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**BALANCING ECONOMIC GROWTH AND PRESERVATION OF HUMAN RIGHTS  
DURING MOVEMENT CONTROL ORDER: THE MALAYSIAN EXPERIENCE IN  
OVERCOMING THE IMPACTS OF COVID-19 PANDEMIC**

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**ABSTRACT**

The spread of Covid-19 pandemic across the globe has triggered many countries to implement lockdown to break the chain of infection. Malaysia, like many other countries in the world, has implemented movement control order (MCO) in various stages starting on 18<sup>th</sup> March 2020 to overcome the pandemic. During this MCO period, almost every day-to-day activity has been restricted. Employees were forced to work from home, schools and universities were closed and most business activities have also been shut down. The MCO was implemented as a reflection to the government's role to preserve public health and the right to life of its citizen. Nevertheless, the implementation of MCO has also affected the growth of Malaysian economy. This paper aims at exploring the efforts by Malaysian authorities in balancing the country's economic growth and preserving the public health and human rights of its citizen. For this purpose, qualitative method has been used in which various primary and secondary sources have been examined. This will explore the actions taken by the government in overcoming Covid-19 pandemic as well as to overcome the economic downturn due to this pandemic. The preliminary finding from this paper indicates that, the Government of Malaysia has played its role and discharged its duty to respect, protect, and fulfil human rights of its people while addressing the Covid-19 impact. The government has used its discretion to restrict certain rights to maintain public health. At the same time, a number of stimulus packages targeted to certain affected groups have also been introduced to help reduce the burden of economic impact due to this pandemic as well as to sustain the economic growth of the country.

**Keywords:** *MCO, Covid-19, Human Rights, Economic Growth*

**Introduction**

The world is currently facing the mounting challenges in overcoming a deadly infectious disease caused by severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2), called coronavirus disease 2019 (COVID-19). It all started in early December 2019 in Wuhan City, Hubei Province, China, where this disease spread rapidly among the residents. This was an unusual situation, with pneumonia cases of unknown cause being reported. The Chinese government reported the virus to the WHO on December 31, 2019 (Secon et al., 2020; WHO, 2020a). In-depth investigations were conducted immediately, as the number of cases increased each day. On 11 March 2020, WHO characterised Covid-19 as a pandemic. In a statement, WHO director-general Dr Tedros Adhanom Ghebreyesus said: "*WHO has been assessing this outbreak around the clock and we are deeply concerned both by the alarming levels of spread and severity and by the alarming levels of inaction. We have never before seen a pandemic sparked by a coronavirus. This is the first pandemic caused by a coronavirus. And we have*

*never before seen a pandemic that can be controlled, at the same time.*” (Pharmaceutical Technology, 2020).

On April 10, 2020, Dr Tedros announced that the COVID-19 outbreak had affected 213 countries, with 1,524,162 confirmed positive cases and 92,941 deaths. COVID19 is caused by a novel coronavirus (SARS-CoV-2) that infects the respiratory tract. About 80% of patients experience mild infections and recover. The remaining patients have severe infections with dyspnoea and low blood oxygen saturation or may be in a critical state with respiratory or multiple organ failure (WHO, 2019).

### **The Covid-19 Outbreak in Malaysia**

In Malaysia, the threat of COVID-19 became increasingly apparent when neighbouring Singapore reported its first imported COVID-19 case from Wuhan, China on January 23, 2020, which was also the first positive case in the republic. From this first case, eight close contacts were identified as being in Johor, Malaysia (Abdullah, 2020a). Within less than 48 hours of the first case reported in Singapore, Malaysia reported its first COVID-19-positive case on January 25, 2020. This was an imported case from Wuhan, China (Abdullah, 2020b). A total of eight positive cases were reported within 6 days, starting from the first case. All of these cases were imported cases from China (Abdullah, 2020c). The first Malaysian testing positive for COVID-19 was reported on February 3, 2020; this person had a history of travel to a neighbouring country for a business meeting, which was also attended by a delegation from China (Ahmad, 2020).

Malaysia reported its first fatal case on March 17, 2020, a case related to the religious gathering in Seri Petaling. Another death was also reported on the same date from a case in Sarawak (Abdullah, 2020d). Since then, Malaysia has steadily and consistently recorded daily new cases with the highest so far was recorded on 26 December 2020 with 2,335 cases. This trend has brought the total infections in Malaysia, as of December 30, 2020, to 110,485 cases with 463 total deaths (Malay Mail, 2020). This paper discusses the response by Malaysian Government to the Covid-19 outbreak which lies between the aims to protect the health and life of its citizen as well as to maintain the country’s economic growth.

### **Malaysia’s Response to Covid-19 Outbreak**

In general, there are two main actions taken by Malaysian Government in addressing the Covid-19 pandemic namely the implementation of lockdown or movement control order (MCO) and the introduction of economic stimulus package. The MCO was meant for containing the pandemic by breaking the chain of infection whereas the stimulus package was meant to help ease and lessen the economic burden faced by Malaysians due to various restrictions during MCO.

### The Implementation of MCO

In view of the exceptional situation and to preserve life, countries have no choice but to adopt extraordinary measures. Extensive lockdowns, adopted to slow transmission of the virus, restrict by necessity freedom of movement and, in the process, freedom to enjoy many other human rights (UN, 2020). Malaysia has joined majority of other affected countries by implementing lockdown which is known as Movement Control Order (MCO), as a preventive measure in response to the Covid-19 pandemic in the country. The implementation of this order was announced by Prime Minister Muhyiddin Yassin in a televised speech on 16th March 2020. The MCO has become an unprecedented and first-time experience for most Malaysians. Beginning on 18th March 2020, Malaysia went through 8 Phases of Movement Control Order, with all the strict actions recommended by the World Health Organisation (WHO) to effectively contain the Covid-19 outbreak (Flanders Trade, 2020).

The MCO in Malaysia has so far implemented in 8 phases:

- Phase 1 - Movement Control Order (MCO) from 18th till 31st March 2020
- Phase 2 - Movement Control Order (MCO) from 01st till 14th April 2020
- Phase 3 - Movement Control Order (MCO) from 15th till 28th April 2020
- Phase 4 - Movement Control Order (MCO) from 29th till 3rd May 2020
- Phase 5 - Conditional Movement Control Order (CMCO) from 4th till 11th May 2020
- Phase 6 - Conditional Movement Control Order (CMCO) from 12th May 2020 till 9th June 2020
- Phase 7 - Recovery Movement Control Order (RMCO) from 10th June till 31st August 2020
- Phase 8 - Recovery Movement Control Order (RMCO) from 1st September till 31 December 2020

The 2020 MCO, often referred to as partial lockdown, signifies a major step taken by the Malaysian Government to contain the Covid-19 pandemic. The MCO restricts the Malaysians' right to freedom of movement. The right to freedom of movement is provided under article 9 of the Malaysian Federal Constitution. However, it was stated in article 9 (2) that the freedom is subject to restriction that can be made by the government for the purpose of maintaining public health and public order. Considering that freedom of movement is a crucial right that facilitates the enjoyment of many other rights, the restriction imposed on it shall therefore affect other freedoms and rights such as freedom of religion, freedom of speech and expression, rights to equal treatment, and the rights under the cluster of economic, social and cultural rights which include right to work and education.

Undeniably, the implementation and subsequent extension of MCO have greatly affected Malaysia's economic performance. It was not surprising therefore when the Prime Minister Muhyiddin Yassin has mentioned that Malaysia's economy is losing an estimated MYR 2.4 billion daily during the MCO, a total of MYR 63 billion, as all the business activities are suspended (New Straits Times, 2020). In summary, the COVID-19 pandemic has introduced new challenges to Malaysia's business environment which call for a measured, practical and informed approach from political and business leaders. The full impact of COVID-19 pandemic

to the economy of Malaysia and the world is still fully clear and it will be a challenge for economies to navigate in the post-COVID-19 world.

### Economic Stimulus Package

Apart from implementing MCO as a mechanism to break chain of infection for the purpose protecting the public health, Malaysia also realised and aware of the subsequent impacts on its economic growth. Losing an estimated MYR 2.4 billion daily during the MCO will further hurt the country's economic growth and sustainability. This is also not good for the country in the long run. In addressing these economic issues due to MCO, the government of Malaysia has introduced two main stimulus packages, namely PRIHATIN and PENJANA, to help boost the country's economy as well as to lessen the Malaysians' financial burden.

#### *i. PRIHATIN Economic Stimulus Package*

On 27th March 2020, Malaysian Prime Minister Tan Sri Muhyiddin Yassin announced Economic Stimulus Package - PRIHATIN (Pakej Rangsangan Ekonomi Prihatin Rakyat) worth MYR250 billion (Money Compass, 2020). From the amount, RM128 billion to be used to protect the welfare of the people, RM100 billion to support businesses including small and medium enterprises. The government on March 23rd had announced an allocation of a total of RM600 million for the Health Ministry for the purchase of equipment and to hire contract staff, especially nurses. It had also announced that the Employees Provident Fund contributors aged below 55, can withdraw RM500 for up to 12 months. An allocation of RM130 million has also been announced in the economic stimulus package and will be distributed equally to all states – regardless which political party is heading it – to help tackle the COVID-19 pandemic.

On 6th April 2020, Malaysian Prime Minister Tan Sri Muhyiddin Yassin announced PRIHATIN SME Packages, an economic stimulus package aimed especially at small and medium-sized enterprises (SMEs) during the pandemic (PMO, 2020).

#### *ii. National Economic Recovery Plan – PENJANA (Pelan Jana Semula Ekonomi Negara)*

On 5th June 2020, Malaysian Prime Minister Tan Sri Muhyiddin Yassin noted that Malaysia is currently in the 4th Phase: Recovery, under the 6-Phase Plan (6Rs): Resolve, Resilience, Restart, Recovery, Revitalise and Reform. The Malaysian Government is planning to revive the economic activities by formulating a comprehensive Short, Medium and Long-term Economic Recovery Plan, which will complement the various announced economic stimulus packages.

On 5th Jun 2020, Malaysian Prime Minister Tan Sri Muhyiddin Yassin (2020) announced the Short-term National Economic Recovery Plan – PENJANA (Pelan Jana Semula Ekonomi Negara). PENJANA has 40 initiatives worth MYR35 billion, focusing on 3 key thrusts - Empower People, Propel Businesses and Stimulate the Economy. PENJANA is expected to stimulate Malaysia's economy, save over 2.4 million jobs, reduced the cash flow burden of around 10 million people and support over 300,000 companies (Penjana, 2020).

## Conclusion

The spread of Covid-19 pandemic has triggered the Malaysian Government to exercise various measures and actions. It was indicated that the Malaysian Government, through its response to the Covid-19 pandemic, has used its discretionary power to put a balance between the efforts to contain the pandemic, through the implementation of MCO, and to preserve the country's economy through the introduction of stimulus packages. Through the initiatives mentioned earlier, it can be summarised that Malaysia has managed to discharge its duty to respect, protect and fulfil human rights of its people as laid down under international human rights law. Although the pandemic cannot be totally eliminated, the government intervention through MCO has been successful in containing the virus. Nevertheless, the socioeconomic implications of such interventions require attention and proper handling.

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