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BUILDING A SAFE, JUST
AND TOLERANT SOCIETY

COUNTRY OF ORIGIN INFORMATION KEY DOCUMENTS

MALAYSIA

18 DECEMBER 2007

Border and Immigration Agency
COUNTRY OF ORIGIN INFORMATION SERVICE

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1. Preface

- i This Country of Origin Information Key Documents (COI Key Documents) on Malaysia has been produced by COI Service, Border and Immigration Agency (BIA), for use by officials involved in the asylum/human rights determination process. It provides general background information about the issues most commonly raised in asylum/human rights claims made in the United Kingdom. The COI Key Documents includes information available up to 30 November 2007.
- ii The COI Key Documents is an indexed list of key reports, papers and articles produced by a wide range of recognised external information sources. It does not contain any BIA opinion or policy.
- iii For BIA users, the COI Key Documents provides direct electronic access to each source referred to in the document, via a link on the source numbers in the index and list of sources. For the benefit of external users, the relevant web link has also been included, together with the date that the link was accessed.
- iv As noted above, the documents identified concentrate mainly on human rights issues. By way of introduction, brief background information on Malaysia is also provided. Please note, this background material is not intended to provide a summary of the material contained in the documents listed.
- v This COI Key Documents and the documents listed are publicly disclosable.
- vi Any comments regarding this COI Key Documents or suggestions for additional source material are very welcome and should be submitted to COI Service as below.

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ADVISORY PANEL ON COUNTRY INFORMATION

- x The independent Advisory Panel on Country Information was established under the Nationality, Immigration and Asylum Act 2002 to make recommendations to the Home Secretary about the content of the BIA's country of origin information material. The Advisory Panel welcomes all feedback on the BIA's COI Key Documents and other country of origin information material. Information about the Panel's work can be found on its website at www.apci.org.uk

- xi It is not the function of the Advisory Panel to endorse any BIA material or procedures. In the course of its work, the Advisory Panel directly reviews the content of selected BIA COI documents, but neither the fact that such a review has been undertaken, nor any comments made, should be taken to imply endorsement of the material. Some of the material examined by the Panel relates to countries designated or proposed for designation for the Non-Suspensive Appeals (NSA) list. In such cases, the Panel's work should not be taken to imply any endorsement of the decision or proposal to designate a particular country for NSA, nor of the NSA process itself.

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2. Background information on Malaysia

Full Country Name: The Federation of Malaysia

Area: Total area 329,758 sq km (127,317 sq miles)

Population: 26m (2005)

Capital City: Kuala Lumpur (population: 1.5m), Putrajaya (Administrative capital)

People: Bumiputra (mostly Malays) (65.7%), Chinese (25.4%), Indians (7.6%). Others (1.3%)

Languages: Bahasa Malaysia (Malay) is the national language. Other languages include Chinese, Tamil and Iban. English is widely used.

Religion(s): Muslim 55%, Buddhist 17%, Taoist 12%, Christian 7%, Hindu 7% Animist/Other 2%

Currency: Ringgit Malaysia (RM)

Major Political Parties: "Malaysian political parties are distinguished more by their differing racial compositions than by competing political philosophies. The Government has been dominated since Independence by the Barisan Nasional (BN), a coalition of the United Malays National Organisation (UMNO), Malaysian Chinese Association (MCA), Malaysian Indian Congress (MIC), plus a series of smaller parties (mainly from the East Malaysian states of Sabah and Sarawak and reflecting, their complex ethnically mixed populations). The main opposition parties are the Democratic Action Party (DAP), the Pan-Malaysian Islamic Party (PAS), and Parti Keadilan Rakyat (PKR)."

Government: "Constitutional Monarchy: the King (Yang di-Pertuan Agong) is drawn on a rotating 5-year basis from the Sultans and hereditary rulers of the states of the Malay Peninsula."

Head of State (Agong): HM Tuanku Syed Sirajuddin Syed Putra Jamalullail

Prime Minister: Dato' Seri Abdullah Ahmad Badawi

Foreign Minister: Datuk Seri Syed Hamid Albar

Membership of International Groupings/Organisations: "Malaysia is a member of the Commonwealth, the UN, the Asia-Europe Meeting (ASEM) and the Asia Pacific Economic Co-operation (APEC). Malaysia is also the current Chair of the Organisation of Islamic Conference (OIC), the Non-Aligned Movement (NAM), and the Association of Southeast Asian Nations (ASEAN)". (Foreign and Commonwealth Office, Country Profile: Malaysia 3 September 2007 [4a])

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GEOGRAPHY

"Malaysia has two geographically distinct areas. Eleven of its thirteen states are in Peninsular Malaysia, with Thailand to the north and Singapore and Indonesia to the south. The other two states, Sabah and Sarawak, as well as the federal territory of Labuan, are 1000 kms away in East Malaysia on the north and west coasts of the island of Borneo, bordering Indonesia and Brunei." (FCO Country Profile, 3 September 2007) [4a]

"The country is comprised of 13 states, 11 on the Malay Peninsula and two, Sabah and Sarawak, on the island of Borneo. There is also a federal district, which contains the capital city of Kuala Lumpur, the administrative center of Putrajaya, and the island of Labuan (located off the southwest coast of Sabah). Malaysia is a multi-ethnic country of 27 million people. Malays form the predominant ethnic group. The two other large ethnic groups in Malaysia are Chinese and Indians. Islam is the national religion. Bahasa Malaysia is the official language, although English is widely spoken." (USSD Consular Information Sheet for Malaysia updated on 29 March 2007). [2f]

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RECENT HISTORY

- “1957: Independence for the Federation of Malaya (mainland Peninsular states).
- 1963: Formation of the Federation of Malaysia, comprising the Federation of Malaya, Singapore, Sabah and Sarawak.
- 1965: Singapore left the Federation.
- 1969: Inter-racial riots led to the introduction in 1971 of 20-year New Economic Policy (NEP) aimed at alleviating causes of the tension through enhancing the bumiputra (Malay) economic position.
- 1971 – Present: Country experienced rapid economic growth and industrialisation (with a major but temporary downturn in 1997/98).
- 1981: Dr Mahathir Mohamad became Prime Minister.
- 1997/1998: Asian Economic Crisis.
- 1999: General election returned the Barisan Nasional to power with a reduced, but still two-thirds majority.
- 2003: Dr Mahathir stepped down; succeeded by his Deputy, Abdullah Badawi
- 2004: General election on 21 March resulted in a landslide win by the UMNO-led Barisan Nasional coalition.” (FCO Country Profile, 3 September 2007 [4a])

“The Federation of Malaya achieved independence in 1957 under its first Prime Minister, Tunku Abdul Rahman, who oversaw the introduction of the country's multi-ethnic coalition style of government, led by the majority Malays with a Westminster style of constitution. The Federation of Malaysia, formed in 1963, comprises the Malay Peninsula and the Borneo territories of Sabah and Sarawak. The country embodies a mixture of races and cultures resulting from successive migrations and exposure to external religious and cultural influences. Immediately after its formation, the Federation faced hostility until 1967 from Indonesia (known as the period of 'Confrontation'). Relations thereafter improved notably, assisted by the formation in 1968 of the Association of Southeast Asian Nations (ASEAN) of which Malaysia was a founder member.” (FCO Country Profile, 3 September 2007) [4a]

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RECENT EVENTS AND POLITICAL DEVELOPMENT

Elections take place every five years. The Barisan Nasional won the 21 March 2004 general election by a landslide, securing 198 of 219 parliamentary seats, and winning 12 of the 13 states, displacing the Islamic opposition party, PAS, in the north-eastern state of Terengganu. The result was seen as a vote in favour of moderate Islam and a step towards eliminating corruption. (FCO Country Profile, 3 September 2007) [4a] As noted by the USSD Report 2006, “Opposition parties were unable to compete on equal terms with the governing coalition (which has held power at the national level since independence in 1957) because of significant restrictions on campaigning, freedom of assembly and association, and access to the media. Nevertheless, opposition candidates campaigned actively, with some success in past state and national elections. In the most recent national elections, held in 2004, opposition parties captured 19 of 219 parliamentary seats and 52 of 505 state assembly seats...There were numerous opposition complaints of irregularities by election officials during the 2004 campaign; however, most observers concluded that they did not substantially alter the results” [2a]

The USSD Report 2006 noted:

“Malaysia is a federal constitutional monarchy with a population of approximately 26.6 million. It has a parliamentary system of government headed by a prime minister selected through periodic multiparty elections. The National Front, a coalition of political parties dominated by the United Malays National Organization (UMNO), has held power since 1957. The most recent national elections, in March 2004, were conducted in a generally transparent manner, but the opposition complained of the ruling coalition's exploitation of the powers of incumbency. The civilian authorities generally maintained effective control of the security forces.” [2a]

As noted by BBC Timeline, updated 5 June 2007, in December 2004 scores of people in Malaysia were killed in the Asian tsunami disaster. In March 2005 illegal immigrants were rounded up following a previous four month amnesty whereby there was an exodus of hundreds of thousands of illegal workers. In May 2007 the former Prime Minister Anwar Ibrahim attempted to make political comeback but lost an acrimonious by-election. [7b]

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ECONOMY

GDP: US\$130.8bn (2005)

GDP per head (Nominal): US\$5,040 (2005)

GDP per head (Purchasing Power Parity): US\$11,201 (2005)

Annual Growth: 5.9% (2006)

Inflation: 3.6% (2006)

Major Industries: Electronics, Petroleum & LNG, Chemicals, Textiles, Palm Oil, Timber, Tourism

Major Trading Partners: USA, Singapore, Japan and China

Exchange Rate: £1=6.8 Ringgit - variable

(FCO Country Profile, 3 September 2007) [4a]

“Malaysia was hit hard by the 1997 Asian economic crisis with the economy contracting by 6.8% in 1998. The government reacted with an unorthodox policy mix of pegging the currency against the US dollar, exchange controls, and deficit financing to reflate domestic demand. This coupled with strong ICT exports (which account for over 40% of Malaysia's exports) saw growth rebound strongly in 1999-2000. Apart from a blip in 2001, the economy has continued to grow robustly since then: by 5.2% in 2003 (despite SARS), 7.1% in 2004, 5.3% in 2005, 5.9% in 2006 and an expected 6% in 2007.. Since the Asian financial crisis, Malaysia has made good progress in reforming its banking and financial system. Local banks have been consolidated and there is phased liberalisation to allow greater competition.” (FCO Country Profile: 3 September 2007) [4a]

“The Government has also progressively dismantled the exchange and other controls imposed during the Asia Crisis - including abandoning the Ringgit peg to the dollar in July 2005 in favour of a managed float. The chief economic reform challenges facing Malaysia now are to improve the performance of Government Linked Companies (which still account for a large part of the economy); to achieve further progress in corporate governance and transparency, and to move up the value chain in response to the economic challenge posed by China and other low-cost manufacturing economies. The administration has made some changes to improve financial and political accountability, and is seeking to improve Malaysian competitiveness in sectors

such as biotechnology. But there is more to do.” (FCO Country Profile: 3 September 2007) [4a]

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HUMAN RIGHTS

The USSD 2006 Country Report on Malaysia stated:

“The government generally respected the human rights of its citizens; however, there were problems in some areas. The government abridged citizens' right to change their government. The government maintained no independent body to investigate deaths that occurred during apprehension by police or while in police custody. Other problems included police abuse of detainees, overcrowded prisons, use of the Emergency Ordinance and other statutes to arrest and detain persons without charge or trial, and persistent questions about the impartiality and independence of the judiciary. The government continued to restrict freedom of press, association, and assembly and placed some restrictions on freedom of speech, including prohibitions of organized public discussions about "sensitive" religious topics. Violence against women remained a problem. The country was a destination and transit point for trafficking in women and girls for the purposes of prostitution and domestic servitude. Longstanding government policies gave preferences to ethnic Malays in many areas. Workers' rights were impeded by long court backlogs and limitations on the right to organize unions in some industries. Migrant workers faced some discrimination and exploitation.” [2a]

Amnesty International's (AI) 2007 Annual Report noted:

“The year ended without the government fulfilling its pledge to establish an independent police complaints commission. At least 80 men accused of links to Islamist extremist groups were held without charge or trial under the Internal Security Act (ISA). Freedom of expression, association and assembly continued to be constrained by restrictive laws. People suspected of being irregular migrants or asylum-seekers were harassed and detained in harsh conditions pending deportation. Hundreds of people, mostly alleged irregular migrants, were imprisoned or caned after unfair trials. Death sentences continued to be passed and four executions were carried out.” [11a]

Human Rights Watch World Report 2007 noted:

“When he took office three years ago, there were great hopes that Prime Minister Abdullah Badawi would make a break with the poor human rights record of his predecessor, Mahathir Mohamad. Badawi raised hopes when he promised good governance and human rights improvement. While there has been a reduction of pressure on human rights groups and lawyers, there has been virtually no institutional reform. The Badawi administration has failed to dismantle the legal framework that allows security officials to detain persons indefinitely without charge or trial. Recommendations by the government-appointed Royal Commission to Enhance the Royal Malaysia Police to amend and repeal such laws and to set up an independent commission to oversee the Royal Malaysia Police have yet to be implemented. Abuses against refugees and migrants continue to be reported and public discussions on inter-faith issues and religious freedom are restricted.” [5a]

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3. Index to key source documents

(KB users - click source number to access document directly)

KEY FACTS AND GEOGRAPHY	[1]	Europa World Online, Location, Climate, Language, Religion, Flag, Capital (accessed on 26 November 2007) http://www.europaworld.com/pub/
	[1]	Europa World Online, Country Statistics (accessed on 26 November 2007) http://www.europaworld.com/pub/
	[2a]	United States Department of State, Report on Human Rights Practices – 2006: Malaysia, 6 March 2007 http://www.state.gov/g/drl/rls/hrrpt/2006/78780.htm
	[2c]	United States Department of State, Background Note: Malaysia, last updated October 2007 http://www.state.gov/r/pa/ei/bgn/2777.htm
	[4a]	Foreign and Commonwealth Office, Country Profile: Malaysia, last updated on 3 September 2007 http://www.fco.gov.uk/servlet/Front?pagename=OpenMarket/Xcelerate/ShowPage&c=Page&cid=1007029394365&a=KCountrypProfile&aid=1018965335747
	[7a]	BBC News, Country Profile: Malaysia, last updated on 4 September 2007 http://news.bbc.co.uk/1/hi/world/asia-pacific/country_profiles/1304569.stm
	[10]	Central Intelligence Agency (CIA), The World Factbook Malaysia, last updated on 15 November 2007 https://www.cia.gov/library/publications/the-world-factbook/print/my.html
	[25]	The World Bank: Malaysia Country Brief, November 2007 http://siteresources.worldbank.org/INTEAPHALFYEARLYUPD/ATE/Resources/550192-1194982737018/Malaysia-EAP-Update-Nov2007.pdf
[46]	Malaysia Information.com, (accessed 29 November 2007) http://www.malaysiainformation.com/countryinfo.htm	
MAPS	[6b]	UNHCR, Malaysia Atlas map as of July 2005 (accessed 11 December 2007) http://www.unhcr.org/publ/PUBL/441688670.pdf
	[10]	Central Intelligence Agency (CIA), The World Factbook Malaysia, last updated on 15 November 2007 https://www.cia.gov/library/publications/the-world-factbook/print/my.html
	[44]	Commonwealth Secretariat: Malaysia (accessed 29 November 2007) http://www.thecommonwealth.org/YearbookHomeInternal/138656/
HISTORY	[1]	Europa World Online, Recent History (accessed on 26 November 2007)

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