

# Malaysia: Stop repatriation of Sri Lankan refugees

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## **STOP COLLUSION WITH THE SRI LANKAN GOVERNMENT**

### STOP REPATRIATION OF SRI LANKAN REFUGEES

#### Humane and Ethical Treatment for Sri Lankan Asylum Seekers

The PSM is concerned for the safety and well-being of the 207 Sri Lankan asylum-seekers who are being held at the Immigration Detention Centre at the KL International Airport as well as the 108 Sri Lankan refugees detained at Pekan Nanas Immigration Detention Centre

According to our sources, there are 15 women and 6 children among these 207 Sri Lankans who were picked up at a road-block in Batu Pahat 10 days ago before being transported to the KLIA for detention. Out of the 108 people detained at Pekan Nenas Immigration Detention Centre, there are 10 women and 10 children. One of the women is in her 8<sup>th</sup> month of pregnancy. It was also reported that the Sri Lankan Embassy, including the Deputy High Commissioner were forcing a group of Sri Lankan refugees to sign agreements for repatriation. The refugees refused to sign the agreements and the embassy personnel assaulted them by beating and kicking them to force them to sign the agreement.

It is of particular concern to us that both the UNHCR and the SUHAKAM have been denied access to the Sri Lankan detainees at the KLIA Detention Centre in KLIA. The refusal of the authorities to allow access to these detainees, only serves to heighten the apprehension of observers that human right violations are taking place. This sense of apprehension is further heightened by news that Sri Lankan Government Officials have been allowed to interrogate these asylum seekers and are pressuring them to return to Sri Lanka.

The Malaysian Government must not forget that an important principle in the handling of asylum seekers is that they should not be repatriated to their own countries - as they claim to have escaped from these countries because they were afraid that they would be harmed. This principle is accepted by the International Community, and even if Malaysia is not a signatory of the particular international covenant on refugees, it is vitally important that Malaysia respects and abides by this principle.

The fact that these Sri Lankan asylum seekers, many of whom have UNHCR documentation, might have been attempting to embark on a hazardous and illegal journey to a third country is an indictment of the way the Malaysia has been treating asylum seekers. Even though they may have UNHCR documentation, the refugees residing in Malaysia are not permitted to work. Of course they have to work illegally for how else can they support themselves and their families while waiting for placement in another country - a process that may take several years. But working without official sanction opens them to abuse by their employers - who do they complain to if the employer refuses to pay them their wages as promised? The lack of a proper work permit also exposes them to

extortion by various enforcement personnel.

Given that Malaysia has issued work permits to more than 2 million migrants to work in various sectors of the economy, the Malaysian Government's reluctance to release work permits to the 40,000 asylum seekers is difficult to understand. Why not regularise their stay in Malaysia? Why force them to work surreptitiously at the fringes of Malaysian society? Why traumatise them further?

Apart from difficulty in obtaining work permits - asylum seekers face great difficulty in getting medical treatment in Malaysia. Government Hospitals do not differentiate between asylum seekers, migrant workers and the health tourist. They are all charged far in excess of what Malaysian pay for health care. Similarly, the children of asylum seekers are barred from registering in Government Schools.

It is high time for Malaysia to review our treatment of Asylum Seekers. Are we living up to our claim of being a Caring Society if we treat a desperate group of people so callously?

The PSM therefore calls upon the government to:

1. Immediately allow UNHCR and Suhakam access to the Sri Lankan Asylum Seekers currently held at the KLIA Depot, Pekan Nenas and elsewhere.
2. Ensure that no asylum seeker is repatriated back to his own country forcibly
3. Set up a task force to suggest changes to our legislative framework such that the need of asylum seekers for employment, health care and education can be handled humanely.

*Released by*

Dr. Jeyakumar Devaraj

PSM Central Committee Member

(Tel : 019-5616807)