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PRESS STATEMENT

**“SUHAKAM OBSERVES POOR AND UNSANITARY CONDITIONS IN TANAH
MERAH IMMIGRATION DEPOT”**

KUALA LUMPUR (13 SEPTEMBER 2017) - In line with its legislated mandate, the Human Rights Commission of Malaysia (SUHAKAM), led by Commissioner Jerald Joseph visited the Tanah Merah Immigration Depot, Kelantan on 23 August 2017 for an independent and objective inspection of the conditions and human rights situation.

SUHAKAM concludes that, notwithstanding some positive recent changes to the immigration detention system in the country, detainees in the facility are held in unacceptable conditions. Based on the visit, SUHAKAM offers preliminary observations on a variety of concerns regarding immigration policies and practices.

The Tanah Merah Immigration Depot was gazetted in September 1994 and has been in operation since December the same year. The gazette capacity is 350 (250 male and 100 female) but the Ministry of Home Affairs has determined that the Depot can accommodate up to 800 detainees. The factors considered by the Ministry that support this finding is not known to SUHAKAM. During SUHAKAM’s visit, there were 429 detainees including 35 women and 82 children (below 18 years). Detainees are allocated a food budget of RM6.00 per day, which in our view may be insufficient to cater for adequate meals. However, SUHAKAM observed that the food quality and water quantity were acceptable and in line with the guidelines set by the Ministry of Health. The kitchen and food preparation area were well maintained and found to be clean.

In terms of the physical and building conditions, SUHAKAM found that two out of the three main blocks made of wooden structures were dilapidated. To make matters worse, the conditions were unsanitary and the blocks were poorly maintained. Owing to the lack of sufficient ventilation, the blocks were unbearably hot and foul smelling. SUHAKAM was troubled that almost all wall fans installed for ventilation purposes were not working. In one block that housed male detainees, all five toilets were blocked and not functioning. The toilet conditions in the other male blocks were also wholly unacceptable. SUHAKAM advises that the sanitary installations shall be adequate to enable every detainee to comply with the needs of nature when necessary and in a clean and decent manner. SUHAKAM reiterates that respect for dignity shall be guaranteed to all detainees at all times.

A broad majority of the detainees that SUHAKAM spoke to complained of health problems including scabies, back and stomach pains. The current placement of an assistant medical officer (Grade U32) is in our view not suitable to respond to health crises due to the number of detainees and the severity of their health problems. SUHAKAM recommends that a medical officer be immediately appointed.



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SUHAKAM noted the complete lack of an outdoor recreation area for detainees; and the psychological impact of the detention conditions was apparent to SUHAKAM's delegation. Due to the extremely poor conditions, even the facility staff faced serious health problems. It is SUHAKAM's view that the poor conditions may further contribute to mental health concerns of both detainees and staff. SUHAKAM recommends that compulsory, free of charge and target specific periodic health screening for immigration staff be offered by the Ministry of Health.

SUHAKAM reiterates that the principle of treatment with respect for the dignity and value as human beings and the prohibition of torture and other cruel, inhuman or degrading treatment or punishment must be respected in all immigration detention policies. SUHAKAM will continue to monitor and review all places of detention with our inspections underpinned by universal human rights standards. In this regard, SUHAKAM looks forward to working with the Ministry of Home Affairs and Immigration Department, as well as the Office of the United Nations High Commissioner for Refugees (UNHCR) and civil society organizations as we continue to develop recommendations for improvements to the immigration system to ensure that detainees' human rights are protected throughout the detention process.

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Tan Sri Razali Ismail

Chairman

Human Rights Commission of Malaysia (SUHAKAM)

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