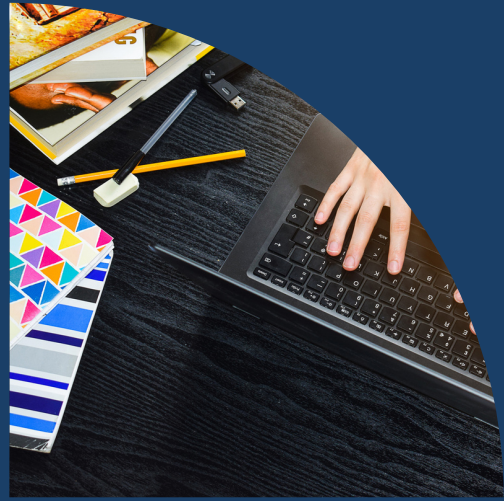


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HELPING REFUGEES IN MALAYSIA: HOW ZAKAT IS MAKING A DIFFERENCE

Mohd Fazil Jamaludin

Faculty of Business and Management, Universiti Teknologi MARA Cawangan Kedah
mfazil@uitm.edu.my

Mohd Shafiz Saharan

Faculty of Business and Management, Universiti Teknologi MARA Cawangan Kedah
shafizsaharan@uitm.edu.my

Khairul Azfar Adzahar

Faculty of Business and Management, Universiti Teknologi MARA Cawangan Kedah
azfar938@uitm.edu.my

INTRODUCTION

All qualified Muslims have the duty of giving a set percentage of their income to the less fortunate as zakat, which is one of the Five Pillars of Islam. Reducing poverty and enhancing the social welfare of the Muslim community are the primary objectives of zakat. In recent years, the global refugee crisis has gotten significantly worse, and numerous refugees from other nations have settled in Malaysia.

THE STUDY OF REFUGEE CONDITIONS IN MALAYSIA

According to the United Nations High Commissioner for Refugees (UNHCR), Malaysia is faced with the challenge of providing accommodation to a total of 183,790 individuals who have been officially registered as refugees or asylum seekers (UNHCR, 2023). The largest proportion of this population, comprising 158,870 individuals, originates from Myanmar while the remaining individuals come from various countries characterized by high levels of violence or systematic persecution of their own citizens. A vast portion of the refugees (48,160) is under the age of 18, with 66% of the population is male and 34% is female. Conversely, having a comprehensive understanding of their distinct histories and circumstances is imperative to effectively respond to the needs and concerns of the individuals and communities impacted.

CHALLENGES IN THE ALLOCATION OF ZAKAT FOR REFUGEE AID

In 2022, the Refugee Zakat Fund played a crucial role in supporting UNHCR's endeavors to improve the well-being of more than 1.5 million individuals residing in 21 different countries. This was made possible through the utilization of both zakat and sadaqah funds. The UNHCR provided assistance to a total of 756,000 refugees and internally displaced people (IDPs) across 17 countries, with the aid being made possible through contributions from zakat. Furthermore, the provision of sadaqah donations has facilitated UNHCR in extending assistance to a substantial population of more than 839,000 individuals across 15 different nations (UNHCR, 2023).

The global refugee crisis has been worsened by the displacement of millions of individuals as a result of abuse, persecution, and violations of human rights. According to UNHCR (2021), insufficient emphasis continues to be placed on the rights and safeguards of refugees in Malaysia, as evidenced by the absence of established legal or regulatory frameworks for individuals seeking asylum. Despite the prolonged presence of UNHCR in Malaysia for over four decades, the absence of a formal status agreement remains a prevailing issue. Moreover, Malaysia has made the decision to abstain from ratifying both the 1967

Protocol and the 1951 Convention Relating to the Status of Refugees, thereby highlighting the nation's limited consideration for the rights of refugees.

Refugees residing in Malaysia encounter various challenges, including limited access to lawful employment prospects, barriers to healthcare accessibility, and exclusion from the established public education system. These factors engender feelings of insecurity among individuals, marginalize them from societal integration, and impede their ability to make substantial contributions to Malaysian society. Refugees are vulnerable to exploitation and arbitrary arrests due to negative perceptions and their lack of legal status (UNHCR, 2017).

ZAKAT AS A POTENTIAL SOLUTION

According to Masruki et al. (2021), Islamic affairs fall under the exclusive purview of the state government in Malaysia in which the State Islamic Religious Council (SIRC) carries the exclusive trusteeship of Islamic revenues, including mal, waqf (endowment), and zakat. There are at least two governance structures within the zakat institutions in Malaysia:

- i) Non-corporatized, denoting an organization that operates as a separate entity directly regulated by the SIRC or is directly subordinate to it, such as Majlis Agama Islam & Adat Melayu Terengganu (MAIDAM), Majlis Agama Islam Kelantan (MAIK), Majlis Agama Islam dan Adat Istiadat Melayu Perlis (MAIPs), Majlis Agama Islam Johor (MAIJ), and Tabung Baitulmal Sarawak (TBS).
- ii) Corporatized, denoting a situation in which the institution assumes either collection and distribution responsibilities, or collection exclusivity. This includes Lembaga Zakat Selangor (LZS), Perbadanan Baitulmal Negeri Sembilan (PBNS), Lembaga Zakat Negeri Kedah (LZNK), Zakat Pulau Pinang (ZPP), Majlis Agama Islam dan Adat Melayu Perak (MAIPk), Pusat Pungutan Zakat Wilayah Persekutuan (PPZ), Pusat Kutipan Zakat Pahang (PKZP), and Pusat Zakat Melaka (PZM).

Zakat, with its primary objective of providing assistance to individuals in need, can potentially provide substantial contributions towards refugee aid efforts in Malaysia. Numerous Islamic non-governmental organizations (NGOs) and institutions have already designated financial resources for the purpose of aiding its recipients.

The zakat distribution procedures aim to assist certain groups, such as the indigent (*faqir*), those in need (*miskin*), and individuals who lost their income, including converts (*muallaf*) (Masruki et al., 2021). Thus, any refugees who belong to one of these categories are eligible to receive zakat.

The study conducted by Azman Ab Rahman and Siti Fariza (2017) found that refugees in Malaysia may be eligible to receive zakat, albeit subject to specific criteria and contextual considerations. This suggests that refugees who are classified within the framework of *asnaf ar-riqab* and considering various aspects such as security protection, access to basic necessities, and financial resources should be entitled as zakat recipients. The objective is to ensure their safety and protect them from potential threats or attacks originating from their country of origin.

TRANSFORMATIVE IMPACT OF ZAKAT DISTRIBUTION ON REFUGEES

As viewed through the lens of human rights, considering refugees as irregular migrants is equivalent to depriving them of the opportunity to seek asylum and receive protection in accordance with international law. The unresolved situation of refugees, characterized by their uncertain legal status and reliance on subjective humanitarian assistance and discretionary decisions made by administrative officials, has far-reaching implications for public safety. By

utilizing the principles of zakat, it is possible to provide refugees with essential resources and assistance, thereby fostering their integration into society, preserving their dignity, and enhancing their ability to withstand adversity. Collectively, it is possible to cultivate a more promising trajectory for individuals seeking refuge by safeguarding their entitlements and actively participating in the creation of a more secure and all-encompassing community. To effectively ensure the well-being of refugees, it is imperative to adopt a transformative mindset and deviate from the conventional humanitarian standpoint; instead, we should focus on creating favorable conditions for refugees to pursue their livelihoods, aspirations, and contribute to host communities (Mahaseth & Banusekar, 2022).

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