



**LETTER**

## **LETTER | Exercise compassion towards undocumented migrants**

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**LETTER** | The Malaysian Bar is concerned by a statement made by Home Minister Hamzah Zainudin that [stronger measures](#) will be taken against undocumented migrants in Malaysia during the lockdown period from June 1 to 14, 2021.

This contradicts the [assurance](#) made by Science, Technology and Innovation Minister Khairy Jamaluddin, who as the coordinating minister of the National Covid-19 Immunisation Programme, stated that

undocumented migrants will not be arrested if they came forward for Covid-19 vaccinations.

We sincerely hope that the government will not renege on the assurance made by the science, technology and innovation minister in guaranteeing that undocumented migrants will be spared.

We fear that migrants will evade the authorities and refuse to seek medical treatment or vaccination, for fear of arrests if the authorities start taking enforcement actions against them.

It is crucial to foster trust and confidence between the government and migrants to ensure that they will come forward.

If migrants are arrested in large numbers, this could potentially lead to an increased risk of their exposure to the virus.

Actions of herding arrested persons in groups could lead to the formation of new clusters in prisons and detention centres.

These government policies to curb the spread of the virus may likely result in a high number of Covid-19 cases.

The Malaysian Bar urges the government to show empathy and compassion and allow all migrants — without regard to their immigration status — to have access to testing, treatment and Covid-19 vaccination without the fear of arrest or detention.

It is during these dire times that the government should be compassionate towards migrants, which represent one of the most vulnerable groups in our country.

There are numerous reasons for the presence of these undocumented migrants in Malaysia.

These range from cases of expired permits that could not be renewed by employers due to restrictions on movement during the period of the movement control order (MCO); to the failure of the employers of migrant

workers to legalise them or renew the work permits, some of these through no fault of the migrant.

Further, with borders closed, there are migrants stranded in Malaysia as they are unable to return to their home countries.

The Malaysian Bar, therefore, calls for a sustainable solution in this situation, which should involve opportunities for a comprehensive amnesty and regularisation programme that can resolve this issue holistically.

This is not the time for the government to penalise undocumented migrants.

With surging numbers and the economic difficulties faced by the country, the government must channel resources and manpower to expedite the vaccination process to achieve herd immunity to combat the Covid-19 pandemic collectively as a society, regardless of nationality.

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AG KALIDAS is president of the Malaysian Bar.

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