



**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 (1 MARCH 2021) - Children's Commissioner, Human Rights Commission of Malaysia (SUHAKAM), Prof Dato' Noor Aziah Mohd Awal was appalled with the media report dated 26th February 2021 that 1,086 Myanmar nationals, including children and UNHCR cardholders were deported to their home country by the Malaysian Immigration Department. The report was highlighted by a coalition of international human rights organisations and it was reported that at least two of the deported children had been separated from their asylum-seeking families in Malaysia.

In line with the Article 9 of the Convention on the Rights of the Child (CRC), States Parties shall ensure that a child shall not be separated from his or her parents against their will. The Children's Commissioner is of the view that separating the children from their parents who are still in Malaysia is a grave violation of the child rights under the CRC. Article 22 of the same convention also stated that the States Parties shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the CRC.

Malaysia is under the obligation to protect children who are seeking refuge based on the humanitarian grounds and not to send them back to their home country where they may face violence and persecution. The decision for this deportation is also in defiance of the High Court Order and if such deportation is necessary, the Government shall be responsible that their passage home would be safe.

The Children Commissioner urges the Government to grant UNHCR with immediate and unfettered access to all immigration detention facilities to investigate the deportation of the 1,086 refugees. All children, whether they are refugee or undocumented are victims of circumstance and thus, they should not be treated as criminals and their rights must be respected. The Alternative to Detention (ATD) program should be activated as these children should not be detained in immigration depots but to stay with foster families or in children's shelter.

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**Professor Dato' Noor Aziah Hj. Mohd Awal, Children's Commissioner
1 March 2021**

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