

On the Way to Exile

Intermediate Needs-Assessment
and Sociodemographic Profile of
Palestinian Refugees in Malaysia

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*To those for whom
"the memories are still fresh,
the longings are still intense,
the pain still hurts..."*

-Gideon Lowy, The Fear of Return

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Syed Sumayya Firdous
Kuala Lumpur

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1. OBJECTIVES

This study was carried out with the following specific objectives in mind:

- a. To identify vulnerabilities and exigencies of the Palestinian refugee community in Malaysia
- b. To generate a profile (resources, strengths and dependencies) of the Palestinian refugee in Malaysia enabling civil society/agencies/voluntary sector to formulate intermediate and long-term assistance and advocacy programs
- c. To identify protection gaps, emerging service requirements and barriers in assistance programs and services

2. RESEARCH QUESTIONS

- a. What are the vulnerabilities and exigencies of the Palestinian refugee community in Malaysia?
- b. How are the needs of growing children affected by displacement and dispossession?
- c. How does displacement affect dynamics of interaction within the family, especially the dynamics of gender?
- d. How are social relations and patterns of interaction within the community affected by their dislocation, and, especially, dispersal? Does this have potential for conflict and/or social disruption?
- e. What long-term effects are the current problems likely to have on the health/vitality of the community and individual members? (prospects of eventual resettlement; self-sufficiency; even repatriation)
- f. In what ways have the circumstances of displacement and dispossession affected the refugees' ability to deal with their problems and cope with the stress generated by their situation?

3. METHODS

3.1 Study Population & Sampling

The population for this study comprised of all Palestinians in Malaysia who have either been recognized as refugees by UNHCR, or are asylum seekers, or otherwise fit the definition of refugees in accordance with the 1951 Refugee Convention and/or its subsidiary documents.

The total number of such individuals is not exactly known. It was difficult to ascertain the number of Palestinian refugees in Malaysia from the statistics available with refugee-monitoring bodies, since, in the overall Palestinian refugee picture, those in Malaysia (or Southeast Asia) are an insignificant number, usually figuring under the blanket of "Other" in most statistics. Moreover, statistics pertaining to migrants, refugees, and asylum seekers present on the Malaysian territory are uncertain due to an absence of publicly available statistics (Undocumented, 2008). However, Khoo (2010), quoting UNHCR Malaysia statistics, puts the number of Palestinian refugees in Malaysia at 200.

Gassner (2009) says that in the absence of systematic monitoring and comprehensive registration of all displaced Palestinians, it remains difficult, and is sometimes impossible, to produce accurate statistical data reflecting the phenomenon. Indicative estimates of the total Palestinian refugee population, i.e., all displaced persons and their descendants who are unable to exercise a voluntary durable solution, suggest that as many as three-quarters of the Palestinian people have been displaced since 1948. Fewer may be in need of international protection. Half have been displaced outside the borders of their homeland (Rempel, 2006).

The development of a sampling frame and a sampling strategy was thus complicated, as is expected with almost all studies involving refugee populations. That people may consciously adopt other national or ethnic identities as part of their livelihood or asylum strategies only further complicates such efforts (Landau, 2005; Verghis, 2009). The latter problem, however, is not a significant factor in the case of Palestinians in Malaysia, given the near impossibility of adopting Malaysian national/ethnic identities by Palestinian persons.

MSRI, through its refugee outreach, has access to about 60 Palestinian refugee families. Even though it is a small number, there is still a significant degree of heterogeneity in this population. This is another factor to be kept in mind while developing an adequate sampling strategy (Verghis, 2009; Glenn, 1992). Despite the uncertainty about total numbers, this research adopted MSRI's outreach population as its sampling frame. According to Landau (2005) such numbers may be useful, but they may be considered only as very general, and possibly highly biased, estimates. In such environments, developing a sampling frame that allows one to make claims of representativeness is difficult.

Moreover, employing such an approach has its limitations. It does not enable the compilation of a complete and accurate sampling frame and it obviously leads to respondents who are part of the same social network (El-Abed, 2003). The referral method also runs the risk of targeting a particular population who may share certain characteristics. According to El-Abed (2003) it would risk excluding people who are outside of a particular circle of networks. However, depending on the referrals of MSRI was advantageous in at least one sense: owing to a high degree of trust that members of the Palestinian refugee community have come to place in MSRI, there was little reservation in responding to questions during the interview.

The initial idea was to include all 60 families in the study, in order to reduce sampling error (Glenn, 1992). Since sampling error is related to sample size, a greater sample size would increase the precision of statistical estimates (Trochim, 2006; Glenn,

1992). However, having developed a sampling strategy, we faced a series of additional technical hurdles, the greatest of which was the problem of access and availability. In addition, there was the problem of nonresponse and dropping out after the pilot study due to various factors. The research subsequently had to settle for a convenient, nonrandom sub-sample, since other constraints prevented access to all potential respondents in the sampling frame. Finally, the number of respondents in the study came to 32.

Of the 32 respondents in this study, 12 originate from Gaza in Mandatory Palestine; 16 are "Iraqi" Palestinians, 12 of whom originate from Haifa in Mandatory Palestine. 17 are married; 1 is widowed, one is divorced, 13 are single. Out of the 17 who are married, six are here without a family; they are living as single men. So a total of 21 respondents are living as single, without a family. Only about 37.5% are married and living with their spouse/family in Malaysia. As part of an effort to integrate gender perspectives in the present study, we included a section on women in the interview schedule (See Appendix A). It contained questions specifically for women in the household, and this section was only completed in instances where there was at least one adult female refugee in the designated household. The total number of cases where this applied was 13 (= 40.62% of the study sample).

3.2 Unit of Analysis

The unit of analysis in the present study is the "household", with all the attendant challenges of defining a household and threats to response that it presents (Verghis, 2009; Landau, 2005). Landau (2005) briefly mentions some of the methodological problems researchers with refugee populations encounter in defining a household, especially in urban settings. Since about 65.5% of the respondents in this study live in Malaysia as single men without a family, the study counted each of them as a unit of analysis in themselves.

Many of them share living arrangements with other similarly situated men. However, such arrangements are not sufficiently stable to be said to constitute a household. For the most part, the men continue to operate as independent economic units, often moving from one arrangement to the next as they seek more stable economic avenues. In such a situation, relegating a respondent to a particular "household arrangement" would not make sense, since such arrangements are very likely to change over short periods of time. Moreover, the high incidence of the Palestinian refugee community's dependence on external aid makes the concept of household even more fluid in the case of single men sharing living quarters.

To be more accurate, then, the unit of analysis in this study is the *economic unit*; our definition of the household has a very economic focus, and, as in many other studies of migrant workers, co-residence is not regarded as a defining characteristic of the household. Even though they might in some cases share housing expenses, they retain the provisionality characteristic of forced migration that prevents the arrangements from approximating any degree of permanence. Like the rest of their circumstances, occasional sharing arrangements are no more than reflexive coping mechanisms which are neither intended nor perceived as permanent.

Perhaps, then, the best test of a household definition adopted in a particular study is to find out what the respondents in that study perceive the nature of their living arrangements with others to be. The Palestinian refugees in Malaysia living as single men do *not* feel that the individuals they share living quarters or even living expenses with constitute their household.

If at all there are any perceived household ties, they are the ones the men feel for the rest of their family/kin whom they have left behind in Palestine or elsewhere. In a way, they are extensions of households situated elsewhere in space. We shall examine this in greater detail in the section on the economic and social profiles of the refugees.

Nevertheless, in the context of Malaysia, they function as autonomous economic units, and are deemed as such in the study.

A second clarification pertaining to the unit of analysis in the present study is that warranted by the use of an additional “unit of observation”, which is different from the sampling unit. In effect, the interviews in the present study were conducted with individual respondents representing a household. Information regarding the sampling unit, the household, was gathered from interviews with these observational units, or individuals representing the household. Where the household comprised of a single individual, of course, the sampling unit was the same as the observational unit.

3.3 Instruments & Design

The main instrument used in the study was a qualitative-quantitative semi-structured interview schedule (Appendix A), modified after the pilot instrument was administered in 2009. Interviews were conducted in at least three different settings: (a) at the MSRI office, where the respondents often come for help with services; (b) at the workplace of the respondent; (c) at the residence of the respondent. An interpreter was present during all interviews, although some respondents would frequently break into English.

Due to unavoidable circumstances, there was a time lapse of about 7 months between the administration of the pilot instrument and the subsequent fine-tuning of the instrument and further interviews. This has resulted in a number of shortcomings in the study design. First, it was not always possible to trace the respondents of the pilot interviews for the subsequent interview. This has caused non-uniform administration of the instrument across the sample, manifesting in data gaps. Second, where we could get a respondent from the pilot study to continue to participate in the study, data from the previous interview had to be updated, since a lot of the values had changed during the 7-month lapse. Unavoidable repetition of some of the earlier questions aggravated many of the respondents.

The nature of the research objectives warranted a largely qualitative design supported by quantitative items. Identifying vulnerabilities arising out of displacement and dispossession meant delving into the refugee experience, something best achieved with a qualitative design. Self-administered questionnaires would not have answered that purpose as adequately as in-depth interviews did. Since we desired to generate aggregate, “community” profiles, case studies would not have been appropriate, despite their ability to yield wealthy detail. Moreover, considering the heterogeneity of the population, case studies would further limit the external validity of the study.

In order to develop key characteristics of the community’s profile, questions in the interview schedule were grouped in sections according to “sub-profiles”. Certain questions seemed to belong to more than one sub-profile, but were asked only once and tagged in the rest of the places. The first section recorded contact and reference information, including a unique Research Reference Number that was assigned to each respondent in the interests of anonymity during data analysis and report-writing. An informed consent declaration translated into Arabic, which the respondents signed, was also part of the first section. Section A asked questions related to standard demographic data. Section B was about the educational and vocational sub-profile of the respondent. Section C sought to tabulate the “trajectories of displacement”, migration history, and future direction of movements. Section D.1 pertained to the economic sub-profile, including working conditions. Section D.2 asked questions relating to the health sub-profile, including maternal and child health. Section D.3 was about general living conditions in Malaysia. Section D.4 contained questions on perceptions of loss and trauma, in order to elicit a mental health sub-profile of the respondents. It also contained questions pertaining more directly to mental health. Section D.5 was about marital and family life. Section D.6 was specifically about children and education. Section D.7 was about social networks. The last section, E, was an attempt at integration of gender information in the study. It contained questions

specifically for women in the household, and this section was only completed in instances where there was at least one adult female refugee in the household.

In some instances, especially where a woman from the household was also interviewed, or when the interview took place at the respondent's residence, the interview would unfold into something more than an interview, with other members of the designated household contributing to the responses. Whenever that happened, the researchers did not seek to check the discourse; we took it as a kind of focus group session, almost correcting for the dichotomy between sampling unit and observational unit in some responses in this study. However, this does bring in a marginal amount of non-uniformity into the data pool.

On the whole, the research design remained posttest only non-experimental.

3.4 Procedure

A pilot instrument was administered to 28 respondents over a period of three months in 2009. After an unavoidable lapse of about 7 months, the pilot instrument was reviewed to include more qualitative items and to integrate a gender perspective. The second phase of conducting interviews lasted from April to August in 2010. There were long delays between interviews due to the difficulties encountered in accessing respondents. Although respondents were willing to participate in the study, they remained unavailable due to their pre-occupation with survival concerns.

In the second phase, 14 new interviews took place, making the total number of "active" respondents in the study 32. The researchers tried to follow up on as many of the pilot instrument respondents as possible. We managed to re-administer the reviewed questionnaire to about 7 out of the original 28 respondents. Ten respondents out of the original 28 "died" with respect to the study; they either dropped out or remained untraceable (Trochim, 2006). In any case, data from the pilot interviews with them had major gaps, and did not remain usable in the present study. The high "mortality" rate in this study may be considered one of its limitations.

Each reviewed interview took about half an hour to complete, with the help of an interpreter. Notes were taken during the interview and later fed into pre-designed worksheets on Microsoft Excel. Data were analysed using statistical tools in Microsoft Excel. In the process, a preliminary database of Palestinian refugees was also developed.

Since the Palestinian refugee problem is at the heart of an international conflict, it has a very significant global context. Literature pertaining to this international context and the politics of Palestinian demography was reviewed in order to compare the profile generated from our study with the international profile of Palestinian refugees elsewhere. Besides, annual reports from refugee-oriented bodies, and other organizations working in the context of forced migration were a source of secondary data in the study, and served as a backdrop against which the Palestinian refugee phenomenon in Malaysia could be studied.

3.5 Methodological Concerns in Research with Refugees

Methodological problems of research with refugees have been documented by a number of authors (Ben-Porath, 1987; El-Abed, 2003; Gosling, 2000; Creson in Kurt, 1998; Landau, 2005; Rempel, 2006; Subhra, 2002; Verghis, 2009). Many studies dwell exclusively on the issue, while almost all studies with refugees document at least some of the challenges of such research.

The most frequent challenge is that of the absence of statistics and available records, which makes it difficult to get estimates of the size of the population and to determine a definite sample size, especially for studies with a quantitative focus. It also has implications for the external validity and generalisability of a research. This, as has been noted in a previous section, was a major challenge for the present research as

well. The absence of a universally-accepted refugee definition, lack of a comprehensive registration system, voluntary registration of those eligible for UN assistance, deficiencies in host country statistics, and frequent migration are the factors that contribute to scarcity of available statistics (Rempel, 2006).

Heterogeneity, high mobility and inadequate physical access to refugee communities, especially in urban environments, pose a further challenge to research with them. Some of the other challenges that have been documented, and which also seem to hold true in the present study, are those related to ascertaining pre-flight stressors (Ben-Porath, 1987), the timing of the research (El-Abed, 2003), inaccessible location (Landau, 2005; Verghis, 2009), and the refugees' unwillingness to disclose personal data to researchers out of fear for their own safety (Subhra, 2002).

Subhra (2002) also points out a pertinent concern of research with refugees; he says that "...it is problematic to 'dip in and out' of people's lives without building an ongoing dialogue and support." This is very likely to happen in the case of qualitative interviews, especially with women, whose trauma the researchers delve into, effectively making them relive it. The researchers' preoccupation with the vigor of their study is likely to obscure to them the problem of "dipping in and out" of people's lives. Although MSRI has an ongoing engagement with the Palestinian refugee community in the form of an outreach program and a mentoring program, it was feared that without being able to make a significant difference to the predominant concerns of the refugees, the research to them would become just another voyeuristic infringement into their lives, one of the many "stories" about them that the world buys and sells.

This apprehension endured throughout the duration of the study.

Finally, the agenda behind research is another major concern of research with refugees. This is because, as El-Abed (2003) notes, qualitative data has the potential to be politicised; studies of the problems of refugees in relation to changing state policies towards them and the depiction of poverty and services provided can all serve political purposes. On the other hand, research is often also seen as obscure theorisation and irrelevant in the midst of a humanitarian crisis. Aid organisations would rather use a more "common-sense" approach to providing services. This compounds the problem of the lack of information that prevails in the field of psychosocial assistance to victims of forced migration. As Creson in Kurt (1998) says:

What would be needed to adequately plan for large scale psychosocial assistance under the conditions that have prevailed...The all too simple answer has always been that specific information is not available and will not be available in the foreseeable future. It would not be available because the acquisition of such information cannot be funded. The very word "research" is enough to doom most if not all grant proposals for humanitarian aid work in the field.

Creson in Kurt (1998) also notes:

...all research is not pointless in the midst of a major humanitarian crisis. Some research can make the aid effort more effective, save valuable resources, and ensure that the most critical needs for psychosocial rehabilitation are the ones that are addressed.

3.5.1 Compound Migration

The first stage in any empirical investigation is precisely determining one's subject of study. There is, however, no single 'right' definition of who qualifies to be called a forced migrant. Definitional boundaries are not always clear, and forced migrants' own actions may only further complicate the process (Landau, 2005; Verghis, 2009). Landau (2005) suggests that there are valid reasons for maintaining heterogeneous definitions with the growing literature on urban refugees. Before engaging with others' work, it is important to keep in mind the definitions that they have used and the relative benefits and costs of the definition and concepts employed. In order to ensure

clear communication and allow others to evaluate one's claims, it is important that one be explicit about how and why one has selected a particular approach (Landau, 2005).

Landau (2005) says that some researchers rely on narrow legal definitions: those people who have been legally classified as refugees, for example. Others include asylum seekers along with refugees. While these are appropriate for particular kinds of studies, they risk excluding many who qualify under a more 'common sense' definition of forced migrant. It also excludes those who have not applied for or have ensured their right to residence through extra-legal channels. Recognizing this, at least one study (Jacobsen and Landau 2003) has adopted a more expansive definition of their study population: all those coming from 'refugee-producing countries' who are living, however temporarily, in a given...environment. While this means including people better designated as 'voluntary' than as forced migrants, it implicitly recognizes that the division between these groups may not be as firm as a strict legal designation suggests (Landau, 2005).

Hovdenak (1997) states that in recent literature the categorizations in strictly legal approaches have been criticized for being too rigid and for ignoring the element of choice when it comes to the decision of whether to flee or stay in a critical situation. It has been argued that migration should be seen as a type of social action rather than a passive reaction to events, and that the relationship between external forces and adaptation strategies pursued by displaced peoples should be seen as an interactive process that continuously informs and influences decision-making (Hovdenak in Hovdenak, 1997).

Hovdenak (1997) states that involuntary migration is normally coupled to group migration, with refugees as the classical example. Similarly, voluntary migration is most commonly seen in connection with individual migration, represented by the labour migrant, going abroad alone in search of better economic opportunities than those available at home (Hovdenak in Hovdenak, 1997).

However, this distinction between economy and politics as the separate realms and causes for migration reflects academic oversimplification of the blurred and complex nature of human movement. Recently, population displacement from forced migration has become a focus of public attention. Displaced populations affect those who are uprooted, the communities that feel the impact of their arrival, governments, and the international agencies which play a major role in dealing with displacement (Sudarmo, 2007).

An example of how a refugee can possibly experience both forced and voluntary types of migration are Palestinian refugees working in the Gulf. Hovdenak (1997) describes how many of them fled from a direct war situation in 1948 and found refuge in the West Bank or Gaza. At a later stage, they moved on to the Gulf, attracted by the prosperous opportunity of employment caused by the oil-boom. They experienced both kinds of migration in two successive stages, in neither case one contradicting the other. Hovdenak (1997) points out that there is not necessarily any contradiction between the identity of a forced migrant and that of the later stage, when the same migrant decided to move voluntarily. The two stages might be interrelated, as a Palestinian who has been displaced by war in the first place might use the option of labour migration as a coping strategy in their struggle to adapt to the challenges of a new environment. Thus, one type of migration has given rise to another: forced migration has led to voluntary labour migration (Hovdenak in Hovdenak, 1997).

In the present study, the decision to include respondents often hinged on this debate between forced and voluntary migration. While most of them have a formal refugee status with the UNHCR, their stated reasons for migration often "sound" voluntary: the pursuit of a better job being frequently stated as the "reason" for leaving their previous country of residence. Being immersed in the refugee experience, many of them do not even realize that they are refugees, basically in a situation of having fled

“owing to a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion” and that they are outside the country of their nationality and are “unable or unwilling to avail themselves of the protection of that country” (UNHCR, 1951). It is for these considerations that the present study includes respondents whose reasons for being outside their country of nationality may, at first, not seem to fit in the stereotypical “forced migrant” categorization.

3.5.2 *Intermediate Level Study*

This study is not a rapid appraisal of needs. Immediate needs-assessment surveys usually follow on the heels of humanitarian disasters and massive displacements, when service-providers would want to determine the extent of work they need to do. However, the Palestinian refugee problem is already decades old in most host countries, even though Palestinian refugees continue to be produced on a daily basis. There is nothing “immediate” about the exigencies of a population that has grown to live with its own dispossession. As the duration of their displacement continues, new challenges arise in terms of various needs, such as adequate housing, infrastructure, health, psycho-social education and, importantly, economic opportunities (Garvin in Kurt, 1998).

Nevertheless, the Palestinian refugee phenomenon in Malaysia is a recent one: it is barely three to four years old. In the earliest flows, an informal rapid appraisal of needs was carried out by the voluntary sector, especially MSRI, in catering to the needs of the population. Their immediate exigencies of survival are ongoing concerns, but relatively more “long-term” concerns are now beginning to surface among members of the community, *viz.*, those of a stable livelihood, education of children, access to services, and, most importantly, certainty regarding international status.

How (2010) notes that the consequences of long-term refugee hood – namely, the non-resolution of their exile status, the lack of identity, meaning and purpose in life, and a lack of formal status in society over more than a single generation – are often needs that are sidelined in favor of strategies that aim to temporarily alleviate their material hardship in the urban context. They state that this can also be seen in the Malaysian situation, where there has been an increase in funding and humanitarian support from UNHCR and other organizations for the Afghan refugee community. The community has continued to grapple with the biggest dilemma of their lives – an uncertain future as well as ambiguity with regard to the resolution of their protracted exile status (How, 2010).

This warrants a study conducted at the *intermediate* rather than the immediate level; a looking beyond of first-aid and food and basic protection concerns. The need for research (and hence, humanitarian aid) to go beyond the traditional limits of shelter, food and basic healthcare has been stressed in a number of other works on refugees (see, for example, Creson in Kurt, 1998; Garvin in Kurt, 1998; Hanssen-Bauer, 2007). This also involves looking at the community as a whole, rather than at individual exigencies. The effects of dispersal and the refugee experience on dynamics within the family, and, via the family, on the community, now become the subject of study. At the other end, the intermediate nature of the study is justified by the need for a separate “long-term” needs analysis, which, most importantly, would look at durable solutions to the Palestinian refugee problem. The scope of such a study cannot justifiably overlap with a study of intermediate needs. It is, then, the discrete scopes of the three kinds of study that warrants a separate intermediate level study.

4. FINDINGS & DISCUSSION

4.1 Demographic Profile

Millions of Palestinians are not only refugees, but are stateless as well (Lynch, 2005). The largest group (more than 750,000) of Palestinian refugees originates from areas inside the state of Israel. They were displaced during the 1948 Israeli-Arab war and became refugees in neighboring Arab States and in lands now occupied by Israel (Lynch, 2005). The numbers that fled their towns and villages in 1948 are not entirely clear; estimates range from 500,000 to as much as 900,000. There are very few of these first-generation refugees left; estimates suggest that only 3 percent of the population (in the West Bank and Gaza Strip) is now first-generation refugees (Pedersen in Hovdenak, 1997). A smaller number of Palestinians remain internally displaced from this period and are citizens of Israel.

The second largest group of Palestinian refugees was displaced during the 1967 Israeli-Arab war and originates from the West Bank, East Jerusalem and the Gaza Strip. Large numbers of Palestinian refugees displaced in 1948 to these areas were displaced for a second time in 1967. The third largest group of Palestinian refugees comprises those displaced from the West Bank, East Jerusalem, and the Gaza Strip since 1967 due to Israel's protracted military occupation. Internal displacement in the 1967 Occupied Palestinian Territories is an ongoing problem due to military occupation (Rempel, 2006). As many as three-quarters of the Palestinian people have been displaced since 1948. Half have been displaced outside the borders of their homeland (Rempel, 2006).

Gassner (2009) says that in the absence of systematic monitoring and comprehensive registration of all displaced Palestinians, it remains difficult to produce accurate statistical data reflecting the phenomenon. Estimates of the total size of the Palestinian refugee and internally displaced population vary considerably due to the absence of a universally-accepted refugee definition, lack of a comprehensive registration system, voluntary registration of those eligible for UN assistance, deficiencies in host country statistics, and frequent migration (Rempel, 2006).

Today, the original Palestinian refugees and their descendants constitute the world's oldest and largest refugee population, making up more than one-fourth of the entire refugee population in the world. They include 4 million 1948 refugees who are registered with the United Nations; 1.5 million 1948 refugees who are not registered by the United Nations either because they did not register or did not need assistance at the time they became refugees; 773,000 1967 displaced persons; and 263,000 internally displaced refugees (The Palestinian, 2010). Over the last 56 years, the number of Palestinians worldwide has grown to between an estimated eight and nine and a half million people (Lynch, 2005). At the end of 2008, there were at least 7.1 million displaced Palestinians, representing 67 percent of the entire Palestinian population worldwide. Among them were at least 6.6 million refugees and 427,000 IDPs (Gassner, 2009). According to Lynch (2005), four million individuals are also *de jure* stateless persons. The 2009 figures for Palestinian (OPT) refugees under UNHCR mandate only list the total population of concern at 97,702, among whom 95,177 are refugees (UNHCR, 2010a).

4.1.1 Definitions

According to the 1951 Convention Relating to the Status of Refugees, a refugee is defined as:

...any person, who...owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable, or, owing to such fear, is unwilling to avail himself of the protection of that country; or who,

not having a nationality and being outside the country of his former habitual residence, is unable or, owing to such fear, is unwilling to return to it. (UNHCR, 1951)

According to USCRI (2008), refugee status precedes its recognition. Most of the world's refugees do not receive formal determinations of their status under the 1951 Convention. For its annual world refugee surveys, USCRI, therefore, counts not only those whom officials recognized as refugees but also asylum seekers awaiting initial determinations and beneficiaries of more general forms of protection granted for similar reasons (USCRI, 2008).

Given the complexity of issues, protection gaps, and overlap of operation areas of different UN bodies, there has been a lot of debate as to who exactly should be considered as a Palestinian refugee. Palestinian refugees also occupy a special place because of the status of a refugee transmitted through patrilineal succession in contrast to all other refugee groups (Pedersen in Hovdenak, 1997). Nevertheless, most persons belonging to any of the classes discussed in the previous section are conventionally regarded as Palestinian refugees.

Palestinians not falling within the scope of Article 1D of the 1951 Convention who, owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, are outside the Palestinian territory occupied by Israel since 1967 and are unable or, owing to such fear, are unwilling to return there, qualify as refugees under Article 1A(2) of the 1951 Convention (UNHCR, 2009).

Gassner (2009) therefore gives a more specific definition of who would qualify to be considered Palestinian refugees: "...those who became refugees in the context of armed conflicts in 1947-1949 ("1948 Palestinian refugees") and 1967 ("1967 Palestinian refugees"), as well as those who are neither 1948 nor 1967 refugees, but outside the area of former Palestine and unable or unwilling to return owing to a well-founded fear of persecution."

The present study adopts this definition of Palestinian refugees where the respondents are yet to obtain a formal refugee status with the office of the UNHCR, or those whose application for refugee status has been unsuccessful, or those who are not sure about their refugee status.

4.1.2 Durable Solutions & the State of Israel: The Right of Return

Forced migration is not just a product of internal wars and local impoverishment, but it is also closely linked to economic and political structures and processes (Sudarmo, 2007). An understanding of the security concerns of refugees in this study necessitates an appreciation not only of the protection environment in Malaysia and the nature of UNHCR's operations in the country (which we shall discuss in a subsequent section), but also the way in which historical and global events related to Palestinian refugees intersect with their daily lives (How, 2010; Loh, 2010). Palestinian refugees and IDPs continue to constitute the largest and longest-standing unresolved case of refugees and displaced persons in the world today; and their numbers continue to grow in light of Israel's policies and practices that result in more forcible displacement (Gassner, 2009).

The clearly political nature of the Palestinian refugee problem indicates the need for the political will to implement one or a combination of the three "durable solutions" in this case: voluntary Repatriation (the Right of Return), Integration, and Resettlement. Responsibility for executing the first of the "durable solutions", that is, Repatriation, falls predominantly with the state of Israel. Responsibility for ensuring that Integration into host states and/or Resettlement are options available to the refugees falls largely with the international community.

Since demography is central to the political idea of the state of Israel, it is the

politics of Palestinian demography that continue to determine the direction of Israeli (as well as Arab) policies towards the Palestinian refugees. At one end of this political demography is the Right of Return which the state of Israel refuses to acknowledge (Lowy, 1997; Rempel, 2006); and at the other end are the assorted interests of refugee-hosting countries, especially Arab states neighbouring Israel and the OPT, which prevent them from offering durable solutions.

The resulting “protracted refugee situation” (UNHCR, 2010a) gives rise to grave humanitarian consequences, which aid organizations and the civil society in all concerned states attempt to address. Humanitarian assistance, however, can only go so far in alleviating the condition of a people whose problem is fundamentally political in nature. An example of this is how Palestinian refugees, in Iraq and elsewhere, believed that any attempt to improve their housing conditions was linked to a conspiracy to settle them down in their host countries and to prevent them from returning to their homeland. On this basis, they refused certain proposals to change their places of residence with better ones (Palestinian, 1999). El-Abed (2003) similarly notes in the case of Palestinian refugees living in Egypt that any attempts to improve their living conditions could be interpreted as efforts of settling them outside of their homeland.

Gideon Lowy (1997) outlines a case against Israel’s refusal to acknowledge the Palestinian refugees’ right to return to their homes. He suggests that it is the ethical and historical responsibility of the state of Israel to offer a solution to the refugee problem. “Recognition of the injustice that was done them and true compensation for it are the human and political minimum to which these people are entitled, without which no true settlement can take place” (Lowy, 1997).

4.1.3 Durable Solutions & the International Community: Integration & Resettlement

Israel’s failure to meet its legal obligations triggers the obligation of the international community to protect the Palestinian people, including the search for rights-based durable solutions for Palestinian refugees and IDPs, and effective remedy and reparation (Gassner, 2009). Besides the right of return, the other durable solutions for Palestinian refugees are considered to be (a) integration into the host community, and, (b) resettlement in a third country. However, both of these two latter solutions are not voluntary, nor are they rights. Palestinian refugees lack voluntary durable solutions (Rempel, 2006; Gassner, 2009; How, 2010).

According to UNHCR (2010a) statistics, most refugees flee to neighbouring countries, remaining in their region of origin. The major refugee generating regions host between 76 and 91 per cent of refugees from within the same region. UNHCR estimates that some 1.7 million refugees (17% out of the total of 10.4 million) live outside their region of origin. The Office of the UNHCR believes that ideally refugees should be offered protection and basic necessities as close as possible to their country of origin, with repatriation as the ultimate aim. However, they also note that this policy entails a very unequal distribution of the international refugee burden. It also limits the opportunities for refugees to seek protection and resettle elsewhere, which is at least an implied right under international refugee law, since protection is not always adequate in neighbouring countries (UNHCR, 1951; How, 2010).

This is why we find an emphasis on international co-operation in literature serving to guide refugee policy. Criticisms of existing international arrangements to deal with forced migration form part of this emphasis. The 1951 Convention notes that, “a satisfactory solution of a problem of which the United Nations has recognized the international scope and nature cannot, therefore, be achieved without international co-operation” (UNHCR, 1951). Gassner (2009) laments that the international community has largely remained unable, or unwilling, to respond to the policies and practices of the Israeli regime, to hold Israel accountable to its legal obligations, and to provide

effective protection to Palestinians. Sudarmo (2007) describes how critics of the “international refugee regime”¹ argue that some of the basic assumptions and structures developed in the context of post-1945 mass population displacement and the beginnings of the Cold War no longer meet current needs.

UNHCR (2010a) affirms that resettlement benefits a comparatively small number of refugees. According to their 2009 report *Global Trends: Refugees, Asylum-seekers, Returnees, Internally Displaced and Stateless Persons*, only one per cent of the world’s refugees directly benefited from resettlement during 2008. During the past 10 years, some 810,000 refugees were resettled, compared to 9.6 million refugees who were able to repatriate. UNHCR estimates that for every refugee who has been resettled since 2000, about 12 have repatriated. However, the report observes that with the number of returning refugees decreasing in recent years, resettlement has become an increasingly applied solution, vital in resolving some protracted refugee situations, creating protection space, and opening up solutions that may have otherwise remained closed (UNHCR, 2010a).

How (2010) observes that the current scenario of shrinking resettlement options is increasingly accompanied by tighter immigration policies that impact opportunities for refugees to seek international protection. In the case of refugees in Malaysia, Resettlement in a “third country” remains the most viable of the durable solutions (How, 2010; MSF, 2007; UNHCR, 2010a; UNHCR, 2010b). Yet, as the authors of the HEI study note, resettlement is not a right, and attempting to resettle all refugees in exile is practically very challenging (How, 2010).

The option of integrating into host states is further complicated either by the politics of demography or other, more national-economic, concerns of these countries where pro migrant labour policies of a given government are likely to be seen as less nationalistic. Moreover, unlike repatriation, refugees do not have a fundamental right to voluntarily integrate into the host state (Gassner, 2009).

How (2010) concludes that the “spatial and temporal dimensions of the problématique of the...refugee phenomenon” are conflated by the challenging options of repatriation, paucity of resettlement opportunities, and the harsh and unwelcoming environment of the Malaysian refugee context. It is where “durable solutions” turn into challenges and the quest for more “participatory” solutions begins.

4.1.4 Durable Solutions & the Palestinian Diaspora

Rowley (1985) cites the increasing awareness and frustration of the Palestinian refugees at their inability to participate in the political process and to devise solutions for themselves as the reason for the growing political consciousness amongst the Palestinian refugee population worldwide. The paucity of voluntary durable solutions, combined with the “ever-receding hope of an independent Palestinian political entity” (Rowley, 1985), leads to a feeling of alienation among them. Rempel (2006) asserts that it was the exclusion of Palestinian refugees and IDPs from the peacemaking process combined with demands for better representation from their own leadership that gave rise to initiatives of political self-organization among the refugee community in the OPTs. Rempel charges that

1 The international refugee regime consists of a set of legal instruments, a number of institutions designed to protect and assist refugees, and a set of international norms concerning the treatment of refugees. The core of the regime is the 1951 United Nations Convention Relating to the Status of Refugees, which defines who is officially a refugee and what rights such persons should have. The most important institution is the Office of the United Nations High Commissioner for Refugees (UNHCR), but many other international organizations play a part. Many intergovernmental agencies are involved, including the World Food Program (WFP), the United Nations Development Program (UNDP), the United Nations Children’s Fund (UNICEF), and the International Organization for Migration (IOM) and the International Committee of the Red Cross (ICRC). In addition, hundreds of NGOs play a key role. These include for instance Save the Children, OXFAM, the International Rescue Committee and Médecins Sans Frontières. States and their appropriate agencies as well as national humanitarian organizations may also be seen as part of the regime (Castles, cited in Sudarmo, 2007).

Refugees have more often than not been considered as objects of humanitarian assistance rather than individuals with rights and as legitimate actors in the peacemaking process. They have been assessed, surveyed, quantified, classified, but few policymakers, diplomats and commentators have bothered to ask and listen to the refugees themselves about how they envision a solution to their plight (Rempel, 2006).

It is with these facts in mind that respondents on the present study were asked questions aimed at gauging their political consciousness and the desire for political participation in devising durable solutions for themselves. Most were forthcoming when asked what they thought was the way out for them personally or for their family. 28 out of the 32 respondents said resettlement in a third country was their preferred option, which is not surprising, given the impossibility of them being able to integrate into Malaysian society, except through extralegal channels. Moreover, their decision, however involuntary, to come to Malaysia already demonstrates a kind of “burning of boats”, where they have exhausted the viability of other options. Sixteen out of the 18 respondents who responded to this item indicated that it was no longer a concern for them that resettlement would negate their Right to Return.

However, when asked if they would want to be consulted in the search for a durable solution to the refugee problem generally, 8 out of 18 (about 45%) respondents who responded to this item answered in the negative. Nevertheless, those who answered in the negative still responded to the next item that asked them to suggest specific solutions to the refugee problem generally. Specific solutions offered ranged from various forms of resettlement (42%), repatriation to a Palestine with a particular political configuration (26%), granting of citizenship by host states (10.5%), to more *ad hoc* solutions such as issuing international ID cards to all Palestinian refugees (21%).

The findings suggest ambiguity towards the option of eventual repatriation. This might well be dictated by “political realism”, with the possibility of an independent Palestinian entity in West Asia becoming remote. However, the findings can also be explained by the *trajectories of displacement* of the respondents. Being second or third generation refugees, they have lived in a protracted refugee situation, and have experienced “multiple displacement” (Gassner, 2009) which we shall examine in the following section. Consequently, their association with the country of origin becomes attenuated.

The Right of Return as a durable solution is thus complicated by the protracted nature of the refugee situation, which, as Warner (cited by Zureik in Hovdenak, 1997) cautions, distorts the meaning of community, and, with it, the memory of the homeland. He states that the meaning of home has changed drastically over time with second and third generation refugees. An idealized and nostalgic image of voluntary repatriation home is thus not applicable to a significant segment of second- and third-generation refugees (Zureik in Hovdenak, 1997).

4.2 Displacement Profile

Palestinian refugees living in host countries neighbouring Israel and the OPT share characteristics of displacement, since their circumstances originate from the same political-economic milieu. In order to understand the predicament of refugees in Malaysia it is important to be aware of what circumstances they come from; to appreciate the gravity of what they have experienced and left behind; the losses and trauma they suffered. Not only will this form the context of their stay in Malaysia and help shape more emphatic public opinion towards refugees in Malaysian civil society, but it will also help formulate better psychosocial assistance programs.

All of the Palestinian refugees on the present study have, of course, at some point lived in at least one of the Western Asian countries. Of these, 32.25% came directly from the OPT (Gaza), without necessarily having lived in a neighbouring Arab state

first. 34.37% are “Iraqi Palestinians”, those who had been living in Iraq as refugees and were expelled after the American invasion of Iraq in 2003. Of the remaining, most have lived in the Arab states of Jordan, Kuwait, UAE, Saudi Arabia, Libya and Yemen. A few also report having spent some time living in non-Western Asian countries like Pakistan, Ukraine and the Philippines, mostly for studies.

4.2.1 Inadequate Protection

According to UNHCR (2010a), most refugees flee to neighbouring countries, remaining in their region of origin. They estimate that during 2009, the major refugee generating regions hosted on average between 76 and 91 per cent of refugees from within the same region. Neighbouring Arab countries (Jordan, Lebanon, Syria) and the OPT currently host at least 4.7 million Palestinian refugees, amounting to 71.21% of the total Palestinian refugee population worldwide (Gassner, 2009). Fleeing to places close to their region of origin is a universal characteristic of refugees, and is largely true for Palestinian refugees.

Most Arab states, where the majority of Palestinian refugees reside, are not signatories to the 1951 Refugee Convention (Gassner, 2009). Studies investigating the living conditions of Palestinian refugees in host states (especially neighbouring Arab countries) characteristically mention ineffective, inadequate and/or inconsistent protection in these states as a major challenge for the Palestinian refugees (Lynch, 2005; Gassner, 2009). In addition to lack of protection, some national regimes also contribute to targeted persecution of the Palestinians, as they are often linked to the biggest political questions in the Middle East. An example of such “secondary persecution” is the case of the Iraqi Palestinians, who had to face the brunt of anti-Saddam Hussein angst in Iraq after the American Invasion in 2003, since they were seen as being sympathetic to the military dictator (Al-Achi, 2010; Refugees International, 2008). Palestinian refugees also routinely come in the crossfire of armed conflicts in Arab host states, further exacerbating the protection environment in these countries.

About 53% of respondents in the present study indicated lack of security as their reason for leaving the country of previous residence, many of them having been direct or indirect victims of violence and threats by armed groups.

Following the 1948 Arab-Israeli conflict, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) was established to carry out direct relief and works programmes for Palestine refugees. At the end of 2008, there were at least 7.1 million displaced Palestinians, among them at least 6.6 million refugees (Gassner, 2009). However, UNRWA only provides assistance and protection for some 4.7 million Palestinian refugees in Jordan, Lebanon, Syria and the occupied Palestinian territory.

Under UNRWA’s operational definition, Palestine refugees are people whose normal place of residence was Palestine between June 1946 and May 1948, who lost both their homes and means of livelihood as a result of the 1948 Arab-Israeli conflict. UNRWA’s services are available only to those living in its area of operations who meet this definition, who are registered with the Agency and who need assistance.

Since the UNHCR derives its protection mandate from the 1951 Refugee Convention, it does not provide protection to Palestinian refugees in UNRWA areas of operation, based on Article 1D of the Convention, which contains certain provisions whereby persons otherwise having the characteristics of refugees, as defined in Article 1A, are excluded from the benefits of the Convention. One such provision applies to a special category of refugees for whom separate arrangements have been made to receive protection or assistance from organs or agencies of the United Nations other than the United Nations High Commissioner for Refugees:

The Convention does not apply to those refugees who are the concern of United Nations agencies other than UNHCR, such as refugees from Palestine who

receive protection or assistance from the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), nor to those refugees who have a status equivalent to nationals in their country of refuge (UNHCR, 1951).

This excludes from the benefits of the 1951 Convention those Palestinians who are refugees as a result of the 1948 or 1967 Arab-Israeli conflicts, and who are receiving protection or assistance from the UNRWA (UNHCR, 2009). A descendant of a "Palestine refugee" may never have resided in UNRWA's area of operations, and also not fall under Articles 1C or 1E of the 1951 Convention (UNHCR, 2009).

Both UNRWA as well as the UNHCR have been criticized for their failure to take into account the Palestinian refugees who fall outside the scope of both bodies and hence fall into undesignated "protection gaps" (El-Abed, 2003; Gassner, 2009; Palestinian, 1999; Rempel, 2006).

However, Article 1D of the 1951 Convention also states that:

When such protection or assistance has ceased for any reason, without the position of such persons being definitively settled in accordance with the relevant resolutions adopted by the General Assembly of the United Nations, these persons shall *ipso facto* be entitled to the benefits of this Convention (UNHCR, 1951).

This indicates that the UNHCR is aware of the protection gaps for Palestinian refugees. Rempel (2006) also mentions that the UNHCR has recognized the existence of a protection gap. El-Abed (2003) reports that in September 2002 the UNHCR reinterpreted Article 1D of the 1951 Refugee Convention in order to emphasise that Palestinian refugees are *ipso facto* refugees and are to be protected by UNHCR if the assistance or protection of the other UN body ceases. In light of this, it has included those Palestinians not living in the countries of UNRWA field operations within UNHCR's protection mandate (El-Abed, 2003). Human Rights Watch (2004) similarly notes that as a result of successive UNGA resolutions, UNHCR's mandate has been extended to persons who are outside of their country of origin and are in need of international protection as a result of indiscriminate violence or public disorder in their country of origin.

In its *Revised Note on the Applicability of Article 1D of the 1951 Convention relating to the Status of Refugees to Palestinian Refugees*, UNHCR (2009) points out that since the position of Palestinian refugees under international refugee law is complex and continues to evolve, it would clarify some pertinent aspects of the position of such refugees. The *Note*, then, is intended to serve as guidance for use in refugee status determinations.

The *Note* explains that the exclusion clause in Article 1D was followed by an inclusion clause ensuring the *ipso facto* entitlement to the protection of the 1951 Convention of those refugees who, without having their position definitively settled in accordance with the relevant UN General Assembly resolutions, have ceased to receive protection or assistance from UNRWA for any reason. It clarifies that the 1951 Convention hence avoids overlapping competencies between UNRWA and UNHCR, and, in conjunction with UNHCR's Statute, ensures the continuity of protection and assistance to Palestinian refugees as necessary (UNHCR, 2009).

The *Note* concludes that Palestinians not falling within the scope of Article 1D who, owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, are outside the Palestinian territory occupied by Israel since 1967 and are unable or, owing to such fear, are unwilling to return there, qualify as refugees under Article 1A(2) of the 1951 Convention (UNHCR, 2009).

Nevertheless, there continue to be refugees who manage to fall through the "cracks" in international protection, and warrant mobilization of civil society in host

countries. Protection gaps for Palestinian refugees clearly persist.

In the present study, one respondent out of the 32 had not applied for asylum with the UNHCR in Malaysia. The applications of 2 (6.45%) respondents were rejected by the UNHCR. They expressed frustration with their situation, feeling that they were refugees in every way, yet the UNHCR did not see them as such. One of the respondents asserted, "Just show me on the map which country I belong to. I will go there. I will walk there. Anywhere! If I am not a refugee, who is?"

Moreover, the Palestinian refugees who find themselves in Malaysia have, as it were, "fallen" on this land through the protection gaps in their Arab host countries. This includes all of the Iraqi Palestinians, who comprise about 30% of the sample population in this study. UNRWA excluded Palestinian refugees living in Iraq from its registry, mandate and services since day one (Palestinian, 1999). All the protection they used to have in Iraq was courtesy of a military dictator's regime, which, once it collapsed, was unable to even protect them from the xenophobic violence of street mobs.

Four of the 32 respondents (12.5%) were born in countries (Kuwait, UAE, Libya) that do not fall under UNRWA areas of operation, and 3 of them had never benefited from the protection/assistance of either of the UN bodies until they applied for asylum in Malaysia.

4.2.2 Multiple Displacement

Due to inadequate protection in host states, many Palestinian refugees are forced to move for a second time seeking new places of refuge. Gassner (2009) uses the term "multiple displacement" to denote such secondary forced migration. Several other studies have also documented how Palestinian refugees experience multiple displacement (Refugees International, 2008; Rowley, 1985; Rempel, 2006).

Besides, as Landau (2005) observes for refugees generally, their forced migration to cities also regularly marks the beginning of a longer journey, to other urban centres regionally, or to cities elsewhere in the world, adding yet another layer to the multiplicity of their displacement, although in this case voluntary.

For respondents in the present study, multiple displacement seems to have integrated into their trajectories. At least 65.62% of the respondents were refugees in their previous country of residence, when they were displaced for a second time, either to other countries or to Malaysia, where they again live lives of refugees.

4.2.3 Travel Restrictions

Lack of travel documents often goes hand-in-hand with the lack of "legal status" that refugees most often live with (Lynch, 2005). Refugees do not enjoy the luxury of immigration through customary channels. They thus find themselves compelled to seek asylum by irregular entry into a safe country (Arshad, 2005).

Over the decades, Arab host states have developed mechanisms to provide travel documents for their Palestinian refugees. However, these arrangements are almost always *ad hoc* and keep losing legitimacy according to changes in the host states. Sometimes provision of documents also requires the refugees to fulfill certain conditions. Egypt, for instance, has been providing temporary travel documents to Palestinians that are valid for five years. However, two conditions must be met to ensure re-entry - return to Egypt within six months or applying for a return visa for one year by provision of work contract or educational enrolment abroad. If there is any delay in return, entry is completely denied. Many Palestinians have been denied entry during periods of political tension (El-Abed, 2003).

Lynch (2005) similarly mentions how Iraq gave refugee travel documents to

Palestinian refugees. In some cases, no travel documents are provided at all, and offers of resettlement in a third country are the refugees' only hope to come out of that country (USCRI, 2008). International travel, especially for purposes of seeking protection, is severely restricted for Palestinian refugees.

Thirteen out of the 23 respondents who responded to this item indicated overcoming travel restrictions as one of their major challenges during their displacement to Malaysia. A total of 8 instances of deportation were mentioned by the respondents, always on grounds of overstaying, with occasionally the same individual/observational unit having faced multiple deportation. Obtaining a travel document in the first place was reported as one of the major challenges in international travel. Respondents coming directly from Gaza reported having to wait years for a PA-issued travel document ("Palestinian passport") and to get the required travel permission from Israeli authorities.

82.14% (23 out of 28) respondents report having possessed or used a Palestinian passport at some point. Of these, 52.17% obtained it from the PA in Gaza, 8.69% reported obtaining it "somehow" in Baghdad, another 8.69% from Palestinian embassies elsewhere, and 4.34% from the PA in the West Bank. 26.08% did not specify where they obtained their Palestinian passport from.

Three out of 28 (10.71%) report having used/possessed an Egyptian travel document at some point. Two of them report having obtained it from the Egyptian embassy in Kuwait. Nine out of 28 (32.14%) report having used/possessed an Iraqi passport/travel document at some point. Of these, 6 did not specify how they obtained it. The rest reported having bought it (fake) in Baghdad. Two out of 28 (7.14%) report having used/possessed a Jordanian passport/travel document at some point. Of these, one reported having obtained it by applying for it in Jordan. The other did not specify method of obtaining.

The total adds up to more than 100% since the same respondent may have indicated having possessed more than one travel document, albeit at different times.

4.2.4 Compound Migration

Sometimes Palestinian refugees migrate to other countries for economic reasons. Nevertheless, due to the absence of a legal status, they continue to be refugees. Economic voluntary migration, as discussed in an earlier section, does not necessarily negate the effects of the forced migration they were first subject to. This is usually the case with Palestinians working in the Gulf, who, as Hovdenak (in Hovdenak, 1997) observes, experience voluntary and involuntary migration in successive stages.

Conversely, it is also possible that the first stage of migration is voluntary, as in the case of someone leaving for higher education purposes; and then come back to a situation where "migration" is forced on them, by being denied entry into the OPT, and they become first-generation refugees.²

Of the respondents in the present study, 10 out of 28 indicated their reason for migration to be economic in nature, mostly in addition to security concerns. Of these, 6 are from Gaza. The situation is a direct outcome of the economic sanctions on Gaza during the last few years. Having once decided to come out of Gaza, these people cannot go back, and are displaced, perhaps for a second or third time. The remaining 4 out of the 10 who reported reasons of an economic nature for their migration were born in Arab host countries, Iraq, Jordan and UAE. Three out of 28 indicated their initial reason for migration to be higher studies. All three were born outside of the

2 This is in fact the case with many Palestinians who continue to become refugees due to Israel's protracted military occupation. They constitute the third largest group of Palestinian refugees. They have continued to be displaced from the West Bank, East Jerusalem, and the Gaza Strip since 1967. Specific causes of displacement include revocation of residency status, denial of family reunification and deportation (Rempel, 2006).

Israel/OPT region, and cannot travel to the territories. They may be considered descendants of 1948 or 1967 refugees. All the rest mentioned predominantly security-related reasons for migration.

The sample in the present study shares the composite nature of migration with Palestinian refugees everywhere else. Thus we see the case for more mature definitions of forced migration becoming stronger. International protection cannot be withheld from an individual on the mere grounds that their initial reasons for migration were apparently “voluntary”. Such theoretically rigid categorizations of forced migration fail to take into account the fluidity of refugee lives, and reduce a complex humanitarian phenomenon to its lowest legal terms. Such an approach is essentially based on a simplistic face-value judgment of the “provisional normality” (Hanssen-Bauer, 2007) that many Palestinian refugees manage to secure for themselves.

4.2.5 Social Ties

The pattern of social ties that Palestinian refugees find themselves in *vis-à-vis* their host societies is generally characterized by discrimination, segregation, xenophobia, violence, exclusion from the political process, social exclusion, cultural and linguistic barriers (especially in non-Western Asian countries), inadequate access to services and livelihood opportunities, “warehousing” (USCRI, 2008), challenging living conditions, and conditional residence (See Landau, 2005; El-Abed, 2003; Pedersen in Hovdenak, 1997; Hovdenak in Hovdenak, 1997; Lynch, 2005; Rempel, 2006).

Chain migration is also one of the documented characteristics of Palestinian forced migration to host states (Hovdenak in Hovdenak, 1997).

Also, the poor living conditions of Palestinian refugees especially in Arab host states are often dominated by the question of the Right of Return, as discussed in a preceding section (El-Abed, 2003; Palestinian, 1999). A distorted perception of the “homeland” is also believed to be increasingly typical of the newer generations of Palestinian refugees in host states (Zureik in Hovdenak, 1997). Their ties with the Palestine of their parents are almost unreal, and all they look forward to is better deals at integration or resettlement. All that keeps the idea of repatriation alive in them is the misery of their present situations.

Landau (2005) also comments that the transnational ties and networks migrants forge through their social, economic, and kinship ties with their home countries and diasporas further afield links cities in host countries to other urban nodes and rural areas in other countries. He considers this a rarely-recognized form of “globalization from below”. This could well be true of forced migrants.

4.2.6 Economic Ties

In many cases, as noted in a preceding subsection, migration may be singularly economic in nature. For Palestinian refugees, this has been the case with migrations to the Gulf during the oil boom, and this has been documented in the study by Pedersen in Hovdenak (1997). However, regardless of whether or not the migration is purely economic in nature, economic ties between the Palestinian refugee community and the host society are characterized by high rates of unemployment, low incomes, high rates of poverty, poor employment prospects, little opportunity to own property, and a weak correlation between higher education and economic advancement (Landau, 2005; Lynch, 2005; Rempel, 2006; Pedersen in Hovdenak, 1997).

Landau (2005) also notes that refugees have the potential to transform the economic patterns of trade, employment and investment in the cities they migrate to, especially through the transnational ties and networks that they forge through their ties with their home countries and diasporas further afield.

4.2.7 Protracted Years in Exile

Given the long drawn-out nature of the political conflict in West Asia, it is inevitable that Palestinian refugees spend protracted years in exile, in a state of “permanent transition”. This characteristic and its effects on the lives of refugees have been reported in several studies. Some of its known effects are an ambiguous legal status, new infrastructure challenges, inability to return to community of origin or to proceed elsewhere, disruption in education, severely limited choices, lack of control over their own lives and feelings of humiliation caused by dependence (*Introduction* by Philip Garvin in Kurt, 1998; Landau, 2005; Al-Achi, 2010; How, 2010; MSF, 2007; Dodds, 1983; Hanssen-Bauer, 2007; Rowley, 1985; Nah, 2009).

4.2.8 Dispossession

Dispossession goes hand-in-hand with displacement. As Sudarmo (2007) puts it, “The displaced people – regardless of the causes that force them to migrate – are basically people that live in vulnerable economic, social and political circumstances. The critical feature in this event, however, is the process of how human beings are compelled to be dispossessed – of their material as well as social and cultural belongings. The dispossession process in fact is the heart of any form of forced displacement.”

Dispossession arising out of displacement involves “tangible” losses, such as the loss of property, as well as less “tangible” losses such as the loss of identity and social support systems. Several studies reviewed in the current survey have outlined the kind of losses that refugees are likely to experience in the process of their displacement.

Some of the losses mentioned include: the loss of property/physical resources (Ben-Porath, 1987; Dodge, 2000; Hanssen-Bauer, 2007; Kurt, 1998; Verghis, 2009); the loss of investments and businesses (Ben-Porath, 1987); loss of significant interpersonal relationships and the social support they offered; familial and non-familial support networks (Ben-Porath, 1987; Kurt, 1998; Verghis, 2009); loss of social status (Ben-Porath, 1987; Kurt, 1998;); loss of identity (Hanssen-Bauer, 2007; Verghis, 2009); the loss of a cultural milieu; spiritual, political, cultural and religious loss (Ben-Porath, 1987; Dodge, 2000); loss of a homeland (El-Abed, 2003; Hanssen-Bauer, 2007; citation of Warner by Zureik in Hovdenak, 1997; Lowy, 1997; Rowley, 1985; Verghis, 2009); loss of physical and psychological health (Kurt, 1998;); and the loss of hope (Kurt, 1998).

4.3 The Protection Environment in Malaysia

According to UNHCR's *Global Trends* report on refugees, asylum-seekers, returnees, internally displaced and stateless persons, Malaysia was the fourth most important destination country for new asylum-seekers in 2009, with more than 40000 new asylum claims registered with the UNHCR office during the year (UNHCR, 2010a). Malaysia also has one of the highest global resettlement rates for refugees (How, 2010). According to Human Rights Watch (2004), Malaysia has long served as temporary host for refugees fleeing persecution and armed conflict. Malaysia has, on an *ad hoc* basis, willingly hosted certain groups of refugees, including those from Cambodia and the Philippines, some of whom it even resettled within its borders. It hosted internationally-managed refugee camps for refugees fleeing from SEA to the US during or after the Vietnam War (Ben-Porath, 1987; Adnan, 2007). SUARAM (2009) remarks that refugees, asylum seekers and stateless persons have been an invisible part of the Malaysian social fabric for decades. However, refugees from countries such as Afghanistan, Somalia, and the OPT are a relatively recent phenomenon in Malaysia. Most of them arrived around 2007, and their numbers have been increasing since then (How, 2010). The UNHCR assumes that Malaysia would continue to see a steady flow of new asylum-seeking arrivals in near future (UNHCR, 2010b).

There are over 28 million people living in Malaysia (Nah, 2009). Among them, the total numbers of refugees and asylum-seekers in Malaysia are situated within a

migration context of some three million migrants, one million of whom are considered illegal (UNHCR, 2010b; Kassim, 1998).

According to Undocumented (2008), statistics and figures on the number of migrants, refugees, asylum seekers and documented migrants present on Malaysian territory are uncertain due to an absence of publicly available statistics. Independent estimates by different bodies dealing with displaced people in Malaysia vary, partly also due to the absence of universally accepted definitions.

UNHCR's total population of concern in Malaysia during 2009 was 177690, including 65300 refugees (Myanmar: 61400; Sri Lanka: 2100; Somalia: 600; Various: 1200), 750 people in refugee-like situation (Indonesia: 700; Various: 50), 10320 asylum-seekers (Myanmar: 8300; Sri Lanka: 800; Afghanistan: 300; Somalia: 170; Thailand: 150; Various: 600), 40000 stateless persons, and 61320 others of concern (Filipino Muslims: 61,300; Various: 20) (UNHCR, 2010a). According to Adnan (2007), this estimate constitutes the second highest refugee population in Southeast Asia after Thailand.

In another instance, UNHCR cites that Malaysia hosts some 90000 refugees and asylum-seekers (UNHCR, 2010b).

According to the US Committee for Refugees and Immigrants *2008 World Refugee Survey*, there are about 171500 refugees and asylum-seekers in Malaysia, including 72400 from the Philippines, 79000 from Myanmar, 17700 from Indonesia and 2400 from other countries of origin (USCRI, 2009).

According to another estimate, Malaysia hosts more than 100000 asylum seekers, refugees and stateless persons in peninsular Malaysia (Nah, 2009; Verghis, 2009).

Estimates of the number of persons "registered" with the office of the UNHCR in Malaysia also seem to vary. According to Verghis (2009), there were 49009 refugees and asylum-seekers registered with UNHCR by June 2009. Nah (2009) cites that as of September 2009, UNHCR had registered 63572 persons of concern. In 2009 UNHCR in Malaysia registered almost 40000 persons, and the office conducted refugee status determination for more than 34200 applicants. According to UNHCR there are 20000 unregistered asylum-seekers in Malaysia who share the same profile as the current population of asylum-seekers and refugees and who are being progressively registered and having their refugee status determined (UNHCR, 2010a).

The main groups of refugees in Malaysia are the Acehnese, the Rohingyas, other Burmese refugees (the Chin, Shan, Kareni, Arakan, Kachin and Mon) and Nepali (Undocumented, 2008). Other significant refugee populations originate from Afghanistan, Iraq, Somalia and Sri Lanka (UNHCR, 2010b). Nah (2009) cites that the UNHCR in Malaysia has registered persons of concern from 44 countries in Asia, Africa and the Middle East.

4.3.1 Refugees in Policy & Practice

4.3.1.1 Laws & Government Agencies

Malaysia is not a party to many of the key international human rights instruments. It has not ratified the 1951 UN *Convention Relating to the Status of Refugees* or its 1967 Protocol, the key international instruments relating to the protection of refugees (UNHCR, 2010b; USCRI, 2008; Adnan, 2007; Nah, 2009; Kaur, 2007a; Undocumented, 2008; US Dept of State, 2006). It is currently not represented on the UNHCR Executive Committee either (USCRI, 2008; Kaur, 2007a). The government has not established an administrative system or enacted domestic legislation for providing protection to refugees (Kaur, 2007a; Nah, 2009; Undocumented, 2008; US Dept of State, 2006; SUARAM, 2009; Human Rights Watch, 2004; Loh, 2010; UNHCR, 2010b). Indeed, Malaysian immigration law makes no distinction between undocumented migrants and refugees (SUARAM, 2009; Kaur, 2007a; USCRI, 2008; USCRI, 2009; Undocumented, 2008).

Literature pertaining to the question of forced migrants in Malaysia often alludes to the fact that Malaysian laws are 'inadequate' to deal with these kinds of situations (Arshad, 2003; Kaur, 2007a; Loh, 2010; UNHCR, 2010b; Poh, 2005). Human Rights Watch (2004), for example, remarks that while Malaysia has a well-developed legal system and sophisticated lawyers and judges, the Malaysian government has no system for determining asylum claims.

As a result, Malaysia does not provide any formal protection to refugees and asylum-seekers (Undocumented, 2008; Human Rights Watch, 2004; US Dept of State, 2006; SUARAM, 2009). Refugees in Malaysia remain vulnerable to violations of human rights at the hands of law-enforcement agencies as well as citizens (SUARAM, 2009). According to Adnan (2007), one of the most crucial effects of this situation is that in principle, authorities do not consider non-*refoulement* to be a norm of international customary law. So there have been instances where refugees were deported back to frontiers where clear risks of persecution existed, in contravention to the norm of non-*refoulement* (US Dept of State, 2006; Adnan, 2007; USCRI, 2008). In its annual surveys of refugee rights worldwide, the United States Committee for Refugees and Immigrants (USCRI) assigned Malaysia an 'F' grade on its overall treatment of refugees and Malaysia remained one of the worst places for refugees worldwide. On the specific parameters of Physical Protection, Detention/Access to Courts and Right to Earn a Livelihood, Malaysia again received an 'F'. It received a 'D' on Freedom of Movement and Residence (USCRI, 2008; See also, USCRI, 2009).

Malaysia does, however, permit UNHCR to register, determine status and provide assistance to these populations within its borders. The government cooperates with the UNHCR and generally does not impede other humanitarian organizations from assisting refugees and asylum seekers (Nah, 2009; Undocumented, 2008; US Dept of State, 2006; Kaur, 2007a). Those who have obtained recognition from the UNHCR may be able to enjoy a basic *de facto* status at the national level. This recognition provides them with status in international law, and some very limited dispensation from the enforcement of immigration law in Malaysia. For instance, the government generally does not deport such persons recognized as persons of concern by the UNHCR (US Dept of State, 2006). However, this does not mean that it provides official protection and recognition to people whom the UNHCR has recognized as refugees under its mandate, or to those whom UNHCR has found to be persons of concern and in need of temporary protection (Human Rights Watch, 2004).

There are three main authorities responsible for enforcing immigration law in Malaysia: the Royal Malaysia Police, the Immigration Department and *Ikatan Relawan Rakyat Malaysia* or RELA, which is a people's volunteer corps. . The RELA is infamous for its violent raids, and refugees have been frequently injured or killed -fleeing them (USCRI, 2008; USCRI, 2009). The *Immigration Act 1959/63 (Act 155)* forms the cornerstone of the Malaysian immigration system (The Commissioner, 2006). In addition, the *Passports Act 1966 (Act 150)* specifies requirements relating to presentation of passports on entering or leaving Malaysia (Undocumented, 2008).

Under this setup, the only means through which a kind of legal status may be accorded to refugees or asylum seekers is through an exercise of discretion under section 55 of the Immigration Act, which provides that the Minister may by order exempt any person or class of persons, absolutely or conditionally, from any of the provisions of the Act (The Commissioner, 2006; Arshad, 2003; Undocumented, 2008).

Kaur (2007a) suggests that Malaysia's commitment to refugees be viewed in the context of its citizenship policy and the construal of rights to migrants. It is impacted by the key issues of sovereignty and domestic security, since they remain central to Malaysia's survival in a highly competitive environment. Undocumented (2008) puts forward that the major consideration of government responses to migrants and refugees has been driven by concerns about their large numbers and the need to control further irregular migration. Kaur (2007a) alleges that the Malaysian government's approach

to managing all migratory movements, including refugee flows, has been reactive rather than proactive.

4.3.1.2 Inconsistent Policy & Practice

Another characteristic of the refugee policy and practice in Malaysia is the discretionary, and hence inconsistent, nature of protection. Malaysia has historically served as temporary host for refugees fleeing persecution and armed conflict, albeit on an *ad hoc* basis. For example, it willingly hosted certain groups of refugees from Cambodia and the Philippines. It also hosted internationally-managed refugee camps for refugees fleeing from SEA to the US during or after the Vietnam war and Bosnians fleeing ethnic cleansing during the Balkan wars in the 1990s (Ben-Porath, 1987; Adnan, 2007; Human Rights Watch, 2004). However, this does not seem to be the case with Burmese, Sri Lankan or Afghan refugees in recent years. Adnan (2007) believes that the absence of a uniform legal-administrative framework has created a situation where some refugees have been offered protection but others have not. It would appear that responses are dependent on the discretion of the authorities at any given point in time. Undocumented (2008) similarly notes a degree of ambiguity in the conduct of the authorities towards refugees and asylum seekers in Malaysia.

The ambiguity and inconsistency becomes tangible when one considers the variety of responses and apparent lack of coordination that different state administrations and agencies have manifested with respect to the refugee question at different points in time. For instance, the Ministry of Health reportedly announced that it would grant access to refugees and all other persons registered by UNHCR to health care at local rates. However, as Adnan (2007) points out, this policy does not appear to have filtered to the enforcement agencies and local hospitals.

Similarly, Malaysia did not include refugees or asylum-seekers in the Ninth Malaysia Plan, but it did include them in its National Strategic Plan for HIV/AIDS 2007-2010 (USCRI, 2008). The announcement by the Home Ministry secretary-general Datuk Seri Mahmood Adam on the Government's plans to issue identification cards to refugees recognized by the UNHCR (Lee, 2010) has not manifested on the ground. Lee (2010) also cites the official as having said that although refugees could not work here, they could "do odd jobs". In the same manner, Malaysia's dismay (See Bernama, 2008) at receiving an 'F' on its treatment of refugees in the *World Refugee Survey* (USCRI, 2008; USCRI, 2009) indicates discord between refugee policy and practice in the country, where stated laws leave no room for the concept of refugees, yet the government would like to be assigned better grades on international performance indicators. It is apparent that there is a disconnect between refugee policy and practice among government circles and agencies in Malaysia.

Therefore, it is not clear how hopeful the future for refugees in Malaysia is, even if optimistic estimates of the government's involvement are to be considered. Adnan (2007) reports that from the second half of 2004, the UNHCR has noted greater government engagement in refugee protection, increased public awareness, and visibility of refugee issues. Likewise, Kaur (2007a) urges that the debate on Malaysia's refugee policy should not obscure the fact that there has been some commitment to refugee protection in various periods. Poh (2005) also notes that "there are signs of improvement. Some magistrates have become more enlightened with refugee rights, and are beginning to take them into account in the legal process." The crucial question is whether things in Malaysia are likely to continue to get better.

4.3.1.3 Role of Civil Society (NGOs, Media & Public Opinion)

The attitude of the civil society towards refugees and asylum-seekers in Malaysia appears to be desultory at best. On one hand, UNHCR, NGOs and media associated with them are active on the assistance and advocacy fronts, but their work is restricted by legal and immigration policy constraints (Kaur, 2007a; Kaur, 2007b; Loh, 2010; SUARAM, 2009).

Mainstream media, on the other hand, appear preoccupied with the question of migrant workers, thus being unable or unwilling to create a sharper focus on the refugee issue. They are also largely responsible for stereotypical portrayals of refugees as pariahs, and agents of social instability and crime. Mainstream media tend to be used by government agencies as avenues for making announcements regarding “crackdowns” on “illegal immigrants”. Like much of the official discourse, refugees are absent from mainstream media. (See Kaur, 2007b; Loh, 2010; Perumal, 2010). Media also do not seem to report on the work of social organizations/NGOs working with refugees (Kaur, 2007b).

Stereotypical portrayals by mainstream media seem to filter down to the masses and shape general public opinion. The public’s attitude towards all migrants in general tends to border on xenophobia (Kaur, 2007b; Loh, 2010; SUARAM, 2009). We shall examine how this trend affects refugees in a subsequent section.

4.3.1.4 Allegations of Discrimination

A natural consequence of ambiguous and inconsistent policy and practice with respect to refugees leads to a perception of discrimination among groups. Not surprisingly, studies dealing with the refugee protection environment allege that “...official policy towards irregular migrants and refugees has been tempered by issues of ethnicity and racism...” (Kaur, 2007a). The perception is that refugees with a Muslim identity and/or ethnic similarity to the Malays tend to be more readily accepted or given concessions by successive governments (See, for example, Kaur, 2007a; Human Rights Watch, 2004; Sudarmo, 2007; USCRI, 2008; Adnan, 2007). The frequently cited example is that of the Achenese refugees who were given IMM13 temporary work permits in 2005.

4.3.1.5 Outside Human Rights Context

Criticisms of Malaysia’s refugee policy frequently centre on it being situated outside of a human-rights context. The protection environment for refugees in Malaysia is often associated with words such as “harsh” and “unwelcoming” (See, for example, How, 2010). It has been variously alleged that human rights concerns are not central to the politics and policies of the state’s refugee policy (Kaur, 2007a; Lee, 2010; Loh, 2010; SUARAM, 2009). Some criticisms even go so far as to charge that Malaysia is hostile to human rights groups that work with refugees (Kaur, 2007a).

On a daily basis, refugees and asylum seekers are arrested, sentenced for immigration offences, whipped and detained indefinitely (Lee, 2010). They continue to be denied opportunities to work and education (Loh, 2010). The government frequently announces “crackdowns” on undocumented migrants and an “intention to deport...undocumented migrants” through mass arrests, often including the arrests of UNHCR-recognized refugees (Buscher, 2010). No special provision is made to protect child refugees and asylum seekers. Women refugees and asylum-seekers are also particularly vulnerable to sexual abuse and other forms of exploitation and no particular provision is made for their protection (Undocumented, 2008).

4.3.1.6 Security Vulnerabilities

Malaysian immigration laws make no distinction between undocumented immigrants and refugees, thereby leaving refugees vulnerable to the same penal sanctions that undocumented migrants are subjected to, including arrest for immigration offences, indefinite detention in poor conditions, corporal punishment upon conviction, being beaten or mistreated in custody, fines, and eventual deportation and *refoulement* (The Commissioner, 2006 (Section 6; Section 15; Section 31; Section 32, subsection 1; Section 35; Section 36; Section 56); Adnan, 2007; Amnesty International, 2007; How, 2010; MSF, 2007; Poh, 2005; Undocumented, 2008; US Dept of State, 2006; USCRI, 2008; USCRI, 2009; Buscher, 2010; ; UNHCR, 2010b; Lee, 2010;). This is part of a policy of deterrence against them (Undocumented, 2008). Government agencies mandated to

deal with undocumented migrants often use punitive and harsh measures, including large-scale 'crackdowns' to arrest, detain and deport undocumented migrants (How, 2010; Buscher, 2010; USCRI, 2008; USCRI, 2009). USCRI (2009) reports more than a hundred deportations of refugees during the year 2008, and alleges "severe governmental violence" towards refugees.

The overall insecurity, economic hardship, fear and intimidation facing forced migrants creates a climate of fear that leaves refugees too scared to venture outside their accommodation (MSF, 2007). The lack of legal recognition and pressing economic and security concerns constantly compromise and impede refugees' access to education, legal employment, healthcare, food, housing, and other social freedoms (How, 2010; MSF, 2007; Perumal, 2010; Undocumented, 2008; Buscher, 2010; Landau, 2005; USCRI, 2008; Adnan, 2007; Verghis, 2009). They live in constant fear and suffer harassment and intimidation by members of the host society, including assault, sexual and gender-based violence, general theft, xenophobic violence, extortion, discriminatory hiring practices, threats and abuses by unscrupulous employers, difficulty in obtaining accommodation, and exclusion from social and financial services (Gosling, 2010; How, 2010; Adnan, 2007; Landau, 2005). They cannot take action or solicit state protection against such harassment, since they could be arrested for their undocumented status (How, 2010). They are thus forced to survive in impoverished conditions, in a state of "chronic multidimensional deprivation" (How, 2010; Landau, 2005).

Deportation of refugees and asylum-seekers continues in Malaysia, although some are allowed to remain, pending resettlement to other countries. (US Dept of State, 2006). NGOs and international observers have commented on instances where refugees were deported back to frontiers where clear risks of persecution exist, in contravention to the norm of non-*refoulement* (Adnan 2007). USCRI (2009) reports that in 2008 at least 1,000 refugees and asylum seekers were among the deportees. In some cases, Malaysian officials have been reported to turn deportees directly over to human smugglers who extort fees for smuggling the refugees back into Malaysia or sell them into slavery in Thai fishing boats or brothels if they could not pay (USCRI, 2008; USCRI, 2009).³

Statistics from the UNHCR as of December 2006 indicate that a total of 732 people were in detention, including 410 asylum seekers, 44 people under "temporary protection" and 278 recognised refugees. Of the 732, 92 were indicated to be minors (Undocumented, 2008). USCRI (2009) reports more than 200 arbitrary detentions during 2008. Poh reports cases of child refugees in detention suffering from fear and severe depression as a result of their traumatic experience (Poh, 2005). In January 2007, the detention figures transmitted by the Malaysian government delegation to the Committee on the Rights of the Child mentioned that at that time, a total of 360 children were living in deportation centres with their mothers (Undocumented, 2008). Arshad (2005) is concerned that, lacking any meaningful protection, refugee children in Malaysia continue to suffer in silence.

The conditions in immigration detention centres in Malaysia have been deplored by local NGO's and international human rights organizations. They are usually overcrowded, lack medical facilities, and are filthy. Besides, children are often detained together with adults, violating international standards of immigration detention and rights of minor children. Detainees are sometimes abused by prison officials and receive inadequate food. (US Dept of State, 2006; Undocumented, 2008; Poh, 2005). According to USCRI (2009), detention is not subject to independent monitoring and judicial review.

Poh (2005) says that refugees in Malaysia "are confronted by the workings of a legal system that is not properly geared to according them due process". (See The Commissioner, 2006: Subsection 1 of section 34; Subsection 5 of Section 51). The USCRI

3 Malaysia has not ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, nor the Protocol against the Smuggling of Migrants by Land, Sea and Air (Undocumented, 2008).

(2008; 2009) awarded Malaysia an 'F' on the parameter of refugees' access to courts. Poh (2005) cites that when refugees get arrested, they often do not know what charges are brought against them. They are not informed of their right to legal representation, and are not provided with reasonable opportunity to seek assistance, such as from the UNHCR. Poh laments that when they are charged in court under the Immigration Act, lack of adequate interpretation frequently renders the process "far from satisfactory". Those who have no legal representation are at times "nudged" into pleading guilty, the full implications of which are neither properly explained to nor fully understood by them, until it is too late (Poh, 2005).

Despite Malaysia offering very little in the way of legal protection to asylum-seekers or refugees, it has long served as temporary host for people fleeing persecution and armed conflict (Human Rights Watch, 2004). In their study of Afghan refugees in Malaysia, How (2010) report that respondents indicated Malaysia as one of their best choices for seeking effective refugee protection and more concrete durable solutions. This was owing to the relative low cost of travel here and the ease of obtaining visas from the Malaysian Embassy. More significant was the possibility of arranging such travel legally without needing recourse to traffickers and people smugglers (How, 2010). Moreover, Malaysia has one of the highest global resettlement rates for refugees (How, 2010; UNHCR, 2010a).

However, the future for refugees in Malaysia remains bleak. The UNHCR assumes that in the foreseeable future, the overall protection environment will not change significantly. The Malaysian Government is not expected to take significant steps to establish a legal and administrative framework for refugees (UNHCR, 2010b). Given the lack of prospects for return or local integration, UNHCR (2010b) suggests that resettlement is the only option as a durable solution for many refugees in Malaysia.

4.3.2 Nature of UNHCR Operations in Malaysia

The UNHCR has no formal written agreement with the Malaysian government to handle refugee status determinations. Malaysia is currently not represented on the UNHCR Executive Committee either (USCRI, 2008; Kaur, 2007a). The UNHCR, however, maintains a liaison office in Kuala Lumpur, and Malaysia continues to formally accredit UNHCR representatives in the country.

In the absence of a national legal framework for refugees, the UNHCR conducts all activities related to the reception, registration, documentation and status determination of asylum-seekers and refugees. The Malaysian government permits UNHCR to register, determine status and provide assistance to these populations (Nah, 2009; Undocumented, 2008; US Dept of State, 2006; Kaur, 2007a). The general attitude of the government is one of cooperation, although UNHCR has no "official" mandate in Malaysia, save what it considers its international mandate (UNHCR, 2010b). However, the absence of a formal agreement has meant that UNHCR's interventions with the government on behalf of refugees are *ad hoc* (Kaur, 2007a; Nah, 2009). The government's relationship with the UNHCR, just like its general refugee policy, seems to be ambiguous and inconsistent.

On one hand, the Malaysian Home Affairs Minister has been quoted as saying that UNHCR 'gets in the way' of Malaysian enforcement agencies (the Immigration Department and RELA) and that Malaysia does not "recognise and accept the UNHCR-hosted refugees" (Kaur, 2007a). On the other hand, Bernama (2009) quoted Datin Rosmah (the Prime Minister's wife) as having told a visiting delegation of Palestinian *ulema* that the question of providing shelter to Palestinian refugees in Malaysia would have to be referred to the United Nations [UNHCR], indicating that the UNHCR had an acknowledged role in the maintenance of refugees in Malaysia.

Similarly, the Malaysian government's initiative to crack down on undocumented migrants in 2004 led, on average, to the arrest of 700-800 UNHCR-recognized refugees

each month (Buscher, 2010). This is despite the impression that refugees with UNHCR cards are usually safe from arrest by regular police, although RELA still detains them. Police still arrests asylum seekers occasionally, as they do not always recognize the letters UNHCR issues asylum seekers (USCRI, 2008). USCRI (2008) reports that although refugees and asylum seekers recognized by UNHCR enjoy some freedom of movement, police sometimes hold refugees with UNHCR cards until they pay bribes of 200 to 500 ringgits. Still, the common impression is that the government continues to cooperate with UNHCR (Kaur, 2007a; US Dept of State, 2006). The UNHCR (2010a) reports "modest, positive changes in the Government's attitude towards asylum-seekers and refugees" during 2009. Earlier this year, the government announced plans to issue identification cards to UNHCR-recognised refugees (Lee, 2010).

The government generally does not deport such individuals recognized as persons of concern by the UNHCR (US Dept of State, 2006). The recognition from UNHCR provides refugees in Malaysia with "some very limited dispensation from the enforcement of immigration law in Malaysia." They may be able to enjoy a basic *de facto* status at the national level, but it certainly does not confer legal immigration status (Undocumented, 2008; MSF, 2007; Nah, 2009; Perumal, 2010). This informal dispensation derives from written directions issued by the Attorney General in 2005 stating that the court would refrain from prosecuting holders of UNHCR documentation. The Immigration Department and other law enforcement agencies have been less clear in their approach, although general statements have been made, suggesting that the arrest of UNHCR recognised persons should be avoided and that there should be co-ordination with the UNHCR should arrests take place. In any case, persons holding UNHCR documentation have been arrested and detained by RELA, or the police. UNHCR document holders have been beaten or otherwise mistreated in custody when they have produced their documentation (Undocumented, 2008).

As of September 2009, UNHCR had registered 63,572 persons of concern from 44 countries in Asia, Africa and the Middle East (Nah, 2009). During the year 2009, the UNHCR office in Malaysia received the largest number of new requests (40,000), being the fourth most important destination country for new asylum-seekers (UNHCR, 2010a). The Office conducted refugee status determination for more than 34,200 applicants. The overall number of people of concern in the country increased to 65,000 refugees and 10,000 asylum-seekers (UNHCR, 2010a). There are 20,000 unregistered asylum seekers in Malaysia who share the same profile as the current population of asylum seekers and refugees and who are being progressively registered and having their refugee status determined by the UNHCR (UNHCR, 2010a).

According to How (2010), UNHCR operations in Malaysia face other constraints besides a largely challenging urban refugee protection environment. These include (1) the large number of pending asylum seeker applications and recognized refugees requiring assistance and access to durable solutions; (2) funding constraints; and (3) inadequate number of effective strategic partners to match the required scale of refugee protection initiatives. The principal challenge remains the failure of local authorities to recognize that refugees are in need of international protection and, in accordance with international law, should not be subject to punishment for illegal entry or presence (How, 2010). The lack of a domestic legal and administrative framework for the protection of refugees remains the main challenge in Malaysia (UNHCR, 2010a).

With no foreseeable shift in the level of Government engagement, UNHCR plans to continue to implement its international mandate to protect and assist refugees while seeking durable solutions for them. It announces its plan to "sustain and strengthen its dialogue with the Malaysian Government to capitalize on opportunities to foster a better understanding of the refugee situation, emphasize the need for coordination between the various ministries, and seek better treatment for asylum-seekers, refugees and stateless people." It also states that an additional priority will be to strengthen public awareness of asylum issues in order to "expand the humanitarian space for refugees, asylum-seekers and stateless people in Malaysia." (UNHCR, 2010b)

Besides offering protection under its international mandate, the UNHCR, in cooperation with its NGO partners, runs a limited number of humanitarian support programmes for refugees, since they have no access to sustainable livelihoods or formal education (UNHCR, 2010b).

According to at least one study (Nah, 2009), refugees have ambivalent feelings about the UNHCR. One factor is that any appeal for help, whether to obtain a letter for a sick refugee to go to the hospital, to question the status of their asylum claim, to wait for a precious refugee status determination interview, to plead for UNHCR intervention in the arrest of a friend or a community member, usually entails hours of waiting, sometimes a whole day. This is a humiliating process, and refugees have expressed their dislike of it, saying that they “feel like beggars”. Refugees often complain that they cannot get the attention of UNHCR officers and that they have to visit the UNHCR office several times before they receive any help or response.

The issue of accessibility also involves the fact that there are no UNHCR mobile registration units working in places other than detention centers and, except for those in detention, registration at the Kuala Lumpur office is the only means of acquiring a protection letter or registering for status determination (Human Rights Watch, 2004, USCRI, 2008).⁴ The logistical and financial difficulties encountered in making the journey to the capital serve to further deter asylum seekers from approaching UNHCR. As UNHCR has no presence at the border, most asylum seekers have to travel to Kuala Lumpur for determinations (USCRI, 2008).

Refugees and asylum seekers may apply at the office of the UNHCR in Kuala Lumpur. After assessing an applicant’s case against the criteria set down in the *1951 Convention Relating to the Status of Refugees*, an applicant may receive a positive decision from UNHCR recognizing them as a person requiring temporary protection (in which case a temporary protection card is issued) or as a refugee, in which case a refugee card is issued (Undocumented, 2008). The long procedure involved in status determination also aggravates the refugees.

UNHCR Malaysia’s refugee protection mandate is located in a rather inconvenient position within the broader national context. It operates in Malaysia with the agreement of the Malaysian authorities. Yet the very nature of its operation can be viewed as impinging on the territorial sovereignty of the State in which such Mandate operations are placed. The act of recognizing refugees under UNHCR’s General Assembly Mandate serves to render refugees as the beneficiaries of international refugee protection, and thereby acquiring internationally protected rights that flow from such status. However, their legitimate acquisition of such rights is not reflected in national Malaysian legislation. As such, the main protection concerns of refugees in Malaysia remain physical security and economic security (How, 2010).

4.4 Socioeconomic Vulnerabilities

Vulnerabilities generate and reinforce each other. The security vulnerabilities that mark the lives of refugees in Malaysia also contribute to and worsen their other vulnerabilities. Due to the absence of “legal” status, their access to education, healthcare and legal employment is severely compromised. According to MSF’s 2007 report on refugees in Malaysia, the security situation also often exacerbates the refugees’ existing psychological trauma.

Having looked at the security vulnerabilities of the Palestinian refugees in Malaysia in the previous section, we shall explore their socioeconomic vulnerabilities in the

⁴ However, the UNHCR registered about 20,500 new refugees through a mobile registration programme during 2009 (UNHCR, 2010a). According to USCRI (2008), UNHCR “conducted mobile registration exercises in areas with high concentrations of refugees, but these did not meet the need.”

current section. We shall evaluate their need, access to and use of resources such as healthcare, education, employment, and social support networks in Malaysia. We shall also consider the specific vulnerabilities of Palestinian refugee women and children in Malaysia.

4.4.1 Social Profile

4.4.1.1 Marital & Domestic

53.12% of the respondents are married, about 35% of whom are currently not living with their spouse and/or family. Average age at first marriage is 26.22 years. 40.62% are single (average age= 28.3), 6.25% are either widowed or divorced.

The average number of marriages per unit of observation is 1.15, with 1 being the mode. The mean duration of a marriage is 16.61 years, with 15 being the median value.

73.68% of the married respondents report being married to a person of Palestinian ethnicity, 15.78% report being married to persons of other Arab nationalities. The rest report marriages to persons of non-Arab ethnicities, in addition to an existing marriage to a Palestinian. It must be borne in mind that ethnic endogamy is endemic among the Arabs in general and the Palestinians in particular. Cousin marriage has been observed to be especially widespread among the Palestinians (Jacobsen, 2004). It is with this in mind that we included an item on predisposition to intercultural marriage in our interviews. Surprisingly, 60% indicated that they would have no problem with an intercultural marriage, be it in the case of their own kids, themselves, or anyone else in the community. 40% expressed reservations against such marriage. Moreover, 40% reported that they were worried about who their children or those of marriageable age in the community would marry.

66.66% of the male married respondents living in Malaysia with their spouse indicate that their spouse is currently not working. The most frequent reason cited for women to not work was their preoccupation with household chores/family. Unavailability of work was the second most common reason for women to not work outside of the home. Among Palestinians, women's participation in the labour force is determined by many factors. One of the most important is the traditional attitude relating to the Palestinian family, which holds that women should stay at home to take care of their children and the house. Married women in particular are not expected to work outside the house (Egset, W. & Al-Madi, Y. *Work and Working Conditions: Tiltnes*, 2006). Of those who reported their spouse was not working, 37.5% were themselves without a job. 33.33% did not respond to this item.

When asked how they thought refugeehood in Malaysia had affected their marriage, nearly all respondents asserted that their marriage had not been affected in any way whatsoever. However, in almost half the cases, the couple had experienced at least temporary separation, with the wife typically being in the respondent's country of previous respondent, and the husband having migrated to Malaysia. There was a tangible provisionality to such arrangements, and it was usually believed that the couple and/or the rest of the family would soon be reunited – most possibly in Malaysia. However, sometimes the uncertainty surrounding the reunion seemed to go beyond what the respondents had expected.

Results to the above item are also tempered by the possibility that self-reports on such questions may not be accurate, given the sensitivities associated with marital privacy among Arab families. The presence of an interpreter from the same community during the interview process may have significantly inhibited more realistic response on this particular item. The vehemence with which they denied the occurrence of arguments belied the possibly judgmental undertones of such a question. The researchers thought it best not to probe the issue further.

The average number of dependents per household is 2.1, with 1 being the mode and the range being 1-8. In our sample, only one extended household existed, the norm among refugees being a nuclear household unit⁵ (Jacobsen, 2004). However, in our sample, even that “norm” seems to be challenged, with only about 31% of the households having the typical nuclear composition. The majority were single-person households, operating as autonomous economic units, occasionally also sharing living arrangements with similar individuals on an *ad hoc* basis.

For 68.75% of the respondents, the decision to migrate to Malaysia was made by the respondents themselves, occasionally also in consultation with their spouse. For 25% of the respondents, the decision was made jointly by the family or a family head. 6.25% respondents did not consider their migration as involving a decision; it was entirely forced on them by circumstances. 15% respondents indicated that someone in their family had opposed their decision to migrate from the country of previous residence.

Of the 11 respondents who have their family with them in Malaysia, 27.27% expressed regret at having brought their families with them. The rest, who did not express regret, believed that the lack of options had left them with little discretion in the matter, and that there was no scope for regret in the matter.

58.33% reported that the rest of their family was in the OPTs; 54.16% had their family or part of their family as refugees in one of the Arab host countries; 12.5% had the rest of their family in non-Arab host countries such as the Philippines or here in Malaysia; 12.5% had the rest of their family resettled in various countries. The total adds up to more than 100% since the same respondent may have indicated the rest of their family in more than one places.

68.42% reported feeling “guilty” about leaving their families behind in Palestine or other Arab host countries. However, not being themselves better off in Malaysia tempered such feelings of guilt, and 31.57% reported not feeling guilty and/or not feeling they had left them behind.

66.66% indicated that they were looking forward to some kind of family reunification in the future, by deliberate means. The rest did not indicate any deliberate plans of family reunification in the future.

21.42% reported communicating with their family outside Malaysia roughly once a month; 17.85% reported communicating less than once a month; 14.28% reported communicating more than once a month but less than daily; the rest did not specify the frequency of communication.

Only 14.28% indicated that they had known someone in Malaysia before they arrived here. This mostly included family members who had made the trip to Malaysia a few months to a year before the rest of the family moved here. This finding is at least partly in consonance with similar findings elsewhere. In Hovdenak (1997), for example, the respondents established a kind of semi-settled life in the Gulf step-by-step: the first to migrate were usually males arriving without dependents. After a few years, during which the single migrants secured themselves a permanent residency permit, they returned to bring their wives and children – or to marry – and then establish a home with the family in the Gulf (Hovdenak, 1997). The majority of respondents in our study, however, did not report having known anyone in Malaysia before they arrived here.

4.4.1.2 Acculturation & Social Networks

According to Landau (2005), the integration of urban refugees, along with repatriation, is one of the most poorly understood and under-researched topics in forced migration. In this section, we shall look at indicators that point out how deep the roots are which

5 A nuclear household consists of the husband and wife, and the children.

the refugees have planted in the Malaysian host society in terms of social and economic ties. This is despite the fact that local integration is not considered a viable option for the majority of refugees by Malaysian authorities, and resettlement remains the only option as a durable solution for them (UNHCR, 2010b).

If the use of a particular language is any indicator of successful acculturation, it could be said that the Palestinian refugee community in Malaysia is not very well adapted at the moment. Among the respondents in the present study, only one reported some degree of familiarity with Bahasa Malaysia. Only 43.75% indicated spoken as well as written familiarity with a language other than Arabic: English. As noted in the previous section, about 75% of the respondents on the present study perceive language to be a major barrier to accessing healthcare in Malaysia.

Those who reported being engaged in some kind of paid employment mostly (63.63%) used a combination of English and Arabic at the workplace. 27.27% used only Arabic, while only about 9% used English exclusively at the workplace. The predominant use of Arabic at the workplace is explained by the fact that most Palestinian refugees in Kuala Lumpur find employment with businesses owned by Arabs in the city. The kind of work they do often does not require them to interact extensively with the local population. Zureik in Hovdenak (1997) interestingly notes that adaptation is a function of employment/unemployment. In their study, the overwhelming majority of those who reported lack of adaptation or not yet having adapted were unemployed. Of those who reported movement towards adaptation, between one half and two-thirds were employed (Zureik in Hovdenak (1997).

The refugees' economic interaction with the local population could be used as an indicator of potential integration. Landau (2005), however, cautions that discussions of integration are far more complex than measures and comparisons of economic integration. Measuring integration must take careful note of how one defines "community". About 48.4% on the present study reported having sought financial assistance in Malaysia, mostly from the UNHCR. Only 6.45% report having sought (and sometimes, received) such assistance from the local community. The rest sought financial assistance from within the Palestinian refugee community here.

We enumerated 4 instances of parturition in Malaysia. In all cases, it was not clear if the birth had been registered with local authorities. With the possibility that the said households would have to tarry in Malaysia for at least a few more years until they are offered resettlement, the non-registration of births raises the question of possible statelessness and other issues for these children. Adnan (2007) observes that since their parents are undocumented, such children face difficulties in obtaining birth certificates and other identification documents which would facilitate their access to basic needs including medical care and education.

In general, the respondents' impressions about the neighbourhood in which they lived seemed positive. Some reported interacting with local neighbours, using sign language and/or broken English and Bahasa Malaysia. Most, however, reported staying aloof, due to security concerns, and preoccupation with livelihood and other issues. About 40% indicated that they did not have enough interaction with the neighbours to qualify it as a considerable relationship. The pattern of interaction seemed to be limited to occasional greetings, asking for directions, etc. Landau (2005) notes that forced migrants may usually be required to relocate frequently within a given urban area, and that frequent moves may retard their (and their neighbours') ability to build "social capital": the personal networks necessary to find employment and gain access to schools and other social services. We shall come back to this in a later section.

About 26% reported that they had developed friendships with Malaysians. The rest did not report having Malaysian friends.

When asked about their impressions of Malaysian culture in general, 65% said they found it okay, and that they did not feel uncomfortable about any aspect of it. The

rest reported feelings ranging from uneasiness about Malaysian culture to being shocked and upset by some elements of Malaysian culture.

The manner of celebration of community events such as festivals could be used as an indicator of the acculturation of a community. We had a specific item on the celebration of the Muslim festival of Id. Most reported that they did not feel the spirit of celebration in Malaysia, and that Id could never be celebrated except in their homeland.

Exactly 50% of the respondents reported being engaged in some form of paid employment at the time of the interview. 36.66% report that their sole means of survival is some kind of assistance. The rest of the respondents reported surviving on savings from a previous job, or being provided for by a working family member in Malaysia. The sources of assistance range from local NGOs, friends in the community, family and friends outside Malaysia. 28.75% reported receiving major financial assistance from friends/family members outside Malaysia. This follows the pattern of Palestinian refugees elsewhere, who maintain bonds (especially those of an economic nature) with the communities that they leave behind (Pedersen in Hovdenak, 1997; Landau, 2005). Pedersen (in Hovdenak, 1997) notes that this may partly be because their migration in many cases was not an individual strategy, but part of the adaptation of a household or wider kin group.

75% indicated that they did not know anyone they could approach for seeking help in case of an emergency. Yet, 60% also reported that they felt they could handle an emergency, or were prepared to handle it. The refugee community's social isolation is exacerbated by the hostility of the Malaysian atmosphere to "illegal" immigrants. Even people who help, recruit, employ, or harbour undocumented migrants (including refugees and asylum seekers) are liable to fines and jail terms. Refugees and asylum seeker communities thus rely mainly on informal networks, such as community groups, to survive (MSF, 2007).

35.29% said that when they faced problems, they did not have anyone to sort them out with. 15% indicated that they resorted to NGOs to help them sort out problems. 40% reported discussing problems with family and/or friends. The refugees reported that their most common source of information were friends or family members (35.29%), followed by NGOs, especially MSRI (17.64%), and the internet (17.64%). 29.41% reported that they did not have any source of information.

75% of those engaged in some form of paid employment reported that they had friends at the workplace. They were usually Palestinian colleagues. The rest said they would not consider anyone at the workplace as friends.

On an average, the respondents indicated acquaintance with a social circle comprising of 10.31 persons from within the Palestinian refugee community, the range being 1-40. 75% said that they did not often have guests at their place, indicating the general lack of social connections among the community.

40% did not think that the problems faced by all members of the Palestinian refugee community were the same. They felt that their own problems were more serious than those of others. The rest believed that the challenges of living as refugees in Malaysia were the same for all Palestinians. Class differences and dissimilarity in the experience of refugeehood has been mentioned by several studies on refugees (Ben-Porath, 1987; Hanssen-Bauer, 2007; Hovdenak, 1997; Palestinian, 1999; Verghis, 2009).

It can be concluded that the communities that refugees are forced to build for themselves in the context of urban Malaysia are, as Dodds (1983) remarks, at best makeshift and vulnerable, and that it is difficult to provide for their needs in such communities.

4.4.1.3 Xenophobia

Landau (2005) notes that the trends of urban refugees have the potential to transform host cities. For instance, attitudes held by local populations are "likely to shift, possibly

towards novel forms of cosmopolitanism or, more commonly, towards heightened xenophobia” (Landau, 2005; also, Ben-Porath, 1987 and McBrien, 2005). Landau says:

Xenophobia is one of the most common responses to the interactions of foreign migrants and host populations. While refugees and migrants everywhere are often greeted with hostility — scapegoated as the cause of crime, vectors of disease, and a threat to locals’ economic opportunities and cultural values — urban migrants’ typical reliance on existing markets and public services makes them particularly vulnerable to the effects of xenophobia. In the most extreme instances this can result in violence or illegal detention or deportation. More commonly such tendencies manifest themselves as petty harassment and extortion, discriminatory hiring practices, difficulty in obtaining accommodation, and exclusion from social and financial services. (Landau, 2005)

Landau (2005) observes that since many refugees work in informal jobs outside (hawking, construction, cleaning), they are vulnerable to general theft and assault along with xenophobic violence. 23.8% on the present study report having experienced crime, ranging from petty theft to assault, at the hands of citizens. Rowley (1985) also maintains that refugee populations are likely to be viewed as “deviant” *vis-à-vis* the host societies.

MSF (2007) reports that although undocumented migrants in Malaysia live in great fear of being arrested and deported by the Malaysian authorities, they are also often targeted by street gangs, bandits, abusive employers and even ordinary citizens. Of 100 people interviewed by MSF, 11% reported being beaten by the police and 31% had had their belongings stolen. MSF (2007) notes that 26% of the crimes against refugees were committed by ordinary Malaysians. They remark that this figure is indicative of how migrants are isolated and victimized by Malaysian society in general. Kassim (1998) states that in Malaysia undocumented migrants are cited to be a cause of “social disruption”, a threat to law and order⁶. Loh (2010) holds the continuing criminalisation of undocumented migrants and asylum seekers in Malaysia as leading to “the prevalence of xenophobia in government circles”.

Finally, xenophobia may also manifest among the refugees themselves, in the form of negative perceptions of the host population, and their consequent attempts to stay aloof from them. An example of this was found in the current sample, when at least some of the respondents indicated that they did not encourage their children to play with local children. Landau (2005) mentions this tendency among urban refugees, whose fears that their children are being exposed to undesirable cultural values or practices may discourage enrolment at local schools. Notwithstanding the generally positive perceptions of their host society among the sample in the present study, a small but significant percentage continued to manifest patterns of separation on all measures of acculturation.

4.4.2 Economic Profile

4.4.2.1 Access to Livelihoods

About 50% of the respondents were not engaged in any form of paid employment at the time of the interview. Of those employed, only two respondents reported possessing some kind of work permit. This finding is consistent with Nah (2009), who reports that between 30 and 60% of refugees are employed at any time.

This means that at least fully 50% of a healthy, adult, generally qualified population spends its time moping around. Almost all the unemployed respondents indicated that they spent most of their time looking for a job. A proper study with an economic focus would need to determine how many human work-hours end up being wasted this

⁶ On the role of mainstream media in spreading “inaccurate, racist and xenophobic stereotypes” of undocumented migrants in Malaysia, see Kaur, 2007b.

way, and how much of an economic “cost” it proves to be for a city like Kuala Lumpur. Tiltnes (2006) in their study found that despite the respondents’ already long working days, a large proportion expressed a desire to work more. In the present study, 35.71% of those employed reported just “staying home” on days when they were not working. For the most part, though, they work without a single day’s break for months on end. We shall examine the working conditions in a subsequent section.

The jobless healthy adult population also includes women, who, for reasons more domestic than legal, refrain from joining the labour force. However, at least one respondent in our study did indicate that his wife was absent from the workforce due to the unavailability of appropriate work.

Limited access to paid employment is a hallmark of refugee communities everywhere, even though refugees tend to rely heavily on employment income (Hanssen-Bauer, 2007). A number of studies have mentioned how refugees have limited access to the labour markets of host societies (Hanssen-Bauer, 2007; Landau, 2005; Tiltnes, 2006).

The limited access becomes even more severe in the case of Malaysia, which does not even recognize the refugees’ right to be in the country. Absence of the formal right to work in Malaysia is a major challenge for refugees in accessing stable livelihoods (UNHCR, 2010b; UNHCR Malaysia, n.d.; USCRI, 2008; USCRI, 2009; How, 2010; Nah, 2009; The Star Online, 2010; Adnan, 2007; Lee, 2010; Perumal, 2010).

The immigration act in Malaysia even specifies penalties for persons who are found to employ undocumented migrants (including refugees) (See The Commissioner, 2006: Section 48A. (Subsection 1)b). Thus, lack of a legal status and documents exacerbates the refugees’ access to livelihoods, since employers are unwilling to risk being penalized for employing undocumented migrants (How, 2010; Adnan, 2007).

The USCRI, in its 2008 and 2009 world reports on the situation of refugees worldwide, accorded Malaysia an “F” on the parameter of access to livelihoods, on the bases that the Malaysian government did not allow refugees or asylum seekers to work and practice professions legally, to legally engage in business and obtain necessary licenses, to access the protection of labor legislation on par with nationals, or to open bank accounts and acquire, hold title to, and transfer capital assets. They noted “severe restrictions in policy and practice” with regard to refugees’ access to livelihoods (USCRI, 2009).

Landau (2005) notes another challenge that refugees often face in accessing livelihoods: frequent moving due to the short-term nature of their housing contracts. Landau remarks that frequent moves may retard their (and their neighbours’) ability to build “social capital” – the personal networks necessary to find employment and gain access to other services. Buscher (2010) notes unregulated employment as an additional challenge for the safety of refugees (especially women) in a city like Kuala Lumpur. Their attempt to make a living increases their vulnerability to gender-based violence, arrest, detention and extortion.

4.4.2.2 Specific Vulnerabilities

Paid employment is the means of survival for about 50% of the respondents on the present study. According to Hanssen-Bauer (2007), refugees rely heavily on employment income, but it is not always available to them. In addition to employment, Jacobsen (2004) has observed that financial assistance in the form of transfers is extremely important to the Palestinian refugee population in Jordan. 36.66% on the present study report that their sole means of survival is some kind of assistance or “transfer income”. The rest of the respondents reported surviving on savings from a previous job, or being provided for by a working family member in Malaysia. The sources of assistance range from local NGOs, friends in the community, to family and friends outside Malaysia. 28.75% reported receiving major financial assistance from friends/family members outside Malaysia.

Most report having sought financial assistance with the UNHCR and some local NGOs. However, almost all respondents who reported having sought financial assistance from the UNHCR stated that they never received any assistance from the office.

Of those who responded to this item, 85.71% believed healthcare costs in Malaysia to be prohibitive. Only 2 respondents indicated that they did not find healthcare unaffordable.

For those engaged in some form of paid employment, the average monthly income is RM1536.66, the range being RM500-RM4500. How (2010) mentions that the poverty-line income per urban household per month (based on the Ninth Malaysia Plan) for Peninsular Malaysia is RM663. According to the mid-term review of the Ninth Malaysia Plan, the PLI was RM720 for Peninsular Malaysia.

Fafo's studies show that refugees are somewhat more vulnerable to poverty than the host country population, the main factor in creating their increased vulnerability being their weaker relation to the labour market (Hanssen-Bauer, 2007). Jacobsen (2004) states household size to be the most important indicator of poverty risk among refugees, reflecting that the number of earners relative to dependent non-earners plays a key role in determining the economic well-being of refugee households. In the present study, the average dependency ratio per household is 0.35: that is, for every dependent in the sample, there are only 0.35 income providers. The average number of dependents per household is low (2.1), but the average number of income providers per household is even lower (0.65). Jacobsen's observation on household size being the single most important factor for poverty risk might explain the relative well-being of the present sample on some indicators. Most of them being single men, average household size becomes very small, resulting in slightly better performance on indicators such as average monthly income.

Landau (2005) notes that forced migrants often pay more for their accommodation. Among the present study sample, average monthly expenditure on housing was RM487.91, which amounts to 37.34% of the average monthly expenditure per household. Average monthly expenditure per economic unit was RM1306.66. In HEI's study, the average monthly rental for housing was RM464.72, constituting 88% of the average monthly household income of the study population. How (2010) comments that such accommodation, typically, tends to constitute low cost flats, about 600-650 sq. ft. in size, with about two bedrooms, a toilet, and a kitchenette. The same holds true for the current study population.

4.4.2.3 Coping with Economic Vulnerability

Given their limited access to paid employment, refugees resort to a number of survival strategies in order to cope with their specific economic vulnerabilities.

Participation in the Informal Economy: Probably the most important of such strategies is their participation in the informal economy. Landau (2005) states that the majority of the world's refugees support themselves through casual labour or participation in the informal economy. This is true for urban refugees in Malaysia (The Star Online, 2010; UNHCR, 2010b; El-Abed, 2003;), including the Palestinian community. Tiltnes (2006) says that refugees' participation in the informal economy, or "self-employment", is primarily an adaptation to labour markets pursued by those with weak resources to compete in the "formal" wage-labour market (Egset, W. & Al-Madi, Y. *Work and Working Conditions* in Tiltnes, 2006).

Household Strategy: Another common way to cope with economic vulnerability among refugees is for the household to act in a concerted way as an economic unit extending the relative advantage of one individual to other members. Hovdenak advises that Palestinian refugees' approach to economic survival be seen as a household strategy rather than an individual one (Hovdenak in Hovdenak, 1997). This is borne out by

our observation that Palestinian refugees tend to maintain their ties to the communities they left behind, the most important of those ties being economic in nature.

The fact that at least some forced migrants are supported by families or friends still in their country of origin (Landau, 2005) also affirms the same trend. El-Abed (2003) states that the economic survival of the household depends on the number and type of income-earning activities in which members are engaged. The combination of activities depends on their accumulation of financial, human and social capital. That is probably why many refugee children take on the burden of working to help the household make ends meet (UNHCR Malaysia, n.d.). Nah (2009) reports about the Burmese refugee community in Malaysia that the working ones among them pay for the food and expenses of those who do not. El-Abed suggests that being engaged in multiple activities can reduce the household's economic vulnerability.

Assistance: Jacobsen (2004) suggests that generally assistance in the form of "transfer income" is extremely important to refugee populations. This includes humanitarian support programmes that aid organizations and NGOs run for refugees (UNHCR, 2010b), as well as money they receive from families or friends still in their country of origin or elsewhere (Landau, 2005).

Education: Dodds (1983) reports "an overwhelming recognition" by refugees of the importance of education for their survival. They see it as a means, perhaps the only means, of improving their conditions of life and their chances of employment (Dodds, 1983). Landau emphasizes that in urban areas education may play a particularly critical role in helping them garner the skills necessary to be economically competitive in their new environment (Landau, 2005).

We shall explore the importance of education for refugees in greater detail in a later section.

Others: Other ways in which refugees tend to deal with their specific economic vulnerabilities include working long hours in order to compensate for low hourly wages. Tiltnes reports this finding and cites that it is supported by a statistically significant, negative correlation between hourly wage and working hours (Tiltnes, 2006).

Sometimes refugees, especially those who find themselves in host countries that do not recognize refugees, may be forced to resort to such survival strategies as begging. While this is not found among the Palestinian refugee community in Malaysia, it has been observed among some Burmese refugees here (Perumal, 2010).

4.4.2.4 Working Conditions

The informal economic sector tends to be unregulated, creating scope for exploitative working conditions. These have been referred to in a number of studies concerning undocumented migrants and the Malaysian economy (see, for instance, Kassim, 1998; Nah, 2009; Adnan, 2007; Buscher, 2010; How, 2010; UNHCR Malaysia, n.d.; US Dept of State, 2006; USCRI, 2008).

How (2010) explains the precise implications of "being employed" as a refugee in Malaysia. They clarify that it is "no guarantee of a regular job or steady income", that such "employment" is not regular, permanent, or fixed, even for "full-time" workers. Full-time employment, in their context, usually implies that they work on most days of the month, as opposed to part-time workers who work a few days per month. They are often remunerated on a daily-wage/piece-rate/task-wage basis, and may be without work for several days on end.

The US Department of State (2006) mentions that under the Employment Act in Malaysia working hours may not exceed eight hours per day or 48 hours per workweek of six days. Each workweek must include a 24 hour rest period. The act also sets overtime rates and mandates public holidays, annual leave, sick leave, and maternity

allowances. Nevertheless, in the present study, 81.25% of those employed reported working for 12 or more hours per day, the highest being 17 hours. 12.5% worked for 6 hours per day. The rest reported irregular working hours. 53.33% reported that they worked a 7-day week, with no off days in a month. For the rest, the average number of off days per month was 6, the range being 3-9. 86.66% stated that they worked on public holidays. Nah (2009) reports refugees in Kuala Lumpur working 8- to 12-hour days.

Long working hours, however, are not proportional to increased income. The average monthly income of the study sample is RM1536.66, ranging from RM500-RM4500, yielding an average hourly wage of about RM4.5. Extremely low wages often go hand-in-hand with jobs in the informal and unregulated economy (UNHCR Malaysia, n.d.). Hanssen-Bauer (2007) states that although refugees are as economically active as the host country population, they tend to earn less per invested hour. Tiltnes (2006) finds a negative correlation between the number of hours worked and the hourly salary received among Palestinian refugees in Jordan, despite most workers on his study working very long hours.

In the present study, 80% of those employed received no employment benefits, not even sick leave. Those who did receive some form of employment benefits only received the most basic forms, at the discretion of the employer. Refugees have no access to workers' compensation, and medical treatment for on-the-job injuries is at the discretion of the employer (USCRI, 2008). These are unsurprising consequences of working in sectors of the economy where work provides less in terms of social welfare benefits (Hanssen-Bauer, 2007; How, 2010). In the present study, those who worked for acquaintances received general social support from the employer, but not much in the manner of better working conditions.

Foreign workers in Malaysia, especially if they are undocumented, do not have access to the system of labour adjudication (US Dept of State, 2006; USCRI, 2008; How, 2010). This means that they cannot seek redress for abuses or exploitation within the Malaysian legal framework, creating further vulnerability at the workplace.

When asked if they thought there were any hazards associated with their work, most stated that the possibility of immigration raids at the workplace was the greatest threat. Many also said that the work itself was very strenuous. Some reported that there was danger of falling ill. A risky working environment is one of the many disadvantages of working in an informal economy that refugees have to put up with (Buscher, 2010; USCRI, 2008). UNHCR Malaysia (n.d.) states that refugees mostly accept jobs that the local population do not wish to take (the "3D jobs": dirty, dangerous and difficult).

USCRI (2008) reports that authorities in Malaysia arrest those without UNHCR cards during workplace raids. About 71.43% on the present study reported that they did not expect their employer to help them in the event of an immigration raid at their place of work. The remaining 28.57% who believed that their employer would help them evade an immigration raid mostly worked for Arab acquaintances or with businesses, such as restaurants, relying heavily on undocumented workers.

4.4.3 Health Profile

4.4.3.1 Access

Major barriers for refugees to access healthcare in Malaysia are their absence of legal status, non-recognition of documents by frontline healthcare workers, security fears, cost, language and cultural barriers, lack of information, and the difficulty of physical access to hospitals and clinics (How, 2010; Gosling, 2000; Adnan, 2007; Landau, 2005; MSF, 2007; Subhra, 2002; UNHCR Malaysia, n.d.).

Government hospitals in Malaysia supposedly provide services to refugees registered with the UNHCR (i.e., those holding a refugee card), for half the fees for

foreigners, equal to the fees that Malaysians pay. However, this policy is complicated by two or three other factors. First, NGOs and rights organizations continue to receive reports of refugees being denied access to adequate and affordable treatment at government medical facilities (Adnan 2007; MSF, 2007), so that it seems that this policy has not filtered to the enforcement agencies and local hospitals – a continuation of the theme of inconsistent government policy towards refugees. Frontline medical staff do not seem to have been trained to recognize UNHCR documents. Second, this policy is inadequate, since it leaves out asylum-seekers (How, 2010). Those without UNHCR cards even risk being reported to immigration authorities, since hospital staff are obliged to “declare” illegals to the police (MSF, 2007). Finally, even though it gives refugees a 50% discount on healthcare services at government hospitals, the cost is still prohibitive for most refugees in Malaysia, given that forced migrants typically earn less than the local populations and even reduced fees may be difficult for them to afford (How, 2010; Landau, 2005; MSF, 2007; UNHCR Malaysia, n.d.).

In addition to the above policy, the Ministry of Health also subsidizes the treatment for HIV and Tuberculosis for registered refugees and allows Adherence Support Community Counselors to facilitate translation for refugees from Burma seeking treatment for these two diseases at two state-run hospitals in the Klang Valley (How, 2010). Refugees and asylum seekers with HIV/AIDS receive free treatment from the public health service (USCRI, 2008). Malaysia has not included refugees or asylum seekers in the Ninth Malaysia Plan, but it has included them in its National Strategic Plan for HIV/AIDS 2007-2010 (USCRI, 2008). Other than this, authorities provide no medical care, but do permit independent humanitarian agencies to assist refugees. Non-government organizations run mobile clinics for refugees, although the reach of these services is limited (UNHCR Malaysia, n.d.).

Gosling (2000) states that health is not always a priority for refugees, especially for women (UNHCR Malaysia, n.d.), as compared to other more basic needs such as livelihood, safety, accommodation, immigration issues, etc. As such, they are likely to set aside their health needs until they become more exigent. How (2010) found that they cope with their health needs by delaying seeking care/treatment, or waiting until the problem became serious. Landau (2005) cautions that there may be instances in which forced migrants feel uncomfortable interacting with hospital staff. Landau observes that such uneasiness is particularly common in women and girls. The consequence is that they may either not go to a clinic when needed, or they may feel uncomfortable speaking with someone who is not a member of their ethnic, linguistic, or religious community (Landau, 2005).

In the present study, 45.16% respondents had never accessed healthcare in Malaysia. About 80% of these did not indicate any health *need*, ie, reported no health problems and/or disabilities for self or a family member. 16.12% reported going exclusively to a private clinic/hospital for healthcare, while 12.9% reported visiting only government hospitals/clinics. About 9.7% reported visiting both government as well as private facilities for healthcare. The remaining 16.12% reported using “other” facilities, including pharmacies, traditional methods, etc.

The frequency of visits to healthcare facilities varied in the study. Frequency ranged from once in the entire duration of their stay in Malaysia to once every week. Frequency of visits did not seem strongly correlated with seriousness of health problem reported or with awareness. The frequency of visits is determined by a host of other factors, including employment status, access to social support networks, duration of stay in Malaysia, as well as age. This may be partly explained by the discussion in some of the following paragraphs.

About 56.25% did not respond to the item that asked if they found healthcare unaffordable in Malaysia. (40% of these had never accessed healthcare.) Of those who did, 85.71% believed healthcare costs in Malaysia to be prohibitive. Only 2 respondents indicated that they did not find healthcare unaffordable.

On the parameter of informational access, 43.75% gave no response; 31.25% indicated they were aware of the healthcare facility nearest to them, and/or healthcare services they were entitled to as refugees. 25% reported they were not aware about healthcare services closest to them or other services they were entitled to.

Of the respondents who responded to the item on perceived discrimination in healthcare services, 72.72% did not perceive such discrimination, while as the remaining 27.27% did.

On an average, the respondents reported having to wait for 2 months to make an appointment with a physician at a government hospital, unless they were being referred to the emergency.

It took the respondents a mean of 26 minutes to get to the medical facility closest to their place of residence, with 20 minutes being the mode. This should not be surprising, given how most Palestinian refugees are concentrated along the Ampang and Lembah Jaya areas, in the vicinity of downtown Kuala Lumpur. The most frequent mode of transport used for accessing medical facilities remains the bus and the cab. The decision to use either of these is usually tipped by the fine balance between cost and security concerns, with the bus being more cost-effective, but rendering them more vulnerable to security issues. Moreover, recent arrivals opt for the cab because they are unfamiliar with the public transportation system in the city.

About 53% reported inability to explain one's condition due to linguistic/cultural barriers while seeing a physician. The same percentage also reported that even when they managed to explain their condition, they did not feel understood by the healthcare providers. 75% perceive language to be a major barrier in their access to healthcare in Malaysia.

Access to reproductive health services, including antenatal services, remains similarly restricted for refugees, largely on account of their high cost. In the study, we recorded a total of 4 instances of parturition in Malaysia, two of them at a private hospital. The average cost reported was RM370. Respondents indicated they had to seek financial assistance from family/friends in order to meet the cost. The number of antenatal and postnatal checkups varied, and seemed largely to be a function of informational access. The same was observed to be the case with vaccinations and immunization of the newborns.

To sum up, it appears that physical and informational access to healthcare is not the predominant concern of the Palestinian refugee community. The biggest determinant of their access to healthcare is affordability, which they most often struggle with. MSRI, among other Malaysian NGOs, endeavours to provide as much assistance with the cost as we can. Linguistic and cultural factors form the second significant barrier to healthcare, while security concerns equally complicate it for refugees.

4.4.3.2 Need

Refugees, especially women, are vulnerable to adverse sexual and reproductive health; they may also experience amenorrhea and/or poor quality lactation (Ben-Porath, 1987; See also, Verghis, 2009). UNHCR Malaysia (n.d.) notes that without affordable access to healthcare in Malaysia, refugees suffer from easily preventable diseases that are spurred by malnutrition and poor living conditions. How (2010) found that an income-restricted diet was one of the underlying determinants of health among refugees in Malaysia. How also report in their study that refugees coped with their health needs by delaying seeking care/treatment, selling their possessions, using their savings, borrowing to meet their health needs, or waiting until the problem became more urgent (How, 2010).

HEI have documented the health needs of refugees in Malaysia in detail, both in their study on Afghan refugees as well as elsewhere.

We chose to follow the HEI Afghan refugee study's methodology in order to assess health needs and "care-seeking behaviour" among Palestinian refugees. As the authors of the study note, "[while] self-reporting may pose challenges to accurately estimating the prevalence of health problems, it is recognized as a useful tool for understanding care-seeking behaviors...it aids in understanding perceptions of severity of health problems and clarifying reasons for seeking or avoiding health care services" (How, 2010).

About 19% of the respondents reported having suffered some kind of injury related to violence/armed conflict, particularly at the hands of the Israeli Defense Forces. These included bullet wounds and injuries from shrapnel. However, residual disabilities because of such wounds were not reported in any case.

37.5% indicated no health problem. Of these, most are either single men in their late 20s or older men living in Malaysia without a spouse or family. The most frequent self-reported health problems among the community ranged from the acute to the chronic, including migraines/sinus headaches, joint problems, stomach trouble, asthma, kidney trouble, skin problems, hearing problems, insomnia, hypertension, gangrene, vision problems, cardiovascular problems, and dental problems. The list indicates a diverse set of health needs of the community, in addition to reproductive, child health and mental health needs, which we shall deal with in the coming section.

4.4.3.3 Mental Health

Dispossession and displacement together lead to the experience of trauma. Both also make refugees vulnerable to further trauma. As discussed in an earlier section, the inadequacy of protection in host states often leads to what we termed "secondary persecution" of a displaced population. Such persecution, and/or the general climate of intimidation and fear in an unwelcoming host country only exacerbate the experience of trauma (MSF, 2007).

The trauma that most refugees undergo is usually of an extreme degree. Having lost family members and witnessed killings, often including the brutal murders of family members (McBrien, 2005; MSF, 2007; Refugees International, 2008), kidnappings (Refugees International, 2008; McBrien, 2005), witnessed torture (Refugees International, 2008; McBrien, 2005; MSF, 2007) and death threats (Refugees International, 2008), being at high risk for rape, abduction and trafficking (McBrien, 2005; Garvin in Kurt, 1998), the refugees cannot imagine going back to such situations, even if the protection environment in their host countries is unwelcoming (How, 2010). Pre-flight stressors leading to trauma is a characteristic of the refugee experience and intensifies it.

Subhra (2002) delineates some of the potential generators of stress and trauma in refugees as: the decision to leave, loss of those left behind, the experience of travel and for some, the treatment by traffickers, making a claim for asylum, experiences in the emergency accommodation, dispersal within the host country, the reception from within the local community, the difficulties in understanding and gaining access to services, acclimatizing to differences such as climate and values, waiting for a decision, worrying about a refusal, and so on (Subhra, 2002).

Interpersonal stress and relationship problems arising out of the refugee situation generate considerable degrees of stress and has been reported in a number of studies (see Ben-Porath, 1987; How, 2010; Jacobsen, 2004). Other sources of family stress – such as differential rates of acculturation, intergenerational conflict, conflicts that ensued during the process of making the decision to flee, separation from familial support networks, and unequal power distributions based on gender in the family and strict role definitions for its members – have been noted by several authors (Ben-Porath, 1987; Gosling, 2000; How, 2010; Jacobsen, 2004; McBrien, 2005; Verghis, 2009). These characteristics have been identified as directly contributing to the likelihood for abuse and stress.

For 68.75% of the respondents, the decision to migrate to Malaysia was made by the respondents themselves, occasionally also in consultation with their spouse. For 25% of

the respondents, the decision was made jointly by the family or a family head. 6.25% respondents did not consider their migration as involving a decision; it was entirely forced on them by circumstances. 15% respondents indicated that someone in their family had opposed their decision to migrate from the country of previous residence.

It is not surprising, then, that many refugees are known to suffer from anxiety disorders, including post-traumatic stress disorder (McBrien, 2005; MSF, 2007; Ben-Porath, 1987). The effects of such trauma can be long-term, especially in the case of refugee children (McBrien, 2005).

Documenting the mental health needs of refugees is complicated by the stigma associated with mental ill-health. Respondents, especially men, are not forthcoming about reporting mental health problems (Ben-Porath, 1987; Jacobsen, 2004).

Like health in general, mental health does not remain a priority concern for refugees. It is often overshadowed by security and livelihood concerns. That is probably why most respondents on the present study did not seem to be aware of their own mental health needs. They were not able to articulate the need for the availability of mental health services as they articulated the need for other services.

Only four out of the 32 respondents indicated that they had ever accessed mental health services, none of them having sought them in Malaysia. 8 indicated that they would like to utilize mental health services, if available. Lack of awareness about mental health and the availability of mental health services in Malaysia seemed to lead up to the situation where refugees could not discern mental health problems, and they frequently manifested as somatic complaints (Ben-Porath, 1987) such as insomnia and headaches.

Eleven (34.37%) respondents indicated that they did not feel affected with any mental/psychological condition. 31.25% reported feeling depressed or 'blue'. 25% reported inability to sleep. The rest reported symptoms generally fitting into the description of "psychological distress"⁷ (Tiltnes, 2006). The total adds up to more than 100% since the same respondent may have reported being affected by more than one psychological condition.

In MSF's 2007 study on refugees in Malaysia 82 out of 100 suffered sleepless nights, 69 had feelings of isolation and 77 felt constant fear and worry. 56 people had experienced depression and 20% had suicidal thoughts. Frequent causes for depression included the difficulties associated with obtaining documents; the ongoing lack of security; very poor living conditions; the lack of work and the absence of opportunity to be resettled (MSF, 2007).

When asked if they took any medication to deal with their mental health condition, 15.62% on the present study reported taking sleeping pills, 12.5% reported the use of painkillers and 3.12% reported using antidepressants. The rest did not report the use of any medication in connection with mental health.

On the question of how often they felt that they were stressed, about 71.5% responded "always", 23.8% responded "sometimes", while only 1 respondent answered "never".

Ben-Porath (1987) suggests that refugee women may often suffer from amenorrhea and poor quality lactation due to stress. We could not confirm this in the present study.

7 "Psychological distress" is seen as a prime indicator of mental health, and symptoms of distress are: worrying too much about things; feeling depressed and sad (blue); feeling hopeless about the future; feelings of worthlessness; nervousness or shakiness inside; feeling continuously fearful and anxious; and, headaches (Tiltnes, 2006).

4.4.4 The Specific Vulnerabilities of Women

UNHCR (2010a) reports that by the end of 2009, women and girls constituted less than half (47%) of refugees globally. UNHCR Malaysia (n.d.) reports that 70% of refugees and asylum seekers in Malaysia are men, while only 30% or 13000, are women.

In 1999, the United Nations Inter-Agency Standing Committee issued a policy statement on gender and humanitarian assistance which requires that, when providing humanitarian assistance in emergencies, all member organisations should formulate specific strategies to integrate gender issues, collect and analyse data from a gender perspective, build capacity for gender programming, and develop reporting and accountability mechanisms that ensure attention to gender (United Nations FAO, n.d.).

As part of an effort to integrate gender perspectives in the present study, we included a section on women in the interview schedule (See Appendix A). It contained questions specifically for women in the household, and this section was only completed in instances where there was at least one adult female refugee in the designated household. The total number of cases where this applied was 13 (= 40.62% of the study sample). The average age is 36, ranging from 23-68 years.

The daily lives of refugee women are different in context and outcomes than the lives of refugee men (See Ben-Porath, 1987; Jacobsen, 2004; Undocumented, 2008; UNHCR Malaysia, n.d.). UNHCR Malaysia (n.d.) state that while refugee women and men face similar kinds of harm, women are often subjected to specific forms of abuse and violence that affect them more severely than men. In a state of “permanent transit” and uncertainty regarding the future, it is the women who “bear the burden of coping” (United Nations FAO, n.d.). However, Jacobsen (2004) suggests that despite the social and economic restraint on women as actors, the living conditions of women do not differ considerably from men.

The women indicated that they felt additionally responsible in their new situation in Malaysia, with new challenges facing them. This was especially the case with women who had become separated from their families (children, spouse, and parents) as a result of coming to Malaysia. The separation seemed to have affected them much more profoundly than it had the men, and they cited it as a source of anxiety for them. However, all the women cited their spouse to having been generally supportive of them.

Many women also felt more anxious about the future prospects of their family, including the education, employment, and social adjustment of their children. Moreover, women seemed more reluctant to accept the idea of intercultural marriages for their children or other members in the community.

Jacobsen (2004) reports on the parameter of mental health that women more often report that they frequently have symptoms of anxiety and depression. However, the author sounds that there is ambiguity as to how this can be interpreted; we do not know if this is because women are more forthcoming about such things than men, or if there is a significantly higher level of stress symptoms among women.

When asked if they thought they or their household was adequately prepared to handle an emergency, 66.66% of the women in the present study responded in the affirmative. This figure compares with that of men to the same item. 60% of the men had reported that they felt they could handle an emergency, or were prepared to handle it.

Women refugees and asylum seekers are particularly vulnerable to sexual abuse and other forms of exploitation. They are known to face rape, harassment, or offers of assistance in exchange for sex (*Men, Women & War* by Philip Garvin in Kurt, 1998; Undocumented, 2008; UNHCR Malaysia, n.d.). Garvin says that rape as weapon of war intensifies the refugee experience for women. Buscher (2010) notes that the safety of refugee women living in Kuala Lumpur is greatly compromised by their attempts to make a living. Whereas in many contexts access to livelihoods brings greater protection against sexual harassment, abuse and exploitation, for a refugee woman in Kuala

Lumpur having a job increases her vulnerability to gender-based violence, arrest, detention and extortion

In addition to being exceedingly vulnerable to sexual and gender-based violence, refugee women face unique reproductive health problems, and are more vulnerable to adverse sexual and reproductive health (UNHCR Malaysia, n.d.; Verghis, 2009). Women are also more likely to set aside such problems in order to deal with more urgent survival concerns such as the availability of food (How, 2010; UNHCR Malaysia, n.d.).

Ben-Porath (1987) suggests that refugee women may often suffer from amenorrhea and poor quality lactation due to stress. We could not confirm this in the present study.

The lives of Western Asian women, in general, are governed by traditional role restrictions. Women's participation in the labour force is also determined by the attitudes that men and women hold towards such participation. This tendency continues even in the diaspora, where the community is more dispersed, and it would have been expected that traditional norms would be somewhat attenuated.

In the present study, 66.66% of the male married respondents living in Malaysia with their spouse indicate that their spouse is currently not working. The most frequent reason cited for women to not work was their preoccupation with household chores/family. Unavailability of work was the second most common reason for women to not work outside of the home. Among Palestinians, women's participation in the labour force is determined by many factors. One of the most important is the traditional attitude relating to the Palestinian family, which holds that women should stay at home to take care of their children and the house. Married women in particular are not expected to work outside the house (Egset & Al-Madi, *Work and Working Conditions*: Tiltnes, 2006).

92.3% of the women were not engaged in any form of paid work, the most frequent reason cited being preoccupation with household chores and taking care of the family.

33.33% reported having completed high school as their highest educational qualification. 55.55% completed at least a bachelor's degree in subjects such as mathematics, pharmacy, chemistry, and biochemistry. The rest reported primary school as their highest education. Jacobsen (2004) found that although men and women differ as to what roles they see as appropriate for women to assume in society, there is agreement between the genders in the ranking of kinds of activities. For example, the author found much support for women pursuing higher education, but less support for women pursuing business or political work outside the home (Jacobsen, 2004). Jacobsen also noted a high commitment to the education of girls among Palestinians.

About 30% cited the reason for discontinuation of studies to be the assumption of domestic duties, especially marriage. About 43% cited perceived completion of studies as the reason for discontinuation. 14.28% reported being engaged in ongoing education at the time of the interview. The rest cited financial problems as the reason for discontinuation. Jacobsen (2004) reports that typically in the Western Asian region, women do not continue with education once married, and either do not enter the workforce (if married straight out of school), or exit soon after marriage with the birth of her first children (Jacobsen, 2004). Only about 7.7% of the women in the present sample were unmarried.

The time-use patterns of women showed little variation, with almost all reporting the performance of household chores as their predominant activity. A small percentage reported paid employment, studies and surfing the internet as activities in addition to household chores.

4.4.5 The Specific Vulnerabilities of Children

The UNHCR estimates that more than half of any refugee population are children. In Malaysia, there are some 9200 refugee children below the age of 18. (UNHCR Malaysia, n.d.; McBrien, 2005). In our study sample, we enumerated a total of 27 children (18

female, 9 male) below the age of 18 belonging to 11 different households. However, the average distribution of children per household for the entire sample is 0.84; the low number of children per household being explained by the inability or unwillingness of the Palestinian refugees to bring their families to Malaysia at this stage.

Several respondents have more children in Palestine or an Arab host country who they could not get to accompany them to Malaysia. This study has only taken into account the children who are present in the households in Malaysia at the moment. The ratio between the number of children to number of adults in the sample households is 0.73. In other words, about 73% of the sample population is comprised of children aged 18 or below.

The mean age of the population aged 18 or below is 8.4 years, ranging from 1 month to 17 years, the median age being 8 years.

In the present study, 29.62% of the children were born in Palestine (the OPTs); about 40.75% were born in Arab states such as the UAE (22.22%), Iraq (11.11%), Jordan and Yemen. About 15% were born in Malaysia. The place of birth was not indicated for 14.81% of the children.

We enumerated 4 instances of parturition in Malaysia. In all cases, it was not clear if the birth had been registered with local authorities. With the possibility that the said households would have to tarry in Malaysia for at least a few more years until they are offered resettlement, the non-registration of births raises the question of possible statelessness and other issues for these children. Adnan (2007) observes that since their parents are undocumented, such children face difficulties in obtaining birth certificates and other identification documents which would facilitate their access to basic needs including medical care (postnatal and immunization services) and education. Parents are often reluctant to register the births due to security concerns. (Adnan, 2007; Arshad, 2005; Undocumented, 2008; USCRI, 2008).

4.4.5.1 Education

Landau (2005) mentions that forced migrants often face considerable problems in accessing education. The most obvious obstacles they face are legal provisions or long-standing practices that may prohibit forced or undocumented migrants from accessing public educational services. This is true for refugee children in Malaysia, where the lack of a legal status makes school education inaccessible to them (How, 2010; Adnan 2007; Arshad, 2005; Undocumented, 2008; UNHCR Malaysia, n.d.; USCRI, 2008). UNHCR Malaysia (n.d.) records that 45% or some 4200 refugee children in Malaysia are of school-going age.

The only option available to refugee children is community or NGO-run parallel schools, which, for the most part, are unable to conduct diploma examinations. Besides, these schools are often severely deficient in terms of resources and outreach (How, 2010; Undocumented, 2008; UNHCR Malaysia, n.d.).

The importance of education for refugee children has been discussed in a number of works. McBrien (2005) says that education is essential for refugee children's psychological adjustment and crucial for restoring "social and emotional healing" in them, as it helps restore a "sense of normalcy and hope".

All respondents indicated that they thought education was very important for their children. They stated that they could not imagine a future for their children without education. However, they also expressed helplessness in the face of their situation in Malaysia, where their children are denied access to education. This finding is consistent with the finding of the HEI study with Afghan refugees, where many of the respondents who reiterated the importance of education for their children stated that they saw education as the only means by which their children could secure a better future (How, 2010). Notwithstanding the high premium that refugee households appear to place on the education of their children, it is inevitable that their predominant

concerns of security, settlement, and survival would sometimes overshadow their concern for the education of their children, especially when access to such education is restricted (McBrien, 2005).

School-aged children comprised about 67% of the total child population in the sample, 61% of whom were reported as currently attending school. Refugee children from some Iraqi and Palestinian families in Kuala Lumpur are able to attend private international schools such as the Yemeni school in Bukit Tunku or the Iraqi school, where they are taught Arab curricula. These schools are known to accommodate and sometimes subsidise the payment of fees for Palestinian and Iraqi refugee students. However, they are generally deficient in quality teaching staff and the recognition of their high-school diploma may be limited. Moreover, even the heavily subsidized fees remain unaffordable for most households. About 39% indicated that their children were unable to attend school because they could not afford to pay the fees.

Another 45% indicated that the children in their household spent their time staying at home, due to lack of access to education. About 5.5% reported that at least some of their children were engaged in some kind of paid work, in order to abut household income. This latter finding has also been reported by UNHCR Malaysia (n.d.) in the general case of refugees in Malaysia.

Several of the children who are unable to attend school here have already had a number of years of schooling in their previous country of residence before their education was disrupted by violence and a general deterioration of living conditions and the security atmosphere. Finding themselves in Malaysia without the prospect of completing their schooling, at least not for many years to come, they exude feelings of desperation. It is deplorable and heartbreaking to find bright young boys and girls with good educational potential being wasted away in the confines of their urban homes, unable to access education, in a country that aims at being the “educational hub of excellence” in Asia.

Landau (2005) discusses how disruption in education occurs due to the long journeys refugee children take from their countries of origin. As a result of such disruption, many refugee children may not be of appropriate age for their education level (Landau, 2005). McBrien (2005) cites a number of studies that document the impact of displacement and disruption on learning among refugee children. The author relates that the trauma experienced by refugee children can impede their ability to learn.

4.4.5.2 Other Vulnerabilities

Refugee children are frequently denied normal childhoods. Security fears make everyday activities like playing outdoors difficult (UNHCR Malaysia, n.d.). Almost 88% in the present study reported that their children could only play inside the premises of the residence they were renting. This was on account of lack of space, security fears, as well as a general tendency of the study population to not mingle with the local population.

Ben-Porath (1987) states that refugee children are also vulnerable to nutritional, growth and immunisational deficits.

McBrien (2005) documents some of the role reversals that take place for refugee children in host countries, which can potentially lead to identity confusion and intergenerational conflict within the family. Such role reversals stem from the children’s tendency to acquire conversational ability in the language of their new country faster than their parents, because of which they often must translate at school meetings, doctor appointments, and service organizations for their adult caretakers (McBrien, 2005).

Undocumented (2008) draws attention to child refugees’ particular vulnerability to agents, human traffickers and other criminal groups, and their being at risk while being held in detention.

5. CONCLUSION & RECOMMENDATIONS

We have seen how the issue of the Palestinian refugees is one of political demography between the state of Israel and Arab countries. It is also at the heart of the Middle East conflict. However, the daily lives of Palestinians who have suffered displacement and dispossession continue to be disrupted, and the realities of their lives hardly ever manifest in political questions and peace talks.

Being associated with the major political questions of the Middle East, Palestinian refugees in Arab host countries have not been able to enjoy the stability of normal lives, not to speak of state protection. The lives of generation after generation of Palestinian refugees continue to be suspended in the turmoil of statelessness, inadequate protection, and lack of access to livelihoods. They have constantly been denied the opportunity to shape their own future, and to escape the humility of being objects of whimsical international charity.

In search of some degree of stability, and having been forced out of their countries of previous residence due to secondary persecution, some find themselves exploring all options available to them, including migration to countries like Malaysia, which do not have much to offer to them by way of international protection or better livelihood opportunities. Nevertheless, the option of Visa on Arrival that Malaysia provided seems to have been sufficient of an attraction for the Palestinian refugees, whose biggest challenges in international travel usually centre on the procurement of identification and travel documents.

The protection environment for refugees in Malaysia is characterized by the government's emphasis on the undesirability of undocumented migrants within Malaysia's borders, coupled with the resolute unwillingness of the state to ratify the 1951 Refugee Convention, thus equating refugees with undocumented migrants. This environment is slightly assuaged by the presence of the office of the United Nations High Commissioner for Refugees in Kuala Lumpur, which operates in the country with ambiguous approval from the government. The office of the UNHCR, however, is able to conduct refugee status determinations and issues identification documents to refugees. Such documents confer on them a vague and marginal degree of protection in the country. Nevertheless, persons holding UHCR cards continue to be vulnerable to arbitrary arrest, detention, and deportation. In the absence of documents which state law enforcement agencies and service providers would readily recognize, refugees in urban Malaysia are also unable to access such basic services as healthcare and education.

The Palestinian refugee community in Malaysia is mostly concentrated in Kuala Lumpur and adjoining areas. It is a small community of about a couple of hundred individuals, typically single men without their families here. Their duration of stay in Malaysia ranges from a few years to a few months, the longest being some seven years. The social and economic roots they have planted in the Malaysian society are not very extensive. They seem to be acutely aware of the fact that Malaysia is only a transit point in their journey to eventual resettlement elsewhere. Nevertheless, the wait in Malaysia is indefinite, and the future uncertain. Their stay in Malaysia is thus just another stop on their way to exile.

However, as the duration of their stay in Malaysia increases, it is expected that their social and economic ties in the host society will get more extensive. The community can also be expected to grow in terms of number of members, since Palestinian refugees will continue to be produced on an almost daily basis, given Israel's occupational regime. Thus, with time, the challenges of providing for the basic needs of the makeshift and vulnerable community are also likely to increase.

At the moment, the only support refugees find in Malaysia is from the office of the UNHCR and some local NGOs. Unless the voluntary sector gears up for the challenge

ahead in the provision of services for them, and unless the voluntary sector proactively seeks to make needs-assessment studies of the community, the resources of the community are likely to deplete, or at least not keep pace with the growth in its membership and challenges facing it. It is feared that the Palestinian refugee community – which at present seems to be equipped fairly with educational resources and other forms of human capital – might degenerate into a dependent population, relying heavily on charity.

We urge the voluntary sector to formulate a concerted plan of action for utilizing the human potential of the refugee community, as well putting together strong advocacy plans for the recognition of refugees by the Malaysian state. Psychosocial assistance needs to focus on addressing their security and economic vulnerabilities, which, as all studies dealing with the situation of refugees in Malaysia point out, are their overarching concerns.

As representatives of a responsible state on the international scene, the Malaysian government needs to proactively advocate for the resolution of political issues which generate acute humanitarian crises. We urge the government to deal with humanitarian situations on a humanitarian basis, and not on a purely legal basis, which the dictates of national politics might demand. On the cusp of the first decade of a new century, Malaysia needs to revisit its immigration policy, prioritizing human dignity.

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Appendix A

Interview Schedule

Informed Consent

I understand the objectives of this interview. I also understand that I will be revealing personal information to the interviewer/s during the course of this interview. Information from this interview may be stored and/or published. However, I am aware that the research guarantees total confidentiality of my identity. I choose to participate in the interview out of my own free will, without external coercion.

إقرار

أنا أفهم أهداف هذا البحث وأعرف بأنني سوف أظهر بعض المعلومات والحقائق الشخصية للباحث الذي يقوم بهذه المقابلة، والمعلومات من هذا البحث سوف تنشر أو تحفظ في المكتبة كمرجعية.

أدرك بأن البحث سوف يضمن لي سرية وعدم إظهار أية أسماء ضمن هذا البحث. ولهذا اخترت بأن أتطرح لهذا المقابلة دون أية مشروطات خارجية.

الاسم:

التاريخ:

Address:

Contact No:

Interviewer:

Interpreter:

A. Demographic Information

Gender Age Marital Status Place of Origin in Palestine Place of Birth
Employed / Unemployed/Self employed
Number of people staying with you in the house/room

B. Education & Employability Profile

Highest Level of Education Attained
Place/s where you got your education from
Reason for Discontinuing Studies
Do you plan to continue/resume your studies in the future? Y/N
Languages

Language	Spoken	Written
Arabic		
English		
Hebrew		
Malay		
French		
Other		

What are your work-related skills? (What kind of work can you do?)
Where did you learn your work-related skills from? (Name of city/country)
Work Experience

Job title	Country	From	To	Salary

C. Of Displacement & Dispossession

Table of Movements

From	To	Place (Name of Camp, if any)	Reason for Leaving	Travel Document	Document Obtaining Method

Why did you choose to come to Malaysia? Why not any other country?
 Do you prefer to be Resettled in a third country or to return to Palestine when it is peaceful?
 Are you afraid Resettlement might lead to cancellation of your Right to Return? Y/N
 What do you think is the solution to the Palestinian refugee problem?
 Do you want to be consulted in the search for a solution to the problem?
 Are you registered as a refugee with the UNHCR in Malaysia? Y/N
 Have you applied for Asylum? Y/N
 What problems did you have to face immediately before leaving?
 Were you sure you wanted to leave?
 How many times have you been detained at an immigration depot in Malaysia?

Name of Detention Facility	Place of Arrest
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Were you ever whipped during detention? Y/ N
 Was medication/access to healthcare denied during detention? Y/N
 Were infants/children detained alongwith you? Y/N
 Have the police/RELA/other groups ever destroyed your documents or confiscated them? Y/N
 Have you asked for help from anyone to help you with registration in Malaysia? Y/N
 Name of Organization

D. 1. Livelihood, Financial & Working Conditions

Current Employment Status: Employed Fulltime/Part-time/ Self-employed/Contractual/Unemployed
 If unemployed, what is your means of survival at the moment?
 If employed, do you have a Work Permit or other document allowing you to work in Malaysia? Y/N
 Does your employer help you avoid police raids at the workplace? Y/N
 Number of Income-providers in the Household:

No.	Relationship to Respondent	Approx Monthly Income
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How many hours do you work per day? How many days do you get off in a month?
 Do you work on Public Holidays? Y/N
 Do you receive Employment Benefits (such as sick leave, overtime pay, worker’s compensation, etc)?
 Do you think there is any danger of getting hurt or falling ill because of the conditions at your workplace? If yes, please explain
 What language do you use at work?
 Have you asked anyone in Malaysia for financial assistance? Y/N Who?
 Do you have friends/relatives from outside Malaysia who sometimes send you money? Y/N
 How did you pay for your travel to Malaysia?
 Approximate Monthly Expenditure:

Housing	Food	Transport	Communication	Healthcare
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D. 2. Health (Physical & Maternity)

Do you have any disability due to being injured in violence? Y/N
 Do you have any shrapnel embedded in any part of your body? Y/N
 Is any one in your family diagnosed with any serious illness requiring constant medical help? (e.g, kidney problem/heart problem/cancer/diabetes/disabilities/asthma/hepatitis/etc) Y/N What?
 How often do they visit any of the following for the medical help they need?

Frequency	Govt Hospital	Govt Clinic	Private Hospital	Private Clinic	Pharmacy	Other
Every Week						
Every Month						
Every Few Months						

Was anyone in your family born in Malaysia? Y/N
Where did the birth take place? (Name of Clinic/Hospital)
How much did it cost?
How did you manage the cost?
Did you get any days off from work for this? Y/N
How many times did the mother go for medical check-ups before she gave birth?
How many times have the mother and child gone for medical checkups after birth?
Has the child been immunized/vaccinated? Y/N
How many times has the child been vaccinated? Y/N
Do you find healthcare/medicines in Malaysia too expensive? Y/N
Do you know about healthcare facilities available nearest to you? Y/N
Do you know that as registered refugees you may pay only as much as Malaysians do at government hospitals? Y/N
Have you ever been discriminated against at government hospitals for being non-Malaysian? Y/N
How long did you have to wait to make an appointment to see a doctor at a government hospital/clinic?
How far away is the nearest clinic/hospital located?
How long does it take you to get there? How do you get there? Bus/ Cab/ Train/ Other
When seeing a doctor, are you able to explain your condition well to them?
Do you feel they understand you well?
Is language a problem?

D. 3. Living Conditions

Are you staying in a House/Apartment/Room/Shop-lot/Other
In case of house/apartment, how many rooms does it have?
Does it have constant electricity and water supply? Y/N
Do you have sanitation/plumbing problems where you live? Y/N How often?
What kind of people live in your neighborhood? Do you feel comfortable about the neighborhood?
Have you ever had problems with your landlord/tenancy contract? If yes, please explain
How many times have you had to move since your arrival in Malaysia? Why?
Do you own a vehicle? If yes, please specify the make
If there is an emergency in your family, are you prepared to handle it? Y/N/Not sure
Do you know anyone you could ask for help? Y/N
Have you ever experienced crime (such as theft/mugging/burglary/assault) while in Malaysia? If yes, please explain
What do you do on days you are not working? Do you look forward to such days or do they make you uncomfortable?
How often do you feel you are much stressed? Never/ Rarely/Sometimes/Often/Always

D. 4. Identify & Perception of Loss (Trauma & Mental Health)

Were any of your close relatives/family/friends killed or injured in the occupation or during flight? If yes, please specify who and how
Were you personally injured in the occupation or during flight? Y/N
What property did you lose in the occupation?
What else do you think you have lost in the process of becoming a refugee?
How do you feel about al-Aqsa?
How often do you remember incidents of the occupation, especially those that caused you to go away?
Never/Rarely/Sometimes/Often/Always
Do you think it helps you when you talk about memories of the Occupation? Y/N
Have you had to seek psychiatric help to deal with trauma because of the occupation/flight? Y/N
Have you ever sought psychiatric help while in Malaysia? Y/N
Was it difficult to find? Y/N
Have you or anyone in your family been diagnosed with any psychological condition such as:
Depression/ PTSD/Insomnia/Other
Are you taking or have you been taking medicines such as: sleeping pills/Antidepressants?

D. 5. Family life (Women; Conflict)

Table of Mariages

No.	Date of Marriage	Spouse Age	Spouse Ethnicity
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Is your spouse working? If not, please explain why

Table of Children

Number	Gender	Age	Place of Birth*	Occupation
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*(If born in Malaysia, please indicate if birth has been registered)

Are other dependents (besides spouse and children) living with you?

No.	Gender	Age	Relation to Respondent
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Whose decision was it to leave?

Did anyone in your family disagree with the decision to leave? Y/N

Do you regret bringing your family to Malaysia? Y/N

Where are the rest of your family/close relatives?

Palestine	Refugees	Israel	Resettled
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Do you sometimes feel guilty about having left them behind? Y/N

Do you have plans of family reunification? Y/N

Have you applied for Reunification through UNHCR/UNRWA? Y/N

Did you have friends/family/relatives in Malaysia before you came? Y/N

How has the process of moving and being refugees affected your marriage?

How often do you have serious arguments with your spouse? Never//Rarely/ Sometimes/Often/Always

What are the usual reasons for arguments with your spouse?

How do you usually deal with arguments with your spouse?

D. 6. Children (Education Other Growing Needs)

Table of School-age Children

No	Gender	Attends School	If not, why?	Schooling before Malaysia
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Table of Children Attending School

Child	Name of School	Level	Fees	Academic Performance	Extra-curricular Performance
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How do the *school-age children* not going to school spend their time?

Where do the children play? Who do they play with?

What do you wish for your children's career? Is education important for them?

D.7. Social Organisation & Social Life

Do you have Malaysian friends? Y/N

Does anything about Malaysian culture shock/disturb/upset you? Y/N

Do you think you had better social status before coming to Malaysia? Y/N

Who do you most often talk to about your problems?

Who usually gives you information about services, etc?

Do you have friends at the workplace? Y/N

How many other people from Palestine do you know in Malaysia?

Do all Palestinian refugees in Malaysia have similar problems as yours? Y/N

Do you have guests often? Y/N

How regularly do you keep in touch with your family/relatives in Palestine or elsewhere?

Daily/Once a Week/Once a Month/Less than Once a Month

How do you celebrate festivals (Id, for example)? What do you miss most on Id?
Do you worry who you or your kids (or those of marriageable age) will marry? Y/N
What do you think of intercultural marriages?

E. Women

Highest Educational Qualification; Reason for Discontinuing
Educational/Career Aspirations; Would you like to continue education now if the option is available?
Do you wish to work? Why or why not?
How do you spend your time every day?
If an emergency were to take place, would you be able to deal with the needs and problems of the family on your own?
Do you have additional responsibilities/do you feel more responsible for some things now as compared to when you had not moved yet?
How often do you feel homesickness/yearning for relatives and family?
Preference for repatriation or resettlement
How do you think all this moving has affected your marriage and intimacy? How do you think it has changed your husband's attitude towards you?
How often do you have arguments with your spouse?
How do you deal with arguments/conflict with your spouse?
Have you ever experienced amenorrhea in all the periods of moving?
Did you ever experience poor lactation?