



HUMAN RIGHTS VIOLATIONS IN MALAYSIA

SEPTEMBER & OCTOBER 2020 REPORT

Malaysia is a multicultural country with people of various religions, ethnicities, such as Indians, Chinese, and refugees from different parts of Asia.

The majority of the Malaysian population consists of the Bumiputra's, also known as the "sons of the land." A Bumiputra is a descendant from the native habitats in Malaysia, and one of the parents has to be a Muslim Malay (person who practices the religion of Islam) and habitually speaks Malay.

Shedding light on Malaysia's constitution, various ideals of Democracy have been implemented, such as equality, freedom of speech, freedom of religion, and justice. However, these ideals only seem applicable towards the majority group of Malaysia "Bumiputra's" and not towards the ethnic minorities such as Indians and Chinese Malays. In reality, Malaysia is camped with grave human rights violations against these ethnic minorities.

Hate speech against minorities and migrant refugees are common in Malaysia, especially against the Rohingya refugees. Earlier this year, after an increase in the Covid-19 cases across Malaysia, posts abusing the Rohingya refugees started appearing on Facebook.

Migrant workers in Malaysia are often subjected to labor abuses. The US Labour Department has alleged that 42,500 migrant workers in Malaysia's rubber glove industry are subjected to various labor abuses.

Enforced disappearances are mainly seen to be carried out by government officials. The wife of missing activist Amri Che Mat, has sued the Malaysian government and the police as she blamed the police and the authorities within the home ministry for being indirectly or directly responsible for the failure to investigate her husband's disappearance diligently.

Other human right violations include violence, abuse of people belonging to the LGBTQ community, restrictions on the media and press, child labor, and human trafficking.

Thus despite the idealistic Malaysian constitution, human rights violations are still prevailing in the country.

Therefore, Malaysia's government must diligently work towards the protection of the rights of people across the country, be it minorities, migrants, women, transgender people, or refugees.

This report aims to give a compact overview of all the Human Rights violations that happened in Malaysia from September 2020 till October 2020.

Covid-19 stimulates discrimination against minorities, refugees, and migrant workers

Covid 19 results in increasing racial discrimination

The International Federation of Red Cross and Red Crescent Societies (IFRC) warned on September 17th that Covid-19 is triggering racial discrimination towards vulnerable communities in Asia, including migrants and foreigners. According to research conducted by the IFRC, where it surveyed 5000 people in Indonesia, Malaysia, Myanmar, and Pakistan, half (49%) of the people blamed foreigners, migrants, and mainly Chinese people for the spread of the Covid-19 virus. The survey reflected that two-thirds of Malaysia's blamed a "specific group," mostly the migrants and illegal foreigners. In May, the Malaysian government rounded up hundreds of undocumented migrants stating that they do not want these illegal migrants. Viviane Fluck, one of the lead researchers and the agency's Asia Pacific community engagement and accountability coordinator, described the findings as "alarming."

"We are very concerned that vulnerable groups such as migrants and those who cannot afford protective equipment such as masks may be discriminated against due to stigma and fear rising from these views," said Fluck. She also further urged the communities to step up and curb this rising misinformation, which is hampering the measures taken to try and bring the spread of Covid-19 under control.

Source: Asiaone

<https://www.asiaone.com/malaysia/red-cross-warns-coronavirus-driving-discrimination-asia>

Covid-19 has triggered hate speech against Rohingya Refugees on Social Media



The Covid-19 pandemic has become a medium for increased hate speech in Malaysia. Although anti-Rohingya sentiments have not been widely present in Malaysia, the pandemic has led to a surge in these sentiments and hate speech against the Rohingya refugees in Malaysia. A lot of such misinformation and posts abusing the Rohingya refugees started appearing on Facebook after an increase in the Covid-19 cases across the country earlier this year. Many people and pages were seen posting hateful comments against these refugees, accusing them of spreading the virus in Malaysia. Human rights groups regularly reported these hateful content messages aimed against the refugees. ,

However, despite the reporting of these human rights groups, after seven months, most of these posts and pages remained functional on Facebook. Merely were two pages - "Anti Rohingya Club" and "Foreigners Mar Malaysia's Image" were removed after Reuters flagged them on Facebook. Out of 36 pages flagged by Reuters, Facebook has removed 12 pages. This hate speech encouraged the police to arrest some of these Rohingyas. The effect of the hate speech also echoed in the working field, many Rohingyas lost their job. Thus an escalation of xenophobia can be observed in Malaysia, and one reason for this is the lack of political will. Rights groups have accused the Muhyiddin government for not taking any actions, curbing this rising hate speech against the Rohingyas.

Instead of helping the Rohingyas based on humanity's sake, the government itself was seen to be deporting thousands of undocumented Rohingya refugees. The government stated that they would no longer accept these refugees in Malaysia.

Source: deccanherald

<https://www.deccanherald.com/international/anti-migrant-sentiment-fanned-on-facebook-in-malaysia-901674.html>

Human Rights Bodies oppose the Consideration of the reintroduction of the Conditional Movement Control Order by the Muhyiddin Government



The Government of Malaysia was considering reintroducing a total lockdown in Malaysia after a steep surge in Covid-19 cases was observed within the country. Various human rights organizations highly condemned this reintroduction of the Conditional Movement Control order in Malaysia (CMCO). These organizations have noted that refugees and migrants in Malaysia did not have access to economic stimulus packages and said they were often left to fend for themselves. Thus the CMCO would have severe effects on the migrant workers of Malaysia. Katrina Maliamauv, the executive director for Amnesty International Malaysia, explained that such a reinforcement of the CMCO could be misused by deport migrants' authorities or raid the workplaces. She suggested that instead of taking such extreme measures, the government must work with the migrants and ensure all kinds of protective measures.

Furthermore, put in measures in the working place to minimize the spread of the virus amongst the workers. Necessities such as housing, minimum wages, access to food, and other amenities must be provided to workers. The reimplementing of the CMCO would have effects even more perilous than those seen after the CMCO introduced first in May. It could lead to increased forced labor, job cuts, and violation of various labor laws to fulfill companies' losses.

Source: free Malaysia

<https://www.freemalaysiatoday.com/category/nation/2020/10/14/cmco-adds-pressure-on-stressed-migrants-say-rights-groups/>

Issues faced by Migrants and Refugees:

Report on trafficking camps and 139 mass graves discovered in 2015 still not made Public by Malaysian government



As per a 2019 report by the Human Rights Organisation- Fortify Rights, at least 170,000 Rohingya refugees were trafficked from Bangladesh and Myanmar to Malaysia between 2012 and 2015, generating an annual revenue of US\$50-100 million approximately for the traffickers. Another such report on the Rohingya refugees compiled by the Interpol in June 2020 stated that the Covid-19 has further increased the trafficking of these refugees from Bangladesh to Malaysia at thrice the rate with refugees wanting to leave the overcrowded camps by migrating. Overseas trafficking is still a very much prevalent issue in Southeast Asia, and the problem only seems to be increasing as time passes. Research provides evidence that the overseas journey made by these refugees is extremely gruesome and so is life after they reach the shores of a new territory where they are made to live in hidden dangerous trafficking camps. Analysis of the Malaysian authorities shows that those who cannot survive in these camps are buried in unmarked graves by the traffickers to hide any sign of illegal and inhuman work. Malaysian authorities found 139 mass graves across 28 human trafficking camps (which were a part of an international trafficking operation where Rohingya and Bangladeshi refugees were forced to stay.) in an area near the Want Kelian village near the Thai border in 2015. After the Malaysian government discovered this camp, the Royal Commission of Inquiry (RCI) committee was set up to investigate these sites, which in 2019 submitted its final report to the country's nominal head of state, the King. September 2020 marked an entire year to the full final report submitted by the RCI, but the report's findings have still not been made public. Also, since the camps were discovered in 2015, only four people have been arrested, and none were Malaysian citizens. Such behavior of the Malaysian government shows signs of unaccountability and lack of transparency. The report must be placed in the public domain in order for justice to be served and ensure that such incidences do not become a regular occurrence.

Source: ASEAN today

<https://www.aseantoday.com/2020/10/malaysia-withholds-report-on-rohingya-graves-a-full-year-after-government-probe/>

Abuse of Migrant Labour Rights

The rubber gloves, palm oil, and garments industries of Malaysia subject their migrant worker to various labor abuses- the US Department of Labour.



Malaysia is the world's largest rubber gloves manufacturer, and it makes up to 60% of the global rubber glove production. The US Labor Department has alleged that the 42,500 migrant workers in Malaysia's rubber glove industry are subject to various labor abuses. Apart from this, Malaysia's electronics and garments industry was included in the forced labor category of labor abuses. In contrast, the palm oil industry was included in the child labor category of the US report. The department of Labour US. Claimed that many of these workers have to pay high recruitment fees to have a secure employment, which leads them to be forced to work overtime as they are placed under debt bondage due to this. The factories they work in also do not favorable working conditions as many of them have temperatures at hazardous levels, which is harmful to the workers. All these and more other accusations were made by the US. DOL fulfil all indicators of forced labor as given by the International Labour Organisation. In its defense, the Malaysian Rubber Glove Manufacturers Association (Margma) says the public must not "misread" a recent US DOL report. In its statement given on the October 15th, 2020, Margma stated that it worked hard to be the "best employer" in the world as it follows labor laws set by international and national organizations to protect the rights of the laborers and that the report of the US DOL is retrospective and not punitive. Many labor activists and human rights groups, such as the North-South Initiative, are demanding an inquiry into this matter and coming up with comprehensive labor migration policies. Most of the laborers who work in these companies are migrants. Rubber glove and the palm oil industries contribute mainly to Malaysia's economy, and thus it is imperative that fair labor practices exist within these industries. Thus, instead of sweeping these issues under the carpet, the government must make diligent efforts towards having more stringent labor policies for these companies and ensure punitive action in case of violations of these laws.

Source: Free Malaysia

<https://www.freemalaysiatoday.com/category/nation/2020/10/15/we-dont-condone-forced-labour-glove-makers-tell-us/>

Hundreds of Indonesian workers working in Sabah are being deported and are Being subjected to barbaric; inhuman treatment in detention camps



The arrests and the deportation of the Indonesian workers were based on wrong allegations, and none of the workers who were arrested had a lawyer by their side. Malaysia and Indonesia's human rights commissions want both countries to collaborate to improve the conditions in Malaysian temporary detention centers. This was after the Human rights groups gave out a report claiming barbaric treatment of detainees in two detention centers in Sabah. The report was based on recent Indonesian Deportees' experience who claimed that the people inside these detention centers faced routine and systematic" abuse, child labor, obstruction of justice, widespread skin disease, and appalling sanitation facilities. The Sovereign Migrant Workers Coalition interviewed 43 Indonesian deportees in its 44-page report. The interviewees claimed that children as young as ten were beaten by the centers' guards, and detainees were forced to work for as little as 30 sen a day. Human Rights Commission of Malaysia (Suhakam) commissioner Jerald Joseph, who was a speaker at a webinar held to launch the report, described it as a "shocking testimony." Such practices are not new but have been ongoing in Sabah's temporary detention centers for years, with thousands of Indonesians falling victim to such abuse.

Source: Free Malaysia

<https://www.freemalaysiatoday.com/category/nation/2020/10/07/indonesian-report-alleges-terrible-treatment-of-migrants-in-sabah-detention-centres/>

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The survey reflected that two-thirds of Malaysia's blamed a "specific group," mostly the migrants and illegal foreigners. In May, the Malaysian government rounded up hundreds of undocumented migrants stating that they do not want these illegal migrants. Viviane Fluck, one of the lead researchers and the agency's Asia Pacific community engagement and accountability coordinator, described the findings as "alarming." "We are very concerned that vulnerable groups such as migrants and those who cannot afford protective equipment such as masks may be discriminated against due to stigma and fear rising from these views," said Fluck. She also further urged the communities to step up and curb this rising misinformation, which is hampering the measures taken to try and bring the spread of Covid-19 under control.

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Freedom of expression

Activist Maryam Lee harassed and placed under investigation by Religious authorities in Malaysia for not wearing a headscarf



Being hailed as modern Malaysian women's voice, Maryam Lee is a highly controversial figure in Malaysia. Malaysia is a Muslim Majority country with Islam as the state's religion. And while the country was following a moderate form of the religion wherein wearing a headscarf, also known as 'tudung' was not mandatory for women, recently, the country can be seen going towards a more conservative model. Women across Malaysia are seen wearing headscarves as it is frowned upon if the tudung is not worn. Maryam Lee, who was made to wear a scarf at a very young age; in her mid-20s, decided to remove it and not wear it anymore. This was because she saw wearing the headscarf as more of a social convention than a religious requirement. She says that she is not telling the Malaysian women what to think. However, raising her voice, making use of her freedom of expression against patriarchal traditions, had put her on the radar of the Malaysian religious affair minister.

Thus, Maryam Lee has been placed under investigation by the rigorous authorities of Malaysia and has been harassed for not wearing the headscarf, thus going against what the religion dictates and encouraging modern Malaysian women to do so. Malaysian rights group Sisters of Islam extended support to Maryam, agreeing that women without headscarves come under heavy scrutiny from family, colleagues, and in public - making the decision "difficult and traumatic." Many prominent female politicians in Malaysia, too, can be seen without the headscarves as they believe in the same idea as Maryam Lee- "Not wearing a Hijab will not make them any less a Muslim." Thus, while Maryam Lee has been attacked with angry words from Government authorities, she certainly has managed to strike a cord within modern Malaysian women.

Source: straittimes

<https://www.straitstimes.com/asia/se-asia/unveiling-malaysian-activist-maryam-lee-fights-for-hijab-freedom>

Enforced disappearances in Malaysia:

Wife of the missing activist Amri Che Mat's sues Malaysian government



The wife of the missing activist Amri Che Mat, Norhayati Mohd Ariffin, had sued the Malaysian government and the police as she blamed the police and the authorities within the home ministry for being indirectly or directly responsible for the failure to investigate the disappearance of her husband diligently. The police denied her claim that officials did not conduct a thorough investigation into Amri's disappearance, adding that the progress was monitored by the Perlis CID from time to time. The police and the government also have disputed the findings of the Human Rights Commission of Malaysia (Suhakam) in a High Court hearing of the suit. A public inquiry set up by Sukham earlier year on missing persons had concluded that Amri and his wife were victims of enforced disappearance and that their disappearance was State-sponsored. Countering the suit by Norhayati, the government and the police argue that the investigative report of Sukham does not mention the lack of proper investigation on behalf of the police and government, thus making the claim lack evidence, thus false.

Source: Free Malaysia today

<https://www.freemalaysiatoday.com/category/nation/2020/10/26/suhakam-findings-not-binding-on-suit-by-activist-amris-wife-say-cops/>



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Referential

This report aimed to highlight the various human rights violations that occurred in Malaysia during the period September (2020) – October (2020) in September 2020. In compiling this report, GHRD used information from various sources that covered these grave inhuman violations.

Therefore GHRD wants to pay their gratitude to the following sources:

ASEAN today

Daily commentaries covering ASEAN commentary site. They publish business, political and fintec commentaries daily, covering Asean and Greater China

Deccan herald

Online news paper

Free Malaysia

Is an independent, bi-lingual news portal with a focus on Malaysian current affairs.

Asia One

Is a free access news portal and delivers latest breaking news, updates and top stories of Singapore, Asia Pacific and across the world.

Straittimes

English- language daily broadsheet newspaper, based in Singapore. Offering breaking news, exclusive stores, in depth analysis and award winning multi media content about Singapore, Asia and the world.

Malaymail

News paper in Kuala Lumpur, Malaysia covering the latest news of Malaysia. News on politics, lifestyle, opinions & the world.

GHRD: www.ghrd.org