



Malaysia: Government undermines civic freedoms and protection of human rights defenders by failing to accept UN recommendations

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CIVICUS, SUARAM, the Centre for Independent Journalism (CIJ), FORUM-ASIA, and ARTICLE 19 are concerned that the Malaysian government has failed to accept recommendations made at the UN's Human Rights Council to respect and protect civic freedoms, particularly freedom of expression and freedom of assembly. These actions are inconsistent with the government's commitments to undertake human rights reforms and call into question Malaysia's credibility as a member of the UN Human Rights Council (UNHRC).

In February 2024, Malaysia's human rights record was [reviewed by the UN Human Rights Council](#) during its Universal Periodic Review (UPR). 348 recommendations were issued, including on respect for civic freedoms. Among the recommendations made were to ratify human rights treaties, repeal restrictive laws, and ensure the protection of human rights defenders. The adoption of the outcome report is [scheduled](#) for 5 July 2024 in Geneva.

During its last review in 2018, the Malaysian government accepted recommendations to sign and ratify the International Covenant on Civil and Political Rights (ICCPR), a core human rights treaty ratified by 174 countries globally. However, the government appears to have backtracked on this commitment by failing to accept recommendations to do so, making the country an outlier on this key treaty.

Our organisations are concerned that the government failed to accept any recommendations to review or repeal laws that curtail freedom of expression, such as the Sedition Act 1948, Section 233 of the Communications and Multimedia Act 1998 (CMA), and the Printing Presses and Publications Act 1984 (PPPA).

Since the Anwar Ibrahim government came to power, our organisations have documented how the state has continued using these laws to criminalise human rights defenders, the opposition, and critics.

The CMA in particular is one of the most significant threats to freedom of expression in Malaysia. It has been used to criminalise online expression and block social media posts, critical websites, and blogs.

The authorities routinely abuse the colonial-era Sedition Act to stifle dissent, as highlighted by the recent investigation of youth activist [Mukmin Nantang](#) for his peaceful advocacy for the rights of

the Bajau Laut people, an Indigenous community in East Malaysia. Notably, this is the first time the sedition law has been used to target a human rights defender under the current government. The PPPA has been used to raid bookstores like [Toko Rakyat](#) in August 2023 and ban books. The government is also mulling over [expanding the scope](#) of the PPPA to regulate digital media, which could severely threaten media freedom and freedom of expression for online content publishers.

At the same time, progress has been slow on the promised enactment of Right to Information legislation and establishment of the Malaysian Media Council.

The government also did not accept recommendations to revise the Peaceful Assembly Act, which is discriminatory and has been used to restrict and criminalise protests. The law criminalises anyone who organises an assembly without giving the required notice five days in advance, and lacks an exception to the notice requirement for spontaneous assemblies. It also makes it a criminal offence for people under 21 years old to organise an assembly and for children to attend an assembly. Further, non-citizens are also denied the right to organise or participate in protests, which is discriminatory.

Over the last two years, the government has continued to harass protesters for organising and participating in peaceful protests. The police have systematically called activists for questioning before and after the assemblies, including for protests in support of women's rights, labour rights, and land rights, protests in solidarity with the Palestinians, as well as those critical of the government.

Additionally, the state failed to accept recommendations to protect human rights defenders - who continue to face arrests, harassment, threats, and online violence. Land rights activist Chong Yee Shan is on trial for [blocking a forced eviction](#) of farmers in October 2023, where she was assaulted by a government official. At the same time, no one has been held accountable for the threat on the life of lawyer and human rights defender Siti Kassim after a [bomb](#) was found under her car in July 2023.

As a UN Human Rights Council member, we urge the Malaysian government to review its regressive decision not to accept the UPR recommendations on civic freedoms and take its role seriously. The government can start by ratifying core treaties, especially the ICCPR and immediately review and abolish restrictive laws that silence dissent. We also urge the government to create an enabling environment for civil society and human rights defenders to carry out their fundamental work to promote and protect human rights.