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2018 Report on International Religious Freedom: Malaysia

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 January the country’s highest court unanimously overturned a 2015 Court of Appeal decision and ruled minors could only convert to Islam with the consent of both parents. The court held it had jurisdiction over the administrative decisions of sharia authorities and such jurisdiction could not be abrogated by a constitutional amendment by parliament. In December the country’s human rights commission concluded an investigation into the 2017 abduction of a Christian pastor and was expected to report to parliament in 2019. The wife of a social activist who reportedly promoted Shia teachings and disappeared in 2016 said a police officer told her security forces were responsible for the disappearance of both her husband and the Christian pastor. The retired local head of the security force who was named by the wife denied responsibility. 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. The High Court ruled in July that Selangor State religious authorities did not have jurisdiction over the Ahmadiyya community because they were not recognized as Muslims. State religious authorities appealed the decision. Non-Muslims continued to face legal difficulty in using 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 criticized the government for appointing non-Muslims to high-level positions, including attorney general.

Local human rights organizations and religious leaders again stated society continued to become increasingly intolerant of religious diversity. In October a member of parliament received death threats after urging the government to ratify a UN declaration on the elimination of religious intolerance. A Sarawak State legislator received online death threats in February for representing four individuals who sought to convert from Islam. In November violence broke out after as many as 200 individuals, reportedly hired by a real estate developer claiming ownership of the land, entered a Hindu temple and attempted to forcibly evacuate devotees. Police arrested a man for two incidents of vandalism at a church and Hindu temple in Kelantan State.

U.S. embassy officials regularly discussed with government officials at the Ministry of Home Affairs, Ministry of Foreign Affairs, and Prime Minister's Department, among others, issues including constitutional guarantees of freedom of religion, increasing religious intolerance and avoiding the denigration of 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 and scholars in visitor exchanges and conferences that promoted religious tolerance and freedom. A visiting Deputy Assistant Secretary of State for Democracy, Human Rights, and Labor urged officials to lift restrictions on religious freedom, including discrimination against the Ahmadiyya Muslim community and impediments to conversion for Muslims, and raised concerns about the disappearance of the Christian pastor and social activist.

Section I. Religious Demography

The U.S. government estimates the total population at 31.8 million (July 2018 estimate). Figures from the most recent census in 2010 indicate that 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, 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 east coast of peninsular Malaysia – 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 the “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 the 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. In a January Federal Court ruling in a case involving conversion of minors, however, the court held it had jurisdiction over the procedures of the sharia administrative authority in the case, and that such jurisdiction could not be abrogated by a constitutional amendment by parliament.

The Shariah 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 oversees 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 a Muslim, 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. These laws have never been enforced, and their legal status remains untested. Nationally, civil courts generally cede authority to sharia courts in cases concerning conversion from Islam. In some states, sharia allows 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. In January the Federal Court, the country's highest, unanimously overturned a 2015 Court of Appeal ruling that had previously upheld 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 can 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 or a 5,000 ringgit (\$1,200) fine for “insulting” Islam.

JAKIM and state Islamic authorities prepare 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 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, prostitution, kidnapping, rape, and robbery.

The law forbids proselytizing of Muslims by non-Muslims, with punishments varying from state to state, and including imprisonment and caning. The law allows and supports Muslims proselytizing others. 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 *surau* (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 *surau*.

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. 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 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. In September the Selangor State legislature raised the minimum age to marry for both male and female Muslims to 18.

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.

JAKIM coordinates the pilgrimage (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

In January police charged a man with kidnapping and extortion in the February 2017 abduction of Christian Pastor Raymond Koh. The Malaysian Human Rights Commission (SUHAKAM) then suspended its public inquiry into the matter following a request from the inspector general of police, who cited a law that SUHAKAM may not investigate any complaint that is the subject of a court proceeding. Some civil society members said the arrest was an attempt by police to stop SUHAKAM's public inquiry. SUHAKAM reopened its investigation in August, stating the subject matter of the inquiry and the

police investigation were different. Media reported SUHAKAM ended its inquiry on December 7, after hearing the testimonies of 16 witnesses. The inquiry panel was expected to present its findings and recommendations to parliament in 2019.

In May the wife of Amri Che Mat, a Muslim social activist accused of spreading Shia teaching, filed a police report after she said a police officer told her members of the Royal Malaysian Police Special Branch's Social Extremism Division (E2) were involved in her husband's disappearance in 2016 as well as Pastor Koh's. The retired E2 official named by Mat's wife said he was not involved. Throughout the year, SUHAKAM continued investigating the case as well as that of Christian Pastor Joshua Hilmy and his wife Ruth, who also disappeared in 2016.

In September two Muslim women were publicly caned after the Terengganu State sharia court found them guilty of attempting same-sex relations. In September Terengganu's sharia court sentenced a thirty-year-old woman to be caned and a six-month jail term for prostitution.

Legal experts said the January Federal Court ruling on conversion of minors reaffirmed civil courts' oversight role in administrative affairs, including the administrative acts of state Islamic religious authorities. The Registrar of Muallafs (Converts) in Perak State had issued certificates of conversion for the minors in 2009 to their father without fulfilling the mandatory statutory requirements, thus “misconstruing the limits of its power and acting beyond its scope,” according to the court's judgment. The decision came as part of a suit brought by Indira Gandhi, a Hindu, whose ex-husband converted to Islam and unilaterally converted their three minor children, and then successfully petitioned a sharia court for sole custody. As part of its decision, the Federal Court declared both parents must consent to the conversion of a minor child and found the children's conversion to be “null and void.” In doing so, the court overruled a 2015 Court of Appeal decision in favor of the father and upheld a 2009 High Court decision setting aside the certificates of conversion.

Despite calls from the 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. An Islamic nongovernmental organization (NGO), the Muslim Scholars Association of Malaysia, said religious violence could break out were police to continue their search for the ex-husband and child. A coalition of Islamic NGOs later filed an application to review the Federal Court ruling, arguing that only a sharia court could determine whether someone is Muslim or non-Muslim; the case remained undecided at year's end.

According to media reports, critics of the Indira Gandhi ruling included the Muftis of Perak and Pahang and the Malaysian Islamic Organization Consultative Council. The council said the decision conflicted with the views of the majority of ulama and undermined the provision of the constitution that stipulated the jurisdiction of a sharia court could not be disputed. Supporters of the ruling included the Women's Aid Organization and the Malaysian Human Rights Society, which said the decision resolved issues in cases where the nonconverting spouse had been left without remedy in the civil courts.

Citing the Indira Gandhi decision, a lower court ruled in October that the unilateral conversion of two minor children by their mother, who converted to Islam after their birth, was invalid. Despite the court decisions, some members of civil society said questions surrounding unilateral conversions of minors would remain outstanding until the federal parliament clarified the issue through legislation.

It remained difficult for those registered as Muslims to have their religious identification changed by the authorities. In April the Court of Appeal dismissed an application made by a woman born out of wedlock to a Muslim-Buddhist couple and raised by her Buddhist mother to be declared a non-Muslim and therefore to remove “Islam” from her national identity card.

In a case involving conversion by adults, the Federal Court dismissed in February an appeal by four individuals from Sarawak State who wished to have their cases considered in a civil court, ruling the state’s sharia court was the proper court for apostasy cases.

Lawyers, civil liberty groups, and non-Muslim religious leaders said that when civil and sharia jurisdictions intersected, civil courts continued largely to give deference to sharia courts, creating situations where sharia judgements affected non-Muslims.

In June a 41-year-old Muslim Malaysian man married an 11-year-old Muslim Thai girl in Thailand and moved back with her to Malaysia. Despite public outrage over the matter, Deputy Prime Minister Wan Azizah Wan Ismail said the Malaysian government was powerless to act, as Islamic courts have jurisdiction over the issue of marriage between Muslims. The prime minister, deputy prime minister, and other government officials said they would work to increase the minimum age of marriage to 18 years for all men and women. By year’s end, Selangor State changed the official age of marriage to 18 years.

In July the minister for religious affairs said the government planned to present three new bills – the Anti-Discrimination Act, National Harmony and Reconciliation Commission Act, and Religious and Racial Hatred Act – to parliament that would criminalize “humiliating religion and race” and impose penalties of up to seven years in jail and a fine up to 100,000 ringgit (\$24,200). By year’s end, the government had not introduced the bills for parliamentary consideration; some civil society groups expressed concern the legislation could curtail lawful free speech.

The Pakatan Harapan coalition government, which took power for the first time following federal elections in May, indicated that it would continue to enforce a 1996 fatwa declaring Shia teachings “deviant.” Unlike in previous years, there were no reports of religious authorities arresting Shia Muslims for observing Ashura. Media reported, however, that religious authorities in Kuala Lumpur and Selangor State increased monitoring of Shia individuals to prevent Ashura gatherings and distributed leaflets condemning “deviant practices.” Officials in Kelantan State raided a Shia religious center in August and detained 10 individuals. When the federal minister for religious affairs stated publicly that the constitution protects the rights of minority

communities, including Shia, Zahid Hamidi, president of the opposition United Malays National Organization (UMNO), said his party would oppose the spread of Shia teachings.

Prime Minister Mahathir Mohamad told the Associated Press in August, “Anti-Semitic is a term that is invented to prevent people from criticizing the Jews for doing wrong things.” In October he repeated his statement from the 1970s that Jews are “hook-nosed” and that the number of Jews killed in the Holocaust was not six million.

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.

State 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). An officer from the Federal Territory Islamic Affairs Religious Department testified in court in March that warrants were never produced during any of the raids in which he was involved on such issues. In October *The Star* reported the minister for religious affairs indicated the government was not interested in what went on behind closed doors, but only what happened in the “public sphere.” The government, however, subsequently demanded an apology from *The Star* for reporting the government would stop “*khalwat* raids.”

According to some state laws, Muslims could be fined 1,000 ringgit (\$240) if they did not attend “counseling” after being found guilty of wearing what authorities deemed to be immodest clothing. The Kelantan State Islamic Affairs Department issued notices to more than 300 individuals from January through June for wearing clothing deemed un-Islamic, such as women wearing tight clothing, and behaving indecently in public. The notices required the individuals to attend counseling sessions; however, a representative of the Islamic Affairs Department said only 20 percent complied with the order. The representative said the department would pursue legal action if the accused did not attend a counseling session after receiving a second notice. In July media reported the Kota Baru municipal council in Kelantan would consider employees’ adherence to Islamic dress codes when evaluating food outlets’ cleanliness.

In March a woman said Kota Baru municipal council officials stopped her from working as a master of ceremonies during a children’s event, saying that Muslim women could not speak into microphones because a woman’s voice should not be heard by unrelated men.

In October the Terengganu State tourism department issued 11 guidelines for music and dance events, including segregation of male and female performers and audience members and the requirement that female performers only sing and dance in front of an all-female audience in a closed venue. In response to the announcement, the NGO Sisters in Islam (SIS) said, “The government’s readiness to resort to guidelines that impose their archaic worldview endangers the progress of all Malaysian women and their right to participate fully and equally in this country’s socioeconomic development and public life.”

Civil society activists said the government selectively prosecuted speech allegedly denigrating Islam and largely ignored criticisms of other faiths. In April a court fined a woman 5,000 ringgit (\$1,200) after she was convicted under the Sedition Act for posting a picture of a pork dish on social media during Ramadan in 2013 with a caption that said “Happy breaking of the fast.” Weeks before federal elections in May, then Minister of Federal Territories Tengku Adnan warned voters against voting for a largely ethnic Chinese party because many of its members were evangelical Christians. “If they are Catholics I would believe them, but when they are evangelists, new Christians, this is the problem,” he said. The same month, the Mufti of the Federal Territories said Islam permitted voting for non-Muslims but said voters must ensure “that the country’s top posts, such as prime minister, Islamic affairs [minister], and national defense [minister], remain to be held by qualified Muslims only.”

During a speech in February, then Prime Minister Najib Razak promised supporters “all of you will be able to perform the Hajj” if they returned his party to power in upcoming elections.

Some politicians, Islamic leaders, and NGOs opposed the government’s plan to sign the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), saying it would strip away ethnic Malay privileges and threaten Islam’s position as the country’s official religion. The president of the Pan-Malaysian Islamic Party (PAS) said, “We must oppose (it) because it is compulsory for Muslims to say that Islam is correct. We can give rights to other religions but to say that other religions are the same as Islam is unacceptable.” Following opposition from Islamic and ethnic Malay groups, the government announced in November it would not ratify the convention. As many as 50,000 individuals rallied in downtown Kuala Lumpur on December 8 to celebrate the government’s rejection of ICERD. Referring to opposition parties, Foreign Minister Saifuddin Abdullah said some Malaysians appeared “allergic” to the idea of human rights, according to *Al Jazeera*.

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 March media reported sermons in Selangor State no longer included language referring to Shia Islam as “deviant,” although officials said the decision was to shorten the length of the sermons and represented no change in policy.

During the year, Islamic authorities in the states of Perak and Johor banned several Muslim preachers from delivering sermons because they were deemed “divisive.” One of the banned preachers had questioned the Sultan of Johor for publicly criticizing a laundromat that did not allow non-Muslim customers.

In May members of PAS criticized the Sabah State government’s decision to revive construction of a statue of the Taoist and Chinese Buddhist goddess Mazu, saying such a statue would challenge “the sensitivities of the [Muslim] community.”

The government continued to maintain restrictions on religious assembly and provisions, which 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 that 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 did not give the organization tax-exempt status or government funding. Examples of groups that continued to be registered as companies included Jehovah’s Witnesses and The Church of Jesus Christ of Latter-day Saints.

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. The High Court ruled in July that the Selangor State religious authorities did not have jurisdiction over the Ahmadiyya community because they were not recognized as Muslims. Ahmadiyya community leaders expressed optimism about the ruling, seeing it as a new protection of their freedom to worship without harassment by the state’s Islamic authorities. Some civil society members, however, expressed concern that the Ahmadiyya community’s recognition as a non-Muslim group could have symbolic and practical implications. The Selangor State Islamic Department appealed the decision and the case remained pending at year’s end. Local authorities have permitted billboards proclaiming “Ahmadis are not Muslims” to be placed in front of the group’s headquarters for the past several years.

In September the Federal Territories Islamic Religious Department (JAWI) investigated a public awareness campaign event in Kuala Lumpur organized by “Who Is Hussain?” – a UK-based organization JAWI said was proselytizing Shia teachings. No one was arrested in connection with the event, which involved the distribution of free donuts to commuters at a train station.

Restrictions remained on the use of the word “Allah” by non-Muslims. 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 government announced it had banned six publications “deemed to contain elements that cause confusion among the people and are contrary to Islam’s Ahli Sunnah Wal Jamaah (Sunni) teachings.” In January the Court of Appeal ruled a 2015 ban on three books by novelist Faisal Musa violated the author’s freedom of speech. The previous government appealed the decision, but in October the new government withdrew the appeal and instructed the Ministry of Home Affairs to remove the titles from its list of banned publications.

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. In December Minister for Housing and Local Government Zuraida Kamaruddin said the government was preparing to register all existing houses of worship and their location. According to *The Straits Times*, the minister said houses of worship located on land not belonging to them would have to move. The ministry was drafting regulations to make it compulsory for all proposed houses of worship to acquire government approval before building.

In February at the 69th session of the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), a delegate from the Attorney General’s Office and other Malaysian delegates said female circumcision was and should be observed by Muslims per a 2009 decision by the national fatwa committee, although there was an exception for health reasons. NGOs said the procedure practiced in Malaysia qualified as Female Genital Mutilation according to the UN CEDAW definition.

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 none had the power and influence of those that regulated Islamic affairs, citing the large footprint and budget for JAKIM, compared to the more limited funding for the Department of National Unity and Integration. The Department of National Unity and Integration’s annual budget was approximately 275 million ringgit (\$66.59 million), while 1 billion ringgit (\$242.13 million) was marked for the development of Islam, including 811 million ringgit (\$196.37 million) for JAKIM.

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

At public school primary and secondary levels, student assemblies frequently commenced with recitation of an Islamic prayer by a teacher or school leader. Particularly in the peninsula of the country, 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.

A civil liberties activist called attention to the contents of an Islamic studies supplementary book for secondary school students that promoted death for apostates.

In August a judge on the Court of Appeal who had disagreed with that court’s 2015 decision allowing unilateral conversion of children to Islam said he was reprimanded by a senior judge and was ostracized and not assigned to certain cases as a result of his view.

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 edicts issued by the National Fatwa Committee, a religious body, regarding when a child conceived out of wedlock could take his or her father’s name. Implementation of the court’s decision remained stayed pending the appeal. The 2003 edict declared children illegitimate, and therefore unable to take their father’s name, if they were born fewer than six months after the marriage of their parents.

On June 5, the government announced Tommy Thomas as the new Attorney General, the first non-Muslim, non-Malay to hold the post. In July a member of PAS said the government’s appointment of non-Muslims to senior positions, including to the positions of attorney general, chief justice, and minister of legal affairs, would weaken sensitivity to legal matters involving Islam and Muslims. The prime minister responded, “We will establish a government that upholds the laws and the constitution of the country and we will not do anything contrary to Islam.” In September PAS stated it would focus on advocating for “Islamic leadership” given what it said was the low number of Muslims in parliament.

In November police in Kedah State arrested and later deported four foreign nationals for allegedly distributing religious materials that contained excerpts from the Bible. The individuals were investigated for causing disharmony or ill will and violating the conditions of their visas. Authorities in Penang State arrested five foreign nationals earlier in the month for similar offenses.

Section III. Status of Societal Respect for Religious Freedom

Local human rights organizations and religious leaders again 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. In August UMNO's youth chief called on Minister of Defense Mohamad Sabu to explain his presence at a ceremony allegedly held at a Shia religious center in southern Thailand. Some Islamic groups accused the minister of being a closeted adherent of Shia teachings. In May the chief minister of Melaka State faced similar accusations. In November Islamic leaders, including the Mufti of Pahang State, defended the 1996 fatwa banning Shia teachings in the country as justified after a social activist called for the fatwa's repeal. The mufti called Shia practices “deviant” and “destructive to the purity of Islam.”

On November 26, violence broke out near Sri Maha Mariamman Hindu temple in Subang Jaya, Selangor, after as many as 200 masked individuals, who temple devotees said were hired by a real estate developer claiming ownership of the land, entered the temple and attempted to forcibly remove devotees. According to *The Straits Times*, at least a dozen individuals were injured and 20 vehicles torched. A fireman later died from injuries sustained while responding to the incident. In total 83 individuals were arrested. As video of the event went viral online, speculation of a riot between the two groups emerged, but police and government officials later characterized the matter as a local land dispute and initiated legal action against those responsible.

In October a member of parliament received death threats after she urged the government to ratify the UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. In response, Malay rights group Perkasa said it would ask police to investigate her for sedition, and Ismaweb said her actions promoted apostasy. A Sarawak State legislator received online death threats in February related to his work representing four individuals who sought to convert from Islam to another religion.

In January police arrested a 24-year-old man suspected of involvement in a fire that destroyed 40 percent of a Buddhist temple in Negeri Sembilan State. CCTV footage reportedly showed the suspect stealing money from the temple's office before the fire started. The same month, police arrested a man for suspected involvement in two acts of vandalism at a church and Hindu temple in Kelantan State. Three people were injured in a “water bomb” attack at a church in a Kuala Lumpur suburb following a New Year's Eve prayer session, although police later said in a statement, “It is believed that the incident has nothing to do with any form of religious hatred.”

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 coreligionists, including friends and relatives.

In November the NGO Islamic Renaissance Front said Shia and Ahmadi Muslims faced more restrictions than non-Muslims, and urged the new government to move away from a “right-wing and supremacist” narrative to one based on universal human rights.

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 January police arrested a man who admitted to assaulting a woman at a bus stop because he was angry that she was not wearing a head scarf.

Some Muslim groups criticized the minister of defense after media published a photo of him shaking hands with the U.S. Ambassador, a woman, arguing that Islam forbids unrelated men and women from touching.

A group of men raided a convenience store in the Perak State in May and demanded the owners stop selling alcohol, as the majority of the community's residents were Muslim. The group reportedly threatened strong action against the store's owners if their demands were not met. Police opened an investigation into the incident and encouraged the public to refrain from taking action in such cases and instead to file a police report.

In October Islamic groups, including PAS members, pressured the government to ban Oktoberfest events saying the events were offensive to Muslims. At least two state governments announced they would not issue permits for Oktoberfest activities, although later they said they did not receive any applications for such events.

Malls and other commercial venues said they scaled back on decorations celebrating Chinese Lunar New Year, which in 2018 was associated with the zodiac symbol of a dog, for fear of offending Muslims who may see dogs as unclean animals. Some businesses admitted they removed images of dogs from their advertising. In a statement, the director of JAKIM said, “Even though Chinese New Year uses an animal as a symbol, all quarters should respect this and maintain racial harmony.”

In November pieces of what was believed to be pork were thrown into two *surau* (prayer rooms) in Malacca State. Police investigated the incident under the penal code, which outlaws injuring and defiling a place of worship with the intent to insult.

Religious groups hosted interfaith and intercultural celebrations throughout the year. In June Muslims at the Al-Faizin mosque in Kuala Lumpur invited individuals of all faiths to share in the spirit of Ramadan for the first time since the mosque's establishment. In December the Petaling Jaya Sri Sithi Vinayagar Temple held an interfaith cultural celebration with representatives from 22 religious organizations attending.

Section IV. U.S. Government Policy and Engagement

U.S. embassy officials engaged with a wide variety of federal and state government officials at the Ministry of Home Affairs, Ministry of Foreign Affairs, and Prime Minister's Department as well as other agencies, on religious freedom and tolerance issues throughout the year, including concerns about the denigration of religious minorities and the unilateral conversion of children. The Ambassador and a visiting Deputy Assistant Secretary of State for Democracy, Human Rights, and Labor raised concerns

about the disappearance of Pastor Raymond Koh, Pastor Joshua Hilmy and his wife Ruth, and Amri Che Mat and urged government officials to lift restrictions on religious freedom and speak out against religious intolerance.

In November the Ambassador and federal minister of unity and social wellbeing led a “Harmony Walk” to several houses of worship in Kuala Lumpur in celebration of the UN International Day for Tolerance. The event emphasized the centrality of freedom of religion and interfaith dialogue in reducing intolerance, discrimination, and persecution and underscored the U.S. government’s commitment to ensuring all individuals are able to exercise their freedom of belief or nonbelief. The embassy posted a video of the event on social media and received largely positive feedback.

Embassy officials met with members of Shia and Ahmadiyya Muslim groups; the groups detailed the heavy government restrictions on their religious activities and continued societal discrimination. The embassy engaged groups of Sunni Muslims whose activities were limited by the government, such as SIS, G25, Islamic Renaissance Front, and Komuniti Muslim Universal.

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

In March the embassy funded a university professor to participate in a global conference for female Muslim lawyers on the topic of Islamic law and leadership.

In June the Ambassador recorded a video message highlighting the importance of pluralism and religious tolerance. The state broadcaster distributed the video during Ramadan.

In July the embassy supported a six-day program on artistic freedom and expression that promoted tolerance and inclusion among different faiths.

In October the embassy sponsored the visit of four prominent religious leaders to communities across the United States where they observed interreligious cooperation and youth engagement.

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