

**INFLUX OF ILLEGAL IMMIGRANTS : A STUDY ON THE LAW
GOVERNING IMMIGRATION OFFICERS**

BY

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ABSTRACT

In the early 1970s, Malaysia began to be entered by foreign workers, all of whom were irregular migrants. A decade later their uncontrolled entry left several negative consequences, especially to the internal and border security of the country. To overcome the problems Malaysia introduced many relevant policies as well as increase the punishment towards the illegal immigrants in the Immigration Act. However, it has not been able to curb the expansion of irregular migrants; instead their number has risen in parallel with that of legally recruited ones. Recently, there are many cases involved the integrity of the immigration officers had risen and reported in the local newspaper. This problem had directly affected the number of the illegal immigrants that enter into our country. Thus, this research is an attempt to overcome the integrity problem among the officers and directly it would also overcome the entrance of the illegal immigrants in our country.

The research has five chapters. The first contains the introduction and research background which explains the entrance of the illegal immigrants in Malaysia and the law that governed these illegal immigrants. It also contains the objective, problem statement, scope and methodology of research carried out and the limitation of the research that we faced in order to complete this research. The literature review is given in Chapter 2, in which it emphasized about the integrity problem among the immigration officers that lead to the entrance of the illegal immigrants. While chapter 3 describes the lacunae and loophole in the law that governed the officers as well as the illegal immigrants which is Immigration Act 1959.

Chapter 4 focuses on the finding that we get through interview irregular migrants who were apprehended and placed in the state run depot prior to deportation. It examines their interface with the Malaysian immigration, labor and criminal laws and how policy measures put in place impacted on their lives and work. It also provides an assessment of their understanding of Malaysia's policy measures on

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CHAPTER ONE

INTRODUCTION

1.1 INTRODUCTION

Malaysia had started exercised open borders even after gaining Independence in 1957, and illegal migration problem in Malaysia began to emerge in the early 1980th in which at that time, the economy of the country began to decline. From the late 1950s to the 1960s, it was reported that undocumented migrants, especially from the neighboring country, Indonesia was silently welcomed as they belonged to the same racial stock and have similar characteristic as Malay thus could be easily assimilated and integrated into the Malay community in our country.¹ In the 1970s, rapid development under the New Economic Policy (NEP) had led to a new wave of migrants, and in 1984, there was an estimated half a million migrant population in the country, in which all of whom were undocumented.² The unofficial estimates, unfortunately were reported much higher which was about one million.

The 1985 recession and rising unemployment showed a turning point in public views towards illegal immigrants. Since then, the government had started to guard and controls its borders from illegal entrance of the illegal immigrants. In the following years, the government also started to implement policy experimentation in settling the problem. However, does the policies and law will be effective if the officers behind the policies and law are not being monitored. Here, the integrities of the officers as well play an important role in implementing such policies and laws.

¹Malaysiakini, July, 2006

² Ibid