

From Marginalisation to Dignity: Reframing Malaysia's Refugee Governance through Islamic Principles and the Role of Islamic Institutions

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Abstract

Refugees are among the most vulnerable communities, frequently exposed to exploitation and discrimination. In Malaysia, refugees face significant legal and social barriers due to the country's status as a non-signatory to the 1951 Refugee Convention. As a result, they are denied access to basic human rights such as education, healthcare, and employment, and remain at constant risk of deportation. This article aims to explore the challenges and realities faced by Muslim refugees in Malaysia, focusing on how Islamic principles can be applied to protect them. Furthermore, this article examines the extent to which Islamic institutions have the potential to contribute to national policy development concerning the rights and needs of Muslim refugees. A qualitative approach, utilising content analysis, is employed to examine these issues. The study concludes that Islamic institutions play a significant role in supporting and assisting Muslim refugees. These institutions can make meaningful contributions to refugee protection efforts while ensuring that national policy formulation is aligned with Islamic principles and the protection of refugee rights. By operationalising Islamic principles through *Maqasid al-Shariah* and leveraging Islamic social finance, these institutions can establish a holistic protection framework, thereby translating Islamic ethical principles into actionable national policy and ensuring the dignity and well-being of Muslim refugees in Malaysia.

Keywords: Islamic Institutions; Islamic Principles; Muslim Refugees; Protection; Refugee Rights

Introduction

In recent years, the international crisis surrounding refugees has drawn increasing global attention,¹ making the discourse no longer a marginal issue in international communities. The global protection of refugees has now been integrated into the Sustainable Development Goals 2030 (SDG 2030) agenda. The global crises we face today, caused by wars, humanitarian crisis, conflicts, and unstable geopolitics, have contributed to a wave of worldwide instability. These situations threaten the human rights of affected individuals and have led to large-scale movements of refugees. The issue of refugees has therefore become increasingly significant, as it reflects the severity of complex security crises occurring around the world. This reality also affects Southeast Asian countries, including Malaysia, as many refugees choose this country as a place to seek protection. In this context, it is essential to examine this phenomenon from an international perspective and to understand the humanitarian responsibilities that are involved.

In Malaysia, the number of refugees recorded by the United Nations High Commissioner for Refugees (UNHCR) remains high, although the trend of their arrival fluctuates over time. As of the end of May 2025, a total of 200,260 refugees were registered with UNHCR Malaysia.² Despite Malaysia's position as a non-signatory to the 1951 Refugee Convention and the 1967 Protocol, this has not deterred refugees from seeking asylum in the country. However, there is no legal framework within Malaysia's legal system that regulates refugee affairs administratively.³ Consequently, Malaysia lacks a specific policy on refugee management, creating challenges in addressing the ongoing influx of refugees into the country. Meanwhile, existing refugees in Malaysia continue to face numerous challenges, such as the absence of legal status, limited access to education, healthcare, employment opportunities, and the constant risk of deportation.⁴ Nevertheless, these barriers have not discouraged refugee communities from remaining in Malaysia as a place of refuge.⁵ For the majority of Muslim refugees who constitute the dominant group among refugees in Malaysia, the country's religious identity serves as one of the main reasons they choose to settle here.⁶

Unfortunately, there is no specific government ministry or agency responsible for handling refugee issues in Malaysia, primarily due to the absence of a well-established legal framework governing refugee matters. Given that Islam is the religion of the Federation, it is unsurprising that Islamic institutions could take a proactive stance in addressing the needs of Muslim refugees. Although no legal mandate compels Islamic institutions to be involved, Islamic principles and Shariah obligations provide strong moral justification for their engagement with Muslim refugee communities. This gap in the literature underscores the need for further research to investigate the potential roles of Islamic stakeholders in addressing refugee issues. Furthermore, Islamic values related to refugee protection, as discussed in previous literature, are often treated in a general manner. Although the principle of *Maqasid al-Shariah* is widely recognised in contemporary social issues in Malaysia, they are seldom examined critically in discussions about the rights of Muslim refugees. Therefore, this paper aims to emphasise these principles by underlining the importance of safeguarding religion, life, intellect, lineage, and property for Muslim refugees. It also seeks to clarify the potential role of Islamic institutions in Malaysia and their capacity to utilise Muslim community funds to address this matter effectively.

Malaysia has a range of Islamic institutions at both federal and state levels that manage Islamic affairs. These include State Islamic Religious Councils, State Mufti Departments, State Syariah Judiciary Departments, State Islamic Religious Departments, and state zakat centres. At the federal level, agencies such as the Department of Islamic Development Malaysia (JAKIM) and the Department of Waqf, Zakat and Hajj (JAWHAR) also have the capacity to contribute. Given that Muslim refugees outnumber non-Muslims in Malaysia,⁷ these Islamic institutions have significant potential to provide protection and assistance in addressing the social crises faced by Muslim refugees. However, their intervention remains minimal.⁸ This situation raises critical questions about how the local Muslim community in Malaysia can protect Muslim refugees when religious institutions with the authority and influence to do so remain passive. Furthermore, can leaving refugees in Malaysia unregulated truly be considered a viable solution? This reality calls for greater advocacy toward a comprehensive Islamic legal framework to manage refugee issues,⁹ particularly through the involvement of Islamic institutions in formulating Islamic-based social security and protection policies,¹⁰ that are sensitive to the needs of Muslim refugees.

Given the absence of a specific refugee policy in Malaysia, especially one addressing Muslim refugees, the academic gap this article seeks to address is the extent to which Islamic principles can be applied in responding to this issue. Therefore, this article aims to examine Islamic principles as the foundational framework for protecting Muslim refugees. In the Malaysian context, this principle has yet to be fully integrated into social practice¹¹ and remains underutilised in managing refugee

communities.¹² Islamic institutions responsible for Muslim affairs play a crucial role in safeguarding marginalised and vulnerable groups, including Muslim refugees.¹³ Although these institutions have undertaken some initiatives to assist refugees in recent years, such efforts have been seasonal and unsystematic. Therefore, Islamic principles should serve as the guiding principles for these institutions to ensure comprehensive and sustainable protection through an Islamic perspective. Moreover, it can indirectly reinforce the obligation of key stakeholders to interpret the 'non-refoulement' principle through an Islamic lens.¹⁴ However, the role and approach of Islamic institutions in this matter remain unclear, whether their engagement truly reflects Islamic principles, or is limited by bureaucratic and jurisdictional constraints.

In this regard, it is essential to examine the potential contributions and support that Islamic institutions in Malaysia can offer to Muslim refugees. Their participation and influence are vital in guiding the Muslim community to strengthen religious solidarity with refugees. Additionally, the potential of Islamic social finance and philanthropy in Malaysia should be explored to advance this protection agenda further. Additionally, this article aims to analyse the challenges faced by Muslim refugees in Malaysia, explore how Islamic principles, such as *Maqasid al-Shariah*, can serve as a foundation for refugee protection, and highlight examples of Islamic social finance initiatives from selected Muslim countries that have successfully supported refugee welfare.

Literature Review

Challenges and Bureaucratic Faced by Muslim Refugees in Malaysia

Humanitarian crises, wars, discrimination, and persecution in several countries around the world have forced their citizens to seek asylum in other nations.¹⁵ Refugees and asylum seekers are categorised as migrants without official citizenship documents, making them vulnerable to detention and deportation.¹⁶ Some of these communities are offered temporary protection initiatives in host or transit countries before being relocated to third countries. Malaysia is among the countries chosen by many Muslim refugees as a transit destination, mainly due to shared religious and cultural identities, as well as its Muslim-majority population.¹⁷ Furthermore, factors such as geographical proximity, political stability, a sound socio-economic environment, and the relative acceptance of local communities also attract refugees to seek protection in Malaysia.¹⁸

However, the legal status of refugees in Malaysia remains in a grey area.¹⁹ They are tolerated only on humanitarian grounds,²⁰ without any formal regulation or government recognition. Malaysia has been forced to adopt ad-hoc mechanisms to manage them,²¹ relying largely on limited protection initiatives implemented by non-governmental organisations (NGOs) and civil society organisations (CSOs) with constrained funding.²² Muslim refugees in Malaysia face complex social and bureaucratic challenges. This is mainly because there is no legal framework or national policy that explicitly protects their rights. Consequently, they are excluded from accessing basic services and public support, including education, healthcare, socio-economic opportunities, the right to survival, and social participation.²³ This situation indirectly affects Malaysia's social system due to the scattered distribution of refugee communities across various states, which complicates efforts to coordinate and centralise assistance.

One of the key issues facing Muslim refugees in Malaysia is the lack of formal recognition of their refugee status, as well as the question of citizenship for children born to refugees in the country. Many refugees enter Malaysia via irregular border crossings and lack travel documents due to conflict or war in their homelands. Consequently, they face arrest and deportation by authorities, putting them at further risk of danger and persecution. In such instances, the UNHCR is responsible

for conducting Refugee Status Determination (RSD) based on a credible fear of persecution in their country of origin, in line with international law. Once verified, refugees receive a UNHCR identity card as an official document confirming their status. However, in practice, this card does not confer any formal legal status. Malaysia has recently made efforts to develop a policy that enables birth registration for all children, regardless of ethnicity, nationality, or the legal status of their parents. Nonetheless, there remains no standardised national framework to implement this initiative. The process is delayed owing to overlapping jurisdictions between the Ministry of Home Affairs (KDN) and the UNHCR in managing refugee data. In terms of education, refugee children face a high risk of educational deprivation,²⁴ as they are not permitted to enrol in government schools.²⁵

Although they can attend alternative learning centres (ALCs), these are mostly privately run and funded by NGOs. Unfortunately, many refugee families live far from these centres, leading to high transportation costs.²⁶ Private school fees are also too expensive for most families to afford.²⁷ The majority of refugee children miss out on early education, particularly since the COVID-19 pandemic.²⁸ Sadly, those deprived of schooling are often forced to work in informal sectors to support their families. Such circumstances clearly contradict the moral and legal obligations under the Convention on the Rights of the Child (CRC), which requires State Parties to ensure access to education for all children within their borders. Since Malaysia has ratified the CRC, the best interests of refugee children should be prioritized.²⁹ This is reflected in key CRC provisions, such as non-discrimination (Article 2), the best interests of the child (Article 3), and special protection for children seeking asylum (Article 22).

Furthermore, refugees also struggle to access proper healthcare services. Many are engaged in hazardous, low-paid, and unsafe work, which increases their vulnerability to illness. Treatment in public hospitals is costly, as they are charged at foreigner rates, although a 50% subsidy may be available. This economic strain forces refugees to ration medications obtained through unofficial means or even smuggled from neighbouring countries. Additionally, poor nutrition among refugee children due to financial hardship affects their growth and development. Housing remains another major challenge. Refugees have limited options for safe and stable accommodation, often living in unhygienic, overcrowded, and unsafe areas with poor infrastructure. These conditions expose them to infectious diseases caused by unhealthy environments. The inconvenient locations of their settlements, often far from hospitals, supermarkets, and public transportation, further isolate them from essential services. Thus, unhygienic environments also contribute to environmental degradation and compromise the quality of ecosystems within the country.

In pursuit of better livelihoods, many refugees find it difficult to secure fair employment with decent wages. They face prejudice and rejection from employers due to their refugee status and lack of valid work permits. Consequently, many are forced to accept low-paying, exploitative, and informal jobs. Despite their hard work, poverty continues to trap them and their families. Only refugees holding UNHCR identification cards are permitted to work in certain sectors under limited conditions. From an economic perspective, refugees are also barred from opening bank accounts due to the absence of legal identification, leaving e-wallets such as Touch'nGo as their only financial option. Refugee communities also face societal stigma, as they are often seen as 'outsiders', 'illegal immigrants', or 'individuals without permits'. Rising xenophobia has further intensified discrimination against them, especially during the COVID-19 pandemic. Public stereotypes often portray refugees as competing with local citizens for government aid and almsgiving funds. Such narratives, amplified by mainstream media, have fuelled resentment and diminished community solidarity towards vulnerable groups. All these challenges illustrate how refugees' dignity is diminished, as they are treated as less than equal human beings. The Malaysian government's so-called 'humanitarian policy', which tolerates refugees without repatriating them,³⁰ in reality, fails to restore their dignity. This situation constitutes a form of injustice that contradicts both human rights and Islamic principles, especially the

principle of *Maqasid al-Shariah* (higher objective of Islamic law) in Islam. The table below illustrates the relationship between the challenges faced by refugees in Malaysia and the ways these challenges reflect neglect of the principles of *Maqasid al-Shariah*.

Table 1: The Relationship between Refugee Challenges in Accessing Basic Rights in Malaysia and Their Neglect in Relation to the Principle of *Maqasid al-Shariah*

Categories of Challenges	Form of Challenges based on Existing Policy Gaps in Malaysia	Neglection of <i>Maqasid al-Shariah</i>
Legal Status	▪ Lack of official recognition of their refugee status. ▪ Statelessness and citizenship status for children born to refugees. ▪ Difficulty in securing resettlement to a third country.	Neglection of protection of life (<i>hifz al-Nafs</i>)
Healthcare Services	▪ Treatment in public hospitals is costly, as they are charged at foreigner rates. ▪ Limited options for safe and stable accommodation.	
Access of Education	▪ Children refugees not permitted to enrol in government schools. ▪ Refugees live far from alternative learning centres, leading to high transportation costs. ▪ Private school fees are too expensive.	Neglection of protection of intellect (<i>hifz al-'Aql</i>)
Islamic Religious Education	▪ Religious identity formation is constrained as teachers in ALCs often do not have strong teaching experience. ▪ Religious studies syllabi that are not fully aligned with the Malaysian Islamic education curriculum.	Neglection of protection of religion (<i>hifz al-Din</i>)
Marital Status	▪ Absence of valid documentation to verify marital status. ▪ This affects family structure and has implications for a child's lineage status, the determination of a legal guardian (wali), and matters related to inheritance.	Neglection of protection of lineage (<i>hifz al-Nasl</i>)
Access to Employment	▪ Face prejudice and rejection from employers and lack of work permits. ▪ Many are forced to accept low-paying, exploitative, and informal jobs. ▪ Prohibited from opening bank accounts due to the absence of legal identification.	Neglection of protection of property (<i>hifz al-Mal</i>)

Social Integration	▪ Societal stigma and xenophobia have further intensified discrimination. ▪ Unsustainable social support and mental health assistance within the community and in public participation.	Neglection of protection of universal harmony (<i>hifz al-Maslahah</i>)
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Source: Authors, 2025.

If this crisis continues unaddressed, refugee communities in Malaysia will remain marginalised and deprived of meaningful social protection and security. Based on this understanding, key stakeholders in Malaysia, including Islamic institutions, should take part in addressing these challenges, even though their institutional mandates are not directly bound by international conventions. The current policies that do not formally recognise refugees may require long-term structural changes. However, the urgency of this issue can still be managed gradually through targeted initiatives developed by Islamic institutions, guided by the principles of *Maqasid al-Shariah*. These initiatives will be further explained in the following discussion.

Integrating Islamic Principles into the Protection of Muslim Refugees

Islam is a religion that embraces all humankind regardless of religion, race, ethnicity, or skin colour, and it firmly rejects any form of oppression or persecution.³¹ In situations of hardship and danger, Islamic law commands its followers to provide appropriate protection and assistance to those in need, especially individuals whose lives are under threat.³² This context includes refugees who flee their home countries in search of basic human rights protection. The responsibility to care for those in need is well-emphasised in the Quran (9:6):

“And if any one of the polytheists seeks your protection (so that he may hear the word of Allah), then grant him protection so that he may hear the words of Allah; then convey him to his place of safety. That is because they are people who do not know.”

For Muslims, this verse serves as evidence to promote the value of peace even towards non-Muslims who are facing persecution.³³ This value aligns with the fundamental Islamic principles of preserving human welfare, reducing suffering, ensuring safety, and promoting protection for all, including non-Muslims. Although the verse is general in meaning, it can be interpreted within the modern context of refugees today. In fact, the essence of international refugee law also reflects these Islamic principles,³⁴ as implied in the Cairo Declaration on Human Rights in Islam concerning the protection of refugees.³⁵ If this verse already stresses protection for non-Muslim refugees, it should even more serve as a strong indication of the obligation to protect Muslim refugees.

Moreover, the Islamic concept of solidarity among believers emphasises *jiwar* (offering protection) to those who are vulnerable.³⁶ The historical episode of migration among early Muslims provides a relevant example for the current refugee reality, where people flee persecution and conflict in search of safety, support, and assistance for survival. This is best reflected in how the Ansar, as the host community in Medina offered shelter and protection to the Muhajirin, migrants who escaped persecution from the Quraysh tribe.³⁷ Furthermore, the concept of *karamah al-insaniyyah* (human dignity) should serve as the foundation for recognising the intrinsic worth of every person,³⁸ thereby promoting universal social justice.³⁹ Muslims believe that Allah has raised human beings

as the noblest of His creations, as stated in the Qur'an (17:70), and this dignity must be maintained. From this principle, Muslims should realise that the self-worth of refugees cannot be disregarded; they deserve to be acknowledged as human beings. Hence, the responsibility to protect refugees' rights should not be neglected, as it is implicitly mandated through Islamic principles and values.

In addressing social crises, Islamic law provides a comprehensive framework for engaging with refugee issues, particularly through the concept of *Maqasid al-Shariah* (the higher objectives of Islamic law) (MS).⁴⁰ As one of the key methodologies of Shariah in addressing contemporary Muslim issues, especially those concerning human rights,⁴¹ MS is highly relevant in guiding efforts to protect Muslim refugees. It represents a central principle in Islamic jurisprudence aimed at preserving human welfare. It embodies the wisdom and purpose behind the entirety or majority of Shariah rulings, extending beyond specific groups to serve universal benefit.⁴² A number of classical Islamic scholars have expounded upon the potential of this Islamic principles in the context of contemporary social science discourse, underscoring its continued relevance to the refugee discourse. For instance, classical scholars such as Ibn al-Qayyim⁴³ further emphasised that this MS principle bring goodness, mercy, justice, and wisdom to humanity. Similarly, al-Qarafi⁴⁴ noted that MS not only seeks to prevent harm but also to optimise benefits. However, the perception of what constitutes 'good' must be filtered through the lens of Shariah, rather than being based solely on human judgment, to avoid subjective moral dominance over divine law. Therefore, the prioritisation of these objectives must be carefully evaluated at different levels of necessity.⁴⁵

To achieve balanced universal welfare, issues must be assessed according to their level of necessity. al-Juwayni classified these necessities into three main categories: (i) *daruriyyat* (essentials); (ii) *hajiyyat* (complementary needs); and (iii) *tahsiniyyat* (refinements). In similar way, another scholar like al-Shatibi⁴⁶ explained that the first category represents the essential needs required for human survival, and failure to fulfil them would undermine the meaning of life itself. While the second category refers to needs that facilitate human comfort and ease hardships, the third category encompasses moral and aesthetic values that enhance life but whose absence does not cause harm. al-Ghazali further expanded these categories into the five essential protections; namely (i) protection of religion (*hifz al-Din*); (ii) protection of life (*hifz al-Nafs*); (iii) protection of intellect (*hifz al-'Aql*); (iv) protection of lineage (*hifz al-Nasl*); and (v) protection of property (*hifz al-Mal*).⁴⁷ These five dimensions are essential to human life and social order, as they are interrelated and mutually reinforcing. According to al-Ghazali,⁴⁸ the protection of religion holds the highest priority, as faith forms the foundation of a Muslim's existence. If this aspect is neglected, human life will lose its moral and spiritual direction, consequently affecting the other four dimensions. When these five objectives come into conflict, religious preservation must take precedence.⁴⁹ However, some scholars argue that the other four objectives deserve equal attention, as they more directly relate to preventing tangible harm, destruction, and neglect, whereas religion, being a divine right of Allah, is not diminished by human shortcomings.⁵⁰

Based on the realities and challenges discussed earlier, it is reasonable to classify the plight of Muslim refugees under the first category (essential needs). This is because their situation demands urgent intervention to eliminate harm and ensure survival. Their vulnerability is largely due to Malaysia's lack of a comprehensive policy framework to manage refugee affairs. Without coordinated governmental action, refugee communities remain without legal guidance or protection throughout their stay in the country. Given that they already reside within Malaysia's borders, neglecting to establish clear policies or coordinated measures risks generating social instability, as warned by al-Shatibi.⁵¹ In this regard, the objectives outlined in the SDG 2030, as developed by the United Nations form part of a broader agenda committed to addressing global challenges, through 17 goals and 169 targets.⁵² These agendas are designed for a peaceful and a better sustainable future. Among the 17 key goals, several are directly linked to global efforts in responding to refugee issues, such as (i) SDG 1 (No

Poverty); (ii) SDG 2 (Zero Hunger); (iii) SDG 3 (Good Health and Well-Being); (iv) SDG 4 (Quality Education); (v) SDG 8 (Decent Work and Economic Growth); (vi) SDG 10 (Reduced Inequalities); (vii) SDG 11 (Sustainable Cities and Communities); and (viii) SDG 16 (Peace, Justice and Strong Institutions). Therefore, Islamic principle through *Maqasid al-Shariah* (MS) can be strengthened in parallel with efforts to realise the goals of the SDG 2030. Although Malaysia is not a signatory to the 1951 Convention, several SDG 2030 goals are still relevant and consistent with the aspirations of the MS principle. This relationship is illustrated in the diagram below:



Figure 1: Malaysia’s Potential in Strengthening *Maqasid al-Shariah* within the Refugee Protection Agenda to Achieve the SDG 2030 Goals.

Source: Authors, 2025.

Taken together, these SDG 2030 goals can serve to reinforce Islamic principles such as *Maqasid al-Shariah* (MS), promoting their progressive operationalisation across diverse contexts and contributing to their practical realisation in contemporary global governance.

Although Malaysia is not bound by international refugee law, the presence of refugees within its borders inevitably affects local socio-economic and social dynamics. The principle of ‘non-refoulement’, which applies to all states, should be respected.⁵³ This principle prohibits any country from returning individuals to their home nations where they may face torture, persecution, or threats to life, as stated in 1951 Refugee Convention.⁵⁴ Such a principle is consistent with MS, as both aim to protect human life and dignity, thereby affirming Islam’s alignment with universal human rights. However, this does not mean that refugees may act independently of local norms; they too must integrate by understanding Malaysia’s cultural, legal, and social systems. The following is a general illustration that highlights the relationship between the roles of Islamic stakeholders in Malaysia; particularly Islamic institutions, and the framework of protection for Muslim refugees, grounded in Islamic principle (MS) and aligned with international agendas such as the SDG 2030.

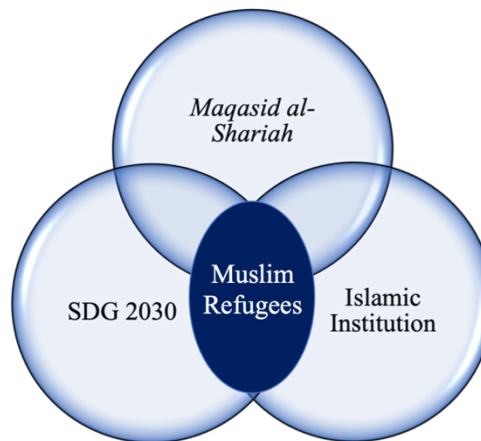


Figure 2: Framework Illustration of Protection for Muslim Refugees.

Source: Authors, 2025.

Discussion - Role of Islamic Social Finance Initiatives Mobilised by Selected Countries

Several scholars⁵⁵ have examined the role of Islamic institutions in addressing local social issues, including education, social welfare, and family law. There is also a growing literature on the governance of donation, endowment, and social services.⁵⁶ However, detailed attention to specific mechanisms for protecting Muslim refugees remains limited. Furthermore, the potential for Islamic institutions to integrate Muslim refugees into national social and economic systems requires more urgent examination.⁵⁷ Although almsgiving support has been distributed to Muslim refugees in some instances, the efforts are largely ad hoc and not structured as a comprehensive mechanism. Existing studies also give little emphasis to how Islamic institutions in Malaysia could provide legal and social protection to Muslim refugees. In addition, analysis of mechanisms to strengthen these institutions, such as partnerships with international bodies, non-governmental organisations (NGOs), civil society organisations (CSOs), the private sector, or government agencies, remains underexplored. Several selected countries, such as Türkiye, Jordan, Iran, and Egypt, can serve as examples for realising this protection agenda. A synthesis of UNHCR Malaysia⁵⁸ literature illustrating these efforts has been analysed and is presented in the following table:

Table 2: Protection Initiatives by Selected Islamic Countries for Refugees

Support Category	Country	Form and Concept of Protection Initiatives
Access to Education	Türkiye	▪ The establishment of Temporary Education Centres (TECs) that are required to provide at least 15 hours of Turkish language classes.
		▪ Implementation of programs integrating refugee children into Türkiye's mainstream education system, supported with comprehensive courses and training.
	Jordan	▪ Provision of access to formal education for all children regardless of their background or nationality.
		▪ Implementation of non-formal education programs for refugee children who are not enrolled in school (in collaboration with ministries and stakeholders).

Healthcare Services	Iran	▪ Provision of free insurance coverage and access to primary healthcare, hospital admission, para-clinical services, and outpatient care at all hospitals.
	Türkiye	▪ Offering free medical insurance protection for refugees under the special General Health Insurance Scheme (GHIS).
Social Integration	Egypt	▪ Providing social support for refugees through regular educational programs and community activities involving the public.
Employment Opportunities	Jordan	▪ Issuing work permits for refugees to work in suitable sectors such as construction, manufacturing, and retail).
	Türkiye	▪ Refugees may apply for work permits to access social security and health insurance. ▪ Refugees may work for any employer, be self-employed, or establish businesses in accordance with national regulations where appropriate.

Source: UNHCR Malaysia, 2022.

As demonstrated, these initiatives in Türkiye, Jordan, Iran, and Egypt, while state-led, create a blueprint for the kinds of programs that the Malaysian government could pioneer by incorporating similar Islamic social finance initiatives, specifically for Muslim refugees. The commitment to protect Muslim refugees can be advanced by engaging Islamic institutions in Malaysia and optimising their capacity and functions within more comprehensive refugee protection programs.⁵⁹ Their influence in the administration of Islamic affairs aligns with Shariah obligations and is applicable when assisting marginalised and vulnerable groups against all forms of persecution. The Islamic principles discussed earlier aims to ensure an appropriate standard of protection for Muslim refugees and should guide Malaysian Islamic institutions accordingly. Nevertheless, these efforts require substantial and well-managed funding to ensure that assistance and protection can be implemented systematically. Islamic institutions have a relevant role in operationalising Islamic principles to support Muslim refugees.

In terms of protecting religion, Islamic institutions can provide guidance, emotional support, and consultation sessions in mosques to strengthen religious practice. Regarding the protection of life, the enactment of appropriate laws can help refugees realise their rights in the host country through transparent procedures, while protecting them from crimes that threaten life. In addition, zakat centres may supply food and water assistance, temporary shelter, and basic healthcare. For the protection of intellect, targeted scholarships, education schemes for refugee children in government-aided schools, or access to alternative learning centres could be offered without discriminatory nationality restrictions. Furthermore, the protection of lineage can be realised through state religious departments by facilitating marriage registration and birth registration; this also enables better planning of material support by refugee demographics and helps families sustain and raise the next generation. Finally, for the protection of property, Islamic institutions can encourage government and Muslim private-sector actors to create lawful employment opportunities, via valid work permits, including access to the formal sector, so that refugees can support their families. The table below presents several types of initiatives that Islamic institutions can develop to realise the goal of providing support and protection for Muslim refugees:

Table 3: Prospective Roles and Initiatives of Islamic Institutions in Malaysia in Supporting Muslim Refugees

Principles of MS	Islamic Institutions	Potential Initiatives
Protection of life	State Shariah Judiciary Department State Zakat Centres	- Appropriate laws help refugees to uphold their rights through transparent procedures and protect them from any threats. - Zakat centres may supply food and water assistance, temporary shelter, and basic healthcare.
Protection of intellect	State Islamic Religious Council	- Provide targeted scholarships, education schemes for refugee children in government-aided schools. - Access to alternative learning centres without discriminatory nationality restrictions.
Protection of religion	State Department of Islamic Affairs	Provide guidance, emotional support, and consultation sessions in mosques to strengthen religious practice.
Protection of lineage	State Department of Islamic Affairs	Facilitating marriage and birth registration to support refugee demographics and helps to sustain the next generation.
Protection of property	State Islamic Religious Council	Encourage government and Muslim private sectors to create lawful employment opportunities, via valid work permits.
Protection of universal harmony	State Mufti Department	Delivering public awareness and sermon for advocacy of protection in accordance with Islamic principles.

Source: Authors, 2025.

Regarding social protection, refugees are not entitled to welfare benefits, social insurance, or safety schemes. Nevertheless, they may apply for assistance through Islamic social aids such as almsgiving, Islamic endowment, and donation. Accordingly, Islamic institutions can leverage Islamic social finance instruments, such as donation and charity, almsgiving, and Islamic endowment to achieve these aims. Funds collected from the Muslim community can be channelled to provide basic rights in the form of food supplies, education incentives, healthcare services, housing initiatives, and other forms of support. Since zakat distribution in Malaysia follows eight standardized *asnaf* (eligible recipient) categories, the exact status of Muslim refugees may be ambiguous because they are not explicitly specified. Their uncertain legal status may also complicate smooth zakat disbursement, though approval is typically granted by Islamic institutions on a case-by-case basis.

However, several complex barriers continue to hinder these efforts. Since there is no legal mandate requiring Islamic institutions to provide support to refugees, these institutions do not have dedicated capacities for refugee assistance. As a result, the support offered tends to be seasonal, unsustainable, and unable to fulfil the full range of fundamental rights and needs of the refugee community. In addition, bureaucratic procedures involved in applications, screening processes, and aid distribution; combined with limited staff capacity to manage refugee-related matters, also create indirect obstacles that prevent timely assistance from reaching refugees. At the same time, zakat institutions will only process aid applications if refugees apply through the established

procedures to ensure transparency in distribution. However, low literacy among refugees regarding these administrative norms, as well as the absence of recognised legal identity documents (such as UNHCR card), often results in many refugees failing to meet the eligibility criteria for financial assistance. Although these administrative procedures aim to uphold systematic governance, they become burdensome for many refugees and discourage them from engaging with Islamic institutions. Consequently, refugees tend to rely more on UNHCR and NGOs for assistance, even though the support provided may be limited.

However, Islamic institutions can foreground the waqf (Islamic endowment) system to assist this community. As a perpetual instrument, waqf contributes to social advancement and community development in Muslim countries. It serves enduring purposes by: (i) reflecting principle of unity and solidarity; (ii) alleviating the suffering of those in need; (iii) enabling individuals to dedicate wealth for collective benefit; and (iv) providing long-term community support for future generations; thereby (v) contributing to the progressive social and economic development of Muslims.⁶⁰ Therefore, waqf can fund alternative education and vocational skills training for Muslim refugees to improve their literacy and employability in suitable sectors. Through waqf, alternative educational institutions for refugee children can also be established,⁶¹ thus opening pathways to knowledge and laying a foundation for personal development. Subsidiaries under Islamic institutional management may further implement entrepreneurship micro-credit schemes to help refugee communities become self-reliant.⁶² Indirectly, these efforts promote Islamic principles within Malaysia's Islamic administrative structure and help counter religious stigma in society.

The roles currently played by Islamic institutions in managing the affairs of Malaysian Muslims can, in fact, be extended to address the needs of non-Muslim refugees. Regulations and monitoring related to protection schemes, financial assistance, and social support must be strengthened to ensure these initiatives are implemented transparently and sensitively in relation to Muslim refugees. In addition, realistic and practical policies should be developed to help refugees adapt to Malaysia's legal system and respect its social structures.

Conclusion

The discussion highlights that Muslim refugees in Malaysia continue to face multidimensional challenges: legal, social, economic, and spiritual, largely due to the absence of a comprehensive national refugee policy. Nonetheless, the SDG 2030 have brought this conflict to the forefront as a critical issue requiring resolution, now embedded within the broader global agenda, one that resonates with the objectives of Islamic principles. Accordingly, the preceding discussion illustrates that SDG 2030, within the framework of contemporary human rights discourse, is aligned with Islamic principles, such as MS, in addressing modern refugee issues. These principles were extensively discussed by classical Islamic scholars centuries ago. Malaysia is gradually moving towards this direction, albeit through a protracted and multifaceted process. While NGOs and civil society organisations have played significant roles, their efforts remain fragmented and limited in scope.

Islamic institutions, therefore, possess great potential to fill this gap by aligning their interventions with the Islamic principle. Through the preservation of five essential protections via MS including religion, life, intellect, lineage, and property, these institutions can establish a holistic framework that ensures refugees' protection, dignity, and well-being. Their involvement not only fulfils the moral and religious obligations of Islam but also strengthens Malaysia's position as a compassionate and responsible member of the international community. Furthermore, by leveraging Islamic social finance instruments such as almsgiving, endowment and donation, Islamic institutions can provide sustainable and structured assistance to Muslim refugees. These initiatives can support

access to education, healthcare, vocational training, and lawful employment while promoting emotional, spiritual, and community integration. Collaboration between Islamic institutions, government agencies, and international partners is crucial to ensure coordination, transparency, and accountability in implementing these programs. Ultimately, empowering Islamic institutions to take a proactive and systematic role will not only enhance refugee protection but also uphold the values of justice, mercy, and human dignity that lie at the core of Islamic teachings.

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