Executive Summary

The constitution states Islam is the “religion of the Federation; but other religions may be practiced in peace and harmony.” Federal and state governments have the power to mandate doctrine for Muslims and promote Sunni Islam above all other religious groups. Other forms of Islam are illegal. Those differing from the official interpretation of Islam continued to face adverse government action, including mandatory “rehabilitation” in centers that teach and enforce government-approved Islamic practices. Sedition laws criminalize speech that “promotes ill will, hostility, or hatred on the grounds of religion.” The government maintains a parallel legal system, with certain civil matters for Muslims covered by sharia. The relationship between sharia and civil law remains unresolved in the legal system. In April the country’s human rights commission announced state agents, namely the Royal Malaysian Police Special Branch, were responsible for the 2016 and 2017 enforced disappearances of a social activist accused of spreading Shia teachings and a Christian pastor. In June the government announced a special panel would investigate the human rights commission’s finding. Religious authorities arrested at least 30 people in two states in September for participating in Ashura celebrations and violating a state fatwa that declares Shia Islam to be “deviant.” In November religious authorities caned four men for attempting “sexual intercourse against the order of nature.” In December a sharia state court sentenced six men each to one month in jail and 2,400 to 2,500 ringgit ($590-$610) in fines for deliberately missing Friday prayers. In August the High Court upheld a 2014 fatwa declaring a nongovernmental organization (NGO) “deviant” because it subscribed to the principles of liberalism and pluralism. In March a special police unit was formed to monitor writing across all media platforms for anything deemed insulting to Islam. The government continued to bar Muslims from converting to another religion without approval from a sharia court and imposed fines, detentions, and canings on those classified under the law as Muslims who contravened sharia codes. Religious converts from Islam to another religion had difficulty changing their religion on their national identification cards. Non-Muslims continued to face legal difficulty when they sought to use the word “Allah” to denote God. Non-Sunni religious groups continued to report difficulty in gaining registration as nonprofit charitable organizations or building houses of worship. Some political parties expressed concerns about the judicial system because non-Muslims occupied senior government positions, including attorney general. In March a court sentenced a man to 10 years and 10 months in prison and a 50,000 ringgit ($12,200) fine for posting information “offensive to Islam” on
Facebook, although his sentence was later reduced to six years. According to the home minister, the government no longer permitted Israeli citizens to enter the country to attend conferences or meetings organized by international organizations.

Local human rights organizations and religious leaders again stated society was becoming increasingly intolerant of religious diversity. In May police arrested four men for allegedly plotting attacks on houses of worship and an entertainment outlet. Some Muslim leaders supported calls on social media to “buy Muslim-made products first,” which some civil society representatives characterized as a boycott of non-Muslim businesses.

U.S. embassy officials regularly discussed with government officials at the Ministry of Home Affairs, Ministry of Foreign Affairs (MFA), Royal Malaysian Police (RMP), and Prime Minister’s Department, among others, issues including constitutional guarantees of freedom of religion, an increase in religious intolerance, respecting religious minorities, the unilateral conversion of children by one parent without the permission of the other, and the disappearances of three Christians and a Muslim activist. Embassy representatives met with members of religious groups, including minority groups and those whose activities were limited by the government, to discuss the restrictions they faced and strategies for engaging the government on issues of religious freedom. The embassy enabled the participation of religious leaders, scholars, and the wife of a missing pastor in visitor exchanges and conferences that promoted religious tolerance and freedom.

Section I. Religious Demography

The U.S. government estimates the total population at 32.2 million (midyear 2019 estimate). According to the most recent census in 2010, 61.3 percent of the population practices Islam; 19.8 percent, Buddhism; 9.2 percent, Christianity; 6.3 percent, Hinduism; and 1.3 percent, Confucianism, Taoism, or other traditional Chinese philosophies and religions. Other religious groups include animists, Sikhs, Jehovah’s Witnesses, The Church of Jesus Christ of Latter-day Saints (Church of Jesus Christ), and Baha’is. Almost all Muslims practice Sunni Islam of the Shafi’i school. Ethnic Malays, defined in the federal constitution as Muslims from birth, account for approximately 55 percent of the population. Rural areas – especially in the peninsular east coast of the country – are predominantly Muslim, while the states of Sabah and Sarawak on the island of Borneo have relatively higher numbers of non-Muslims. Two-thirds of the country’s Christian population inhabit the East Malaysian states of Sabah and Sarawak.
Section II. Status of Government Respect for Religious Freedom

Legal Framework

The federal constitution states, “every person has the right to profess and practice his religion,” but gives federal and state governments the power to control or restrict proselytization to Muslims. The constitution names Islam as the “religion of the Federation,” and gives parliament powers to make provisions regulating Islamic religious affairs. Federal law allows citizens and organizations to sue the government for constitutional violations of religious freedom. Federal and state governments have the power to “control or restrict the propagation of any religious doctrine or belief among persons professing the religion of Islam.” The constitution identifies the traditional rulers, also known as sultans, as “Heads of Islam” within their respective states. Sultans are present in nine of the country’s 13 states and are the highest Islamic authority; in the remaining four states and the Federal Territories, the highest Islamic authority is the king. Islamic law is administered by each state. The office of mufti exists in every state to advise the sultan in all matters of Islamic law. Sultans oversee sharia courts and appoint judges based on the recommendation of the respective state Islamic religious departments and councils who manage the operations of the courts. In states with no sultan and in the Federal Territories, the king assumes responsibility for this process.

Federal law has constitutional precedence over state law except in matters concerning Islamic law. A constitutional amendment provides that civil courts have no jurisdiction with respect to any matter within the jurisdiction of the sharia courts. However, since 2018, the Federal Court (supreme court equivalent) has held it has jurisdiction over the procedures of the sharia administrative authority in cases involving conversion of minors, and that such jurisdiction cannot be abrogated by a constitutional amendment.

The Sharia Judiciary Department (JKSM) is the federal agency charged with coordinating the sharia courts. The federal Department of Development of Islam (JAKIM) is the permanent secretariat of the federal Fatwa Committee, which consists of 14 muftis, one from each state and one representing the Federal Territories. The Sharia and Civil Technical Committee within the Attorney General’s Chambers oversee the process of sharia lawmaking at the federal level. A 1996 fatwa, supported by state laws, requires the country to follow only Sunni teachings of the Shafi’i school and prohibits Muslims from possessing, publishing, or distributing material contrary to those teachings.
Muslims who seek to convert to another religion must first obtain approval from a sharia court to declare themselves “apostates.” Sharia courts seldom grant such requests, especially for those born Muslims, and are reluctant to allow conversion for those who had previously converted to Islam. Penalties for apostasy vary by state. In the states of Perak, Melaka, Sabah, and Pahang, apostasy is a criminal offense punishable by a fine or jail term. In Pahang, up to six strokes of the cane may also be imposed. The maximum penalty for apostasy in the states of Kelantan and Terengganu is death, but this penalty has never been imposed, and its legal status remains untested. Nationally, civil courts generally cede authority to sharia courts in cases concerning conversion from Islam. In some states, sharia courts allow one parent to convert children to Islam without the consent of the second parent.

A minor (under the age of 18, according to federal law) generally may not convert to another faith without explicit parental permission; however, some states’ laws allow conversion to Islam without permission after age 15. A 2018 decision of the Federal Court ruled against the unilateral conversion of children by a sharia court without the consent of both parents. The judgment said civil courts had jurisdiction to exercise supervisory powers over administrative decisions of state Islamic authorities.

Sedition laws regulate and punish, among other acts, speech considered hostile to ethnic groups, which includes speech insulting Islam. Convictions may result in prison sentences of three to seven years, or up to 20 years if there is physical harm or damage to property. The law also bars speech that “promotes ill will, hostility, or hatred on the grounds of religion.”

Under sharia, which differs by state, individuals convicted of “deviant” religious activity face up to three years in prison, caning, or a 5,000-ringgit ($1,200) fine for “insulting” Islam. According to some state laws, Muslims may be fined 1,000 ringgit ($240) if they do not attend “counseling” after being found guilty of wearing what authorities deem immodest clothing. According to sharia law in some states, individuals who sell food to fasting Muslims or Muslims who do not fast are subject to a fine, a jail sentence, or both.

JAKIM and state Islamic authorities prepare all Friday sermons for congregations as well as oversee and approve the appointment of imams at mosques. JAKIM and state Islamic officials must formally approve all teachers of Islam before they may preach or lecture on Islam in public.
There is no legal requirement for non-Muslim religious groups to register, but to become approved nonprofit charitable organizations, all groups must register with the government’s Registrar of Societies (RoS) by submitting paperwork showing the organization’s leadership, purpose, and rules, and by paying a small fee. These organizations are legally required to submit annual reports to the RoS to remain registered. The RoS may inspect registered organizations and investigate those suspected of being used for purposes “prejudicial to public peace, welfare, good order, or morality.”

Tax laws allow a tax exemption for registered religious groups for donations received and a tax deduction for individual donors. Donors giving zakat (tithes) to Muslim religious organizations receive a tax rebate. Donors to government-approved charitable organizations (including some non-Muslim religious groups) may receive a tax deduction on the contribution rather than a tax rebate.

Under sharia, caning is permitted in every state. Offenses subject to caning, sometimes in conjunction with imprisonment, include consensual, same-sex sexual relations and prostitution. Caning is also permitted for a wider variety of offenses under the Penal Code.

The law forbids proselytizing of Muslims by non-Muslims, with punishments varying from state to state, including imprisonment and caning. The law allows and supports Muslims proselytizing without any restriction. The law does not restrict the rights of non-Muslims to change their religious beliefs and affiliation. A non-Muslim wishing to marry a Muslim must convert to Islam for the marriage to be officially recognized.

State governments have exclusive authority over allocation of land for, and the construction of, all places of worship, as well as land allocation for all cemeteries.

All Islamic houses of worship – including mosques and prayer rooms – fall under the authority of JAKIM and corresponding state Islamic departments; officials at these departments must give permission for the construction of any mosque or prayer rooms.

Islamic religious instruction is compulsory for Muslim children in public schools; non-Muslim students are required to take nonreligious morals and ethics courses. Private schools may offer a non-Islamic religious curriculum as an option for non-Muslims.
Sharia courts have jurisdiction over Muslims in matters of family law and religious observances. Non-Muslims have no standing in sharia proceedings, leading to some cases where sharia court rulings have affected non-Muslims who have no ability to defend their position or appeal the court’s decision, most frequently in rulings affecting custody, divorce, inheritance, burial, and conversion in interfaith families. The relationship between sharia and civil law remains largely unresolved in the legal system. When civil and sharia jurisdictions intersect, civil courts continue largely to give deference to sharia courts, creating situations where sharia judgements affect non-Muslims.

Two states, Kelantan and Terengganu, have symbolically enacted *hudood* (the Islamic penal law) for Muslims, although the federal government has never allowed the implementation of the code. The states may not implement these laws without amendments to federal legislation and the agreement of the sultan.

The legal age of marriage is 16 for Muslim females and 18 for Muslim males, except in Selangor State, where Muslim and non-Muslim females must be 18. Sharia courts may make exceptions for marriage before those ages with the permission of their parents. Non-Muslims must be 18 to marry but may marry as young as 16 with the approval of their state’s chief minister.

National identity cards specify religious affiliation, and the government uses them to determine which citizens are subject to sharia. The cards identify Muslims in print on the face of the card; for members of other recognized religions, religious affiliation is encrypted in a smart chip within the identity card. Married Muslims must carry a special photo identification of themselves and their spouse as proof of marriage.

Foreign missionaries and international students for religious courses must apply for a Professional Visit Pass with Immigration. The visa is given on a year-to-year basis and must be endorsed by a national body representing the respective faiths.

JAKIM coordinates the Hajj, endowment (*waqaf*), tithes (*zakat*), and other Islamic activities.

The country is not a party to the International Covenant on Civil and Political Rights.

**Government Practices**
An investigatory panel from the Malaysian Human Rights Commission (SUHAKAM) announced in April its “final decision” that Amri Che Mat, a Muslim social activist accused of spreading Shia teachings, and Christian Pastor Raymond Koh, who were abducted in 2016 and 2017 respectively, were victims “of forced disappearance by state agents, namely Special Branch.” Police called the decision against them “unjustified,” without providing any detailed rebuttal. In response to the announcement, several NGOs called for immediate action against those involved, including the resignation of Inspector General of Police (IGP) Fuzi Harun, who led the Special Branch from 2015 to 2017. Prime Minister Mahathir Mohamad later said the government “will let [Fuzi Harun] retire first and then we will have another IGP who will conduct an investigation” into his possible involvement. Fuzi retired in April, but as of year’s end, the new IGP did not initiate an investigation.

In June Minister of Home Affairs Muhyiddin Yassin announced the composition of a government panel to investigate SUHAKAM’s determination that the Special Branch was responsible for the disappearances; the panel, however, was not tasked with investigating them. In separate statements, the wives of Amri and Pastor Koh noted the panel included only Malay (Muslim) men, one of whom represented the police during SUHAKAM’s inquiry and later rejected its findings. The Home Ministry later appointed a female representative and an ethnic Chinese representative; the police officer who had been involved in the SUHAKAM investigation stepped down from the government panel. An editorial in the online news site Malaysiakini by the spokesperson for NGO Citizens Against Enforced Disappearances called the Home Ministry’s investigation “bogus” because it was established to investigate the SUHAKAM report, not the abductions. The panel’s investigation continued at the end of the year.

SUHAKAM reported little progress investigating the case of Christian Pastor Joshua Hilmy and his wife Ruth, who disappeared in 2016, due to a lack of information on their disappearances.

The Selangor State Islamic Religious Department (JAIS) raided a Shia religious center outside of Kuala Lumpur on September 6, three days before the beginning of Ashura commemorations, and arrested at least 22 people for violating a state fatwa that declares Shia Islam to be “deviant.” Religious authorities in Johor State also raided Ashura commemorations and detained at least eight individuals. Participants in the Johor event said religious authorities did not produce a warrant and were accompanied by masked police who brandished guns. The raid in
Selangor came after mosques in the state delivered a government-sanctioned sermon calling Shia Islam “heinous,” “nonsense,” and “nauseating.” IKRAM, an Islamic NGO, supported the raid and in a statement urged the authorities “to continue to monitor and take stringent action against anyone who tries to spread, practice and promote Shia teachings.”

Following the raids, the federal minister of religious affairs reaffirmed the constitution’s guarantee of religious freedom but said states are ultimately responsible for regulating religious matters, adding, “We respect their decision.” The Penang State mufti, however, told media, “Shias should be allowed the freedom to follow their teachings without the involvement of the public. If adherents of other religions are allowed to practice their faiths in private, why are the Shias excluded? We must be consistent, not selective.” Later in the month, members of the Shia community met with SUHAKAM and, according to media, “spoke of how Shia Muslims were barred from enrolling their children in school or registering their marriages.” The representatives reportedly told SUHAKAM that “powerful individuals” in Johor State were involved in “oppressing” the community.

Religious authorities in Selangor State caned four men in November after a sharia court found them guilty of attempting “sexual intercourse against the order of nature.” A fifth man appealed his sentence and was not caned, while the sharia court continued its case against six other men charged with the same offense. In a statement, Amnesty International Malaysia said, “These vicious punishments against LGBTI people are the actual crimes being committed here. The Religious Police used more than 50 officers to ensnare these men in a sting operation – all to bring hateful charges and inflict cruel, degrading punishments. The whole affair is a scandal and a judicial travesty.”

In what media reported as “possibly the first case in the country,” a sharia court in Terengganu State sentenced six men each to one month in jail and 2,400 to 2,500 ringgit ($590-$610) in fines for deliberately missing Friday prayers. Religious enforcement officers arrested them during a “raid” on August 23 at a recreation area where they were picnicking with their families.

According to media reports in June, the Kelantan State Islamic Religious and Malay Customs Council (MAIK) planned to convert all indigenous people (Orang Asli) living in the state to Islam by 2049. According to MAIK’s deputy chairman, the organization worked with religious authorities and public universities and targeted indigenous groups through a database of profiles of those who had
converted and those who had not. A human rights activist wrote on Facebook she had heard of cases of indigenous individuals not informing state authorities about the deaths of family members in order that the deceased not be buried against their will in an Islamic cemetery. The Society for the Promotion of Human Rights, an NGO, said, “We condemn any attempt by preachers who exploit the vulnerable Orang Asli community to lure them into religious conversions.”

Despite calls from the High Court for police to locate Indira Gandhi’s ex-husband and their youngest child, whom he abducted in 2009, both remained missing at year’s end. Gandhi, a Hindu, had earlier sued successfully to deny her ex-husband’s unilateral conversion of their three minor children to Islam. Gandhi filed a police report in July alleging organizations affiliated with the Pan-Malaysian Islamic Party (PAS), southern Thailand separatists, and followers of Islamic preacher Zakir Naik were involved in helping her ex-husband evade arrest.

Civil society activists said the government selectively prosecuted speech that allegedly denigrated Islam and largely ignored criticisms of other faiths. In March Alister Cogia, of Sarawak State, pleaded guilty to posting offensive materials about Islam on Facebook and was sentenced to 10 years and 10 months in prison and a 50,000 ringgit ($12,200) fine, although the sentence was later reduced to six years. His legal team said his family was not allowed to visit him while he was in detention and he was unaware of his court date, which resulted in his not being represented by a lawyer at his trial. “There is doubt whether Alister understood the gravity of the charges and the significance of his guilty plea,” a state assemblyman assisting in the case told media. Politicians and civil society leaders called the sentence “excessive,” with some pointing out that police rarely took action against individuals who allegedly insulted non-Muslims.

In August the chief minister of Selangor State said he would put forward a motion at the suggestion of the Selangor Islamic Religious Council to pass amendments permitting unilateral religious conversion of minors in the state. Legal scholars said such a move could not be enforced because federal laws restricting unilateral child conversion would supersede state laws.

In June the National Council for Islamic Religious Affairs (MKI) approved a plan to standardize sharia criminal laws and punishments but did not implement any changes by the end of the year. A statement from the minister for religious affairs said, “There are certain offences which carry the punishment of whipping in some states, but not in other states. This inconsistency, among others, causes injustice,
especially to the accused, the prosecution, and those involved in a sharia criminal case.”

NGO sources reported it remained difficult for Muslims attempting to convert or non-Muslims mistakenly registered as Muslims to have their religious identification changed by the authorities.

Prime Minister Mahathir continued to justify previous anti-Semitic comments he made on the grounds of free speech. “Why is it that I can’t say something against the Jews, when a lot of people say nasty things about me, about Malaysia, and I didn’t protest, I didn’t demonstrate?” he said at a Columbia University event in September. He had previously said Jews were “hook-nosed” and the number of Jews killed in the Holocaust was not six million.

According to the home minister, the government no longer permitted Israeli citizens to enter the country to attend conferences or meetings organized by international organizations. In January the government announced it would not permit Israeli athletes to participate in the World Para Swimming Championships, scheduled for July in Sarawak state. The International Paralympic Committee said in a statement it was “bitterly disappointed at the stance of the Malaysian government” and later canceled the country’s hosting rights, moving the event to London. Sports Minister Syed Saddiq told media the country would “lose its moral compass” if it allowed Israel to compete in the event.

JAKIM continued to implement established federal guidelines concerning what constituted deviant Islamic behavior or belief. State religious authorities generally followed these guidelines. Those differing from the official interpretation of Islam continued to face adverse government action, including mandatory “rehabilitation” in centers that teach and enforce government-approved Islamic practices. The government forbade individuals to leave such centers until they completed the program, which varied in length but often lasted approximately six months. These counseling programs continued to be designed to ensure the detainee adopted the government’s official interpretation of Islam.

In October Minister of Home Affairs Muhyiddin said all foreign missionaries – both Muslim and non-Muslim – coming to the country to hold religious talks would undergo background checks for national security reasons to ensure missionary groups are free from “deviant” teachings and to protect Malaysia’s “fragile” society.
State-level Islamic religious enforcement officers continued to have the authority to accompany police on raids of private premises and public establishments, and to enforce sharia, including for violations such as indecent dress, distribution of banned publications, alcohol consumption, or khalwat (close proximity to a nonfamily member of the opposite sex). In January the Kelantan State government announced an “anti-vice” campaign “aimed at preventing unmarried individuals of the opposite sex from sitting next to each other” and other “vice activities,” including drug abuse. The same month the state government banned shisha (hookah) and karaoke outlets, purportedly in an effort to curb social problems among youth. A government representative explained the decision by stating young people “hang out in droves to have fun while smoking shisha till two in the morning at these premises. When they go home late, they will be exposed to unhealthy activities.”

The Kelantan State Islamic Affairs and Religious Department (JAHEAIK) issued notices to 39 women in May for reportedly dressing immodestly and indecently in public during Ramadan. The NGO Sisters in Islam said in a statement, “The obsession to control what women wear needs to stop. Not only does this practice humiliate and degrade the value of women, but the compulsive need to control what women wear also implies that they are mentally, physically and spiritually defective and a danger to the moral order of society.”

The Kelantan State government ordered restaurants and other food outlets to close temporarily between the hours of 8:30 p.m. and 10 p.m. during Ramadan to encourage Muslims to perform the tarawih prayer (additional evening prayers performed during Ramadan). There were no reports of authorities enforcing the measure, however.

The Segamat Municipal Council (MPS) in Johor State denied media reports that MPS placed officers disguised as cooks and restaurant workers to catch Muslims who did not fast during Ramadan. In May the New Straits Times quoted the MPS president as stating, “We have specially selected enforcement officers who are dark-skinned for the undercover job. They sound convincing when they speak the Indonesian and Pakistani lingo, so the customers will believe they are really hired to cook, serve meals, and take orders.” In a statement MPS said, “MPS has never conducted any operation in disguise to spy on Muslim individuals who are not fasting during the month of Ramadan as stated. Such a move is beyond the jurisdiction of MPS.”
The Kelantan State government lifted a 28-year ban on performing the traditional Mak Yong dance but said cultural organizations must comply with sharia regulations in performances, including separation of men and women on stage and in the audience, and ensuring that dancers are properly covered. “We want to ensure only Islamic-related performances are shown to the audience,” Deputy Chief Minister Mohd Amar Nik Abdullah told media in September.

Authorities in Terengganu State said they would introduce “sharia-compliant” sportswear and a code of conduct for athletes participating in competitions in the state and for athletes representing Terengganu in other states, and make sharia-compliant uniforms compulsory for Muslim athletes beginning in 2020.

In September the chairman of the Terengganu State Youth Development, Sports, and Non-Government Development Committee said the state withdrew from women’s gymnastics events because such events went against Islamic requirements. “There is no compromise for these sports, as they display indecent movements, and unless the audience comprises only women, then maybe we will allow them. Even then, it would still be against the respective sports’ governing body regulations,” the chairman said. The director general of the National Sports Council opposed Terengganu’s decision, stating the National Sports Council “believes that the government should always provide a fair and equal platform in sports for all, regardless of religion, gender, and skin color.”

Police arrested Muhammad Zamri Vinoth Kalimuthu, the head of an Islamic information center, in April for allegedly insulting Hinduism (“disrupting harmony” and “transmitting offensive communications”) during a 2018 religious lecture released on social media. The Mufti of Perlis State said individuals such as Zamri were driven to make remarks against other religions “because of the political reality that allowed Muslims to be bullied.” The Attorney General’s office announced in July it would not pursue charges against Zamri.

The federal minister for religious affairs announced in March the establishment of a unit “tasked with monitoring any writing or provocation deemed insulting to the Prophet and Islam across all media platforms, including social media.” By August, JAKIM had referred 5,000 such complaints to the new police unit. “Since the online complaint [platform] was opened, we have received many complaints, and there was a time when the unit received up to 10,000 complaints a day,” the religious minister said. Some groups raised concerns that the initiative only monitored insults against Islam and no other religious. “If they (JAKIM) are going to take action and report the insults to the police, then we also must be able to do
the same,” R.S. Mohan Shan, the president of the Malaysian Consultative Council of Buddhism, Christianity, Hinduism, Sikhism and Taoism said.

An Instagram account owner tweeted on February 22 that Instagram notified him that “because of an order from the government, court, or other authority, access to [his] account [had] been restricted in the region.” The account, which appeared to have been taken down entirely, included memes mocking Islamic authorities.

In August police instituted a “ban” on Islamic preacher Zakir Naik speaking in public and on social media after he made controversial statements about ethnic Chinese and Indian minority groups. Inspector General of Police Abdul Hamid Bador said the ban “is only temporary, [but] if the situation doesn’t change, the order will remain.” Police said they “ordered” law enforcement officers to “advise” organizers of any events involving Zakir to cancel his participation. Police cited a law authorizing them to maintain “law and order [and preserve] …peace and security.” Some lawyers said police did not have the explicit authority to ban an individual from speaking in public under this provision. Naik later stated, “I feel I owe an apology to everyone who feels hurt because of this misunderstanding. Racism is evil and I am staunchly against it – as is the Quran – and it is the exact opposite of everything I stand for as an Islamic preacher.”

Officials at the federal and state levels oversaw Islamic religious activities, distributed all sermon texts for mosques to follow, used mosques to convey political messages, and limited public expression of religion deemed contrary to Sunni Islam. In August the Sabah State Legislative Assembly passed amendments to the Sharia Criminal Offences Enactment of 1995 that prohibited the spread of non-Islamic religious doctrines and that included whipping as a punishment for those found guilty of spreading and/or performing any acts that are against the true teachings of Islam. “Islam is a religion that unites people. Any thoughts, actions and practices that cause rifts must be avoided. Likewise, deviant Islamic teachings that are permeating the Muslim community must be eliminated,” Sabah Minister of Law and Native Affairs Datuk Aidi Moktar said.

The government continued to maintain restrictions on religious assembly and provisions; these denied certain religious groups the ability to register as charitable organizations. Many churches and NGOs continued to find registration difficult, with the RoS denying or delaying many applications without explanation or for highly technical reasons. Representatives of religious groups continued to say the registrar had no consistent policy or transparent criteria for determining whether to register religious groups.
In cases in which the government refused to register a religious group, the group could pursue registration as a company. Religious groups reported registering as a company was generally relatively quick and provided a legal basis for conducting business, did not limit the group’s religious activities, and allowed the organization certain activities such as holding a bank account and owning property, but registering did not give the organization tax-exempt status or government funding. Examples of religious groups that continued to be registered as companies included Jehovah’s Witnesses and the Church of Jesus Christ.

In August the High Court dismissed the arguments of the NGO Sisters in Islam that a 2014 Selangor State fatwa deeming the organization “deviant” infringed the group’s and its members’ constitutional rights, but as of the end of the year no action had been taken against the NGO, which continued to operate as it negotiated with the government to resolve the issue. The 2014 fatwa said Sisters in Islam deviated from the teachings of Islam because it subscribed to the principles of liberalism and pluralism. The fatwa also ruled the NGO’s books and materials could be seized. The fatwa did not define “liberalism” or “pluralism.” The High Court judge who decided the case said because the fatwa was issued legally and dealt only with religious matters, he did not have jurisdiction to hear the NGO’s appeal. In response to Sisters in Islam’s argument that Islamic authorities could not issue fatwas against companies because companies do not profess a faith, the judge said the organization’s entirely Muslim board justified the ruling, adding, “Justice warrants lifting the corporate veil.” The NGO’s executive director told media she was “very disappointed” in the decision.

Federal and state governments continued to forbid religious assembly and worship for groups considered to be “deviant” Islamic groups, including Shia, Ahmadiyya, and Al-Arqam. While Ahmadi Muslims in the country reported generally being able to maintain a worship center, government religious authorities did not allow them to hold Friday prayers, as these could only be performed in an officially registered mosque. In a report released in March, the International Commission of Jurists (ICJ) said, “Malaysia’s treatment of the Shia and Ahmadiyah minorities is directly contrary to its obligations to guarantee the rights to freedom of religion or belief and to equality under the law, and the non-discrimination of religious minorities.” ICJ also called on the country to “amend or repeal all laws that criminalize the propagation of religious beliefs among people of all faiths.”

Restrictions continued on the use of the word “Allah” and as many as 31 other Islam-related words by non-Muslims. These restrictions included saying certain
words, such as “Allah,” out loud, or using or producing Bibles or recorded religious materials that refer to God using the term “Allah.” An appeal by the Sidang Injil Borneo, an evangelical Christian church based in Sabah and Sarawak, for the right of the church and its Malay-language-speaking congregation to use the word “Allah” in Bibles and other religious publications remained ongoing.

The government continued to ban books for promoting Shia beliefs, mysticism, and other beliefs the government determined “clearly deviated from the true teachings of Islam.” In April the High Court upheld a previous ban on three books published by the Islamic Renaissance Front (IRF), ruling they “are likely to be prejudicial to public order and interest and likely to alarm public opinion” because their content did not comply with the government’s interpretation of Islam. IRF’s director, Farouk Musa, said, “It seems to me the minister of home affairs has the absolute discretion in banning books that do not conform to the version of [Islam preferred by] Islamic authorities.” The same month the High Court lifted the previous government’s ban on the book “Breaking Silence: Voices of Moderation – Islam in a Constitutional Democracy” by the NGO G25.

In September an appellate court dismissed sharia charges from 2013 against Mohd Ezra Mohd Zaid for publishing and distributing Canadian author Irshad Manji’s book Allah, Kebebasan dan Cinta (Allah, Liberty, and Love) because it had been banned by the home ministry. The appellate court also granted Ezra 10,000 ringgit ($2,400) in damages for “mental distress and agony” caused by a 2012 JAIS raid on his property.

At the direction of the minister for religious affairs, Islamic authorities opened an investigation into an April forum held at a bookstore outside Kuala Lumpur entitled “Malay Women and De-hijabbing,” in which Muslim women discussed their decision to stop wearing the hijab. The event’s panelists said in a statement, “We condemn this unnecessary investigation as abuse of power to harass and intimidate women activists. We are ready to give full cooperation to the authorities; however, we are unequivocal that there has been no transgression of Malaysian laws.” Maryam Lee, author of “Unveiling Choice,” a book that was featured at the April forum, said JAIS summoned her in October as part of an investigation into activity that “insults or brings into contempt the religion of Islam.” Those found guilty of such an offense are subject to a fine up to 5,000 ringgit ($1,200), up to three years in prison, or both.

Non-Muslim groups continued to report regular difficulties in obtaining permission from local authorities to build new places of worship, leading many groups to use
buildings zoned for residential or commercial use for their religious services. Observers said this practice remained largely tolerated but left the religious groups vulnerable.

Some government bodies, including the federal Department of National Unity and Integration, were tasked with encouraging religious harmony and protecting the rights of minority religious groups. Many faith-based organizations, however, continued to state they believed that no entity had the power and influence of those that regulated Islamic affairs, and they cited the large footprint and budget for JAKIM, compared to the more limited funding for the Department of National Unity and Integration. That department’s annual budget was approximately 275 million ringgit ($67.3 million), while 1.3 billion ringgit ($317.9 million) was marked for the development of Islam under JAKIM alone.

In September the Prime Minister’s Department issued a directive barring Muslims and non-Muslims from reciting joint prayers, either simultaneously or separately, before the start of government functions promoting unity that involved Muslims and non-Muslims. Instead, joint prayers at such events were to be “replaced with an activity where a message of unity is shared.” According to the Mufti of Negeri Sembilan State, Muslims praying alongside non-Muslims lowered the status of Islam. Observers noted that many government functions began with a recitation of the Islamic doa or prayer of supplication, and the ban only applied to interfaith events where prayers were previously offered by multiple faiths.

During the year, JAKIM continued to fund a wide variety of Islamic education- and mosque-related projects. There were no funds in the government budget specifically allocated to non-Muslim religious groups, although some religious groups reported continuing to receive sporadic funding for temple and church buildings and other activities.

At public primary and secondary schools, student assemblies frequently commenced with the recitation of an Islamic prayer by a teacher or school leader. Particularly in the country’s peninsula, community leaders and civil liberties groups said religion teachers in public schools pressured Muslim girls to wear the tudong (Islamic head covering) at school. Some private schools required Muslim girls to wear veils covering their faces, except for their eyes. Homeschooling remained legal, but some families continued to report difficulty in obtaining approval from the Ministry of Education.
In September the federal Ministry of Education issued a warning to the Methodist Girls’ School in Penang in response to allegations that students recited a prayer at an awards ceremony that did not also include an Islamic prayer. Police opened an investigation into the matter. Pusat Komas, a local NGO, issued a statement which criticized the government for an “unnecessary” warning that “bullied” the school. Federal Minister of Education Maszlee Malik later met with representatives of the Federation of Christian Mission Schools to discuss the matter and said the government would respect the ethos, character, and traditions of mission schools in the country.

Following public outcry, particularly from the ethnic Chinese community, the government reversed its plan to require students in Tamil and Chinese-language public schools to study *khat*, a Malay text that uses Arabic characters. Politicians and civil society leaders report that *khat*, once taught as part of Malay language and culture, has more recently become associated with Islam and is currently only included in religious curriculums. According to media, the cabinet decided in August to introduce *khat* only after achieving the consent of students, parents, and the Parent Teacher Association in those schools.

The government continued not to recognize marriages between Muslims and non-Muslims and considered children born of such unions illegitimate. The government continued its appeal of a 2017 ruling by the Court of Appeal that the National Registration Division was not bound by a 2003 edict issued by the National Fatwa Committee, a religious body, regarding when a child conceived out of wedlock could take the father’s name. Implementation of the court’s decision remained stayed, pending the appeal, limiting parents’ ability to give their child the father’s name if the child was deemed to be conceived out of wedlock. The government does not impose this restriction on non-Muslim families.

Prime Minister Mahathir said the government would consider five resolutions put forward at a “Malay Dignity Congress” in October, including proposals to banish Chinese- and Tamil-language public schools by 2026, require top government positions to be filled only by Sunni Muslims, and restrict “outsiders” from spreading “ideologies and teachings that deviate from Islam and the Malay culture.” Mahathir, along with Economic Affairs Minister Azmin Ali, PAS Party President Hadi Awang, and United Malays National Organization (UMNO) Secretary General Annuar Musa attended the event, which was sponsored by four public universities. The event organizer told participants the country [exists] for the ethnic Malay Muslim majority, argued minorities must adhere to the “social contract” that gave them citizenship, and asserted that this “social contract” could
be revoked. Haris Zuan, a research fellow at Universiti Kebangsaan Malaysia, criticized political leaders for attending the event and for using public universities “as a tool to provide political legitimacy to government propaganda” and ethno-nationalist narratives.

In June JAKIM said a gender and sexuality conference to be held in Kuala Lumpur later in the year should be canceled because it “clearly promotes LGBT in Malaysia and is against Islam and the Federal Constitution.” In a post on social media JAKIM called on authorities to take “suitable action.” The conference took place in Sri Lanka instead.

Section III. Status of Societal Respect for Religious Freedom

As in years past, local human rights organizations and religious leaders said society continued to become increasingly intolerant of religious diversity. They cited some Muslim groups’ continuing public condemnation of events and activities they said were “un-Islamic,” as well as heavily publicized statements targeting non-Sunni Muslims and non-Muslim groups. A Facebook group entitled “The Malaysian Anti Shah Movement” criticized the government for permitting an Iranian parliamentary delegation to visit the country’s parliament and said, “Shias are getting more active and are already spreading their wings to Parliament.” In response, the minister of religious affairs told media, “What is the problem if there are visits by those of the Shia faith? The Iranian ambassador was here several times. What is wrong if they visit Parliament? It does not make us Shia if there are Shia adherents.”

In May police arrested four men from a suspected ISIS terrorist cell for allegedly plotting attacks on houses of worship and an entertainment outlet. Police said the accused wanted to “avenge” the death of a Muslim firefighter who was killed when responding to a riot at a Hindu temple in 2018. According to media reports, the leader of the four was charged in May with terrorism-related offenses.

A July seminar entitled “Amman Message: A Platform for Peace,” hosted by the International Institute of Advanced Islamic Studies, a local think tank, was cancelled following a bomb threat. The “Amman Message” is a document signed in 2004 by prominent Muslim scholars and leaders, including then prime minister Abdullah Badawi, calling on Muslim majority countries to recognize different Islamic groups, including Sunni, Shia, Salafi, and Sufi; denouncing any effort to ban these groups; and condemning “ignorant and illegitimate” edicts or fatwas in the name of Islam. According to police, a member of the “Movement to Eradicate
Shia” posted on Facebook a message stating, “We are bombing the place,” which prompted the hosts to cancel the seminar “for security reasons.”

In August authorities opened an investigation into a Facebook post allegedly from a JAKIM employee calling on Muslims to “get their slaughter knives ready” because the “kafir (non-believers) are acting like cattle for slaughter.”

Hundreds of Muslim men gathered in March outside the National Mosque in Kuala Lumpur to protest the federal government’s failure to defend Islam, claiming it undermined ethnic Malay identity by having non-Muslims in positions of authority. Some participants shouted they were ready to wage “jihad” against those who insulted their faith. The UMNO youth chief spoke at the protest and blamed the Pakatan Harapan coalition government for failing to protect Islam.

During an August speech at the National Ummah Unity Convention, Aminuddin Yahaya, president of Ikatan Muslim Malaysia (ISMA), accused the Christian Federation of Malaysia of an “evangelical” drive to place as many Christians as possible in national leadership positions and called Christian evangelism one of the biggest threats to the Malay-Muslim community. The general secretary of the Council of Churches of Malaysia told media the claims were “unfounded and meant to fear-monger by rallying Muslims to name Christians as enemies,” and was “tantamount to inciting hatred towards a minority religious community.”

In February PAS Information Chief Nasrudin Hassan Tantawi expressed concerns about the judicial system because non-Muslims occupied senior government positions, including attorney general, chief justice, and law minister. “We are doubtful about the legal system and the judiciary, which is not under the control of Muslims. When we raise this issue, they (the government) say we are racist, but they have grabbed these three positions and have not given anything to Muslims,” he said. SUHAKAM responded this “outdated view on racism should not be tolerated in the new Malaysia.” In January PAS President Hadi Awang wrote in an op-ed that Muslims would “end up in hell” if they were led by a non-Muslim.”

In May ISMA said postage stamps that included images of historic Christian churches was “another example of Muslims being bullied,” and that they could portray Malaysia as a “Christian nation.” According to the government postal service, the stamps, which also included other religions’ landmarks, were first issued in 2016.
Religious converts, particularly those converting from Islam, sometimes faced severe stigmatization. In many cases, converts reportedly concealed newly adopted beliefs and practices from their former co-believers, including friends and relatives.

Religious identities continued to affect secular aspects of life. Muslim women who did not wear the headscarf or conform to religious notions of modesty were often subject to shaming in public and on social media.

In July Azhar Mohamad, leader of the Badar Squad, an unregistered group based in Kedah State that harassed unwed Muslim couples who did not have what the group deemed to be proper supervision, said the group would expand nationwide, despite warnings from police that it could not operate as an enforcement agency. In April authorities fined Azhar and six others 1,000 ringgit ($240) each after they pled guilty to joining an illegal organization.

Some Muslim leaders, including from PAS, supported calls on social media to “buy Muslim-made products first.” A member of parliament from the Democratic Action Party (DAP) told media, “Encouraging a boycott on non-Muslim products by Muslims is wrong and goes against the spirit of our Federal Constitution, which guarantees equality, which includes one’s right to livelihood.” The PAS secretary general defended the campaign, stating, “It will help small and medium entrepreneurs, as well as those from rural areas, to compete. At the same time, it will create more jobs for the people, especially unemployed youths.”

Although the federal government said it would not ban images of pigs, which Muslims view as unclean animals, in public places during Chinese Lunar New Year celebrations, media reported such images were “conspicuously absent from Chinese New Year decorations” at shopping outlets in and around Kuala Lumpur.

Religious groups hosted interfaith and intercultural celebrations throughout the year. Following the Easter Sunday terrorist attacks in Sri Lanka on April 21, the Global Unity Network, a Muslim NGO, visited St. Joseph’s Church in Kuala Lumpur to show solidarity with the country’s Catholic community.

An event entitled “KL for Satan” with heavy metal band “Devour,” scheduled in Kuala Lumpur on Easter Sunday, was cancelled following public outcry. In a statement the Council of Churches of Malaysia said the concert would “be considered an affront to the religious sentiments of Christians in the country.”
Section IV. U.S. Government Policy and Engagement

Embassy officials engaged with a wide variety of federal and state government officials at the MHA, MFA, RMP, and Prime Minister’s Department, as well as with other agencies, on religious freedom and tolerance issues throughout the year, including concerns about the denigration of religious minorities, the unilateral conversion of children, and the enforced disappearances of Amri Che Mat and Pastor Raymond Koh.

In April the Ambassador led a “Harmony Walk” to several houses of worship of different faiths in Kuching, Sarawak, along with the mission commander of the Pacific Fleet’s annual Pacific Partnership exercise and U.S. sailors, local clerics, and the country’s military personnel. The event highlighted the importance of religious freedom and interfaith dialogue. The embassy released a video of the event in conjunction with the UN International Day for Tolerance in November and received largely positive feedback.

Embassy officials met with members of Shia and Ahmadiyya Muslim groups, which described heavy government restrictions on their religious activities and continued societal discrimination. The embassy also met with Sunni Muslims whose activities were limited by the government, such as those from SIS, G25, Islamic Renaissance Front, and Komuniti Muslim Universal, to discuss strategies for engaging the government on issues of religious freedom.

The embassy broadcast messages related to religious freedom on its social media platforms on International Religious Freedom Day and throughout the year.

In November the embassy sponsored six Islamic school educators to travel to the United States to study faith-based and secular education as a means of fostering understanding and promoting freedom of religion and expression.

In July the embassy facilitated the participation of civil society representatives and the wife of a missing pastor in the Ministerial to Advance Religious Freedom in Washington, D.C.

The embassy facilitated the participation of three Islamic clerics in the United Nations Civil Society Conference in Salt Lake City in August. The program included discussion of interfaith understanding and the importance of greater interaction with people of different religious backgrounds.
In September the president of the Malaysian Youth Council attended an exchange program, with embassy support, on interfaith relations.