

**EVALUATION  
OF  
THE EMERGENCY PREPAREDNESS  
OF  
LOCAL AUTHORITIES  
IN  
CONTROLLING ENTRY OF ILLEGAL IMMIGRANTS  
INTO  
THE DISTRICT OF TAWAU, SABAH**

**BY  
PAT KAM SENG**

**Project Report Submitted in the fulfillment of the Requirements for the  
Degree of Master Science (Emergency Response and Planning)  
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Abstract of Research Project submitted to the Senate, University Putra Malaysia in the fulfillment of the requirement for the Degree of Master Science (Emergency Response and Planning)

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Illegal immigrants movement into the various parts of Malaysia, especially the State of Sabah has become an alarming national issue. This is especially true with the vibrant economic growth in Malaysia which has become the main focus for the illegal immigrants. Thus the main objective of this study is to evaluate the capability level of the local authority and its enforcement personnel in managing those threats. The results of the study showed that the local authorities' management system in controlling the influx of illegal immigrants into the District of Tawau only achieved a rating of 0.34 i.e. does not meet the requirements. Meanwhile, the capability level of the enforcement personnel only partially meet the requirement with a mere rating of 0.63. Hence various

changes to the present set-up of the local authorities and its enforcement personnel need to be enhanced before the issue become critical.



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**PENILAIAN PERSEDIAAN KECEMASAN BAGI BADAN-BADAN KUASA  
TEMPATAN UNTUK MENGAWAL KEMASUKAN PENDATANG TANPA  
IZIN KE DAERAH TAWAU, SABAH**

Oleh

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Kehadiran pendatang tanpa izin ke beberapa bahagian di Malaysia terutamanya di negeri Sabah telah menjadi isu nasional yang membimbangkan. Hakikat ini tidak dapat dinafikan dengan pembangunan pesat ekonomi di Malaysia yang menjadi fokus tarikan untuk pendatang tanpa izin. Objektif utama kajian ini ialah untuk menilai tahap keupayaan pihak berkuasa tempatan dan penguatkuasa undang-undang oleh personel yang mengurus ancaman ini. Hasil kajian menunjukkan sistem pengurusan kecemasan pihak berkuasa menangani kemasukan pendatang tanpa izin ke daerah Tawau hanya mencapai kadar 0.34, bermakna pencapaian ini tidak memenuhi keperluan yang ditetapkan. Sementara itu, tahap keupayaan pihak penguatkuasa hanya memenuhi sebahagian keperluan dengan

pencapaian kadar 0.63. Oleh itu, perubahan perlu dilakukan terhadap organisasi pihak berkuasa tempatan dan personel penguatkuasa sebelum isu ini menjadi semakin runcing.



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## **CHAPTER ONE**

### **INTRODUCTION**

#### **1.1 Background**

It has been well documented that the economy of Sabah has not been performing vibrantly in the last decade. From being one of the richest states in Malaysia, Sabah is now regarded as one of the least-developed states in the country. The State's major economic advantages such as sawlogs and petroleum, have been depleting rapidly. One of the options for Sabah to catch up with the other more developed states in Malaysia, is to shift its economic structure from resource-based to industry-based in line with the aspiration of Vision 2020. With the rise of the new Barisan Nasional State government, a new development paradigm for the State has been formulated. The framework is contained in the Outline Perspective Plan for Sabah (OPPS). One of its ultimate is to manage transformation of product-segments of output growth from labour-intensive and low value-added into knowledge-driven and high value-added.

At the same time, it has also been widely acknowledged that Sabah's economy is significantly dependent on unskilled foreign



immigrant labour, particularly in estates and industries. Foreign workers have continued to be an important factor for the sustainability of economic growth in the state. Furthermore, a large percentage of immigrant workers in the state is believed to be illegals i.e. immigrants without work permit. As a consequence, the economic, political and social fabric of the society in Sabah have been visibly put under an enormous strain. Thus there is an alarming dependency of Sabah's economic growth on immigrant labour force on a statistical viewpoint.

## **1.2 History of Sabah**

Historically, the state's economy has been largely export-oriented and predominantly agriculture and forestry. Both key economic activities required an abundance of unskilled labour force. During the mid-1950s, Sabah began to face the problem of labour shortage when the State started to embark on more agriculture estates and big scale timber operations. The insufficient labour supply problem was further aggravated by the reluctance of locals to work in plantations and timber camps for reasons such as low social status, unattractive remuneration and unfavourable working conditions as highlighted by Mak and Koh (1994).

Inevitably, the size of recruitment of immigrant workers to the state changed dramatically. It became all the more urgent as rubber in the 1950s and later timber in the 1960s became an increasingly lucrative commodity. By the 1980s, immigrant workers comprising mostly Indonesians and Filipinos have dominated virtually all the economic sectors in Sabah especially in plantations and industries as written by Koh and Yong (1993).

The share of immigrant workers to the state's total labour force has increased substantially in the last twenty (20) years from thirty-five (35) percent in 1970 to 52.2 percent in 1980 and expanded further to 61.5 percent by 1993. Immigrant workers grew at a staggering 8.3 percent per annum during the period 1970 to 1993 that is much higher than the 5.7 percent per annum growth of total labour force in Sabah. An interesting point to note is that the annual growth rate of immigrant workers grew at nearly twice the rate of average annual population growth for Sabah registered at 4.9 percent during the period 1970-1991 as reported by the Department of Statistics, Malaysia (1991).

### **1.3 Statement of Problems**

Illegal immigrants refer to inter-state movement of people that takes place in violation of state laws and regulations. It is also known as

undocumented migration or irregular migration. There are two (2) types of illegal immigrants, those entering with valid documents but overstayed and those who had no valid documents at all. Since Sabah has experienced an active “sons of the soil” movement and is very resistant to “outsiders”, the threat of being overwhelmed by illegal immigrants is producing tensions. Coping with this, the government is also blaming immigrant workers for the rise in unemployment, poverty and crime rates. The first question is whether Malaysia will have anti-immigrant violence as witnessed against the Chinese in neighbouring Indonesia or the Javanese in East Timor? More dangerous still is the attitude that has developed within a segment of the Malaysian population that these ‘illegal’ are a threat to our way of life, and that all of them have to be dealt with in a harsh manner irrespective of their backgrounds as shared by Hector (1998).

Presently, there’s an estimated two (2) million immigrants working and living in Malaysia, half of them illegally. The bulk of the illegals are in Sabah and the sizeable immigrant population there is still growing. According to Chin (1994), Sabah’s reluctant hosting of a staggering 500,000 illegal immigrants who now comprise almost a third of the state’s 1.8 million population. The immigrants are basically 350,000 Filipino and 150,000 Indonesian. Filipino and Indonesian immigration impacts electoral politics. Chin (1994) also highlighted that many of the

illegal immigrants have managed to enter the electoral rolls and are influencing the outcome of regional elections and now national elections. It was noted by the opposition parties that how the ruling government strategically uses available migratory flows i.e. illegal immigration to solidify its electoral, social and constitutional position. This is producing conflict between Sabah and the federal level.

Another issue that need to be considered is the extremely vulnerable position of the Sabah's economy. The liberal intake of unskilled foreign labour has resulted in the undesirably high unemployment rate in Sabah as against the enormous number of foreign immigrant workers, indicating a mismatch between supply and demand for workers (KKIP).

In addition, high dependence on immigrant workers has led to the increase in leakages of the economy through repatriation of income (Pang). In whatever manner, foreign immigrant workers are badly needed to maintain the pace of the present state's economy which is still primary resource-based.

To solve this problem, various recommendations have been impinged on such as forced repatriation, voluntary repatriation, and

assimilation/integration into local society by natural and legislative means, but as yet, none has been found to be practical.

Besides these, the local police blame the immigrants for most crimes and alleged that they brought their 'gun culture' from troubled Mindanao. The statistic counting stated on 22 March 1999 from all true account reported in the local newspaper showed that forty (40) crimes happened within four (4) weeks by eighty-seven (87) illegals. Those crimes committed are murders, robbery, rape, drug offences, fake and stolen identity cards, phantom voters, smuggling and armoury.

#### **1.4 Background of District of Tawau**

Tawau (Refer to Figure I) is a district situated at the south east tip of Sabah facing the Celebes Sea to the south and Kalimantan, Indonesia to the southwest. Its strategic location with Indonesia and the Philippines has caused Tawau to be become the entry point especially for the Indonesian and Filipinos to illegally enter into our country. Furthermore, Tawau is connected by major roads like the Tawau-Lahad Datu Highway, Tawau-Kunak Highway, sea and air to the other major towns in Sabah.

Figure 1 : District of Tawau



Due to the economy recession and political unrest in some of the neighboring countries within this region especially the Indonesia and the Philippines, there is a tendency of migrating to a greener pasture like Malaysia whereby the economy is still booming. The report by the Immigration Department showed that the illegal immigrants' detention camp in the country is unable to cope with the large influx of these foreigners. Presently the capacity is only 12,000 as indicated in Appendix A. For the District of Tawau, the capacity is only 800 which is grossly insufficient.

Pursuant to this, the Op Nyah (Depot) as highlighted in Appendix B showed that the illegal immigrants repatriation from January - August 2001 is 87,105. Such operation is beginning to have a negative impact on our country resources whereby the cost of repatriation is fully bear by our government. Thus the government needs to take the positive steps to address this issue.

Various reports submitted by the local authorities have highlighted the following as the factors of attraction for the illegal immigrants' influx into the District of Tawau :-

- i) Family Ties
- ii) Geographical Location

- iii) Activities of the Land and Sea “Tekong”
- iv) False Documents

Furthermore, studies by the local authorities for the District of Tawau showed that there are difficulties in coping with the issue of the illegal immigrants. This was due to the various weaknesses in the enforcement of the law pertaining to the illegal immigrants. These include :-

- i) Lack of inspection on the 'Jongkong' movement between Tawau and Nunukan, Indonesia by the Marine Police
- ii) Blackmail by the General Operations Force on the illegal immigrants
- iii) Lack of scrutinization on the travelling document by the Immigration Officer at the Checkpoint

### **1.5 Objectives of Study**

With the alarming situation of the continuous movement of illegal immigrants into the country of Malaysia, this study of evaluating the emergency preparedness of local authorities in controlling entry of illegal immigrants into the District of Tawau, Sabah is appropriate. It will



enable the authority to look deeper into the present system of preventing and controlling those illegal immigrants from flooding our nation.

Thus, the objective of this study is to find out :-

- i) The existing state of the illegal immigrant in the District of Tawau.
- ii) The management system of the local authority in preventing the encroachment of illegal immigrants into the District of Tawau.
- iii) The capability level of the enforcement personnel in managing the threat of the illegal immigrants' movement into the District of Tawau.

## **1.6 Significance of Study**

The results from this study can be used to :-

- i) Highlight to the local authorities for the District of Tawau on the level of problem, the noteworthy areas and areas for improvement of their management system to prevent and control the entry of illegal immigrants.

- ii) Inform the local authorities the capability level of the enforcement personnel in managing the threat of the illegal immigrants' movement into the District of Tawau

### **1.7 Limitations of Study**

In carrying out this study, we have to accept the facts that there are certain limitations that are beyond our control.

- i) The study will only be conducted in the District of Tawau.
- ii) Due to the lack of benchmarking, a rough estimate can only be made on the adequacy of the resources available to contain the influx of illegal immigrants.
- iii) Local authorities' capabilities were evaluated based on their perception rather than a detailed auditing.

## CHAPTER 6

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