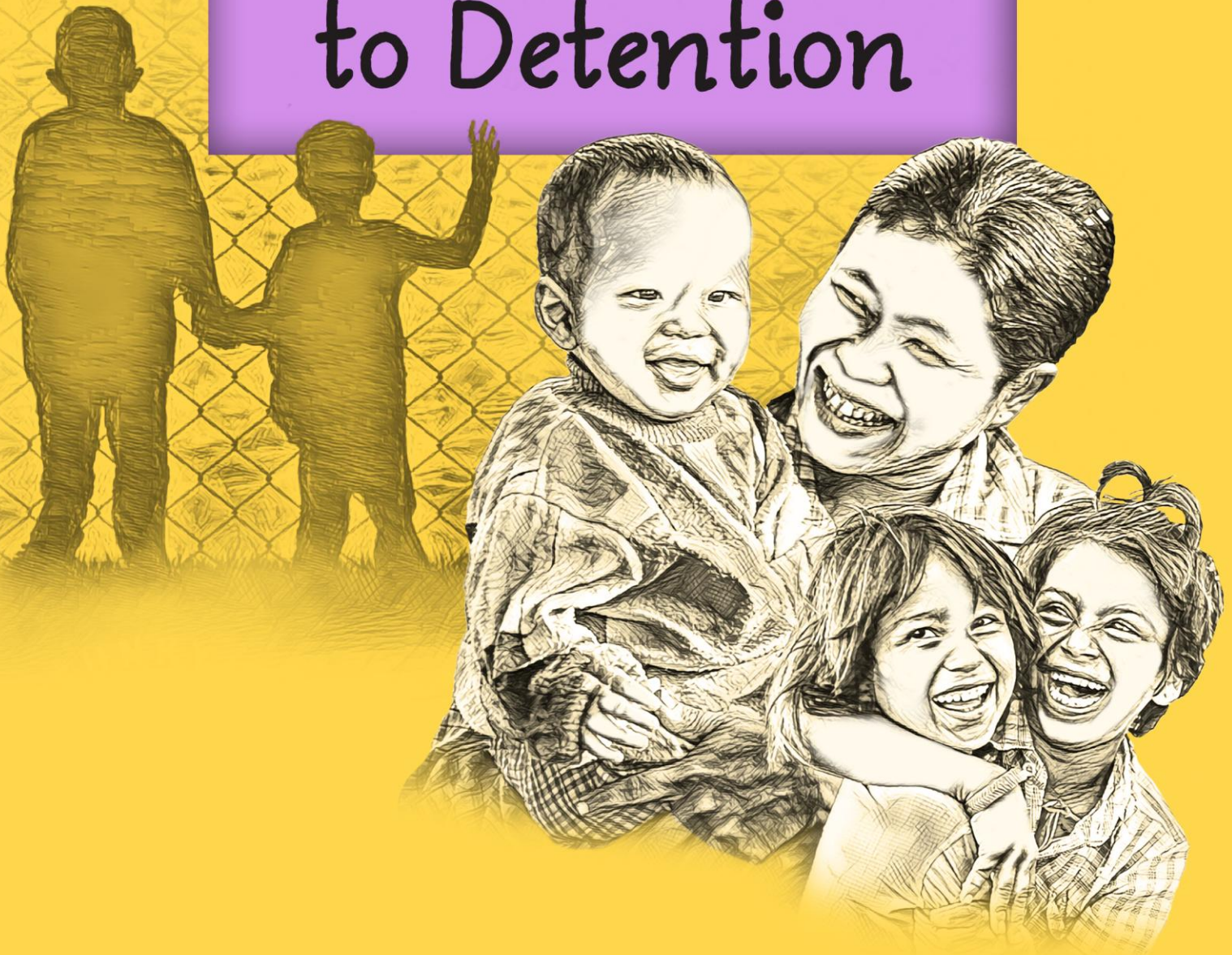


Alternative to Detention



SUKA Society advocates for Alternatives to Detention initiatives to protect unaccompanied and separated minors. This report details the project's progress and impact from 2024.

Programme Overview

Background

There is increasing global consensus that immigration detention of children is a violation of child rights and is never in the best interest of the child. Malaysian immigration laws make no distinction between adults and minors (persons below 18 years old). As such, children who violate immigration laws are subjected to the same arrest and detention conditions as adults. Children detained for immigration related offences include refugee and asylum-seekers, migrants, stateless and other undocumented children. Refugee and asylum-seeking children are at higher risk of prolonged detention, as they cannot be repatriated. Adults and children are held in the same facilities with no specialised care and policies for children. Conditions in immigration detention centres are harsh, with poor nutrition, healthcare, hygiene and sanitation and there is risk of violence and abuse.



Unaccompanied and separated children (UASC) who are undocumented or have irregular migration status are particularly vulnerable to immigration detention. Without structured assistance that prioritises their best interest in the migration process, UASC are more vulnerable to prolonged detention, abuse and exploitation.

Harsh conditions in immigration detention have a significant impact on the developmental and psychological wellbeing of children. Children in immigration detention, even for a short period, face significant physical and mental health issues, including developmental delays, malnutrition, inability to sleep, and overall poor health. Children faced with prolonged detention may suffer from serious medical conditions, chronic stress, other psychiatric and anxiety-related conditions, are unable to develop holistically in a supportive environment, and lack positive coping mechanisms. Children, especially boys held in the male facility, are also at risk for violence, trauma and abuse.



As of 30 September 2024, approximately 2,092 children were detained in immigration detention centres throughout Malaysia.¹



In April 2023, 679 of 1,030 children in immigration detention centres were unaccompanied and/or separated from their parents/guardians.²



Deaths in Malaysian detention centres are common. In 2022, there were 153 reported deaths, including 7 deaths of children.

¹ Parlimen Malaysia (2024) [Jawapan Lisan Dewan Rakyat](#)

² The Star (2023) [Home Ministry to table paper on moving children from Immigration detention centres](#)

The Alternative To Detention (ATD) Programme

Since 2013, SUKA Society has been advocating for ATD to be implemented in Malaysia with the goal of ending the practice of immigration detention for children. In order to achieve our goal, we conduct the following activities:

What is Alternative To Detention (ATD)?

ATD is any legislation, policy or practice, formal or informal, that ensures people are not detained for reasons relating to their migration status. ATD allows for individuals at risk of immigration detention to live in non-custodial, community-based settings while their immigration status is being resolved.

The most effective alternatives involve case management provided by a range of actors – social workers, civil society and/or specialised staff from immigration authorities. ATD are more cost-effective compared to immigration detention and it is an effective migration management tool which ensures the rights of children and their families are respected.



- Advocate for the release of UASC from immigration detention centres into community-based care.
- Promote implementation of an ATD Model designed for UASC presently held in immigration detention centres.
- Direct engagement with key stakeholders such as government agencies and policymakers on the development and implementation of ATD in Malaysia.
- Coordinate and collaborate with United Nations (UN) agencies, non-governmental organisations (NGOs), the Human Rights Commission of Malaysia (SUHAKAM), and refugee communities.
- Capacity building on child protection for immigration officers and other stakeholders working with children affected by immigration detention.



SUKA Society has been working with the Ministry of Home Affairs (KDN), Ministry of Women, Family and Community Development (KPWKM), Social Welfare Department (JKM), and the Immigration Department (JIM) to develop and implement ATD for unaccompanied and separated children in immigration detention centres.

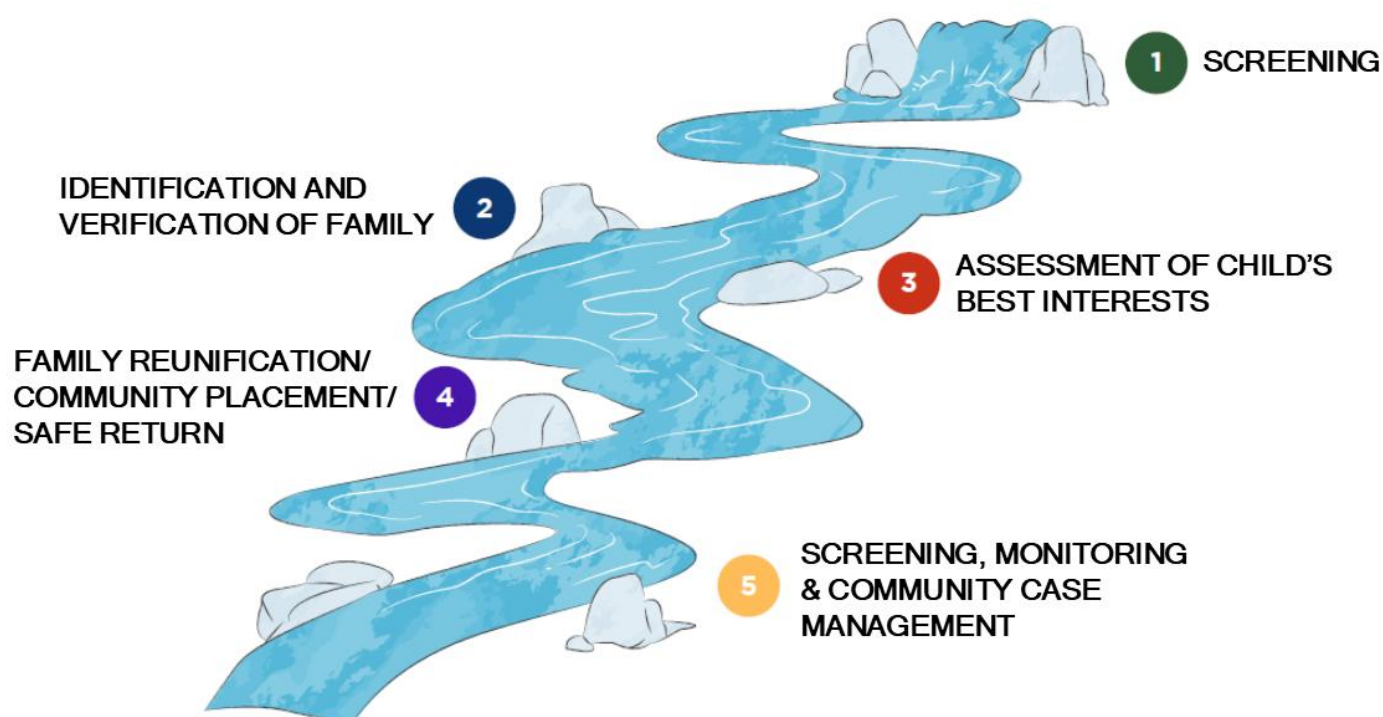
The ATD model promoted by SUKA Society involves vulnerability screening and assessment, release from immigration detention centres into community placement with relatives or foster caregivers, case management, and identification and implementation of a long-term resolution plan.

In 2021, an ATD Pilot Project was approved by the Ministerial Cabinet, to be implemented by KDN, KPWKM, JKM, JIM and two partner NGOs, SUKA Society and Yayasan Chow Kit. Due to certain restrictions imposed by the Ministerial Cabinet, the ATD Pilot Project faced severe delays and ultimately was not implemented.

In 2023, KDN established Baitul Mahabbah, which are centres for children aged 10 and below and their mothers who were detained at immigration detention centres. These centres were promoted as transit centres where children are held pending deportation. Although these centres aim to provide a better environment for detained children, they are still detention centres and not a form of ATD and many other children remain detained in immigration detention centres.

SUKA Society continues its work in advocating for the protection of children at risk of immigration detention, release of children from immigration detention centres, and the development and implementation of rights-based ATD.

PROCESS OF ATD



Foreword

2024 started with some uncertainties on how advocacy for community-based ATD would take place given the government's focus on establishing Baitul Mahabbah. We began the year by conducting a review and re-strategizing with key partners to take stock of the situation and to identify opportunities to advocate for children to be released from immigration detention centres.

Throughout the year, we continued our work and engagement with Baitul Mahabbah through provision of educational activities for children at the Nilai centre and capacity building for immigration officers at newly established Baitul Mahabbah centres. We also used any available platforms or opportunities to transmit the message that an exit strategy beyond Baitul Mahabbah was crucial and emphasised the importance of community-based ATD.

Towards the end of the year, there was renewed interest from the government to explore development of a community-based ATD for children in detention. In September 2024, the Home Minister made a public statement that the ministry was “ready to explore the alternative to detention approach as part of our future plan.” We began to see increased engagement from the government on ATD proposals submitted by SUKA Society. With the combination of direct engagement and collaborative advocacy with other stakeholders, the Home Minister now appears to understand that Baitul Mahabbah is not a form of ATD. With political will from the Home Minister, there appears promising movements towards the development of an ATD policy and consideration for implementation of a pilot project.



SUKA Society continues to offer our services to the government to assist with the case management and community placement of unaccompanied children in detention centres. For 2025, it is hoped that the government will implement a small-scale community-based ATD pilot programme that will see children released from immigration detention centres.

Executive Summary

In 2024, our main activities were centred around Baitul Mahabbah and advocating for an exit strategy for children in Baitul Mahabbah who faced prolonged detention.

SUKA Society along with partner NGOs continued facilitating activities for the children and the mothers at Baitul Mahabbah Nilai. There was a total of 169 sessions conducted along with Humankind and Yayasan Chow Kit. SUKA Society conducted 62 sessions which included basic literacy and pre-school education for children between the ages of 3 to 14. Humankind conducted psychoeducation and mental health sessions for the children as well as art therapy in forms of group for the mothers. The educational activities that we conducted had a positive impact on the children as they have shown improvement in language skills, communication and mathematics. However, despite the basic mental health sessions conducted by Humankind for the mothers and the children, they continue to show signs of depression, anxiety and worry due to prolonged detention. We also monitored the treatment of the children in the centre, and raised concerns that we had with the management team. We identified that there is a need for development of a Child Protection Policy for Baitul Mahabbah centres to provide immigration officers with guidelines to address any child abuse or mistreatment that may occur.



In 2024, a total of 8 Child Protection Sensitisation Workshops were conducted for 128 officers. These workshops were conducted in four newly established Baitul Mahabbah centres at Depot Tahanan Imigresen (DTI) Papar, Sabah, DTI Bekenu, Sarawak, DTI Tanah Merah, Kelantan, and Baitul Mahabbah Kedah, Kedah. Although the workshop's contents were focused primarily on application of child protection principles in the management of the children's detention centres, we utilised an approach that was focused more on shifting mindsets. One of the workshop's key goals was to shift the officers' mindsets from playing an enforcement to a protection role. The workshops successfully engaged in critical conversations with immigration officers on key issues such as impact of detention on children, alternatives to detention, and treatment of refugees.

SUKA Society participated in various key meetings and events focused on ATD advocacy with government agencies and other stakeholders. These platforms provided space to learn from each other and have meaningful conversations about ATD in Malaysia. We also contributed to several key consultations to advance community-based ATD such as the "CSO Focus Group Discussion on Violence against Children for CRC Alternative Report 2024" held in July, and the "Consultation on Alternatives to immigration detention for children (ATD): Proposed amendments to the Immigration Act 1959/63, Child Act 2001 and related laws" by UNICEF held in October.

We also contributed to an ongoing initiative to develop proposal of a Standard Operating Procedure (SOP) for pre-deportation screening to ensure that asylum seekers are not summarily deported without assessment. This initiative is led by a group of CSOs and individuals under the request from a Member of Parliament.

Executive Summary (cont'd)



Participants of the Regional Peer-Learning Platform on Alternative Care Arrangements for Children in the Context of International Migration in the Asia Pacific in Jakarta, Indonesia

On direct engagement with the government on development on ATD, we attended several meetings organised by MAPO and KDN to advocate for an exit policy for children at Baitul Mahabbah Nilai who are unable to be repatriated where we presented our proposed ATD model for children in detention. We developed and submitted a Case Management and Family Tracing and Reunification (CM-FTR) Pilot Proposal to KDN, and jointly developed another proposal with the International Detention Coalition and UNICEF on practical recommendations and steps towards developing Community-Based ATD in Malaysia. Towards the end of the year, engagement with government indicated that KDN are taking steps to develop an ATD initiative with other key ministries and agencies, and NGOs would continue to be involved in the development.

In 2025, SUKA Society will continue to advocate for children, especially UASC, to be released from immigration detention centres into community-based alternatives to detention. We will continue to follow up on our proposals for the development and implementation of a pilot programme for children to be released from detention using an ATD model. Additionally, we have started preparations for a research project in Sabah entitled “Building Foundations for Community-Based Alternatives to Detention for Children Affected by Immigration Detention in Sabah: Needs and Capacity Assessment”. The research project will be completed in 2025 and provide insights on programmes and resources needed to develop community-based ATD for children in Sabah.

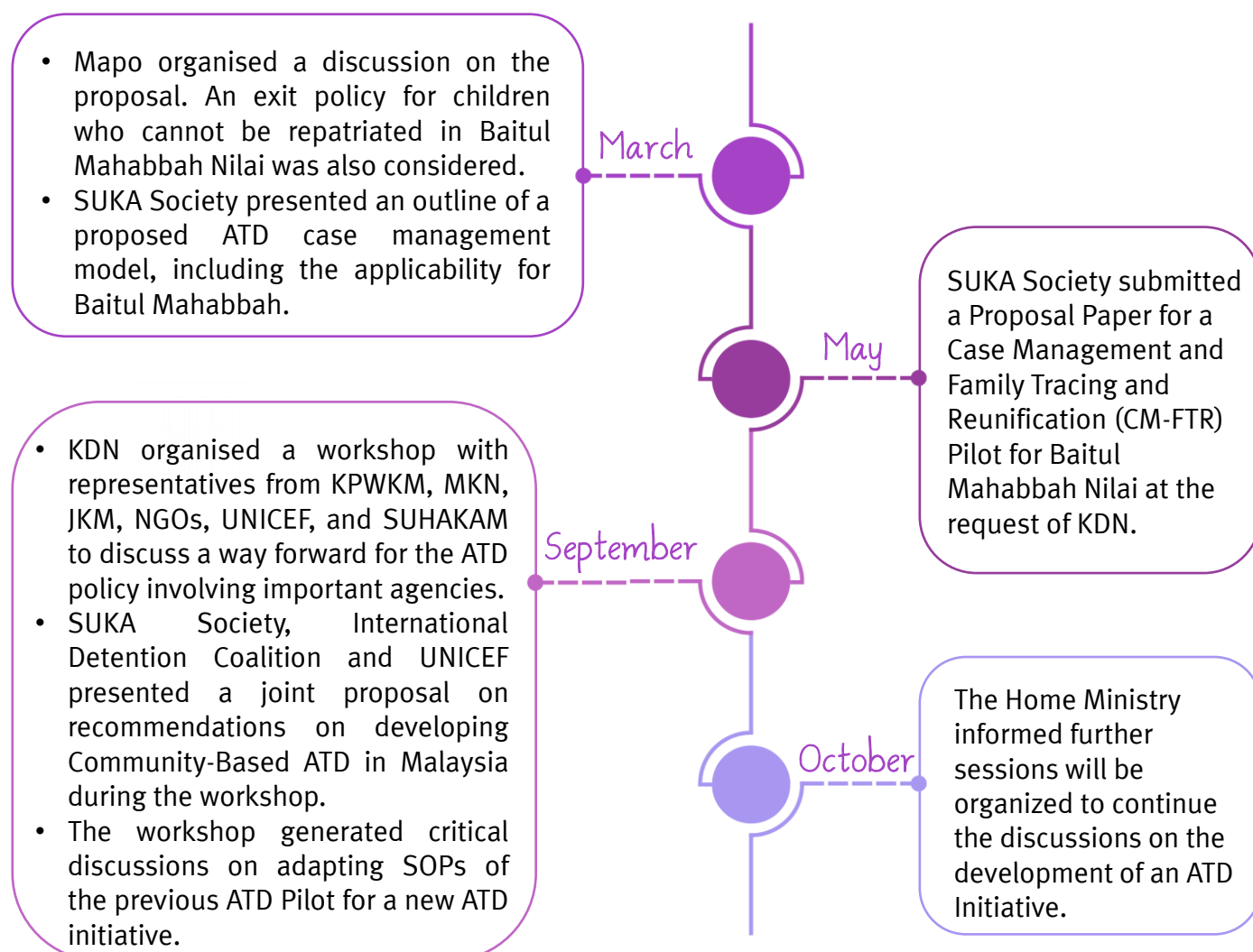
Advocacy

SUKA Society conducts advocacy with various key stakeholders to achieve our goal of release of children into rights-based alternatives. Advocacy work typically involves engaging stakeholders such as government ministries and agencies, parliamentarians, UN agencies, international and local NGOs, community-based organisations, and the diplomatic community. Through this, we bring awareness to various issues relating to children in detention, propose solutions, and seek support to make our goal a reality. Our advocacy activities are conducted in two main ways – through direct engagement with government and collaboratively with other civil society organisations.

In 2024, SUKA Society continued direct engagement with the government and attended a total of ten meetings with various government agencies and ministries. The meetings included visits to four Baitul Mahabbah centres, and discussions on releases of children from detention into community-based alternatives and development of a pilot for releases of children from Baitul Mahabbah to family reunification and community-based care.

SUKA Society attended four coordination meetings on ATD advocacy alongside UN agencies such as UNICEF, UNHCR, and IOM, as well as key NGOs including IDC and YCK, and the Human Rights Commission of Malaysia (SUHAKAM). These meetings served as valuable platforms for sharing information, strategizing, and fostering collaboration on ATD-related initiatives.

In November 2023, SUKA Society proposed an ATD-related initiative to MAPO regarding the implementation of case management and family tracing and reunification for the detainees at Baitul Mahabbah Nilai. The letter sparked a series of follow ups throughout 2024.



Advocacy (Cont.)

SUKA Society also has been actively involved with other civil society organisations in advocating for rights of children at risk of arrest and detention and children presently held in immigration detention centres. SUKA Society is a member of the End Detention Network (EDN), a coalition of 22 civil society organizations and individuals striving to eliminate immigration detention for children in Malaysia. Through this network, we engage in joint advocacy efforts and strategic initiatives with fellow NGOs.

In 2024, EDN convened six times where members shared updates on detention and refugee policies, identify advocacy opportunities and strategies, and plan joint activities. In 2024, the EDN published two press statements—in February to address the Bidor breakout incident⁴ and in September to highlight the importance of developing community-based ATD for the first anniversary of establishment of Baitul Mahabbah⁵. The latter received extensive media coverage and reached the Home Minister, who in response, stated that the Home Ministry is exploring implementation of community-based ATD. Additionally, the EDN authored 10 briefing notes throughout the year, articulating key advocacy priorities on ATD and immigration reform.



Visit to the National Security Council of Thailand office during the Alternatives to Immigration Detention and Protection of Children Affected by Migration Study Visit to Thailand by the Government of Malaysia, organised by UNICEF, 22-25 April

⁴ Asia Pacific Refugee Rights Network (APRRN), End Detention Network (EDN) and International Detention Coalition (IDC) (2024) [Local & International Migrant and Refugee Rights Groups Deeply Concerned About Malaysia's Harmful Immigration Detention Policies & Practices](#)

⁵ Malay Mail (2024) [One year on: Baitul Mahabbah centres still detain children with no end in sight](#)

Facilitation of Activities for Children in Detention

As continuation from work that started in the fourth quarter of 2023, we continued to provide overall coordination between the five NGOs providing activities and services for children and mothers at Baitul Mahabbah Nilai, which are SUKA Society, YCK, HumanKind, Malaysian Red Crescent Society and Geutanyoe Malaysia. The coordination work was between the NGOs, management of Baitul Mahabbah Nilai and JIM Putrajaya to ensure the smooth planning and implementation of the activities.

SUKA Society focused on providing basic literacy and education to children aged 3 years and above. Majority of the children did not have prior access to pre-school education nor attended any form of formal education. As such, activities were focused on learning alphabets, words, reading, writing, numbers, and basic mathematics. Both Malay and English languages were taught to the children. The main goal of the activities was for all the children to be able to read, write, and count before they leave the centre. All children progressed in their learning during the project period, although some at a slower pace than the others.

Between January and December, the NGOs conducted a total of 169 activities for children and mothers. SUKA Society conducted a total of 62 sessions.

Type of activity	Organisation	No. of sessions
Children – Psychoeducation/Mental Health	HumanKind	40
Women – Art Therapy/Sewing Circle/Mental Health	HumanKind	29
Mother & Child – Relationship Building	HumanKind	25
Children - Basic literacy and education	SUKA Society	62
Children – Recreation/Personal Hygiene and Safety/Civic Education/Others	YCK	13

We also organised a Hari Raya celebration together with Yayasan Chow Kit and Humankind on 16 April for the children and the mothers with some food and activities that involved games for the children and crafting activities for the mother. On 20 November, in conjunction with World Children's Day, we organised a fun relay race for the children along with SUKA staff volunteers.

In September, SUKA Society coordinated a review of NGO involvement in Baitul Mahabbah Nilai amongst the partner NGOs. Due to lack of progress in exit policy for the asylum-seeking children and lack of access to interpreters, HumanKind and YCK decided to withdraw their services from the centre in 2025. In October, SUKA Society initiated a meeting with MAPO to review the activities conducted, inform of HumanKind and Yayasan Chow Kit's decision to withdraw services, highlight the mental health conditions of mothers and children at the center using artwork produced by detainees during art therapy sessions, and highlight the need for an exit policy for children and mothers facing prolonged detention.

In 2025, SUKA Society will continue with facilitating activities for the children at Baitul Mahabbah Nilai while advocating for release of the children into community-based care.



SUKA Society, HumanKind and Yayasan Chow Kit jointly organised a Hari Raya celebration and relay games for the children and mothers at Baitul Mahabbah Nilai.



Drawing of the children's homes during an education session held by SUKA Society.

Training for Immigration Officers

Eight sessions of child sensitisation training workshop entitled “Kursus Pengendalian dan Penjagaan Kanak-Kanak” was conducted for immigration officers of four newly established Baitul Mahabbah centres. Two sessions were conducted for each location. A total of 128 immigration officers attended the workshops. The centres where training was conducted for are:

Workshop Date	Centre	No. of Participants
10-11 January 2024	Baitul Mahabbah Papar, Sabah	44
11-12 June 2024	Baitul Mahabbah Bekenu, Sarawak	28
27-28 August 2024	Baitul Mahabbah Tanah Merah, Kelantan	29
24-25 September 2024	Baitul Mahabbah Kedah, Kedah	27

Although the workshop's contents were focused primarily on application of child protection principles in the management of the children's detention centres, we utilised an approach that was focused more on shifting mindsets. One of the workshop's key goals was to shift the officers' mindsets from playing an enforcement to a protection role. Their prior training emphasised a law enforcement approach, viewing detainees as offenders rather than individuals facing complex situations and children who require protection and care.

While some officers remained reserved, others voiced their concerns about assuming what they perceived as the responsibilities of social welfare officers. This open dialogue allowed trainers to directly address the impact of detention on children, emphasising the crucial differences in treatment compared to adult detainees. Trainers acknowledged the officers' role confusion and addressed their sentiments towards asylum seekers, particularly Rohingya refugees, who often faced heightened prejudice from the local communities. This empathetic approach helped bridge the gap between enforcement and protection mindsets.

By the workshop's end, some noticeable shift occurred. A few of the officers demonstrated a greater willingness to embrace their revised role and even expressed compassion towards the children. Most acknowledged that these children are victims of their parents' circumstances and should not be treated as criminals.



Participants from Jabatan Imigresen Sabah on 10 January 2024 participating in the discussion segment of the workshop.

The training emphasised the long-term consequences of even short periods of detention on children's developing minds and emotions. The officers were also made aware of other options to immigration detention of children, such as community-based alternative to detention and linking legal framework for refugee management, that could still protect national interests while protecting the children's best interests. This reframed the officers' role as potentially temporary, supporting children while more sustainable solutions are developed by exploring alternatives to detention.

In 2025, SUKA Society plans to conduct one more training workshop for Baitul Mahabbah Johor Bahru and consider planning follow up training sessions with previous detention centres, subject to the capacity of the team.

Programme Expenses for 2024

Alternative to Detention

No	Details	Total (MYR)
01.	ATD Coordinator & ATD Programme Facilitator	122,870.77
02.	EPF, SOCSO, EIS	19,528.60
03.	Training	59.00
04.	Education Programme	496.20
05.	Travel	3,123.11
06.	Food	381.63
07.	Awareness	429.82
08.	Case Management	24.00
09.	Intepreter	311.00
Total Yearly Programme Cost		147,224.13



How You Can Help

The ATD team is looking for long-term volunteers to assist in conducting basic literacy and educational programmes for children affected by immigration detention. Volunteers must be based in or willing to travel to Nilai, enjoy working with children, available on weekday mornings/afternoon and committed to volunteer weekly or fortnightly for a minimum of 3 months.

Acknowledgements

SUKA Society would like to acknowledge and thank our partners such as Yayasan Chow Kit, the International Detention Coalition (IDC), Yayasan Chow Kit, HumanKind, members of the End Detention Network (EDN) and our funders for the close collaboration and support in advancing the rights of children affected by immigration detention.

Contact Details

For more information regarding the ATD programme, please get in touch with us at enquiry@sukasociety.org.

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