



Malaysia's Refugee Crisis: A Poverty Issue, Not Just Migration

Who Are The Refugees & Asylum Seekers?

The 1951 Refugee Convention states that refugees are those who are unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion^[1].

Did you know?

“According to UNHCR, as of mid-2020, there are a total of 80 million forcibly displaced people worldwide, 26.3 million of whom are refugees^[2].”

1. UNHCR Malaysia. (2019). What is a refugee. Retrieved from: <https://www.unhcr.org/en-my/what-is-a-refugee.html#:~:text=The%201951%20Refugee%20Convention%20is,group%2C%20or%20political%20opinion.%E2%80%9D>
2. UNHCR. (2021). Refugee Data Finder. Retrieved from: <https://www.unhcr.org/refugee-statistics/>

Refugee Populations In Malaysia

“In 2019, there was a 6.43% increase in the refugee population of the previous year^[1]. Currently, there are 178,710 refugees and asylum seekers residing in Malaysia^[2]. Not accounting for the other 80,000 undocumented refugees awaiting registration by the UNCHR.”

The majority of refugees in Malaysia are originally from Myanmar. These groups are mainly composed of the Rohingya (102,350 registered refugees) and Chin (22,430) ethnic groups^[2]. The remaining 29,360 Myanmar refugees are from other ethnic groups fleeing conflict and persecution^[2].

There are also refugees from Pakistan (6,610), Yemen (3,650), Syria (3,250), Somalia (3,230), Afghanistan (2,660), Sri Lanka (1,730), Iraq (1,210), Palestine (750), among others^[2].

The states of Selangor, Kuala Lumpur and Pulau Pinang are home to the largest refugee populations in Malaysia^[2].

Why Is Malaysia A Refugee's First Choice?

According to a case study on the Rohingya, the main contributor to the abundance of the refugees in the country is due to their perception that Malaysia has a better social structure in comparison to their home country.

“I would prefer to live in Malaysia instead of the United States because the U.S. is not an Islamic country. I have stayed in Malaysia for 16 years and know how to speak, read, and write well in the Malay language. I did not get everything that I wanted, but I stayed in Malaysia on Islamic grounds. - Rohingya Leader in Malaysia^[1]”



1. R. R. Togoo, F. H. M. Ismail. (2021). Security Dilemma of Rohingya Refugees in Malaysia. OJPS , 11(1). Retrieved from: [https://m.scirp.org/papers/106403#:~:text=1\)%20The%20biggest%20concern%20concern](https://m.scirp.org/papers/106403#:~:text=1)%20The%20biggest%20concern%20concern)
2. [Deva Darshan](#) on [Unsplash](#)

Rights Of Refugees



The longer a refugee stays in a host country, the more rights they become entitled to. Basic refugee rights include:

- Right not to be expelled (Article 32)
- Right not to be punished for illegal entry into the territory (Article 31)
- Right to work (Article 17-19)
- Right to housing (Article 21)
- Right to education (Article 22)
- Right to public relief and assistance (Article 23)
- Right to freedom of religion (Article 4)
- Right to access the courts (Article 16)
- Right to freedom of movement within the territory (Article 26)
- Right to be issued identity and travel documents (Article 27 and Article 28)

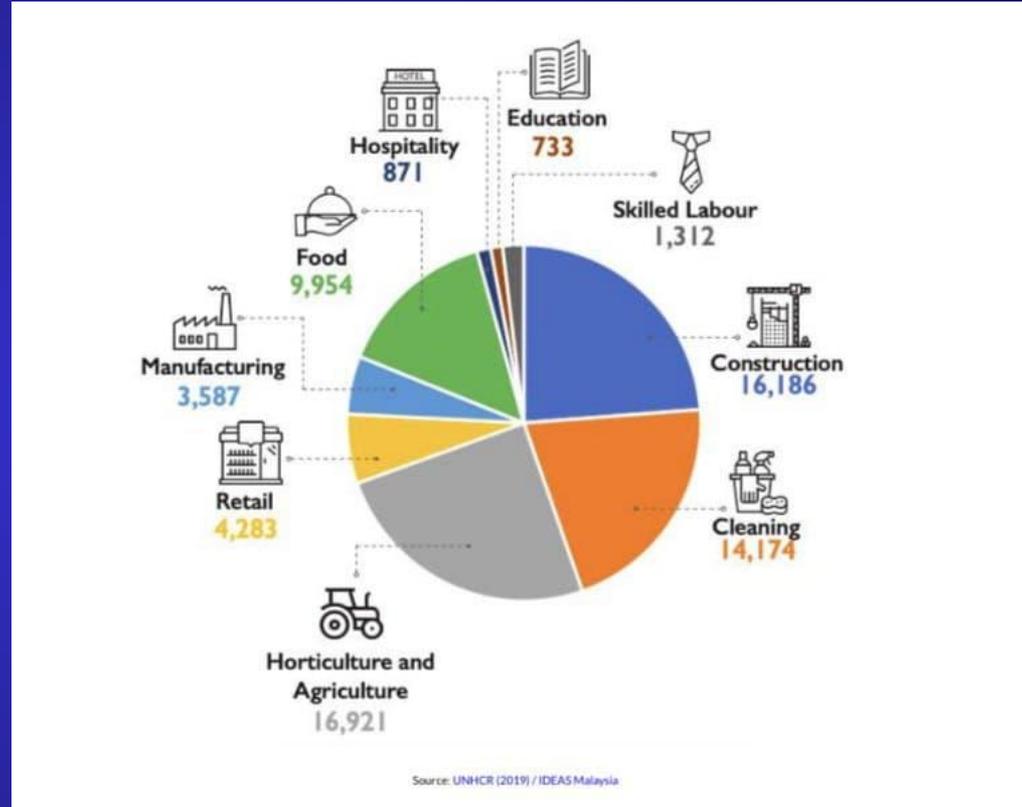
However, the host country is only obligated to provide these rights if they are ratified by the convention. Malaysia, just like other South-East Asian countries, is not tied to the convention, nor do they enforce the 1967 Protocol^[1]. Furthermore, the nation itself does not have any legal policy, or administrative framework regarding the protection of refugees, or any non-Malaysian for that matter^[1]. As a result of this, there is no proper guarantee of access to essential life continuity aspects, namely education, employment and healthcare among many more. This leads us to the relative poverty issues spurred within these refugee communities in Malaysia circling around the Multi-dimensional Poverty Index (MPI).

1. R. R. Togoo, F. H. M. Ismail. (2021). Security Dilemma of Rohingya Refugees in Malaysia. OJPS , 11(1). Retrieved from: [https://m.scirp.org/papers/106403#:~:text=1\)%20The%20biggest%20concern%20concerning,proper%20education%20to%20their%20children](https://m.scirp.org/papers/106403#:~:text=1)%20The%20biggest%20concern%20concerning,proper%20education%20to%20their%20children)



The Right to Work: Can Refugees Work Legally in Malaysia?

- Given that Malaysia has not ratified the 1951 Refugee Convention, refugees and asylum-seekers cannot work legally in the country, thus forcing them to take up unconventional job offers.
- According to UNHCR 2019, The main registered sectors of informal employment for refugees and asylum seekers in Malaysia were agriculture, construction, and cleaning with over 47,000 workers employed^[1]. Other popular sectors included food, manufacturing and retail, all of which are low-skilled jobs requiring little to no experience, nor educational qualification^[1].



1. L. Todd, A. Amirullah, W. Y. Shin. (2019). The Economic Impact of Granting Refugees in Malaysia the Right to Work. Ideas Malaysia. Retrieved from: <https://www.tent.org/wp-content/uploads/2019/08/IDEAS-Malaysia.pdf>

#1: Employment Insecurity

“It is common for refugee workers to receive late paychecks, as it is also common that these payments are not sufficient for the amount of work completed^[1].”

These workers are not bound by any contract. As such, with ambiguous work schedules and unknown periods of employment, a worker could simply be discarded by a company without prior notice. With no legal documentation, there comes no responsibility, no promise of work hours, and no proper payment schedule. Workers are subjected to the whims of their employers. This ultimately leads to ‘free labour’^[1].

Simply put, even though refugees are able to work, they still face some challenges including being forced to work uncertain hours, for uncertain pay. When they do not get paid appropriately, they are on their own. They are not protected nor can they fight for their pay without proper documentation as proof^[1].

1. M. Nungsari, S. Flanders, H. Y. Chuah. (2020) Poverty and precarious employment: the case of Rohingya refugee construction workers in Peninsular Malaysia. Humanities and Social Sciences Communications. Retrieved from: <https://www.nature.com/articles/s41599-020-00606-8>

#2: Lacks Of Rights And Protection

It is not just the unpromised paychecks or the long neverending hours. Employee agreements include the protection against unfavourable working conditions^[1].

These can include, but are not limited to:

- Extreme heat when working outdoors
- Lack of safety standards at a workplace
- Physical and verbal abuse by employers
- In-accountability for workplace injuries
- Harassment by law enforcement
- Dirty and unhygienic living quarters provided onsite by employers^[1].

1. M. Nungsari, S. Flanders, H. Y. Chuah. (2020) Poverty and precarious employment: the case of Rohingya refugee construction workers in Peninsular Malaysia. Humanities and Social Sciences Communications. Retrieved from: <https://www.nature.com/articles/s41599-020-00606-8>

#3: Income Inadequacy

At the end of the day, refugees are not making enough to support themselves, let alone send enough money back to their loved ones. Several accounts have been made of these employees receiving inconsistent and inadequate income. It is simply not enough to make ends meet ^[10].

“I’ve been in Malaysia for more than 17 years. Even if I work very hard, they (the employer) don't give me money. I use the money to send home to my family, there, in the village, I have a mother and siblings. I send money there. Here, I pay rent. That’s why I’m still not married. I don’t have enough money. I want to be rich, I want to get money. I want to work more,so I can earn more.”

1. M. Nungsari, S. Flanders, H. Y. Chuah. (2020) Poverty and precarious employment: the case of Rohingya refugee construction workers in Peninsular Malaysia. Humanities and Social Sciences Communications. Retrieved from: <https://www.nature.com/articles/s41599-020-00606-8>

The Right To Housing: Can Refugees Afford Good Housing In Malaysia?

Nowadays refugees who come to Malaysia are living among us; dispersed across the cities and towns, in makeshift shelters by construction sites and low-cost apartments and housing units all over the country^[1]. Unfortunately, refugee ‘homes’ are nowhere near to the standard of the **Multidimensional Poverty Index Living Indicators**.

According to MPI, a good accommodation is one that:

- Has electricity.
- Has flooring (not made of dirt, sand, dung).
- Has good sanitation.
- Has access to clean water or drinking water that is less than 30 minutes away.
- Has cooking fuel (not wood, charcoal, or dung).
- Owns at least one of these items: radio, tv, telephone, bicycle, motorcycle, refrigerator, car, tractor or vehicle^[2].

“It is not easy to live with so many people in one place. But I am alive, my family is alive. We are poor here but we are at peace. Our place is so small that I have to make my balcony into another room at night in order to fit everyone.”

1. Shelterhome. (2004). Refugees and their children. Retrieved from: <http://shelterhome.org/index.cfm?&menuid=13#:~:text=There%20are%20no%20refugee%20camps%20in%20Malaysia.%20Thus,or%20housing%20estates%20side%20by%20side%20with%20Malaysians.>

2. Wiki Impact. (2021). Housing Realities of Asylum Seekers in Malaysia. Retrieved from: <https://www.wikiimpact.com/housing-realities-of-asylum-seekers-in-malaysia/>

The Right To Education: Can Refugees Get An Education In Malaysia?

According to UNHCR, there are refugee children that enrol into school. Out of 23,823 children, who are at the age where they should be attending school, only:

- 1,234 children aged 3 - 5 years are enrolled in preschool (14%)^[1].
- 5,046 children aged 6 - 13 years are enrolled in primary school (44%)^[1].
- 874 children aged 14- 17 years are enrolled in secondary school (16%)^[1].

“Like all children, refugee children have the fundamental right to life, survival, and development to the maximum extent possible. However, similar to stateless communities, refugee children are often denied access to Malaysian education on the grounds of lack of documentation.”

The main issue in Malaysia is the lack of access to the formal education system, thus forcing the refugee children to obtain education via an informal parallel system of 128 community-based learning centres. Several other challenges that could be seen rooted from the major issue above can be simplified as follow:

- Denial of access to Malaysian formal public education.
- Lack of certification and access to public examinations.
- High turnover of teachers and minimal compensation.
- Security and safety issues faced by the students and teachers in and out of school^[1].

A black stethoscope with silver chest piece and earpieces is laid out on a dark wooden surface. Below the stethoscope, two white, oval-shaped pills are visible. The text 'The Right To Relief and Assistance: Can Refugees Access Basic Healthcare?' is overlaid in large, bold, yellow font on the right side of the image.

The Right To Relief and Assistance: Can Refugees Access Basic Healthcare?

Anyone without legal identification that states that they are Malaysian is considered as a ‘non-citizen’, and therefore, is required to pay 24 to 100 times more than a Malaysian citizen when accessing public healthcare facilities^[1]. This is because of the Fees Act (Medical) 1951, which was amended for non-Malaysians in January 2016.

Nonetheless, the refugees who are able to afford healthcare bills have other challenges to deal with. For example, they harbor the fear of being arrested by law enforcement agents while trying to seek treatment. The Malaysian Immigration Act requires everyone to report the presence of undocumented foreigners to the police. This creates an ethical dilemma for medical frontliners who are simply trying to save lives.

1. Wiki Impact. (2021). Accessing Healthcare Services In Malaysia: The Plight of Refugees. Retrieved from: <https://wikiimpact.com/accessing-healthcare-services-in-malaysia-the-plight-of-refugees/>

Conclusion

When it comes to people making a difference, there are those that simply do not discriminate. Hunger, living conditions, water, education are all human rights. There are countless initiatives throughout Malaysia that have pooled in their efforts to ensure that regardless of origin, these needs are catered to. Here is a list of changemakers helping refugees build a better life in Malaysia.

Employment:

- [PichaEats](#)
- [Tenaganita](#)
- [Rohingya Project](#)

Education:

- [United Learning Centre](#)
- [El Shaddai Centre Berhad](#)
- [Chin Student Organisation](#)
- [SHELTER: Home For Children](#)
- [Zotung Refugee Catholic Learning Centre](#)

Healthcare:

- [Mercy Malaysia](#)
- [Global Doctors Malaysia](#)
- [Klinik Amar Muhajir](#)
- [Doctors Without Borders \(Malaysia\)](#)



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