

Documentation: Seeing the Invisible and Forgotten amidst the COVID-19 crisis

Ayesha Abubakar, University of Malaysia Sabah, ASEAN Women for Peace Registry

- Migrants in Malaysia face challenges during the time of CoVid-19. There are 6726 cases in Malaysia. Despite high levels here are high levels of recovery, non-citizens face challenges. The definition of non-citizen would include migrants, refugees, asylum seekers, tourists.
- Refugee and asylum seekers are 179,520 from UNCHR. But this only refers to Malaysia Peninsula. Among non-citizens affected by COVID-19, the highest number of migrants affected in Malaysia are from Indonesia, Philippines, Bangladesh, and India.
- **In Sabah state, with a population of 3.9M, 10% of the population is undocumented.** They do not have documents allowing them to legally stay in Sabah. There is no official census, so 10% is an estimate. **Sabah records state that there are no records of COVID among the undocumented.** There are only two places where the government has done mass testing. As of this week, there Pulau Gaya and Kampung Numbak.
- There is a **rising negative perception towards the Rohingya as a result of government policy.** In Sabah, perceptions towards undocumented persons remain in the status quo. Challenges for migrants include lack of success to the food supply, loss of livelihood, and the lack of access to health services as a result of loss of livelihood.
- **There is a recognition that there is a need to reach vulnerable communities, but there has been a lack of action from the government in allowing NGOs to assist migrant communities.** While there is an ongoing effort to reach out to NGOS, there is no initiative from the government how to include poor migrant communities in restarting the livelihoods.
- Vulnerable communities the migrants, refugees remain the most vulnerable group, and non inclusion of development programs for migrants remain as the norm.

Sanam Amin, from the Asia Pacific Forum on Women Law and Development on the gendered impact of the pandemic:

- We have 78M are displaced pre-pandemic. More than half are internally displaced.
- There was an attempt to have a global level ceasefire proposed in a UN Security Council resolution. It was negotiated for six weeks and was blocked by the US.
- **There is a need for us to remind our governments of it's commitments.** This year marks the 29th anniversary of the UN Security Council Resolution on Women, Peace and Security, and it has been 25 years since the adoption of the Beijing Platform for Action by 189 countries.

- **While there is no direct war, many countries are dealing with fundamentalism and extremist groups; conflicts in Myanmar and Papua continue.**
- Women's rights will not progress if we don't have a strong democratic space to realize those rights. Authoritarian leaders undermine women's rights.
- Even before these countries, we have been using use of concentration camps in Myanmar, China. The pandemic has given an excuse to be harsh on border control.
- **We should not forget the migrant workers are those we rely on for sanitation, construction in many countries.** Singapore was able to fight the pandemic really well until they realised they were forgetting their migrant workers which led to the
- There is **a need to relate the pandemic to the climate crisis.** A lot of the understanding of these viruses is about interaction of people with the environment. We're not seeing strong action on climate crisis, we're already seeing its effects. Climate driven migration is already an issue.
- Really important **to strengthen democratic governance and protection of fundamental freedoms.** Need to channel energy towards universal health care, strong protection mechanisms. Asia Pacific in general does not have a strong protection system. Civil society can play a key role, recognise the role of CSOs in service delivery. These are the roles we can play
-

Sai Sam Kham, Metta Foundation, Myanmar

- There are complaints about the health care system, testing is only done in Yangon. The military government are aware and have been wearing masks. They are quite prepared.
- **A unilateral ceasefire was announced, but they also excluded Rakhine and Chin state where a lot of fighting is happening. Yanghee Lee reported that there are possible war crimes and crimes against humanity. Tatmadaw is blocking aid.**
- **The internet blackout is cutting vital information and public health education.** This is information needed by people to protect themselves from the pandemic.
- There are dozens of violations of media freedom with 67 cases against journalists. Journalists are being prosecuted for their reporting.
- Minority groups are also being targeted. They are subject to hate and attack online. Christians are being targeted.

- Despite the hate targeted against the minority groups, youth groups come up with creative strategies to stand with them.

Rachel Tan, Programme Officer for Asia Pacific Refugee Rights Network

- The Malaysian government has been tightening borders. 167 countries have closed borders, and Malaysia is one of them.
- In the past month, **we've seen a rise of xenophobia in Malaysia**. Five hundred Rohingya, have been pushed back. 30 have died. We see severe implications for the whole region. In the span of a single day, you have 32 petitions on social media filled with false facts calling for the forced return of the Rohingya. Death threats have been targeted against Rohingya and other refugee leaders.
- **Xenophobia is on the rise, and it spreads**. The Malaysian government has been silent. They have tried to blame the Rohingya for this. The effects spill over to the larger refugee community.
- Activists speaking out for the Rohingyas have been targeted, one was summoned by the police.
- After the recent statement by the Home Ministry, detailing that the Malaysia has not signed the Refugee Convention and has no national framework to nationalize policies, mass raids have started happening. Mothers and children are being hauled. This will further drive the infection rates.
- We have heard of the revival of immigrations desks in hospitals. A pregnant woman has been arrested. This has happened before.
- There are positive good practices. **Refugee communities function as agents of information and involve themselves despite risks to support initiatives to provide service support**. Online forums have included Rohingya activists, and have crafted the space for refugees to speak for themselves. Indonesia's AICHR rep has put out a statement simply saying the arrest should stop.
- We need to go beyond our usual approaches and work together, business, media, civil society and including refugee communities.
- *COVID19 is unprecedented. We need to make sure that the measures must adhere to international standards. Engagement is really important and listening to migrants and refugees. How we should connect the local communities with the migrant communities, so connecting the communities with humanise these.*

Discussion

Ayesha on how to contain the cases:

- The Government in Malaysia has a good monitoring system. In Pulau Gaya, they did mass testing. This was triggered by a report on a case. They found three cases of Filipinos who were documented. The ongoing testing today – my suspicion is also triggered that we have in the dormitories there. Because of the suspicion of some of the workers.
- There are three approaches on contamination. Everyone in Sabah state is conscious of following the MCO by the government. Violators are arrested and penalized. There is a good encouragement of voluntary testing. They are encouraging the residents to do the mass testing. The government has been promoting tracing.

Sanam on gender perspective:

- One positive initiative is there has been some effort that domestic emergency services also have some option for translation and not just in the national language. It would be good to expand it to more countries as well so the stateless should also have access to the information. We need to share information.

Sanam (additional)

- In normal time, governments don't want to listen to migrant and refugee communities.
- We need to consider success as least number of deaths and least number of infections. As human rights defenders we need to think about data tracing, we are at a risk. We are going to see a different situation and reality, as a result of this pandemic.

Ayesha

- UN agencies can discuss with the ASEAN governments on how to come up with a framework, on how to harness cooperation in the national, regional, international levels. At the national level this same framework to enhance collaboration.

Sam on the ceasefire and the returning migrants

- A lot of migrants are coming back. Some of them are from the IDP camps. The concern is how they are being treated. They have to do the self-quarantine, but there's also a concern on the long-term economic impact. How are we going to look at food production systems, and how will these accommodate the returning migrants.
- Ayesha: In Sabah, there was a report of 400 irregular migrants who went back to Mindanao and they were all quarantined. They returned as they feared further arrests in Sabah. The enforcement of irregular workers has been continuous. These are your economic migrants. We also received information from KL, there is an open registration encouraging undocumented Filipinos in Malaysia to be registered for voluntary repatriation. We don't know how that will play, but that is an initiative the Philippine Embassy. But there's also a need for the recipient places, whether they are prepared to accept the returning migrants.

Final lines

- **Sam:** The ethnic groups and the Rohingya, There are ethnic armed groups doing service delivery but are being stopped. There are positive and negative steps
Sanam: we need to look at the different ways we need to communicate aside from the internet. There remains the internet divide. We need to understand the needs of remote communities.
Ayesha: A lot of civil society groups are helping themselves to help others. We need to start planning what do next
GPPAC: We are seeing the invisible even before the pandemic. Post-pandemic hopefully they won't remain invisible.