



Immigration Department
of Malaysia

Trans-Border Migration: A Challenge To Regional Stability

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Introduction

Definition

Movement of people from one place to another across the borders of an origin country to another destination country.

Trans-border

Why?

- Push factors; and
- Pull factors.

Historical Perspectives

- **Late 19th and early 20th** centuries South East Asia (SEA) was one of the main destination of mass labour movements from India and China.
- **1930s and 1940s**, colonial governments established border control regimes and introduced legislation to restrict Chinese and Indian immigration in the colonies.
- **1970s and 1980s**, Newly industrializing countries of SEA particularly Singapore, Malaysia and Thailand adopted export-oriented industrialization strategies resulting in the shortage of labour – workforces needed.

-Development of strategies to monitor and control migrant labour flows and temporarily labour migration – new phase in SEA labour history.

Domestic Immigration Laws and Regulations & other related laws

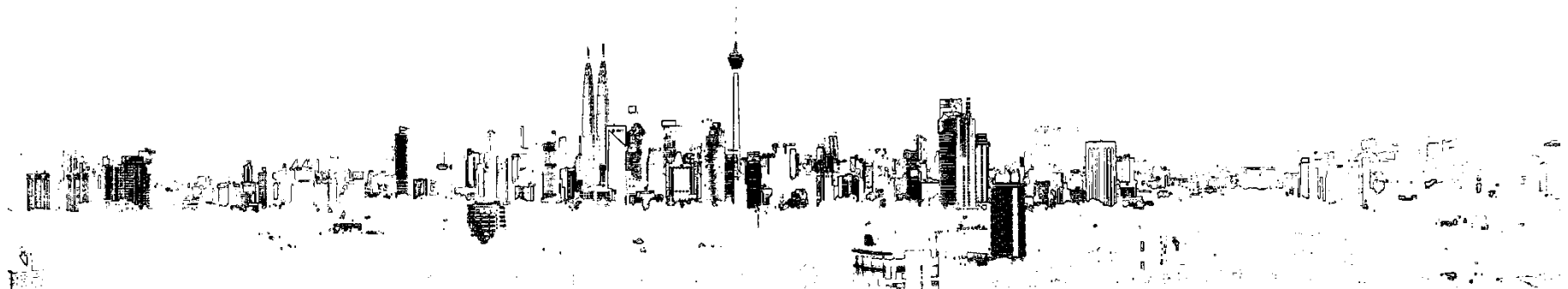
Trans-border migration factors

1. Push Factors (existed in the country of origin)

- Not enough jobs at origin country
 - Few opportunities existed
 - "Primitive" conditions
 - Desertification
-
- Famine/drought
 - Political fear and persecution
 - Poor medical care
 - Loss of wealth
-
- Natural Disasters
 - Death threats
 - Slavery
 - Pollution
-
- Poor housing
 - Landlords
 - Bullying
 - Poor chances of finding a partner

2. Pull Factors (attractive situation of the destination country)

- Job opportunities
 - Better living conditions
 - Political and / or religious freedom
 - Enjoyment
-
- Education
 - Better medical care
 - Security
 - Family links
-
- Industry / Economy
 - Geographical Distance
 - Better chances of finding courtship



Challenges of Trans-Border Migration

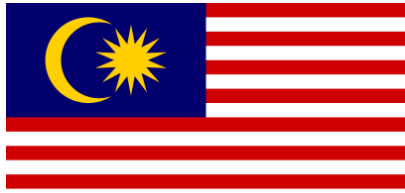
Positive/beneficial effects of legal migrants

1. Fostering economic growth
2. Sharing of new skills and knowledge
3. Development of the country
4. Good investment

Negative/harmful effects of illegal migrants

1. Health threats-spread of disease
2. Increase of criminal case
3. Competition in job opportunities
4. Change in culture
5. Bad actors:
 - Human traffickers
 - Human smugglers
 - Middlemen
 - Harbourers
 - Unscrupulous employers



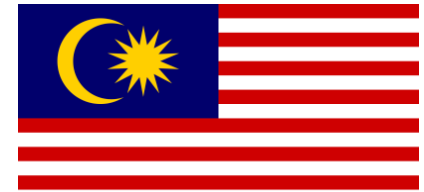


Current Trends in Trans-border Migration in Malaysia

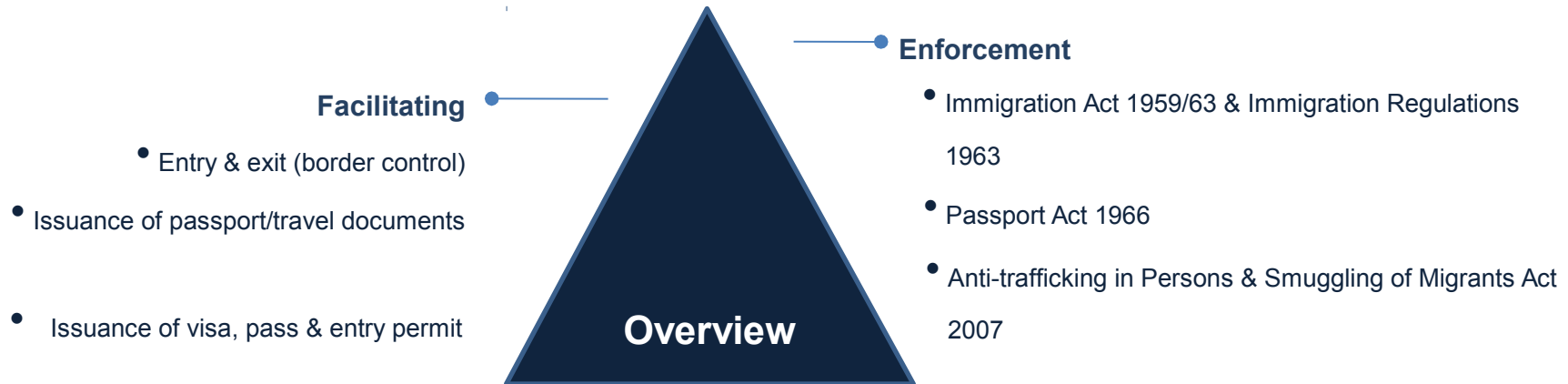


Profile of Malaysia

- **Area:** 329,847 km² / 127,355 square miles
- **Land Boundaries:** Total 2,669 km [Brunei 381km, Indonesia 1,782km, Thailand 506km]
- **Population:** 28,334,135 (2010 census)
- **Demographics:** 50.4% Malays, 23.7% Chinese, 11.0% Indigenous, 7.1% Indians & 7.8% others
- **Capital:** Kuala Lumpur
- **Administration Centre:** Putrajaya Federal Territory



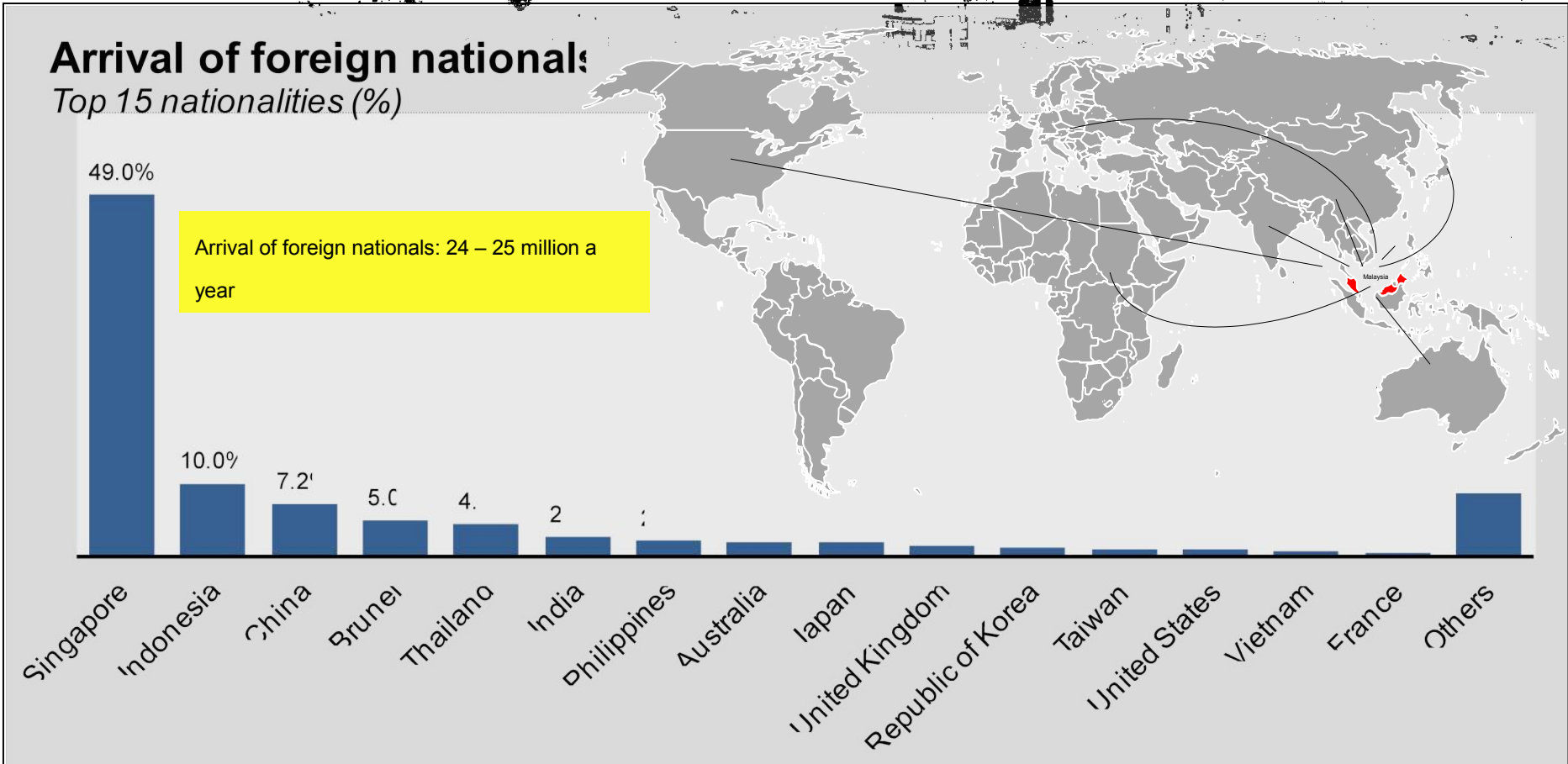
Roles of Malaysian Immigration Department




Enforcement

- Focusing on
 - ▯ violation of Immigration & Passport Acts (illegal immigrant)
 - ▯ fraudulent activities
 - ▯ Trafficking in Persons & Smuggling of Migrants (TIP & SOM)
- Illegal immigrant, fraudulent document activity and Trafficking in persons & smuggling of migrants are elements of transnational crime.

Current Trends in Trans-border Migration in Malaysia




128 Entry points:




= 34

by air



= 65

by sea



= 29

by land



Current Trends in Trans-border Migration in Malaysia

Statistics



Long Term Pass Holders

Foreign workers: 2.08 million

Student Pass: 131,000

Expatriate: 84,000

MM2H: 11,000

Foreign Spouse: 99,400

Resident Pass: 3,000

Professional Pass: 38,000



Foreign Visitors/Tourist

Monthly arrival: 2 million

~ 4.5 million legal migrants



Malaysian Population: 28 million

Malaysian population to legal migrants = 6: 1

Current Trends in

Trans-border Migration in Malaysia

Asylum Seekers and Refugees

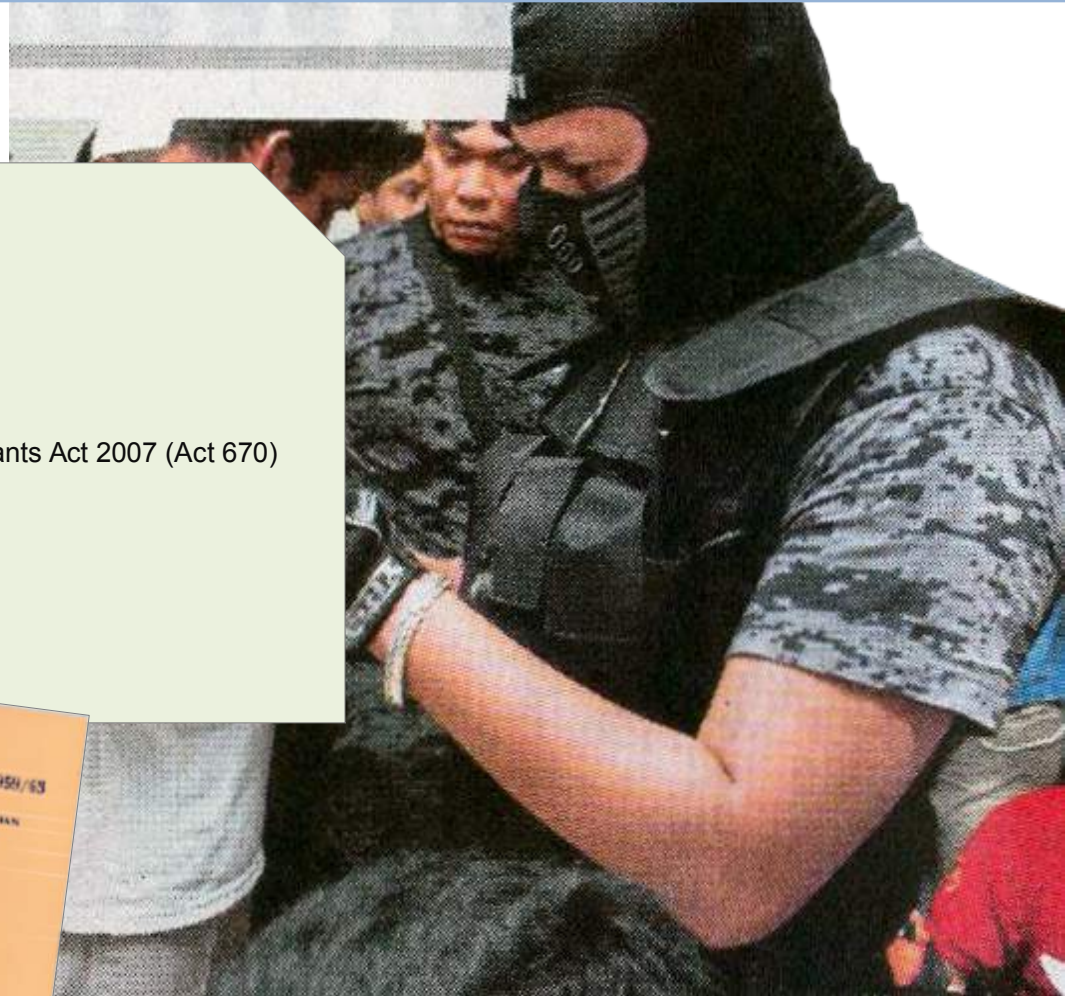
- There are **15,066 asylum seekers** and **90,688 refugees** in Malaysia as of 30th June 2013 according to UNHCR Office Kuala Lumpur
- Malaysia is **non signatory** to the Refugee Convention 1951 and its related protocol 1967
- Although Malaysia does not recognize asylum seekers and refugees but on **humanitarian ground**, UNHCR card holders **are allowed to stay temporarily** in Malaysia pending re-settlement to third country or voluntarily return to origin country
- These groups of people are under the **responsibility** of **UNHCR Office Kuala Lumpur**



Solution / Methods of Controlling Migration of Illegal Migrants in Malaysia

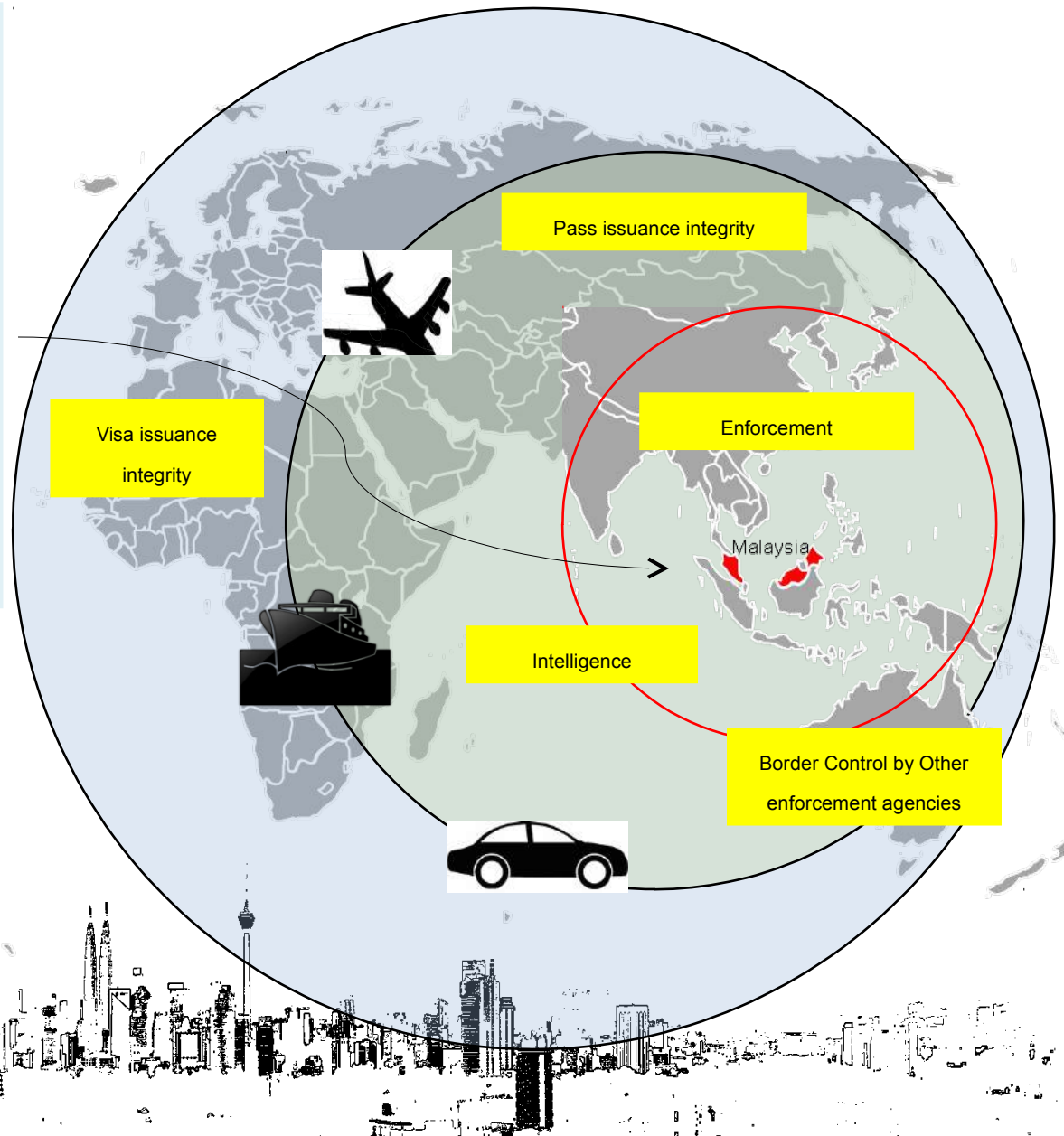
Laws and Regulations

1. Immigration Act 1959/63 (Act155)
2. Passport Act 1966 (Act150)
3. Anti-Trafficking in Persons and Smuggling of Migrants Act 2007 (Act 670)
4. Immigration Regulations 1963

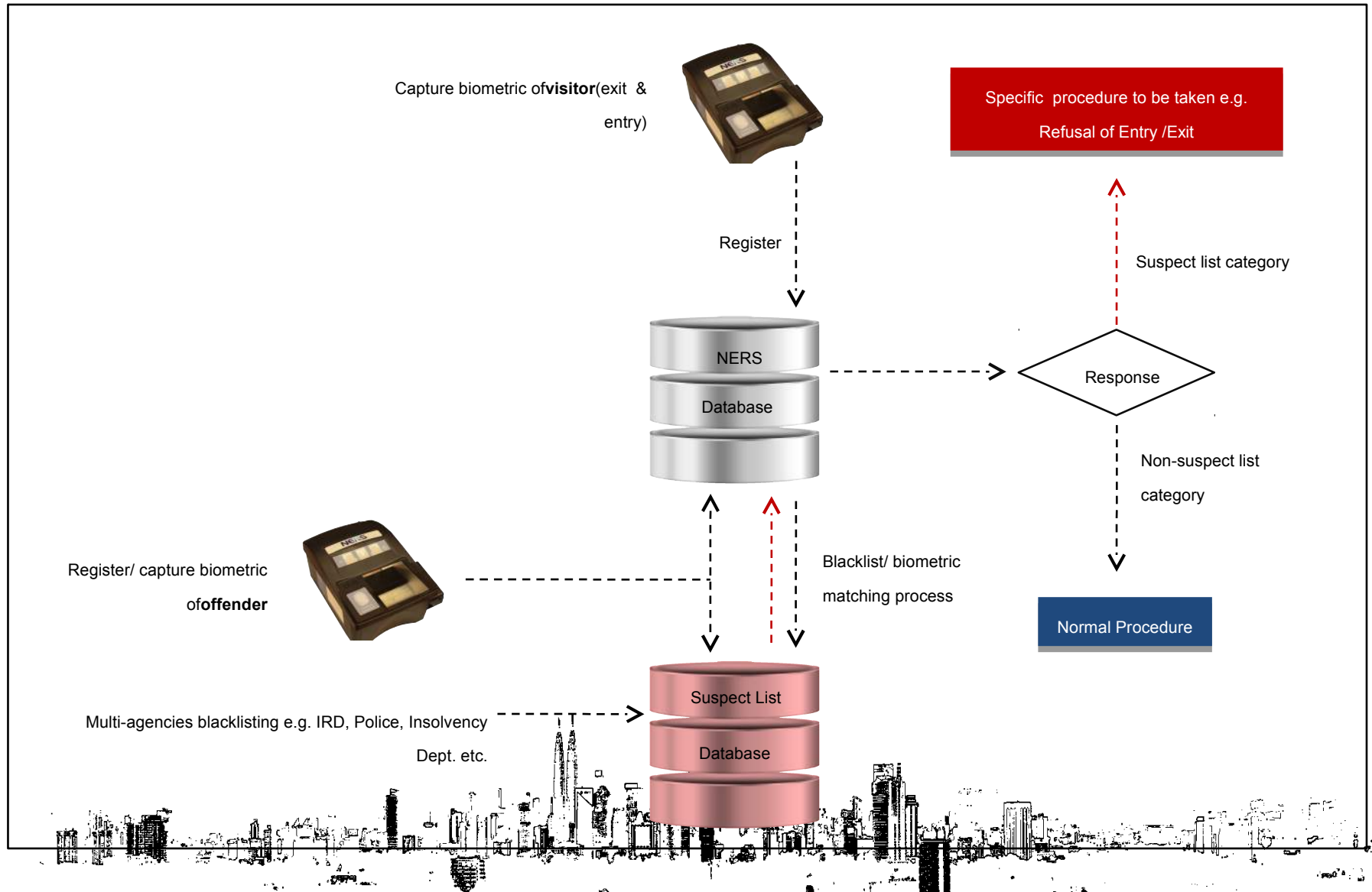


Measures taken to control and facilitate foreign visitors

- **Visa issuance integrity:** Screening applicant before granting entrance to Malaysia.
- **Pass issuance integrity:** Examination of visitor at the entry points including biometrics data and suspected lists mechanisms. Scrutinize applicant during pass application at Immigration offices.
- **Intelligence activities:** Monitoring on irregular movements and potential of trafficking in persons and smuggling of migrants and fraudulence document syndicates.
- **Enforcement activities:** Flush out illegal immigrants and taking action against the harbourn of illegal immigrant(s), trafficker in person(s) and smuggler of migrant(s).



Biometric system & BioSL mechanism through National Enforcement Registration System (NERS)



Solution / Methods of Controlling Migration of Illegal Migrants in Malaysia

Special Measures Under 6P Program		Illegal Immigrant
1	Number of illegal immigrants registered between 1 – 31 Aug 2011	1,303,126
2	Number of illegal Immigrants legalized between 2011 – 2012	503,161
3	Number of illegal immigrants voluntarily left Malaysia for good under amnesty program (1 Aug 2011 – 22 Sept 2013)	387,430
4	Number of illegal immigrants arrested under:	
i.	Ops 6P (20 Oct 2011 – 31 Aug 2013)	42,102
ii.	Phase 1 of the Integrated Operation (1 Sept 2013 – 20 Jan 2014)	17,453
iii.	Phase 2 of the Integrated Operation (21 Jan 2014 – 4 April 2014). The operation is continuous	9,505

Solution / Methods of Controlling Migration of Illegal Migrants in Malaysia

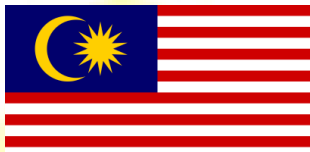
Future Measures

- **Advanced Passengers Screening System (APSS)** is a system to screen passengers prior to their arrival by air, sea and land in the country
- **Non-Citizen Tracking System (NCTS)** is an alert of non-citizen presence in the country
- **Capacity building** on fraudulence document and immigration intelligence
- **Reinforce Immigration processes** through business re-engineering

Conclusion

Trans-border Migration:

- Often accompanied by advantages as well as disadvantages to the countries involved
- Governments should meaningfully address the harms results from migration flows
- Tackle the factors that fuel negative/harmful effects
- Assess the role of various 'bad actors'
- Eradicate illegal activities or make borders fully secure
- Continuous re-evaluate enforcement efforts
- Create policies that reward good behavior and reducing benefits of illegal activity



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Terima Kasih(Thank You)

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