



URBAN MIXED MIGRATION KUALA LUMPUR CASE STUDY

MMC Briefing Paper, November 2020



“I think migrants and refugees, including myself, are helping Kuala Lumpur develop. At the construction sites, there are a lot of migrant people with different types of work - we make buildings and bridges. For the beauty of the city as well, migrants cut the grass and clean the city.”

28-year-old Rohingya man, interviewed in KL, Malaysia

“After COVID-19, then police raids, everyone is very scared because many undocumented people got arrested within just a few days. [...] COVID-19 makes it very dangerous living in Kuala Lumpur. I cannot go anywhere and only stay at my workplace. If I want to buy something, I have to ask my friends who have documents to buy it for me.”

25-year-old Bangladeshi man, interviewed in KL, Malaysia

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About this report

This publication was produced with the financial support of the Danish Ministry of Foreign Affairs.

This report is a contribution to the MMC's vision that migration policies, responses and public debate are based on credible evidence, nuanced understanding of mixed migration, placing human rights and protection of all people on the move at the centre. More specifically, it contributes to the second strategic objective of the MMC, which is to contribute to evidence-based and better-informed migration policies and debates.

After a brief overview of the current mixed migration dynamics in Kuala Lumpur and the national migration policy framework, this case study seeks to explore mixed migration dynamics from three complementary thematic lenses: 1) Kuala Lumpur as a city of opportunities; 2) Kuala Lumpur as a city of risks and 3) Kuala Lumpur during the COVID-19 pandemic.

Besides the case study included in this report, MMC has carried out similar urban case studies in Bamako, Bogota, Nairobi and Tunis. The research methods, data sources and analysis structure have been aligned across all case studies, to allow the reader to draw comparisons between the specific situation of refugees and migrants across cities.

The other case studies can be found here:

[Urban case study in Bogota](#)

[Urban case study in Nairobi](#)

[Urban case study in Tunis](#)

[Urban case study in Bamako](#)

Also, the 2020 edition of the MMC annual report, the Mixed Migration Review, is dedicated to the theme of urban migration and can be found here:

[Mixed Migration Review 2020](#)

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About MMC

The MMC is a global network consisting of seven regional hubs (Asia, East Africa & Yemen, Europe, Middle East, North Africa, West Africa and Latin America & Caribbean) and a central unit in Geneva. The MMC is a leading source of independent and high-quality data, research, analysis and expertise on mixed migration.

The MMC aims to increase understanding of mixed migration, to positively impact global and regional migration policies, to inform evidence-based protection responses for people on the move and to stimulate forward thinking in public and policy debates on mixed migration. The MMC's overarching focus is on human rights and protection for all people on the move.

The MMC is part of, and governed by, the Danish Refugee Council (DRC). While its institutional link to DRC ensures MMC's work is grounded in operational reality, it acts as an independent source of data, research, analysis and policy development on mixed migration for policy makers, practitioners, journalists, and the broader humanitarian sector. The position of the MMC does not necessarily reflect the position of DRC.

For more information on MMC visit our website:

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Glossary

3D jobs	Dirty, dangerous, and demeaning jobs
4Mi	Mixed Migration Monitoring Mechanism Initiative
CSO	Civil society organization
KII	Key informant interview
KL	Kuala Lumpur
MCO	Movement control order
MMC	Mixed Migration Centre
MoU	Memorandum of Understanding
NGO	Non-governmental organization
NSC	National Security Council (Malaysia)
UNHCR	United Nations High Commissioner for Refugees

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Key findings

Mixed Migration dynamics in Kuala Lumpur

- Kuala Lumpur (KL) has long been a destination for refugees and migrants, mainly from across the Asian region.
- Factors driving migration to KL are diverse, including fleeing persecution, conflict, violence and poverty, as well as reuniting with family and seeking better work opportunities and futures – and sometimes a combination of the above.
- Many refugees and migrants interviewed live in KL for the medium to long term. This is impacted by protracted conflicts preventing refugees from returning to their countries of origin, as well as lengthy resettlement waits to third countries.
- Thanks to the long history of hosting refugees and migrants, there are well-established diaspora communities of refugees and migrants in KL. Community members help each other find accommodation and jobs, as well as provide other support and assistance.

Migration Policy landscape in Malaysia

- Malaysia, like most countries within the region, is not signatory to the 1951 Refugee Convention and its 1967 Protocol. It has no legal framework offering refugees full protection.
- Refugees and undocumented migrants are criminalized under national law. Issues relating to migrants and refugees are viewed as border management and national security issues.
- While Malaysia has, to some degree, historically tolerated the presence of refugees and migrants, there has been limited implementation of targeted integration or social cohesion policies.

Kuala Lumpur, migration and opportunity

- KL offers relative safety and stability for refugees who have fled persecution in their home countries, as it is not affected by armed conflicts, civil wars, and natural disasters.
- The fast-growing economy of KL provides job opportunities for labor migrants, mainly from countries in Asia with high unemployment rates, such as Bangladesh, Indonesia and India.
- KL provides relatively better access to healthcare and education than other locations in Malaysia and compared to the countries of origin of most refugees and migrants. Despite this, there are still significant barriers to accessing essential services such as healthcare and education for refugees and migrants in KL.

- The presence of UNHCR and an active civil society benefit refugees in KL. Refugees and migrants have received support from NGOs and UN bodies since the beginning of the COVID-19 outbreak, mainly in terms of basic needs, such as food, water, and shelter.

Kuala Lumpur, migration and risks

- While there are relative economic opportunities present in KL, destitution is widespread as refugees and migrants struggle to meet their economic needs due to low salaries and high costs of living. Meanwhile, there are added social and cultural barriers to women's engagement in the workforce.
- The exploitation and abuse of migrant workers and refugees has been well documented with recorded cases of overwhelming working hours, no employment contracts, salary deductions, and trafficking. The high costs of migration to Malaysia may also lead to instances of debt bondage and further increase risk of exploitation.
- Access to legal rights and documentation is among the greatest needs for refugees and migrants in irregular situations.

Kuala Lumpur, migration and COVID-19

- COVID-19 has significantly reduced access to work, leading to further destitution among refugees and migrants and a spike in homelessness. According to 4MI data, reduced access to work and consequent loss of income lead to people struggling to cover basic needs and housing.
- COVID-19 has exacerbated existing discrimination and xenophobia. Since the pandemic, Malaysian government rhetoric and public discourse has linked refugees and migrants with COVID-19 transmissions, Rohingya refugees have been specifically targeted, for example, through online petitions calling for the forced deportation of Rohingya back to Myanmar.
- COVID-19 has been used to justify the arrest, detention and deportation of refugees and undocumented migrants in KL since May 2020, as confirmed by 4MI data.

KUALA LUMPUR



1. Introduction

Over the past decades Kuala Lumpur (KL)¹ has been a destination city for hundreds of thousands of refugees and migrants, mainly from within Asia. This study examines the current opportunities and challenges facing refugees and migrants in KL, with a focus on the experience of Bangladeshis and Rohingya, in particular. Rohingya represent the largest refugee population in Malaysia, and while seeking protection first and foremost, they have also come to Malaysia to seek safer and better opportunities. Bangladeshis represent a high proportion of migrant workers coming to Malaysia escaping poverty, climate and environmental changes and in order to seek better opportunities. This study is timely given recent and concerning immigration responses in Malaysia, posing multiple protection risks for refugees and migrants in the country. Starting with a contextual background of migration to KL and an overview of Malaysia's migration policy framework, this case study explores the mixed migration dynamics present in KL from three complementary thematic lenses: 1) KL as a city of opportunities; 2) KL as a city of risks and 3) KL during the COVID-19 pandemic. It draws on MMC's 4Mi data, as well as in depth interviews with migrants and refugees and civil society actors.

Kuala Lumpur, migration and opportunity

KL has the highest concentration of refugees and migrants in Malaysia, mainly thanks to its long history of hosting refugees and migrants, easy access to services, as well as an abundance of employment opportunities in the city. This case study aims to better understand the motivations of refugees and migrants to come and live in KL, along with the opportunities they find in the city. It examines how they support each other, how they are supported by civil society in KL, as well as the contributions they make to the city.

Kuala Lumpur, migration and risks

Despite the many opportunities KL affords, current legal frameworks provide little to no protection for refugees as well as those without legal documentation or work rights. In particular, refugees fleeing persecution are classified as 'illegal migrants' under Malaysia law and are excluded from attaining permanent residency, accessing basic services including healthcare and education and regularized employment, leaving them in precarious limbo as they await lengthy resettlement to third countries. In addition, many migrants seeking access to better opportunities in KL either arrive with, or fall into, irregular status and are at high risk of exploitation and abuse.² In KL, both refugees and migrants in irregular situations risk being arrested, detained, or deported by authorities as they go about their day-to-day lives. This section also examines how people with different legal statuses (including refugees, regular and irregular migrants) and genders may experience different levels of risks.

Kuala Lumpur, migration and COVID-19

Linked to the above, to understand both risks and opportunities in the current moment, it is important to take into consideration the effects of the COVID-19 pandemic on refugees and migrants living in KL. COVID-19 is an important factor that has exacerbated existing vulnerabilities and led to rapid changes in the migration policy and response in KL. Although the Malaysian government initially responded to the pandemic with positive measures such as free testing for Rohingya refugees in Selayang, the situation has progressively deteriorated. Since May 2020, government rhetoric and public discourse has increasingly portrayed refugees and migrants as a source of virus transmission, fueling discrimination and hate speech and underpinning the arrest, detention and deportation of thousands of undocumented migrants and refugees. Meanwhile, with the temporary closure of key migrant industries as well as the informal sector, many migrant workers and refugees have suffered from widespread job loss and increasing destitution during the pandemic. This case study considers the COVID-19 crisis and how it has acted as a risk and threat multiplier.

1 In this case study, Kuala Lumpur is defined as Greater Kuala Lumpur which includes the Kuala Lumpur city center and its surrounding urban areas. See Invest KL (2016). [Greater Kuala Lumpur: The Regional headquarters location for multinational companies in Asia](#)

2 The New Humanitarian (2020). [Fear and uncertainty for refugees in Malaysia as xenophobia escalates](#)

2. Methodology

Selection of targeted populations

This case study explores the current opportunities and challenges facing refugees and migrants living in KL focusing on the experience of Rohingya and Bangladeshi communities. These two populations have been selected for several reasons. Rohingya represent the largest refugee group in Malaysia and while seeking protection first and foremost, they have also come to Malaysia in secondary movements from other host countries such as Bangladesh, Thailand, and Indonesia, to seek safer and better opportunities for themselves and their families. Bangladeshis represent a high proportion of migrant workers coming to Malaysia both via regular and irregular channels, escaping poverty, climate, and environmental changes and in order to seek better work and education opportunities. Rohingya refugees and Bangladeshi migrants often work in so-called 3D jobs (dirty, dangerous, and demeaning) at high risk of exploitation and trafficking. Both groups provide an interesting cross-section of life for refugees and migrants in KL. While there may be similarities in the experiences of both groups, for example in the precarity of irregular status, as well as the barriers to accessing essential services, there are also key differences to be noted. While Bangladeshis predominantly come to Malaysia in search of work opportunities, Rohingya are refugees fleeing persecution and as such should be granted international protection under the 1951 Refugee Convention and according to the principle of non-refoulement under international human rights law should not be returned to their country of origin.

Bangladeshis have a long history of migration to Malaysia, mostly driven by the high unemployment rate in Bangladesh coupled by the strong demand for low-skilled labor in Malaysia. Since a Memorandum of Understanding (MoU) between the two countries was signed in 2012, Bangladeshis have made up the majority of Malaysia's plantation and construction labor force.³

However, the high price of migrating from Bangladesh to Malaysia has forced many workers into crippling debt, leading them in situations of debt-bondage to their recruiters or employers.⁴ Other Bangladeshis who migrate through irregular means, come to Malaysia with tourist visas, only to overstay and work undocumented, compounding their vulnerability to abuse, exploitation, arrest, and deportation.

Meanwhile, Rohingya refugees have arrived in Malaysia since the late 1970s seeking protection from ongoing persecution in Myanmar.⁵ Their arrival to Malaysia has steadily increased since the peak of the Rohingya crisis in 2017 which led to the forced displacement of close to 1 million people – the largest refugee movement in Asia.⁶ While more than 700,000 Rohingya refugees are currently housed in Cox's Bazar refugee camps in Bangladesh,⁷ many have engaged in onward movement to Malaysia seeking greater safety, access to services, work opportunities, and to reunite with family. Historically Malaysia has shown an inconsistent approach to the predominantly Muslim Rohingya, resulting in a situation of reluctant tolerance. As a result, there is an established Rohingya community in Malaysia, with more than 100,000 Rohingya currently living in the country,⁸ 75% of those registered with UNHCR live in KL and its surrounding state of Selangor, Pulau Pinang and Johor.⁹

However, Malaysia's lack of adequate asylum systems has excluded Rohingya refugees from legal protection under national law, exposing them to multiple risks. Recent anti-Rohingya sentiment in the wake of COVID-19 has also fueled nation-wide immigration crackdowns significantly impacting the Rohingya community and has had flow-on effects for other refugee and migrant groups in Malaysia.¹⁰

Data and Methodology

This case study utilizes both quantitative and qualitative data. Primary data was collected through in-depth interviews and 4Mi surveys with migrants and refugees in KL. This data was complemented by desk research with a review of different secondary sources, as well as in-depth interviews with civil society actors.

3 According to the MoU, prospective Bangladeshi migrant workers can register to work in Malaysia for up to 5 years. The agreement prioritizes plantation workers, but also includes other sectors. The monthly minimum wage for those working under the MoU is set at 900 [Malaysian Ringgit, equivalent to USD 216](#). See IPCS (2013). [Malaysia: MoU with Bangladesh on Manpower Export](#)

4 In 2018, a syndicate of 10 Bangladeshi agents was revealed to be monopolizing labor recruitment, charging up to 400,000 Bangladeshi takas (approximately USD 4,700). See VOA News (2019), [Malaysia Readies New Deal for Bangladesh's Fleeced Migrant Workers](#)

5 Kassim, A. (2015). [Transnational Marriages among Muslim Refugees and Their Implications on Their Status and Identity: The Case of the Rohingyas in Malaysia](#)

6 ReliefWeb (2020). [Refugees/Migrants – Southeast Asia](#)

7 OCHA (2020). [Rohingya Refugee Crisis](#)

8 UNHCR (2020). [Figures at a Glance – Malaysia](#)

9 German Development Institute (2018). [\(Re\)negotiating Refugee Protection in Malaysia: Implications for Future Policy in Refugee Management](#)

10 Malaymail (2020). [Over 100 UN cardholder refugees in KL facing eviction amid immigration crackdown on undocumented migrants](#)

What is the Mixed Migration Monitoring Mechanism Initiative (4Mi)?

Set up in 2014, 4Mi is a unique network of field monitors situated along frequently used routes and in major migratory hubs. It aims to offer a regular, standardised, quantitative and globalised, system of collecting primary data on mixed migration. 4Mi predominantly uses a closed question survey to invite respondents to anonymously self-report on a wide range of issues that results in extensive data relating to individual profiles, migratory drivers, means and conditions of movement, the smuggler economy, aspirations and destination choices. 4Mi data allow MMC and its partners to inform migration policies, debates, and protection responses for people on the move through the production of high-quality quantitative analysis grounded in evidence.

Quantitative data

Since May 2020, through the 4Mi COVID Migrant Survey,¹¹ MMC Asia has been interviewing Rohingya and Bangladeshis in Malaysia to better understand their migration experiences and needs during the COVID-19 pandemic. Quantitative data for this study was drawn from 4Mi interviews implemented in the states of Johor, Kedah, Kelantan, Kuala Lumpur, Malacca, Pahang, Pulau Pinang, and Selangor in Malaysia. Datasets were extracted for KL for the period of May-August 2020 with a total 101 observations,¹² including 23 Bangladeshi and 78 Rohingya respondents.¹³ More than half of Rohingya respondents were women, while Bangladeshi respondents were primarily men (96%).¹⁴

Qualitative data collection

While many important aspects of Rohingya and Bangladeshi life in KL has been captured through the 4Mi COVID Migrant Survey, many aspects, particularly the experience of discrimination and protection risks, benefit from the more in-depth qualitative examination. As part of this study, 10 in-depth interviews, including 3 interviews with Rohingya respondents, 3 interviews with Bangladeshi respondents,¹⁵ and 4 interviews with civil society actors (2 NGO officials and 2 refugee and migrant advocates) were conducted in order to attain a more comprehensive picture of mixed migration dynamics in KL.¹⁶

The recruitment of refugee and migrant respondents was done through two 4Mi monitors (1 from the Bangladeshi community and 1 from the Rohingya community). The monitors recruited participants using their existing community networks, employing convenience sampling. The interviews were conducted via WhatsApp with translation assistance from monitors.

In-depth interviews with civil society actors, including non-governmental organization (NGO) workers and refugee/migrant advocates, were also conducted over WhatsApp. These interviews were conducted to complement information directly collected from refugees and migrants themselves, as well as to provide additional insights into current rights violations and suggest desirable policy recommendations. In selecting interviewees, purposive sampling was used.

Table 1: Quantitative data collection overview

Data collection instrument	Target groups	Number of respondents
Interviews with key informants	NGO representatives	2
	Refugee and migrant advocates	2
Interviews with key informants	Rohingya	2 women, 1 man
	Bangladeshi	3 men

11 Since April 2020, MMC has adapted its 4Mi program to assess the impact of COVID-19 on refugees and migrants. Accordingly, data collection has shifted to remote participant recruitment and surveys have been conducted via phone. See Mixed Migration Centre (2020). [MMC adapts its 4Mi program to assess the impact of COVID-19 on refugees and migrants](#).

12 Respondents in the 4Mi survey have to meet the criteria: (i) 18 years old and above, (ii) having arrived in Malaysia within the past 24 months, (iii) from either Bangladesh or Myanmar.

13 Since July 2020, MMC has implemented a revised COVID-19 4Mi survey with an increased emphasis on the impact of COVID-19 on migration journeys and protection risks. Similar questions from the revised survey (implemented in July-August 2020, n=48) have been merged, or recoded when appropriate, with the previous COVID-19 4Mi survey (implemented in May-June, n=53) for this case study.

14 The high proportion of male respondents from Bangladesh is likely to reflect the high number of Bangladeshi migrant men, compared to women, in Malaysia. See <http://www.data.gov.my/data/dataset/jumlah-pekerja-asing-plks-aktif-mengikut-jantina-dan-negara-sumber/resource/e5353b72-0b63-4f3a9b39-047c513952c5>

15 Criteria for selecting KII respondents are the same as for the 4Mi survey.

16 Due to the COVID-19 situation, all in-depth interviews were conducted on the phone by the MMC-Asia Researcher using snowballing method. All information about interviewees is anonymized.

Secondary sources

Secondary sources were referred to, primarily to provide information on migration dynamics in KL and Malaysia, Malaysian government policy, and the national response to the COVID-19 pandemic. These included academic research, media reports, government documents, gray literature, and operational dashboards from NGOs and international organizations

Limitations and ethics

Several limitations to the data are worth noting. As the 4Mi sampling process is not randomized the survey responses do not represent the entire refugee and migrant population in KL. Additionally, the responses of survey

participants in the 4Mi survey cannot be independently verified, and response bias may be a factor. Nonetheless, the findings from the survey can provide important insights into the current situation refugees and migrants are facing in KL.

Informed consent and anonymity were communicated clearly with participants before, during, and after the interviews. Given the increased risks facing refugees, migrants, and reporters in Malaysia as indicated through a series of arrests of journalists, both monitors' and participants' safety was at the forefront. All information has been carefully anonymized and verified with participants prior to publishing.

3. Mixed Migration Dynamics in Kuala Lumpur

A brief history of migration to Malaysia

There is a long history of migration to Malaysia. During the British colonial period, Chinese and Indian migrants moved to Malaysia to fill labor shortages in plantation, mining, and other sectors of the economy.¹⁷ Later on, with Malaysia's industrialization process heavily dependent on export-oriented labor-intensive industries, the recruitment of foreign labor became an important developmental strategy. Today, the strong demand for lower-skilled foreign workers continues, and together with open visa policies, make Malaysia an attractive destination for labor migrants from the region. This includes migrants coming to Malaysia through regular pathways with work permits, as well as migrants arriving and/or working in irregular situations without the legal right to work.

Furthermore, while Malaysia is not party to the 1951 Refugee Convention, it has historically been a safe haven for refugees fleeing persecution in the region. In the 1970s, Vietnamese refugees fled the Vietnam War and were housed by Malaysia before being repatriated.¹⁸ Also during the same period, Filipino refugees from Mindanao came to Malaysia and were granted residence permits. In both cases, refugees were initially housed in camps and provided with basic necessities administered by the UNHCR. Similarly, ethnic Chams fleeing Cambodia in the 1970s and Bosnians coming to Malaysia in the 1990s were provided the option of residence. In 2005, Acehnese

fleeing ethnic violence in Indonesia were also provided temporary residence.¹⁹ More recently Muslim-majority Malaysia has been a primary protection destination for Muslim refugees fleeing persecution from countries such as Myanmar, Afghanistan, Yemen, and Palestine.²⁰

Migration characteristics in Kuala Lumpur

An attractive destination for refugees and migrants living in Malaysia

With an urban population of more than 7 million people,²¹ KL and its immediate surrounds constitute the largest and most industrialized urban area in Malaysia. KL has the highest concentration of refugees and migrants in Malaysia, mainly thanks to its long history of hosting refugees and migrants, easy access to services, as well as an abundance of employment opportunities in the city. A study in 2014 estimated that there were more than 2.5 million documented migrants and around one to two million undocumented migrants in KL,²² predominantly from surrounding countries with high unemployment rates such as Indonesia, Bangladesh, Nepal, Myanmar, and India.²³ KL also has a large number of refugees and people seeking asylum, with KL city center alone currently hosting nearly 28,000 UNHCR-registered refugees and asylum seekers, mainly Rohingya from Myanmar.²⁴

17 Kaur, A (2008). [International Migration and Governance in Malaysia: Policy and Performance](#)

18 German Development Institute (2018). [\(Re\)negotiating Refugee Protection in Malaysia: Implications for Future Policy in Refugee Management](#)

19 ibid

20 UNHCR (2020). [Figures at a Glance – Malaysia](#).

21 UN (2018). [The World's Cities in 2018](#)

22 Juzwiak, T. et al (2014). [Migrant and refugee integration in global cities: the role of cities and businesses](#)

23 Government of Malaysia (2020). [Number of Foreign Workers by 30 June](#)

24 UNHCR (2020). [Figures at a Glance – Malaysia](#).

Refugees and migrants in KL are diverse

Refugees and migrants living in KL come from diverse backgrounds. Drivers of their migration are mixed, including fleeing persecution, conflict, violence, and poverty, reuniting with family, as well as seeking better employment prospects and access to education – or sometimes a combination of the above. Refugees and migrants also come from various ethnic groups and cultural backgrounds, even if they are from the same country of origin or region. For instance, refugees from Myanmar are comprised of Muslim Rohingya and Christian Chin, among other ethnic and religious groups. The heterogeneity of refugee and migrant populations in KL mirrors the heterogeneity of the city itself, which is comprised of various ethnic and religious groups representative of the diverse population of Malaysia.

Additionally, refugee and migrant groups in KL are also diverse in terms of demographic characteristics, reflecting the various migration contexts of different groups. For example, there is a high proportion of Bangladeshi men working and living in KL, sending remittances back to their families in Bangladesh. Meanwhile, Rohingya refugee populations include a larger share of women and children seeking longer-term safety and protection from the protracted conflict in Rakhine State, or deteriorating conditions in Cox's Bazar refugee camps. Even though their motivations for leaving may differ significantly, the factors attracting migrants and refugees to KL are similar.

Migrants and refugees are in KL for the medium to long term

Among those interviewed, refugees and migrants reported that they intended to stay in KL for the medium to long term. According to 4Mi survey data, more than half of the respondents have been in Malaysia between 12-24 months,²⁵ with more than 60% (n=101) reporting that Malaysia is their final intended destination.

KIIs with both Rohingya refugees and civil society actors suggested various reasons for Rohingya refugees' preference to stay for longer periods of time in KL. First, lengthy resettlement processes have resulted in a situation of involuntary immobility for refugees and asylum seekers in the country.²⁶ Secondly, as the UNHCR office is currently based in KL, many asylum seekers reportedly wish to remain in close proximity while awaiting their application decisions and resettlement. Lastly, the protracted conflict in Rakhine State and ongoing persecution faced by Rohingya in Myanmar prevents their safe return.²⁷

"I sometimes dream of going back to Rakhine state when the situation gets better, only if there were no more killings, no persecution, no displacement, and only if I could live like other ethnic groups in Myanmar."

(25-year-old Rohingya woman, interviewed in KL, Malaysia)

"I hope that there will be safety for Rohingya people so that we can live with dignity and basic rights in Rakhine state. For now, I cannot go back."

(28-year-old Rohingya man, interviewed in KL, Malaysia)

Meanwhile, due to high migration fees, Bangladeshis reported that they intended to stay in Malaysia for several years in order to earn enough money to pay off their debts before returning home. A study by ILO in 2014 estimated that an average migrant worker from Bangladesh has to spend 250,000 – 300,000 Bangladeshi takas (approximately USD 3,000 – 3,600) on recruitment and migration to Malaysia.²⁸ KIIs with two Bangladeshi migrants in irregular situations, reported that they were stranded in KL as their lack of documentation limited their mobility within Malaysia and meant they could not travel back to Bangladesh or onwards to another country.

"Nowadays some smugglers in our country of origin provide personal loans for journeys. That money sometimes needs to be paid back double or with higher interest."

(28-year-old Rohingya man, 4Mi respondent in KL, Malaysia)

Refugees and migrants live close to their social networks and employment opportunities

Refugees and migrants are spread across KL, however communities have formed in Cheras, Ampang, and Selayang areas.²⁹ KIIs with Rohingya community members showed that friends and family have been essential in finding their accommodation and also the area in which they lived. Among Bangladeshis seeking work opportunities in KL, living locations were more likely to depend on their workplace, with a high number of Bangladeshis usually concentrated around construction sites or plantation farms, for example.

25 The 4Mi survey specifically targets respondents who arrived in Malaysia within the last 24 months.

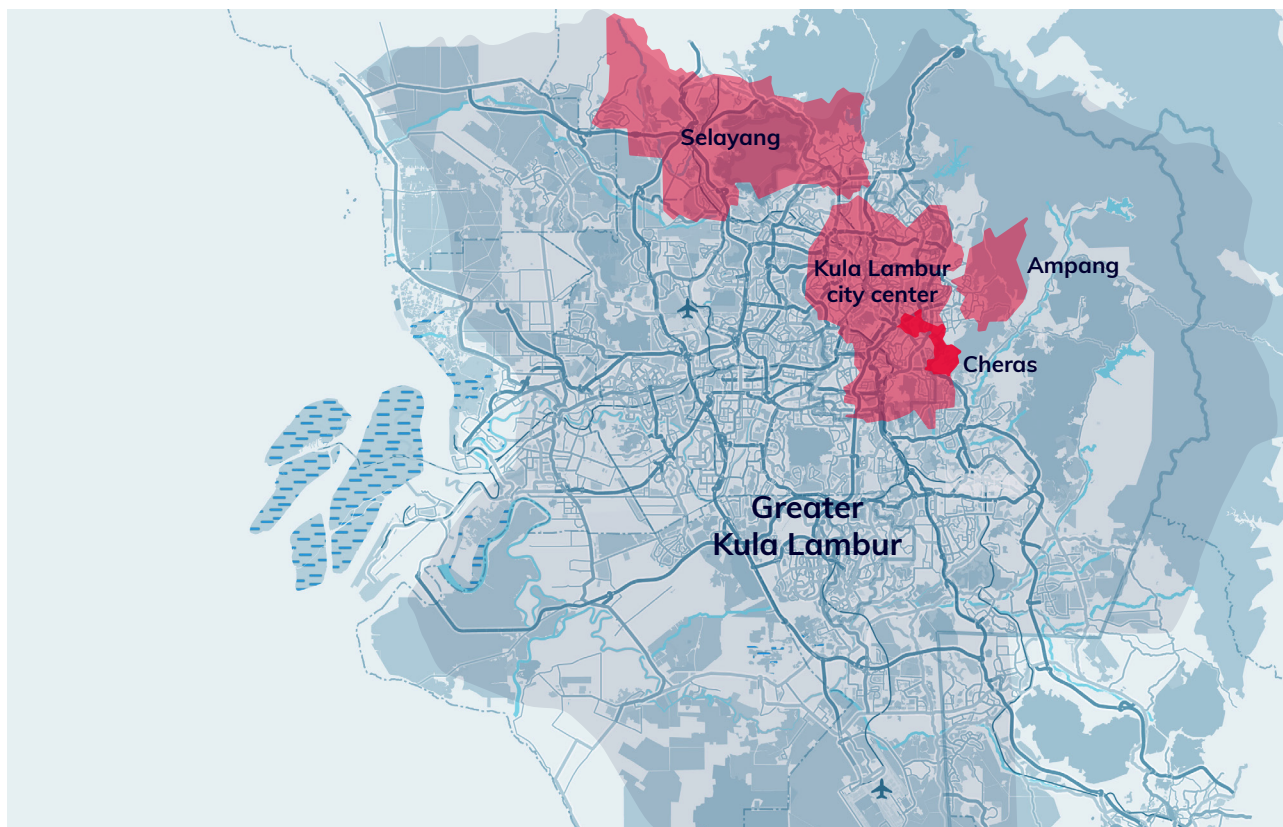
26 IWRAW (2019). [When Illegality is the Starting Point: Refugees and Domestic Violence in Malaysia](#)

27 The New Humanitarian (2020). [Why we Rohingya refugees risk our lives at sea](#)

28 ILO (2014). [The cost: Causes and potential redress for high recruitment and migration costs in Bangladesh](#)

29 MalayMail (2020). [Don't blame us for spreading Covid-19 in Selayang, migrant workers plead](#)

Figure 1: Greater Kuala Lumpur by refugee and migrant concentration



The living situations of refugees and migrants in KL distinguish them from other places in Malaysia. According to one KII with a civil society actor and one KII with a Bangladeshi migrant, outside of KL, refugees and migrants tend to live more separately due to the lower cost of living, lower population density, and smaller numbers of refugees and migrants. In contrast, due to the high rents in KL, often 2-3 families of refugees reported sharing an apartment. Meanwhile, proximity to work sites is a primary consideration for labor migrants when choosing a place to live in KL.³⁰ Many migrant workers live in overcrowded dorms or hostels, sometimes provided by their employers.³¹

The long history of migration to KL means there are strong and established diaspora communities

As mentioned above, refugees and migrants have lived in KL for a long time, forming communities with strong social and support networks. The sense of community is shown not only through the locations refugees and migrants are living in, but also through strong community support structures. This includes numerous community-based organizations who facilitate religious and cultural celebrations, as well as support and assistance.

“We have a whole community here. It is better than living in a separate area because with the community we find it easier and less fearful. We can sit with our people and it makes us feel happy and reminds us of our home country. We are also living very peacefully with other ethnic migrants, such as the Bangladeshis here.”

(28-year-old Rohingya man, interviewed in KL, Malaysia)

“Each refugee and migrant community does privately have their culture. People come here and settle down with their group of the same community. They have their food and dresses. The ethnic ties are very strong. People often gather and celebrate certain events together. They also interact with the local community around where they are accepted.”

(Refugee and migrant advocate, interviewed in KL, Malaysia)

30 Nah, A. M. (2010). [Refugees and space in urban areas in Malaysia](#)

31 VOA News (2020). [Singapore's Coronavirus Outbreak Sends Malaysia Scrambling to Test Migrant Workers](#)

Strong diaspora communities in KL are particularly significant in times of crisis. For instance, during the COVID-19 pandemic, Bangladeshis interviewed indicated that they were primarily relying on the support of their community to access information on COVID-19 as well as emergency loans in the face of loss of income. KIIs with both Bangladeshis and Rohingya, as well as civil society actors, also suggested that social networks are the most common channel for finding employment among refugees and migrants.

“Bangladeshi people do as much as they can to help each other. We can talk to each other and support each other mentally. If someone lost his job, other people in our community will have some information and connect him with a new employer.”

(25-year-old Bangladeshi man, interviewed in KL, Malaysia)

4. Migration policy landscape in Malaysia

Refugees and undocumented migrants are criminalized under national laws

Issues relating to migrants and refugees in Malaysia have been managed by the Ministry of Home Affairs and the National Security Council (NSC), and have been viewed as border management and national security issues. According to the Immigration Act 1959/63, undocumented migrants, including refugees, will be criminalized and punished by detention, imprisonment, and deportation.³² A further amendment to the act in 2002 saw the inclusion of harsher punishment and discrimination against foreign workers while protecting the ultimate rights of Malaysians. For instance, Section 60N states that where an employer has to reduce their workforce, they may not terminate the services of a local employee before terminating the services of all foreign employees in a similar capacity.³³

“Smuggling and trafficking are the real security threats, not migrants or refugees. [...] The government needs to think seriously about how to regulate migrants and refugees so that they become assets to the country. There are social obligations and security concerns but we cannot put it above fundamental human rights.”

(Refugee and migrant advocate, interviewed in KL, Malaysia)

Refugee policy is de facto and unpredictable

Malaysia is an example of a country that is housing a large number of refugees outside any protective legal framework. Ad hoc policies are therefore largely dependent on refugees' country of origin or ethnic group, as well as their social and economic contributions to the country.³⁴ As mentioned, while in the past, some refugee groups were granted the option of residency in Malaysia, Rohingya who started to arrive in Malaysia since the late 1970s have not been granted residency rights and are considered 'illegal migrants' under the national law.³⁵ While work rights for Rohingya in Malaysia were previously piloted for a small group of palm oil plantation workers, this has not been mainstreamed, mainly due to a lack of political will.³⁶ According to KIIs with civil society actors, the Malaysian government historically does not want to be seen to incentivizing refugees to come to Malaysia, rationale for the lack of change on this issue. In an attempt to ensure some protections for refugees, an Attorney General's Circular in 2005 provided a degree of immunity from prosecution for illegal entry for all asylum seekers and refugees registered with the UNHCR.³⁷ However, the enforcement of this is weak and unregistered individuals continue to face heightened risk of arrest and detention under national law.

While the law offers little to no protection of refugees and people seeking asylum in Malaysia, the government generally does not impede the efforts of UNHCR, NGOs, civil society organizations (CSOs), and community-based organizations assisting those in need.³⁸ Specifically, as there is currently a lack of legislative and administrative provisions in place to manage refugees and people

32 German Development Institute (2018). [\(Re\)negotiating Refugee Protection in Malaysia: Implications for Future Policy in Refugee Management](#)

33 Kaur, A (2008). [International Migration and Governance in Malaysia: Policy and Performance](#)

34 German Development Institute (2018). [\(Re\)negotiating Refugee Protection in Malaysia: Implications for Future Policy in Refugee Management](#)

35 Kassim, A. (2015). [Transnational Marriages among Muslim Refugees and Their Implications on Their Status and Identity: The Case of the Rohingyas in Malaysia](#)

36 Under the pilot scheme in 2016, 300 Rohingya were allowed to work legally in the plantation and manufacturing sectors. See Reuters (2016). [Malaysia in pilot scheme to allow Rohingya refugees to work](#)

37 UNHCR (2016). [Progress under the global strategy beyond detention 2014-2019, mid 2016](#).

38 Kaur, A (2008). [International Migration and Governance in Malaysia: Policy and Performance](#)

seeking asylum in Malaysia, UNHCR performs all duties associated with reception, registration, documentation and refugee status determination.³⁹

There has been limited focus on integration and social cohesion policies

While Malaysia has historically tolerated the presence of refugees and migrants to some degree, rather than focusing on longer-term settlement, the current approach is rather to meet the temporary labor needs of Malaysia. Regular foreign workers, estimated at nearly 2 million by September 2019, constituted up to 20% of the total workforce in Malaysia, with an additional 1-2 million irregular migrant workers residing in the country.⁴⁰ However, Malaysia is reluctantly reliant on foreign labor and has made efforts to reduce the country's dependency on migrant workers, including increasing the retirement age of Malaysian citizens, increasing the participation of women in the labor market, and shifting the levy on hiring migrant workers from employers to migrants.⁴¹ Furthermore, despite all evidence suggesting refugees alongside of migrants contribute to Malaysia's economic development,⁴² the Malaysian government has still prolonged a decision to grant refugees the legal right to work.

“It is very hard for me to see myself as a part of the city, even if I had a higher salary or fewer working hours. We don't have a qualification, we are low-skilled migrants, so people still discriminate against us. [...] I speak a bit of Malay, but even when I speak Malay, they still know that I am a migrant.”

(28-year-old Bangladeshi man, interviewed in KL, Malaysia)

“When refugees and migrants arrive in Malaysia and come to settle in any neighborhood, there is no social integration programs offered by the community, including local councils. Social inclusion doesn't happen naturally. Refugees and migrants need safe spaces, and then events to welcome and orientate them, all of which need to be coordinated.”

(Refugee and migrant advocate, interviewed in KL, Malaysia)

5. Kuala Lumpur, migration and opportunities

Safety, stability, and economic opportunities

KL offers relative safety and stability for refugees who have fled persecution in their home countries

Malaysia is a relatively safe country in the region since it is not affected by armed conflicts, civil wars, or natural disasters. Despite the lack of legal frameworks to protect refugees, many still see KL as a safer destination relative to their countries of origin.⁴³ This was confirmed through KII with Rohingya community members.

“I see Kuala Lumpur as my second home because it is better than Rakhine State. My husband is living here, he can work here. In Rakhine, our people are persecuted, we faced harassment and we felt unsafe there.”

(25-year-old Rohingya woman, interviewed in KL, Malaysia)

The fast-growing economy provides abundant job opportunities

Within the region, KL is one of the largest urban areas and among the most dynamic commercial and business hubs in Asia, while Malaysia is the fourth-largest economy in ASEAN.⁴⁴ KL's economy has been mainly driven by the service and construction sectors with 2019 sector growth rates of 6% and 5.5% respectively.⁴⁵ The city's economy is vibrant in that there are many diverse economic activities and development projects occurring.

Bangladeshi migrants interviewed reported that economic opportunities in KL, coupled with the high unemployment rate in Bangladesh, were the primary drivers of migration. Meanwhile, alongside of safety and security, better economic opportunities, living conditions, and access to services were also reported as motivation for the onward movement of Rohingya from Cox's Bazar in Bangladesh to Malaysia.⁴⁶

39 UNHCR (2020). [Protection in Malaysia](#)

40 ILO (2020). [TRIANGLE in ASEAN Quarterly Briefing Note: Malaysia \(January-June 2020\)](#)

41 ILO (2016). [Review of Labor Migration Policy in Malaysia](#)

42 The Star (2019). [Grant refugees in Malaysia the right to work](#)

43 [Al Jazeera \(2017\). Malaysia: A Rohingya safety haven?](#)

44 ASEAN (2019). [ASEAN Key Figures 2019](#)

45 The 2019 growth rates of agriculture and manufacturing in KL were respective 5.2% and 4.3%. See Department of Statistics Malaysia (2019). [2019 Social-economic report: Kuala Lumpur](#)

46 The New Humanitarian (2020). [Why we Rohingya refugees risk our lives at sea](#)

“The vibrant and dynamic economy of KL means that you can actually survive economically. There are opportunities at plantation farms and construction sites. Besides, you can find small trades and shops by the road or within buildings run by refugees and migrants. There are concerns for those who are irregular workers, but as long as they can get work and money, they risk the authorities.”

(Refugee and migrant advocate, interviewed in KL, Malaysia)

Refugees and migrants are an essential part of the KL economy; many feel like they are contributing positively to the city

Among the refugees and migrants interviewed, many saw themselves as contributors to the development of the city, and some said that they saw KL as a second home.

“I think migrants and refugees, including myself, are helping KL develop. At the construction sites, there are a lot of migrant people with different types of work - we make buildings and bridges. For the beauty of the city as well, migrants cut the grass and clean the city.”

(28-year-old Rohingya man, interviewed in KL, Malaysia)

“I have no power to be a contributor to Kuala Lumpur, except at my workplace where I am growing a lot of vegetables that go to the markets and supermarkets so that people can have clean vegetables at home and in restaurants.”

(28-year-old Bangladeshi man, interviewed in KL, Malaysia)

Indeed, refugee and migrant workers form the backbone of the Malaysian economy with some industries coined as “migrant industries” due to the large number of foreign workers employed. For example, it was estimated that more than a third of all people employed in the Malaysian agriculture sector are migrant workers,⁴⁷ and around 77% of palm oil workers are migrants mainly from Indonesia and Bangladesh.⁴⁸

“It is impossible for KL and Malaysia to develop without migrants. Many 3D jobs are shunned by Malaysians. Refugees and migrants fill those gaps.”

(Refugee and migrant advocate, interviewed in KL, Malaysia)

Access to services and an urban lifestyle

The presence of UNHCR and a vibrant civil society benefits refugees

Without any comprehensive legal framework to protect refugees, UNHCR and civil society actors fill the gap and play a central role in assisting refugees in Malaysia. The government of Malaysia is generally open to these actors supporting refugees and people seeking asylum, mainly through the provision of humanitarian relief. 4Mi data suggest that more than two-thirds of Rohingya respondents (n=78) have received support from NGOs and UN bodies since the beginning of the COVID-19 outbreak, primarily in the form of basic needs, such as food, water, and shelter.

Compared to other cities in Malaysia, KL provides refugees and migrants, to a certain extent, with greater access to healthcare and education

62% (n=101) of the Rohingya and Bangladeshi interviewed as part of the 4Mi survey reported they were able to access healthcare services in KL, should they require them. Despite this, significant barriers to accessing healthcare exist for many refugees and migrants, mainly due to a lack of documentation, fear of arrest and detention, and the inability to pay. While refugees issued with a UNHCR card are eligible for a 50% discount when accessing health services,⁴⁹ healthcare remains prohibitively expensive as refugees are still charged as foreigners, at up to 100 times more than Malaysian citizens.⁵⁰ Meanwhile, two out of three Bangladeshi migrants interviewed reported that they were provided with health checkups at their workplace. However, these remain isolated cases in the wake of COVID-19, and according to the civil society actors interviewed, it is not common practice for employers to provide safety and health services for migrant workers in KL.

Additionally, while refugee and undocumented migrant children do not have access to formal education opportunities, there often are opportunities to attend informal or community-based education in KL.

47 Department of Statistics Malaysia (2019). [Selected Agricultural Indicators 2019](#)

48 Ministry of Plantation Industries and Commodities (2020). [Palm Oil: Unemployed Malaysians should consider working in plantation industry](#)

49 UNHCR (2020). [UNHCR Responds to Allegations of Fraudulent UNHCR cards](#).

50 A 2016 amendment of the 1951 Medical Fees Act stipulates higher charge on foreigners, between 24 to 100 times, more than Malaysian citizens. See The Star (2020). [Proposing a Non-Citizens Health Act for Malaysia](#)

A Rohingya woman interviewed said that the main reason why her family decided to stay in KL was for her children's education as even access to informal opportunities would not be available in other cities or areas of Malaysia. In addition to education for school-aged children, there are also a few NGOs offering vocational training for refugees and migrants in KL.

KL brings a unique urban lifestyle

When asked specifically about what they liked about KL, all interviewed Rohingyas and Bangladeshis said that the city was beautiful and that it offered an urban way of life previously not experienced. Many also mentioned the convenience of KL as a benefit, with the city offering access to a lot of markets, shopping malls, and many beautiful landscapes.

“My hometown is a village, so we don't have many buildings, no shopping malls, and not many markets, nothing like this city life I am having here in Kuala Lumpur.”

(28-year-old Bangladeshi man, interviewed in KL, Malaysia)

“The lifestyle here is very different. Everything is accessible, you can find anything around you.”

(25-year-old Bangladeshi man, interviewed in KL, Malaysia)

6. Kuala Lumpur, migration and risks

Economic struggles and labor rights violations

It is a constant struggle for refugees and migrants to meet their economic needs in KL

While KL offers relative economic opportunities for both refugees and migrants, all the Bangladeshis and Rohingya interviewed reported that it was very difficult for them to earn enough money to survive or save due to the high cost of living in KL, as well as low wages generally afforded to many migrant and refugee workers. Refugees and migrants without work rights are among the most vulnerable as they have to work under the radar without any employment contract that guarantees their payment.

“Undocumented migrants try their best to get employment opportunities, even when they know they will be vulnerable to exploitation. There are indeed cases of safety not being taken into account, or cases of migrants being underpaid or even unpaid.”

(Refugee and migrant advocate, interviewed in KL, Malaysia)

There are added barriers to women's engagement in the workforce

According to 4Mi data, more than half of the female respondents (n=41) were not earning any income prior to COVID-19, while the rest lost their income due to the pandemic. Obstacles for women's access to employment opportunities come both from the labor market and cultural expectations. A Rohingya woman interviewed said that she would love to work in KL, however, men

from her community prefer their wives to stay at home. Nevertheless, there are cases of women who started their businesses by selling products to workers in the street or market.

Exploitation and abuse of refugee and migrant workers has been well documented

Cases of exploitation and trafficking among migrant workers have been well documented in electronics factories, construction sites, domestic work, and the palm oil industries in KL and Malaysia.⁵¹ Refugee and migrant child labor is another alarming issue. While efforts have been made over the past few years in terms of increased conviction of traffickers and establishing greater protections for victims, various forms of labor violations continued to happen, particularly with migrant and refugee workers.⁵²

“The work anxiety is very high because I always work around 12-14 hours a day, and only 1-2 days off per month. Nobody deserves a life like me here in Malaysia, sometimes I feel like I am in jail.”

(25-year-old Bangladeshi man, interviewed in KL, Malaysia)

“I have to wake up at 7 am, and come back at around 7:30 pm, sometimes at 10 pm. I usually have 1-2 days off a week. I don't like my job, but I have no choice, so I have to accept it.”

(28-year-old Bangladeshi man, interviewed in KL, Malaysia)

51 United States Department of State (2017). [Trafficking in Person report: Malaysia](#)

52 United States Department of State (2019). [Trafficking in Person report: Malaysia](#)

“The culture of mistreatment of migrant workers is normalized, like you accept it as part and parcel of being a migrant worker in Malaysia, or you leave. So even with slave-like working conditions, refugees and migrants still make a compromise.”

(Refugee and migrant advocate, interviewed in KL, Malaysia)

According to 4Mi data, 14 out of 36 Rohingya respondents and all Bangladeshi respondents (n=12) reported an increased risk of labor exploitation since the COVID-19 outbreak. In in-depth interviews, all Bangladeshi men, both documented and undocumented, also revealed that they had to work overwhelming long hours, with only a few days off per month and no employment contracts.

“During the coronavirus situation working conditions are very challenging, but still I have to work as 8 members of my family depend on my income.”

(25-year-old Bangladeshi man, 4Mi respondent in KL, Malaysia)

The abuses of migrant workers are often facilitated by recruitment agents

The 2020 Trafficking in Person Report for Malaysia reiterated that employers, employment agents, and brokers exploit migrants primarily through debt-based coercion.⁵³ Two Bangladeshi migrants interviewed revealed the percentage of salary they have to pay each month for recruitment agents is around 25-30%, for recruitment fees and associated travel. A KII with a refugee and migrant advocate also suggested that those agents, or “middlemen”, in most cases provide migrant workers with fake work documents, exposing them to the risks of being arrested and deported.

“The way it works is the company pays the agent, and then the agent pays us. We don’t know how much the company pays, the sum we received is a peanut. Many people are still in debt in my company, that’s why they have to continue working.”

(25-year-old Bangladeshi man, interviewed in KL, Malaysia)

Social and protection risks

There are many pathways to irregularity in Malaysia

Due to the open tourist visa policy and flight connectivity, many labor migrants come to Malaysia on tourist visas, overstay, and/or worked irregularly in the country.⁵⁴ In addition, many arrive in Malaysia with a work permit, but fall into irregularity if they, or their agents, do not renew their documents in time. A 2019 study by World Bank reported that in Malaysia, recruitment agents often undertook the registration and regularization of migrants. The study found that while recruiters received fees from employers and migrants for identification papers and work permits, they often failed to deliver them, leading to irregularity for migrants.⁵⁵ One Bangladeshi migrant highlighted this in an interview:

“Before I worked in this company, my document was for 1 year. After that, my document expired. My agent failed to renew it, but they kept all my documents, including my passports, so I became undocumented.”

(25-year-old Bangladeshi man, interviewed in KL, Malaysia)

The COVID-19 pandemic has compounded this further, with restrictions of movement leading to the inability to renew documentation in time.

“During the coronavirus situation, a lot of migrants became ‘illegal’ because there’s no way we can renew our visas.”

(31-year-old Bangladeshi man, 4Mi respondent in KL, Malaysia)

Access to legal rights and documentation is among the greatest needs of refugees and migrants

As mentioned above, 4Mi data indicates that a lack of legal documentation is the second most cited barrier to accessing health services (26 Rohingya respondents, 8 Bangladeshi respondents, n=101). This has become particularly prominent and problematic during the COVID-19 crisis with refugees and migrants without documentation afraid to leave their homes, even to seek medical care, in fear of arrest and detention.⁵⁶ When 4Mi survey participants were asked about what additional assistance was most needed under the COVID-19 crisis, nearly a third of respondents in KL (8 Bangladeshis, 23 Rohingya) cited legal documentation as one of their greatest needs.

53 United States Department of State (2020). [Trafficking in Person report: Malaysia](#)

54 World Bank (2019). [Malaysia: Estimating the Number of Foreign Workers](#)

55 ibid

56 The New Humanitarian (2020). [Fear and uncertainty for refugees in Malaysia as xenophobia escalates](#)

Discrimination against refugees and migrants in KL is widespread

For a long time, political and public discourse in Malaysia has portrayed refugees and migrants as a threat to national security, public and health safety, and the long term social and economic development of Malaysia, blaming them for disease, crime, and electoral fraud.⁵⁷ All refugees and migrants interviewed reported some form of discrimination and differential treatment, either at work or in their everyday lives.

“I used to work for one construction site. The working hours were the whole day. There were some local Malaysians at my site, they treated me very badly. My employer who was Malaysian kept my salary and forced me to resign from my work. I know it may happen again, but I am undocumented. I cannot show any power or take any action.”

(25-year-old Bangladeshi man, interviewed in KL, Malaysia)

“There is sometimes separation between local Malaysians and migrants, especially migrants working in the construction sector. People think that construction workers are not educated, that we don’t know the culture of Malaysia, that we are poor people. That’s why people look at us in a different way. They think that we don’t know how to talk to people, and sometimes our clothes are very different from them as well.”

(25-year-old Bangladeshi man, interviewed in KL, Malaysia)

7. Kuala Lumpur, migration and COVID-19

COVID-19 has reduced access to work, and increased destitution and risk of exploitation

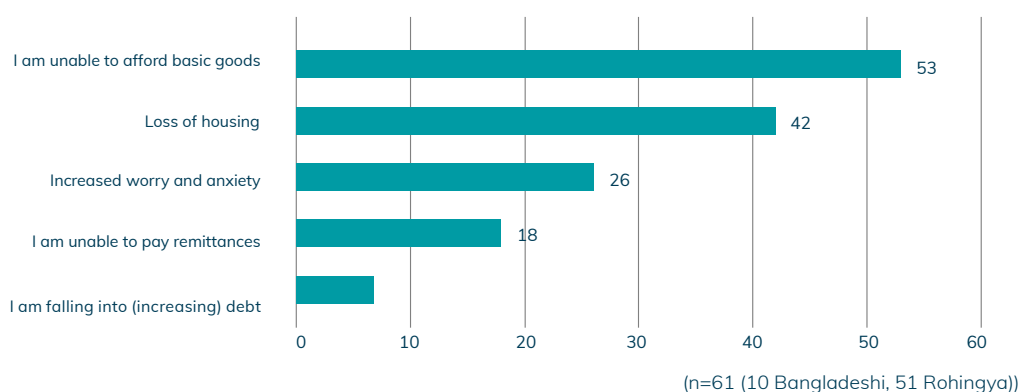
Under the economic impact of COVID-19, employers have prioritized the dismissal of migrant workers ahead of Malaysians, in line with Malaysian law outlined above. This, along with the temporary closure of many “migrant” industries during COVID-19 has resulted in widespread job loss and destitution among refugees and migrants in KL. According to 4Mi data, 82 out of 101 respondents cited reduced access to work as the biggest impact of COVID-19. Meanwhile, all Bangladeshi respondents (n=12) and more than two-fifths of Rohingya respondents (n=36) cited an increased risk of labor exploitation since the outbreak of COVID-19.

“As a family man and a daily worker, I am feeling more worried day by day. We were told we will not be able to work anymore.”

(26-year-old Rohingya man, 4Mi respondent in KL, Malaysia)

Nearly a third of Rohingya respondents (n=78) and more than two-fifths of Bangladeshi respondents (n=23) reported having lost income as a result of COVID-19. Among those who lost income (n=61), many cited the inability to afford basic goods (53 responses) and loss of housing (42 responses), as primary impacts of income loss (see Figure 2). Increased worry and anxiety (26 responses) and the inability to pay remittances (18 responses) were other impacts.

Figure 2: What impact has the loss of income had?



57 ILO (2016). [Review of Labor Migration Policy in Malaysia](#)

The COVID-19 crisis led to a spike in homelessness for refugees and migrants

Section 55E of the Immigration Act 1959/63 (amendment 2002) makes it an offense if landlords rent to people considered “illegal immigrants”. While the law has long been in place without widespread enforcement, the newly formed government in May 2020 used COVID-19 transmission fears as a justification for its widespread implementation. As mentioned previously, Malaysian law does not distinguish between refugees and undocumented migrants, and as a result, homeowners were forced to evict tenants without documentation. Additionally, according to KILs with civil society actors, even without forced eviction many refugees and migrants have been unable to pay rent for months due to COVID-19 induced job loss. As a result, hundreds of refugees and migrants have lost their housing.⁵⁸ This is confirmed by 4Mi data where 40% of respondents (n=101) cited loss of housing as one of the major impacts of income loss under COVID-19 (see Figure 2).

“We haven’t paid our rent for so many months. If it continues, the landlord will drive us out. We also cannot send any money back home. But I know a lot of people are also in our situation.”

(25-year-old Rohingya woman, interviewed in KL, Malaysia)

“I have not been working since the beginning of the lockdown. Now, I feel worried that I have been unable to pay the rent for almost 3 months already. I feel worried that if I cannot work, I may face a lot of difficulties.”

(24-year-old Rohingya man, 4Mi respondent in KL, Malaysia)

Xenophobia and discrimination have escalated during the pandemic

As mentioned above, refugees and migrants report facing widespread discrimination in KL. However, since the COVID-19 outbreak, reports of xenophobia and discrimination have significantly risen. Since the pandemic, Malaysian government rhetoric and public discourse has linked refugees and migrants with COVID-19 transmissions.⁵⁹ While rising discrimination has affected migrants and refugees in general, Rohingya refugees have been specifically targeted. From April 2020, discriminatory and dehumanizing language targeting Rohingya has proliferated on Malaysian social media platforms.⁶⁰ This includes an online petition calling for the forced deportation of Rohingya back to Myanmar.⁶¹ According to 4Mi data, nearly half of Rohingya

respondents (n=78) in KL report increased racism and xenophobia as a result of COVID-19, compared to 0 Bangladeshi respondents (n=23).

“Ever since the coronavirus outbreak began in Malaysia, some locals have been against us and see us as a threat. This makes me feel so stressed and fearful. We don’t know what’s going to happen next.”

(26-year-old Rohingya man, 4Mi respondent in KL, Malaysia)

“I heard about the hate campaigns against us. It made me feel depressed. We already faced xenophobia and discrimination in Rakhine state and that’s why we left our country. We expected it to be better here, but many local Malaysians don’t accept migrants, especially Rohingya people.”

(30-year-old Rohingya woman, interviewed in KL, Malaysia)

“Discrimination is always there. But with COVID-19, it increases to a different level and with a broader scale.”

(25-year-old Bangladeshi man, interviewed in KL, Malaysia)

“All migrants have the same experience of discrimination. Malaysians think that migrants and refugees are uneducated, and our work is dirty. Because of our skin color, they think that we don’t know how to keep sanitation for ourselves. With COVID-19, they think that it is unsafe to get close to us.”

(28-year-old Bangladeshi man, interviewed in KL, Malaysia)

COVID-19 has been used to justify crackdowns targeting refugees and undocumented migrants

COVID-19 is an important factor that has led to rapid changes in the migration policy and response in Malaysia and KL. At the beginning of the pandemic, the government implemented several positive measures, including providing free COVID-19 testing for refugees in Selayang and encouraging refugees and migrants to come forward for testing without fear of arrest.⁶²

58 MalayMail (2020). [Over 100 UN cardholder refugees in KL facing eviction amid Immigration crackdown on undocumented migrants](#)

59 MalayMail (2020). [Don’t blame us for spreading Covid-19 in Selayang, migrant workers plead](#)

60 Human Rights Watch (2020). [Joint Letter Re: End Violent Threats and Anti-Rohingya Campaign](#)

61 Al Jazeera (2020). [Malaysia urged to end violent threats against Rohingya refugees](#)

62 UNHCR (2020). [UNHCR-GoM joint action to prevent, manage COVID-19 infections among refugees](#)

Figure 3: Protection risk perception

Figure 3.1 There is an increased risk of arbitrary arrest and detention since the COVID-19 pandemic began*

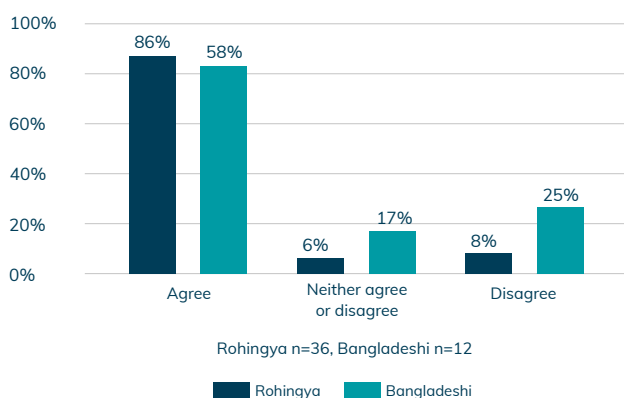
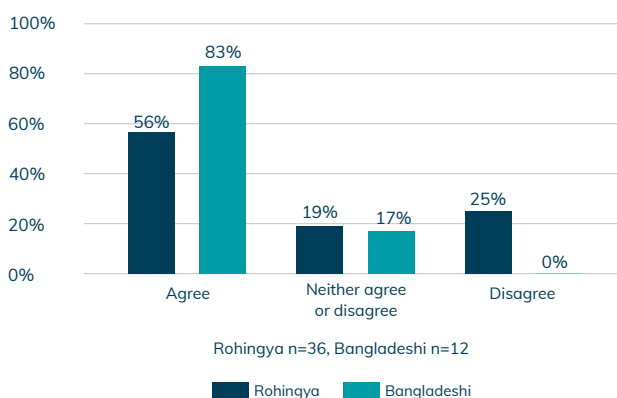


Figure 3.2 There is an increased risk of deportation since the COVID-19 pandemic began*



*The graphs use % in order to make easy comparisons between risks and between Bangladeshi and Rohingya respondents despite the small number of observations (36 Rohingya and 12 Bangladeshi respondents) and the different numbers of observations between 2 groups.

However, since May 2020, the situation has deteriorated with a series of police raids, arrests, detention, and deportation carried out by Malaysian authorities, affecting thousands of undocumented migrants and refugees all over the country.⁶³ The government has justified these arrests as a move to contain the virus.

Most of the respondents in the 4Mi survey agree that COVID-19 has increased their risk of arbitrary arrest, detention, and deportation (see Figure 3). Specifically, concerns about the increased risk of arbitrary arrest and detention were reportedly higher among Rohingya respondents (85%, n=36) than Bangladeshi respondents (58%, n=12). Meanwhile, the increased risk of deportation was reported more by Bangladeshi respondents (83%, n=12) compared with Rohingya respondents (56%, n=36).

COVID-19 has further restricted the movement of people without documentation in KL

COVID-19 increased the restriction of movement for all in Malaysia as the country enforced a strict movement control order (MCO) in March 2020 in an effort to control the spread of the virus.⁶⁴ Alongside the MCO the series of mass arrests of undocumented refugees and migrants, left many reporting not being able to leave their homes to access essential goods and services, or work, for fear of arrest. Some KII respondents also reported having to hide or bribe authorities in order to avoid being arrested. Increased control of movement and rising discrimination and tension in Kuala Lumpur have also led to mounting psychological distress among many interviewed. This is supported by 4Mi data, where increased worry and stress were cited by more than half of the respondents (n=101) as a key impact of COVID-19, (see previous Figure 2).

“After COVID-19, then police raids, everyone is very scared because many undocumented people got arrested within just a few days. [...] COVID-19 makes it very dangerous living in KL. I cannot go anywhere and only stay at my workplace. If I want to buy something, I have to ask my friends who have documents to buy it for me.”

(25-year-old Bangladeshi man, interviewed in KL, Malaysia)

“In my area, when the movement control order was in place, people could not go out. When people went out for shopping for food, they got arrested.”

(28-year-old Rohingya man, interviewed in KL, Malaysia)

“The current coronavirus situation makes me suffer from inexpressible difficulties. While Malaysia has begun its crackdown on migrants and refugees, I couldn’t manage to get any protection and I’m unable to seek asylum as the UNHCR office has been closed due to the virus crisis. I was once stopped by a local authority official and I was asked to pay RM 500 (approximately USD 120) in order to be released.”

(32-year-old Rohingya woman, 4Mi respondent in Kuala Lumpur, Malaysia)

63 VOA News (2020). [Thousands of Migrant Workers Arrested in Malaysia in Major Crackdown](#)

64 The New Humanitarian (2020). [Fear and uncertainty for refugees in Malaysia as xenophobia escalates](#)

8. Conclusions and recommendations

Conclusions

This case study presents the current mixed migration landscape of Kuala Lumpur, focusing on the experiences of Rohingya refugee and Bangladeshi migrant communities. Overall, refugees and migrants in KL are very diverse in terms of demographic characteristics, ethnic and religious backgrounds, as well as their motivations to migrate and live in the city. Regardless of their differences, most tend to stay in KL for a medium to a long period, which is particularly true for Rohingya and Bangladeshi communities. Malaysia's long history of hosting migrants and refugees has resulted in strong diaspora communities forming in KL which function as effective support networks for both established and newly arrived migrants and refugees. Experiences of Rohingya refugees and Bangladeshi migrants throughout the COVID-19 pandemic suggests that these networks are a significant factor in the ability to survive and thrive, particularly in times of crisis.

KL is a city with promises of opportunities. The main reasons for refugees and migrants alike to come to KL is for safety, stability and a better future. On the one hand, Muslim-majority Malaysia has been considered as a safe destination for Muslim refugees who fled religious persecution in their countries of origin. On the other hand, the fast and stable economy creates a large number of job opportunities, both in formal and informal sectors, that refugees and migrants can fill. Migrants and refugees alike have played an important role in key industries in KL, especially plantation and construction. Meanwhile, the presence of UNHCR and an active civil society has facilitated access to assistance when needed. Additionally, many interviewees said that they enjoyed the city's way of life and the beautiful landscapes that KL brings.

Despite all the opportunities, refugees and migrants, especially those without documentation, face multiple risks living in KL. This lack of documentation is a fundamental risk factor that leads to other vulnerabilities, including barriers to accessing health services and education, as well as increasing the likelihood of arrest, detention, and deportation. Additionally, economic struggles have been widely reported, especially after the COVID-19 outbreak with widespread job loss experienced among refugees and migrants. For those who continue working, labor rights violations, including salary reduction, labor exploitation, discrimination at work, are reportedly common. All those risks are within a broader context of increasing securitization of refugee and migrant issues in Malaysia, with the government explicitly discussing potential threats brought by those groups. The negative narratives against refugees and migrants, coupled with the public fear of COVID-19, has triggered rising xenophobia, arrest, detention, and deportation of undocumented refugees and migrants in Malaysia.

Recommendations

Based on these findings, this study puts forward the following recommendations for programming and policy:

1. Implement the objectives and actions of the Global Compact for Migration (GCM), adopted by Malaysia. The GCM also offers a blue print for targeted responses to COVID-19 for people on the move. For example, access to health care should be available for all - irrespective of migration status; maintaining “firewalls” between immigration enforcement and access to services; releasing migrants from immigration detention; extending work and residency permits; regularising status; eliminating discrimination and promoting evidence-based public discourse on migration.⁶⁵
2. Advocate for a politico-judicial framework inclusive of provisions which recognizes the specific rights of all refugees and migrants in Malaysia, regardless of legal status.
3. Advocate for humane responses to border management which upholds people's right to seek asylum and prioritize alternatives to detention.
4. Provide targeted social cohesion policies aimed at ensuring refugees and migrants have opportunities to integrate economically and socially into KL society, for example through granting access to essential services including affordable healthcare and education.
5. Conduct campaigns aimed at combating rising xenophobia and discrimination against refugees and migrants in KL and more broadly in Malaysia, including dispelling harmful myths about the spread of disease and crime.
6. Continue efforts to combat labor exploitation among refugees and migrants in KL:
 - Provide refugees the legal right to work in order to: i) ensure access to livelihoods; and ii) decrease risks of exploitation linked to a lack of documentation and formal work rights.
 - Ensure sustainable livelihood opportunities enforcing policies of mandatory labor contracts and 0 recruitment fees, along with thorough implementation of labor rights standards, to decrease risk of exploitation and trafficking among migrants and refugees.
7. Target initiatives that support and encourage women refugees and migrants to gain access to the labor market in KL.
8. During COVID-19, in consultation with migrant and refugee communities, ensure migrants and refugees in KL:
 - Are integrated into local and national response plans;
 - Have access to free COVID-19 testing without fear of arrest or detention;
 - Are provided with emergency relief including access to basic needs and shelter;
 - are safe from evictions due to lack of documentation.
9. Cease the arbitrary arrests, detention and deportation of refugees and undocumented migrants.

65 For more detailed findings and recommendations on the relevance and use of the GCM in the COVID-19 response see Mixed Migration Centre (2020), [COVID-19 and the Global Compact for Migration. Is a Compact born in a crisis born again in the whirlwinds of three global crises](#); and United Nations Network on Migration (2020), [The Global Compact for Migration \(GCM\): Well Governed Migration as an Essential Element of Effective COVID-19 Response](#).

Annex - Interviews conducted

MMC conducted 10 key informant interviews for this case study. The informants provided inputs based on their first-hand experience of the mixed migration dynamics within Kuala Lumpur (KL). Two main categories of informants were interviewed for this case study: 6 Rohingya and Bangladeshi respondents living in the city for less than 24 months; and 4 civil society actors (2 refugee and migrant advocates and 2 CSO representatives) in KL.

The refugees and migrants interviewed for this case study were contacted by 4Mi monitors (1 from the Bangladeshi community and 1 from the Rohingya community) during July 2020, and key stakeholders participated directly in interviews via WhatsApp with the MMC-Asia researcher during July and August 2020. All information about the participants is anonymized, including the names of current organizations of civil society actors.

Table 2: Refugee and Migrant Interviews

#	Date	Country of origin	Sex	Age
1	29 July 2020	Bangladesh	Male	28
2	3 August 2020	Myanmar	Male	28
3	4 August 2020	Myanmar	Female	25
4	5 August 2020	Bangladesh	Male	25
5	7 August 2020	Bangladesh	Male	25
6	7 August 2020	Myanmar	Female	30

Table 3: Civil Society Actor Interviews

#	Date	Country of origin	Sex
1	5 August 2020	Refugee and migrant advocate	Male
2	7 August 2020	Refugee and migrant advocate	Male
3	24 August 2020	CSO representative	Female
4	27 August 2020	CSO representative	Male



The MMC is a global network consisting of seven regional hubs and a central unit in Geneva engaged in data collection, research, analysis and policy development on mixed migration. The MMC is a leading source for independent and high-quality data, research, analysis and expertise on mixed migration. The MMC aims to increase understanding of mixed migration, to positively impact global and regional migration policies, to inform evidence-based protection responses for people on the move and to stimulate forward thinking in public and policy debates on mixed migration. The MMC's overarching focus is on human rights and protection for all people on the move.

The MMC is part of and governed by the Danish Refugee Council (DRC). Global and regional MMC teams are based in Amman, Copenhagen, Dakar, Geneva, Nairobi, Tunis, Bogota and Bangkok.

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