Securitisation and community-based protection among Chin refugees in Kuala Lumpur

Kirsten McConnachie, University of Warwick[1]

This article examines refugee-led community organisations among Chin refugees from Myanmar in Kuala Lumpur. It uses a structuration analysis which recognises refugee-led organisations as complex governance entities engaged in a dynamic relationship with (among others) national policies of securitisation of forced migration and international humanitarian governance. This approach expands the existing literature on the securitisation of forced migration by exploring refugees' lived experiences in a context of south-south migration. It expands the literature on community-based protection by going beyond recognising the existence of refugee led organisations to analyse their construction, constitution and consequences. Three primary areas of work by Chin refugee groups are analysed in relation to their immediate activity and longer-term effects: organisation ('building ethnic unity in adversity'); documentation ('asserting a bureaucratic identity'); socialisation ('learning to be illegal'). These long-term effects indicate the possible impact of local protection activities on macro-structural processes such as identity construction and migration choices.

Key words: refugees, urban refugees, structuration, agency, community-based protection

[1] Versions of this paper were presented at a workshop on 'Law and Society in Southeast Asia' at the National University of Singapore in December 2014 and a public seminar for the University of Oxford's Centre for Socio-Legal Studies in May 2015. I am grateful to the organisers and participants at those events for helpful feedback, and to Naomi Creutzfeldt and the journal's anonymous reviewers for comments on earlier drafts. Special thanks to the Chin Human Rights Organisation, Chin Refugee Committee and everyone else that facilitated and participated in my research in Kuala Lumpur. Research for this project was funded by the John Fell Fund and Ockenden International during my tenure as the Joyce Pearce Junior Research Fellow in Refugee Studies at the University of Oxford.

Securitisation and community-based protection among Chin refugees in Kuala Lumpur

This article examines refugee-led community organisations among Chin refugees from Myanmar in Kuala Lumpur. It uses a structuration analysis which recognises refugee-led organisations as complex governance entities engaged in a dynamic relationship with (among others) national policies of securitisation of forced migration and international humanitarian governance. This approach expands the existing literature on the securitisation of forced migration by exploring refugees' lived experiences in a context of south-south migration. It expands the literature on community-based protection by going beyond recognising the existence of refugee led organisations to analyse their construction, constitution and consequences. Three primary areas of work by Chin refugee groups are analysed in relation to their immediate activity and longer-term effects: organisation ('building ethnic unity in adversity'); documentation ('asserting a bureaucratic identity'); socialisation ('learning to be illegal'). These long-term effects indicate the possible impact of local protection activities on macro-structural processes such as identity construction and migration choices.

Key words: refugees, urban refugees, structuration, agency, community-based protection

This article examines refugee-led community organisations among Chin refugees from Myanmar in Kuala Lumpur. It uses a structuration analysis which recognises refugee-led organisations as complex governance entities engaged in a dynamic relationship with (among others) national policies of securitisation of forced migration and international humanitarian governance. This approach expands the existing literature on the securitisation of forced migration by exploring refugees' lived experiences in a context of south-south migration. It expands the literature on community-based protection by going beyond recognising the existence of refugee led organisations to analyse their construction, constitution and consequences. Three primary areas of work by Chin refugee groups are analysed in relation to their immediate activity and longer-term effects: organisation ('building ethnic unity in adversity'); documentation ('asserting a bureaucratic identity'); socialisation ('learning to be illegal'). These long-term effects indicate the possible impact of local protection activities on macro-structural processes such as identity construction and migration choices.

Key words: refugees, urban refugees, structuration, agency, community-based protection

The future of international refugee protection is precarious, arguably more so than at any time since the creation of the UNHCR in 1950. As national governments have become increasingly unwilling to accept

refugees and as the United Nations High Commissioner for Refugees (UNHCR) has become increasingly stretched in its capacity to provide international protection, multiple policies and reports have encouraged recognition of the protection potential within refugee populations (e.g. UNHCR 2005, 2008, 2009, 2014; South et al 2012). There has been particular interest in the activities of refugees in urban settings, reflecting new urbanisation of forced migrant populations (UNHCR 2009; Women's Refugee Commission 2010; ActionAid 2010; APRRN 2012). Recognising that refugees play a central role in securing their own protection is not in itself an original insight (Harrell-Bond 1986; Kibreab 1993). It *is* novel to see this recognition reach the centre of global refugee policy, where it has the potential to profoundly shape the nature of refugee protection.

Existing work on community-based protection recognises the importance of refugee communities and details some of their activities but is largely incurious as to the nature of those communities. "Community-based protection" is as broad and varied as refugees themselves. Some "community-based" organisations are created organically by refugees *in situ*, while others are established by external agencies or encouraged by diasporic movements. Some organisations are highly effective, others are not. These are not generic institutions but situated, contextualised and highly specific entities. This raises important questions, such as: how are refugee communities constituted? What are the differences between refugee populations, and are some groups more effective organisers than others? How do refugee community organisations interact with other layers of refugee governance? What are the consequences of their activities?

This article examines some of these questions in relation to Chin refugee organisations in Kuala Lumpur. It is part of a wider body of work on refugees from Myanmar which has included research on camp management among Karen refugees in Thailand and on organisation in urban settings in India and Malaysia (McConnachie 2012, 2014). Socio-legal scholarship on refugee issues has largely concentrated on formal legal institutions such as policing and detention (Bosworth 2014; Weber 2015). However, socio-legal methods also have much to offer in terms of understanding refugees' lived experiences of law and in recognising the governance landscape beyond national legal systems. For example, my research in refugee camps in Thailand challenged assumptions of refugee camps as temporally and physically bounded spaces, revealing a temporal frame of governance stretching back to precolonial times and demonstrating that the spatial environment, though geographically remote, was rooted within extensive local and transnational relationships.

Chin refugees in Kuala Lumpur live in a global metropolis rather than a remote camp but their experiences are also constituted by policies, norms and relationships far beyond the refugee community, and they too can be understood as both governed and governing. This dynamic is a clear example of structuration, i.e. the mutually constitutive relationship between structure and agency. Structuration is

a valuable heuristic to recognise refugees' agency while acknowledging constraints on that agency (Healey 2006; Horst 2006: 11; Betts et al 2016: 168). However, despite its intent to synthesise agency/structure, structuration retains an oppositional logic which is all too often carried into its application. Certainly, in refugee studies, researchers have tended to focus on structure (often treated as synonymous with official policy) at the expense of a truly integrated analysis (see further Doty 1997; Bakewell 2010). Furthermore, both structure and agency are poorly defined. Recently, scholars including Stones (2005), Morawska (2011) and O'Reilly (2012) have reasserted the value of structuration theory by clarifying its more nebulous aspects and recognising the need to flesh out its conceptual form with grounded research methodologies. Their work has generated new insight into structure, agency and the relationship between the two. This includes recognition of structure not only in the form of laws and regulations but as shaped by other scales of governance, including temporality and spatiality; and of collective agency as well as individual agency. Collective agency in the form of associations and organisations are a manifestation of agency *and* structure, exemplifying the fundamental dynamic of structuration as a continually evolving process in which both components play an active role: structure constitutes agency, and agency constitutes structure. Applied to international migration, this encourages "recognition that international migration is a complex, ongoing process, and a deep understanding of the ways in which structure and agency interact over time through the ongoing practice of daily life (O'Reilly 2012)."

This article follows a 'strong structuration' approach in offering a grounded study of collective agency among Chin urban refugees, where refugee-led organisations are understood to be complex governance entities engaged in a dynamic relationship with national and international humanitarian governance. Structural processes shaping refugees' lives in Malaysia include discourses and practices of securitisation (developed by the national government and enacted throughout society) and the humanitarian governance offered by the United Nations High Commissioner for Refugees (including registration, refugee status determination and international refugee resettlement). Chin refugees and asylum-seekers have responded to the challenges of life in Kuala Lumpur by establishing community organisations whose work ranges from practical support such as translation, advice and informal education, to community-based documentation and registration, through to information-monitoring and sharing (Chin Refugee Committee 2012; Hoffstaedter 2014; Nah 2014). Three activities of refugee-led organisations are analysed below in relation to their immediate functions (organisation, documentation and socialisation) and their longer-term consequences ('forging ethnic unity in adversity', 'asserting a bureaucratic identity', and 'learning to be illegal'). This analysis situates refugee-led organisations, recognising that their work is constituted by the city-space and shaped by refugees' past experiences as well as their present conditions; and with effects which, though oriented at immediate protection goals, will also endure into future experiences in countries of resettlement or in the event of return to Myanmar.

Methodology

The data for this article was generated through a combination of primary fieldwork and secondary research. Fieldwork was conducted between 2013 and 2015 and involved repeated visits to Malaysia totalling four months. My research in Kuala Lumpur was facilitated by the Chin Refugee Committee, through connections established during previous research in Thailand. I stayed at the offices of the Chin Refugee Committee during my research, and CRC staff facilitated interviews and other research assistance. Interviews were conducted in English or with translation. The complexity of Chin languages necessitated the use of multiple translators. Interviews were conducted primarily with refugee community leaders and other refugees, but also including Malaysian civil society, immigration lawyers, volunteers with refugee organisations and several members of staff in UNHCR's Malaysian field office. Research in Malaysia was part of a wider project tracing the experiences of Chin refugees in three urban environments (Kuala Lumpur, New Delhi and Aizawl) and my primary focus was therefore on refugees from Chin State. I also interviewed refugees from Myanmar's other ethnic groups, including Burman, Kachin, Karen, Mon, Rohingya and Shan.

Ethics approval for this research was granted by the University of Oxford's CUREC Committee. Research with refugees in a context of illegality and securitisation such as Kuala Lumpur presents obvious ethical challenges, many of which are summarised in the Refugee Studies Centre's *Ethical Guidelines for Good Research Practice* (such as the need to protect participants, anticipate harms, ensure consent and avoid exploitation). However, one element of acknowledging refugees as agents in the exercise and shaping of power is reflexivity regarding my own role. Interviews are a relatively blunt research methodology which present the very real possibility of misinformation, particularly where people are living in desperate conditions which they hope that I (as a foreign researcher) may be able to alter. I attempted to reduce the risks of misinformation by taking the time to build relationships and prove my discretion, while also continually attempting to triangulate findings across multiple sources. The result is a partial snapshot, inevitably, but I hope a valuable one nevertheless.

The Chin in Kuala Lumpur: Securitisation and the city

Malaysia currently hosts more than 150,000 refugees and asylum seekers. The vast majority of these are from Myanmar, with particularly large populations of ethnic Chin and Rohingya.[i] Most Chin live in Kuala Lumpur, though there are clustered populations in other regions, notably the agricultural plantations of the Cameron Highlands. Recent political reforms in Myanmar have reduced the outflow of forced migrants but have not yet resulted in large scale returns. As will be discussed below, perceived

change in Myanmar *has* affected conditions in Malaysia, as since 2016 the position of the UNHCR in Malaysia is that Chin refugees in Malaysia no longer face a well-founded fear of persecution should they return to Myanmar, and have *de facto* stopped processing new asylum claims from Chin State.

As an ethnic minority in Myanmar, the Chin suffered greatly under military rule, when the toxic combination of political insecurity, ethnic and religious discrimination and economic poverty drove many to leave their homes and seek sanctuary elsewhere. Up to 100,000 Chin are estimated to live and work in the territory of Mizoram in northeast India, approximately 5000 remain in New Delhi, and upwards of 60,000 are currently present in Malaysia. Malaysia is a desirable destination for Chin leaving Myanmar, in part because there are no refugee camps in Malaysia (in contrast to Thailand) and in part because Malaysia offers good prospects for informal work at higher rates of pay than other countries in the region. For the past decade or so Malaysia has also been an important conduit country for refugee third-country resettlement, primarily to the United States and Australia. Resettlement is the goal for almost all Chin in Malaysia but at most only a few thousand resettlement places are available each year and demand far outstrips supply. Furthermore, even those who are fortunate enough to secure a place for resettlement must endure life in Kuala Lumpur as they await departure.

Those who left Myanmar hoping to find an easier life in Malaysia have been disappointed. Malaysian policies opposing undocumented migration place refugees and asylum seekers under serious risk of arrest, detention and deportation. This is consistent with wider trends for securitisation of forced migration. Securitization (i.e. the pursuit of policy objectives through security justifications) was coined by international relations scholars and defined as a two-stage process: the discursive construction of a "referent object" as an external, existential threat and the adoption of policies to tackle that threat (Buzan et al 1998). This process redefines complex political and policy concerns in terms of a single objective (security), while the perception of that objective as an unimpeachable public good enables it to override other considerations, including human rights and civil liberties. As with 'community', another contested concept of the social sciences, security derives much of its rhetorical power from associations with collective safety and protection, and much of its political utility from an essential conceptual ambiguity (Zedner 2009: 13-25; Gearty 2013: 3; Hammerstad 2014: 266-7). Almost any referent object can be constructed as a security threat legitimizing a tough response, making security a uniquely capacious governing agenda.

Perhaps for this reason, securitisation has become ubiquitous in immigration policy, where a discursive construction of forced migrants as threats to security has been matched with deepening intersections between immigration control and criminal law (Dauvergne 2007; Bosworth 2008; Dowling and Xavier 2013; Aas and Bosworth 2013; Hammerstad 2010; Fassin 2011). As a policy shift, it has been

characterised by techniques such as interwoven legislative and media agendas of 'making people illegal', the creation of new offences carrying excessive penalties, and an expansion of the penal estate to absorb large populations of men, women and children asylum seekers (Dauvergne 2007; Chacon 2009; Duvell 2011; Aliverti 2013; Bosworth 2014).

Securitisation of forced migration has predominantly been analysed in relation to Western liberal democracies. However, it is now the norm in many refugee hosting states, including sites of south-south migration such as Malaysia, where a persistent political and social construction of undocumented migrants as threatening to national security, to law and order, to the public, the environment and the economy has been matched with legislation, arrests and raids, detention and deportation (Lotta-Hedman 2008; Mohd Don and Lee 2014; McGahan 2009: 196). The centrepiece of migration control is the national Immigration Act, which defines illegal entry to the nation as a criminal offence and creates additional offences of assisting or harbouring an undocumented person. Malaysia is not a party to the 1951 Refugee Convention and has no domestic refugee law. In law, therefore, asylum seekers are not distinguished in law from other 'illegal entrants' and can be punished with up to 10,000MR fine, five years of imprisonment and/or judicial caning. Refugees and asylum seekers, like other undocumented migrants, have no right to work, to attend state schools, to open a bank account or sign a lease. Immigration policing is diffused through numerous agencies, including uniformed and plain clothes police officers, immigration officers, traffic police and the citizen-volunteer force known as RELA. The security infrastructure of border control is reinforced with a physical architecture of prisons, lock-ups, and immigration detention centres where refugees and undocumented migrants experience prolonged detention. (see e.g. Lotta-Hedman 2008; Amnesty International 2010; Nah 2011; Jesuit Refugee Service 2012: 13-14; Equal Rights Trust 2014: 31-34).

Securitization in Malaysia has been characterised by policy oscillation between arrest and amnesty for undocumented migrants. Since the mid-1990s, millions of undocumented migrants have been arrested in 'crackdowns' which operate as part of a cycle of immigration control that begins with a migrant worker regularisation scheme and is followed by mass arrests of those who remain unregistered (Nah 2011). Crackdowns target all undocumented migrants, including refugees. In one study of Burmese refugee households in Kuala Lumpur, 42% reported that in the previous year at least one member of their household had been arrested (992 people in total) and almost half had paid money informally to Malaysian officials (Smith 2012: 13). Arrest can happen at any time, from any place, to anyone. I interviewed past and current detainees including elderly men and women, pregnant women, nursing mothers detained along with their tiny children, and many men and women of working age. One man described an attempt to arrest his wife from her hospital bed, moments after she had given birth. He spoke Bahasa Malay and English, and was able to plead with the police and hospital staff and persuade them – with some financial incentive – not to arrest her. He eventually succeeded, but only after his

wife had been handcuffed, removed from her hospital bed and taken to the police station in terrifying circumstances, which placed the survival of her new-born child at serious risk.[ii]

As this indicates, refugees are subject to a variety of techniques of securitisation which are carried out by police, immigration officials, plain-clothes officers, traffic police, organised citizen volunteers and private individuals, and enacted in the streets, the workplace, transport routes, the home, at schools, churches and in hospitals. This has produced a climate of fear which shapes every aspect of refugees' lives. In a study with Burmese undocumented migrants (not refugees) in Kuala Lumpur, Franck (2016) requested interviewees to draw a map of the city, identifying safe/unsafe spaces. They identified few wholly "safe" spaces and viewed the city in contingent terms, as an environment that was continually shifting and where border controls were similarly mobile (also Nah 2007; Lotta-Hedman 2008). Living as a refugee in Kuala Lumpur is, one young man told me, a "cat and mouse life". The constant fear and anxiety of such a life has damaging consequences for both physical and mental health (Health Equity Initiatives 2012; Smith 2012).

Among undocumented migrants in the United States, Menjivar and Abrego (2012) found that "deportability and the ever-present threat of raids – that are unannounced and can happen anytime, anywhere – keep the immigrants on alert at all times, much like a constant state of emergency." They describe this as "legal violence […] the suffering that results from and is made possible through the implementation of the body of laws that delimit and shape individuals' lives on a routine basis." Legal violence reinforces structural violence of inequitable access to resources, services and opportunities. The cumulative effect is to establish a condition characterised by De Genova (2002) as "deportability": a continuous state of uncertainty and exploitability. Yet where there is power there is resistance, and where there is securitisation there is also an accompanying structuration, and an entwined agency/structure dialectic. The relationship between legal violence and refugees' survival strategies are considered further below, following an analysis of a second important set of structural processes shaping refugees' lives in Malaysia: those of international refugee protection and humanitarian governance.

Refugee protection and the UNHCR

Some countries rely heavily on international agencies to manage refugee populations while other countries deny access to such agencies altogether. Malaysia lies towards the latter end of the spectrum. The only international agency working with refugees in Malaysia is the UNHCR, which has been present in the country since 1975 but operates under a weak political mandate rather than with a formal memorandum of understanding (Equal Rights Trust 2014: 33).[iii] This, combined with the national policy

climate, makes Malaysia a difficult operational environment for UNHCR. Every day, hundreds of refugees approach UNHCR's office in Kuala Lumpur to request refugee status determination and to report their protection problems, which may be the detention of a family member, a work-related injury or accident, an exploitative employer, a landlord dispute, an inability to afford medical treatment or any of a multitude of other problems. In response to these needs, UNHCR's primary protection activities are refugee status determination, processing applications for third country-resettlement, and detention monitoring. The first two activities are closely linked as status determination establishes eligibility to apply for third country resettlement.

Status determination, and therefore refugee protection in general, is a question of labels. As Zetter (1991) recognised many years ago, the labels applied to forced migrants have consequences: in the acquisition of rights and entitlements, in the treatment accorded by officials and wider society, and in the future pathways of individuals and communities or national groups. International law understands status determination as declaratory rather than constitutive: "refugee status determination recognises refugees as such, but it does not make people refugees" (Kagan 2007:20). In reality, in most countries status determination is the gateway process for any and all benefits flowing from refugee status. A person may indeed *be* a refugee but they will not be *treated* as a refugee unless they convince the status determination authorities of their status – or indeed unless they are given an opportunity to do so. In Malaysia, refugee status confers important short-term benefits of protection from arrest and detention as well as the highly desirable long-term benefit of establishing eligibility for third-country resettlement. However, access to refugee status determination has been difficult (for reasons which are explained in more detail below) and many people who fulfil the criteria of the 1951 Refugee Convention are instead labelled as "asylum seekers" (if they have made an initial registration as such) or are simply "unregistered".[iv] In this article I predominantly refer to the Chin as refugees, reflecting their inherent claim to the label. However, not all have been officially recognised as such.

By agreement with the Government, UNHCR conducts status determination for refugees from Myanmar in Malaysia. Registered refugees are given an identity card confirming their status and requesting authorities to provide the holder with protection. Malaysian authorities are under no legal obligation to recognise these 'UNHCR cards' and at first they had limited protection value. Since around 2009, however, UNHCR has been able to secure greater recognition for refugee cardholders and they now dramatically reduce refugees' risk of street arrest and detention (UNHCR 2010: 29; Crisp et al 2012). This is a powerful protection benefit, undermined by excessively slow status determination processing which takes several years to complete.

Slow refugee status determination (RSD) is a common problem in refugee situations (Jones and Houle 2008; Kagan 2006). In Malaysia, it has been compounded by a policy by UNHCR for community-based

registration. Malaysia is a pilot site for the implementation of UNHCR's Urban Refugee Policy (2009), which advocates UNHCR-community partnerships in the provision of protection to urban refugees. The Malaysia office promoted this in a variety of ways, including by establishing a Community Liaison Unit and special programmes, such as a micro-grants scheme and financial support for refugee-operated community schools (neither of which is currently available for the Chin community in Malaysia). The most radical policy was community-based registration for new arrivals from Myanmar. Under this policy, asylum seekers from Myanmar were no longer permitted to register individually at the UNHCR office but had to register first with a community organisation. UNHCR would then intermittently collect community organisations' membership lists as the basis for a programme of mass "mobile registration", when UNHCR staff would travel around Kuala Lumpur and further afield in Malaysia to register asylum seekers and process their claims. Though publicised as a refugee-centred approach to status determination, mobile registration in fact substantially delayed asylum claims as it was only conducted twice in eight years: once in 2009-2010 and again in 2013-2014.[v]

Community registration attempted to promote UNHCR-community partnerships in a central protection activity but it was deeply flawed in conception and implementation. The plan was criticised by NGOs from the outset, who were concerned that it placed an onerous burden on community organisations, would incentivise fraud in the RSD process, and would exclude Rohingya refugees from RSD (as they lacked a representative organisation) (Amnesty International 2010: 11). These fears were proven all too accurate. UNHCR did not offer training or provide any financial or administrative support to community organisations, which led to inconsistent and inadequate record-keeping. Nor were community organisations provided with any information about the timetable for mobile registration. The result was confusion within the refugee community about the RSD process and a perception that UNHCR was discriminating against refugees from Myanmar (as the only national group placed under this system of community registration) to restrict their access to status determination and therefore to third-country resettlement. Furthermore, by making RSD wholly unpredictable, this policy also encouraged a black market in UNHCR cards.[vi]

Delays in status determination became even more problematic as the protection value of UNHCR cards increased, for as possession of UNHCR cards became more valuable it made their absence more dangerous. Pre-2010, UNHCR cards had little recognition from Malaysian officials and UNHCR was unable to access immigration detention centres. More recently, UNHCR has been able to reach agreement with the Malaysian government to enter immigration detention centres, verify status and secure refugees' release (Jesuit Refugee Service 2012: 13; UNHCR 2010: 29). This was a major success in terms of enhanced UNHCR protection which has again been undermined by slow processing. Chin refugees regularly spend a year or more in detention camps before UNHCR staff verify their status. Refugees, national human rights organisations and even police and Malaysian officials have criticised

the lengthy detention that people endure while waiting for UNHCR to respond (Amnesty International 2010: 10).

The failure of community-based registration highlights an important point about the value and limits of community based protection. Documentation gains its value from official *imprimatur,* not from informal production and while refugee status determination can be delegated by governments to UNHCR, it cannot be effectively conducted by refugees themselves. UNHCR's attempt to use community-based registration was apparently to promote UNHCR/community partnerships and community-based protection. However, not all protection activities can be devolved under "community-based protection" and this misguided policy had significant consequences for the refugee population and for refugee-led organisations, as is discussed in more detail below.

Between security and protection: refugee-led organisations

The securitisation policies of the Malaysian government and the limitations of UNHCR's protection capacity establish the conditions for refugees navigating the city space; and they have established a hostile, threatening environment where "refugees know that their safety and wellbeing depend on their accurate reading and careful negotiation of different spaces and landscapes" (Nah 2010: 29). Chin refugees' experience of Kuala Lumpur is not of Starbucks coffee shops and glitzy shopping malls but of Chin-owned tea-shops and Chin-only churches. Even UNHCR's office is a site of insecurity: it is not accessible by public transport so refugees must take a taxi or walk. Taking a taxi places refugees at risk of extortion, while walking brings risks of theft and assault - and of arrest by opportunistic police and immigration officials who wait in the vicinity of UNHCRs office. The overwhelming fear of threat of arrest and detention encourages a life restricted to a few essential sites: place of residence, place of work, place of worship, with all three ideally located in close proximity.

The threats presented by national policies, and the protection failures of international policies, mean that refugees' ability to navigate life in Kuala Lumpur – and to navigate the city itself - is intimately linked to the effectiveness of their cooperation. Refugee cooperation and organisation has historically been rather under-researched but is attracting growing attention in Malaysia, where Hoffstaedter (2014) has considered Chin "place-making" as a means to counter the liminality inherent in refugees' experience, while Nah has examined issues including the contingent borderscape (2007), the significance of space (2010) and the importance of "self-help" strategies (2014) for refugees. This work, along with studies from other contexts (Menjivar 2000; Landau 2012; Vincent and Sorensen 2001; Bloch et al 2014: 99-125) highlights the centrality of refugees' social networks to their adaptation and even their survival. These are the networks that shape where refugees go when they leave their country of origin, where they stay *en route,* and how they survive when they reach their destination (Khoshravi

2010: 52). They are the sources of information on how to stay safe in dangerous environments. They are the providers of education, of healthcare, of moral and financial support. They are, more often than not, refugees' first port of call in times of need.

Much work on the roles of refugees in refugee protection uses a language of *self-*, including refugee self-protection (South et al 2012), self-reliance (Krause-Vilmar 2011), self-help (Nah 2014; Basu 2010), and indeed my own work on refugee self-governance (McConnachie 2014). However, survival in a difficult protection environment is an intrinsically *collective* endeavour. It requires information-sharing, the transfer of knowledge from longer-established residents to new arrivals, and the pooling of material and non-material resources. This is reflected in the changing policy language of the UNHCR from its *Handbook for Self-Reliance* (UNHCR 2005) to a *Community-Based Approach in UNHCR Operations* (2008) to encouraging UNHCR-community partnerships (UNHCR 2009) and finally to *Understanding Community-Based Protection* (UNHCR 2013a). These policies represent important progress from starkly "top-down" approaches of the past by recognising that refugees and refugee-led organisations are essential partners for effective protection. However, is not clear that they have (yet) influenced UNHCR activities in any meaningful way. A summary of community-based protection in UNHCR activities identifies central "partnership" activities as the production of policy guidance, the participation of refugees in UNHCR training and information workshops, and the promotion of initiatives in the areas of gender, youth and disability protection (UNHCR 2013b). Despite the language of partnership, these activities follow a familiar paradigm of activities that are conceptualised and implemented by international agencies and brought to the refugee community.

This reflects a further and arguably deeper problem, which is a failure to contextualise community-based protection. The refugee community of UNHCR's policies on community-based protection is a generic entity, occupying an unspecified political and temporal space and engaged in activities of discrete scope and impact. In reality, refugee communities are highly contextualised, embedded in extensive governance networks, undertaking activities which shape their members' lives in lasting and perhaps unexpected ways. The discussion below identifies three key areas of activity by Chin refugee-led organisations: organisation, documentation and socialisation. These areas highlight the situated nature of the urban refugee population, including interconnections between refugee-led activities and national/international policies as well as the multiple audiences that are addressed by refugee-led protection activities. It also considers the temporal effects of refugees' activities, including short-term protection function and their long-term sociological impact, defined as 'building ethnic unity in adversity', 'asserting a bureaucratic identity' and 'learning to be illegal'.

Organisation: building ethnic unity in adversity

The importance of community-based social and political networks has been documented among Myanmar's displaced in multiple contexts, including Karen and Karenni refugees living in camps in Thailand (McConnachie 2012, 2014) as well as Kachin, Karenni and Karen IDPs in border territories (Grundy-Warr and Dean 2011; Dean and Grundy-Warr 2003; South et al 2012). This organisational capacity is also apparent in Malaysia, where numerous refugee-led organisations have been established. The first question to consider is the nature and form of institutional organisation; or, more succinctly: where is the community in 'community-based protection'? In his auto-ethnography of illegal migration, Khoshravi (2010: 50-52) notes that "in Karachi and New Delhi, our religious identities made a huge difference to our destinies" and sketches out some of those differences: Iranian Christians had greater access to resettlement in the USA; Jews could claim Aliyah and settle in Israel; Baha'is had established transnational networks to escape persecution in Iran; and for some Muslims, "conversion to Christianity became a migration strategy". Khoshravi's comment highlights two points which merit further consideration: the importance of identities in shaping refugees' migration pathways and the variation between ethnic or religious groups from the same refugee situation. These are points of particular interest in relation to Myanmar, where ethnic nationalities have tended to follow different migration pathways and establish different organisations.

Malaysia is unique among countries hosting Myanmar refugees for the diversity of its population, including refugees from all major ethnic groups in Myanmar. This is reflected in refugee organisations, which include at least one representative organisation for each ethnic nationality. There are two main Chin refugee organisations, the Chin Refugee Committee and Alliance for Chin Refugees, each of which is more accurately described as a coalition. The Chin Refugee Committee (CRC) is a coalition of thirty-two members while the Alliance for Chin Refugees (ACR) has seventeen constituent members. CRC and ACR each claim an active membership of more than 30,000 people. In addition to the 49 constituent organisations of CRC and ACR, there are five independent organisations which originate from Chin State but reject the identity of "Chin": Dai, Falam, Zanniat, Zomi and Zo. There are dozens of Chin Christian churches ('fellowships') that are organised primarily by village of origin and in some cases also by denomination. Further organisations include Chin community schools, community newspapers and even a football league.

These organisations show the continued importance of pre-exile identities to daily life for refugees in Malaysia, as they are primarily organised around ethnic affiliation (which maps onto village of origin, mother-tongue, and religion). However, ethnic affiliation is never straightforward where Myanmar is concerned, and the continued importance of local affiliations highlights an important aspect of contested identity. 'Chin' is the identity category used by the Myanmar government, UNHCR, resettlement agencies and foreign governments but within the community itself (i.e. those classed as 'Chin') ethnic

identity is primarily defined in terms of local regional and linguistic affiliations such as Hakha, Kanpetlet, Lauta, Mara, Matu, Mindat, Paletwa, Senthang, Tedim, Thantlang, Zanniat, Zophei and Zotung (to name but a few). The umbrella identity of Chin aspires to capture all of these groups within its ambit, and is resisted by some who support an alternative umbrella identity (such as Zomi, Zo or Mizo) and by others who reject any umbrella identity at all. The affiliations resulting from this question are fiercely contested and are played out in numerous ways, from quarrels on social media to the choice of language at public events. However, while there is certainly fragmentation and contestation there is also cooperation between these small organisations in (for example) raising funds, attending events, sharing information and helping to solve their members' problems.

The main offices of the Chin Refugee Committee and Alliance for Chin Refugees are both in central Kuala Lumpur, in areas with large populations of Chin (Imbi and Pudu respectively). Local Chin organisations are dispersed throughout the city, with hubs for particular ethnic groups. However, as Nah (2010) recognises, "refugees are […] found in very specific areas. They are not randomly scattered… They live, work, are detained, imprisoned, charged in court, deported, hold demonstrations and ask for help in (broadly speaking) the same places". The result can be understood as a collection of geographically situated ethnic communities, of urban spaces governed by local organisations.

Myanmar and Chin State loom large in the affiliations underwriting Chin refugee organisations. They are also important in shaping alliances with other ethnic groups, including cooperative religious groups (such as Burma Catholics in Malaysia) and cooperation in protection. The latter task has been formalised by a Coalition of Burma Ethnics Malaysia (COBEM), which comprises the Alliance of Chin Refugees, Arakan Refugee Relief Committee, Chin Refugee Committee, Kachin Refugee Committee, Malaysia Karen Organization, Mon Refugee Organization, Organization of Karenni Development, and the Shan Refugee Organization. COBEM recognises that all refugees from Myanmar in Malaysia have similar needs, and seeks to provide an information-sharing structure for its members and a unified voice in representing their needs to the UNHCR. The creation of COBEM was supported by the Chin Human Rights Organisation, an organisation based in Canada with local offices in Myanmar, Thailand and India. COBEM does not include Burman or Rohingya organisations, reflecting political alliances prevailing inside Myanmar.

This overview shows that 'local' refugee organisations are themselves multi-layered. The most local organisations (particularly community leaders and Pastors) are organised around Chin "sub-ethnic" affiliations and are typically the first port of call for those facing difficulties. The most effective local organisations provide interpreting and accompaniment for health care and official meetings, organise regular worship services, raise funds and can assist with getting their members released from police lock-ups. Less effective organisations include those where the community leader works full-time and

has limited availability, where the community leader is himself a relatively recent arrival in Malaysia, and those where the community leader does not speak Bahasa or English. This is unfortunately the more common scenario, as people who have been in Malaysia for a long time or have language fluency are more employable and cannot afford to turn down a salary to work for a community organisation.

The Chin Refugee Committee plays a prominent role in gathering and disseminating information across the Chin community as a whole, and in reporting the needs of Chin refugees and asylum seekers to UNHCR and any other relevant organisations (CRC 2012). They also provide interpreters and accompaniment for health care visits, assist with resettlement applications (including a formal relationship with the Australian embassy), help their members in dealing with employers, and try to deal with security and detention concerns (discussed further in relation to 'learning to be illegal', below). The next layer of community governance is COBEM, which largely concerns itself with "general issues that affect a majority of community members, rather than …. specific issues related to individual cases." (Jesuit Refugee Service 2012: 37). These organisations are limited in resources and by their refugee status but they are nevertheless conducting important and diverse protection activities. Perhaps their most important contribution is one of moral support and the opportunity to, as several people told me, "Share our joys and our sorrows."

These organisations respond to the unique circumstances and needs of Kuala Lumpur and as such have direct and immediate protection value for refugees. However, there are also longer-term consequences for the construction of identity. The large number of Chin organisations reflects fragmented conceptions of Chin identity. Refugee-led organisations have been constituted by this identity fragmentation but they have also had a constitutive effect, generating a sense of 'unity in adversity' that has, to some degree, papered over the cracks and fissures of Chin ethnic identity. This, combined with new cooperation across Myanmar's ethnic nationalities, shows a softening of pre-exile identities and perhaps the moulding of a new sense of ethnic organisation.

Documentation: Asserting a bureaucratic identity

The structure of Chin organisations is shaped by identities and affiliations in Myanmar but their activities are dictated by conditions in Malaysia. Refugee children are not allowed to attend Malaysian schools so 'community learning centres' are run by the refugee community to offer basic education to their children. Most Chin refugees cannot speak English or Bahasa Malay so community leaders serve as or find translators for hospital visits or other official encounters. Refugees have no right to work, so some community-led organisations maintain lists of 'approved' and 'blacklisted' employers and will help their members to find jobs or negotiate with employers in the event of non-payment or other difficulties. The most important area of work for refugee-led organisations is to try and address – so far

as possible - their members' insecurity. Of course, in the face of arrest, detention and deportation, refugee-led organisations are severely limited in both capacity and authority. The Chin Refugee Committee has a designated "Security Department", with staff members who track the arrest and detention of any members and seek to negotiate their arrest. Often they are notified of arrest by the person who has been arrested; sometimes they are contacted by the police themselves. CRC's staff members then visit the police 'lock-up', speak to the police and the detainee and then usually coordinate payment of a bribe to secure their release. CRC also plays an important role by collating information about arrest and detention and circulating it to UNHCR and other relevant authorities (see CRC 2012).

As mentioned, the most powerful protection from arrest and detention in Malaysia is a UNHCR card confirming the holder's refugee status. As UNHCR cards have become both increasingly valuable and increasingly difficult to obtain, unregistered refugees have adopted a number of compensatory strategies, including acquiring fake documentation and acquiring legitimate UNHCR cards by fraudulent means (The Star 2017; Al-Jazeera 2014; Nah 2014). There is also a widespread use of informal documentation, known as "community cards" which are issued by refugee-led organisations as evidence of initial registration and as a form of standby ID until the UNHCR RSD is complete. Community cards are issued by the Chin Refugee Committee, Alliance for Chin Refugees, and many smaller organisations (see CRC 2012: 18). These cards all follow a similar template: laminated ID cards which visually echo official UNHCR cards in colour, font and layout. Organisations typically charge an annual membership fee of between MR50 and MR75 (approximately US$15-20), with the card as proof of membership. Community cards thus formalise the protection offered by refugee-led organisations. Members pay a small membership fee to community organisations and receive a membership card. By doing so, they gain a measure of representation, care and support that would otherwise be wholly absent. Membership fees have been criticised by UNHCR and other agencies as a charge for protection services that should be provided free of charge. However, these fees are the primary or sole source of funding for most community organisations. Furthermore, most members do not renew their cards annually and running costs are a constant challenge for community-based organisations.

Acquiring documentation (whether fake or real) is an essential component of refugees' survival in highly securitised environments. For refugees and migrants, the types of "paperwork that mediates … risky interactions" is vast and varied, from work permits to passports to official letters and medical histories (Reddy 2015: 252). The role of communities in the *production* of documentation is less widely recognised but it is a key strategy for managing insecurity in Malaysia. Community-issued cards have no formal authority and certainly don't provide protection equivalent to the UNHCR card. However, they are not worthless. In Thailand, Reddy (2010: 253) found informal forms of paperwork could indeed "work" at security checkpoints and police stations. Similarly in Malaysia (particularly in areas where

there are few refugees and where officials are less familiar with UNHCR cards) a community card can have genuine protection value.

Refugee status has important benefits for the Chin that cannot be replicated by informal documentation (particularly eligibility for third-country resettlement), but informal documentation performs a number of other useful functions. This is a protection strategy which operates at multiple levels and seeks to influence multiple audiences. Community cards are a source of funding for refugee-led organisations but they also provide proof of initial registration to UNHCR (as an essential process towards accessing international protection) and attempt to establish a protected status *vis-à-vis* Malaysian authorities. Furthermore, community cards offer a means for cardholders to explain themselves to officials, as a refugee and as a Chin (or other ethnic identity). As such, community documentation is a strategy for promoting security among refugees in Kuala Lumpur but it is also an assertion of identity and perhaps even a mechanism of protest and resistance. There are parallels here with the uses of documentation as a "visibility project" among Palestinian refugees, as described by Feldman (2008).

Socialisation: Learning to be illegal

Chin State is the least developed region of one of the world's least developed nations. It is a remote, mountainous area scattered with small villages that are linked by the barest transport infrastructure. The metropolis of Kuala Lumpur demands an enormous adjustment: dense overpopulation, noise and neon lights in a 24-hour city, multi-lane highways. The "migrant metropolis" (De Genova 2015) presents even bigger challenges: police extortion, arrest and detention; labour exploitation; landlord exploitation; theft and assault by gangs who know that these communities will never turn to the police. Community organisations play a vital role in socialising their members to this new environment. Gonzales (2011) has documented the ways in which Latino youth in the US "learn to be illegal". He uses this term to describe young people who arrived in the US as infants and become aware of their undocumented status in adolescence. In his analysis, learning to be illegal is a form of coming to terms with illegality and its attendant stigma, prejudice and life constraints. In Malaysia, Chin organisations help their members "learn to be illegal" by educating them about risks and – as far as possible – strategies to reduce risk.

On the one hand, the challenges of survival in an urban context are met by organisation, mobilisation and the pursuit of safety in numbers. On the other hand, the risks of securitisation require refugees to live below the radar, going unnoticed as far as possible. This tension between recognition and invisibility lies at the heart of the experience of Chin refugees in Kuala Lumpur – and of many other refugee populations around the world. Socialisation activities take place at multiple levels, through all the organisational forms outlined above: village leaders and local ethnic organisations; churches; and

the larger coalitions of Chin Refugee Committee, Alliance for Chin Refugees and the Coalition of Burma Ethnics in Malaysia. Much of their work consists in collating and circulating information, through community meetings and home visits, announcements in church, and community newsletters. New media technologies are also much in evidence, with almost universal ownership of smart phones and widespread use of Facebook, Hi-5, WhatsApp and other social media. Traditional media is also important. Three Chin-language newspapers are published weekly and sold around tea-shops or at church on a Sunday morning. These newsletters carry information about conditions back in Myanmar, including news from Chin State as well as national level political discussions and debates. They also carry information about the situation in Malaysia, including reports of arrests and immigration raids, of community members injured or killed, and information about new UNHCR policies or programmes. In 2014, when UNHCR's mobile registration was underway, community-led activities played an important role in notifying Chin throughout Malaysia when and how they would be registered. This was a massive process of community mobilisation, as members had to be informed of registration dates (so that they could arrange time off work) and of registration centres (so that they could arrange transport) and prepared for the registration process itself. The production of "bio-data" such as date of birth, name, parents' names, date of arrival in Malaysia and contact information is essential to the bureaucratic process of refugee status determination but reciting such information is far from straightforward for people who are illiterate and may not know their own date of birth, far less that of their parents or siblings. Chin community organisations also had to provide interpreters for all the languages that their members would use; no easy task given the diversity of Chin languages and the logistics of ensuring that interpreters could be available on the day and at the time required by UNHCR.

More generally, beyond the context of UNHCR policies, collation and dissemination of information is an important protection activity of community organisations. For example, community organisations advise their members on how to react if they are stopped by an official or if they are arrested. They explain different authorities and their powers, so that refugees can distinguish between traffic police (who have no authority to arrest undocumented migrants and therefore do not need to be bribed), ordinary police (who can arrest, but can also often be bribed into releasing people without charge) and immigration police (who very rarely accept bribes and will almost certainly prosecute). This advice seeks to protect refugees from the direct threats of immigration policing. However, urban refugees in Kuala Lumpur must also guard themselves against being reported to the authorities by (for example) a disillusioned employer, zealous nurse or doctor or disgruntled neighbour. Several Chin organisations have embarked upon community-relations campaigns intended to build better relationships with their Malaysian neighbours. This has included local clean-up operations (collecting litter, cleaning or even repainting apartment common areas) and organising neighbourhood watch-style community patrols to try to reduce crime. These activities are intended to improve conditions for the Chin community but

also to improve their security by reducing the chance that a neighbour will report them to immigration authorities.

Concluding reflections

This article has detailed some of the practices and processes through which Chin refugees in Kuala Lumpur navigate an intensely insecure environment. This is an urgent area of inquiry in a global context of increasing refugee urbanisation and of escalating securitisation. From a theoretical perspective, scholarship on lived experiences of securitisation can build on the emerging criminology of mobility and extend its focus beyond formal legal institutions and Anglophone jurisdictions (Loftus 2015; Barker 2012). Understanding refugees' responses to securitisation is also increasingly important from a policy perspective. Renewed interest in community-based protection must be accompanied by critical examination of community-led organisations, in recognition that informal "mechanisms of refugee management" (Feldman 2008: 501) may be just as complex and just as consequential as the well-studied institutions of humanitarian governance.

Malaysian policies have established an environment in which refugees are policed intensely and "the border is everywhere" (Nah 2007). The UNHCR is the only international entity working with refugees in the country and its policies have enhanced protection for registered refugees in some areas, such as gaining greater respect for the cards from Malaysian officials. However, slow processing times and the poorly-conceived policy of community-based registration restricted access to status determination for thousands, perhaps even tens of thousands, of people. This has been compounded since 2016 by UNHCR's position that the Chin as a group no longer have a well-founded fear of persecution if they returned to Myanmar. As status determination has become ever-harder for refugees to access, both short-term and long-term security is threatened. Chin refugees in Kuala Lumpur have responded to their condition of "deportability" in an organised fashion. As in De Genova's "migrant metropolis" (2015), Chin refugees in Kuala Lumpur exist in a "mutually constituting environment with the securitised city". National and international policies shape the movement of refugees around the city and affect their choices of residence, workplace and travel: but these choices are also shaped by the nature of the refugee community. Chin refugees largely choose to live in the areas where other refugees live, clustering around ethnic and kinship relationships.

A number of points can be identified from the Chin experience that are of wider relevance. First, the "community" in community-based protection is not necessarily a straightforward entity but can be a complex expression of identity, affiliation and association which is itself in a constant process of becoming. Second, "community-based protection" is not purely local but multi-sited, shaped by

conditions in the country of origin, responding to conditions in the hosting country, and attentive to international and global refugee policy (particularly with regard to durable solutions such as resettlement). The construction of Chin community organisations is clearly linked to pre-exile identities in Myanmar and remains closely engaged with home communities. There is also an influence from diaspora, including support (financial or otherwise) from family members and former community members that have resettled, or from Chin churches in resettlement countries (primarily the US and Australia). Third, community-based protection is not purely a phenomenon of the present. The activities of Chin community organisation are carried out in the present conditions of 'refugeeness', but the organisations and their members occupy a temporal frame that reaches back into the period before exile and forward into countries of resettlement or return to Myanmar. This indicates the (largely unrecognised) potential for local agency to influence macro-level processes and choices. Chin community organisations help their members to survive the constraints of a highly securitised environment, but they are also structures with potential long-term effects in relation to (e.g.) the construction of Chin identity, durable solutions preferences for refugees in Malaysia, and the migration choices of others in Chin State who are drawn to Malaysia by the stories of those who have left, and by the networks and associations that have led the way.

Last, but certainly not least, recognising relationships and interactions between layers and scales of governance does not mean that these are interchangeable structures. As the example of UNHCR's community-based registration policy illustrates, core international protection activities cannot be delegated to refugees themselves. Community-based protection can certainly play an important role in refugee situations, but international protection remains essential.

REFERENCES

Aas K and Bosworth M (2013) *Migration and Punishment.* Oxford UK: Oxford University Press.

Bosworth M (2014) *Inside Immigration Detention*. Oxford UK: Oxford University Press.

ActionAid (2010) *Safety with Dignity: A field manual for integrating community-based protection across humanitarian programs.*

Aliverti A (2013) *Crimes of Mobility: Criminal Law and the Regulation of Immigration*. Abingdon UK: Routledge.

Amnesty International (2010) *Abused and Abandoned – Refugees Denied Rights in Malaysia*.

Amnesty International (2011) *Malaysia: Govt reveals nearly 30000 foreigners caned.*

APRRN (Asia-Pacific Refugee Rights Network) (2013) *Urban Refugees in Asia Pacific Resiliency and Coping Strategies – National Consultations: Bangkok*. Available at http://www.aprrn.info/1/images/PDF/national-consultations-thailand-2013.pdf.

Azis A (2014) Urban Refugees in a Graduated Sovereignty: the experiences of the stateless Rohingya in the Klang Valley. *Citizenship Studies* 18/8: 839-854.

Bakewell O (2010) Some Reflections on Structure and Agency in Migration Theory *Journal of Ethnic and Migration Studies* 36(1): 1689-1708.

Betts A, Bloom L, Kaplan J, Omata N (2016) *Refugee Economies.* Oxford, UK: Oxford University Press.

Bloch A, Sigona N, Zetter R (2014) *Sans Papiers: The Social and Economic Lives of Young Undocumented Migrants*. Pluto Press.

Bosworth M (2014) *Inside Immigration Detention*. Oxford, UK: Oxford University Press.

Bunnell T and A Nah (2004) Counter-global Cases for Place: Contesting Displacement in Globalising Kuala Lumpur Metropolitan Area. *Urban Studies* 41/12: 2447-67.

Chacon J.M (2009) Managing Migration Through Crime *Columbia Law Review* 109: 135-48.

CRC (Chin Refugee Committee) (2012) *Annual Report*. Available at: https://anthropolitics.files.wordpress.com/2015/05/crc-report-2012-final-11-01-2013.pdf

Crisp J, Obi N, Umlas L (2012) *But when will our time come? A review of the implementation of UNHCRs urban refugee policy in Malaysia.* UNHCR Policy Development and Evaluation Service.

Crisp J, Morris T, Refstie H (2010) Displacement in urban areas: new challenges, new partnerships. *Disasters* 36: 23-42.

Crisp J (2010) Surviving in the city. *Forced Migration Review* 34: 40-41.

Dauvergne C (2008) *Making People Illegal: What globalisation means for migration and law.* Cambridge, UK: Cambridge University Press.

Dean K and Grundy-Warr C (2003) The Boundaries of Contested Identities: Kachin and Karenni Spaces in the Troubled Borderlands of Myanmar in E Berg and H Van Houtum eds. *Routing Borders Between Territories: Discourses and Practices*. Farnham, UK: Ashgate.

De Genova N (2002) Migrant illegality and deportability in everyday life. *Annual Review of Anthropology* 31: 419-447.

De Genova N (2015) Border Struggles in the Migrant Metropolis. *Nordic Journal of Migration Research* 5(1): 3-10.

Duvell F (2011) Paths into Irregularity: The Legal and Political Construction of Irregular Migration *European Journal of Migration and Law* 13: 275-295.

Equal Rights Trust (2014) *Equal Only in Name: the Human Rights of Stateless Rohingya in Malaysia.*

Fábos A and Kibreab G (2008) Urban Refugees: Introduction *Refuge* 24/1: 3-9.

Fassin D (2011). Policing borders producing boundaries: The governmentality of immigration in dark times. *Annual Review of Anthropology* 40: 213-26.

Feldman I (2008) Refusing Invisibility: Documentation and Memorialization in Palestinian Refugee Claims *Journal of Refugee Studies* 21(4).

Franck A (2014) Negotiation Borders: Everyday Corruption and Immigration Policing in Malaysia Paper for ISA New Orleans February 2014.

Gonzales R G (2011). Learning to Be Illegal: Undocumented Youth and Shifting Legal Contexts in the Transition to Adulthood. *American Sociological Review.* 76/4: 602-619.

Grundy Warr C and Dean K (2011) Not Peace Not War: The Myriad Spaces of Sovereignty Peace and Conflict in Myanmar/Myanmar in S Kirsch and C Flint *Reconstructing Conflict: Integrating War and Post-War Geographies.* Farnham, UK: Ashgate 91-114.

Hammerstad A (2010) UNHCR and the Securitization of Forced Migration in A. Betts and G. Loescher eds. *Refugees in International Relations*. Oxford: Oxford University Press.

Harrell-Bond B (1986) *Imposing Aid: Emergency Assistance to Refugees*. Oxford: Oxford University Press.

Healey R (2006) Asylum-seekers and refugees: a structuration theory analysis of their experiences in the UK *Population Space and Place* 12(4): 257-71.

Health Equity Initiatives (2012) *Forced Labour Human Trafficking and Mental Health: The experiences of refugees and asylum seekers in Malaysia*.

Hoffstaedter G (2014) Place-making: Chin refugees, citizenship and the state in Malaysia. *Citizenship Studies* 18/8: 871-884.

Ho E and Chua L (2016) Law and race in the citizenship spaces of Myanmar: Spatial strategies and the political subjectivity of the Burmese-Chinese. *Ethnic and Racial Studies* 39(5): 896-916**.**

Jesuit Refugee Service (2012) *The Search – Protection Space in Malaysia Thailand Indonesia Cambodia and the Philippines.*

Jones M and Houle F (2008) Building a Better Refugee Status Determination System *Refuge* 25(2).

Kagan M (2007) Legal Refugee Recognition in the Urban South: Formal v de Facto Refugee Status *Refuge* 24(1).

Kibreab G (1993) The Myth of Dependency among Camp Refugees in Somali 1979-1989 *Journal of Refugee Studies* 6(4): 321-49.

Khoshravi S (2010) *Illegal Traveller: An auto-ethnography of borders.* Palgrave Macmillan.

Loftus B (2015). Border regimes and the sociology of policing. *Policing and Society*. 25/1: 115-125.

Lotta-Hedman E (2008) Refuge Governmentality and Citizenship: Capturing Illegal Migrants in Malaysia and Thailand *Government and Opposition* 43/2: 358-83.

McConnachie K (2012) Rethinking the Refugee Warrior: the Karen National Union and Refugee Protection on the Thai-Burma Border *Journal of Human Rights Practice* 4(1): 30-56.

McConnachie K (2014) *Governing Refugees*. Abingdon, UK: Routledge.

Menjivar C (2000) *Fragmented Ties: Salvadoran Immigrant Networks in America*. Berkeley: University of California Press.

Mohd Don Z and Lee C (2014) Representing immigrants as illegals threats and victims in Malaysia: Elite voices in the media. *Discourse Society* 1-19.

Nah A (2014) Seeking refuge in Kuala Lumpur: Self-help strategies to reduce vulnerability amongst refugees. In S.G. Yeoh ed. *The other Kuala Lumpur: Living in the shadows of a globalising Southeast Asian city.* Abingdon, UK: Routledge.

Nah A (2011) Legitimising Violence: the impact of public crackdowns on migrant workers and refugees in Malaysia. *Australian Journal of Human Rights* 17/2: 131-157.

Nah A (2010) Refugees and space in urban areas in Malaysia *Forced Migration Review.* 34: 29-31

Nah A (2007) Struggling with (Il)Legality: The Indeterminate Functioning of Malaysia's borders for Asylum Seekers, Refugees, and Stateless Persons in P. K. Rajaram and C. Grundy-Warr eds. *Borderscapes: Hidden Geographies and Politics at Territory's Edge.* Minneapolis and London: Minnesota University Press.

Reddy M (2015) Identity Paper/Work/s and the Unmaking of Legal Status in Mae Sot Thailand. *Asian Journal of Law and Society* 2: 251.

Smith A (2012) *In Search of Survival and Sanctuary in the City: Refugees from Burma/Myanmar in Kuala Lumpur Malaysia.* International Rescue Committee.

South A, Harragin S, Corbett J, Horsey R, Kempel S, Frojmark H, Carstensen N (2012) *Local to Global Protection in Myanmar (Burma) Sudan South Sudan and Zimbabwe*.

SUARAM (2008) *Undocumented migrants and refugees in Malaysia: Raids Detention and Discrimination.*

Ullah A (2013) Irregular Migrants Human Rights and Securitization in Malaysia: An Analysis from a Policy Perspective. In Claudia Tazreiter and Siew Yean Tham eds. *Globalization and Social Transformation in the Asia-Pacific: The Australian and Malaysian Experience*. Palgrave Macmillan.

UNHCR (2014) *Policy on Alternatives to Camps.* Available at: http://www.unhcr.org/5422b8f09.pdf.

UNHCR (2014) *Empowering Community-Based Organisations in Refugee Settings.* Available at: http://www.unhcrexchange.org/topics/15192/contents/185396.

UNHCR (2013a) *Understanding Community-Based Protection.* Available at: http://www.refworld.org/pdfid/5209f0b64.pdf.

UNHCR (2013b), *Community-based Protection,* 4th June 2013 EC/64/SC/CRP.14. Available at http://www.refworld.org/docid/5209f0344.html.

UNHCR (2010) *Global Report: Malaysia.* Available at: http://www.unhcr.org/uk/publications/fundraising/4dfdbf5516/unhcr-global-report-2010-malaysia.html

UNHCR (2009) *Policy on Refugee Protection and Solutions in Urban Areas.* Available at: http://www.unhcr.org/4ab356ab6.pdf.

UNHCR (2008) *A Community-Based Approach in UNHCR Operation.* Available at: http://www.unhcr.org/uk/publications/legal/47ed0e212/community-based-approach-unhcr-operations.html.

UNHCR (2005) *Handbook for Self-Reliance.* Available at: http://www.unhcr.org/44bf7b012.pdf

Valverde M (2011) Questions of Security: A framework for research. *Theoretical Criminology*. 15/1: 3-22.

Valverde M (2015) *Chronotopes of Law: Jurisdiction Scale and Governance*. Abingdon, UK: Routledge.

Valverde M (2010) Practices of Citizenship and Scales of Governance *New Criminal Law Review* 13(2): 216-240.

Weber L (2013) *Policing Non-Citizens*. Abingdon, UK: Routledge.

Women's Refugee Commission (2010) *Dawn in the City: Guidance for Achieving Urban Refugee Self-Reliance*.

Zedner L (2010) Security, the state and the citizen. *New Criminal Law Review* 13/2: 379-403.

Zetter R (1991) Labelling Refugees: Forming and transforming a bureaucratic identity *Journal of Refugee Studies* 4(1).

---

[i] At end January 2017, UNHCR Malaysia had registered 150,430 refugees and asylum seekers. This included 133,856 people from Myanmar, including 56,135 Rohingya and 39,967 Chin. See https://www.unhcr.org.my/About_Us-@-Figures_At_A_Glance.aspx, last accessed 9th March 2017.

[ii] Interview of 23rd November 2012.

[iii]The International Rescue Committee (IRC) has a limited role in Malaysia, delivering cultural orientation workshops to refugees scheduled to depart for third country resettlement. However, IRC's presence in Malaysia is secured through UNHCR rather than under its own agreement with the Malaysian government.

[iv] At the end of 2016, UNHCR Malaysia had registered nearly 40,000 Chin refugees and asylum-seekers (no breakdown of these categories is available). The Chin refugee community claim that there are also more than 10,000 unregistered Chin refugees and asylum seekers in Malaysia. Unregistered refugees have no documentation and are at particular risk.

[v] Asylum seekers registered in the most recent mobile registration were issued with UNHCR cards which look almost identical to the cards possessed by refugees, save that they identify the holder as an asylum seeker registered with UNHCR rather than as a refugee.

[vi] Al-Jazeera, *Malaysia's Unwanted,* (2014), available at http://www.aljazeera.com/programmes/101east/2014/11/malaysia-unwanted-20141118111742722400.html (Accessed 12th March 2017). The documentary shows refugees discussing and meeting alleged UNHCR staff who promise to provide a UNHCR card in exchange for payment. The revelations in this documentary had repercussions for relationships between the Chin refugee community and UNHCR, and between UNHCR and the Malaysian government.