

# KUALA LUMPUR (regional)

COVERING: Brunei Darussalam, Japan, Malaysia, Singapore



Having worked in Malaysia since 1972, the ICRC established a regional delegation in Kuala Lumpur in 2001 and an independent mission in Japan in 2012. It works with governments and National Societies to promote IHL and humanitarian principles and to gain support for its activities. In Malaysia, the ICRC visits detainees, including detained migrants, and works with authorities to address issues identified during those visits. It enables detained migrants to contact their families. The regional resource centre supports delegations in East and South-East Asia and the Pacific in promoting IHL and strengthening support for the ICRC and Movement cooperation.

## KEY RESULTS/CONSTRAINTS

### In 2013:

- ▶ detainees in Malaysian immigration centres and prisons benefited from ICRC visits, and from recommendations on their treatment and living conditions given to the authorities, with most minors moving to a new dedicated facility
- ▶ separated family members, including detained migrants, reconnected with their relatives using Movement family-links services, such as RCMs and oral messages relayed by ICRC delegates
- ▶ in Malaysia, about 40 prison managers and health care personnel added to their knowledge and skills related to health care in custodial settings at 2 seminars organized by the Prison Department and the ICRC
- ▶ Japan's highest authorities, Japanese Red Cross Society representatives and the ICRC's president reaffirmed the high level of trust, cooperation and dialogue on humanitarian issues between Japan and the ICRC
- ▶ the Royal Malaysian Police force enhanced its capacities in public order management through ICRC training for its instructors and briefings for over 200 senior officers
- ▶ in Malaysia, political developments led to the delay/cancellation of some activities, including visits to detainees and Malaysian Red Crescent Society/ICRC initiatives for migrants in Sabah

## YEARLY RESULT

Level of achievement of ICRC yearly objectives/plans of action

**MEDIUM**

PROTECTION	Total
<b>CIVILIANS (residents, IDPs, returnees, etc.)</b>	
Red Cross messages (RCMs)	
RCMs collected	72
RCMs distributed	137
<b>PEOPLE DEPRIVED OF THEIR FREEDOM (All categories/all statuses)</b>	
ICRC visits	
Detainees visited	17,946
Detainees visited and monitored individually	672
Number of visits carried out	29
Number of places of detention visited	15
<b>Restoring family links</b>	
RCMs collected	128
RCMs distributed	27
Phone calls made to families to inform them of the whereabouts of a detained relative	1,035

## EXPENDITURE (in KCHF)

Protection	1,474
Assistance	-
Prevention	1,977
Cooperation with National Societies	445
General	218

**4,114**

of which: Overheads 251

## IMPLEMENTATION RATE

Expenditure/yearly budget	<b>96%</b>
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## PERSONNEL

Mobile staff	13
Resident staff (daily workers not included)	33

## CONTEXT

Migration remained a pressing concern for the region's authorities and the public. Some migrants continued to be victims of human trafficking.

In Malaysia, general elections were held in May. The Royal Commission of Inquiry began hearings on issues surrounding migrants in Sabah, looking into the legal and social ramifications of migration, the process of issuing identity documents and the problem of statelessness. In February, Malaysian armed and security forces clashed with a group of armed men in Lahad Datu, Sabah for over three weeks, leading to deaths, arrests and displacement and the establishment of new security mechanisms. These three events dominated the Malaysian political landscape and occupied authorities during the first half of the year.

Japan's new leadership made a commitment to constitutional reform and to pursuing reconstruction efforts following the 2011 disaster. Nuclear weapons remained a topic of concern in the country.

Interest in humanitarian affairs grew in Singapore, with the number of charitable donations from the private sector tripling in six years and the government promoting itself as a hub for NGOs/humanitarian organizations.

Brunei Darussalam chaired the Association of Southeast Asian Nations (ASEAN).

Countries in the region contributed military and police personnel to peacekeeping operations abroad.

## ICRC ACTION AND RESULTS

The ICRC worked with national authorities, National Societies and other stakeholders in the region, as well as with regional bodies, to highlight and address humanitarian concerns. It pursued efforts to increase awareness of IHL, humanitarian issues, and the ICRC.

In Malaysia, people detained in immigration detention centres and in prisons were visited by ICRC delegates, who shared their findings and recommendations confidentially with the relevant authorities, helping them ensure that detainees' treatment and living conditions were in line with internationally recognized standards. Following such recommendations, most unaccompanied minors held in immigration depots were less vulnerable to abuse and more easily looked after following their transfer to a dedicated facility set up by the authorities. The Prison Department improved its ability to address detainees' health needs, co-organizing with the ICRC two seminars for prison directors and medical staff. The political situation, however, caused the delay or cancellation of several planned activities.

The Malaysian Red Crescent Society and the ICRC strove to acquire a fuller understanding of migrants' needs, with a view to developing and delivering appropriate responses. On the basis of initial consultations with government and NGO contacts, the ICRC, together with the National Society branch in Sabah, began to plan its approach to assessing/addressing the health needs of vulnerable communities there; however, there was no progress in the assessments of human trafficking victims' concerns, which had begun the previous year.

Families separated by migration improved their chances of reconnecting following commitments by Movement partners in the Asia-Pacific region to strengthen their family-links services.

The ICRC maintained its dialogue with governments and other regional actors to foster understanding of humanitarian issues, IHL and the ICRC. The ICRC president's visits to Japan and Singapore helped strengthen relationships and develop the scope of cooperation. These visits confirmed the quality of dialogue with the highest authorities and the respective Red Cross Societies and enhanced the ICRC's profile.

The Malaysian government and the ICRC co-organized a regional workshop on the "Strengthening IHL" process, at which over 20 countries were represented. The authorities pursued domestic IHL implementation with technical and training support from the ICRC. Experts shared their views on cyber warfare at a round-table.

At public campaigns, briefings and other events, the media, academics, civil society representatives, including Islamic organizations in Malaysia, and the ICRC encouraged information exchange and cooperation in addressing humanitarian concerns, such as migration, the protection of civilians, including unaccompanied and separated minors in South-East Asia, and civil-military relations.

The region's armed and self-defence forces continued to cooperate with the ICRC to increase knowledge of IHL and the ICRC's role and mandate among their troops, including during national/multinational training exercises and predeployment briefings for peacekeepers. With ICRC support, instructors from the Royal Malaysian Police enhanced their teaching of applicable international norms.

As before, the National Societies/ICRC cooperated with educational authorities in implementing the Exploring Humanitarian Law programme for schoolchildren in their respective countries.

All four National Societies received ICRC support to strengthen their capacities to restore family links and/or promote IHL. The Malaysian National Society recruited and trained volunteers to boost the capacities of its branch in Sabah. Several Movement conferences, including on the Safer Access Framework, sought to strengthen the implementation of the Movement approach in the region.

The Kuala Lumpur delegation's regional resource centre continued to provide expert support to ICRC delegations in East and South-East Asia and the Pacific to enhance prevention-related activities.

## CIVILIANS

### People in Malaysia contact relatives detained/interned abroad through Movement family-links network

Families used Malaysian Red Crescent/ICRC family-links services to restore/maintain contact with their relatives detained or interned abroad. The families of three individuals held at the US internment facility at Guantanamo Bay Naval Station in Cuba contacted their relatives through RCMs, oral messages exchanged via the ICRC, and direct family news relayed by an ICRC delegate who had visited the Guantanamo Bay internees.

No requests were made for travel documents for the resettlement of refugees and asylum seekers in third countries.

### **Migrants and separated children stand to benefit from developing Movement approaches, including to restoring family links**

The National Society/ICRC learnt more about the health care services available to vulnerable communities in Sabah during consultations with Health Ministry and NGO representatives and medical professionals. Despite delays in opening an office in Sabah, the ICRC expanded its presence there. The aforementioned consultations, along with cooperation with the National Society branch there, for instance, in recruiting and training volunteers, helped both organizations define their approach to addressing the humanitarian needs of vulnerable communities, including migrants.

Contacts were made with the Malaysian authorities, with a view to pursuing dialogue and continuing assessments begun last year on the living conditions and welfare of human trafficking victims in shelters, but yielded few results.

Noting the incidence of Muslims fleeing the violence in parts of Myanmar and of migrants lost at sea, key stakeholders and the ICRC helped foster understanding of regional developments in migration and contributed to drafting appropriate responses through regular contact and joint activities. The ICRC contributed its perspective on the situation of unaccompanied and separated children in South-East Asia to an analysis prepared by the Regional Support Office of the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime, and to a related regional round-table on tracing and other issues surrounding the return of such children and other vulnerable people. People affected by migration-related issues stood to benefit from improved responses to their family-links needs following commitments/recommendations made by Movement partners from seven Asia-Pacific countries at a workshop in Kuala Lumpur.

### **Emergency-affected people meet urgent needs through National Society assistance**

People displaced by the clashes in Lahad Datu met their nutritional needs with meals prepared by Malaysian Red Crescent volunteers, who attended ICRC briefings on the Safer Access Framework to help them safely attend to the needs of people affected. As events unfolded, the ICRC informed Malaysian authorities of its willingness to provide humanitarian assistance if needed.

Typhoon-affected people in the southern Philippines received medical care at a health facility set up by the Japanese Red Cross whose staff, for the first time, formed part of an emergency team dispatched by the ICRC (see *Philippines*). On the basis of their Philippine experience, the Japanese Red Cross and the ICRC discussed supplementary training and other ways to improve rapid deployment mechanisms for future emergencies.

### **PEOPLE DEPRIVED OF THEIR FREEDOM**

In Malaysia, close to 18,000 people detained in 9 immigration detention centres and 6 prisons benefited from ICRC visits to monitor their treatment and living conditions, conducted according to the organization's standard procedures. Among the detainees were juveniles and people held in relation to the Lahad Datu incident under a new security offences act passed in 2012. The ICRC had, in principle, received permission to visit the Sabah

immigration detention centres, but owing to political developments in the country (see *Context*), only one visit could be conducted during the year.

Equipped with feedback and recommendations from the ICRC after its visits, the detaining authorities sought to ensure that detainees' treatment and living conditions were in line with internationally recognized standards (see below). They discussed, with other stakeholders and the ICRC, the responsibilities of various government departments for providing health services in custodial settings. At a government-organized round-table, they explored alternatives to detention, particularly for unaccompanied minors, and reviewed related models and legal frameworks.

Detainees, including migrants, and their relatives used Malaysian Red Crescent/ICRC family-links services, such as RCMs and oral or "safe and well" messages, to stay in touch.

Migrants held at one facility in Sabah stood to benefit from better conditions after detaining authorities took steps, on ICRC advice, to adjust the facility's food service and maintenance regimes.

### **Unaccompanied minors in Malaysian immigration detention centres move to dedicated facility**

Unaccompanied minors from several immigration detention centres were less vulnerable to potential abuse and had their specific needs better addressed, as a result of their transfer to a dedicated facility. The facility, set up by the authorities on the ICRC's recommendation, was intended to house minors separately from adults. However, the authorities received ICRC follow-up as incidences of adults being housed with minors continued. Specific cases of unaccompanied minors were followed up directly with other Movement partners (with one child returning to his family in Bangladesh) or, for children seeking asylum, with UNHCR.

Particularly vulnerable individuals, such as children and pregnant/breastfeeding women, eased their confinement through ICRC donations of food, hygiene kits and recreational items. One former detainee underwent ICRC-supported vocational training.

### **Detainees in Malaysia stand to benefit from training for prison managers and health workers**

Some 40 prison managers and health care personnel enhanced their abilities to address health needs in detention settings at two seminars organized by the Prison Department and the ICRC. The participants discussed such issues as medical ethics and TB and HIV management with government and ICRC panellists. Two Prison Department officials attended a regional seminar on water and sanitation management (see *Bangkok*).

Owing to constraints created by the political situation and restructuring in some government departments, discussion with the authorities, of a report on a 2012 assessment of the mental health needs of juveniles in three prisons, remained pending; workshops with heads of immigration detention centres, on juveniles in detention, were also cancelled.

### **AUTHORITIES, ARMED FORCES AND OTHER BEARERS OF WEAPONS, AND CIVIL SOCIETY**

The region's governments, as well as the Malaysian national IHL committee, pursued efforts to implement IHL, with National Society/ICRC technical support, including that provided at a regional teaching session (see *Philippines*). Malaysian authorities

continued to prepare legislation to facilitate its accession to the Rome Statute; to this end, they participated in a workshop and received ICRC advice. Brunei Darussalam considered acceding to the Optional Protocol to the Convention on the Rights of the Child and implementing the Rome Statute – despite not having acceded to it – and was finalizing legislation on the Chemical Weapons Convention. Singaporean authorities and the ICRC discussed implementation of the above-mentioned Protocol. The Japanese Red Cross endeavoured to revive Japan's national IHL committee.

Government representatives, especially Foreign Affairs and Defence Ministry officials, deepened their understanding of humanitarian issues and the Movement's work through regular contact with the ICRC, including at high-level meetings during the ICRC president's visits to Japan (see below) and Singapore. They participated in local/regional ICRC-supported events, including a "Strengthening IHL" process workshop hosted by Malaysia for participants from 23 countries and Japanese Red Cross/ICRC activities on the margins of the 5th Tokyo International Conference on African Development. Foreign affairs-affiliated institutes organized fora on protection for civilians: a Malaysian event included an ICRC session on issues raised by the Health Care in Danger project, while a series of ICRC-supported talks in Japan led to the drafting of policy recommendations by a study group at the Japan Institute of International Affairs. Malaysian officials/diplomats learnt more about the ICRC at sessions periodically included in their training programmes.

#### **High-level Japanese officials engage ICRC on key humanitarian issues**

Japanese officials and the ICRC pursued bilateral discussions on key humanitarian/operational issues, notably during the ICRC president's meetings with the emperor and the prime minister. The authorities, other stakeholders and the National Society sought ICRC input on humanitarian issues linked to nuclear weapons, with the National Society organizing related events at the 2013 Council of Delegates and establishing a resource centre on the subject.

The ASEAN departments of Brunei Darussalam and Singapore and the ICRC maintained contact, with a view to planning joint activities on matters of mutual interest, such as disaster management, peacekeeping, mine action and migration.

#### **Civil society organizations and universities debate humanitarian issues**

Specialists from eight Asia-Pacific countries discussed cyber warfare and the application of IHL at a round-table co-organized by a Singaporean think-tank and the ICRC. In Malaysia, Muslim NGOs with humanitarian activities abroad discussed humanitarian principles with the ICRC, as well as approaches to dealing with access and security constraints.

Students at leading Japanese, Malaysian and Singaporean universities, including those studying journalism, learnt more about IHL at National Society/ICRC-supported courses, such as one in Japan for East Asian students and National Society staff. With National Society/ICRC input, the International Islamic University of Malaysia developed a postgraduate course in humanitarian affairs; other universities considered doing the same. Students tested their knowledge of IHL at local/regional debate and moot court competitions (see *Beijing*). Schoolchildren learnt about humanitarian principles through the Exploring Humanitarian Law programme.

The Malaysian Education Ministry incorporated the programme in a professional development course for officials and pre-school teachers, while Bruneian officials studied the implementation of the programme in Thailand.

Media representatives enhanced their reporting on humanitarian issues and activities, aided by regular contact with the ICRC and ICRC-facilitated field visits and training, including abroad (see *New Delhi*). The public learnt more about salient humanitarian issues at National Society-organized events, such as those held in Japan on nuclear weapons and during the ICRC president's visit, and others in Singapore.

The Singapore Red Cross Society and the ICRC began consultations on a joint private sector fundraising strategy and notably launched a fundraising campaign in partnership with an international online company.

#### **Armed forces take IHL into account during regional training exercises**

Instructors and officers of the region's armed and self-defence forces attending command and staff colleges/warfare training centres, or participating in national/multinational exercises, enriched their knowledge of IHL and the ICRC during training sessions, including in an advanced course (see *International law and cooperation*), and related events. These included: the Cobra Gold exercise and the 26th Annual International Military Law and Operations Conference in Thailand; the Tokyo Defense Forum; an annual seminar at the National Institute for Defense Studies in Japan; and in Singapore, the 15th Asia-Pacific Programme for Senior Military Officers and the armed forces' new civil-military relations course.

The Japanese Self-Defense Forces, building on discussions in 2012 with the ICRC, worked on a training manual covering POW-related concerns.

Peacekeeping troops from Brunei Darussalam, Japan and Malaysia attended ICRC predeployment briefings. Interaction with the Malaysian and Singaporean armed forces became less frequent with the end of their deployment to Afghanistan; nonetheless, Singapore's military and the ICRC prepared to co-organize a regional workshop in 2014 on IHL at sea.

#### **Malaysian police instructors bolster their teaching**

Police officers in Malaysia, including in Sabah, maintained contact with the ICRC. Cooperation with the Royal Malaysian Police continued; over 200 senior officers refreshed their understanding of public order management at ICRC briefings/courses, including in Sabah and abroad (see *Jakarta*). Police instructors strengthened their ability to teach applicable international norms at a trainers' workshop.

Contact with Singapore's police force continued to develop.

#### **RED CROSS AND RED CRESCENT MOVEMENT**

The region's National Societies, with ICRC support and in coordination with other Movement partners, enhanced their ability to respond to humanitarian needs, improving their family-links services and strengthening their organizational frameworks, including by reviewing their statutes (Brunei Darussalam) and finalizing areas of cooperation (Singapore). They promoted IHL, humanitarian principles and the Movement and its principles and activities in their respective countries.

All four National Societies worked with their educational authorities to train instructors for the Exploring Humanitarian Law programme and to incorporate the programme in their educational systems. The Japanese Red Cross translated modules and adapted them to the local context, while the Brunei Darussalam Red Crescent Society discussed its programme implementation plans with the ICRC.

Movement partners consolidated their approaches, participating in regional conferences in Malaysia, including on youth and organizational development and the Safer Access Framework, and meetings of National Society leaders and legal advisers (see *Bangkok and Beijing*).

MAIN FIGURES AND INDICATORS: PROTECTION		Total		
<b>CIVILIANS (residents, IDPs, returnees, etc.)</b>				
Red Cross messages (RCMs)			UAMs/SCs*	
RCMs collected		72		
RCMs distributed		137		
Tracing requests, including cases of missing persons			Women	Minors
People for whom a tracing request was newly registered		2	1	
Tracing cases still being handled at the end of the reporting period (people)		1	1	
<b>PEOPLE DEPRIVED OF THEIR FREEDOM (All categories/all statuses)<sup>1</sup></b>				
ICRC visits			Women	Minors
Detainees visited		17,946	1,664	637
Detainees visited and monitored individually		672	38	316
Detainees newly registered		671	38	315
Number of visits carried out		29		
Number of places of detention visited		15		
Restoring family links				
RCMs collected		128		
RCMs distributed		27		
Phone calls made to families to inform them of the whereabouts of a detained relative		1,035		

\* Unaccompanied minors/separated children

1. Malaysia

MAIN FIGURES AND INDICATORS: ASSISTANCE		Total	Women	Children
<b>PEOPLE DEPRIVED OF THEIR FREEDOM (All categories/all statuses)<sup>1</sup></b>				
<b>Economic security, water and habitat (in some cases provided within a protection programme)</b>				
Food commodities	Beneficiaries	1,136		
Essential household items	Beneficiaries	5,587		
Work, services and training	Beneficiaries	1		
<b>Health</b>				
Number of visits carried out by health staff		11		
Number of places of detention visited by health staff		8		

1. Malaysia