



PRESS STATEMENT

KUALA LUMPUR (15 APRIL 2020) - The Human Rights Commission of Malaysia (SUHAKAM) accepts that public health priority is paramount, and attributes the relatively even-paced spread of the COVID-19 disease and controlled situation, thus far, as an indication of the effectiveness of the Government's response and hard work of all frontliners. SUHAKAM wishes to reiterate that crisis situations always have profound impact on people's access to human rights; more so upon the vulnerable and marginalised communities. Implementation of the Movement Control Order (MCO) since 18 March, which had been extended twice and runs until 28 April 2020, had further compounded the negative impact of COVID-19 pandemic upon these communities.

SUHAKAM recently convened a virtual meeting with 24 agencies, non-governmental and civil society organisations (NGO/CSOs) to assess the needs and challenges faced by refugees and asylum seekers. Based on discussion points and recommendations raised, SUHAKAM hopes to facilitate the development of a more refined approach in efforts to alleviate and minimise the crisis' impacts nationwide.

Based on discussions, there was a high need for food supply, financial support, and security in terms of access to shelter, job opportunities and safety from being arrested due to their status. Issues faced by the refugee and asylum seeker communities are sufficiently concerning to warrant attention, as below:

- i) There was a persistent fear of arrest and an inability to afford healthcare fees amongst the refugee and asylum seekers community. This resulted in delays in coming forward for medical examination or, with respect to those related to the Tabligh cluster, to obtain COVID-19 screening tests. Despite the Government's assurances that there will be no arrests or detention during the COVID-19 pandemic crisis; it was reported that arrests of refugees and asylum seekers, particularly persons of concern who have yet to receive their UNHCR documentation, did indeed still occur. There were also fears that coming forward in this period, may lead to the possibility of being arrested, once the crisis is over.
- ii) Given the lack of legal right to work in Malaysia, most refugees tend to find a living by working within the informal sectors, which provides limited employment protections, if any. Notwithstanding the necessity of implementing the MCO, it has left those working in the informal sector with no source of income for as long as it is in place. The absence of any financial relief or assistance for this community, under the stimulus package announced by the Government, had further amplified their vulnerability. For instance, it was reported that many of them are unable to pay the utility bills and rental, hence facing risk of eviction by landlords.



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- iii) During the crisis, most refugees and asylum seekers, received aid and assistance from various NGO/CSOs. However, conditions imposed under the MCO such as working via the Welfare Department (JKM) for aid distribution, had drastically limited the NGO/CSOs' access and ability to provide aid effectively. In addition, due to the strict roadblocks enforced, some aid meant for distribution had failed to reach those in dire need of food, daily sundries and funds.

As a way forward, SUHAKAM recommends that:

- i) messages on the Government's efforts should be clearly communicated, to be translated into several languages and widely disseminated.
- ii) enforcement agencies and all officers implementing the MCO, must understand that no arrests should be made for anyone coming forward for COVID-19 testing, regardless of circumstance or status.
- iii) allocations should be made to assist and provide for the basic needs of the refugee and asylum seekers community. This include funds for temporary shelter for those facing eviction by landlords.
- iv) the registration process for NGO/CSOs with JKM to be less bureaucratic, and humanitarian aid services should be categorised as essential services under the MCO to allow for better coordination and distribution of aid to those in need.

In line with Article 23 of the Convention relating to the Status of Refugees 1951, SUHAKAM hopes that the Government would review its current policies, to include vulnerable communities, particularly refugees and asylum seekers in their COVID-19 response plan. SUHAKAM strongly supports the Honourable Prime Minister's pledge as articulated in the 27 March speech, that no one will be left behind; which should encompass vulnerable communities as well.

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Human Rights Commission of Malaysia (SUHAKAM)

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