



ILLEGAL IMMIGRANT ENTRY INTO  
SABAH

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## 1.0 INTRODUCTION

### 1.0.1 Background

An illegal immigrant in Sabah can be defined as anyone entering or living in the state without legal or valid documents. This includes those who continue to stay after their

#### **ABSTRACT**

The study was conducted to compare policy statement and actual government stand on immigrants, especially illegal immigrants in Sabah. The time frame of this study began from the period of the USNO government to the present government. Historical study was employed using mostly newspapers reports and government documents. Statements by policy makers and the actual actions were analyzed to determine the actual government stand. Government policies before the eighties were far more accommodative towards immigrants compared to later periods. The accommodating policy was partly due to the perception that the presence of immigrants was not threatening and, in fact, beneficial to the state. As more immigrants entered the country illegally, government policy towards the immigrants eventually became stricter and less accommodating. That is, the USNO and BERJAYA policies were more accommodating while the PBS and BN policies were less accommodating. This means that there was a gradual shift from "open door policy" towards zero tolerance of illegal immigrants. Immigration issues had become a serious concern since the early eighties. An important part of the problem was the need for foreign labor, which allowed an influx of immigrant workers to pour into the state. More importantly, Sabah was continuing to prosper as compared to Philippines and Indonesia. As long as this condition continues, there is always an attraction to migrate to Sabah. This tendency is aided by the long historical and cultural ties shared between the communities of Sabah, Philippines and Indonesia. Inconsistencies on the part of the policy makers towards immigrant population resulted in a lack of clear policy on how to deal with them, which the immigrants may have interpreted as an opportunity to stay in the state. Thus, although illegal immigrants are considered a threat, certain groups of immigrants such as foreign workers and refugees were fully accepted and even sought. Yet, the status of immigrant is not static. Legal immigrants like legitimate foreign workers may become illegal immigrants if their work passes are not renewed. This partly contributed to the difficulty in addressing the problem of illegal immigrant in the state.

review of articles in newspapers during the sixties and early seventies shows that illegal immigrant was not a major issue until the mid seventies when their number increasingly became larger. Therefore, although the problem of illegal migrant was not new to Sabah, it was during the mid seventies that this problem became a political issue.

See the Immigration Act 1959/63 and Azizah Kassim (2000)

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An illegal immigrant in Sabah can be defined as anyone entering or living in the state without legal or valid documents. This includes those who continue to stay after their passes or work permits have expired.<sup>1</sup> There are those who oppose the use of the term '*pendatang haram*' (illegal immigrants), preferring instead the term '*pendatang tanpa izin*' (immigrants without permission). Azizah Kassim (2000) argued that both terms have negative connotations and the more appropriate term should be "irregular immigrants." Nevertheless, both the terms '*pendatang tanpa izin*' and 'illegal immigrants' are commonly used in the media and immigration literature in the country. Hence, the term 'illegal immigrants,' is used in this paper.

Migration is not new to Sabah. In the past, the British North Borneo Chartered Company encouraged the migration of Chinese, Japanese, and Indian nationals to help develop the state (Tregonning, 1965; Sabihah, 1998). Most of the plantation estate workers in the eastern part of Sabah are mainly Filipinos and Indonesians. The two groups make up the majority of the immigrant population of the state. Illegal immigration was not an issue until the later part of the 20<sup>th</sup> century especially after the formation of Malaysia. A review of articles in newspapers during the sixties and early seventies shows that illegal immigrant was not a major issue until the mid seventies when their number increasingly became larger. Therefore, although the problem of illegal migrant was not new to Sabah, it was during the mid seventies that this problem became a political issue.

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