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Editorial Letter

2022 started with some hope that the year will be better than 2021, but alas the realities of the socio-economic fallout of the pandemic and subsequent lockdowns started to kick in. By 1st April, 2022, Malaysia entered the endemic phase, most companies started to allow a flexible hybrid of work from home and on-site office, but many businesses struggled to reopen and are nowhere as profitable or 'normal' near the days of pre-COVID.

Malaysia's industrial economy relies heavily on cheap migrant labour which is currently in short supply. Many migrants returned home to their home countries during the pandemic, and even after the opening of our borders, many have not returned. This is affecting our labour intensive industries such as plantations, construction and manufacturing. While some of this is due to lack of interest in workers returning, the current bureaucratic confusion of new regulations in place and unresolved issues with Indonesia and Bangladesh, two countries whom we rely heavily on for labour, contribute to the matter. However a question that needs asking is, why are Malaysians not wanting to fill in the void? Are these jobs not up to par or the wage is just too low?

Malaysia is also feeling the impact of the Ukraine -Russia war, just like other countries. The rising prices of basic household goods, food and petrol are hitting communities hard; it's unfortunate that we import most of our basic goods, which is why there are concerns of a rise in smuggling, which according to enforcement authorities have been increasing in the past two years despite border lockdowns and COVID-19!

The Southern Thai peace negotiations have finally resumed this year and hopes are high that tangible results will come soon especially after the recent Ramadhan truce, the most peaceful in years. Questions on the future of the peace process still remain, and what Malaysia as the key facilitator will do to help in moving the negotiations forward for all parties involved remains to be seen.

Therefore, as a summary of the past six months, this year's first Advisory will cover three issues: Malaysia's dependency towards foreign migrant workers, Sabah security and how it has fared through COVID-19 and the ongoing Southern Thai peace negotiations.

I hope that this advisory issue will provide a meaningful read and help better understand the country and region.

Altaf Deviyati
Managing Director

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Economic Migrants and Malaysian Cheap Labour Dependency

By: Nadia Lukman



Photo credit: Khalil Makata

During the early days of the COVID-19 pandemic, among the notoriously known clusters in Malaysia were those that involved migrant workers. Migrant workers in Malaysia live among local communities and their residences are usually apartments rented by the company who would then pack the apartment with as many workers as possible, disregarding existing regulations.

Migrant workers in Malaysia live in precarious conditions; stacked into subpar living quarters — where more than 10 people at a time are forced to live together in a small apartment that is barely 800 meter square feet. In places that did provide dormitories, they were also no better with 30 people crammed in a room with bunk-beds and sharing 2 bathrooms for example.¹ This is without doubt contradicting the minimum standards for workers' housing.² As such, it was not surprising that when COVID-19 hit migrant communities in Malaysia, it was like a tidal wave and no one could run away. It was simply not possible for anyone to practice physical distancing or self quarantine. During the height of the COVID-19's first wave, during a visit to migrant quarters in Kajang, the then Human Resources Minister, M.Saravanan was shocked at the living condition of the migrant workers and immediately made a statement that all employers must address workers living quarters as per guideline or else face a penalty.³ The situation of how workers are treated is not new, labour rights organizations have been highlighting the situation for years but it took the pandemic to make authorities to enforce the rule of law.

Hence, the Malayan Mansion and Selangor Mansion⁴ became infamous as the two residential buildings that housed hundreds of foreign workers in Kuala Lumpur, cramped into small bedrooms with limited ventilation. It was due to COVID-19 that the conditions of how foreign migrant workers are treated came to light, and how Malaysia's attempt at addressing the pandemic led to the human rights' violations of these workers.

Similar to other countries, Malaysia took a hard stand on border controls in order to limit the spread of the virus. Malaysia implemented a total lockdown of the national borders, meaning no one could leave or enter except in very limited conditions. This border control affected everyone, including tourists and

migrant workers. As such, Malaysian enforcement agencies tightened their security measures on both land and water borders, cracking down on smuggling and turning away multiple boats with refugees and illegal migrants. The Malaysian government also suspended new intakes or the renewal of foreign workers' permits in Malaysia with the exception of a few. This led to the labour crisis in certain sectors such as manufacturing, construction and plantation. The pandemic has exposed Malaysia's over dependence on foreign labour, coupled with the underlying racism issue we have in the country.

Unfortunately, this is a structural problem. The main reasons for this is the need to maintain lower costs of production as well as labour resources for dirty, dangerous and difficult (3D) work. In a way, foreign labourers are one of the key (beside our natural resources) reasons why foreign investors are attracted to Malaysia. This unhealthy dependency on foreign laborers has been widely debated by economists. Realising the issue at hand, the Malaysian government has implemented various measures to control the number of migrant workers in Malaysia. Examples of these measures are the issuance of levy for migrant workers as well as limiting the number of foreign workers employed. However, government control does not mean that the demands for foreign workers has lessened. It just translates to a different channel, via illegal employment. Malaysia's porous borders, either with Thailand, Philippines or Indonesia has made it easy for smugglers and traffickers to pass through and conduct their operations. Indeed, Malaysia has been struggling to solve its problem on human trafficking and smuggling, that in 2021, Malaysia was categorised in to be in Tier 3 by U.S Department of State on Human Trafficking.

Even more worrying is the recent 149 death cases of Indonesian nationals in the Sabah immigration detention centre,⁵ exposed by

1. Malaysia COVID Woes Spotlight "Terrible" Migrant Worker Housing— https://www.voanews.com/a/east-asia-pacific_malaysias-covid-woes-spotlight-terrible-migrant-worker-housing/6199239.html

2. Act 446 Employees' Minimum Standards of Housing, Accommodations and Amenities Act 1990 specifies requirement for workers housing

3. Minister 'shocked and ashamed' by workers' squalid living quarters (malaysiakini.com)

4. Selangor Mansion and Malayan Mansion under EMCO (thesundaily.my)

5. Detention centres: Is punishment the solution to the border-crossing issue? | Astro Awani

Koalisi Buruh Migran Berdaulat, an Indonesian non-government organisation. The Malaysian detention centres are notorious for human rights' abuses. Not only illegal migrants and refugees were crammed into limited space, but there were only few resources available. Food, clothing and sanitary care products for women were very scarce. In this unfortunate incident, the most disappointing part is the lack of care and concerns on the death of Indonesian nationals in the Tawau detention centres.

Indeed, the demand for cheap labour in Malaysia is due to a number of reasons, the capitalistic system that prioritises profits — foreign investments are enticed by low wages and maximum profits and the lack of support for R&D. In comparison to other ASEAN countries such as Vietnam, Indonesia and Thailand, Malaysia is a small country with a population estimated around 30 million people. As such, Malaysia cannot compete with other larger countries for cheap labour. Malaysian industries' exploitative labour practices is the industries' response to provide cheap labour which is not sustainable.

There have been proposals to push for automation and technology as a way to address the dependency of foreign labour in Malaysia. While this may be ideal, the amount of money and resources that is needed for initial investment will require political will. No small and medium scale industries will be able to opt for automation and technology to solve their labour shortage issues without government support. While the current government is scrambling to address food security and cost of living issues that have triggered the anger of the public, small and medium industries are left to fend on their own. The COVID-19 has seen numbers of SMEs closing their doors and unable to recover ever since. Malaysian SMEs were one of the largest employers in the country.

To address this crisis, government and industry need to work hand in hand to create both short and long term solution that increases industry productivity as well as the issue of forced labour and human trafficking in Malaysia. Malaysia needs to embrace the concept of sustainable development as a whole or we will be left behind in this fast paced era.



6. Hamzah downplays deaths in immigration centres | Free Malaysia Today (FMT)

7. Tok Pa: Malaysia must address lack of skilled workers, R&D in electrical and electronics industry | Malay Mail

8. Over 32,000 SMEs In Malaysia Have Shut Down Since MCO Started (ringgitplus.com)

9. Department of Statistics Malaysia Official Portal (dosm.gov.my)



Photo credit: Khalil Makata

Can Peace be Achieved and Sustained in Southern Thailand?

By: Tadzarul Adha

The bombing and shooting in Takbai on May 14, 2022, was the first big and coordinated attack since the end of the annual Ramadan truce, despite an overall decline in the past few years, that is partly due to COVID-19 and partly re-strategizing on the part of the both sides. According to reports, the Thai Navy checkpoint at the border was targeted by rebels with both conventional and modern firearms. Footage of the incident was captured by mobile phone users, and the aftermath showed the extent of the damage. The attack could be heard from the border of Kelantan, prompting the Royal Malaysian Police to issue a statement regarding the incident.

This longstanding conflict has claimed over 7,000 lives over the last decade, and victims were mostly civilians including women and children. As Bangkok continues to experience prolonged political crises with multiple changes of governments and priorities, issues concerning Patani are often left to the military commands under the pretext of an emergency decree imposed throughout the Deep South. In a nutshell, the conflict is a conundrum, with multilayered facades with different parties wanting different things. Therefore, it is no surprise that negotiations to seek permanent solutions have yet to materialise into tangible results, mainly due to no genuine political and public will in Thailand on the Deep South matter.

The Patani freedom movement started over a century ago after the signing of the Anglo-Siam treaty in 1909. The movement became an insurgency campaign in the 1950s, following most nationalist movements across the world demanding for self-determination or independence from foreign colonial occupations. For the Deep South, it was Malay citizens of Thailand against Thai rule. Since the 16th century, the Sultanate of Patani has been a sovereign kingdom with some diplomatic ties to other Muslim polities, around the same time the Thai kingdom attempted an annexation of areas in the south, claiming the area as theirs based on battles they've won. Today, the four provinces in Southern Thailand are home to 10 million Malay-Muslim people and a sizeable Buddhist community, living in a protracted conflict between the homegrown ethno-nationalist armed rebels and the Thai forces from the north.

This latest incident is worrying because the Thai military will surely increase security measures in the South with a carte blanche response as it sees any attack on military assets as provocation. This will affect the daily lives of the local community who just had one of the most peaceful Ramadans, where truce was respected. It's difficult to assess the local sentiments on the perpetual extension of the

security law on the population in the Deep South, which was implemented in 2004. The region saw no less than 30 attacks during the COVID-19 lockdowns, and vaccine hesitancy among the Malay-Muslim population in Deep South as opposed to the Buddhist community exacerbated the mistrust between the two communities. Ceasefire was called but it was compromised. Curfews and checkpoints in the past have caused more problems than solutions. No one has so far claimed responsibility for the attack in Takbai, as in the case of many attacks in the past, but there is talk that it is a potential splinter group that is unhappy with the peace negotiations.

The level of details, coordination and planning of the attack may offer some clues as to who would have the experience for an elaborate operation. To make matters complex, the route leading to Sungai Golok from the Thai side is also an active route for smuggling contraband and human trafficking, which is run by organized crime. In the past three weeks, there have been reports of hit-and-run shooting as well as some improvised explosive devices (IEDs) found in the "red zone", but such news is not new and it's hard to verify for accuracy.

Due to the on-going conflict, mental health-related illnesses associated with trauma from the conflict have some experts worried. Malaysia is a host to a large Patani community who work in the long-established Tomyam restaurant businesses or in online-based start up firms. Based on IMAN's 2021 findings on the migration of Patani youth to Malaysia post 2004, many cited the conflict as one of the reasons for migration albeit temporarily. Furthermore, most of the respondents interviewed for the study also stated that because of the conflict, there's no economic development back home and they see a bleak economic future there. Despite the abundance of resources, the south of Thailand has the highest number of poverty in the country.

Currently, the Thai Peace Dialogue Panel and Barisan Revolusi Nasional (BRN) peace negotiations facilitated by Malaysia are

on-going, though it has been stalled several times due to the pandemic as well as lack of confidence on both sides on how to pursue it. The lack of inclusivity — other notable Patani groups are missing and there is no female representation; at least two meetings were held in Berlin and Istanbul but without the participation of the chosen facilitator — Malaysia. After three sessions, we have yet to see tangible results apart from the Ramadhan truce.

Malaysia can indeed play a crucial role as a peace broker because we are experiencing the spillover effect of the violence. The sheer high number of Southern Thai youth coming to Malaysia is of great concern. The Malaysian position on the issue is notably awkward since we have shared cultures and religions with the South for generations, but we also have strong bilateral relationships with Thailand.

In the past, many leaders of the armed rebels were sceptical of Malaysia's role as an honest peace broker, hinting that Malaysia favours Thai's demand to stay as facilitator rather than as mediator and at the same time, Thailand has subtly accused Malaysia of sympathising with the rebels. In reality, Malaysia has done more in terms of de-escalating tensions and consistently promoting humanitarian solutions. It is not in the interest of Malaysia for continued conflict.

The way forward for sustainable and long lasting peace is through a political solution and this can only occur via the negotiation table. Both Thailand and Malaysia have established numerous bilateral agreements and Memorandums of Understanding (MoU) pertaining to the socio-economic relationships beyond the border region. The established special economic zones at the border should properly be utilised for the benefits of both countries and its people. Furthermore, the Malaysian role as principal facilitator to the current peace negotiation should not be tampered with by ambiguity from either the Thai side or any of the armed rebels whether

they are deep in the Southern terrain or in asylum in Malaysia.



Footages of Tak Bai shootings on 26 May 2022

Keselamatan Di Sabah:

Apa yang kita kena tahu?

Oleh: Rein SD



Kedaulatan negara adalah prioritas bagi tiap-tiap negara dan masyarakatnya. Malaysia sebagai negara berdaulat turut tidak terlepas daripada perbincangan seputar keselamatan, ancaman luar, dan polisi-polisi keamanan yang membentuk sfera sosial yang aman dan damai kepada seluruh rakyat selaras dengan Falsafah Keselamatan Negara dalam Dasar Keselamatan Negara 2021- 2025; keselamatan negara merupakan suatu usaha berterusan dan menyeluruh di dalam memastikan Malaysia kekal wujud sebagai sebuah negara yang berdaulat, aman dan sejahtera.

Dasar keselamatan negara ini turut menghala ke arah mempertahankan dan melindungi Malaysia pada segenap ruang yang menjadi hak dan kedaulatan atau keupayaan untuk cegah rintang menyeluruh (comprehensive deterrence). Malaysia antara yang komited untuk mendepani cabaran-cabaran keselamatan yang utama melibatkan keharmonian dan keamanan rakyat iaitu antaranya pertikaian tuntutan wilayah, jenayah rentas sempadan, pencerobohan pendatang asing tanpa izin (PATI), penyeludupan dan penculikan di sempadan negara.

Wacana keselamatan di Sabah adalah salah satu spektrum dalam diskusi utama melibatkan keamanan sejagat dalam negara memandangkan demografi dan pengalaman Sabah dalam mendepani kes-kes ancaman keselamatan sebelum ini adalah antara yang menjadi pemula kepada komitmen yang lebih progresif dalam memastikan negara lebih berdaulat dan sejahtera.

Januari 2022, Menteri Pertahanan dari tiga (3) buah negara; Malaysia, Indonesia dan Filipina membuat pertemuan bagi mengukuhkan Perjanjian Kerjasama Trilateral (TCA) untuk meningkatkan kawalan keselamatan di Laut Sulu, Sulawesi, dan Pantai Timur Sabah. Permulaan yang progresif pasca negara mendepani pandemik ini menjadi indikator penting kepada keselamatan negara pada masa akan datang.

Isu-isu keselamatan di perairan Sabah

Sabah, pasca-pencerobohan Tanduo pada tahun 2013 menjadi lebih serius mengekang ancaman keselamatan yang berlaku. Buktinya, Kawasan Keselamatan Khas Pantai Timur (ESSCOM) ditubuhkan pasca-insiden diplomatik yang berlaku di daerah Lahad Datu. Sehingga hari ini, ESSCOM masih melaksanakan dan melanjutkan perintah berkurung di perairan daerah yang diisytihar sebagai Kawasan Keselamatan Khas Pantai Timur Sabah (ESSZONE).

Usaha ini berlanjutan bagi memastikan tiada sebarang aktiviti yang menggugat keselamatan dan nyawa rakyat khususnya di perairan Sabah. Kes-kes yang berlaku seperti penyeludupan barang kawalan, penculikan, pergerakan keluar-masuk Pendatang Asing Tanpa Izin (PATI), dan aktiviti keganasan yang melibatkan modus operandi penculikan, perlanunan dan jenayah rentas sempadan.

Malaysia sangat tegas dalam mengekang kemasukan PATI terutamanya ketika pandemik melanda negara. Ini adalah bagi memastikan tiada penularan wabak Covid-19 dan sekaligus sebagai langkah pencegahan

menerusi sekatan pergerakan penuh (lockdown) dengan menutup sempadan negara. Inisiatif ini disokong dengan pengoperasian Operasi Benteng (Ops Benteng) di bawah Pasukan Petugas Kebangsaan (National Task Force).

Sekatan-sekatan di laluan tikus dan laluan transit yang digunakan oleh PATI telah memberi impak kepada Op Benteng dalam mencantas pergerakan bebas PATI memasuki Sabah. Hal ini turut menjadi daya tolak menumpaskan banyak saluran yang digunakan oleh para penyeludup dalam modus operandi mereka menyeludup manusia, haiwan, dadah dan barang kawalan tanpa permit. Pengusiran dan penangkapan hampir kerap berlaku memandangkan perairan Sabah yang sangat luas untuk dijadikan sasaran aktiviti kriminal oleh kumpulan penjenayah sempadan ini.

Perairan Sabah yang hanya memiliki jarak tiga (3) batu nautika ke sempadan antarabangsa terutamanya Filipina adalah cabaran besar untuk menghalang pergerakan bebas keluar-masuk negara oleh Pendatang Asing Tanpa Izin (PATI). Feri dan tekong-tekong yang melakukan servis penghantaran ke Filipina selalunya akan mula membuat pergerakan secara besar-besaran apabila rakyat Filipina yang ada di Sabah ingin ke negara mereka untuk mengundi dalam pemilihan Datuk Bandar di kepulauan-kepulauan yang ada di Selatan Filipina. Hal ini adalah antara rahsia umum yang berlaku di Sabah.

Mengawal perairan Sabah tanpa sebarang pencerobohan dan kemasukan PATI adalah hampir mustahil dan seakan utopia. Pembinaan pangkalan yang lebih banyak menelan kos peruntukan yang besar dan yang paling penting, proses mencapai keamanan komprehensif di Sabah perlu membabitkan komuniti maritim secara langsung termasuklah perkongsian maklumat dan cakna isu bersama dengan pasukan keselamatan.

Penculikan dan aktiviti keganasan

Sepanjang tahun 2022, tiada sebarang tangkapan penganas samaada daripada kumpulan penculik Kidnap for Ransom (KFR) mahupun Abu Sayyaf Group (ASG) di seluruh Malaysia. Tangkapan terakhir di Sabah adalah pada Mei 2021 di daerah Beaufort, Sabah. Lapan (8) orang ditangkap pada 2021, 7 orang pada 2020, 72 orang pada 2019, 85 pada 2018, 106 orang pada 2017, dan 119 pada tahun 2016 di seluruh Malaysia melibatkan aktiviti keganasan dan penculikan.

Sepanjang pandemik, graf aktiviti penganas dan penculikan di Sabah turut menurun memandangkan pelaksanaan sekatan pergerakan penuh di seluruh negara telah menjadi penghalang kepada pergerakan, modus operandi dan aktiviti rekrut mereka. Pandemik turut menukar strategi rekrut kumpulan ini ke atas talian. Walaupun begitu, penganas dan penculikan dalam kalangan KFR dan ASG di Sabah lebih bertumpu kepada urusan perniagaan iaitu mendapatkan wang tebusan hasil daripada penculikan berbanding ideologi Negara Islam yang lebih radikal diamalkan oleh kumpulan penganas di

tempat lain.

Menarik apabila membincangkan berkaitan keputusan pasca-Pilihan Raya Presiden Filipina yang dimenangi oleh Ferdinand Bongbong Marcos atau Marcos Jr. anak diktator Filipina dalam kerangka keselamatan Sabah. Bapa Bongbong yang terkenal dengan nafsu serakahnya ingin menawan Sabah sebagai salahsatu wilayah Filipina dikhuatiri mewariskan pemikiran itu kepada anaknya dengan memanipulasi semangat jihad waris-waris Kesultanan Sulu dan para pejuang pembebasan serta barisan hadapan pejuang autonomi di Selatan Filipina.

Perkara ini menjadi pemerhatian IMAN apabila melihat sokongan Bongbong di wilayah dan pulau-pulau di Selatan Filipina terutamanya Sulu amat memberangsangkan. Persoalan-persoalan penting yang perlu dipertanyakan; adakah Bongbong akan meneruskan impian bapanya untuk menakluk Sabah? Adakah pejuang autonomi di Sulu akan melupakan Peristiwa Jabidah iaitu pembantaian beramai-ramai pemuda muslim Selatan Filipina Ketika pemerintahan Marcos Sr.?



Sabah selamat, Malaysia berdaulat!

Bagi memastikan tiada lagi ancaman keselamatan di Sabah dan Malaysia secara umumnya, kerajaan dan pihak berkepentingan harus membangunkan polisi-polisi yang progresif dan menjalin kerjasama strategik di peringkat serantau serta penglibatan aktif dalam organisasi keselamatan dan pertahanan serantau.

Asean Regional Forum (ARF), Five Power Defence Arrangement (FPDA), Trilateral Cooperative Arrangement (TCA) dan banyak lagi adalah penting untuk terus dikukuhkan sebagai pendekatan diplomasi pertahanan (defence diplomacy) iaitu membolehkan Malaysia mempunyai pilihan untuk mendapatkan bantuan dan kerjasama sekiranya berhadapan dengan situasi di luar kemampuan negara dengan bantuan dari negara-negara sahabat.

Sekaligus, IMAN beranggapan bahawa kerjasama rapat antara rakyat Sabah terutamanya komuniti maritim dengan pasukan keselamatan amat penting bagi memastikan tiada unsur-unsur khianat dan talibarut yang mengancam kedaulatan negara.



Rakyat Sabah dan Malaysia secara umumnya haruslah menolak sebarang keganasan dan ancaman keselamatan yang boleh mengganggu gugat keamanan dan kesejahteraan negara dan masyarakatnya. Kita berharap agar Sabah di masa hadapan lebih membangun tanpa sebarang aktiviti penculikan yang membahayakan rakyat dan menjejaskan aktiviti pelancongan, penyeludupan yang membuka ruang kepada monopoli dan manipulasi, pergerakan bebas PATI memasuki Sabah tanpa kebenaran dan modus operandi keganasan dan hasutan. 🌐

Selamatkan semua, kita negara berdaulat!



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