

COUNTRY OF ORIGIN INFORMATION KEY DOCUMENTS

MALAYSIA

15 NOVEMBER 2006

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1. Preface

This Country of Origin Information (COI) Key Documents has been produced by Research, Development and Statistics (RDS), Home Office, 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 15 November 2006.

- 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 Home Office opinion or policy.
- For Home Office 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 [country] is also provided. Please note, this background material is not intended to provide a summary of the material contained in the key 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 documents are very welcome and should be submitted to the Home Office as below.

Country of Origin Information Service

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Website: http://www.homeoffice.gov.uk/rds/country_reports.html

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It is not the function of the Advisory Panel to endorse any Home Office material or procedures. In the course of its work, the Advisory Panel directly reviews the content of selected Home Office 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: 26.0m (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 2006) [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, 8 September 2006) [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 25 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." As noted

by in the USSD Consular Information Sheet for Malaysia, current as at 15 November 2006. [2f]

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RECENT HISTORY

"Malaysia is a constitutional monarchy with an elected federal parliamentary government." (USSD Consular Information Sheet for Malaysia, current at 15 November 2006) [2f]

- "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, 8 September 2006) [1]

"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, 8 September 2006) [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, 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, 8 September 2006) [4a] As noted by the USSD Report 2005, "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." [2a]

The USSD Report 2005 notes: "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." [2a]

In 2002 tough new laws against illegal immigrants came into effect allowing for whipping and prison sentences for offenders, resulting in an exodus of foreign workers. (BBC News Timeline: Malaysia) [7b]

In October 2003 Abdullah Ahmad Badawi took over as prime minister after Mahathir Mohamad stepped down after 22 years in office. In March 2004 Prime Minister Abdullah Badawi wins a landslide general election victory. Former deputy prime Minister Anwar Ibrahim was freed after his sodomy conviction is overturned. (BBC News Timeline: Malaysia) [76]

As noted by BBC Timeline, updated 1 November 2006, 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. [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: 5.2%

(actual); 2004: 7.1% (actual); 2005: 5.3% (actual)

Inflation: 3.0% (2005)

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

Timber, Tourism

Major Trading Partners: USA, Singapore, Japan and China

Exchange Rate: £1=6.5 Ringgit - variable (FCO Country Profile, 8 September 2006) [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 and an expected 5.5-6% in 2006. 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: 8 September 2006) [44]

"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: 8 September 2006) [4a]

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HUMAN RIGHTS

The USSD 2005 Country Report on Malaysia stated:

"The country's human rights performance improved during the year; nevertheless, problems remained. The following human rights problems were reported:

- abridgement of citizens' right to change their government
- incomplete investigation of detainee deaths and prisoner abuse
- overcrowded prisons
- detention of persons without trial or adequate access to legal representation
- lengthy confinement of immigrants in detention camps in poor and overcrowded conditions
- corporal punishment (caning) of illegal migrants and other prisoners
- restrictions on freedom of the press
- restrictions on freedom of assembly and association
- increased constraints on the ability of Muslims to change their religion
- violence against women
- treatment of trafficking victims as illegal migrants
- ethnic discrimination
- minimal labor law protection for household workers

"There was a major trend toward greater public and government oversight of the police. The government partially addressed prison overcrowding by building new prisons. While freedom of expression remained subject to significant constraints, the media increased criticism of government policies and officials, exposure of government corruption, and coverage of contentious debates among elected officials. The government granted the Office of the United Nations High Commissioner for Refugees (UNHCR) unfettered access to detainees of possible interest to the UNHCR as well as to facilities at immigrant detention centers." [2a]

Amnesty International's (AI) 2006 Annual Report noted:

"The government pledged to implement wide-ranging recommendations for police reform. At least 71 suspected Islamist activists remained detained without charge or trial under the Internal Security Act (ISA). Restrictive laws curtailed freedom of expression, association and assembly. Many people were imprisoned and caned after unfair trials for immigration offences, and some of those held pending deportation were ill-treated and held in poor conditions. At least 58 people were arrested for alleged religious "deviancy". Death sentences were imposed. Hundreds of convicted prisoners, mostly undocumented migrant workers, were caned." [3]

Human Rights Watch World Report 2005 notes:

"Malaysia made only marginal progress on human rights in 2005. Although the government of Prime Minister Abdullah Badawi publicized the findings and 125 recommendations of the government-appointed Royal Commission to examine police abuse, and prosecuted two Malaysians for abusing Indonesian domestic workers, significant obstacles to human rights remain. These include the use of antiquated preventive detention laws that allow for arbitrary detention without charge or trial of persons who are a threat to national security and public order, restrictions on religious freedom, and abuses against refugees and migrants." [5a]

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3. Index to key source documents

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

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KEY FACTS AND GEOGRAPHY	[1]	Europa World Online, Location, Climate, Language, Religion, Flag, Capital (accessed on 14 November 2006) http://www.europaworld.com/pub/
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	[2a]	United States Department of State, Report on Human Rights Practices – 2005: Malaysia, 8 March 2006 http://www.state.gov/g/drl/rls/hrrpt/2005/61615.htm
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	[7b]	BBC Timeline: Malaysia, last updated on 1 November 2006 http://news.bbc.co.uk/1/hi/world/asia- pacific/country_profiles/1304598.stm
	[26a]	Freedom House, Freedom in the World 2006: Malaysia http://www.freedomhouse.org/template.cfm?page=22&year=2 006&country=7009
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