendations are also made to the public policy makers to improve the effect of their public policies and actions towards the migrant workers, on the basis of highlighting some good practices that are followed in other states.

### 1. Introduction

The world has literally come to a standstill as has never been seen even during the precarious World War times, caused by a virus COVID-19 that has eventually turned into a pandemic of epic proportions. From February-March of 2020, almost all the nations of the world imposed travel bans and locked down their day-to-day activities. This has resulted in loss of work and created livelihood issues for millions of people worldwide. Though, loss of jobs and pay cuts were witnessed in almost all sectors and categories, daily wage labourers and migrant labourers were the most to be hit hard across regions and countries. The level of their sufferings were exacerbated or minimised by the broader ambit of public policy, due to the responses, actions taken by the governments, private corporations and international community. This paper is an attempt to compare and study the national public policy responses undertaken by the governments of Malaysia and Indonesia, as these were the two most prominent countries having the most number of migrant workers in the South-East Asian region. This paper will look into the impact of COVID-19 pandemic on the migrant workers community – both inward and outward, the reactions and responses initiated by the governments through their policies, the involvement of NGO's – both national and international, participation of local communities and involvement of migrant workers, if any in the context of Malaysia and Indonesia.

The main objectives of this paper is to bring out the plight of the migrant workers, the policy & actionable response of the government machinery and others, and recommending appropriate policy measures wherever

possible and necessary. The methods used in this paper are descriptive, in the nature of comparative analysis based on both primary and secondary data. The structure of this paper will be that, it will discuss the plight of inward migrant workers in Malaysia and the outward migrant workers in Indonesia, and the response of the respective governments. This is to make a comparative analysis on what the governments did in Malaysia and Indonesia with regard to inward migrant workers and outward migrant workers respectively, and to bring a holistic policy output as a model approach, on how a country shall treat its migrant workers – both inward and outward, to the best of its capacities.

In general, factors like the availability of finance, information on migrant workers and their families, unaccounted migrants and the fear of such migrants to report to the authorities concerned, lack of proper understanding on the nature and spread of COVID-19 on part of government authorities and policy makers during the early part of the pandemic, lack of concern on vulnerable people including women and children, etc. are some of the reasons for concerns in evolving and implementing appropriate policy measure to ease, help and to solve the problems of the migrant workers.

## **2. Migration**

Unemployment and increasing poverty have prompted many workers in developing countries to seek work elsewhere. It is estimated that 73 per cent of migrants are workers. In industrialized countries, demand for labour, especially unskilled labour, has increased. As a result, millions of workers and their families travel to countries other than their own to find work (International Labour Standards on Migrant Workers).

### **Who is a Migrant Worker?**

The term migrant worker is one of the well-defined legal categories of people in international law. Migrant workers are of different nature and origin like that of internal migrant workers, external workers, domestic migrant workers and international workers, etc. As this paper deals with the comparative study of migrant workers with that of the governments of Malaysia and Indonesia and the references to international migration, it is apt here, first to take the definition from the United Nations and its convention on migrant workers.

Article 2 of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families of the UN, clearly defines who is a migrant worker.

It states, “the term “migrant worker” refers to a person who is to be engaged, is engaged or has been engaged in a remunerated activity in a State of which he or she is not a national” (UNGA: 1990).

In addition, the International Labour Organisation (ILO) has described migrant labour as “the movement of persons from their home State to another State for the purpose of employment”. ‘Labour migration’ or ‘migrant worker’ is an amalgamation of two concepts that has two dimension as follows:

1. demographic one – ‘migration’ or ‘migrant’ and
2. socio-economic one – ‘labour’ or ‘worker’ (Popova & OZEL: 2018, p.7).

The characteristics of International labour migration can be defined with three variables as the following;

1. Directionality – distinguishes between entry and exit of international migrant workers in the country of measurement.
2. Duration – refers to the duration of stay in the country of labour attachment.
3. Nature – refers to permanent or temporary stay in the country of labour attachment (Popova & OZEL: 2018, p.14).

### **Scope of the UN Convention on Migrant Workers**

With the spread of free market capitalism in terms of liberalization, privatization and globalization, there has been a massive movement of people across the borders, regions and continents in search of better economic opportunities and employment. Having this in mind, the convention has aptly described its scope, to ensure a holistic approach towards the welfare of the migrant workers and their families as follows;

Article 1 of the convention explains the scope as, that the convention,

“is applicable, except as otherwise provided hereafter, to all migrant workers and members of their families without distinction of any kind such as sex, race, colour, language, religion or conviction, political or other opinion, national, ethnic or social origin, nationality, age, economic position, property, marital status, birth or other status” (UNGA: 1990).

It also continue to imply, that it

“shall apply during the entire migration process of migrant workers and members of their families, which comprises preparation for migration, departure, transit and the entire period of stay and remunerated activity in the State of employment as well as return to the State of origin or the State of habitual residence” (UNHR: 1990).

The above definitions clearly put in perspective as, who are migrant workers and the entire scope of the convention it stands for.

### **Pandemic Problems**

The history of managing and suppressing a pandemic situation anywhere in the world at any timeline of historical stages has always shown it has always been a challenging one, given any sort of technical advancement at that particular point of time. The COVID-19 pandemic conditions are not much different from other pandemic conditions. It has its own challenges and the conditions of migrant workers are placed in a dangerous situation, given their precarious living conditions and access to health care have contributed significantly to rapid transmission of COVID-19 throughout the world (Wahab: 2020, p.1). Accordingly, the problems faced by the migrant workers in Malaysia and Indonesia will be dealt with in the forthcoming section of this paper.

### **Impact of COVID-19 on the Migrant Workers**

Many thousands of migrant workers move across borders from other countries every year because of the better livelihood options available. Wages and potential earnings are comparatively high in these places. The outbreak of COVID-19 and the subsequent unprecedented lockdown has seriously impacted the livelihood options of the migrant laborers. The condition of migrant workers has ever been precarious, as they are the class of workers who are constantly exploited, abused, and threatened more than any other kind of workers. This exploitation transforms to a different level if they are in an irregular situation and are victims of the trafficking of persons (Balima, p.5). COVID-19 Pandemic starkly brought this situation before the international community and the national governments were caught unawares.

The complete closure of economic activities accompanied by mobility restrictions has negatively impacted the informal sector labourers like the migrant workers. Most of them were dependent on daily wages, and their loss has negatively impacted their life. Inter-linkages of working pattern within the family of the migrant workers, where the members of a family was engaged in different kinds of labour/work that are based on daily wages or one that has no job security like that of rickshaw puller, house maid and domestic worker were mostly affected. Migrant workers and their families needed to make life-changing adjustments in response to the unprecedented COVID-19 pandemic situation, especially the loss of livelihood and the limited availability of resources they had. They were not able to meet neither their daily needs nor those of their families that resulted in a change in their food consumption behavior and pattern.

### **Problems of Inward Migrant Workers and their Families in Malaysia**

Migrant workers in Malaysia have been living in unsanitary cramped conditions, accompanied with the problems of lack of proper labour law and their protection. Their conditions were further worsened with poor access to healthcare facilities and insurance support, even before the outbreak of the pandemic. The negative impact of the various measures taken by the government and also the implementation of various phases of Malaysia's Movement Control Orders (MCOs) has had a definite impact negatively on the migrant working population. The EMCO- Enhanced Movement Control, stood for complete lock down, and it was implemented where the Covid-19 cases was found more.

Travel across state boundaries without specific approval from the police is generally prohibited. Such travel approval may be obtained if employers or businesses provide documentary evidence to support applications. Hefty fines and penalties are imposed on those who break the travel restrictions and other regulations such as the compulsory wearing of masks or physical distancing. The penalties are sometimes spuriously imposed and can be excessively harsh on those with low or no income. The fine for not wearing a mask is RM1000 (US\$ 242) which is imposed irrespective of the income level of the accused, when the minimum monthly income is RM1200 (US\$ 290). Some have ended up in prison because they lack the financial resources to pay the penalty (Electronics Watch, 21 April 2021). During the MCO, some migrant workers were apparently arrested while trying to leave the country.

Ms. Glorin Das, executive director of one of Malaysia's Women's and Labour Rights Organization, opined that the possibility of a new wave of Covid-19 infection among migrant workers is "of grave concern" (Hassan, 2020), this has now been proved right with different virulent variant that affects the human kind and the need for having booster shots of vaccines. Another main concern with regard to migrant workers in Malaysia is that they live in congested shared quarters and do work that does not make it possible to practice strict social distancing. To have a proper understanding of the living conditions of the migrant workers, it would be noteworthy to look into the actual conditions they live. A small pile of discarded shipping containers are placed under a bridge on the outskirts of Kuala Lumpur. Each container is divided into two layers, covered with canvas and carpets, and ventilated by a small rotating table fan. For 65 Bangladeshi construction workers, these containers are home (Mia & Putul, 2020, p.26). This has been exacerbated by the fact that undocumented workers are not coming forward for Covid-19 testing in fear of attest and detention. This fear has greatly resulted in not seeking clinical protection in case of illegal migrant workers getting affected by the Covid-19 disease.

The extent of the shocks to migrants' jobs depends on the sector they were employed in as well as the overall economic condition of the host country. The worldwide coronavirus pandemic is simultaneously hitting the economies of both the host and the source countries of migrant workers, unlike other economic shocks that only have localised effects. The major hosts of the South-East Asian migrant workers, that is, Malaysia & Indonesia, have been severely affected by the worldwide coronavirus pandemic as well as by the suppressed global demand for tourism and leisure activities due to travel restrictions and lockdowns. This, in turn, is causing a decline in the demand for the workers (Chowdhury & Chakraborty, 2021). The hard-hit sectors include the hospitality and recreation, and foodservice sectors, where the majority of the migrants work. The construction sector is another major employment sector for migrant workers in Malaysia.

The economic disruptions caused by the pandemic and resulting MCO were substantive. According to estimates way back in May 2020, the best case scenario involved a contraction of real Gross Domestic Product (GDP) by 2.61 per cent and a loss of 951,000 jobs, out of which 68 per cent are low-skilled. The Ministry of Human Resource (MOHR) has advised that if lay-offs are inevitable, foreign employees should be terminated first. Several closures of garment and apparel companies have been reported during the initial stages of the pandemic and MCO – including Esquel, Pen Apparels and Imperial Garment – leaving thousands of workers, mainly women without jobs. More than 50 per cent of employees in Pen Apparel and Esquel are reportedly migrant workers. As of mid-April 2020, common violations of migrant workers' labour rights reported by the Malaysian Trades Union Congress (MTUC) include:

- Unfair termination;
- Unpaid wages;
- Poor living conditions;
- Employers requiring workers to continue working in jobs that are nonessential; and
- Uncertainty about employment status due to limited contact with employers (Sandanasamy& et.al., 2020, p.4) .

The migrant workers are the most at the risk of losing jobs, as they do not have a regular contract and have poor bargaining power with regard to their employer of the host nation. When prolonged lockdowns drive businesses and companies out of work, migrants become vulnerable. The uncertain situation concerning the

persisting weak demand for workers in the economies of the major destination countries poses long-term threats to the livelihood of these migrant workers. Since remittances are crucial in improving the lives and welfare of a large number of poor in the South East Asian region, a sudden loss of such an income can plunge such families into a vulnerable situation. These migrant worker's families face the daunting experience where remittance is the only source of income and there is no one else to earn except the migrant worker. Without continuous flow of remittances, these households will have to cut down on basic necessities such as food, clothing, health, and education at their home (Chowdhury & Chakraborty, 2021).

#### The Problem of Outward Migrant Workers and their families from Indonesia

In the previous part of this paper on Malaysia, we discussed about the inward migrant workers, their problems and this part of the paper will discuss about outward migrant workers from Indonesia and the problems faced by them and their families.

The migrant workers from Indonesia (outward) and their families went through most of the difficulties as same as that of any other country's migrant workers. But as Indonesia is having more number of migrant workers abroad, the impact on them and their families are more severe in terms of economy, health, social life, etc.

Around 9 million Indonesians work abroad. Hong Kong and Singapore are top destinations for Indonesian female migrants working in the domestic sector, especially as maids. Others work in the same field in Taiwan, United Arab Emirates and Saudi Arabia. In 2019, they sent over US\$11.7 billion back to Indonesia in the form of remittances. In 2020, the World Bank expected remittance flows to Indonesia to decline by 13% - US\$1.5 billion due to the pandemic (The Conversation, 2020). Even prior to the pandemic, remittances to Indonesia were already declining. As in for any other country, the COVID-19 pandemic caused losses to many of the migrant workers families who are dependent on remittances from abroad. There was a huge decline in remittances during the pandemic. Some families received no more money at all, some received half of the usual amount, and some a little less than usual. This money received from the migrant family worker abroad plays a huge role in the economies of these families as they use these remittances mostly for consumption, to pay for daily food, children's education and health treatment for the elderly.

The families of the migrant workers also went through mental stress and anxiety. While facing difficulties at home, these families are also worried about their migrant worker relatives. Many of them feared that their migrant family worker could not return home because of the closure of the international borders. Some families expressed concerns about security amid uncertainty about the process for those migrant workers who want to return home or the situation in the workers' host countries. They also worried about virus infection and their migrant working family member losing their jobs.

Many of the migrant workers returned home to their hometown in Indonesia during the pandemic times. The reason for their return varied due to the end of their working agreement with the employer, their taking leaves, work termination, and deportation. The arrival of these migrant workers from abroad also set a health threat to the local family and community in Indonesia (Kusumastuti, 2020).

There was very low level of COVID-19 testing for the families of migrant workers in Indonesia, as it corresponds to the state of pandemic health care throughout the country. During the pandemic, the proportion of the total Indonesian population who are infected and experiencing symptoms of COVID-19 is very low. More than 70% are categorised as asymptomatic carriers.

#### General Problems of Women and Children

The COVID-19 pandemic had negative employment consequences for migrant workers particularly the women. Women migrants were the hardest hit and more likely to withdraw from the migration movement and paid work. The main causes for their withdrawal are because of their role as caregivers and being employed in an environment that requires face to face series like that of receptionists, sales person and service providers in spas and saloons. The pandemic has reinforced traditional gender roles and heightened the stark reality of labor market inequalities (Yueping & et.al., 2021, p.1). For women, health implications because of lack of using menstrual pads due to financial crunch are vivid. Women also got negatively impacted psychologically and socially due to increased responsibility with limited resources, both financially and materially and also being confined at home.



The closure of schools and parks has significantly impacted the children in their learning and recreational routine. Most of them were not able to access online teaching facilities due to the lack of and cost of electronic devices. Lack of urgency in access to online classes coupled with infrastructural constraints like internet accessibility and data costs will hurt the future of many children.

#### Major Concerns and Priorities of Migrant Workers during the COVID-19 Pandemic

##### (A) Migrant worker concerns during COVID-19:

- Providing for family and stress caused by work disruption
  - Worry about susceptibility to COVID-19
  - Acceptance of diagnosis and hope for recovery from COVID-19
  - Stressors from quarantine

##### (B) Migrant worker coping during COVID-19 quarantine:

- Staying connected with family
  - Keeping updated on the global situation
  - Assurance from having daily needs met
  - Importance of faith and religion

##### (C) Migrant worker priorities after COVID-19

- Looking forward to a return to normalcy
  - Health as a new priority in life (Yee & et.al., 2021)

#### National Policy Initiatives

National policy and measures to flatten the curve of the pandemic require significant consideration of issues facing migrant workers, including fulfilling their basic needs, guaranteeing their welfare and upholding labour standards (Wahab, 2020, p.1). This part of the paper will look into the national policy initiatives undertaken with regard to the inward and outward migrant workers by the Malaysian and Indonesian government respectively as a response to the COVID-19 pandemic.

#### Malaysian National Policy Measures

Immediately after the breakout of the pandemic, the Malaysia Government brought into force the movement control order (MCO) on 18 March 2020 that was subsequently extended whenever necessary according to the prevailing situation. All Malaysians and tourists were banned from travelling internally and externally. These restrictions were brought under the Prevention and Control of Infectious Diseases Act 1988, which also includes a nationwide ban on all forms of mass gathering. Except those involved in essential services, all Government and private sector institutions and businesses ceased to operate. To bring a break in the prolonged lockdown, at one point of time, the Malaysian government announced relaxation of some conditions of the MCO. While many restrictions on travel and social gatherings remained during the new “conditional MCO”, almost all economic sectors and business activities were allowed to resume business, subject to conditions and a Standard Operating Procedure (SOP). By 4 May, about 40,000 Thai nationals had been repatriated from Malaysia through air and border checkpoints. The Indonesian National Agency for the Protection of Migrant Workers also reported that by 29 March, 11,566 Indonesians had been returned from Malaysia (Sandanasamy, 2020,p.3).

The policy approach of the Malaysian government towards the migrant workers also had its share of ups and downs during the Covid-19 times. In March 2020, the Malaysian government declared that testing and treatment for COVID-19 would be free of cost for all migrant workers including undocumented workers, refugees and asylum seekers. The government also reiterated its promise that no migrant worker would be arrested or ordered to provide documents as part of availing those medical facilities. Nevertheless, this promise was not obliged by the government as, in April 2020 it announced that all undocumented migrant workers across the country would be placed in detention centres or special prisons notified by the government. The

United Nations office in Malaysia also expressed its deep concerns on the reversal of the policy that resulted in more arrests and detention of migrant workers.

On the health care front, in May 2020, the Malaysian government announced that all migrant workers are required to undergo COVID-19 swab tests at the cost of their employers. This was opposed by the Malaysian Employers Federation (MEF) as it puts extra burden on part of already struggling business entities. In the aftermath, the Government announced that the costs of COVID-19 screening can be covered by the Social Security Organisation (SOCSO) for those migrant workers who contribute to the SOCSO, thus arriving to a compromise with the MEF (ILO, 2020).

The Malaysian government has been distributing food provisions through the Welfare Department and Civil Society Organisations (CSOs), accompanied by Malaysian Volunteer Corps Department (RELA) or the Malaysian Civil Defence. While the intention behind this was to reduce the spread of COVID-19 and protect NGO workers, the directive was quickly admonished by NGOs and CSOs (Rahman, 2020, p.6). CSOs have raised concern that presence of RELA officers will prevent reaching undocumented workers, refugees and asylum seekers with food provisions, due to mistrust between the stake holders here. CSOs were also concerned that any disclosure on the whereabouts of undocumented migrant populations may eventually lead to an official raid after the MCO (ILO, 2020). In March and April 2020, the Malaysian government introduced a series of stimulus measures to counter the negative impacts on the economy and Malaysian workers. But these support and stimulus measures do not cover migrant workers and left them in lurking.

### **Indonesian National Policy Measures**

The World Health Organization announced that the pathogen known as the Coronavirus Disease 2019 (COVID-19) constituted a pandemic. Two days later, the Indonesian Government formed a National Task Force for COVID-19 Mitigation, led by the National Agency for Disaster Management (BNPB). Indonesia officially declared the outbreak of a non-natural national disaster on 14 April 2020. Thereafter, the implementation of large-scale social restrictions (PSBB policy) was promulgated at the National level, and was increasingly rolled out with tailored restrictions at the local levels too.

According to Indonesia's Ministry of Foreign Affairs, about 180,000 Indonesian migrant workers returned through formal channels in the early stages of the COVID-19 outbreak (UNDP Indonesia, April 2021). Unknown numbers of migrant workers are returning through unofficial channels, with more strict interdictions from law enforcement and the potential for stigmatization increasing. Though the Indonesian government has instructed the migrant workers of Indonesia to remain in their destination countries, wherever possible, vast number of migrant workers have had no choice but to return to Indonesia due to the rapid economic downturn, uncertain access to health services, and movement restrictions to reduce the spread of the virus. Massive returns of migrant workers have surpassed the reception capacities at points of entry and transit shelters. Meanwhile, a regulation suspending the formal placement of Indonesian migrant workers from travelling abroad was issued, cutting off migrant households reliant on remittances (IOM Indonesia, 2020). Apart from dealing with the migrant workers, Indonesia also had the responsibility to deal with internally migrant persons, refugees and asylum seekers.

The Indonesian government's testing; tracing and treatment during the pandemic were not carried out extensively in rural areas. The government only gave health-care referrals and free testing to those who suffer from the symptoms for more than a week or based on a doctor's request, therefore the rate of testing was only around 18,600 per 1 million populations. Though, it was construed as a drawback in effectively curbing the spread of COVID-19, the spreading of the disease did not spill out of control in Indonesia. One of the positive aspects in Indonesia is that it has quiet as many number of people covered under its national health insurance policy. This was evident from a survey undertaken in 605 households (with 1,926 family members) in a village in Malang, East Java province that has the highest number of migrant workers, as many as 61% of families reported being members of BPJS, Indonesia's national health insurance. Under the BPJS scheme, members pay a monthly premium of Rp 42,000 (about US\$3) per person or Rp 200,000 (a little over \$14) per family of four (The Conversation, 2020).

The report by the International Organization for Migration (IOM), the United Nations Development Programme (UNDP), and the Indonesian Migrant Workers Union (SBMI) indicates that village authorities

require more support to boost capacity for ensuring the well-being and livelihoods of returning migrant workers and migrant-sending households. To add more strength to these observations of the international organisations and their experts, Indonesia has in place a vibrant village development policy that is based on a strong foundation called the SDGs Desa (Village SDGs), which is focused on rural development. The work from this policy benefits all rural communities without exception and ensures no one is left behind, including migrant workers (UNDP Indonesia, 2021).

### **Role of International Organisations and NGOs**

International labour migration, as we understand it, is a transnational phenomenon and therefore cannot be effectively managed or addressed at a national level alone, and therefore it needs to be addressed at bilateral, multilateral, regional and international levels too. It requires international actors, international NGOs, inter-governmental organisations, etc to have a role in it. It includes UN, IOM, ILO, etc.

The IOM performs its functions for an orderly and properly managed labour migration through following activities;

1. Policy advice and capacity building in labour migration management
2. Information and awareness raising
3. Facilitation of foreign recruitment and circular migration
4. Interstate dialogue and regional cooperation (IOM labour Migration Infosheet 2008, p.2-3)

It is not only the government that took some measures with regard to the migrant workers. Many international organisations and NGOs have put their weight behind improving the migrant workers' conditions. The UN in Malaysia, the Malaysian Bar, a coalition of 62 local CSOs and many other rights groups issued statements following the large-scale arrests of irregular migrant workers in May 2020. They drew attention to the fact on how the unaccounted migrant workers are in fear of being arrested by the government authorities, and thus not forthcoming for taking proper health care for them. They requested the government to go easy on their immigration policy work, in particular to avoid immigration detention altogether till the pandemic comes to normalcy. The ILO also supported its partners in meeting the immediate needs of the migrant workers during the MCO, and collecting information on labour and contractual violations faced by migrant workers. ILO's partner Project Liber8 worked to raise awareness of the rights of migrant workers, focusing on women migrant workers, via social media (Sandanasamy, 2020, p.8).

Louis Hoffmann, IOM Indonesia's Chief of Mission, noted "the importance of strengthening village-level capacities to extend these programmes to migrant workers – both returning and departing – as part of ensuring end-to-end protections and a more effective remedy to the impacts and restrictions of the COVID pandemic" (UNDP Indonesia, 2021). IOM worked with government and civil society partners at the national and local level to improve returned Indonesian migrant workers' access to government social protection systems put in place to respond to the impact of COVID19, such as the Pre-Employment Card (Kartu Prakerja).

### **3. Findings and Recommendations**

Families of the migrant workers at home, mostly worry about the safety and protection of their relatives who are working abroad. During the times of emergency and crisis, there is a general problem where the information available to the migrants is inadequate, such as information on what they need to do to safely return to their home. This poor communication causes confusion, which is ultimately reflected on the families back home. This has been observed both in Malaysia and Indonesia. Migrant families expect the government to provide information and communicate important steps in emergency situations to the migrant workers. In this context, proper communication channels have to be established between the migrant workers, their families and the government authorities concerned. This will improve the protection and legal certainty for migrant workers, help with travel arrangements and provide a network of crisis management centres during a pandemic.

The underprivileged sections of society, including migrant laborers whom the pandemic has rendered impoverished, require support from government systems and measures. The ILO standards call for the equal treatment of nationals and migrant workers in social protection. Social protection is itself a key element in crisis preparedness and response. Globally, 55% of the world's population remains unprotected by social



insurance schemes, ultimately leaving a gap in protection and risking further marginalization and vulnerability during crises (Asian Development Bank Institute and et.al., 2021). In many countries in Asia and in the Middle East, the COVID-19 pandemic has in particular exposed the challenges faced by migrant workers, as they are often left out of relief and social protection measures. The extension of migrant workers' social protection is a key area in building back better.

With regard to providing social security for the migrant workers Singapore has a law, making the employers provide health care for the migrant workers by mandating health insurance for them (Yee, 2021). On another scale, according to an ILO study in 2018, Thailand and the Lao People's Democratic Republic are the only countries in ASEAN where non-nationals are covered under unemployment insurance (Marius, 2018). The COVID-19 pandemic has brought into focus the provision of health care facilities through an insurance cover for the migrant workers, especially in times of crises or emergency. It is recommended that the employers in Malaysia shall be mandated, as like in Singapore, to take attention on the health care of the migrant workers. A law in this direction shall be brought into effect to avoid unnecessary delay and confusion during the times of necessity.

A mixture of unilateral, bilateral, and multilateral interventions are necessary to enhance migrant workers' access to social security and this should be the ideal way going forward in situations like this occur in future. The superimposition of immigration law on social security entitlements should be diligently regulated to ensure the benefit of social security provisions are used by the migrant workers in a time bound manner without any difficulties if their employment is terminated (Marius, 2018).

The COVID-19 pandemic has caused a lot of stress and mental health issues to the migrant workers due to health issues, financial issues, family issues and the situation of them being in the category of legal or illegal category thereby resulting in the fear of being arrested and detained. The government or the employers in the host country need to conduct frequent mental health assessments among employees and carry out appropriate measures to reduce stress among the migrant workers in times of emergency and also normalcy.

#### **4. Conclusion**

The problems of the migrant workers and their families during the COVID-19 pandemic have been unprecedented. As such, the response from the government machinery and its institutional apparatus was also in high demand throughout the pandemics, and in most case extends beyond the pandemic times too, as has been witnessed in current times. The devastation caused by the pandemic in economy, health, social relations, etc. surely needs a longtime engagement from all stakeholders to set it right and to bring it in right trajectory once again.

As this paper has dealt in detail, there has been some lessons learnt and good practices were put in place as a response towards the COVID-19 crisis in relation to the migrant workers and their well-being. These lessons and experience has to be taken in good spirit and the governments of Malaysia and Indonesia, along with the cooperation of the international organisations / community should be readily prepared for any other crisis of this nature striking humanity again in future including different waves COVID-19 and its offshoots like OMICRON and NeoCov.

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