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Malaysia Moves Forward on Legal Status for 10,000 Rohingya Refugees from Myanmar

WASHINGTON DC, November 9, 2004—The U.S. Committee for Refugees (USCR) congratulates the Malaysian government of Prime Minister Ahmad Badawi for granting legal status to some 10,000 ethnic Rohingya refugees and asylum seekers from Myanmar (formerly Burma), which should enable them legally to reside, enjoy some freedom of movement, seek employment, and send their children to school. "This is one of the most significant steps forward we have seen in recent years for refugees formerly 'warehoused' without basic rights," said Lavinia Limón, USCR's executive director. "Malaysia has yet to ratify the 1951 Convention Relating to the Status of Refugees but, with the implementation of this decision, it could effectively extend many of the Convention's rights to thousands of deserving refugees." USCR also commends UNHCR for its creative and pro-active advocacy with Malaysian officials and civil society on this issue and plans a site visit in January to monitor progress on the decision and other refugee policies.

Malaysia currently holds the chair of the Organization of the Islamic Conference (OIC), a body of 56 nations that presently host millions of refugees. "It would be wonderful if Malaysia could use its influence and humanitarian example within the OIC to call upon its members to allow the refugees they host to earn livelihoods and move freely while in exile," said Limón. More than 7 million of the nearly 12 million refugees in the world today have been confined to camps or otherwise deprived of the right to live normal lives—"warehoused," in effect—for ten years or more.

Fleeing ethnic and religious persecution in Myanmar's Northern Rakhine (Arakan) state in the late 1980s and early 1990s, the predominantly Muslim Rohingya have lived in legal limbo without rights in Malaysia, many for over a decade. Their lives on hold, they have effectively been "warehoused" although not formally encamped. In 2001, the government targeted Malaysians employing or housing the Rohingya and other undocumented aliens. Some 8,500 registered with UNHCR and received temporary protection letters, but this provided only limited protection against arrest and detention and few legal rights to earn a living.

In another positive development, local and national authorities have begun cooperating with UNHCR in the registration of Acehese refugees and asylum seekers from Indonesia in the first such operations outside of the capital, Kuala Lumpur. USCR calls upon Malaysia to extend the same legal status as it has to the Rohingya to some 8,000 Indonesian refugees and asylum seekers, who have been the victims of large scale arrest, detention, and forcible return (refoulement) in the recent past.

"We trust the government will move quickly to implement this decision with clear guidelines to all law enforcement personnel. We ask that it also make explicit the right of the Rohingya to own property, extend this status to other refugees and asylum seekers, and relax restrictions on the movements of the 57,000 Filipinos to whom it has already granted such status in Sabah, which will further demonstrate the courage and leadership displayed in its recent decisions," said Limón.

The U.S. Committee for Refugees (USCR) is a public information and advocacy program of Immigration and Refugee Services of America (IRSA), a nongovernmental, non-profit organization. Since 1958, USCR has defended the rights of refugees, asylum seekers, and internally displaced persons worldwide.

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