



Convention on the Rights of the Child

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Agenda item 4

Consideration of reports of States Parties

Replies of Malaysia to the list of issues in relation to its combined second to fourth periodic reports*, **

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* The present document is being issued without formal editing.

** The annexes to the present document may be accessed from the web page of the Committee.



Part I

Reply to paragraph 2 (a) of the list of issues (CRC/C/MYS/Q/2-4)

1. Malaysia remains committed to continue to review its reservations to remaining articles under Convention on the Rights of the Child (the Convention) with a view to potential withdrawal. An inter-ministerial committee has been established to periodically assess all treaty reservations, including those under the Convention in consultations with relevant ministries and agencies and the Human Rights Commission of Malaysia (SUHAKAM¹). Two internal reviews have been conducted to date.

Reply to paragraph 2 (b)

2. Malaysia has undertaken progressive legal harmonisation across civil and Syariah jurisdictions. At the federal level, multiple committees have been established to review Syariah-related laws governing criminal offences, criminal and civil procedures and family matters. A Special Committee has been mandated to examine the legislative competence of the State Legislative Assemblies and the jurisdictional scope of Syariah Courts under the Federal Constitution.

3. The distinct legal functions of custody orders (*Hadhanah*) issued by the Syariah Court and Protection Order granted under the Child Act 2001 [Act 611] by the Court for Children (MBKK) were reaffirmed by the Court of Appeal on 22 January 2025 in *Public Prosecutor v Liana binti Esa*. The Court of Appeal upheld the Protection Order issued by MBKK, clarifying that Protection Order serve a separate public law function to protect children from harm, neglect or abuse and does not override the *Hadhanah* order which governs custodial rights between private parties. The judgment affirms that mechanisms under Act 611 operates in parallel with family law proceedings and reflecting commitment to uphold the best interests of the child across all legal and institutional settings.

4. To strengthen child-sensitive justice within the Syariah system, the Department of Syariah Judiciary Malaysia has established a dedicated task force to develop Standard Operating Procedures for handling youth offenders' cases. Specialised training for Syariah judges and officers has also been introduced, aligning Convention principles with Islamic legal values of compassion, justice and child welfare.

Reply to paragraph 2 (c)

5. In November 2024, the Government with support from the United Nations Children's Fund (UNICEF) launched the revised National Child Policy (NCP), adopting a whole-of-nation approach to address emerging and persistent child protection concerns. These includes juvenile rehabilitation, climate change, mental health, bullying, exploitation and online safety. From 2020 to 2024, extensive stakeholder consultations guided by a child oriented and participatory approach were conducted with government agencies, legislators, academia, child rights activists, SUHAKAM, industry and non-governmental organisations (NGOs). Structured interviews were held with 120 children from diverse backgrounds, including those with disabilities, aboriginal peoples and rural and urban communities.

6. The revised NCP is inclusive of all children and builds upon earlier frameworks, including the NCP Plan of Action (POA) (2009–2015), the Child Protection Policy and its POA (2009–2015), the Action Plan on Child Online Protection (2015–2020) and relevant elements of the National Policy on Reproductive and Social Health Education (2022–2025). It aligns with existing laws to provide a coherent, rights-based and responsive approach that upholds every child's right to survival, protection, development and meaningful participation, with a focus on equitable access to health, education, safety and well-being.

¹ For ease of reference, a list of abbreviations and acronyms used in this written reply is provided in the Annexure D.

7. The accompanying NCP POA 2026–2030 translates this vision into four strategic objectives, 16 priority strategies and 141 concrete actions implemented in three phases. Implementation is monitored by the National Council for Children (MKBKK), supported by accountability indicators comprising structural, process and outcome measures tracking the realisation of rights. The framework also emphasises the collection of disaggregated data to track rights realisation throughout the implementation cycle.

8. Informed by past cycle, the revised framework prioritises stronger institutional coordination, data systems and meaningful engagement of non-state actors. The NCP POA, launched on 18 November 2025 is financed through existing sectoral budgets and integrated into regular ministerial and agencies planning and expenditure cycles.

Reply to paragraph 2 (d)

9. The Government continues to prioritise resources for child development through increased investments in early childhood care, education, healthcare and social protection. Child-focused public spending rose by 34.39%, from RM22.1 billion (USD5.2 billion) in 2023 to RM29.7 billion (USD7.0 billion) in 2025². Inclusive budgeting is further strengthened through Gender Responsive Budgeting under Treasury Circular PB1.3 which incorporates gender and social inclusion analysis, including children.

10. The institutional transformation of the Children's Division into the Department of Children Development (JPKK) has enhanced child protection services, supported by the phased recruitment of 640 contract officers. Tailored training for Protection Officers and contract staff focuses on case management, psychosocial intervention and referral coordination. Implementation is further strengthened by the development of the Child Services System, integrating records on abuse cases, child sexual offenders and fit and proper persons (OYLS) to enhance placement and coordination.

11. In 2024, the Ministry of Women, Family and Community Development (MWFCDD) led multistakeholder consultations and public surveys on proposed amendments to Act 611 and the Child Care Centre Act 1984 [Act 308]. Two Special Project Teams, comprising Government, civil society organisations (CSOs), services providers and academia were established to guide the review in line with the Convention's principles and best practices.

12. In 2023, MKBKK established five specialised Sub-Committees to support inter-agency coordination and address emerging cross-sectoral issues. Recent deliberations included expanding the Reproductive Health and Social Education (PEKERTI) programme to grassroots communities, scaling Child Protection Advocacy programmes in schools and Children's Activity Centres, intensifying sub-national child-focused programmes and Halfway Home Programme for adolescents in transitional care.

13. Formed in March 2023 under the Parliamentary oversight, the Special Select Committee on Women, Children and Community Development holds a direct mandate on child and social development matters³. It has tabled eight thematic reports on issues including the proposed Children's Commission, refugee welfare, the Reproductive and Social Health Education (PEERS) curriculum and justice reforms for child victims of sexual offences. This builds on the work of the 2019 Special Select Committee on Gender Equality and Family Development.

14. The participation of children in policy and decision-making processes is addressed in paragraph 23.

² Currency conversions from Malaysian Ringgit (RM) to United States Dollars (USD) are approximate based on the official average rate of RM4.2692 = USD1.00 as published by the Accountant General's Department of Malaysia for September 2025.

³ Now known as the Select Committee on Women, Children and Community Development.

Reply to paragraph 2 (e)

15. The Office of the Children's Commissioner (OCC) under SUHAKAM was strengthened through the Human Rights Commission of Malaysia (Amendment) Act 2024 [Act A1714] which introduced a Chief Children Commissioner and two regional commissioners to expand coverage, including in Sabah and Sarawak. These reforms affirm children's right to communicate directly with the OCC, enhancing access to redress mechanisms and meaningful participation in matters affecting them.

16. Since 2019, the Royal Malaysia Police (RMP) has introduced the Autism: Guidelines of the Royal Malaysia Police for handling autistic victims, suspects or witnesses. The guidelines include safeguards such as assigning trained officers, non-coercive procedures and adapted communication techniques. The "Friends of Persons with Autism" network supports this effort by embedding autism sensitive liaison officers at district level. Between 2019 and 2024, 57 victims and two suspects with autism were recorded.

17. In 2023, key laws were amended to criminalise sexual extortion and sexual performance while strengthening procedural safeguards for child victims. Amendments to the Sexual Offences Against Children Act [Act 792] and Evidence of Child Witness Act [Act 676] now enable full pre-recording of child victims' testimony, restricting inappropriate courtroom questioning and expand legal protections. Further revisions in 2024 allows convictions based solely on uncorroborated child witness testimony, reinforcing judicial responsiveness to child victims. The Legal Affairs Division of the Prime Minister's Department (BHEUU) in collaboration with UNICEF launched the revised Special Guidelines for Handling Child Sexual Abuse Cases in 2025, replacing the 2017 edition and strengthening trauma-informed, child-friendly justice procedures. A dedicated Sexual Offences Against Children Bench Book First Edition 2025 and a Practice Direction on Special Hearings are under development, alongside specialised judicial training and cross-jurisdictional knowledge exchange.

18. Access to legal aid have been expanded through amendments to the Legal Aid Act 1971 [Act 26] in 2017, introducing legal companion services for children in sexual offences. As of 2024, 527 children and their families have benefited from such services. The Justice on Wheels initiative, launched in January 2024, further extends mobile legal aid services directly to the underserved and remote communities, including children.

Reply to paragraph 2 (f)

19. Building on the National Baseline Assessment on Business and Human Rights, the National Action Plan on Business and Human Rights (NAPBHR) 2025–2030, launched on 12 August 2025 led by BHEUU in partnership with the United Nations Development Programme and SUHAKAM integrates children's rights across governance, labour and environmental responsibility pillars. Commitments include eliminating child and forced labour, safeguarding children's privacy, strengthening consumer protection, advancing digital rights and online safety and embedding children's rights in public procurement.

20. NAPBHR establishes regulatory frameworks through feasibility studies on mandatory human rights due diligence for businesses and legal reviews of the Consumer Protection Act 1999 [Act 599], Communications and Multimedia Act 1998 [Act 588] and Online Safety Act 2025 [Act 866] to improve enforcement and child protection. It also reinforces grievance mechanisms and embeds child-sensitive environmental safeguards, including Free, Prior and Informed Consent principles for projects affecting aboriginal communities, with focus on youth and children.

Reply to paragraph 3 (a)

21. The principle of non-discrimination under Article 8(1) and (2) of the Federal Constitution are reinforced in Act 611 which mandates equal protection and assistance for all children, regardless of race, colour, sex, language, religion, social origin or physical, mental or emotional disabilities or any status. Additional statutory protections to safeguard the rights

of children with disabilities (CwD) and aboriginal children are provided under the Persons with Disabilities Act 2008 [Act 685] and the Aboriginal Peoples Act 1954 [Act 134]. On-citizen children have access to essential services including healthcare, education and legal protection for non-national children in accordance with applicable regulatory and administrative frameworks.

Reply to paragraph 3 (b)

22. The law explicitly prohibits the imposition of capital punishment for any person who was a child at the time of the offence without exception. This prohibition applies to all offences, including grave crimes under the amended Act 611 and national security and terrorism offences prosecuted under legislation such as the Security Offences (Special Measures) Act 2012 (SOSMA) [Act 747]. Pursuant to section 97 of Act 611, no death sentence shall be pronounced or recorded against a child, thereby establishing a categorical safeguard. Where a child is charged under SOSMA and the prescribed sentence includes the death penalty, the child is exempted from such punishment, as Act 611, as the specific law governing children in conflict with the law takes precedence over general criminal legislation, in accordance with the principle of *generalia specialibus non derogant*.

Reply to paragraph 3 (c)

23. In line with the revised NCP's emphasis on participatory governance, the Children's Representative Council (MPKK) empowers children to engage in policymaking. Between 2022 and 2023, 336 children were appointed at the state level and 34 nationally, including CwD and from aboriginal communities. Recommendations from the annual MPKK Conference are formally submitted to the MKBKK, institutionalising children's participation in policy discourse.

24. MPKK also contributes to regional Association of Southeast Asian Nations (ASEAN) dialogues. As the national focal point to the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC), MWFC with UNICEF's support, convened a national consultation in April 2025. This session engaged over 40 children from diverse backgrounds, including those from MPKK members, CwD, Indigenous communities and children affected by migration. The consultation provided a meaningful platform to inform the national stock-taking for the mid- and end-term reviews of key ASEAN action plans on violence, online exploitation, migration and the social work systems.

25. Malaysia, supported by UNICEF has hosted the 2025 ASEAN ICT Forum on Child Online Protection in November. Pre-consultations with children and youth were held to gather their recommendations on enhancing digital governance. Malaysia will also lead the ASEAN Children's Forum in 2026, reaffirming its commitment to advancing child participation in ASEAN policymaking.

Reply to paragraph 4 (a)

26. The law guarantees access to birth registration and birth certificates for all children born in Malaysia, irrespective of their parents' nationality or legal status as provided under the relevant birth registration laws. These include the Births and Deaths Registration Act 1957 [Act 299] for Peninsular Malaysia, the Registration of Births and Deaths Ordinance (Sabah Cap. 123) and the Registration of Births and Deaths Ordinance (Sarawak Cap. 10) for the respective East Malaysian states. At the federal level, outreach and advisory measures are implemented through the *Menyemai Kasih Rakyat* (MEKAR) programme, as detailed in paragraph 28. State-level initiatives include ongoing amendments to Sarawak Cap. 10 to simplify registration and the Mobile Court programme in Sabah to facilitate late registration in rural communities. Financial incentives through Endowment Fund Sarawak, reinforce national efforts to ensure timely civil registration, benefitting 54,826 newborns between 2022 and 2024.

Reply to paragraph 4 (b)

27. The Constitution (Amendment) Act 2025 [Act A1752], passed by Parliament in October 2024 and gazetted on 20 March 2025. Its implementation will commence on a date to be appointed by the Government to allow alignment of related laws, procedures and processes. The amendment allows citizenship to children born overseas to Malaysian woman with prospective effect. This reform upholds the child's right to acquire a nationality, in line with obligations under the Convention.

Reply to paragraph 4 (c)

28. The Government continues to expand advisory and awareness-raising programmes on national documentation in rural and hard-to-reach areas through sustained MEKAR programmes. Between 2018 and 2022, 6,372 mobile registration programmes were conducted, facilitating improved access to birth registration and identity documentation.

29. Targeted administrative mechanisms have been established to address complex citizenship cases involving children born under exceptional or undocumented circumstances to prevent statelessness. Under Article 15A of the Federal Constitution, the Government has processed 27,400 citizenship applications between 2018 and 2024, resulting in 10,079 certificates issued. Priority is given to cases involving children born to unmarried parents; between 2023 and 2024, 9,920 applications from this category were processed, with 7,410 were approved (75%). In the same period, the Department of Social Welfare (DSW), in coordination with the National Registration Department (NRD) has provided protection to 294 children, facilitating their birth registration and legal identity.

30. In areas with higher prevalence of undocumented and stateless populations, including children of Bajau Laut, Indigenous and migrant-descended communities, a Special Task Force under the Committee of Foreigners Management works in coordination with NRD to verify identity status, resolve documentation gaps and improve access to legal registration pathways in Sabah. In Sarawak, the Stateless Individual Temporary Document was introduced in 2022 to grant interim access to healthcare and education. As of 2024, 242 certificates have been issued to eligible individuals.

Reply to paragraph 5 (a)

31. The Act 866 imposes statutory duties on licensed application and content service providers under sections 13 to 18 to implement child-specific safety-by-design measures. These include preventing exposure to harmful content, limiting adult-child interactions, protecting children's personal data and tailoring recommendation systems for younger users. These measures are complemented by the Communications and Multimedia (Amendment) Act 2025 [Act A1743] which strengthens penalties under sections 211 and 233 for disseminating harmful or offensive online content. Where such offences are committed against children, higher penalties of up to five years' imprisonment apply and the offence is classified as sizeable.

32. Article 12(4) of the Federal Constitution provides that the religion of a person under the age of 18 years shall be decided by his parent or guardian. The Federal Court clarified this provision in *Indira Gandhi a/p Mutho v Pengarah Jabatan Agama Islam Perak & Ors and Other Appeals* [2018] 3 CLJ 145, ruling that the consent of both parents is required for the religious conversion of a child below 18. This judgment reinforces a dual-consent standard, strengthening procedural safeguards for a child's religious identity. The position is also explained in CEDAW/C/MYS/FCO/3-5, under paragraphs 15–17.

33. Under the Peaceful Assembly Act 2012 [Act 736], age-based provisions safeguard children's safety, well-being and orderly participation in public spaces. At the same time, children can express their views in structured platforms such as MPKK, school-based programmes and community engagement initiatives.

Reply to paragraph 5 (b)

34. Significant steps have been taken to strengthen the regulatory environment for safe and inclusive digital access for children. Subsection 9(1) of the Cyber Security Act 2024 [Act 854] enables the establishment of the National Cyber Security Committee which formulates policies and monitors cybersecurity awareness initiatives. These efforts are complemented by Act 866 which imposes statutory duties on licensed application and content service providers to implement child-specific online safety measures, as highlighted in paragraph 31 of this Reply. Under Act A1743, the Malaysian Communications and Multimedia Commission (MCMC) introduced a regulatory framework, requiring internet messaging and social media service providers to be licensed and accountable for user safety, particularly for children. MCMC also issued a Code of Conduct outlining best practices to address harmful content and promote responsible behaviour, with emphasis on child protection. These efforts align with Pillar 4 of the Malaysia Cyber Security Strategy (MCSS) 2020–2024, with stronger child safeguards expected under MCSS 2025–2030.

35. In upholding children's access to information and freedom of expression in non-digital settings, public libraries and community centres provide free books, storytelling sessions and literacy activities in safe, child-friendly spaces. The Info on Wheels initiative extends outreach to underserved areas via mobile information units, while the Children's Libraries for Aboriginal Peoples Programme expands access to printed materials in remote aboriginal communities.

36. The *Jelajah Saya Digital* campaign equips rural and underserved communities with digital literacy skills, while the Early Childhood Education Digital Transformation Plan (2023–2032) focuses on infrastructure, content and personnel development for children under six. Launched during the COVID-19 pandemic, the Future Skills for All initiative, implemented with UNICEF and private partners, facilitates digital learning access over 5 million students, including those in remote areas.

37. The Ministry of Education (MOE) collaborates with CyberSecurity Malaysia to implement the CyberSAFE in Schools programme, comprising student competitions, educator training and nationally standardised modules on cyber hygiene and digital responsibility. To scale awareness nationwide, the Online Safety Campaign Tour launched in January 2025 engages schools, universities and communities supported by broad media outreach. Long-standing programmes such as Click Wisely by MCMC further reinforce public awareness on responsible internet use.

38. The National Population and Family Development Board (NPFDB) promotes digital literacy and child online safety through the KASIH Digital Parenting and Family and Child Safety Education (PEKA) programmes, equipping parents and caregivers to support safe and balanced engagement, prevent cyberbullying and foster healthy online habits. From 2023 to 2024, 40 pilot sessions under the KASIH Digital Parenting programme were conducted, reaching 1,129 participants with support of strategic partners, including CSOs. Under PEKA, 401 courses were delivered between 2020 and 16 December 2024, involving 11,917 participants, including parents, caregivers, community leaders and volunteers.

39. Children's access to information is also supported through participatory platforms such as the Malaysia Digital Content Festival, engaging them in animation, gaming, creative technologies and esports. The renewed partnership between the Malaysia Digital Economy Corporation and Ericsson has expanded access to industry-relevant training on 5G, Artificial Intelligences (AI) and Internet of Things (IoT), including free enrolment in the Ericsson Educate programme.

Reply to paragraph 6 (a) and 10 (c)

40. Mandatory reporting of child sexual abuse is required under Act 611 and Act 792. Special Courts for Sexual Offences Against Children, established in 2017, operate with dedicated infrastructure, trained personnel and victim-sensitive procedures to expedite case processing and ensure child-friendly adjudication. From 2017 to May 2025, 15,037 cases involving sexual offences against children have been registered. As outlined in paragraph 17,

the 2023 amendments to the Act 676 strengthened safeguards for child victims and witnesses through pre-recorded evidence and restrictions on improper questioning, now fully applied nationwide through these courts. Between 2023 and mid-2025, 2,147 child witness cases were recorded, with 377 live-link testimony applications, 251 video-recorded evidence admissions and 81 special hearings. Nationwide, 79 courts are equipped with child-friendly facilities.

41. The One Stop Crisis Centre (OSCC) model, institutionalised over three decades ago has expanded to 140 centres nationwide. Located primarily in hospital Emergency and Trauma Departments, OSCCs offer integrated medical and referral services for survivors of sexual assault, child abuse and domestic violence. Multidisciplinary teams are activated within the same or nearby hospitals, as needed. The National OSCC Policy and Guidelines are currently under review, with the second edition expected by end-2025 to ensure continued relevance and efficacy. Implemented in 2021, the Ministry of Health (MOH) training on Child and Adolescent Sexual Abuse Prevention has trained approximately 1,200 healthcare workers by June 2025.

42. Under the Domestic Violence Act 1994 [Act 521], children are recognised as family members and any act that causes physical injury, emotional trauma or psychological harm may constitute domestic violence, triggering Protection Order (PO), EPO or Interim Protection Order (IPO) and violations are punishable by law. Complementing this, the Guideline on Handling Domestic Violence Cases was revised in April 2023 to streamline Emergency Protection Orders (EPO) and introduce structured rehabilitation programmes for perpetrators. Further, Act 611 criminalises any form of ill-treatment, neglect, abandonment or exposure of a child in a manner likely to cause physical or emotional injury (section 31), carrying penalties of up to RM50,000 (USD11,708) in fines, 20 years' imprisonment or both. Act 574 also applies in cases assault, voluntarily causing hurt or grievous injury cases, even when the perpetrator is a parent or guardian. 42 designated safe places currently provide refuge to victims, including children.

43. Child protection is embedded in 141 district-based Child Protection Teams (CPT) and 138 Child Welfare Teams (CWT) as key community-based mechanisms. The CPTs, monitored by a Protector, comprises a medical officer, a police officer and other relevant experts and is tasked with preventing and responding to cases of abuse, neglect or abandonment involving children in need of care and protection. The CWTs, supervised by a Probation Officer, includes education and police officers and other eligible community members, focusing on monitoring and supporting the reintegration of children in conflict with law or those who have completed rehabilitation programmes in institutional settings.

44. These structures are further reinforced by the WAJA Squad which was expanded in 2023 under WAJA 2.0 to include 330 trained Child Protection Assistants, strengthening field-level capacity for early detection, referral and psychosocial support. Additionally, 300 youth volunteers have been mobilised through Gen Z WAJA, an initiative focused on peer-led reproductive and social health education for adolescents, thereby complementing the formal protection system with age-appropriate preventive outreach.

45. Children and families can access 24-hour emergency support through *Talian Kasih* 15999, available via call and WhatsApp. The helpline features child-sensitive protocols, including empathetic communication, simplified language and trained operators to facilitate safe reporting of abuse and neglect. From 2019 to March 2025, 6,659 child-related complaints were received, with 6,097 cases referred to DSW and relevant agencies for investigation and intervention. In the same period, 155 reports were submitted via the mobile application, including 12 child-related cases. The system is linked to DSW's district-level Complaint Coordination Officers and Child Protectors for timely responses. These services are complemented by 11 mobile and three permanent One Stop Social Support Centres which resolved 98,890 psychosocial cases as of May 2025.

46. In 2023, two national guidelines on bullying and sexual harassment were issued, supporting a whole-school response framework. MOE utilises a structured monitoring system, the Student Character Development System which tracks behavioural offences and ensures teachers and guidance counsellors implement appropriate disciplinary and

counselling interventions. Both victims and perpetrators receive targeted support and temporary protective measures are applied during investigations.

47. To foster student resilience and positive values, the *GenMADANI* Character Building Programme was piloted with 2,542 students. Additionally, an online anti-bullying portal launched in 2022 has received 765 complaints. Of these, 86.84% have been resolved within designated timeframe, while 3.01% remain under investigation due to the complexity of the cases and the need for prolonged inquiry.

48. To combat online violence and cyberbullying, licenced application and content service providers are required to remove harmful content and implement child-safety protocols, as mandated under Act 866. Complementary amendments to the Penal Code [Act 574] have criminalised bullying-related offences with higher penalties.

49. The Safe Sports Code promotes child safety in sports. As of end-2024, over 13,200 coaches and student-athletes have been sensitised through training sessions.

50. In collaboration with UNICEF and Parenting for Lifelong Health International, NPFDB launched ParentText, a digital platform offering accessible, evidence-based guidance on non-violent, gender-sensitive parenting and nurturing care. The programme integrates Parent Chat, Parent Text and multimedia tools, supported by trained facilitators. Piloted in selected urban low-income communities, it is delivered through structured group sessions that promote nurturing care, positive discipline and child development.

51. The Government is finalising the Social Work Profession Bill to introduce licensing, competency standards and a regulatory framework. The Bill aims to strengthen the delivery of safe, quality social services for vulnerable groups, including children at risk of violence.

Reply to paragraph 6 (b)

52. On corporal punishment against children, reference is made to earlier submissions, including the Combined Second to Fourth Periodic Reports (CRC/C/MYS/2-4, paragraph 69–72) and the Addendum for Malaysia Fourth Universal Periodic Review (A/HRC/56/11/Add.1, paragraph 9) which reiterate the Government's legal and policy stance.

53. In 2025, DSW issued the Guidelines on Handling Staff Misconduct against Residents in Children's Institutions, establishing procedures for reporting, investigating and addressing staff misconduct, including physical, emotional and sexual abuse, in line with due-process and child-protection principles. The Guidelines require immediate protective action for affected children and appropriate disciplinary or referral measures to ensure accountability.

54. Section 91 of Act 611 empowers MBKK to impose a range of sentencing orders once an offence is proven against a child. Section 96 of Act 611 further ensures that punitive incarceration is imposed only as a measure of last resort. Paragraph 91(1)(f) of Act 611 allows for placement in rehabilitative institutions, designed to support reintegration and personal development rather than punitive incarceration. The application of section 97 of Act 611, which prohibits death penalty for children and provides for detention at the pleasure of the Yang di-Pertuan Agong or State Ruler is addressed in paragraph 131.

Reply to paragraph 6 (c)

55. Under civil law, the minimum marriage age is 18 for both males and females. The Islamic family law permits marriage at 16 for females with Shariah Court approval; however, several states have initiated reforms to raise the minimum age. The Government is engaging with relevant authorities to review traditional legal frameworks with a view to setting a uniform minimum age of 18 in all legal systems, including customary, native and indigenous jurisdictions.

56. On female genital mutilation (FGM) as described by the Committee, reference is made to Malaysia's earlier submissions in (CEDAW/C/MYS/6, paragraph 23) and (CEDAW/C/MYS/CO/3-5, paragraphs 5–8). FGM is not obligatory under the law. The Government maintains that any intervention without inclusive dialogue may result in

unintended consequences. Accordingly, national efforts prioritise education, advocacy and cross-sectoral engagement to foster informed and sustainable shifts in societal attitudes and practices.

57. To enhance understanding of the practice, the Government has undertaken a series of research initiatives and stakeholder engagements involving government agencies, religious authorities, CSOs, medical professionals and academics. In January 2025, the Department of Islamic Development Malaysia established a dedicated sub-committee on FGM comprising representatives from government ministries, religious scholars and medical experts to coordinate the implementation of recommendations outlined by the CEDAW Committee, including legal, ethical and public health dimensions on this issue.

Reply to paragraph 7 (a)

58. Family-based care (FBC) was institutionalised through the 2016 amendments to Act 611 and the Child (Family Based Care) Regulations 2017 [P.U.(A)287/2017]. These provisions prioritise the placement of children within a family setting whether with parents, guardians or relatives; foster parent or OYLS; and care within a centre, with institutional care retained only as a measure of last resort. From 2019 to 2024, 4,303 children were placed within family environments, reflecting the continued prioritisation of FBC.

59. To strengthen deinstitutionalisation, MWFCDC piloted an FBC assessment instrument grounded in seven dimensions of childcare needs; physical, psychological, emotional, cognitive, social, moral and spiritual to evaluate readiness for family reintegration. Conducted between 2019 and 2024, the pilot reintegrated 44 children and demonstrated that structured assessment and follow-up support enable children to thrive within family settings. The outcomes have informed a shift toward a holistic, safe and development-centred care system, positioning FBC as the primary alternative for children requiring protection and informing the nationwide scale-up of the FBC programme in 2025.

60. To enhance accountability and safeguard children's well-being, all prospective foster parents and OYLS are required to undergo psychological assessments administered by DSW counsellors and screening against the Sexual Offender Registry to confirm they have no record of sexual offence against children. Further strengthening monitoring mechanisms, CPT are mobilised to support Protectors in tracking the welfare of children placed under foster care or OYLS arrangements. This enhanced monitoring ensures continuity of care and reinforces the Government's commitment to upholding the best interests of the child throughout the placement period.

61. The Care Centres Act 1993 [Act 506] and the Care Centres Regulations 1994 [P.U.(A) 248/1994] regulate non-governmental residential and day care facilities, including those operated by NGOs or private entities to ensure that children placed in these centres receive appropriate rights and welfare. The Government established Task Force for Monitoring and Regularisation and issued Special Enforcement Guidelines, in April 2023, authorising immediate closure of centres under RMP investigation for alleged children abuse, neglect or endangerment. From 2019 to 2024, the Task Force undertook 4,264 inspections nationwide with enforcement taken against about 6% of centres found non-compliant. Sanctions included written directions, sealing of premises, compounding of offences, closure orders, revocation of registration and prosecution.

62. The Government recognises the importance of structured aftercare support for young adults transitioning from institutional care to independent living. In 2023, MWFCDC launched the *Anjung Sinar* initiative to support youth transitioning out of DSW institutions towards independent living. The programme provides temporary accommodation, financial assistance, psychosocial support, education access and skills training. As a holistic support system, it fosters emotional, physical, intellectual and spiritual development. As of June 2025, 615 youths have benefited from this initiative.

63. Complaints in alternative care settings are addressed through existing institutional mechanisms, including judicial remedies, administrative oversight under child-related legislations and public accountability mechanisms through CSO and media engagement.

Independent monitoring is provided by SUHAKAM and OCC, which are mandated to receive complaints, conduct investigations and issue policy recommendations.

Reply to paragraph 7 (b)

64. In Peninsular Malaysia, domestic adoption is regulated under the Adoption Act 1952 [Act 257] and the Registration of Adoptions Act 1952 [Act 253]. Act 257 provides the framework for court-ordered adoptions involving non-Muslims, while Act 253 outlines the procedures for registering adoptions for both Muslims and non-Muslims with NRD. These Acts define requirements for adoptive parents, including age, relinquishment of consent and residence conditions. Child safeguards are ensured through court proceedings, investigations by DSW and the appointment of a guardian ad litem in adoption cases. NRD is currently reviewing both Acts for further improvement.

65. In East Malaysia, adoption laws differ slightly. In Sabah, the Adoption Ordinance 1960 (Sabah No. 23 of 1960) governs adoptions involving non-Muslim and non-native children, while Native Adoption Regulations 1961 apply to native children. Meanwhile, in Sarawak, adoption applications follow the Adoption Ordinance [Cap. 91] (1958 Edition) which are administered by the State Government through the District Office and apply to both residents and non-residents of Sarawak.

66. The Government safeguards children's rights in intercountry adoptions through its national legal framework, ensuring a structured and welfare-focused approach. Malaysian residents may adopt children born overseas, subject to residency and travel document requirements. For non-citizen children, NRD requires a social report or adoption report from DSW before registration. Adoptions under Act 257 and Act 253 are based on a court order and NRD, upon which NRD registers the adoption. While the Government does not currently facilitate intercountry placement of children abroad, children without parental care are protected through the Act 611 which enables alternative care arrangements, guided by the principle of the child's best interests.

Reply to paragraph 8 (a)

67. The registration of persons with disability is governed by Act 685, and through the Registration Guidelines on Persons with Disabilities (Amendment 2019), it establishes a structured mechanism to ensure that CwD are identified and to be supported. The application for registration requires verification by a registered medical professional, ensuring an accurate classification for targeted assistance.

68. The Government encourage participation through MyDaftar OKU, a module within the Persons with Disabilities Information System, introduced in 2021 to streamline and expedite registration process. Targeted campaigns, roadshows and CSOs collaborations have contributed to a 37% increase in registered persons with disabilities (PWDs) over the past decade. As of August 2025, CwD comprised approximately 25.37% (201,396) of the 793,712 registered PWDs, benefitting from various government and private sector support programmes in education, healthcare, welfare and tax exemptions.

69. Significant progress has been made in strengthening disability data through multiple platforms. At the national level, the Washington Group/UNICEF Child Functioning Module (CFM) has been used in the 2019 National Health and Morbidity Survey (NHMS), providing population-level estimate of the number and proportion of children with functional difficulties. In addition, the Department of Statistics Malaysia (DOSM) publishes disability statistics based on administrative data from various ministries and agencies, capturing information on CwD across key areas such as education, health and welfare services. At the regional level, Malaysia participated in the ASEAN Autism Mapping Project in 2020 and compiled national data to support policy development.

70. Disability assessments and early identification are embedded in national child health screenings, enabling early referrals for formal diagnosis and support. Between 2020 and 2024, 1,920,971 children were screened for autism. Of these, 7,005 (0.36%) were referred for

further evaluation and 717 (10.2% of those referred) were confirmed to have autism. Service access has been enhanced through RM20 million (USD4.68 million) allocated in Budget 2025, including RM5 million (USD1.17 million) for a new multidisciplinary Autism Service Centre and RM15 million (USD3.51 million) in subsidies for therapy, reaching an estimated 30,000 children. MWFC has developed three inclusive care modules for children with generic disabilities, autism and down syndrome, with Training-of-Trainers sessions ongoing across the community-based rehabilitation centres and childcare centres.

71. A nationwide approach to disability awareness and advocacy is pursued to reduce stigma and promote inclusive healthcare and education. This includes public campaigns, as well as capacity-building programmes, including Disability Equality Training, Job Coaching and Disability-Related Services Training. These efforts are supported by targeted collaborations with civil society and the media to foster understanding of disability as a human rights issue and to promote respect for the dignity and individuality of every child.

Reply to paragraph 8 (b)

72. The Twelfth Malaysia Plan 2021–2025 (12MP) prioritises child health and nutrition through a multi-sectoral approach under the National Nutrition Policy 2.0 and the National Strategic Plan to Combat the Double Burden of Malnutrition Among Children (2023–2030). High-level coordination is led by the Special Committee to Combat the Double Burden of Malnutrition, chaired by the Deputy Prime Minister. Key interventions include the 1,000 First Days of Life initiative, launched in August 2024 to support early childhood nutrition from pregnancy through infants. The Healthy and Nutritious School Meal programme ensures access to balanced meals in schools, supporting optimal growth, cognitive development and school retention for children in disadvantaged situations.

73. Targeted interventions have been expanded to reach vulnerable groups. The Community Feeding Programme for aboriginal peoples provide sustained nutritional support for children under six, while the Urban Community Feeding Programme ensures consistent access to nutrient-rich meals for urban low-income households aged one to six. The War on Sugar campaign promotes healthier lifestyles and reduced sugar intake across all age groups from preschool children to older persons through partnerships with State Assembly offices, Parliamentary offices, NGOs and village heads alongside food industry stakeholders.

74. The Community Development Department (KEMAS) launched the Smart Botany programme in 2023, with an allocation of RM1 million (USD0.23 million) to implement it across 500 KEMAS kindergartens nationwide. The programme promotes balanced nutrition through outdoor learning, where children grow vegetables and fruits that are later used in preschool meals, emphasis on reaching rural and remote communities.

Reply to paragraph 8 (c)

75. Children's access to medical and mental health services generally requires parental or guardian consent to ensure appropriate guidance in healthcare decision-making, except in specific legally-defined circumstances. In the public healthcare system, this requirement is upheld through MOH administrative guidelines and the Malaysian Medical Council's standards of professional conduct. Similarly, in private healthcare settings, subregulation 47(2) of the Private Healthcare Facilities and Services (Private Hospitals and Other Private Healthcare Facilities) Regulations 2006 [*P.U.(A)138/2006*] mandates parental consent for medical treatment of unmarried children. However, safeguards under sections 20 to 24 of the Act 611 allow necessary treatment without parental consent in specific circumstances. Where a child is deemed in need of care and protection, including in cases involving abuse, neglect, abandonment or denial of basic needs, medical officers may administer treatment and a Protector may authorise medical, surgical or psychiatric interventions where consent is unreasonably withheld, the guardian is unreachable, or is reasonably suspected of abuse or neglect.

76. The Government introduced the National Mental Health Action Plan for Children and Adolescents which prioritises education, prevention, parental and peer support and

community-based care. Mental health advocacy has also been integrated into the Health Malaysia National Agenda to promote stress management and early help-seeking behaviour.

77. As of June 2025, mental health services have been expanded across all levels of the healthcare system with services now available at 1,092 public health clinics, 70 hospitals, including four specialised psychiatric institutions and 38 Community Mental Health Centres. These facilities deliver a comprehensive range of services encompassing mental health promotion, prevention, early detection and rehabilitation.

78. Efforts are underway to increase the number of child and adolescent psychiatrists to 30 from the current 18 in government-run facilities. Complimenting clinical services, inter-agency collaboration has been enhanced through the Healthy Mind Programme, a school-based initiative that promotes psychosocial well-being, emotional resilience and coping skills among students. Community-level services are supported through the placement of psychologists and 38 medical social workers in primary healthcare facilities. District-level Mental Health and Psychosocial Support Services teams provide screening, crisis intervention and psychoeducation, supported by partnerships with CSOs.

79. In response to rising concerns in the 2023 NHMS, the Government established the National Centre of Excellence for Mental Health in October 2022 to coordinate mental health responses nationwide. Within the same year, the HEAL 15555 crisis helpline was launched as a toll-free, child-friendly service offering safe, confidential and age-appropriate psychosocial support to children and adolescents experiencing distress, including abuse, violence and mental health concerns by trained psychologists. To expand access to early mental health support, the MyMinda module integrated into the national health application MySejahtera, enables digital self-screening and provides psychoeducation resources. At the community level, the K-Mindset programme promotes mental health awareness and early detection through trained community leaders and volunteers.

80. Comprehensive adolescent health services, including sexual and reproductive health (SRH) services are available across hospitals, clinics and rural health facilities. Guided by legal and policy frameworks, these services include promotive, preventive, curative and rehabilitative care for all adolescents, with tailored support for pregnant adolescents and adolescent mothers.

81. MOE has institutionalised PEERS within the national school curriculum to address to address sexual and reproductive health, teenage pregnancy and sexual violence. In 2024, the National PEERS Guidelines were launched to implementation from preschool to secondary. As a core component of the PEKERTI policy, PEERS integrate comprehensive and values-based approach, covering biological, emotional, social and ethical aspects of child and adolescent development in an age-appropriate and culturally sensitive manner. Full curriculum integration is targeted by 2027.

Reply to paragraph 8 (d)

82. Grounded in a rights-based and multidimensional poverty lens, the 12MP places child-sensitive social protection at the centre of inclusive and equitable national development. A key priority is the reform and consolidation of social protection system to address fragmentation and expand equitable coverage, especially for children from low-income and marginalised households. These priorities are echoed in the National Social Policy 2030 which identifies the protection and empowerment of vulnerable groups including children as a national priority. Its forthcoming Plan of Action will translate these objectives into cross-sectoral measures to strengthen child and family well-being.

83. The Malaysian Social Protection Council, chaired by the Prime Minister serves as the central coordinating body to align social protection policies across ministries and agencies. To support this mandate, the Implementation Coordination Unit, Prime Minister Department is currently developing a comprehensive Social Protection Policy Framework which recommended integrated data systems and a streamlined national social protection agenda. In line with the Zero Hardcore Poverty agenda, these reforms have shown measurable progress. As of 29 July 2024, national records indicated zero hardcore poverty based on

data-locked figures from eKasih using the 2019 Poverty Line Income (PLI), reflecting the removal of 126,372 heads of households from hardcore poverty. A subsequent dataset, using the updated 2022 PLI identified 22,893 households, all of whom were lifted out of hardcore poverty by 2024.

84. The Children Assistance Scheme provides monthly cash transfers of RM150 (USD35) for children aged seven and above and RM200 (USD47) for children below seven with a maximum household cap of RM1,000 (USD234). Budget 2025 further raised overall social assistance to RM13 billion (USD3.05 billion), with additional programmes including the *Sumbangan Tunai Rahmah* (STR), school meal subsidies and educational support to reduce dropout risks.

Reply to paragraph 9

85. Environmental sustainability is recognised as a key determinant of children's rights to health, education, and survival particularly amid climate-related risks and natural disasters. This commitment is anchored in several national frameworks, including the National Policy on Biological Diversity (2022–2030), the National Disaster Risk Reduction Policy 2030, the National Climate Change Policy 2.0 (NCCP 2.0), National Water Policy, the Water Sector Transformation 2040 and the National Mineral Policy. Environmental protection and climate resilience are also integrated into the NCP POA.

86. Targeted initiatives have been introduced to strengthen child-specific resilience within the broader disaster risk management agenda. In support of the National Disaster Risk Reduction Policy 2030, launched in October 2024, targeted initiatives have been introduced to strengthen child-specific resilience. MOE, the National Disaster Management Agency, UNICEF and the Southeast Asia Disaster Prevention Research Initiative of UKM (SEADPRI-UKM) are collaboratively developing a Disaster Risk Reduction Education Module to integrate preparedness into school curricula, equipping students with life-saving knowledge and adaptive skills. Complementing this, the Community-Based Disaster Risk Management programme has reached 2,180 students across 120 schools and includes training for educators to support CwD in emergencies.

87. Child-focused elements are embedded in national climate resilience efforts through policy frameworks and inter-agency coordination. NCCP 2.0 promotes inclusive adaptation strategies, with Strategic Thrust Five focusing on child- and gender-sensitive approaches to community resilience. Concurrently, the National Water Policy and the Water Sector Transformation 2040 prioritise secure, climate-resilient water systems. The Ministry of Energy Transition and Water Transformation, in collaboration with related agencies are leading efforts to ensure equitable water access and mitigate water-related disaster risks in line with the revised NCP POA.

88. Child and youth participation in climate governance are institutionalised through initiatives led by the Ministry of Natural Resources and Environmental Sustainability (NRES). In 2023, NRES established the Youth Climate Adaptation Forum to empower young people to propose resilience solutions and represent youth perspectives on global platforms. The formation of a Youth Cluster which held its inaugural meeting in June 2024, further institutionalises youth contributions to environmental policy planning. At the community level, the Friends of the Environment Programme supports grassroots engagement in identifying and addressing environmental hazards affecting children's well-being.

89. In disaster response, temporary evacuation centres serve as initial shelters for displaced communities. The Social Welfare Officers, together with psychological officers and counsellors coordinate psychosocial support, structured recreational activities, and continuity in learning to help children manage stress and remain engaged. The Government has piloted permanent disaster evacuation centres in flood-prone areas. Both temporary and permanent centres are equipped with child-friendly spaces and accessible facilities for CwD, ensuring children's safety, dignity and emotional well-being during emergencies.

Reply to paragraph 10 (a)

90. The Malaysia's Education Development Plan (2013–2025) and the Education Act 1996 [Act 550] emphasise access and equity in education. Since 2003, primary education has been compulsory and free for Malaysian citizens in government and government-aided schools, in line with Article 12 of the Federal Constitution. Education remains a federal priority with budget allocations rising from RM52.6 billion (USD12.32 billion) in 2022 to RM64.1 billion (USD15.01 billion) in 2025, reflecting a 21.8% increase.

91. Between 2019 and 2023, school enrolment improved at all levels. Primary enrolment increased from 98.14% to 99.11%, while lower and upper secondary enrolment rose to 95.30% and 93.65% respectively. During the same period, the dropout rate at the primary level declined from 0.12% to 0.06%, reflecting strengthened efforts under the Malaysia Education Blueprint (MEB) 2013–2025 initiatives to reduce dropouts and support disadvantaged students.

92. Initiatives to prevent dropouts includes the Guideline for Managing At-Risk Students, the Unleash Your Excellence module and the dissemination of counselling best practices. District education offices conduct outreach in partnership with communities to re-engage vulnerable children, including those without legal documentations. Educational assistances are provided to support students from impoverished backgrounds covering food aid, school equipment, transportation, financial assistance and psychosocial support. In 2023, 5,102,242 families benefitted from these schemes, contributing to greater inclusivity and retention within the education system.

93. MOE has opened pathways for undocumented children with at least one Malaysian parent to enrol in government or government-assisted schools with a confirmation or certification from the Head of Village. The Sekolah Bimbingan Jalinan Kasih (SBJK), established in Kuala Lumpur in 2013 provides education for 157 undocumented, homeless and street children. On 23 October 2023, this model was expanded to Sabah through Sekolah Kebangsaan Sembulan, focuses on children from hardcore poor families and without identification documents. From 2023 to 2024, 19 children were successfully enrolled.

94. The Government advances equitable education for Indigenous communities through the Aboriginal Peoples and Indigenous Education Transformation Initiative under the MEB. Budget 2022 and Budget 2023 allocated RM62.9 million (USD14.9 million) and RM64.8 million (USD 15.4 million) respectively to support education subsidies, welfare assistance and increased secondary school allowances (from RM2.00/USD0.47 to RM4.00/USD0.95), benefitting 40,932 students. The initiative promotes inclusive access, culturally relevant curriculum and long-term development outcomes. As a result, school attendance in targeted areas increased from 77.93% in 2022 to 86.48% in 2024.

95. The Aboriginal Peoples and Indigenous Student Intervention Programme enhances foundational literacy and numeracy in Malay, English and Mathematics through context-specific modules. Complementary programmes include the Literacy and Numeracy Programme, implemented in 117 aboriginal people schools and the Let's Learn initiative, comprising Special Programme for Aboriginal Peoples Students and *Chup Badui Sikulah* which re-engage 1,462 out-of-school children between 2022 and 2025. To address geographical challenges, boarding facilities were established in 45 primary and one secondary school, along with hostels placements in daily schools. The 30 Comprehensive 9-Year Special Model Schools enables continuous education from Year 1 to Form 3 in a single institution, benefitting 8,460 students.

96. The Student Tracking System has been developed as a national mechanism to monitor educational participation across public, private and religious institutions, including those outside formal schooling. It integrates AI to generate personalised learning and career pathways for at-risk and out-of-school children, particularly those entering upper secondary education, with the objective of enhancing retention through to Form 5. Full implementation is expected by 2025.

Reply to paragraph 10 (b)

97. The Future of Malaysian Education 2026–2035 is being shaped through extensive stakeholder engagements, where education advisory bodies, NGOs, government agencies and academic institutions actively advocate for the realisation of children’s education rights. These engagements have underscored the urgent need to ensure equitable access to quality education, while addressing systemic issues such as school autonomy, digital learning integration and educational disparities.

98. As part of this effort, MOE held the National Education Future Engagement Tour, involving students and teacher trainees nationwide. These sessions allowed young people to share their perspectives, which are now informing the upcoming national education plan. Additionally, over 30,000 suggestions were collected through public dialogues and the Malaysia Future Education Proposal Portal.

Reply to paragraph 10 (c)

99. Please refer to Reply to Paragraph 6 (a) and paragraphs 40 to 51 of this Reply.

Reply to paragraph 10 (d)

100. The establishment of childcare centres for CwD serves as a foundational stage in this framework, providing specialised early childhood care that fosters developmental growth and prepares children for integration into mainstream education. As of August 2024, about 11 centres established nationwide, benefiting 185 children.

101. As children progress into mainstream education, the Inclusive Education Programme provides sustained personalised support to meet diverse learning needs and promoting an inclusive environment. This is reinforced by the Zero Reject Policy which upholds the right to education for students with special needs by ensuring universal access within the national education system. As October 2024, this policy has enabled the enrolment of 132,264 students with special educational needs in government and government-aided schools offering special education.

102. MOE has prioritised capacity-building among educators by empowering school leadership with the autonomy to implement continuous professional development tailored to their institutional contexts. Between 2022 and 2024, 560,236 professional development courses were conducted nationwide, benefitting 1,277,753 teachers through face-to-face, online or blended learning modalities. These initiatives aim to enhance pedagogical proficiency, leadership competencies and specialised expertise in inclusive education.

103. The Institute of Teacher Education Malaysia (IPGM) has strengthened its curriculum to embed inclusive education principles across all training pathways. Special education foundations are integrated into core courses of the Bachelor of Teaching (PISMP) and the Postgraduate Diploma in Education, reaching 742 pre-service teachers (2025–2029) and 195 pre-service teachers for the Postgraduate Diploma in Education (2021–2023). Inclusive education is now a compulsory PISMP component, enhancing teacher preparedness to implement inclusive pedagogies in alignment with MEB and international commitments to inclusive education. IPGM also offers specialisations in learning disabilities, hearing impairments and visual impairments. With this, 742 specialists are expected by 2029.

Reply to paragraph 11 (a)

104. Notwithstanding that Malaysia is not a Member State to the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol Relating to the Status of Refugees, Malaysia remains dedicated in its continued efforts to strengthen and effectively implement a comprehensive framework for asylum-seeking and refugee children. The Government retains its sovereign discretion to provide protection and assistance to refugees in Malaysia in accordance with its domestic legal framework and national interests. The National Security

Council has amended Directive Number 23 in April 2023 to address the issue of refugees and asylum seekers in a more holistic manner comprising of four key clusters: to strengthen encompassing policy and management mechanism; refugee status determination; law enforcement; and social support systems. Refugees or asylum seekers are allowed to remain temporarily in Malaysia on humanitarian grounds and on a case-by-case basis.

Reply to paragraph 11 (b)

105. Malaysia's immigration framework is governed by Immigration Act 1959/63 [Act 155] which regulates the entry, stay and removal of non-citizens. The Act applies to all individuals regardless of age and currently does not contain a specific exemption for children. As such, foreign children who are undocumented may be placed in immigration depots for administrative processing, including verification of identity and arrangements for repatriation or third-country resettlement.

106. Recognising the importance of non-custodial and child-sensitive approaches to migration management, the Ministry of Home Affairs (MOHA) introduced the *Baitul Mahabbah* pilot initiative in 2023 as part of broader efforts to implement alternatives to detention (ATD). The pilot project accommodates undocumented foreign children, primarily those under 12 years of age together with their mothers or guardians, situated outside immigration depots.

107. The *Baitul Mahabbah* is based on the principle of shared responsibility involving partnerships with NGOs, CSOs and the private sector to provide basic needs and child-focused services. These centres prioritise safety, dignity and developmental rights of children by offering a protective and non-custodial environment. As of June 2025, six centres are operational. Selected NGOs conduct enrichment activities including early childhood education, literacy classes, therapeutic sessions and skills training for mothers. As of 2024, 115 children and their mothers had been accommodated in these centres. MOHA continues to explore community-based ATD with ongoing consultations with local and international NGOs with the aim of formalising a national ATD framework.

108. In cases of death in immigration detention centres, standard procedures were followed, including police notification, medical certification, and verification by coroners. To mitigate health-related risks, 32 Assistant Medical Officers have been deployed across 21 centres, supported by routine health screenings and referral mechanisms to government clinics. MOHA facilitates access for authorised humanitarian and monitoring bodies in accordance with the applicable laws and standard procedures. In 2024, 147 visits by NGOs and international organisations were recorded.

Reply to paragraph 11 (c)

109. All individuals are entitled to medical treatment, especially in emergency or life-threatening situations.

110. To improve maternal and child health outcomes, particularly in preventing vertical transmission of Human Immunodeficiency Virus (HIV) and syphilis, non-citizen pregnant women diagnosed with these conditions are entitled to free treatment throughout pregnancy. Infants born to mothers living with HIV are eligible for free antiretroviral prophylaxis and treatment where clinically indicated, as well as subsidised infant formula at RM35 (USD8) per month up to 24 months of age.

111. Since January 2022, the Government has provided free vaccinations to non-citizen children, including asylum seekers, refugees and stateless persons. As of 2025, this includes vaccines for diphtheria, tetanus, pertussis, polio, hepatitis B and Haemophilus influenzae type B. To further protect infants, the Tdap (tetanus, diphtheria and acellular pertussis) vaccine was introduced in May 2025 for all pregnant women.

112. Access to education for citizens and non-citizens to government and government-aided schools is governed by the Education Regulations (Admission of Pupils to School, Register Keeping and Conditions for Retaining Pupils at School) 1998

[P.U.(A) 275/98]. MOE is currently amending these regulations to strengthen the admission framework for all students, ensuring a more structured and inclusive approach. As of 2024, 1,801 refugee children are enrolled in 18 registered Alternative Learning Centres across states, operating under NGOs and agencies.

Reply to paragraph 12 (a)

113. Malaysia has ratified seven International Labour Organization (ILO) Fundamental Conventions. In March 2022, Malaysia ratified the Protocol of 2014 to the Forced Labour Convention, 1930 (P029), reinforcing obligations to prevent and eliminate forced labour through effective enforcement, victim identification, and protection and access to justice.

114. To align national laws with international standards, the Ministry of Human Resources (MOHR) is reviewing the Fourth Schedule of the Children and Young Persons (Employment) Act 1966 [Act 350] to address existing gaps in protection and uphold the best interests of the child.

115. Targeted awareness and enforcement programmes continue to combat child and forced labour. In 2024, the “Say No to Forced Labour” roadshow was launched nationwide accompanied by multilingual outreach materials and educational initiatives aimed at raising awareness among local communities and migrant workers. These informational leaflets available in English, Bengali, Nepali, Hindi and Mandarin.

116. Malaysia also collaborate with the ILO and UNICEF through the Decent Work Country Programme which includes joint initiatives to eliminate forced and child labour, including: Global Accelerator Lab (GALAB); Protecting the Rights of Women and Children in Labour Migration (PROTECT); Advancing Fundamental Principles and Rights at Work on Forced and Child Labour in Malaysia (FPRW E&E Sector Project); and Promoting socio-economic inclusion by improving education access for children and vocational training for youth on plantations in Sabah (ILO-UNICEF).

117. Labour protections in the palm oil industry have been reinforced through the revised Malaysian Sustainable Palm Oil (MSPO) Certification Scheme which was introduced as a mandatory standard. The revised MSPO 2022 incorporates labour protection provisions, including ILO’s Forced Labour Indicators, under Principle 4, which governs social, health, and employment conditions. Annual third-party audits are conducted for MSPO-certified entities and the Malaysian Palm Oil Board is empowered to revoke licences for non-compliance.

118. Targeted awareness programmes, including the “Know Your Rights, Do It Right” campaign have also been conducted to educate and promote responsible recruitment and employment practices. Labour inspectors are trained to identify indicators of child labour and refer affected children to MWFC under Act 611 which provides protective interventions including those related to child trafficking and exploitation.

Reply to paragraph 12 (b)

119. All children in Malaysia, irrespective of nationality and background are entitled to protection, welfare and access to essential services under Act 611. Section 2 of Act 611 defines a “child” as a person below the age of 18. Children who lack proper guardianship, shelter or care which are commonly regarded as indicators of destitution, may be considered in need of care and protection under section 17 of Act 611 which subsequently mandates immediate intervention by the authorities.

120. Between January and November 2024, DSW documented 1,850 homeless persons taken into custody, comprising 1,292 males and 558 females, including 114 children. MWFC through its five *Anjung Singgah* centres provided temporary shelter, basic needs, shelter and psychosocial support services to children accompanied by their families. From 2022 to 2024, 168 children from homeless households received support.

121. Children encountered in street situations are not criminalised nor formally subject to punitive detention. However, they can be taken into custody by enforcement or social welfare authorities for protective intervention, which although not criminal detention, may involve temporary placement in shelters or facilities under the supervision of DSW. Priority is given to family reunification or placement with next-of-kin. For children without guardians, DSW assesses protection needs in accordance with section 17 of Act 611.

122. Where applicable, refugee status is verified: children holding valid UNHCR documentation are referred to UNHCR Malaysia, while those unregistered are granted interim statutory care pending resolution of their status. These interventions are conducted in coordination with civil society partners and reflect Malaysia's commitment to non-custodial, child-sensitive responses for children in vulnerable situations.

Reply to paragraph 12 (c)

123. Under the latest amendment of Anti-Trafficking in Persons and Anti-Smuggling of Migrants (Amendment) Act 2022 [*Act A1644*], the means used against a trafficked person who is a child or a person who is unable to fully take care of or protect themselves because of a physical or mental disability or condition is irrelevant and is not a requirement to be proved. A stricter punishment is being imposed for the trafficker up to imprisonment for life or with imprisonment for a term which shall not be less than five years and shall also be liable to whipping if found guilty by the Court.

124. A Special Court for Anti-Trafficking in Persons has been established to ensure the welfare of the victims are well taken care of until these victims are repatriated to their home countries. The first court was officially launched by the Chief Justice on 28 March 2018 at the Sessions Court in Klang, Selangor. From April 2020 to March 2024, the court registered 57 child trafficking cases.

125. A victim-centred approach is adopted through the provision of care and protection in eight government-operated shelter homes, including two dedicated facilities each for boys and girls. The Victim Assistance Specialist (VAS) programme further strengthens support by coordinating NGOs, protection officers, psychologists and law enforcement. To date, nine individuals from both NGOs and government agencies have been appointed as VAS. The Council for Anti-Trafficking in Persons and Anti-Smuggling of Migrants (MAPO) has updated the National Guidelines on Human Trafficking Indicators (NGHTI 2.0) to align with the latest amendments to Act 670. NGHTI 2.0 provides a standardised framework for identifying victims of trafficking. The updated guidelines were launched on 22 March 2023, followed by nationwide roll-out training across six enforcement zones. An Integrated Data System collating all data on trafficking offences under Act 670 was established in 2024.

126. MWFCF, in collaboration with International Justice Mission (IJM), developed the CARE Kit to support TIP shelter residents through the provision of essential hygiene items. IJM also produced the Shelter Guidebook, available in eight languages, covering legal rights, shelter regulations, human trafficking indicators, and support services with audio recordings in seven languages for accessibility. The Victim Care and Protection Committee has piloted a project to segregate victims based on court orders (IPO and PO) in separate shelters, enabling more focused interventions. Child victims under 18 can now stay with their mothers in the same shelter.

127. Cognisant of the importance of learning for children TIP victims, MWFCF provides educational and enrichment programmes within the shelters. With support from SUKAS Society, weekly classes in English, Mathematics and Science were conducted, with 19 sessions delivered to date.

128. Efforts to combat migrant smuggling and human trafficking have been strengthened through enhanced inter-agency cooperation at domestic and international levels. Act 670 confers enforcement authority across security, immigration, maritime, customs and labour sectors, including those operating in Sabah and Sarawak. RMP engages in intelligence-sharing with INTERPOL and the Travel Control Office, facilitating syndicate network analysis, trend monitoring and evidence-based enforcement.

129. Between April 2022 and March 2025, public awareness on human trafficking was strengthened through expanded Public Service Announcements (PSAs) across national media. In 2023, 2,457 television and 40,747 radio PSAs were aired, increasing to 9,274 and 78,379 respectively in 2023 to 2024, and further to 11,435 and 36,201 by March 2025.

Reply to paragraph 12 (d)

130. Significant progress has been made in reforming the child justice system to better reflect the Convention and international standards, underscoring a shift towards child-sensitive procedures for victims and offenders. Legislative reforms across various sectors aim to prevent secondary victimisation and ensure children's voices are heard in a supportive environment. As noted in paragraph 4, efforts are underway to standardise age thresholds for criminal offences as well as a task force to align laws and procedures applicable to both Muslim and non-Muslim children.

131. The juvenile justice framework prohibits life imprisonment on children. Under subsection 97(1) of Act 611, where a child is found guilty of an offence punishable with death under other laws, MBKK shall not impose the death penalty or life imprisonment. Instead, MBKK must order the child to be detained at the pleasure of the Yang di-Pertuan Agong, the Ruler of a State or the Yang di-Pertua Negeri, depending on the jurisdiction. Such detention is not equivalent to life imprisonment, as it allows for periodic review by the Board of Visiting Justices, who may recommend release or continued detention based on child's rehabilitation and conduct.

132. While laws such as Act 574 prescribes mandatory penalties for serious crimes, the child-specific sentencing provisions under Act 611 take precedence where the offender is a child. Additional protections under sections 75 and 91 of Act 611 further emphasise the principles of rehabilitation and proportionality, including non-custodial sentencing options and the establishment of dedicated MBKK. The legal framework supports reintegration of children in conflict with the law and respects their potential for reform.

133. The establishment of the JPKK in 2023 marked a pivotal move toward integrated, multisectoral coordination in child protection in enhances case management and ensures comprehensive services for children in conflict with the law whether as victims, witnesses or offenders.

134. Restorative justice approaches are being piloted through the Diversion programme, redirecting low-risk child offenders from formal judicial processes toward rehabilitation and reintegration through counselling, community-related services and other non-punitive measures. The Government is also finalising the framework for an ATD programme to transition unaccompanied and separated children from immigration detention to community-based care.

Part II

Reply to paragraph 13 (a), (b), (c) and (d)

135. Please refer to the Annexure A.

Part III

Reply to paragraph 14

136. Please refer to the Annexure B.

Reply to paragraph 15 (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k) and (l)

137. Please refer to the Annexure B.

Reply to paragraph 16 (a), (b), (c), (d) and (e)

138. Please refer to the Annexure B.

Reply to paragraph 17 (a), (b), (c), (d), (e), (f) and (g)

139. Please refer to the Annexure B.

Reply to paragraph 18 (a), (b), (c), (d), (e) and (f)

140. Please refer to the Annexure B.

Reply to paragraph 19

141. Please refer to the Annexure B.

Reply to paragraph 20

142. Please refer to the Annexure C.

Reply to paragraph 21

143. Please refer to the Annexure B.
