

Overall Situation

The stateless persons in Malaysia are among the most affected by the COVID-19 outbreak and the subsequent Movement Control Order (MCO) implemented by the Government, from 18th to 31st March 2020, with second phase was extended to 14th April 2020 and now further extended to 28 April 2020, as a measure to curb the spread of the pandemic in the country. The movement restrictions imposed under the MCO has robbed majority of them, who are reliant on daily wages engaged in informal employment given their stateless status, their sources of income, and the means to support themselves and their families during these trying times. With limited or no savings, each extension of the MCO, means another day of struggles for them to find food and basic necessities to sustain through the MCO period. Further, mental breakdown among startup entrepreneurs and a surge of domestic violence incidents involving grassroots women has also been observed since the enforcement of the MCO.

Access to Healthcare

In terms of access to healthcare, according to a circular issued by the Ministry of Health on 29th January 2020, foreign nationals (in broader term includes stateless, refugees, illegal migrants and other undocumented persons) infected with Covid-19 or are close contacts of coronavirus patients are exempted from outpatient fees as well as registration, examination, treatment, and hospitalization fees at government facilities. However, our observations at the grassroots shows that stateless persons remain apprehensive to get tested for COVID-19 or to avail treatment at government facilities, due to the fear of being arrested for not possessing legal identity documents – although the government has given assurance that no arrest will be made. This poses challenges in assessing the extent of the spread of the disease among the stateless community in the country.

Travel Restrictions

The MCO has also resulted in the enforcement of stricter international travel restrictions. Malaysians are banned from leaving the country and restrictions are placed on the entry of all tourists and foreign nationals into Malaysia. The foreigners barred from entering the country include holders of student pass, Employment Pass (Expatriate Pass), Temporary Employment Visit Pass, and Malaysia My Second Home social visit pass. Based on a FAQ published by the Home Ministry on 20th March 2020, only three categories are exempted from the restrictions i.e.:

- Husband or wife and children of Malaysian citizens who have the Long Term Social Visit Pass (LTSVP) (husband/wife) and a dependent pass, and endure self-quarantine for 14 days.
- Foreign diplomats working at embassies within the country, subjected to self-quarantine for 14 days. Their spouse or family members wishing to enter Malaysia must have a dependant pass.
- Employment Pass holders (expatriates) who are involved in essential services (in certain cases),with prior approval obtained from the Immigration director-general before travelling to Malaysia and subject to self-quarantine for 14 days (upon arrival).

This means that only foreign spouses of Malaysians and Malaysian PRs holding the long-term social visit pass (LTSVP), also known as the “spouse visa”, can enter the country during the movement control order (MCO). According to the Immigration Department, a marriage certificate alone would not suffice to secure entry for foreign spouses of Malaysian citizens during the MCO. Foreign children of Malaysian mothers, holding student pass, are also subjected to the same restriction.

Government’s Response

The Malaysian Government has been carrying out continuous and relentless efforts not only in curbing the spread of the pandemic, but also in easing the burden of the Malaysian people in enduring this difficult times. On 27th March 2020, Prime Minister Tan Sri Muhyiddin Yassin announced the Bantuan Prihatin Nasional (BPN) scheme as part of the Prihatin Rakyat Economic Stimulus Package, which included a one-off cash payment for the lower-income B40 and middle-income M40 groups to help Malaysian cope financially during the COVID-19 outbreak. Subsequently, on 6th April 2020, the Prime Minister announced additional measures included under the BPN schemes to ease financial burden faced by small and medium enterprises (SMES) and in ensuring job continuity in Malaysia. The stateless people, however, are excluded from accessing and benefiting from the support and assistance provided, due to their non-citizen status. The BPN initiative has come under criticism for overlooking the specific needs of women, including the recognition of men as the head of a household, and therefore curtailing women’s access to the direct payment, particularly in the case of foreign spouses or women in abusive situation.

DHRRRA’s Response

DHRRRA Malaysia continues to support the stateless communities through the formation of a support group for the marginalized called #COVIDCAREMY by bringing together a group of 21 local NGOS working with the marginalized and vulnerable communities in the country. Hotlines (Carelines) were initiated for the affected communities to access the support. Support and assistance in the form of food and grocery aid, provision of basic necessities as well as counseling services to ease the burden of the stateless and undocumented communities as well of other affected groups, including the B40 and the OKUs communities, in facing the challenges posed by the COVID-19 pandemic, especially of those who have lost their source of income due to the movement restrictions imposed during the MCO period.

DHRRRA is gravely concerned about the exclusion of the stateless community and other vulnerable communities in Malaysia from the COVID-19 national response plan and continues to ensure nationwide support for those employment and life compromised by MCO.

Case 1

A stateless widow in her early 70s who earns an income by renting out a room within her home left penny-less when her tenant (foreign laborer, dependent on daily wage) could not fork out anymore rental for her. Despite being a permanent resident and was born before independence in Malaysia, she is one of many elderly stateless persons left without government support and resorted to eating porridge for days without any nutrition food. Even though her tenants were unable to pay, she understood their situation and gave up her resources to ensure they did not sleep hungry. We were alarmed to receive her call when she contacted us through COVIDCAREMY- DHRRA Malaysia helpline asking for rice grains as she had nothing more left to eat.

Case 2

We were contacted by the neighbor of a family with four children to be assisted with grocery aid. Unassuming, through COVIDCAREMY we prepared our regular assistance and delivered it. One of our volunteers along with The People's Volunteer Corps, abbreviated RELA representative decided to ask the children where their parents were, as only children came down to collect the grocery.

The children replied that their mother was admitted in a hospital and has not been discharged from the hospital. They didn't know where their father was. We also realized the young boy was covered with burn marks below his neck from hot oil caused by him attempting cooking without any parent supervision. The kids have been attempting to make their own meal until their neighbors found out. We probed further to understand where their father was.

We later found out, the father was a stateless man (in late 30s) and became frustrated with life after meeting several employers who cheated him without paying him. He had no means to bring up his family in a stable condition and started resorting to alcoholism until it became centric to his life and did not return home for days.

It was rather shocking incident for us as this was uncovered. As for DHRRA Malaysia, despite working extensively in the area of statelessness we understood until unless there was an dire need we never find out people and their families who are suffering because of their status being stateless. COVID19 outbreak was such an incident that we found this family suffering silently.

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