

World Report 2024



In his first year as prime minister, Anwar Ibrahim, a former political prisoner, largely failed to uphold his pledges to address repression and corruption. The government's abolition of the mandatory death penalty was a significant step, although capital punishment remains a sentencing option for some criminal offenses. Authorities continued to use broad and vaguely worded laws to criminalize free speech. Officials have targeted refugees and migrants as well as lesbian, gay, bisexual, and transgender (LGBT) people with hateful rhetoric and crackdowns.

Freedoms of Expression and Assembly

The new government continued to use repressive laws it had pledged to reform, including the Sedition Act 1948 and the Communications and Multimedia Act (CMA) 1998.

In February, police [arrested](#) two teenagers under CMA section 233, on the “improper use of network facilities or network service,” and the Minor Offences Act 1995 over a TikTok video in which they criticized a history exam using “abusive words.” William Khor Wai Loon was [charged](#) in March under the Sedition Act section 4 and CMA section 233 for an Instagram post calling for a demonstration against the king. Reymi Abdul Rahim [was charged](#) in July under CMA section 233 for Twitter posts allegedly insulting the Johor sultan and royal family.

In July, opposition politician and Kedah state's chief minister, Muhammad Sanusi Md Nor, [was charged](#) under the Sedition Act for remarks regarding the country's sultans. Prime Minister Anwar defended the charges, claiming that using the Sedition Act is [unavoidable](#) “when it comes to matters concerning the position and dignity of the rulers.”

In September, the Court of Appeal dismissed his appeal and [ordered](#) preacher Wan Ji to begin his nine-month sentence on sedition charges for Facebook posts he made regarding the Selangor sultan.

Police [arrested](#) political activist Badrul Hisham Shaharin, also known as Chegubard, on September 14, reportedly due to a TikTok video critical of the prime minister. Police again [summoned](#) Chegubard and others for questioning under the Peaceful Assembly Act 2012 following a rally on

Malaysia Day (September 16) [protesting the dismissal](#) of corruption charges against Deputy Prime Minister Ahmad Zahid Hamidi.

The regulatory Malaysian Communications and Multimedia Commission (MCMC), overseen by the Communications and Digital Ministry, implemented [access bans](#) on online news portals to censor critical speech. Between June and August, the commission [blocked sites](#) including MalaysiaNow, UtusanTV, Malaysia Today, and TV Pertiwi. MCMC [defended](#) the bans as tackling “the spread of false information, offensive content, and defamation.”

In June, the commission [announced plans](#) to take legal action against the company Meta for its alleged failure to remove from Facebook “undesirable contents relating to the aspects of Race, Royalty, Religion (3R), defamation, impersonation, online gambling as well as scam advertisements.” The government [considered an amendment](#) to the CMA that would expand the powers of the MCMC and increase penalties under section 233.

In September, the government [banned the film](#) “Mentega Terbang,” which deals with themes of religion and grief, under the Film Censorship Act. The film [had been pulled](#) from streaming services in March following widespread threats and condemnation from religious conservatives.

Refugees, Asylum Seekers, and Migrants

Malaysia is not a party to the 1951 Refugee Convention and lacks domestic asylum procedures. About 180,000 refugees and asylum seekers—the majority from Myanmar, including over 100,000 ethnic Rohingya Muslims—are registered with the United Nations Refugee Agency (UNHCR) but are not granted legal status, leaving them unable to formally work or enroll in government schools.

The new government has continued to deny UNHCR access to immigration detention centers. The agency has been barred from assessing whether detainees are entitled to protection since August 2019. Between 10,000 and 18,000 migrants and refugees are held in immigration detention centers nationwide at any one time, including more than 1,000 children, according to parliamentary reports.

Immigration detainees spend months or years in overcrowded, unhygienic [conditions](#), routinely subjected to degrading treatment and physical and psychological abuse, without judicial oversight. The home affairs minister made statements in [February](#) and [April](#) regarding plans to release children from immigration detention, yet no further progress has been announced.

From January to May, authorities [deported](#) more than 18,000 undocumented migrants and asylum seekers from immigration detention centers, according to the government.

In January, authorities [deported](#) 114 Myanmar nationals, including children, without giving them a chance to file asylum claims, in an apparent violation of international customary law’s prohibition on refoulement, the forcible return of refugees to a country where their life or freedom would be threatened. The High Court had issued a temporary stay of deportation in February 2021, after the military launched a coup in Myanmar, but it lifted the order in December 2022.

In August and early September 2023, officers [detained](#) hundreds of [undocumented migrants](#), including [children](#), in [raids](#).

On July 4, Myanmar refugee activist Thuzar Maung and her family [were abducted](#) by unidentified men from their home in Kuala Lumpur. Their whereabouts remain unknown.

Criminal Justice System

Parliament adopted two bills in April that [abolished the mandatory death penalty](#). The Abolition of Mandatory Death Penalty Act 2023, which came into force in July, removed the mandatory death

penalty for the 12 offenses that carried it and removed the death penalty as an option for 7 offenses. However, the new law retains the death sentence for drug trafficking under the Dangerous Drugs Act 1952, the [most common conviction](#) for death row prisoners.

Malaysia detains individuals without trial under restrictive laws. The Security Offenses (Special Measures) Act 2012 (SOSMA) allows for preventive detention of up to 28 days without judicial review for a broadly defined range of “security offenses.” Different rules of evidence and trial procedure [apply](#) for SOSMA offenses, which are non-bailable. Beginning in July, family members of 69 detainees being held under SOSMA [staged a hunger strike](#) outside Sungai Buloh Prison. Police [investigated](#) the protest under the Peaceful Assembly Act and Child Act 2001.

Both the Prevention of Crime Act (POCA) 1959 and the Prevention of Terrorism Act 2015 allow government-appointed boards to impose detention without trial for up to two years, renewable indefinitely.

The Independent Police Complaints Commission (IPCC), which [came into force](#) on July 1, is a [toothless commission](#) with no powers of search and seizure, limited powers to compel the production of evidence, and no ability to hold hearings.

Freedom of Religion

Malaysia restricts the rights of followers of any branches of Islam other than Sunni, with those following Shia or other branches subject to arrest for deviancy. In March, the Court of Appeal [dismissed](#) a challenge by Sisters in Islam, a civil society group working to promote the rights of Muslim women, against a 2014 fatwa declaring the group as deviant from Islamic teachings. The group [appealed](#) the dismissal at the Federal Court.

In April, Siti Nuramira Abdullah [was fined](#) 8,000 Malaysian ringgit (US\$1,800) under penal code section 298 for a 2022 open mic comedy performance during which she had removed her headscarf and *baju kurung*, a traditional dress.

Sexual Orientation and Gender Identity

State-sponsored discrimination against LGBT people remains pervasive in Malaysia, including the funding of conversion practices. Federal law punishes “carnal intercourse against the order of nature,” interpreted as adult consensual same-sex conduct, with up to 20 years in prison and mandatory caning. State and federal territory Sharia (Islamic law) criminalize both same-sex activity and gender nonconformity.

In January, Anwar [rejected](#) the idea that LGBT Malaysians would be recognized and protected under his government, saying: “These politicians will say that if Anwar becomes prime minister ... LGBT will be recognized. This is a delusion. Of course, it will not happen.”

In August, the Ministry of Home Affairs [issued a ban](#) on all Swatch products with LGBT, queer, and plus (LGBTQ+) branding under the [draconian Printing Presses and Publications Act 1984](#), criminalizing the production, import, sale, distribution, or possession of the watches and any related materials with up to three years in prison. Authorities had [confiscated](#) the watches from stores in May.

The Ministry of Communications and Digital [issued a directive](#) canceling the last two days of the Good Vibes Festival in July following an onstage kiss between The 1975 bandmembers to protest Malaysia’s anti-LGBT laws.

Women’s Rights

The Cabinet [announced in February](#) plans to amend the Federal Constitution to grant Malaysian citizenship to children born overseas to Malaysian mothers and foreign fathers. However, the citizenship amendments also contain provisions that will perpetuate child statelessness. At time of writing, the amendments had been discussed in the cabinet and presented to the Conference of Rulers.

In March, police [launched an investigation](#) into an International Women's Day rally in Kuala Lumpur under the Peaceful Assembly Act and Minor Offences Act.

Environment and Indigenous Peoples' Rights

Indigenous communities continue to be displaced by business activities carried out without adequate consultation or compensation.

In January, the Court of Appeal [ordered](#) the Johor state government to support the resettlement of 135 Orang Asli Seletar families whose land had been sold to developers.

On July 4, police arrested an Orang Asli man for [protesting logging surveyors](#) in Pahang. The company was reportedly launching a logging project in a protected water catchment area on native customary land within the Bukit Ibam Forest Reserve.

A group of Orang Asli [lodged a police report](#) in September on behalf of 1,000 people in Gua Musang who complained that logging and farming projects had encroached on their land in recent months.

In September, Samling Group, a Malaysian timber and palm oil multinational company, [withdrew a defamation lawsuit](#) against the Indigenous organization SAVE Rivers following a [settlement](#). The suit, [filed in 2021](#), claimed that SAVE Rivers' publication of articles alleging that Samling failed to gain the free, prior, and informed consent of Indigenous communities prior to logging in their native customary land was defamatory.

The government [has criticized](#) the European Union's adoption of the [EU Deforestation-Free Products Regulation \(EUDR\)](#), which entered into force in June, requiring EU-based companies to ensure their imports and exports are "deforestation-free" and uphold human rights. Malaysia, Indonesia, and the EU [established a joint task force](#) to negotiate palm oil trade under the EUDR.

The government is [taking steps](#) to scale up the development of carbon offsetting projects, particularly in forested areas, yet state authorities [lack adequate policies](#) to protect human rights and mitigate risks to communities. The government also has not recognized Indigenous peoples' ownership of the carbon stored in their native customary lands.