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### **Sustaining Livelihood for Rohingya Refugees in Malaysia Employing an Integrated Approach: A Concept Paper**

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#### **Abstract**

Rohingya refugees who have suffered genocide in their home country Myanmar live in semi-urban and major city areas in Malaysia in search of economic opportunities to make a living while waiting for durable solutions accorded to them. This has forced them to engage in informal economy by undertaking various types of occupation and income-generating activities including temporary, unskilled and low wage workers albeit risks of arrest and exploitation. It is therefore a need for a comprehensive and integrated study of the status of Rohingya refugees in Malaysia to identify their challenges, classify their coping strategies and develop an integrated intervention policy to address their challenges while considering the legitimate concerns of the Malaysian government and society. Thus, there is a need to address and alleviate barriers to refugees' ability to legally seek work in Malaysia.

#### **Keywords**

Economy, Policy, Refugee, Rohingya, Sustainability

## **Introduction**

Malaysia is not a signatory to the UN Refugee Convention and therefore refugees are unable to access protection, legal employment opportunities, and public services. Consequently, the survival options are severely limited for these refugees. Subsequently, a growing number of Rohingyas are taking unprecedented risks by turning to unregulated and illegal informal labour markets and low-paying employment opportunities to sustain their livelihoods and meet basic survival needs in Malaysia. About 181,510 of the registered refugees are those coming from Myanmar with about 103,560 being Rohingyas (UNHCR<sup>1</sup> Malaysia, 2022). Amongst the refugees and asylum seekers in Malaysia, about 33% are women, 67% men and 45,650 are children below the age of 18 years. The states/provinces of Selangor (70,101), Kuala Lumpur (29,601) and Pulau Pinang (19,737) have the highest number of "persons of concern (PoCs)" (refugees and asylum seekers) in Malaysia. (UNHCR Malaysia, 2022).

This is due to the fact that, Malaysia does not have any responsibility towards refugees who migrate into the state, as Malaysia is a non-signatory state to 1951 UN Convention relating to the status of refugee and its 1967 Protocol (Nasir, Salleh, & Haque, 2019). Since Malaysia is yet to be a "State Party to the convention", refugees arriving in this country are unable to immediately, or as a right, access protection, legal employment opportunities, and enjoy public services. The effect of such a position by Malaysia has implication on sustaining the livelihood of refugees namely; to cope or recover from stress or, to maintain or enhance livelihood for now and in the future (Serrat, O., 2017) in a foreign land. The absence of legal protection and policies for refugees and an economic policy that restricts the livelihood options for refugees in Malaysia have led to a growing number of Rohingya refugees taking the risk while opting to unregulated informal labour markets and low-paid jobs to sustain their livelihoods. This does not come as a surprise as the informal economy is "synonymous with survival strategies used by the poor, the underprivileged, and those outside of the class system" (Hondagneu-Sotelo, 1997).

The critical problem in this case is the lack of an explicit national integrated approach, either in the form of specific interventions or policy framework, that adequately responds to the needs of the Rohingya refugees in terms of ensuring their sustainable livelihood. By employing the framework of the United Nations Sustainable Development Goals (UNSDGs); a research should not only investigate and analyse the contexts and situations of the Rohingya refugees in Malaysia in terms of their livelihood issues but pursue towards designing an integrated intervention policy recommendation to answer the critical problem of the refugees by enabling them to access legal work opportunities through a regulated scheme.

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<sup>1</sup> The United Nations High Commissioner for Refugees (UNHCR) is a global organization dedicated to saving lives, protecting rights and building a better future for refugees, forcibly displaced communities and stateless people (UNHCR Malaysia, 2022).

## **Main Body Of Paper/Literature Review**

### **Malaysia's Support to the UNSDGs**

Along with the majority of countries in the world, Malaysia has reaffirmed its commitment to support and implement the 2030 Agenda for Sustainable Development and its 17 UNSDGs. Sustainable livelihood can be considered to be a fundamental component of all the UNSDGs set out in the 2030 Agenda for Sustainable Development. Additionally, a key principle of the Agenda is the global commitment to "leave no one behind", which means that no goals are considered met unless it is met for everyone (Melamed, 2015). Even though refugee communities, as marginalised groups, are not particularly mentioned in any of the UNSDGs, going on this principle, their positions, status and wellbeing are just as important to be addressed in moving forward to achieve the targets of the various UNSDGs. As a country that has offered humanitarian assistance to the refugees, particularly the Rohingyas, by receiving them in the past several years, it is time that Malaysia establish a more integrated approach to dealing with these communities to ensure that their wellbeing is taken care of. Above all, there are only a limited number of research which separately address the challenges faced by the Rohingya refugees in Malaysia, their coping strategies and also the need for a livelihood integrated intervention for them in Malaysia. The precarious position of the Rohingya refugee communities in Malaysia in seeking their livelihood is also clearly against the objectives of UNSDG 8 which endeavours to reduce informal employment and labour market inequality, promote safe and secure working environments while improving access to financial services to ensure sustained and inclusive economic growth (United Nations, 2018).

### **Status of Rohingya Refugees in Malaysia**

While refugees should be accorded access to work under international law, national and local policies to deliver and enforce such rights are often lacking (Asylum Access, 2014). Host countries that implement policies that require refugees to live in camps (known as encampment policies) are particularly problematic. While camps initially provide refugees access to humanitarian assistance and support, they offer few opportunities for refugees to use their skills and experience, limiting the development of new human capital, or to earn a living. As humanitarian assistance dwindles over time, refugees are compelled to find ways to support themselves and their families outside the camps (Umlas, 2011).

Likewise, the Rohingya who began arriving in the early 1990s were not granted residency rights and are still considered illegal under the Malaysian immigration law. Rohingya refugee's population in Malaysia is considered to be an entirely urban population, as there are no refugee camps in Malaysia. The majority of refugees are concentrated around the capital (Kuala Lumpur), and the surrounding Klang Valley district, though there are also sizable populations in other

areas of the country, including Penang. Despite the Rohingya refugees not being subject to physical violation in Malaysia, their daily lives are in uncertainty due to the government policy which does not recognize them the status of refugees (Khairi, et al, 2018). Malaysia does not intend to sign a convention relating to the status of refugees because it will be a factor that will contribute to the number of illegal immigrants and problems brought by them.

### **Socio-Economic (Livelihood) Sustenance**

Even in host countries without encampment policies, or in countries where no refugee camps exist such as Malaysia, they are generally denied permission to work legally and must resort to informal labour markets where they are at risk of exploitation and abuse (Jacobsen and Fratzke, 2016). A 2014 report examined legal rights and access to work in 15 countries (covering more than 30 percent of the global refugee population) and found that seven of these countries had a complete legal ban on refugee employment, while the remaining eight had significant barriers to employment, such as strict encampment policies and exorbitant permit fees (Asylum Access, 2014). Refugees in these situations have little access to sustainable employment and are dependent on the willingness of local authorities and the host population to turn a blind eye to informal work because of the economic benefits of cheap refugee labour (Letchamanan, 2013). The same situation is observable in Malaysia in terms of Rohingya female refugees as well. The situation of refugees in Malaysia, and the lack of formal support and engagement by the Malaysian government to protect and assist them highlights the marked discrepancy between the needs of refugees and responses to them, leaving refugees in a highly precarious position with limited integration and few of the benefits associated with the care and maintenance policy of assistance and livelihood integrated interventions (Salim, 2019).

### **Socio-Economic (Livelihood) Sustenance\_The Informal Job Sector**

The inability of the majority of the Rohingya respondents to participate in the formal economy is due to many factors. This includes the absence of their right to employment, lack of knowledge, skills and social interaction, as well as their migration history (for example, the Rohingyas new arrivals). However, there are groups of Rohingya respondents who are able to participate in informal economy, undertaking various types of occupation and income generating activities – albeit risks of legal repercussion (Wahab, 2017). The Malaysian government has considered, and in multiple instances publicly announced (in late 2015) (Kumar, 2015), the creation of temporary work permits enabling Rohingya refugees to undertake legal employment in Malaysia. However, these schemes have yet to be successfully adopted and implemented – the 2006 plan to issue 10,000 temporary work visas, for example, was halted after a few days amidst corruption claims (Cheung, 2012; Needham, 2011; Hoffstaedter, 2015).

In Malaysia, the informal economy includes informal sector enterprises that are not registered under the Companies Commission of Malaysia (CCM), and with less than 10 workers (ILMIA, 2016). Participation in informal economy is one of the very important livelihood strategies for many segments of the society especially the refugees' population (Abdullah et al., 2018). The tenuous legal status of refugees in Malaysia renders them vulnerable to employment-related abuse and exploitation, including non- and partial payment of wages, verbal abuse, arbitrary dismissal, physical abuse, sexual harassment and workplace raids (Smith, 2012). Refugees have little recourse to address these problems, and most incidents go unreported.

### **Education**

UNHCR (2015) estimates that only 40% of refugee children of school-going-age have access to any form of education; as refugee children are prohibited from attending government schools, most education is provided through informal learning centres supported by the UNHCR, NGOs, faith-based organizations and refugees themselves. While refugees with UNHCR cards are able to receive treatment at government health facilities, the cost is often prohibitively high and those without UNHCR cards have extremely limited options for accessing secondary care. Lastly, as Malaysian law (including the Federal Constitution of 1957 and the Malaysian Immigration Act 1959/63) does not provide refugees the legal right to remain in the country, refugees are at risk of exploitation, arrest and detention.

### **Women Oppression**

In Malaysia, many refugee women are not only more vulnerable to domestic violence but must be patient with the husband hitting/battering/abusing the wife which makes it difficult for refugee women to access protection and justice (WAO, 2021). While they are the focus of many of the stories of horror highlighted in the media today, the number of research focusing on their livelihood in Malaysia is very much limited. There are several reports addressing the situation for Rohingya refugees in Malaysia, much of which is in the form of descriptive analysis on laws and policies. However, gender (UNSDG 5) has been a neglected area in these reports mostly due to current studies not taking-up the gender as a variable. These researches are often focused on the household as a whole.

This results in domestic abuse of the Rohingya women which is most definitely a concern as the women have limited rights and little access to outside help (Das, 2020). In a study of married women in Myanmar, 93% of survivors of intimate partner abuse did not seek help (Kyu & Kanai, 2005). This may be due to various social norms discouraging help-seeking which includes victim-blaming and shame associated to victimization (GEN Myanmar, 2014). While Rohingya women have traditionally been discouraged from working (Ripoll, 2017) which has resulted the women not preferring to work outside home (Al Desoukie, 2018), such a

position makes it arduous to address the plight of the womenfolk. These refugees regularly rely on restricted formal or informal support, or are involved in lowly-paid and insecure jobs, essentially living a hand-to-mouth existence. Some resort to risky and illegal strategies such as begging or child labour.

### **Lack of Intervention Policies: Identifying Needs**

Integrated intervention policies generally seek to increase the capacity of households and individuals to provide for themselves by protecting or enhancing their income, skills, and assets in ways that support their own priorities and goals (Zetter, 2014). However, despite the growing interest in and resources devoted to livelihood programs, as yet there is little concrete evidence that current policies are successfully meeting their goals of fostering self-reliance and durable solutions. In general, there is a lack of independent evaluations, hard data, and external assessments of most livelihood programs especially for the Rohingya refugees in Malaysia.

Two recent review studies found “a near-complete absence” of livelihood evaluations, with the few existing evaluations focused on small-scale NGO integrated interventions and largely qualitative in nature (just 20 percent reflected quantitative research) (Mallet and Slater, 2016). The effectiveness of livelihood and development integrated interventions—and the room humanitarian agencies have to facilitate access to opportunities for refugees—depends deeply on both the national and local political contexts and on economic conditions. Yet these constraints are often insufficiently assessed or taken into account during program design.

In addition to host country policies and economic conditions, successful livelihood integrated intervention policies depend on the intentions and motivations of refugees, including their future plans. In many host countries, a proportion of refugees prefer to remain “under the radar” rather than formally register and access the often limited support and services available. In Malaysia, for example, Rohingya refugees have long preferred to make their own way in the informal labour market, rather than declare themselves to UNHCR and subject themselves to the limitations of movement and work associated with refugee status (Stefanovic, et al, 2015).

### **Lack of Intervention Policies: Better Access for Rohingya Men and Women**

While the Malaysian government has been active in promoting awareness about the Rohingya refugees, domestically, thousands of Rohingya refugees continue to languish in poverty and lack rights in the society. The current situation of Rohingya refugees is clearly against UNSDG 16 for promoting peace, justice and strong institutions. Based on the framework of UNSDGs, the research should identify and map the challenges which threaten the sustainable livelihood of both

male and female Rohingya refugees in Malaysia in light of the lack of access to working opportunities, economic resources and public services. The research should aim to design an integrated intervention policy based on UNSDGs for the Government of Malaysia on future long-term programmatic policies toward providing more secure, interim livelihood strategies for Rohingya refugees during the course of their stay in Malaysia. In designing this integrated intervention policy, special attention should be given to the condition of female Rohingya refugees as women face higher risk of endemic rape and sexual abuse, human trafficking and lack access to many of the protection measures and durable solutions than men. Particular attention must be also paid to involving women in income-generating activities, given the high ratio of female-headed households among the Rohingya population and the cultural barriers (in both Rohingya and host communities) against allowing women to work.

### **Proposed Policy**

The proposed policy in this research will address the current policy gaps in the research on Rohingya refugees in the following areas of economy, politics, and International relations as follows (figure 1).

#### *UNSDG1: No Poverty*

#### *UNSDG8: Decent Work and Economic Growth*

- i. From the economic point of view; when these refugees gain regulated access to labour markets, they can build their skills and become self-reliant, contribute to local economies, fuel the development of Malaysia as their hosting community while help their families and households.
- ii. Allowing refugees to benefit from national services and integrating them into national development plans is essential for both refugees and the communities hosting them and is consistent with the pledge to "leave no one behind" in the 2030 Agenda for Sustainable Development which Malaysia is a signatory of.

#### *UNSDG16: Peace, Justice and Strong Institutions*

- i. From a political and social interest viewpoint; this integrated intervention policy provides the opportunity for Rohingya refugees to register themselves which eventually could push for greater recognition of their legitimate rights in Malaysia (being a temporary land until situation in the home country eases).
- ii. It will help to dispel notions of refugees as illegal immigrants who prey on the goodwill of Malaysians, as well as help prevent the politicization of such vulnerable groups.
- iii. A system of registration as a part of the proposed integrated intervention policy- is advantageous from a national security point of view. This is



because undocumented refugees are viewed a major security concern for a country, even if not a threat.

*UNSDG17: Partnerships of the goals*

- i. From the regional and international point of view; the proposed integrated intervention policy also helps regularize the status of refugees which will not only improve Malaysia’s national prestige, but also demonstrate Malaysia’s regional leadership.
- ii. Malaysia will be initiating a positive change in the way neighbouring countries and ASEAN approaches forced migration in the region, which will pave the way for increased international partnerships.

Table 1 UNSDGs linked to the research

<b>Economy</b>	<b>Politics</b>	<b>International Relations</b>
UNSDG 1: No Poverty <ul style="list-style-type: none"> <li>• Basic needs                             <ul style="list-style-type: none"> <li>• Food</li> <li>• Health</li> </ul> </li> <li>• Access to Technology</li> <li>• Education</li> <li>• Social discrimination</li> <li>• Security</li> </ul>	UNSDG 16: Peace, Justice and Strong Institutions <ul style="list-style-type: none"> <li>• Discrimination</li> <li>• Rights/voice</li> <li>• Safety</li> </ul>	UNSDG17: Partnerships of the goals.
UNSDG 8: Decent Work and Economic Growth <ul style="list-style-type: none"> <li>• Jobs</li> <li>• Skill</li> <li>• Income</li> <li>• Inadequacy</li> <li>• Monetary aid</li> </ul>		

This research therefore aims to develop a national integrated intervention policy for sustainable livelihood of Rohingya refugees in Malaysia. The policy is inspired by the:

- i. UNHCR Comprehensive Refugee Response Framework, the New York Declaration for Refugees and Migrants (UNGA, 2016), and
- ii. The UNHCR Graduation Approach (UNHCR USA, 2016)

**UNHCR Comprehensive Refugee Response Framework: The New York Declaration of Refugees**

The New York Declaration sets out the key elements of a Comprehensive Refugee Response Framework (CRRF) to be applied to large-scale movements of refugees and protracted refugee situations. The CRRF focuses on the importance of supporting those countries and communities that host large number of refugees,



promoting the inclusion of refugees in host communities, ensuring the involvement of development actors from an early stage, and developing a 'whole-of-society' approach to refugee responses. Its four key objectives are to:

- i. Ease the pressures on host countries and communities,
- ii. Enhance refugee self-reliance,
- iii. Expand third-country solutions, and
- iv. Support conditions in countries of origin for return in safety and dignity.

Hence, the CRRF will serve as a macro concept originally conceived as a livelihood program for people suffering from poverty. It was first implemented in 2002 in Bangladesh by BRAC (Bangladesh Rural Advancement Committee) which targeted the poor that they could engage in activities supported by other livelihoods programs. This concept combines social protection and empowerment, income generation, and financial inclusion in a time-bound, sequential, and intensive way that seeks to "graduate" the poorest out of poverty. Following this is the Graduation Model Sustainable Livelihoods which will serve as a micro concept. In combination, the models are represented in the following sequence (table 2).

Table 2 Mapping the Comprehensive Refugee Response Framework (CRRF) to the Graduation Model Sustainable Livelihoods mapped to this research

<b>Comprehensive Refugee Response Framework (CRRF)</b>	<b>Graduation Model Sustainable Livelihoods</b>
Enhance refugee self-reliance	Increased assets Food security
Expand third-country solutions	Savings and Financial Inclusion Psychosocial Wellbeing Increased Social Capital Productive Skills
Support conditions in countries of origin for return in safety and dignity	Psychosocial Wellbeing Increased Social Capital Productive Skills

The components within the Graduation Sustainable Livelihoods will serve to develop the research objectives as shown in table 3.

Table 3 The Graduation Model Sustainable Livelihoods mapped to the variables

<b>Graduation Model Sustainable Livelihoods</b>	<b>Research Scope</b>
Increased assets	Urban Sustenance
Food security	Urban Sustenance
Savings and Financial Inclusion	Sustaining livelihood Urban Sustenance Wages

<b>Graduation Model Sustainable Livelihoods</b>	<b>Research Scope</b>
Psychosocial Wellbeing	Jobs Work Condition Extortion and ill-treatment Oppression within internal circle Discrimination
Increased Social Capital	Livelihood Enforcement
Productive Skills	Literacy Jobs

The research scope mapped to the UNSDGs is depicted in table 4.

Table 4 Justifying the research scope (variables) to the UNSDGs

<b>Research Scope (variables)</b>	<b>UNSDGs</b>
<ul style="list-style-type: none"> <li>• Literacy</li> <li>• Livelihood</li> </ul>	UNSDG 1- No poverty
<ul style="list-style-type: none"> <li>• Urban Sustenance</li> <li>• Livelihood</li> <li>• Wages</li> <li>• Jobs</li> <li>• Work condition</li> </ul>	UNSDG 8- Decent work and Economic Growth
<ul style="list-style-type: none"> <li>• Enforcement</li> <li>• Extortion and ill-treatment</li> <li>• Discrimination</li> <li>• Oppression within internal circle</li> </ul>	UNSDG 16- Peace, Justice and Strong Institutions
<ul style="list-style-type: none"> <li>• Enhance refugee self-reliance;</li> <li>• Expand third-country solutions; and</li> <li>• Support conditions in countries of origin for return in safety and dignity.</li> </ul>	UNSDG 17-Partnerships of the Goals

In short, the flow of the research is depicted in figure 4.

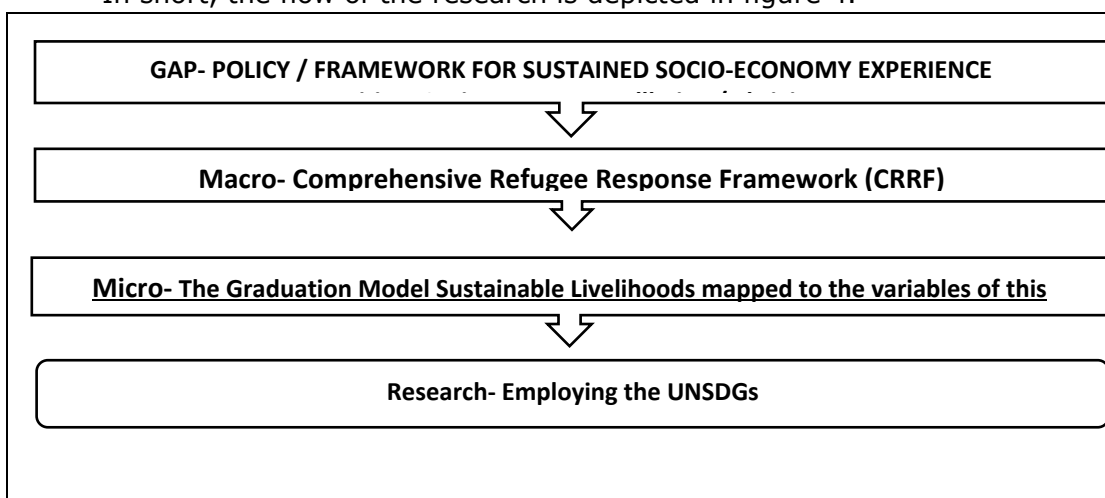


Figure 4 Proposed research flow

## **Research Objectives**

To suggest such a policy, there is a need to investigate and analyse the contexts and situations of the Rohingya refugees in Malaysia in terms of their livelihood issues with a view to propose an integrated approach; by means of such as a policy, practice and interventions, that facilitate the refugees' achievement of sustainable livelihood as a result of employing the framework of the UNSDGs. The current proposed integrated intervention policy based on the UNSDGs framework will assist the Malaysian government to address the security, social and economic challenges of the refugees while helping the future policies set forth by the Government of Malaysia with regards to Rohingya refugees. Specifically, the objectives should be to:

- i. Map the current livelihood status of Rohingya refugees in Malaysia by recognizing the specific challenges and the different categories of challenges that the Rohingya refugees face;
- ii. Assess their livelihood challenges and coping strategies by generating insights into their activities and outcomes and constrains pertaining to their livelihood activities;
- iii. Design an integrated intervention policy based on the UNSDGs framework for the Government of Malaysia on future long-term programmatic policies towards providing more secure, interim livelihood strategies for refugees during the course of their stay in Malaysia.

## **Research Benefit**

Such a research will the Malaysian government from the following ways:

- i. The integrated intervention policy addresses the legitimate concerns of the Malaysian government concerning security, law and order, and criminality that currently pervades parts of the unregulated labour market economy by Rohingya refugees.
- ii. The integrated intervention policy provides recommendations to prepare willing and reliable labour to support the Malaysian economy and increase national productivity. Positive economic contribution of Rohingya refugees can overcome the cost of hosting them in Malaysia paid by the government.
- iii. The integrated intervention policy provides recommendations to improve the lives of individual Rohingya refugees and the host state, for instance by addressing the issue of how to increase refugees' self-sufficiency, improve protection, reduce the burden on the Malaysian government services and increase refugees' transferable skills, facilitating their potential repatriation.
- iv. This integrated intervention policy provides the conceptual framework for Rohingya refugees to register themselves which eventually could push for greater recognition of their legitimate rights in Malaysia. It will help to dispel notions of refugees as illegal immigrants who prey on the goodwill of Malaysians, as well as help prevent the politicization of such vulnerable groups.

- v. This approach would present a roadmap for closer cooperation between the Malaysian government and the relevant stakeholders including the female refugees and other agencies including UNHCR and other national NGOs. It is a win-win situation for the people of Malaysia, for its security and economy, and for female refugees who live in Malaysia temporarily.
- vi. The integrated intervention policy developed by this research will have a specific attention to the critical issue of gender analysis as access to opportunities differs between genders. For example; equal job opportunities, elimination of domestic violence and gender oppression. While Rohingya women come to Malaysia and expect something better, Rohingya women and girls however can't study, work, or earn an income which is not making the situation better (Bemma, 2017). Hence, it is pertinent to develop tailored interventions targeting social and gender issues and norms (Welton-Mitchell et al., 2019). For the example, a Rohingya girl loses her opportunity to attend school when she gets married young. If the husband dies or divorces her, she may not be equipped to be independent (UNHCR, 2020).

The findings of this research may also be employed as reference by other governments in their bid to address the refugee crisis.

### **Relevance to Government Policy**

Although Malaysia is not a signatory of the 1951 UN Refugee Convention; the country is a committed member to the UNSDGs. Achieving the UNSDGs (which Malaysia is committed to) cannot be materialized in absence of an all-inclusive approach towards all the members of the Malaysian society including the refugees. As it was explained earlier, absence of a national livelihood integrated intervention policy will negatively affect Malaysia's efforts in achieving the UNSDGs. The UNSDGs have the potential to address the challenges of the Malaysian government in facing the refugees' affairs.

The results of this research can be used as a departure point to develop an integrated policy/ framework by the relevant governmental agencies to address the livelihood of Rohingya refugees in Malaysia. For this reason, future policy needs to be cognizant of:

- i. The protracted and unabated refugee situation in Malaysia,
- ii. Existing protective factors established over the years by various stakeholders, including refugees themselves,
- iii. Regional and national mechanisms that can be consolidated/utilized in the short-to- medium-term, and
- iv. Longer-term policy initiatives that build upon such mechanisms, and more holistically address forced migration issues.

Subsequently, longer-term policy initiatives stand to be developed, building upon current mechanisms and ways of working that address forced migration more holistically.

## Conclusion

Generally, this study falls within the scope of the social sciences studies comprising the upgrading of socio-economic status as a result of in terms of absence of policies, arising gaps and social up-lifting initiatives. Besides this, government corporate communication reflects the sensitivity towards addressing refugee shortcoming, especially in the effort to enhance the country's image reputation at the global frontier. It is planned to provide a package that includes social assistance to ensure basic consumption, skills training, seed capital or employment opportunities to jump-start an economic activity, financial education and access to savings, and mentoring to build confidence and reinforce skills in the bid to ensure that refugees are regarded worthy upon the return to their land of origin.

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