



State of the World's Minorities and Indigenous Peoples 2015 - Malaysia

Publisher [Minority Rights Group International](#)

Publication Date 2 July 2015

Cite as Minority Rights Group International, *State of the World's Minorities and Indigenous Peoples 2015 - Malaysia*, 2 July 2015, available at: <http://www.refworld.org/docid/55a4fa4d18.html> [accessed 20 July 2015]

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Malaysia continued to restrict religious freedoms in 2014, further marginalizing and alienating its non-Sunni Muslim population. Prime Minister Najib Razak has been accused of exploiting religious tensions and pandering to Islamist hardliners after suffering major electoral losses in the 2013 election. In November, he formally abandoned a pledge to revoke a draconian colonial-era Sedition Law that has frequently been used to silence his political opponents, instead vowing to strengthen its provisions.

The Muslim-majority country has witnessed a surge in blasphemy allegations targeting the country's sizeable Christian minority. Malaysian law imposes a maximum three-year jail sentence for individuals found to have 'insulted' religion or published text or imagery deemed offensive to public 'morality'. This legislation is disproportionately used to clamp down on religious minorities. In January, religious authorities seized hundreds of bibles from a Christian group because they used the Arabic word '*Allah*' to refer to God – a practice that was formally banned in 2013. In May, the country was placed on the US government's Tier-2 'watch list' of countries where religious freedoms are under threat.

Malaysia's restrictive laws have entrenched discrimination against certain Muslim sects, such as Shi'a, Ahmadis and Al-Arqam, who are banned from spreading their faiths. The Department of Islamic Development (JAKIM), under the Prime Minister's Office, has broad authority to determine what constitutes 'un-Islamic' or 'immoral' behaviour and to penalize individuals deemed to be in breach. The body regularly monitors, harasses and prosecutes members of minority Muslim sects for alleged crimes against Islam. In March, over a hundred Shi'a, including a four-month-old child, were detained by authorities for attending a religious ceremony.

At the start of the year, the government unveiled plans to establish a Sharia police unit within JAKIM to help enforce Islamic law. It comes amid growing concern that Sharia courts in Malaysia are seen to favour the Sunni population, especially men. In one notable case, a Hindu woman whose Muslim husband abducted their daughter is facing an uphill battle to regain custody of her child because a Sharia court ruled against her on the basis of her faith. Followers of the outlawed Ahmadi faith are fighting back against a crackdown on their activities, arguing that they should not be subjected to interference by religious authorities since they have been classified as 'non-Muslims' by the government. In August, a group of 39 Ahmadis were granted leave by the High Court to pursue a judicial review application of their arrests. According to the human rights monitoring group SUARAM, dozens of indigenous Christians were also tricked into converting to Islam in January, after being promised money in exchange for signing cards and reading 'foreign words'. According to

SUARAM, responsibility for the case was handed by the police to the Sabah State Islamic Affairs Department, which reportedly had presided over the ceremony.

In this context, Malaysia's burgeoning intolerance has fuelled the proliferation of hate speech and religious extremism across the country, where radical clerics are permitted to preach freely in mosques and through social media. Indeed the government has a track record of tolerating religious extremism among its political support base, while cracking down on dissidents using the controversial Sedition Law. In response to this increasingly oppressive environment, in December a group of civil servants wrote an open letter urging the government to take swift steps to promote religious harmony and understanding in Malaysia.

Issues affecting indigenous communities continue to be sidelined by the Malaysian government. Prime Minister Najib Razak has yet to implement the recommendations made by the National Human Rights Commission following a historic inquiry into land rights abuses against indigenous peoples in 2013. Instead, he established a separate task force to consider steps moving forward, which has been criticized as an effort to dilute the inquiry's provisions. In March, Malaysia rejected a suggestion made by Victoria Tauli-Corpuz, the UN Special Rapporteur on the rights of indigenous peoples, to evaluate its treatment of Orang Ulu, comprising 27 indigenous groups on the island of Sarawak. Orang Ulu, also known as Dayaks, face growing threats to their traditional lands from the rapid spread of logging, palm oil companies and large-scale hydropower dams. Many thousands of Orang Ulu have been forcibly displaced over the past few years to make way for a series of controversial mega-dams in Borneo, forming the Sarawak Corridor for Renewable Energy (SCORE).

Controversy has centred on Sarawak's former Chief Minister, Taib Mahmud, who is the subject of an ongoing investigation by Malaysia's Anti-Corruption Commission. Taib stepped down in February after 33 years in office, although indigenous activists fear he is still involved behind the scenes. His replacement, Adenan Satem – Taib's former brother-in-law and close political ally – has pledged to push ahead with the SCORE project, despite local opposition. In August, a new report by SAVE Rivers accused the government of threatening and coercing the indigenous populations in Baram, Sarawak, where resistance has flared against the next proposed dam site. The report raises fresh concerns about the role of money politics in Sarawak.

Malaysia has one of the highest levels of urbanization in Southeast Asia, with around three-quarters of its population now residing in cities. In Sarawak, a growing number of indigenous youths are migrating to urban centres in search of work and educational opportunities. This process has largely been driven by Malaysia's rapid rate of deforestation, which has eroded the traditional livelihoods and lands of indigenous forest dwellers. Nearly 70 per cent of the highland Kelabit tribe in Sarawak has migrated to urban areas and, according to a 2013 survey, the population of Baram dropped from 80,000 to 20,000 in a decade. Activists have warned that the proliferation of new dams will exacerbate this trend. Hunter-gatherer tribes such as the Penan are particularly vulnerable during resettlement as they often lack the occupational skills suited to life outside the forest. This has contributed to the urbanization of poverty among Sarawak's indigenous population, who already form a significant percentage of squatters in cities such as Miri. However, the Sarawak government maintains that new hydropower dams will boost rural development and discourage Orang Ulu from migrating to cities.

A large proportion of indigenous peoples from Peninsular Malaysia, known collectively as the Orang Asli, live below the poverty line. Despite being protected by Malaysia's controversial Bumiputera laws – which favour the ethnic Malay and indigenous populations for government jobs and university opportunities, while entrenching discrimination against Malaysia's Chinese and Indian minorities – Orang Asli still face discrimination in most aspects of their lives and consistently rank lowest on health and education indicators. According to a recent study, demographic changes and urbanization has worsened the risk of diabetes, hypertension and obesity among the Orang Asli. This may be caused by the rising cost of food in urban areas. Indigenous activists blamed the government for failing to help indigenous communities adapt to city life. Some Orang Asli report feeling out of place

in urban areas due to educational and socio-economic disparities and language barriers.

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