

Towards a National Asylum Framework in Malaysia:

An EDN Policy Brief - Extract



Background

What can a refugee legal framework in Malaysia look like - concretely and operationally? This question lies at the crux of refugee protection advocacy in Malaysia, yet there is little concrete or common understanding of what this means in practice. This research, undertaken by the End Detention Network (EDN) in 2026, seeks to address this by articulating what a comprehensive national asylum framework could actually look like in a Malaysian context, including the specific elements that shape an asylum framework and the steps - both short-term and long-term - needed to develop each element. The full paper analyses Malaysia's legal and institutional landscape, assesses its obligations under regional and international standards, and analyses current policy developments in Malaysia - particularly the implementation of the National Security Council Directive No. 23 (MKN Directive 23) on the Policy and Mechanism for the Management of Refugees and Asylum Seekers, and the rollout of the Refugee Registration Document (*Dokumen Pendaftaran Pelarian, DPP*) initiative. Taking these together, the paper proposes an incremental approach towards reforming asylum processes and systems in Malaysia.

In this extract, the executive summary is followed by the full list of recommendations - suggested key asks and messaging which can be utilised by civil society and community advocates, and other key stakeholders in the refugee protection space to support their advocacy and engagement with the Malaysian Government and other advocacy targets. They may be used in full or taken in part as needed to respond strategically to the advocacy issue and opportunity at hand. The recommendations are intended to be facilitative rather than instructive; a practical resource in our toolkit as we continue the collective work to advocate for stronger, more comprehensive refugee framework and governance systems in Malaysia.

The analysis and recommendations in this paper are based on information available as of June 2026. For further explanation on any of the following recommendations, or if you are interested in the full analysis, please reach out to endchilddetentionmy@gmail.com.

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June 2026

Executive Summary

Malaysia hosts one of the largest numbers of forcibly displaced people within Southeast Asia, with over 215,600 refugees and asylum seekers registered with the United Nations High Commissioner for Refugees (UNHCR) as of February 2026. Yet, there remains no institutionalised legislative or administrative framework that recognises refugees or guarantees protection. The introduction of the *Dokumen Pendaftaran Pelarian* (Refugee Registration Mechanism, DPP) system under the amended MKN Directive No. 23 represents the most significant shift in Malaysia's approach to refugee governance in decades. The Government has formally acknowledged refugees and asylum seekers as a distinct category, assumed responsibility for registration and status determination, and committed to providing access to employment, healthcare, and education.

However, this falls short of a legal refugee protection framework. A legal framework is one grounded in statute: it defines who qualifies for protection, establishes enforceable rights, creates transparent procedures with independent oversight, and cannot be revoked or altered by executive decision alone. The DPP's governing directive remains unpublished and consequently excluded from judicial review. There is no clarity on how refugee status determination will be conducted or whether it will adhere to international standards, and no information on minimum procedural guarantees or appeals mechanism - the cornerstone of any national asylum framework. A key structural concern

is that the Immigration Department (JIM) has been designated to conduct refugee status determination under the DPP. This concentration of enforcement and protection functions within a single agency creates a conflict of interest that goes to the integrity of the entire process. In practice, this means that the DPP's protections exist at the discretion of the same enforcement agencies whose mandate is to identify, detain, and deport the people the DPP is intended to protect. Without statutory protection, DPP holders remain legally classified as "illegal immigrants" under the Immigration Act 1959/1963, meaning the legal basis for their arrest and detention has not changed. The rights announced by the Government of Malaysia are not codified and carry no enforcement mechanism, meaning they remain revocable and inaccessible to the people who need them.

This matters more urgently given the current context. The DPP is being introduced at a time when the global architecture supporting refugee protection is under significant strain, with funding cuts, reduced UNHCR capacity, shrinking resettlement pipelines, and growing political pressure on states to roll back rather than strengthen protection commitments. For refugees in Malaysia, the informal safety nets that have historically substituted the absence of formal protection are weakening, making the need for a rights-based national asylum framework more urgent than ever. Malaysia's commitment to protect human rights and safeguard national interests are not competing priorities, rather intertwining and

complementary objectives. These developments present a strategic opportunity for Malaysia to advance a nationally grounded, pragmatic asylum framework that balances legitimate state interests with fundamental human rights principles, including *non-refoulement*, and the non-detention of children.

The full paper analyses Malaysia's legal and institutional landscape, assesses its obligations under international and regional standards, and proposes a practical, incremental approach to reform. Drawing on what is currently known about the DPP, it identifies both immediate steps that can be taken without legislation and longer-term structural reforms that require legislative change, organised around the following core components:

- **Legal recognition and institutional framework:** Amending the Immigration Act 1959/1963 to recognise refugees and asylum seekers as a distinct legal category; Enacting a statutory basis for protection; Publishing the amended MKN Directive No. 23 and DPP procedures without delay.
- **Non-refoulement:** Codifying the prohibition on forcible return in law; Ending pushback operations; Ensuring that no removal or deportation takes place while a protection claim is pending or unresolved.
- **Arrival, reception, and protection from detention:** Issuing exemption orders to protect registered individuals from arrest; Introducing systematic vulnerability screening; Issuing interim documentation at the point of registration; Reorienting the Bidor Refugee and Asylum Seeker Special Isolation Centre (*Pusat Pengasingan Khas Pelarian dan Pemohon Suaka - PPKPPS*) and

other screening or reception facilities from a closed detention model toward an open reception model.

- **Alternatives to detention (ATD) and the non-detention of children:** Implementing a community-based ATD programme for children without further delay; Ceasing the arrest of children and releasing all children from immigration detention immediately; Embedding community-based alternatives as the default approach for all asylum seekers.
- **Fair and efficient asylum procedures:** Establishing a single, independent asylum authority separate from the Immigration Department (JIM) enforcement function; Codifying minimum procedural guarantees including the right to legal representation, interpretation, and appeal; Creating an independent appeals body with suspensive effect.
- **Access to rights and services:** Repealing Ministry of Health Circular 10/2001; Addressing the legislative barriers to employment under Sections 55B and 55E of the Immigration Act 1959/1963; Ensuring that announced rights to work, healthcare, and education are matched by clear implementing guidelines, standard operating procedures (SOPs) and dedicated budgets.
- **Whole-of-society governance:** Formalising the roles of UNHCR, civil society, and refugee-led organisations within the DPP's coordination and oversight architecture; Establishing a registration pathway for community-based organisations.

Comparative practice from states that have developed workable protection systems under



A legal framework is one grounded in statute: it defines who qualifies for protection, establishes enforceable rights, creates transparent procedures with independent oversight, and cannot be revoked or altered by executive decision alone.

similar constraints, including Thailand, the Philippines, Colombia, Argentina, and Türkiye, demonstrates that rights-based protection frameworks are achievable across a range of legal, political, and resource contexts, and that they can deliver better outcomes, at lower long-term cost, than enforcement-centred approaches. The paper draws on these contexts not as models to replicate but as sources of practical lessons for the Malaysian context.

The DPP is still in its earliest stages, and this is significant. Procedural and institutional decisions made now will be considerably harder to change once the system is operational. This

creates both urgency and opportunity. The analysis and recommendations reflect the information currently available, much of which has been pieced together from parliamentary questions and fragmented information rather than official government communications, and will require updating as the DPP develops. What it sets out is the standard against which the DPP must be measured, and the landscape of legal and policy options available to respond to it. It is intended as a starting point — a resource for civil society and community advocates, to draw on in considering which strategies to pursue, where further analysis is needed, and how best to engage with a moment that is still unfolding.

Full List of Recommendations

The recommendations below are intended for the Government of Malaysia for consideration and action. They are organised by thematic area and operate on two levels: **immediate steps** that can and should be taken without delay to **address the most critical protection gaps**, and **longer-term steps towards structural reforms** needed to build a **durable, rights-based national asylum framework**. Both are necessary. Immediate steps address urgent harms and build the conditions for deeper reform;

structural reform ensures that protections are grounded in law, resistant to reversal, and capable of delivering consistent outcomes over time.

The recommendations are grounded in the analysis of the full paper and in Malaysia's existing international commitments. They are also calibrated to the current context where the DPP system is being rolled out, and several recommendations are specifically designed to support and strengthen its implementation.

A | Legal Recognition and Institutional Framework

Immediate – Addressing Protection Gaps

ELEMENT	PROPOSED REFORM
Disclosure	- Publish without delay the amended MKN Directive No. 23 (2023) (<i>Arahan No. 23 – Semakan 2023: Dasar dan Mekanisme Pengurusan Pelarian dan Pemohon Suaka</i>) in full. - Publish the Standard Operating Procedures (SOPs) governing DPP registration and refugee status determination, and make them available in the languages of refugee communities in Malaysia. - Proactively communicate information about the DPP system — including eligibility, process, rights, and entitlements — to refugee communities, civil society, legal practitioners, and UNHCR Malaysia, and engage refugee community networks to ensure information reaches those who need it most.
Consultations	Conduct meaningful consultations with SUHAKAM, UNHCR Malaysia, civil society organisations, and refugee communities on the amended MKN Directive No. 23 and the implementation of the DPP.
Legal definitions	- Define in the DPP system the general terms “refugees”, “asylum-seekers”, and relevant categories of protection in law, in accordance with the 1951 Refugee Convention and applicable international and regional standards. - Define in the DPP system related terms in law, including “child”, “unaccompanied or separated child”, and “family”, to ensure consistent application across all procedures.

Data protection	● Ensure that any data collected through the DPP process is protected under relevant Malaysian laws on data protection and privacy and adhere to strict data protection and confidentiality standards, with clear firewalls between protection functions and enforcement databases. ● Ensure that data on persons held in immigration detention is systematically collected, disaggregated (by age, gender, nationality, migration status, ethnicity, and vulnerability), and publicly and regularly reported.
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Longer-term - Legislative or Structural Reform

ELEMENT	PROPOSED REFORM
Consultations	● Establish a standing multi-stakeholder coordination body, comprising relevant government agencies, SUHAKAM, UNHCR Malaysia, and civil society organisations, to oversee refugee governance and asylum procedures on an ongoing basis.
Legal reform	● Enact a standalone legislation or amend the Immigration Act 1959/63 to recognise “refugees” and “asylum-seekers” as a distinct legal category, separate from “illegal immigrants”, and to establish a statutory basis for protection. ● As a minimum, amend the Immigration Act 1959/63 to: (i) prohibit the detention of children and persons in vulnerable situations on immigration grounds; (ii) impose clear time limits on administrative detention; (iii) establish a right to independent judicial review of detention; and (iv) repeal the mandatory whipping provisions under Section 6(3) for immigration offences. ● Ensure that the definition of refugees, asylum-seekers, and relevant categories of protection in law, and related terms including “child”, “unaccompanied or separated child”, and “family” are codified in law, whether through amendments to the Immigration Act 1959/1963 or a standalone legislation, in accordance with the 1951 Refugee Convention and applicable international and regional standards. ● Ratify the 1951 Refugee Convention and its 1967 Protocol as part of a broader process of aligning domestic law with international standards.
Data protection	● Enact data protection legislation that applies to personal data and biometric information collected through asylum processes, with strict confidentiality obligations on all personnel involved.

The introduction of the *Dokumen Pendaftaran Pelarian* (Refugee Registration Mechanism, DPP) system under the amended MKN Directive No. 23 represents the most significant shift in Malaysia’s approach to refugee governance in decades. The Government has formally acknowledged refugees and asylum seekers as a distinct category, assumed responsibility for registration and status determination, and committed to providing access to employment, healthcare, and education. However, this falls short of a legal refugee protection framework.

B | *Non-Refoulement*

Immediate – Addressing Protection Gaps

ELEMENT	PROPOSED REFORM
Pushbacks and border access	● End all policies and practices that deny asylum-seekers access to territory, including pushback operations at land and maritime borders. ● Ensure that border and immigration officials do not assess the substance of asylum claims, and refer all individuals expressing a fear of return to the designated asylum authority (whether Government or UNHCR) and to allow them to remain in the country pending a decision.
Expulsion safeguards	● Prohibit the issuance or enforcement of removal orders against asylum-seekers while claims remain pending, and ensure any existing orders lapse automatically upon recognition of refugee status. ● Incorporate safeguards consistent with Articles 32 and 33 of the 1951 Refugee Convention into any expulsion provisions.
Training	● Ensure all border and immigration officials, police, and other first-contact authorities receive training on <i>non-refoulement</i> obligations and are required to identify potential protection needs and refer individuals to asylum procedures.

Longer-term – Legislative or Structural Reform

ELEMENT	PROPOSED REFORM
Legislative safeguards	● Codify in law the principle of <i>non-refoulement</i> in accordance with customary international law. ● Establish explicit legal safeguards protecting refugees and asylum-seekers from expulsion, deportation, or removal while protection claims are pending, including through amendment of the Immigration Act 1959/1963. ● Ensure legislation explicitly prohibits both direct and indirect <i>refoulement</i>, wherever Malaysian authorities exercise effective jurisdiction or control — at borders, at sea, in detention, and throughout removal processes.

Malaysia's commitment to protect human rights and safeguard national interests are not competing priorities, rather intertwining and complementary objectives.

C | Arrival, Reception, and Protection from Detention

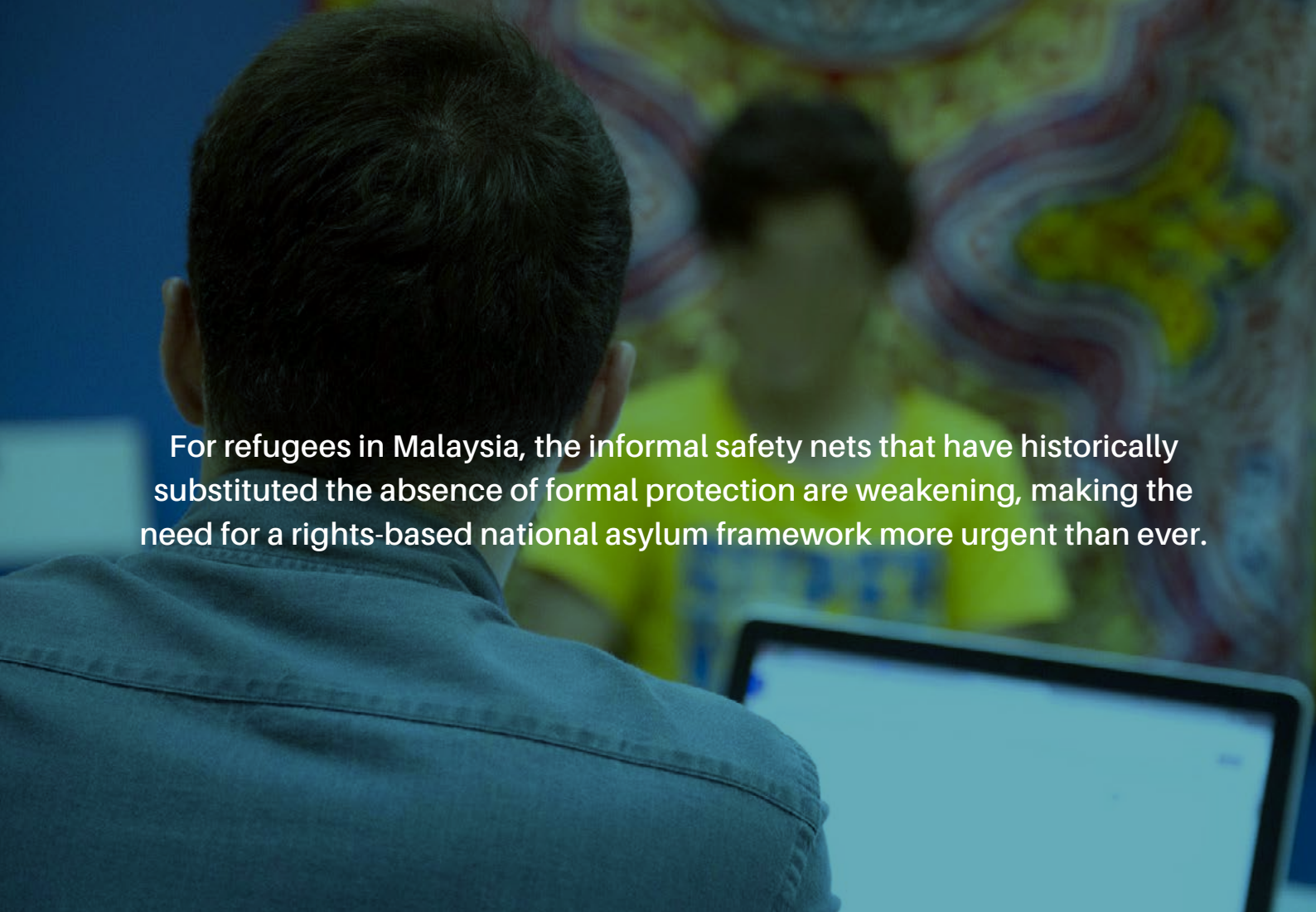
Immediate – Addressing Protection Gaps

ELEMENT	PROPOSED REFORM
Access to efficient procedures and non-penalisation	● Cease the arrest of UNHCR document holders and individuals in the process of registering with either UNHCR or the DPP system. Protect these individuals from arrest, detention, and prosecution for irregular entry and presence, through the issuance of an exemption order under Section 55 of the Immigration Act 1959/1963. ● Develop and publish a clear framework for the relationship between DPP documentation and UNHCR documents, including the transition pathway, recognition of existing documentation, and the role of each document in protecting holders from enforcement action. ● Ensure that individuals holding valid UNHCR documentation are not exposed to any protection gaps during the transition from UNHCR documentation to DPP documentation. ● Issue clear, publicly available operational guidance to enforcement agencies confirming that registration under the DPP process shall not be used to identify or detain individuals for immigration enforcement purposes. ● Remove legal, practical, and linguistic barriers to accessing the DPP process, including for persons at borders, in detention, and in vulnerable situations. ● Provide interpretation in relevant community languages and information in accessible formats. Ensure that individuals can register without fear of arrest. ● Establish a clear, accessible pathway for community-based registration for asylum-seekers living in the community, not only those currently held in immigration detention.
Registration and documentation	● Clarify publicly whether the DPP documentation is issued at the point of registration — providing interim protection before a status determination outcome — or only upon a positive RSD decision, and issue interim protective documentation at registration, independent of any status determination outcome. ● Align the DPP renewal cycle with UNHCR's documentation renewal cycle, at a nominal administrative fee. ● Issue clear guidance distinguishing deliberate non-renewal from failure to renew due to administrative barriers, and confirm that the latter will not result in automatic loss of protection or exposure to enforcement action.

Vulnerability screening	● Build a systematic vulnerability screening mechanism into the DPP registration process to identify and respond to individual protection needs, including for those with heightened vulnerabilities such as, unaccompanied and separated children; survivors of gender-based violence, torture, and trauma; persons with physical or mental health needs, including those with disabilities; and others with heightened protection needs including stateless persons, victims of trafficking, and LGBTIQ+ individuals. ● Extend vulnerability screening to arrest and enforcement operations as a standalone procedure, clearly separated from immigration enforcement decision-making. ● Provide interpretation during screening and ensure screening personnel include trained NGO staff working alongside enforcement officers.
Reception conditions	● Publicly disclose details of the conditions and procedures at the Bidor PPKPPS and other screening or reception facilities, including physical standards, available services, staffing, and oversight arrangements. ● Reorient the Bidor PPKPPS and future PPKPPS from a closed detention model toward an open reception model, with time-bound processing, freedom of movement, and visitation rights for family members, community representatives, legal advisers, UNHCR, and civil society organisations. ● Ensure reception arrangements respect dignity, preserve family unity, and provide access to shelter, food, healthcare, education, and psychosocial support. ● Establish independent monitoring of the Bidor PPKPPS and regular public reporting on conditions.
Training	● Train all immigration, border, and enforcement personnel, judiciary, and prosecutorial authorities on asylum procedures, protection-sensitive screening, vulnerability identification, and referral obligations, including <i>non-refoulement</i>.



Immediate steps address urgent harms and build the conditions for deeper reform; structural reform ensures that protections are grounded in law, resistant to reversal, and capable of delivering consistent outcomes over time.



For refugees in Malaysia, the informal safety nets that have historically substituted the absence of formal protection are weakening, making the need for a rights-based national asylum framework more urgent than ever.

Longer-term – Legislative or Structural Reform

ELEMENT	PROPOSED REFORM
Legislative reform	● Whether through enacting a standalone legislation or amending the Immigration Act 1959/63: ▶ Ensure that individuals who present themselves to register <i>cannot</i> be penalised for irregular entry or presence while their claims are being assessed. ▶ Establish a statutory basis for interim documentation issued at registration, with clear validity periods and renewal procedures codified in law. ▶ Establish formal protocols governing the referral of vulnerable individuals from enforcement settings to protection pathways, with partnerships with CSOs formally recognised. ▶ Establish clear statutory standards for reception conditions, including time limits on stay, freedom of movement guarantees, and mandatory visitation and monitoring rights. ● Amend the Immigration Act 1959/63 to formally exempt asylum-seekers and refugees from the criminalisation provisions under Section 6 and Section 15. ● Amend Sections 24, 26, and 27 of the Immigration Act 1959/63 to include asylum safeguards, vulnerability screening, and referral mechanisms



The current developments present a strategic opportunity for Malaysia to advance a nationally grounded, pragmatic asylum framework that balances legitimate state interests with fundamental human rights principles, including *non-refoulement*, and the non-detention of children.

D | Alternatives to Detention and the Non-Detention of Children

Immediate – Addressing Protection Gaps

ELEMENT	PROPOSED REFORM
Children	● Implement without further delay a family or community-based ATD programme for unaccompanied and separated children, with genuine family and community-based placements, access to guardians and legal advice, case management, and independent monitoring. ● Phase out use of the Baitul Mahabbah facility and any other facility that deprives children of their liberty and functions as a place of immigration detention for children. ● Use the DPP rollout as an opportunity to embed immediate release of all children from immigration detention as a firm, publicly stated commitment, in line with CRC obligations. ● Issue an exemption order under Section 55 of the Immigration Act 1959/1963 to cease the arrest of all children.
All asylum-seekers	● Adopt community-based alternatives to detention — including supervised release, reporting requirements, and case management — as the standard approach for all asylum-seekers, with detention used only as a genuine last resort for a specific lawful purpose, for the shortest possible time. ● Ensure that detention is not used as a mechanism for compelling participation in the DPP registration or status determination process.
Vulnerable individuals	● Ensure that survivors of trauma, torture, or trafficking; persons with disabilities; women; older persons; people of diverse gender identity and sexual orientations; and other persons with specific needs have access to appropriate care, legal support, accessible complaint mechanisms, and non-custodial protection measures. ● Ensure all staff working with asylum-seekers in detention and reception settings receive training in human rights, gender sensitivity, and trauma-informed care.

Longer-term – Legislative or Structural Reform

ELEMENT	PROPOSED REFORM
Legislative safeguards	● Amend the Immigration Act 1959/63 and the Child Act 2001 to explicitly prohibit the immigration detention of all children, and transfer responsibility from JIM to child protection authorities. ● Amend the Immigration Act 1959/1963 to impose clear statutory limits on immigration detention and to codify alternatives to detention, removing the current position of open-ended detention under Section 34.

E | Role of UNHCR

Immediate – Addressing Protection Gaps

ELEMENT	PROPOSED REFORM
Access and cooperation	● Grant UNHCR immediate and unhindered access to all immigration detention facilities to conduct registration, and to asylum-seekers and refugees wherever they are located, including at borders and in the Bidor PPKPPS. This should be confirmed in a public, written directive and also be reflected in DPP's operating procedures. ● Issue clear operational guidance to JIM and PPKPPS staff that asylum-seekers and refugees can contact UNHCR freely at any time without restriction or penalty. ● Confirm in DPP operational guidance that cooperative arrangements extend to UNHCR's implementing partners and relevant civil society organisations, for purposes of oversight, legal assistance and effective protection.
Regular exchange and technical support	● Establish a formal, structured mechanism for regular dialogue between UNHCR and JIM or the Ministry of Home Affairs (KDN) on DPP implementation — covering operational issues, caseload trends, emerging protection concerns and quality of decision-making. ● Operationalise UNHCR's technical support role through a structured training programme for JIM officers on refugee law, credibility assessment, trauma-sensitive interviewing and vulnerability identification.
RSD process	● Formally incorporate UNHCR as a participant in <i>Jawatankuasa Khas Penentuan Status Pelarian</i> (JKPSP) or equivalent government RSD body from the outset of DPP implementation. In the absence of a statutory framework, UNHCR's presence within the process serves as a primary safeguard ensuring decisions meet international protection standards.
Transition and parallel system protections	● Issue clear, publicly available guidance on how the DPP and UNHCR documentation systems will operate in parallel during the transition period, including: the continued protection afforded by existing UNHCR cards; how individuals currently in the UNHCR system will be treated; and suspension of enforcement against those in the process of registering or awaiting DPP determination.

The analysis and recommendations set out the standard against which the DPP must be measured, and the landscape of legal and policy options available to respond to it.

Longer-term - Legislative or Structural Reform

ELEMENT	PROPOSED REFORM
Access and cooperation	● Codify UNHCR's right to access to all places where asylum-seekers and refugees are held — including at borders and in any future reception or screening facilities — in statute or a binding published instrument, not administrative practice alone. ● Establish the right of refugees and asylum-seekers to access UNHCR as an enforceable procedural guarantee within the DPP's SOP and, ultimately, in legislation — with a duty on relevant authorities to facilitate, not merely permit, contact.
Regular exchange and technical support	● Formalise UNHCR's supervisory and advisory role, including through a publicly available memorandum of understanding or equivalent instrument that clearly defines the division of roles and responsibilities between JIM and UNHCR. ● Establish a formal UNHCR oversight role within the DPP's operational structure, including regular case file review, access to individual case files (with applicant consent) and the opportunity to provide technical input and recommendations at both first-instance and appeals stages, and to provide technical training support, and report publicly on protection outcomes. ● Extend cooperative arrangements to UNHCR's implementing partners and relevant civil society organisations, to support oversight, consistency, and effective protection.
UNHCR role in RSD process, Transition and parallel system protections	Once a legal framework that codifies substantive and procedural protections is established: ● Transition UNHCR to an external supervisory and oversight role: monitoring compliance, reviewing outcomes, publishing findings, and engaging with the government. ● Establish a formal inter-institutional dialogue mechanism between DPP authorities and UNHCR ● Clearly stipulate the relationship between DPP documentation and UNHCR documentation, including transition pathways for those registered with UNHCR offices outside Malaysia, and ensuring no individual falls through the gap between systems.

F | Fair and Efficient Refugee Status Determination

Immediate – Addressing Protection Gaps

ELEMENT	PROPOSED REFORM
Designated authority	- Designate a single, qualified, and adequately resourced authority responsible for asylum registration and first-instance status determination, operating with clear institutional independence from JIM's immigration enforcement function. - Establish clear institutional firewalls between the asylum determination function and immigration enforcement, with rules governing decision-making to prevent enforcement objectives from influencing protection decisions.
Procedural guarantees	- Guarantee the right to be heard within a reasonable time; access to legal advice and representation; interpretation in the applicant's language; the right to contact UNHCR; and the right to written, reasoned decisions communicated in a language the applicant understands. - Ensure the SOP governing DPP status determination explicitly addresses the standard of proof to be applied — reasonable possibility of persecution, with the benefit of the doubt applied where an account is consistent and plausible — and the shared duty between applicant and decision-maker to ascertain all relevant facts. - Ensure applicants have access to the record of their personal interview, and the opportunity to clarify inconsistencies before a decision is made. - Ensure meaningful access to legal advice and representation through legal aid and partnerships with civil society legal service providers. - Prohibit the use of interpreters sourced from the embassy or consulate of the applicant's country of origin at any stage of the registration or status determination process, and invest in community-based interpretation capacity as the primary source of language support.
Appeals and effective remedies	- Establish an independent appeals body — separate from both JIM and the MKN — with the power to review both facts and law, provide effective remedies, and grant suspensive effect to removals pending a final decision on appeals. - Ensure that all individuals whose claims are rejected have access to this appeals process, including those in detention. - Provide clear, accessible information to asylum-seekers on available appeal and review mechanisms in a language they understand.

Transparency and oversight	● Publish the SOPs for DPP registration and status determination, and make them available in accessible community languages. ● Make asylum laws, policies, and procedures publicly available; publish data on outcomes; and establish accessible complaints and oversight mechanisms for asylum-seekers. ● Invite UNHCR and civil society organisations to play a formal monitoring and oversight role in the implementation of the DPP through establishing an inter-agency taskforce, with regular public reporting on outcomes.
Capacity and resources	● Invest in specialised training for all officers involved in DPP registration and status determination, drawing on UNHCR's technical expertise, with particular focus on interviewing techniques, credibility assessment, country-of-origin information, and sensitivity to children, survivors of trauma, and other individuals with specific vulnerabilities. ● Allocate sufficient human, technical, and financial resources to ensure timely and high-quality decision-making. ● Build in case management systems, quality assurance mechanisms, and timeframes from the outset to prevent backlogs and ensure consistency. ● Consider simplified or accelerated procedures for applicants from countries with well-established protection needs (e.g. refugee communities from Myanmar), provided minimum procedural safeguards are maintained.

Longer-term - Legislative or Structural Reform

ELEMENT	PROPOSED REFORM
Legislative safeguards	● Enact dedicated refugee or asylum legislation — or amend the Immigration Act 1959/63 — to give binding statutory force to the full set of procedural guarantees set out in this section; particularly the designation of an independent asylum authority, the right to legal advice and representation, access to an independent appeals body with suspensive effect, transparency and data publication obligations, and the prohibition on enforcement objectives influencing protection decisions. ● Codify the appeals process in statute, with an explicit right of access to courts as a backstop for judicial review, and repeal or amend the ouster clause provisions under Section 59A of the Immigration Act that currently preclude judicial review of decisions made by JIM. ● Amend Legal Aid (Amendment) Act 2017 to allow asylum-seekers and refugees to access state funded legal aid services.

G | Access to Rights and Services

Immediate – Addressing Protection Gaps

ELEMENT	PROPOSED REFORM
Disclosure and automatic granting of rights and budget allocation	● Develop and publish detailed implementing guidelines and SOPs for each ministry involved in the DPP's inter-ministerial coordination framework, with clear timelines, designated responsible officers, and monitoring mechanisms. ● Allocate dedicated budget lines for the delivery of rights and services to DPP holders across education, health, and social services. ● Ensure that announced rights are not undermined by administrative barriers or enforcement deterrents at the frontline, and granted automatically.
Right to healthcare	● Immediately repeal Ministry of Health Directive Circular 10/2001, which requires healthcare personnel to report undocumented persons to immigration enforcement, and replace it with a firewall between healthcare access and immigration enforcement. ● Ensure all refugees and asylum-seekers can safely access public healthcare without fear of arrest or detention. ● Ensure all children born in Malaysia regardless of legal status are included under the National Immunisation Programme and/or have access to routine immunisation free of charge. Waive fees for all vaccinations in the national child immunisation schedule, beginning with the MMR vaccine. ● Strengthen coordination and collaboration with CSOs providing vaccinations and healthcare for refugee communities. ● Implement a health financing scheme for refugees, and expand access to medical insurance, such as REMEDI, for asylum-seekers and refugees.
Right to education	● Allow refugee children to enrol in government schools, with support from UNHCR and education partners to transition students from alternative learning centres (ALCs) to appropriate academic levels. ● Allow refugee students to sit for national examinations, including the Malaysian Certificate of Education (SPM). ● Allow refugee youth to access public universities. ● Grant teachers from ALCs access to accredited teacher training. ● Establish formal pathway for accreditation of ALCs within the national education system. ● Allow ALCs to make use of underutilised school premises.

Right to work	● Grant asylum-seekers and refugees a formal right to decent and lawful employment without restrictions based on nationality, sector, employer, or gender. ● Grant asylum-seekers immediate access to work during the processing period, without requiring a separate work permit. ● Enable refugees to move freely between employers or to be self-employed. ● Enforce labour protections for refugee workers in line with the Employment Act 1955 and Industrial Relations Act 1967. Ensure that refugees can seek redress for labour violations, with clear policies, guidelines, and training across departments. ● Enable access and remove administrative and structural barriers that inhibit refugee's access to work: ▶ Issue an exemption order or clear implementing guidance exempting DPP holders and their employers from Section 55B of the Immigration Act 1959/63, confirming that employment of DPP holders does not constitute a criminal offence. ▶ Issue guidance confirming that the Employment (Restriction) Act 1968 does not apply to DPP holders, or issue a class exemption covering the relevant categories of work. ▶ Issue a clear directive for banks to allow refugees and asylum-seekers to open bank accounts using UNHCR documentation or DPP documentation, pursuant to Bank Negara Malaysia's Guidance on Verification. ▶ Issue guidance to enable refugees and asylum-seekers to register for SIM cards using their UNHCR or DPP documentation.
Freedom of movement and civil rights	● Include in the amended MKN Directive 23 and DPP SOP that DPP holders have the right to travel and reside internally within Malaysia without geographical restrictions, and that the DPP documentation is recognised as valid identification for domestic travel. ● Issue guidance to relevant agencies and Courts to enable marriage registration, birth registration, and access to family law processes for DPP holders
Durable solutions	● Include in DPP SOPs a clear description of process and outcomes to DPP holders after recognition — including the renewal process, duration of stay, and relationship to UNHCR resettlement process. ● Clarify the relationship between DPP recognition and UNHCR resettlement process, and confirm that recognition under the DPP does not prejudice or delay resettlement processing. ● Indicate whether local integration is being considered as a long-term option for those who cannot be resettled or voluntarily repatriated within a reasonable timeframe, particularly for stateless persons. ● Define a maximum period of temporary status after which a durable solution must be actively pursued, to prevent indefinite limbo.

Implementing commitments	- Develop detailed implementing guidelines for each ministry involved in the DPP's inter-ministerial coordination framework, with clear timelines, designated responsible officers, and monitoring mechanisms. - Ensure that announced rights to healthcare, education, and work are not undermined by administrative barriers or enforcement-driven deterrents at the frontline service delivery level.
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Longer-term - Legislative or Structural Reform

ELEMENT	PROPOSED REFORM
Automatic granting of rights	Establish in law that rights flow automatically upon DPP registration, without requiring further administrative steps or inter-ministerial approvals.
Right to work	- Amend Section 55B of the Immigration Act 1959/63 to formally exempt DPP holders and their employers from criminal liability. - Integrate DPP holders into SOCSO and EPF on the same basis as other workers.
Durable solutions	Develop and publish a durable solutions strategy to ensure that DPP holders have lasting resolutions to displacement.
Freedom of movement and civil rights	Amend Section 55E of the Immigration Act 1959/63 to explicitly exclude DPP holders from the 'harbouring' provisions, enabling landlords to rent to refugees without fear of prosecution.



Rights-based protection frameworks are achievable across a range of legal, political, and resource contexts, and that they can deliver better outcomes, at lower long-term cost, than enforcement-centred approaches.



H | Whole-of-Society and Coordinated Governance

Immediate – Addressing Protection Gaps

ELEMENT	PROPOSED REFORM
Civil society and refugee communities	● Institutionalise coordination with refugee communities, civil society, and service providers through a formal whole-of-society governance framework, with defined roles, information-sharing protocols, and joint monitoring mechanisms. ● Formally recognise and resource the role of civil society organisations and networks in identification, referral, legal assistance, and service provision within the DPP framework.
Inter-agency coordination	● Designate a lead government authority with a clear mandate to coordinate refugee governance across all relevant ministries, and to ensure coherent implementation of the DPP's cross-ministerial commitments. ● Ensure coordination mechanisms include accountability structures, regular review processes, and public reporting on progress.

Longer-term – Legislative or Structural Reform

ELEMENT	PROPOSED REFORM
Meaningful participation of refugee communities	● Establish a clear and accessible registration pathway for CBOs and RLOs — under the Registrar of Societies, the Ministry of Education, or another appropriate mechanism — to enable them to obtain legal entity status, open bank accounts, and receive funding directly. ● Formally integrate CBOs and RLOs into the DPP's coordination and oversight architecture, with defined roles in monitoring, complaints handling, policy review, and supporting registration efforts through dissemination of information and community mobilisation.





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