



**MEDIA STATEMENT
THE OFFICE OF THE CHILDREN'S COMMISSIONER OF THE
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)**

EDITOR, NEWS DESK

FOR IMMEDIATE RELEASE

PRESS STATEMENT

KUALA LUMPUR (25 APRIL 2022) - The Children's Commissioner (CC), Prof. Dato' Noor Aziah Mohd Awal is saddened by the recent news that six Rohingya refugees from Myanmar, including two children were killed as they attempted to cross a highway as hundreds fled an immigration detention center where a riot has broken out early morning on 20 April 2022.

Based on the CC's observations during her monitoring visits to immigration detention centers in Lenggeng, the depot was overcrowded with detainees, and in Lenggeng, Langkawi and Belantik, the depots were understaffed. While most immigrant detainees are deported back to their countries of origin through the intervention of the embassy of their respective countries, the Rohingya refugees in Malaysia are unable to return back to Myanmar based on international customary law - principle of non-refoulment that guarantees that no one should be returned to their country where they are subjected to persecution.

Malaysia is not a signatory to the 1951 Refugee Convention, Malaysia is, however a party to the 1989 Convention on the Rights of the Child (CRC). Article 22 of the CRC states that the State must ensure that a child who is seeking refugee status or who has been determined to be a refugee shall receive appropriate protection and humanitarian assistance. In addition, children who are seeking asylum or who have been granted refugee status are entitled to the full enjoyment of their rights under the four basic principles of the CRC which states that children should not be discriminated against, be treated with humanity and respect, have their voices heard and to prioritise the best interests of the child.

The CC urged the Government:

- i. to consider allowing UNHCR to issue UNHCR cards to all Rohingya refugees, particularly those who were involved in the riot. The UNHCR's resettlement programme is proposed to also prioritise Rohingyas in an aspiration towards a durable solution in the form of resettlement to a third country;
- ii. to establish an independent body consisting of representatives other than the Ministry of Home Ministry to investigate the incident;
- iii. not to reprimand those re-arrested or to instill fears or hatred amongst the local in Relau towards the Rohingyas who are still at large;
- iv. to include Rohingya children in the alternative to detention pilot project as these children need to be given the opportunity to live in a more secure and conducive environment; and
- v. to add more staff to understaffed immigration depots.

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Professor Dato' Noor Aziah Hj. Mohd Awal, Children's Commissioner
25 April 2022

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