

Malaysia fails to answer UN on claims of boat refugee push backs

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Malaysia failed to respond to a request by the United Nations (UN) for an explanation to claims that the country pushed back Myanmar and Bangladesh migrants out to sea, officials from the international body said today.

Four UN special rapporteurs released letters sent to Malaysia, Indonesia and Thailand in May asking for these countries to explain allegations of its "push back" policy on irregular boat migrants that included asylum seekers.

Only Thailand replied to the letter that was jointly written by the special rapporteurs on the human rights of migrants, summary executions, torture and on human trafficking,

In the letter dated May 21, 2015 to the three countries, the UN officials had asked Malaysia to explain eight cases, which were brought to their attention, including to provide any information and comment on the mentioned allegations.

"Please provide details of any measures your Excellency's Government has undertaken to safeguard the life and personal safety and guarantee the full respect of all human rights of irregular migrants during the time the vessel was blocked from entering Malaysia territorial waters.

"Please indicate who instructed your Excellency Government's navy vessels to intercept boats and refuse it entry, and any investigation initiated in this respect. Please indicate any action taken to ensure that this kind of situation does not arise in the future," the letter stated.

The letter also urged Malaysia to explain the measures taken to comply with non-refoulement and to guarantee that, under the push back policy, no person is returned to a state where there are substantial grounds for believing that she or he risks being subjected to torture or ill treatment.

UN also asked Putrajaya to provide details of the agreement and whether access to legal representatives had been facilitated by the authorities.

During the Rohingya boat people crisis earlier this year, Malaysia, Indonesia and Thailand had given temporary shelter to boat migrants stranded at sea after initially pushing them back from landing on shore.

But many more were stranded at sea after being abandoned by human traffickers fleeing a crackdown on trafficking.

The UN also wanted Putrajaya to reveal the steps taken to identify and protect vulnerable groups, including possible victims of trafficking and any policies implemented to screen refugee status determination as well as to identify other

protection needs such as possible victims of trafficking, unaccompanied children or persons with health issues.

The rapporteurs said in 2014, some 54,000 migrants travelled through Southeast Asia to enter the territorial waters of Malaysia, Thailand and Indonesia, with many dying while crossing the Andaman Sea and the Malacca Strait.

It said that between September 2014 and March this year, 920 migrants died while attempting this crossing. – October 23, 2015.

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