

The background of the entire page is a dark purple. Overlaid on this are several stylized illustrations of hands and forearms reaching upwards towards the center. The hands are depicted in various shades of brown, tan, and orange, representing different ethnicities. Some hands are solid-colored, while others are outlined in white or orange. The arms extend from the bottom and sides of the frame, creating a sense of collective effort and unity.

MALAYSIA RACIAL DISCRIMINATION REPORT 2017



PREPARED AND COMPILED BY:
PUSAT KOMAS, MALAYSIA

MALAYSIA RACIAL DISCRIMINATION REPORT 2017

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***in conjunction with the International Day for the Elimination
of Racial Discrimination***

Compiled and prepared by:

PUSAT KOMAS

Malaysia

Contact:

PUSAT KOMAS

A-2-10, 8 Avenue, Jalan Sungai Jernih 8/1,

Seksyen 8, 46050, Petaling Jaya,

Selangor Darul Ehsan, Malaysia.

Tel/Fax: +603-79685415

Email: info@komas.org

Web: www.komas.org

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GLOSSARY

ASWAJA	Pertubuhan Ahli Sunnah Wal Jamaah Malaysia (Malaysia Ahli Sunnah Waljamaah Organisation)
Bersatu	Parti Pribumi Bersatu Malaysia (United Native Party of Malaysia)
Bertindak	Badan Bertindak Melayu Islam (Malay Islam Action Body)
BN	Barisan Nasional (National Front)
ATM	Angkatan Tentera Malaysia (Malaysian Arm Forces)
DAP	Democratic Action Party
Hindraf	Hindu Rights Action Force
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ISMA	Ikatan Muslimin Malaysia
JAKIM	Jabatan Kemajuan Islam Malaysia (Malaysian Islamic Development Department)
JPNIN	Jabatan Perpaduan Negara dan Integrasi Nasional (National Unity and Integration Department)
KPDNKK	Kementerian Perdagangan Dalam Negeri, Koperasi dan Kepenggunaan (Domestic Trade, Cooperatives and Consumerism Ministry)
MMA	Mixed Martial Arts
MJMM	Pertubuhan Martabat Jalinan Muhibah Malaysia (Malaysian Goodwill Dignity Organisation)
NUCC	National Unity Consultative Council
PAS	Pan-Malaysian Islamic Party
Perkasa	Pertubuhan Pribumi Perkasa (Mighty Native Organisation)
PERMIM	Federation of Malaysian Indian Muslim Associations
PPIM	Persatuan Pengguna Islam Malaysia (Muslim Consumers Association of Malaya)
PPSMI	Policy of Teaching Science and Mathematics in English
SDG	Sustainable Development Goals
TN 50	Transformasi 2050 (2050 Transformation)
UDHR	Universal Declaration of Human Rights
UM	University Malaya
UMNO	United Malays National Organisation
UNI-MLC	Union Network International-Malaysia Labour Centre
UEC	Unified Examinations Certificate
UPR	Universal Periodic Review
UUM	Universiti Utara Malaysia (Northern Malaysia University)

FOREWORD



By Rita Izsák-Ndiaye¹

Member of the CERD Committee

In 2013, Malaysia went through the second cycle of the Universal Periodic Review process (UPR) at the Geneva-based UN Human Rights Council and received eight recommendations from other UN Member States regarding racial discrimination in Malaysia. Seven of them requested Malaysia to consider the ratification of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) and other treaties. Unfortunately, none of the eight recommendations were accepted.

Malaysia is among the handful countries which has not signed and ratified ICERD. Joining the other 179 State Parties who have already done so is not only important because it signifies an important pledge towards eliminating racial discrimination but comes with very concrete benefits. The CERD Committee, which monitors the implementation of the Convention and whom I have the honor to be a member of, provides independent, objective and impartial recommendations on how to further ensure State compliance with the spirit

¹ **Ms. Rita Izsák-Ndiaye** (Hungary) was appointed Independent Expert on minority issues by the Human Rights Council and assumed her functions on 1st August 2011. She was renewed as Special Rapporteur on minority issues in 2014, a position which she held until 31 July 2017.

Rita Izsák-Ndiaye holds a Masters in Law diploma from the Péter Pázmány Catholic University, Budapest, Hungary. Inspired by her own experiences of prejudice and discrimination - her father's family was forcibly moved under post-war population transfers from Czechoslovakia (present day Slovakia) to Hungary due to their Hungarian ethnicity in 1947 and her mother is of Romani origin - she has been working on human and minority rights since her university years.

In 2017 at the 27th Meeting of States parties to ICERD, she was elected to become a member of the United Nations Committee on the Elimination of Racial Discrimination (CERD). Rita Izsák-Ndiaye will serve for a term of four years starting on 20 January 2018.

and provisions of the Convention and assists States in finding ways to effectively fight against racism by providing existing good examples. Furthermore, through its individual complaint mechanism, it can offer another important international legal remedy for the victims of racial discrimination.

In my former capacity as Special Rapporteur on minority issues, I had the privilege to travel to Malaysia in 2013 at the invitation of Pusat KOMAS and learn first-hand about the situation and challenges of the various racial, religious and linguistic groups in the country. I met ministers, academics, journalists, dozens of committed human rights advocates and various communities during my 10-day-long stay. I was happy to recognize that everyone I spoke to was proud of their Malaysian citizenship regardless their ethnic group and background. This is a source of strength for Malaysia as I have visited other countries where communities were so divided that they even questioned the existence of a commonly shared national identity. I also noted, however, some existing policies and practices that differentiated between the various groups and have the potential to fuel tensions and discords. This report alerts that there was an increase of incidences of racial discrimination in Malaysia in 2017. Nevertheless, it also brings up several positive examples where initiatives were taken to promote national unity and social cohesion, including by high-level politicians, sultans, commercial bodies, youth groups, sportsmen, armed forces, religious authorities and even a beauty company. This clearly shows the power of ordinary citizens to stop racism and racist remarks in time and prevent the spread of hatred before it would severely damage the social fabric.

The Malaysian Government and Malaysian political and public leaders should step up their efforts to demonstrate an unequivocal political will and commitment in overcoming racism and racial discrimination in Malaysia by voicing strong condemnation of and taking action against the use of hate speech and any acts of incitement to hatred and should join the ICERD family without delay. The Federal Constitution already provides relevant articles which forbid discrimination but the existing permission of exceptions in order to safeguard the special position of majority Malays and natives of Sabah and Sarawak gives cause of concern as it might send a wrong message to other communities that they are second-class citizens which can undermine the sense of equality in rights and dignity of all. I truly hope that this useful and important report by Pusat KOMAS will further inform the public at large in Malaysia and elsewhere about racism and racial discrimination in Malaysia and will inspire many leaders and activists to join efforts in continuing to work towards their complete elimination.

EXECUTIVE SUMMARY

From our media scanning, the year of 2017 has seen an increase in incidences of racial discrimination in Malaysia. As the 14th General Elections is around the corner, numerous politicians from all sides, have resorted to the usage of racial politics to win the political support of the people. The Malaysian Government have reneged on several of their substantive promises to promote national unity and social cohesion in the country. In fact, racism has become more pronounced and is being increasingly used as a tool to divide and rule.

The Malaysia Racial Discrimination Report 2017 highlights six trends of racial discrimination in Malaysia as follows:

1. Racial and Religious Discrimination
2. Racial Discrimination in Other Industries
3. Groups, Agencies and Individuals that use Provocative Racial Sentiments
4. Political Groups, Hate Speech and Racial Statements
5. Entrenched Racism among Malaysians
6. Xenophobic Behaviour

In 2017, we have taken up the long-standing issue of racial and religious discrimination as one of the trends in Malaysia. The rise of religious extremism in Malaysia with the notion of protecting one's religious purity has led to discriminatory actions that have impeded the rights of Malaysians from different ethnic groups. Though the discriminatory actions may stem from a religious perspective, the intersectionality between religious and racial discrimination is apparent in these cases. This new trend is not only worrying but it highlights the inherent danger of the overreach of bureaucratic Islamic institution.

Despite the rise in issues of racial and religious discrimination in Malaysia, several prominent individuals have stepped forward to condemn such actions. Furthermore, numerous efforts have been taken by ordinary Malaysians to promote national unity and social cohesion in the nation.

The Malaysia Racial Discrimination Report 2017 is an exploratory observation of the trends of racial discrimination in Malaysia. It does not serve as an index; but, an indication of the issues of racial discrimination in Malaysia. Despite efforts to document issues of racial discrimination in Malaysia, numerous concerns were raised on the specific emphasis on incidences of racial discrimination. Numerous quarters have decried efforts to document these issues, emphasizing the need to look at efforts to promote national unity and social cohesion in our nation. The justification given is that the examination of the incidences of racial discrimination is an examination of isolated incidences that does not reflect the actual situation in Malaysia. However, the Malaysia Racial Discrimination Report 2017 intends to highlight emerging trends of racial discrimination that are prevalent in Malaysia so that immediate efforts could be undertaken to overcome these incidences.

We believe that this effort can move the great nation forward to achieve the high standards of national unity that was dreamt by our forefathers and generations before us. This report is conducted to ensure that the incidents of racial discrimination are recorded and analyzed so that new ways to overcome this issue could be found.

This document is also intended to be an important tool to facilitate engagement with relevant stakeholders including government agencies, non-governmental organisations (NGOs), educational institutions, academicians and political parties. It is also a useful document to help raise awareness and public education on the worrying state and extent of racial discrimination in the country. Furthermore, as this document also contains information on efforts that have been undertaken to promote national unity and social cohesion in the nation, such efforts could also be replicated or improved.

The incidences of racial discrimination and efforts to promote national unity and social cohesion are compiled from mainstream and online media sources, Report Racism Mobile Application², reports from the members of the Working Group on the Ratification of ICERD (International Convention on the Elimination of All Forms of Racial Discrimination) and from secondary sources such as accounts and views from individuals in social media (unverified sources). These cases provide clear examples of violations of basic rights which are enshrined in the Federal Constitution of Malaysia and are based on the definition of racial discrimination which is outlined in the ICERD.

Although they do not encompass all the incidences of racial discrimination in Malaysia, we are optimistic that the Malaysian people would continue to contribute reports and enhance the contents of the annual **Malaysian Racial Discrimination Report**.

DEFINITION OF RACIAL DISCRIMINATION

The ICERD defines racial discrimination as:

“Any distinction, exclusion, restriction or preference based on race, color, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life”.³

² The Report Racism Mobile Application is a mobile application which was launched by Pusat KOMAS in 2016 with the aim to encourage people to report incidences of racism in Malaysia. The incidences reported are documented in this report and are sent to the Malaysia Human Rights Commission for investigation if the reporter gives his/her consent.

³ Article 1, International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)

RACIAL DISCRIMINATION IN MALAYSIA TODAY

The Prime Minister of Malaysia Datuk Seri Najib Razak in a written reply in Parliament in 2017 had highlighted that there has not been any discussion to table or introduce laws against racism and discrimination yet. He was quoted saying that “The Government feels that... there is no need for an Anti-Racist and Anti-Discrimination Bill as the country’s unity is in a good and controlled state” and the government will give more emphasis to promote greater inclusiveness through the education system⁴.

Malaysia is a multicultural nation which emphasizes the value and importance of national unity and social cohesion. Despite the government’s insistence that the country’s unity is “in a good and controlled state”, discrimination based on ethnicity in education, healthcare, the workforce and welfare continue to be an upward trend in Malaysia. Incidences of racial discrimination in Malaysia are not something new, where groups and individuals are given the liberty to continuously make public declarations of racist sentiments and statements without any repercussions or action taken by the Malaysian authorities.

The year of 2017 has seen many more reported incidences of racial discrimination, racism and strained ethnic relations within the Malaysian society with prominent individuals and authorities such as the Sultan of Johor, Selangor and Perak issuing statements to remind Malaysians to embrace unity and to stay away from practicing racial and religious discriminatory actions. The interventions from the prominent leaders in Malaysia have shown that the government’s assurances and claims that there is unity in the country is still from reach. Instead, the recognition and acknowledgement of the severity of these issues had led to the immediate intervention of these prominent individuals and authorities to remind Malaysians of the importance of preserving national unity and social cohesion.

Furthermore, the emergence of the Internet and social media platforms, while being a positive platform to counter racism, also have provided easier avenues for widespread expression of racial sentiments and hate speech (inciting violence, hatred, or discrimination against other persons and groups particularly with reference to their ethnicity, religious beliefs, gender or sexual orientations, language, national origin or immigration status). These platforms also provide people an opportunity to post on issues of racial discrimination, racism and strained ethnic relations making Malaysians today more aware of the severity of the issue of racial discrimination in Malaysia today.

⁴ Malay Mail Online, “PM: No need law against discrimination for now” 24 October 2017. See: <http://www.themalaymailonline.com/malaysia/article/pm-no-need-law-against-discrimination-for-now#Ls5BjEHCO0RL8ID4.97>

EFFORTS TO PROMOTE NATIONAL UNITY IN MALAYSIA IN 2017

In 2017, numerous initiatives to promote national unity and social cohesion as well as efforts to speak up against racial discrimination in Malaysia were identified.

Moments of Unity

Date: 21 January 2017

The National Unity and Integration Department (JPNIN) alongside the National Chamber of Commerce and Industry and the Associated Chinese Chamber of Commerce and Industry of Malaysia organised a gathering termed “Moments of Unity” which included public university students, school students and civil servants for a “unity morning exercise” that aimed to unify and bring people of different races closer at the Perdana Botanical Gardens in Kuala Lumpur⁵.

In addition, the Prime Minister Datuk Seri Najib Abdul Razak had also pointed out that Malaysians should not merely have “moments of unity” but to make it part of our culture. He cautioned that extremism is the enemy of unity and therefore Malaysians must remember to respect and empathise with each other, regardless of race. He had also reminded that the success of any race in Malaysia is a success for Malaysia⁶.

University Malaya to Probe Lecturer’s Racist Remarks

Date: 26 February 2017

Following an allegation by a University Malaya (UM) student that a lecturer had made racist remarks in the class, the Deputy Education Minister Datuk P. Kamalanathan stated that the university had formed a five-member panel to investigate the allegation⁷. Following the investigation, the lecturer had issued a verbal and written apology for her actions to the students and informed them that it was not her intention to stir up any racial issues. The lecturer also promised to be more careful in the future⁸.

⁵ Malay Mail Online, “Najib to launch ‘Moments of Unity’ for racial harmony Jan 21” 13 January 2017. See: <http://www.themalaymailonline.com/malaysia/article/najib-to-launch-moments-of-unity-for-racial-harmony-jan-21#fwlPAAZzRc71QiDG.97>

⁶ Malaysiakini, “Don’t just have moments of unity, Najib tells M’sians” 21 January 2017. See: <https://www.malaysiakini.com/news/370029#7iZfoZR3DjoBovtr.99>

⁷ New Straits Times, “UM to probe don’s alleged racist remarks” 26 February 2017. See: <https://www.nst.com.my/news/2017/02/215473/um-probe-dons-alleged-racist-remarks>

⁸ The Star Online, “UM lecturer accused of racist remarks apologises” 21 April 2017. See: <https://www.thestar.com.my/news/nation/2017/04/21/um-lecturer-accused-of-racist-remarks-apologises/>

Youth Groups Calling for Action on Racism

Date: 14 May 2017

A band of youth groups called Solidariti Anak Muda Malaysia (a neutral non-governmental NGO which comprises of youths all around Malaysia) called for action against racism in the country. One of the 13 resolutions passed, is a motion calling for the rejection of racism in the country⁹.

Athlete urging Malaysians to not turn his loss to a Racial Issue

Date: 28 May 2017

Mixed Martial Arts (MMA) fighter Agilan Thani had urged Malaysians not to turn his loss in the ONE Welterweight World Championships fights into a racial issue. According to Agilan, several quarters had turned his loss into a racial issue by stating that he is an Indian; hence, the Government of Malaysia does not support him. Agilan clarified that it was difficult for him to receive government sponsorship because of the high risk of injury in MMA as compared to other sports that Malaysians participate in. He highlighted that he identifies himself as a Malaysian who was born and raised in Kuala Lumpur¹⁰.

Calls by Young Malaysians to Not be Defined by Race or Religion

Date: 4 June 2017

According to the Transformasi 2050 (TN 50) engagement with young people, the Youth and Sports Minister Khairy Jamaluddin highlighted that the youth have made the point that they do not want to be divided anymore. They appreciate their cultural heritage but it should not be their primary identity that divides them. The youths want to be known as Malaysians¹¹. Sport Minister Khairy Jamaluddin suggests that the root of the issue could be the education system and shared that among the plans that might materialise as part of TN 50 pilot project is the establishment of a new type of national school where religious studies and learning of other languages are integrated in the syllabus.

⁹ Malay Mail Online, "Youth group wants action on racism and education" 14 May 2017. See: <http://www.themalaymailonline.com/malaysia/article/youth-group-wants-action-on-racism-and-education#u0cAuJeZc040jPzV.97>

¹⁰ The Sun Daily, "Agilan urges Malaysians not to turn his loss into a racial issue" 28 May 2017. See: <http://www.thesundaily.my/news/2017/05/29/agilan-urges-malaysians-not-turn-his-loss-racial-issue>

¹¹ Malay Mail Online, "Khairy: Young Malaysians do not want to be defined by race or religion" 4 June 2017. See: <http://www.themalaymailonline.com/malaysia/article/khairy-young-malaysians-do-not-want-to-be-defined-by-race-or-religion#p7L6UcMt6H5SA7uV.97>

Army Veteran Calling for Malaysians to Emulate Soldiers Way of Life

Date: 29 August 2017

Retired brigadier-general Mohd Arshad Raji who served the army for 32 years called upon all Malaysians to emulate and learn from the soldiers how to live with one another without seeing differences in their racial background¹². He was quoted saying that soldiers are very different from politicians as the soldiers regard each other as members of one big family while politicians would prefer playing the racial card. He also referred to the incident where the Deputy Prime Minister Ahmad Zahid Hamidi questioned the former Prime Minister Tun Dr. Mahathir Mohammad's lineage and stated that none of them are 100 per cent Malay. This was further reinforced by a retired air force sergeant A Govindasamy who had stated that he had not met any racist soldier in his 35 years of service.

Perak Sultan urging Teachers to Foster Unity among Multiracial Students

Date: 5 September 2017

The Sultan of Perak, Sultan Nazrin Shah urged teachers to continuously foster unity among multiracial students. He said that the teachers have a strong influence in promoting the spirit of *muhibah* (goodwill) among students who come from multireligious, multiracial and multicultural backgrounds, towards ensuring the country's resilience and stability. He further shared that his mother, Tuanku Permaisuri Bainun is a Kirkby College graduate and is a teacher who has an open attitude. She accepted and respected her colleagues, friends and acquaintances, neighbours, parents and students from different races and religions. She had set a good example to not have prejudices and to forge friendships within a wider circle across religious, racial, cultural, political and national boundaries¹³.

Religious Authorities Speaking out Against Creeping Religious Extremism

Date: 25 September 2017

Datuk Dr Mohd Asri Zainal Abidin, the Perlis Mufti and Datuk Zulkifli Mohamad, the Federal Territories Mufti (Muslim legal expert who is empowered to give rulings on religious matters) spoke out against the creeping religious extremism that is growing in Malaysia^{14 15}. Following the incident of the Muslim-only launderettes, the Federal Territories Mufti insisted on the importance of the Islamic jurisprudence of co-existence which prioritises the attitude of celebrating each other's differences. He further stated that it is not sensible for such discrimination to exist. The Perlis Mufti also criticised such actions as "narrow-minded" and stated that such narrow-mindedness would lead the country to the path to extremism, thus losing the balance to live in a multi-religious and multi-cultural society.

¹² *Free Malaysia Today*, "No racism among soldiers, says army vet" 29 August 2017. See: <http://www.freemalaysiatoday.com/category/nation/2017/08/29/no-racism-among-soldiers-says-army-vet/>

¹³ *Malay Mail Online*, "Perak Sultan urges teachers to foster unity among multiracial students" 5 September 2017. See: <http://www.themalaymailonline.com/malaysia/article/perak-sultan-urges-teachers-to-foster-unity-among-multiracial-students#THWgfhXeWXTPhXEY.97>

¹⁴ *The Star Online*, "Perlis mufti: 'Muslim only' launderette narrow minded" 25 September 2017. See: <https://www.thestar.com.my/news/nation/2017/09/25/perlis-mufti-criticise-muslim-only-launderette/>

¹⁵ *The Malay Mail Online*, "FT mufti: Muslim-only laundry 'not sensible' in Malaysia" 3 October 2017. See: <http://www.themalaymailonline.com/malaysia/article/ft-mufti-muslim-only-laundry-not-sensible-in-malaysia#ptti5eCfHAlmX63J.97>

Johor Sultan Orders Muslim-only Launderette to Open to All or Shut Down

Date: 27 September 2017

Following the issue of a launderette which was opened to Muslim-only customers, the Sultan of Johor, Sultan Ibrahim Sultan Iskandar demanded that the owner of the launderette apologise publicly and cease its discriminatory practice or risk being shut down. The Sultan further slammed the owner of the launderette as “sick” and stated that the owner had gone against the vision of a united, harmonious, moderate and tolerant Johor. The Sultan had also suggested that if the owner insists on carrying on with the Muslim-only practice, the owner can leave Johor. In addition, the Sultan spoke to the Johor mufti and the State Exco for religion to ensure that the matter is investigated¹⁶. The Sultan also warned that he will revoke the licenses of other businesses if they are found practicing discriminatory practices¹⁷.

Abolishment of Race-based Football Associations

Date: 5 October 2017

Tunku Ismail Sultan Ibrahim disbanded the Johor Malays, Indian and Chinese associations. The three associations will be rebranded as clubs and be allowed to compete in the Johor district leagues. Tunku Ismail Sultan Ibrahim was further quoted as saying that “We don’t need these types of associations. The Sultan of Johor has been making the state an example for unity”^{18 19}.

Parit Buntar Member of Parliament Tables Private Members Bills for National Unity

Date: 26 October 2017

Following the Prime Minister’s Datuk Seri Najib Razak response in parliament that there is no plan to introduce laws against racism and discrimination, Parit Buntar MP Mujahid Yusof Rawa remains hopeful that he would be able to table bills that will lead to the strengthening of national unity. He believes that the tabling of such bills could help achieve stronger national unity and at present there are no laws that are supposed to handle incidents of hate speech as the existing law does not have anything for national unity²⁰.

¹⁶ *The Malaysian Insight*, “Johor sultan orders Muslim-only launderette to open to all or shut down” 27 September 2017. See: <https://www.themalaysianinsight.com/s/16184/>

¹⁷ *Free Malaysia Today*, “Owner of Muslim-only laundrette apologises after rebuke from Johor Sultan” 27 September 2017. See: <http://www.freemalaysiatoday.com/category/nation/2017/09/27/owner-of-muslim-only-laundrette-apologises-after-rebuke-from-johor-sultan/>

¹⁸ *FourFourTwo*, “TMG ends race-based associations in Johor” 4 October 2017. See: <https://www.fourfourtwo.com/my/features/tmj-ends-race-based-associations-johor>

¹⁹ *The Malaysian Insight*, “No more race-based football teams” 13 October 2017. See: <https://www.themalaysianinsight.com/s/17233/>

²⁰ *Free Malaysia Today*, “Mujahid firm on tabling bills for national unity” 26 October 2017. See: <http://www.freemalaysiatoday.com/category/nation/2017/10/26/mujahid-firm-on-tabling-bills-for-national-unity/>

Sultan of Selangor voicing Disappointment with Tun Dr Mahathir Mohamad's Remarks

Date: 2 November 2017

Following the former Prime Minister Tun Dr. Mahathir Mohamad's remarks on the Bugis community at a recent opposition gathering, the Sultan of Selangor, Sultan Sharafuddin Idris Shah expressed his disappointment. The Royal Council chaired by the Sultan viewed the remarks to be totally overboard and could spread hatred and prejudice to the Bugis community, which could in turn lead to commotion and chaos. The Selangor Sultan also reminded all parties, especially politicians, to refrain from using race and ancestry as a "political tool" to gain support as it could jeopardise the country's harmony and peace²¹.

The Malaysian Armed Forces (ATM) Plans to Increase Recruits from Different Races

Date: 16 December 2017

The chief of the Malaysian Armed Forces (ATM), Raja Mohamed Affandi Raja Mohamed Noor indicated that the ATM would want to see more recruits comprising of different races in the force. The Armed Forces Chief also informed that the ATM is targeting an increase of 10 per cent annually²².

This move was supported by the National Patriot Association. The Patriot President, Mohd Arshad Raji, highlighted that one of the main reasons for the drop of non-Malay participation in the ATM was due to the distinctive division along ethnic lines in the armed forces. According to the Patriot President, the government's affirmative action policies of the 1980s had seeped into the military administration and not all people in the military were treated equally. Arshad further highlighted that undeserving subordinates were given promotions because of their race and this had led to the alienation of the non-Malays. He further claimed that the problems faced today are outcomes of the policies and decisions of the government for the past decade and politicians making outrageous statements questioning the loyalty of non-Malays²³.

²¹ *The Sun Daily*, "Sultan of Selangor voices disappointment with Mahathir's Bugis comments" 3 November 2017. See: <http://www.thesundaily.my/news/2017/11/03/sultan-selangor-voices-disappointment-mahathirs-bugis-comments>

²² *Free Malaysia Today*, "Armed Forces wants to see more of the other races in the force" 16 December 2017. See: <http://www.freemalaysiatoday.com/category/nation/2017/12/16/armed-forces-wants-to-see-more-of-the-other-races-in-the-force/>

²³ *Free Malaysia Today*, "The naked truth on why non-Malays don't join Armed Forces" 19 December 2017. See: <http://www.freemalaysiatoday.com/category/nation/2017/12/19/the-naked-truth-on-why-non-malays-dont-join-armed-forces/>

Morena Cosmetics Plan to Break Malaysian 'Fair' Beauty Stereotype

Date: 19 November 2017

For years, the international beauty market neglected diversity among its customers who come from various backgrounds, with skins of different colours. However, Isma Hussein had been attempting to capture the diversity of women with Morena Cosmetics. The products are specially formulated to blend smoothly into tanned and dark Asian skin. She believes that the products are not aimed for people who want to be fair but it is for people with dark skin. She believes that there is nothing wrong for people who want to be fair but it becomes dangerous when they want to change themselves. Furthermore, people of darker skin are often chastised with sinister words such as "You are ugly", which erodes people's self-esteem. Hence, this product is aimed to cater for women who are dark-skinned²⁴.



²⁴ Malay Mail Online, "How Morena strives to break Malaysian 'fair' beauty stereotype" 19 November 2017. See: <http://www.themalaymailonline.com/features/article/how-morena-strives-to-break-malaysian-fair-beauty-stereotype#saVpgS2kOFJRuDMG.97>

INCIDENCES OF RACIAL DISCRIMINATION IN MALAYSIA IN 2017

1. Racial and Religious Discrimination

The year of 2017 has shown a new trend of racial discrimination where there was an increase of racially discriminatory incidences due to creeping religious extremism. The rise of religious extremism with the notion of protecting one's religious purity led to discriminatory actions which impeded the rights of Malaysians from different ethnic groups.

a. 'Muslim-only' toilet at a highway

Date: 12 January 2017

A 'Muslim-only' toilet sign was purportedly installed at the rest area on the East Coast Expressway (Phase 2). The sign had caused a controversy and it was removed after the firm was informed about the matter. The operator highlighted that the contractor appointed to service and repair the signboard did not refer to the operator before the repair works were carried out and apologised for the confusion caused from the installation of the replacement signboard²⁵.



²⁵ Malay Mail Online, "Highway operator blames errant contractor for 'Muslim toilet' sign" 12 January 2017. See: <http://www.themalaymailonline.com/malaysia/article/highway-operator-blames-errant-contractor-for-muslim-toilet-sign#TEqcBhWuw6coZzQB.97>

b. Seizure of Paintbrushes made by Pig Bristles

Date: 8 February 2017

Officials from the Domestic Trade, Cooperatives and Consumerism Ministry (KPDNKK) conducted raids on shops throughout the country to seize paintbrushes which were suspected to be made with pig bristles but were not correctly separated and labelled. KPDNKK subsequently confiscated 2,003 paintbrushes from hardware shops in its nationwide crackdown. Following the incident, groups such as the Muslim Consumer Association of Malaysia (PPIM) called for a 'halal' label for non-food products^{26 27}.

Following the backlash and criticisms by several quarters on the nationwide raid, the KPDNKK Minister, Datuk Seri Hamzah Zainudin ordered all enforcement officers to stop all raids. Several groups had criticised these actions and the Prime Minister Datuk Seri Najib Razak showed disagreement with the conduct of the enforcement officers during the nationwide operation without advising the traders to label the paintbrushes accordingly²⁸. Following the incident, it was found that some of the brushes confiscated were not made of pig bristles but were actually made with goat's hair. KPDNKK returned about 200 watercolor brushes and paintbrushes after finding out that the brushes were made with goat's hair²⁹. In addition, several malls began covering shoes lined with pigskin with plastic or even placed them in plastic containers.

c. JAKIM Attributed Orang Asli's employment to the government sector for their adoption of Islam

Date: 23 February 2017

Malaysian Islamic Development Department Deputy Director General, Paimuzi Yahya highlighted that the successes of the Muslim Orang Asli should be promoted in the media. He said that there are over 2,000 Muslim Orang Asli working and serving the government sector and urged the media to share their success stories as their efforts to obtain knowledge and to work hard are behaviours and values that are instilled in Islam. He also said that by publicising the success of more Muslim Orang Asli, more Orang Asli will be able to understand Islam³⁰.

²⁶ *Straits Times*, "Malaysia seizes paintbrushes made with pig bristles labelled as 'halal'" 8 February 2017. See: <http://www.straitstimes.com/asia/se-asia/malaysia-seizes-paintbrushes-made-with-pig-bristles-labelled-as-halal>

²⁷ *The Star Online*, "Enforcement officers to stop seizing pig bristle paint brushes" 9 February 2017. See: <https://www.thestar.com.my/news/nation/2017/02/09/enforcement-officers-told-to-stop-seizing-suspected-paint-brushes/>

²⁸ *The Star Online*, "PM: Ministry too hasty in confiscating pig bristle brushes" 12 February 2017. See: <https://www.thestar.com.my/news/nation/2017/02/12/traders-shouldve-been-told-pm-ministry-too-hasty-in-confiscating-pig-bristle-brushes/>

²⁹ *Malaysiakini*, "Ministry returns brushes to traders, pig bristles were actually goat's hair" 31 May 2017. See: <https://www.malaysiakini.com/news/384135>

³⁰ *Menara.my*, "Lebih 2,000 Orang Asli Islam jadi pejawat awam" 23 February 2017. See: <https://www.menara.my/lebih-2000-orang-asli-islam-jadi-penjawat-awam/>

d. Separate drinking cups for different religions in school

Date: 11 August 2017

A primary school in Hulu Langat segregated drinking cups of Muslim and non-Muslim students. The drinking cups were labelled “Murid Islam” (Muslim students) and “Murid bukan Islam” (non-Muslim students) and were placed next to a water dispenser.

The school’s decision was criticised by parents and netizens and the Deputy Education Minister voiced his disappointment with the unfortunate incident at the school. He further stressed that the Ministry of Education does not condone such actions and has since ordered the schools to rectify the decision. He further claimed that the ministry is always sensitive to the multi-racial composition of students in schools and stated that such acts should not have taken place. Following the incident, the Selangor Education Department investigated the matter and ordered the labels to be removed³¹.

e. ‘Muslims-only’ laundromat in Muar, Johor

Date: 24 September 2017

A self-service laundromat in Jalan Junid, Muar had sparked controversy on social media for only allowing Muslims to use the laundromat. Photographs of the shop’s signboard with the words – “For Muslim customers only. Muslim-friendly. Leave your shoes outside” placed at the laundromat entrance went viral on Facebook.

Some praised the actions of the owner of the Muslim-only laundromat with the Johor Islamic Religious Affairs Committee Chairman, Abd Mutalip Abd Rahim, supporting the action stating that there was nothing wrong for the owner of the laundromat to impose such restrictions as it was his right as a business owner. Mutalip further added that as Muslims living in a multi-racial society, they cannot be too rigid in upholding such matters but the efforts by the operator of the laundromat should not be belittled.

The Johor Mufti, Datuk Mohd Tahrir Samsudin also welcomed the initiative and raised the concerns that some Muslims were doubtful in using self-service laundromats and it is better for Muslims to be free of doubts when it comes to cleanliness as it will help them fulfill their religious obligations. Tahrir further said that such service would ensure that the clothes are cleaned from minor and severe impurities (*najis mughallazah*)^{32 33}.

However, the Sultan of Johor, Sultan Ibrahim Sultan Iskandar reprimanded the laundromat owner by telling him to open his laundry in Afghanistan if he wanted to continue with his “Muslims only” business policy. Furthermore, Federal Territories

³¹ *New Straits Times*, “Education Ministry concerned over segregation of drinking cups at school, calls for inclusivity” 11 August 2017. See: <https://www.nst.com.my/news/nation/2017/08/266658/education-ministry-concerned-over-segregation-drinking-cups-school-calls>

³² *New Straits Times*, “Muar’s ‘Muslims-only’ laundromat sparks controversy on social media” 24 September 2017. See: <https://www.nst.com.my/news/nation/2017/09/283633/muars-muslims-only-laundromat-sparks-controversy-social-media>

³³ *The Star Online*, “Muar launderette adopts Muslims-only policy” 24 September 2017. See: <https://www.thestar.com.my/news/nation/2017/09/24/muar-launderette-adopts-muslims-only-policy/>

mufti Datuk Zulkifli Mohamad Al-Bakri and Perlis Mufti Datuk Mohd Asri Zainul Abidin supported the Sultan's decision. Subsequently, the owner of the laundromat issued his apology and hoped that the matter could be put to rest³⁴.

Despite the actions by the Sultan of Johor and the Federal Territories and Perlis Mufti, the President of the Malaysia Ahli Sunnah Waljamaah Organization (Aswaja), Zamihan Mat Zin criticised the action stating that the Sultan, as the head of Islam in the state should not issue such a decree. Zamihan who is believed to be a Malaysian Islamic Development Department (JAKIM) officer stated that their actions were a disaster and stressed that the clothing should not be allowed to be mixed with clothes worn by non-Muslims, as they could be contaminated with "impurities"³⁵.

f. Muslims-only' laundromat in Kangar, Perlis

Date: 29 September 2017

Following the controversial 'Muslims-only' laundromat in Muar, Johor, another laundromat serving only Muslims was found to be operating in Perlis. The self-service outlet was found to have put up a sign stating that "This laundry is dedicated for Muslim use only". Meanwhile, the main signboard stated the shop practices "Islamic laundry concept".

Perlis Mufti Datuk Dr Mohd Asri Zainal Abidin, criticized the actions of the shop owner and made it clear that the state would not agree to any approach which segregated the people. He also stated that he had received instruction from the Raja Muda of Perlis to investigate the matter. Following the incident, the laundry removed the 'Muslim-only' sign and claimed that the erection of the 'Muslim-only' signboard was part of the laundromat marketing strategy^{36 37}.

g. No-Headscarf uniform policy in the hotel industry

Date: 11 November 2017

The Union Network International - Malaysia Labour Centre (UNI-MLC) issued a statement highlighting that they had received numerous complaints from female hotel employees stating that their management did not allow them to wear a headscarf at work. UNI-MLC also highlighted that students in hospitality and tourism courses have

³⁴ *Free Malaysia Today*, "Owner of Muslim-only laundrette apologises after rebuke from Johor Sultan" 27 September 2017. See: <http://www.freemalaysiatoday.com/category/nation/2017/09/27/owner-of-muslim-only-laundrette-apologises-after-rebuke-from-johor-sultan/>

³⁵ *New Straits Times*, "NGO president speaks out against Johor Sultan's criticism of Muslim-only laundrette" 10 October 2017. See: https://www.nst.com.my/news/nation/2017/10/289632/ngo-president-speaks-out-against-johor-sultans-criticism-muslim-only#cxrecs_s

³⁶ *The Star Online*, "Muslim-only laundrette in Perlis" 29 September 2017. See: <https://www.thestar.com.my/news/nation/2017/09/29/muslimonly-laundrette-in-perlis-owner-who-does-not-want-controversy-urges-nonmuslims-to-go-elsewhere/>

³⁷ *Malay Mail Online*, "Report: Perlis has a Muslim only laundry shop too" 28 September 2017. See: <http://www.themalaymailonline.com/malaysia/article/report-perlis-has-a-muslim-only-laundry-shop-too#mYQ3oOGDG4K8kpld.97>

also been instructed to remove their headscarves before going on internships or the company would not be hiring them.

However, the Malaysian Association of Hotels stated that this policy is practiced in international hotel chains that use the same standard operating procedure on uniforms in all the hotels in their chain globally. The International Women's Alliance for Family Institution and Quality Education sees the ban as discriminatory and unnecessary and questioned the need for such restrictions. UNI-MLC urged the Human Resources Ministry to address this issue and to come out with a guideline to avoid any form of discrimination among women in the hotel industry³⁸.

2. Racial Discrimination in Business

Racial discrimination manifested within businesses in 2017. Business industries neglected the need to be racially sensitive and have depicted other races in a negative manner. Even though these advertisements may be done unintentionally, such actions showed the lack of sensitivity among business owners and in other industries.

a. Body Shop job advertisement

Date: 12 January 2017

A job vacancy advertisement stating, "Wanted: Chinese only" was put up by a local franchise of The Body Shop. The offending racially discriminatory job advertisement which was brought to attention by a Facebook user caused a controversy. Following the situation, The Body Shop launched an investigation into the matter and publicly apologised for the unsanctioned advertisement³⁹.

b. Buying /Renting houses in the property market

Date: 9 March 2017

In an online documentary released by the R.AGE team, it was found that racial discrimination is prevalent in the Malaysian property market. Based on the findings obtained by calling the same 30 property listings by three R.AGE journalists of different races, it was found that 50 per cent of the agents or house owners rejected them because they were of a different race. What is worse, this was just a phone call to get a viewing and not to meet the owners. In addition, it was found that such actions of racial discrimination are widespread in Malaysia where landlords instruct agents to immediately reject people of certain races or nationalities because of their own stereotypes and prejudices attributing these groups of people to be bad tenants⁴⁰.

³⁸ The Star Online, "Hotel industry in the spotlight over no-headscarf uniform policy" 11 November 2017. See: <https://www.thestar.com.my/news/nation/2017/11/11/hotel-industry-in-the-spotlight-over-no-headscarf-uniform-policy/>

³⁹ Free Malaysia Today, "Racist ad unsanctioned, says The Body Shop" 12 January 2017. See: <http://www.freemalaysiatoday.com/category/nation/2017/01/12/racist-ad-unsanctioned-says-the-body-shop/>

⁴⁰ The Star Online, "Uncovering racism in the Malaysian property market" 9 March 2017. See: <https://www.thestar.com.my/news/nation/2017/03/09/uncovering-racism-in-the-malaysian-property-market/#aKClSfWZxU6JiXHwS.99>

c. Bata Promotion

Date: 17 April 2017

A promotional standee which was placed among school shoes in the KLCC Bata Outlet that stated “Shoes For: Indian School Children” garnered much attention on social media for being racially discriminatory in nature. The promotional standee stating that the shoes are only for Indian school children raised questions among Malaysians from different ethnic groups on whether the shoe is exclusively for people from the Indian ethnic group. The Facebook user who broke the news about the “racist” promotional standee researched further and found a good explanation for the title of the promotional standee. In fact, the shoe was created for school children in India in 1936 and had become one of the best-selling shoes of all time which is still sold around the world. Despite the justification for the term used on the promotional standee, the message highlighted in the marketing advertisement was racially provocative and insensitive⁴¹.

d. Watsons Malaysia ‘blackface’ advertisement

Date: 8 June 2017

Watsons Malaysia had used a “blackface” model in its Hari Raya commercial, *Legenda Cun Raya* which tells the story of “princesses and beauties” trying to win the heart of a rich merchant. The merchant falls in love with one of the women after hearing her sing. However, he was shocked when it turns out that the woman has dark skin, but all is well again after she “washes off” her face and the advertisement ended with a quote stating that, “Only at Watson’s you’ll be beautiful”. Following the uproar, Watsons decided to remove the advertisement and apologised for the video saying it was not their intention to offend and it was just depicting a Malay folklore story about a lady “cursed with black skin but blessed with a beautiful voice”. Watsons also made a statement stating that they stand firm on the belief that unity and fairness plays an important role, and they respect people of all nationalities⁴².

3. Groups, Agencies and Individuals That Use Provocative Racial Sentiments

Groups, agencies and individuals that are free to issue provocative racial statements are not new in Malaysia. To date, no legal action has been taken by the Malaysian authorities against these groups despite their racially discriminatory statements and actions. The lack of action by the authorities has allowed these groups to continue damaging the nation’s national unity and social cohesion.

⁴¹ *Malaysian Digest*, “After Controversial ‘Allah’ School Shoes, Now Bata is Being Racist?” 17 April 2017. See: <http://www.malaysiandigest.com/opinion/669962-after-controversial-allah-school-shoes-now-bata-is-being-racist.html>

⁴² *Channel News Asia*, “Watsons Malaysia under fire for ‘blackface’ ad” 8 June 2017. See: <https://www.channelnewsasia.com/news/asiapacific/watsons-malaysia-under-fire-for-blackface-ad-8927270>

a. Perkasa Defending Malay Rights

Perkasa (Parti Pribumi Perkasa; Mighty Native Organisation), a non-governmental Malay dominance organisation formed by Ibrahim Ali in the aftermath of the 2008 Malaysian general elections, has continuously provoked non-Malays, especially Chinese and Indians; and non-Muslims through vocal, physical and violent means. Despite the continuous offensive and seditious remarks made by Perkasa, no legal action has been taken by the Malaysian authorities so far. Several incidences were identified in 2017.

i. Perkasa wants Bumi quotas for Commercial Property

Date: 4 May 2017

Perkasa had urged the government to allocate quotas for Bumiputeras in commercial real estate. Referring to the statistics by the Economic Planning Unit 2012, Bumiputeras only owned 4.5 per cent of industrial property and 5.4 per cent of office spaces compared to the non-Bumiputeras. Therefore, Perkasa vice president Datuk Ruhanie Ahmad stated that the government must take this seriously and proposed affirmative action policies and immediate finances to resolve it. Furthermore, Perkasa also called for the government to set up a body or special institution to purchase houses and shop lots under Bumiputera quotas that have failed to sell⁴³.

ii. Perkasa warns Proton to continue serving Bumiputera interests

Date: 24 May 2017

Perkasa requested the government to ensure that Proton continues to protect the nation's interests and serve the needs of Bumiputera vendors, following the sale of a 49.9 per cent stake in the company to Chinese automaker Zhejiang Geely.

Perkasa President Ibrahim Ali warned that despite Proton holding a majority stake of 50.1 per cent, Geely would play a huge role in the future. Therefore, the government must ensure that Malaysian and Bumiputera interests are protect. He further claimed that Proton should continue building up the capacities and skills of Bumiputera vendors and workers. Ibrahim also said that even though Proton is a private company, it benefits from the government's protection through excise duties on imported vehicles and hence the government should ensure that Proton continues serving the Bumiputera interests⁴⁴.

⁴³ The Malay Mail Online, "Perkasa wants Bumi quotas for commercial property" 4 May 2017. See: <http://www.themalaymailonline.com/malaysia/article/perkasa-wants-bumi-quotas-for-commercial-property#yYg5BS0PFBxG6ZtG.97>

⁴⁴ Free Malaysia Today, "Perkasa: Proton must continue serving Bumiputera interests" 24 May 2017. See: <http://www.freemalaysiatoday.com/category/nation/2017/05/24/perkasa-proton-must-continue-serving-bumiputera-interests/>

iii. Chinese language banners at ECRL launch infuriates Perkasa

Date: 9 August 2017

Perkasa secretary-general Syed Hassan Syed Ali accused the government of pawning the country's dignity as the launch of the East Coast Rail Link (ECRL), a major project for the country had appeared to be a Chinese affair. Perkasa is upset as the breaking ground ceremony did not feel like it happened in Malaysia and was filled with Chinese language banners. What is more unfortunate is that the emcee has also been brought in from China⁴⁵. Responding to Perkasa's statement, the Tourism and Culture Minister Nazri Abdul Aziz stated that Perkasa is racist and Perkasa does not represent anybody.

Syed Hassan then responded that Malays should now make the effort and pray for new leaders with a strong Malay identity in order to ensure that their future interests will be protected. He further stated that Nazri's recognition of Perkasa's role to champion Malay rights is an indirect admission that UMNO is no longer fighting to defend Malay and Bumiputera interests. He further stated that other groups who have been championing the interest of their race are now greater than UMNO⁴⁶.

Perkasa President Ibrahim Ali in responding to calls stating that their NGO is racist then stated that he acknowledges and admits to be the "King of Racist and is proud to be one". He condemned those who called Perkasa racist and justified Perkasa's actions as defending the rights enshrined in the Federal Constitution⁴⁷.



⁴⁵ Malaysiakini, "Chinese language banners at CRL launch infuriates Perkasa" 9 August 2017. See: <https://www.malaysiakini.com/news/391415>

⁴⁶ Malaysiakini, "Perkasa: Malay interests will suffer with leaders like Nazri" 15 August 2017. See: <https://www.malaysiakini.com/news/392050>

⁴⁷ Malaysiakini, "Ibrahim Ali says proud to be 'King of Racists'" 20 August 2017. See: <https://www.malaysiakini.com/news/392546>

iv. Perkasa threatens ‘war’ on government if UEC recognised

Date: 19 November 2017

Perkasa threatened to “declare war” on the Federal Government if they recognise the Unified Examinations Certification (UEC) for students of Chinese independent high schools.

The UEC which is a standardised test for Chinese independent high schools is available in three levels: Junior Middle (UEC-JML), Vocational (UEC-V) and Senior Middle (UEC-SML). The UEC-SML has examinations for key subjects such as mathematics, sciences, accounting and commerce in Chinese and English while the other non-language subjects are only available in Chinese. The UEC-SML is recognised as a qualification for entrance into many tertiary educational institutions around the world but it is not recognised by the government of Malaysia for entry into public universities.

Perkasa has taken a strong position against the recognition of the UEC stating that the UEC counters the national education policy, as provided for in the Education Act 1996, and Article 152 (1) of Federal Constitution which specifies the national language⁴⁸.

v. Perkasa criticizing Budget 2018 stating that it makes Bumis second-class citizens

Date: 19 November 2017

Perkasa criticised Budget 2018 which was tabled by the Prime Minister Datuk Seri Najib Razak by stating that the government has made Bumiputeras second-class citizens. Perkasa Deputy president, Ruhanie Ahmad claimed that 95 per cent of the poverty cases in Malaysia involve Bumiputeras. He also highlighted that Bumiputeras made up more than 75 per cent of the country’s general workers and those paid low salaries. Therefore, the failure of Budget 2018 to focus on resolving the plight of the Bumiputeras is making the Bumiputeras second-class citizens in the nation.

In addition, former senator Akhbar Ali stated that as the Bumiputeras made up 70 per cent of the country’s entire population, 70 per cent of the federal budget should be allocated for their interest. He also claimed that the Bumiputeras are treated like third-class citizens and not second-class citizens. He also claimed that the Bumiputeras poverty rate is eight times worse than that of the Chinese giving a ratio that for every Chinese that is poor, eight Malays are poor and for every Indian, five Malays are poor⁴⁹.

⁴⁸ Free Malaysia Today, “Perkasa threatens ‘war’ on government if UEC recognized” 19 November, 2017. See: <http://www.freemalaysiatoday.com/category/nation/2017/11/19/perkasa-threatens-war-on-government-if-uec-recognised/>

⁴⁹ Free Malaysia Today, “95% of poverty cases involve Bumiputeras, claims Perkasa” 19 November 2017. See: <http://www.freemalaysiatoday.com/category/nation/2017/11/19/95-of-poverty-cases-involve-bumiputera-claims-perkasa/>

b. Persatuan Pengguna Islam Malaysia (PPIM) Defending Islam

Persatuan Pengguna Islam Malaysia (PPIM, Muslim Consumers Association of Malaya) has been a staunch critic of policies and has been a strong advocate for Muslim rights. PPIM has been supportive of several actions taken by the government such as the raid on hardware shops to seize brushes that are made from pig bristle. Though PPIM has been advocating Islamic rights, the strong call to protect Islamic rights has led to incidences of religious and racial discrimination.

i. PPIM calls for the labelling of animal-associated Products

Date: 8 February 2017

Following the raid at hardware shops to seize brushes that are made from pig bristle, PPIM urged the government to make it a requirement to label all animal-associated products in the market. Their Chief Activist, Datuk Nadzim Johan said that consumers had the right to know about and obtain information on products in the market⁵⁰. Furthermore, he claimed that the introduction of such a logo would open businesses to government action when they knowingly sell items that contain pig parts without informing consumers. He further stated that many Muslim consumers are not smart and they would consume everything (blindly). Hence, he suggested a pig logo if not they would have eaten the brush as well⁵¹.

Though the move made by PPIM Chief Activist, Datuk Nadzim Johan may be helpful in allowing people to distinguish the products in the market, the call should not only be focused on pig products. Other animal products which are sensitive to other religious beliefs should also be labelled accordingly so that all consumers would be able to identify the products that they will be consuming.

ii. PPIM alongside other Islamic NGOs Establishes Bertindak

Date: 26 April 2017

PPIM alongside other Islamic NGOs in Malaysia such as Perkasa and MJMM (Pertubuhan Martabat Jalinan Muhibah Malaysia) had established Bertindak (Badan Bertindak Melayu Islam; Malay Islam Action Body) in response to Hindraf (Hindu Rights Action Force) who had been questioning the government's decision to give permanent residence to the controversial preacher, Dr. Zakir Naik. The group is established with the aim to call for all Muslims to go against Hindraf⁵².

⁵⁰ Bernama, "Consumer Body Calls for Labelling of Animal-associated Products" 8 February 2017. See: <http://www.ppim.org.my/place-images-of-pigs-or-dogs-on-products-to-avoid-confusion-bernama-822017/>

⁵¹ The Malay Mail Online, "Consumer Groups says many Muslims 'Not Smart', wants pig logo to avoid confusion" 8 February 2017. See: <http://m.themalaymailonline.com/malaysia/article/consumer-group-says-many-muslims-not-smart-wants-pig-logo-to-avoid-confusion>

⁵² Utusan Malaysia, "23 NGO tubuh badan bertindak tentang Hindraf" 26 April 2017. See: <http://www.utusan.com.my/berita/nasional/23-ngo-tubuh-badan-bertindak-tentang-hindraf-1.474612#ixzz4fVTWzeT1>

Dr. Zakir Naik is a controversial preacher who have been banned in several countries such as India, Bangladesh, Canada and the United Kingdom for allegedly inciting youngsters to carry out terror activities and giving hate speeches. Dr. Zakir Naik was also alleged to have been denigrating other religions such as Hinduism and Christianity in his speeches.

c. Ikatan Muslimin Malaysia (ISMA)

Despite being charged under the sedition act for their purported statements which could erode national unity and social cohesion⁵³, ISMA has continuously issued racially discriminatory statements on the pretext of defending Islam.

i. ISMA claims the proposal to insert the Rukunegara as a preamble to the Federal Constitution denigrates Islam's position

Date: 24 January 2017

In responding to the proposal by groups to insert the Rukunegara as the preamble to the Federal Constitution, ISMA had lambasted the proposal by claiming that such move denigrates the Islam's position as religion of the federation. In a report from its portal, the group claimed that the proposal will dilute the privilege of the Malays, claiming that this is because the Rukunegara does not explicitly state the position of the majority group in it. It would subtly erode the position of the Malays⁵⁴.

ii. ISMA alongside other Muslim NGOs lodge police report against Hannah Yeoh

Date: 24 September 2017

ISMA alongside 15 other Muslim non-government organizations (NGOs) lodged a police report against Selangor State Assembly speaker Hannah Yeoh for allegedly preaching about Christianity to the people in the country. They questioned the purpose of her book and stated that it is an attempt to spread the Christian belief to others. Furthermore, they stated that Hannah Yeoh should not use the state legislative assembly as a platform for her to do so and demands the police to investigate and take action against her⁵⁵.

⁵³ The Star Online, "Isma president fined for sedition" 31 August 2016. See: <https://www.thestar.com.my/news/nation/2016/08/31/isma-president-fined-for-sedition-his-article-labelled-chinese-as-intruders/>

⁵⁴ The Malay Mail Online, "Isma: Making Rukunegara preamble to Constitution denigrates Islam's position" 24 January 2017. See: <http://www.themalaymailonline.com/malaysia/article/isma-making-rukunegara-preamble-to-constitution-denigrates-islams-position#1J7m2s88ZHGctZWA.97>

⁵⁵ New Straits Times, "Muslim NGOs lodge police report against Hannah Yeoh for preaching Christianity" 24 September 2017. See: <https://www.nst.com.my/news/nation/2017/09/283586/muslim-ngos-lodge-police-report-against-hannah-yeoh-preaching>

iii. ISMA posting photos of a dog in a launderette

Date: 29 September 2017

Following the controversial incident of Muslim-only launderettes, ISMA had published photos of a dog accompanying its owner to the launderette, claiming that such actions, makes Muslim-only launderettes necessary. ISMA criticised those who condemned the Muslim-only policy as “hypocrites” stating that it is wrong to open a shop for Muslims only; but it is not wrong to bring a dog or a pig into a shop patronised by Muslims? It is not wrong to place a dog in a shopping trolley in a mall? They further state that this is a Muslim country, yet the unbelievers can do anything but the Muslims cannot⁵⁶.

d. Dr. Kamarul Zaman Yusoff, UUM lecturer

Date: 17 May 2017

Dr. Kamarul Zaman Yusoff, a lecturer at UUM (Universiti Utara Malaysia; Northern Malaysia University) of the Malaysian Institute for Political Studies claimed that an autobiography of Selangor assembly speaker Hannah Yeoh could influence him towards Christianity. He claimed that stories can influence readers to feel admiration for the greatness of Hannah Yeoh’s God and made a police report against Hannah Yeoh. He suggested that the book is an attempt to “coax, influence and instigate” non-Christians to convert or deepen their interest in Christian teachings⁵⁷.

4. Political Groups, Hate Speech and Racial Statements

Politics in Malaysia have long been race-based with political parties on both sides of the divide. These politicians often use race and racial issues and sentiments to maintain their power to control their constituencies and voters. Both sides of the ruling government and the opposition used the racial card all these years to gain political mileage and to ensure their political survival even though both sides have condemned the usage of racial politics in their “efforts” to promote national unity and social cohesion.

a. Rural and Regional Development Minister, Datuk Seri Ismail Sabri

Datuk Seri Ismail Sabri Yaakob who is the Rural and Regional Development Minister has been portraying himself as a champion of Bumiputera rights⁵⁸. He had also previously stated that he should not be labelled a racist just for assisting the Bumiputera in the country. In the year 2017, he continued to go around making racist statements in the guise of protecting Bumiputera rights in the nation.

⁵⁶ *The Malaysian Insight*, “Isma posts photos of dog in launderette to prove need for segregation” 29 September 2017. See: <https://www.themalaysianinsight.com/s/16518/>

⁵⁷ *Free Malaysia Today*, “Book make me admire ‘Hannah Yeoh’s God’, says lecturer in report” 17 May 2017. See: <http://www.freemalaysiatoday.com/category/nation/2017/05/17/book-makes-me-admire-hannah-yeohs-god-says-lecturer-in-report/>

⁵⁸ *MalayMailOnline*, “Ismail Sabri: Don’t label me a racist for helping Malays, Bumiputera” 12 November 2017. See: <http://www.themalaymailonline.com/malaysia/article/ismail-sabri-dont-label-me-a-racist-for-helping-malays-bumiputera#OkKh4WR8mwZZswYd.97>

i. Datuk Seri Ismail Sabri making a racist statement in Sarawak

Date: 23 February 2017

The Rural and Regional Development Minister, Datuk Seri Ismail Sabri Yaakob who has been consistently making racist comments had urged Malaysians to keep the present government as the present government can safeguard the rights of Bumiputeras. He further stated that the ruling government has been taking good care of the Bumiputeras especially with policies protecting their rights and privileges without hindering or limiting other races from becoming successful in the country.

His statements were condemned by Sarawak state PKR chairman Baru Bian who commented that Ismail Sabri's statement was racist and aimed at dividing the community along ethnic lines and to invoke fear and resentment amongst the races. He further stated that Ismail Sabri and his BN cohorts were not concerned with the future of this country and their actions and words will quicken our fall into a failed state situation⁵⁹.

ii. Datuk Seri Ismail Sabri reminds the Chinese community to think of Stability

Date: 20 August 2017

Datuk Seri Ismail Sabri had purportedly reminded the Chinese community to think of the country's stability before making a decision on which party to support at the 14th General Election. He further claimed that the majority of the Chinese community is in the business sector and would need a strong and stable government to ensure that their businesses could continue and flourish⁶⁰.

iii. Expansion of Mara Digital Malls

Date: 30 October 2017

The establishment of the controversial Mara Digital Malls which only allow Malay and Bumiputera entrepreneurs will be expanded to another two more states, namely Malacca and Johor. Datuk Seri Ismail Sabri had stated that so far 108 Bumiputera entrepreneurs had benefitted from conducting their businesses in the four existing Mara Digital Malls. Hence, the ministry would continue to explore opportunities to create at least one more Mara Digital Mall in each state stating that he does not want the Bumiputera to be left behind in ICT-related business, considering that they are also the biggest buyers of ICT gadgets⁶¹.

⁵⁹ *The Borneo Post*, "Racist comments of Ismail Sabri should be condemned – Baru Bian" 27 February 2017. See: <http://www.theborneopost.com/2017/02/27/racist-comments-of-ismail-sabri-should-be-condemned-baru/>

⁶⁰ *Berita Harian*, "Masyarakat Cina fikirkan kestabilan" 20 August 2017. See: <https://www.bharian.com.my/berita/politik/2017/08/314867/masyarakat-cina-fikirkan-kestabilan>

⁶¹ *Free Malaysia Today*, "Mara Digital Malls in Melaka, Johor to open next year" 30 October 2017. See: <http://www.freemalaysiatoday.com/category/nation/2017/10/30/mara-digital-malls-in-melaka-johor-to-open-next-year/>

b. UMNO Information Chief Annuar Musa

Similar to Datuk Seri Ismail Sabri Yaakob, UMNO information chief Annuar Musa has been championing the rights of the Malays and has been involved in playing the racial card. He was also found to be making several provocative racist statements and events in 2017.

i. Annuar Musa offers RM10k reward for evidence that Kit Siang is ‘anti-Islam and racist’

Date: 23 March 2017

Responding to DAP Parliamentary leader Lim Kit Siang’s challenge to repeat his remarks stating that Lim Kit Siang is a racist outside the Parliament, UMNO information chief Annuar Musa offered RM10,000 cash reward to anyone who could document evidence that “Lim Kit Siang is racist, anti-Islam and a dictator”. In his efforts, he had asked people to conduct research based on Kit Siang’s speeches in Parliament and urged anyone keen on taking up the challenge to submit their work to his office at the UMNO building in Putra World Trade Centre^{62 63}.

Following that, Annuar Musa distributed a book titled *DAP Bahaya Kepada Melayu-Islam Di Malaysia* (DAP (Democratic Action Party) a danger to Malays and Islam in Malaysia). He held a ceremony in Shah Alam to give out a prize of RM10,000 to the group of anonymous writers who wrote 16 essays in the book. In the ceremony, he claims that UMNO defends the Chinese while the DAP will only bring them ruin. He stated that the people who love the Chinese the most are UMNO Malays and that unlike in Indonesia and Thailand, the Chinese in Malaysia are allowed to use Chinese names and practice their own culture, further stating that UMNO gives the blessings for the Chinese to practice their culture. He also stated that UMNO had given the Chinese political and economic protection which allows them to flourish and become richer than the Malays⁶⁴. Despite the police receiving report to investigate the false claims written in the book, no actions were taken against the UMNO information chief⁶⁵.

⁶² *The Malaysian Times*, “Don’t be a coward, Kit Siang slams Annuar Musa” 15 March 2017. See: <http://www.themalaysiantimes.com.my/dont-be-a-coward-kit-siang-slams-annuar-musa/>

⁶³ *The Star Online*, “Annuar Musa offers RM10k reward for evidence that Kit Siang is ‘anti-Islam and racist’” 23 March 2017. See: <https://www.thestar.com.my/news/nation/2017/03/23/annuar-musa-offers-rm10k-reward-for-evidence-that-kit-siang-is-anti-islam-and-racist/>

⁶⁴ *Malaysiakini*, “Annuar: UMNO defends Chinese, DAP will ruin them” 26 May 2017. See: <https://www.malaysiakini.com/news/383584>

⁶⁵ *Malay Mail Online*, “DAPSY wants Annuar Musa investigated for printing violations” 27 May 2017. See: <http://www.themalaymailonline.com/malaysia/article/dapsy-wants-annuar-musa-investigated-for-printing-violations#FWdSGgqilxwhKq6Q.97>

ii. Annuar Musa stating that racial politics stemmed after DAP's birth

Date: 26 September 2017

Annuar Musa blamed the DAP for creating racial politics as the practice came into existence after the opposition party's formation. He stated that UMNO was formed 20 years earlier than DAP and the politics of all the races were harmonious; however, after Singapore was removed from the country, the PAP splinter which is DAP emerged and numerous race-related issues were politicised⁶⁶.

iii. Annuar Musa stating that the Government want Chinese as equal partners

Date: 29 November 2017

Annuar Musa in a forum had stated that the Chinese community's support for DAP had only denied them becoming equal partners in the country's administration. He stated that the government wanted the Chinese to become leaders and senators. However, by supporting the opposition, the Chinese community have become the opposition. He also blamed the DAP for creating a rift among the Malays in order to gain power⁶⁷.

c. Racial Politicising of Education

Politicians in Malaysia have taken efforts and steps to garner support from their majority races and had even racially politicised education.

i. Academic accusing former Prime Minister of betraying the Malays by 'forcing' PPSMI in schools

Date: 10 March 2017

An academic accused the former Prime Minister Tun Dr Mahathir Mohamad of degrading the special position of Bahasa Melayu by introducing the Policy of Teaching Science and Mathematics in English (PPSMI) in 2003. The Comparative literature expert, Professor Datuk Seri Dr Md Salleh Yaapar labelled Tun Dr. Mahathir Mohammad's actions as a hurried move and accused him of betraying the Malay Kings and violating the Federal Constitution. He was also found to state that there is an existence of a language apartheid phenomenon where the English language is hailed and at the same time, Bahasa Melayu is degraded and insulted⁶⁸.

⁶⁶ Malaysiakini, "Annuar: History will show racial politics was born after DAP's birth" 26 September 2017. See: <https://www.malaysiakini.com/news/396325>

⁶⁷ Free Malaysia Today, "We want Chinese as equal partners, says UMNO in DAP-bashing forum" 29 November 2017. See: <http://www.freemalaysiatoday.com/category/nation/2017/11/29/we-want-chinese-as-equal-partners-says-umno-in-dap-bashing-forum/>

⁶⁸ Malay Mail Online, "Academic: Dr M betrayed Malays by 'forcing' PPSMI in schools" 10 March 2017. See: <http://www.themalaymailonline.com/malaysia/article/academic-dr-m-betrayed-malays-by-forcing-ppsmi-in-schools#ugcuXYiK5sEXLB70.97>

ii. Prime Minister Datuk Seri Najib Razak stating that Political power gives Malays better shot at education

Date: 11 March 2017

The Prime Minister Datuk Seri Najib Razak had stated that the power being held by Barisan Nasional (BN), which is spearheaded by UMNO enables Malays and Bumiputeras to enjoy a better quality of life including academic perspective. He stated that the 2017 Bumiputera Education Tour programme was clear proof that the government took a serious view of Malay and Bumiputera children, quoting that the position of Malay and Bumiputera children including in Sabah and Sarawak are better. He further stated that the opposition that is purported to be headed by the DAP will not be able to implement such a programme and stated that what the people are getting today cannot be separated from political power because it decides the possibility of everything taking place⁶⁹.

iii. Chinese Education Prominent under Prime Minister Datuk Seri Najib Razak's administration

Date: 6 December 2017

Deputy Education Minister II Datuk Chong Sin Woon had stated that Chinese education has been given greater prominence under the leadership of Prime Minister Datuk Seri Najib Razak. He stated that the community continued to enjoy more benefits where there are more Chinese-medium schools. He also stated that even the Chinese language is taught in national primary and secondary schools and said that the government never sidelined Chinese education like how it has never sidelined Tamil education. He further stated that the Chinese community should open their eyes to differentiate mature politicking and rhetorical politicking that will affect the future of the country and said that the opposition will continue to manipulate the Chinese education to fish for votes in the coming General Election⁷⁰.

⁶⁹ Free Malaysia Today, "Najib: Political power gives Malays better shot at education" 11 March 2017. See: <http://www.freemalaysiatoday.com/category/nation/2017/03/11/najib-political-power-gives-malays-better-shot-at-education/>

⁷⁰ New Straits Times, "Chinese education prominent under Najib's administration" 6 December 2017. See: <https://www.nst.com.my/news/nation/2017/12/311515/chinese-education-prominent-under-najibs-administration>

d. PAS President Hitting out at Non-Muslims Stating that They Have No Right to Reject Initiatives to Improve Islamic affairs for Muslims

Date: 6 April 2017

PAS President Abdul Hadi Awang tabled his controversial RUU 355 bill and had hit out at non-Muslims stating that they do not have a right to reject initiatives to improve Islamic affairs for Muslims. He said the bill does not create new law but is to amend a law concerning the limits of punishments for shariah offences. He further stated that since state shariah laws were enforced, no non-Muslim has been caught or charged under them. As such, they should not be worried⁷¹. He had also warned the non-Muslims not to question Islam which is the country's official religion⁷².

e. Inclusion of Bersatu in Pakatan Harapan Aimed at Triggering 'Malay tsunami'

Date: 9 June 2017

The move to place Parti Pribumi Bersatu Malaysia (Bersatu) as the head of Pakatan Harapan is part of a plan to secure the Malay support in the next general election, according to the coalition's insiders. The move was made in order for the coalition to win over the Malays, especially those in UMNO's rural vote bank⁷³.

f. Government to study Indian Muslims' request to be recognized as Bumiputera

Date: 19 July 2017

Prime Minister Datuk Seri Najib Razak had stated that the government will be studying the request from the Indian Muslim community to be recognised as Bumiputeras. He states that he heard the demand made by the Federation of Malaysian Indian Muslim Associations (PERMIM) President Dhajudeen Hameed and he accepted that Indian Muslims are like Bumiputeras. He also accepted Dhajudeen's suggestion to set up an Indian Muslim community centre for members to reach out and discuss matters with the prime minister⁷⁴.

⁷¹ *New Straits Times*, "Hadi allays non-Muslims' fears on RUU 355" 19 February 2017. See: <https://www.nst.com.my/news/2017/02/213604/hadi-allays-non-muslims-fears-ruu-355>

⁷² *Free Malaysia Today*, "Jangan memainkan Islam, amaran Hadi kepada pengkritik RUU 355" 6 April 2017. See: <http://www.freemalaysiatoday.com/category/bahasa/2017/04/06/jangan-permainkan-islam-amaran-hadi-kepada-pengkritik-ruu-355/>

⁷³ *Malaysiakini*, "Bid for Bersatu to lead Harapan aimed at triggering 'Malay tsunami'" 9 June 2017. See: <https://www.malaysiakini.com/news/385122>

⁷⁴ *Malay Mail Online*, "Najib: Gov't to study Indian Muslims' request to be recognized as Bumiputera" 19 July 2017. See: <http://www.themalaymailonline.com/malaysia/article/najib-govt-to-study-indian-muslims-request-to-be-recognised-as-bumiputera#PS7V3C0tJ3hCCcD6.97>

g. Deputy Prime Minister Accuses Tun Dr. Mahathir Mohamad of using the Malays and UMNO

Date: 30 July 2017

Deputy Prime Minister Ahmad Zahid Hamidi accused Tun Dr. Mahathir Mohamad of using the Malays and UMNO all this while on the pretence of championing the Malay agenda. He then brought up Tun Dr. Mahathir Mohamad's Indian ancestry stating that his blue IC states that his name is Mahathir son of Iskandar Kutty. Stating that he received the information from the National Registration Department, Zahid stated that Mahathir was just using the Malays⁷⁵.

h. Pakatan Harapan Chairman, Tun Dr. Mahathir Mohamad remarks about the Bugis Community

Date: 26 October 2017

Pakatan Harapan Chairman, Tun Dr. Mahathir Mohamad made a racist remark stating that the Prime Minister of Malaysia is a robber and since he is a descendent of the Bugis pirate he should return to Bugis. Following the incident, the Bugis community demanded an apology and a retraction from Tun Dr. Mahathir for calling them pirates. However, Dr. Mahathir clarified, stating that he did not say all Bugis were pirates and he was stating that the Prime Minister Datuk Seri Najib Razak may be a descendent of Bugis pirates and his remarks were aimed at Datuk Seri Najib Razak who claims he is a Bugis warrior⁷⁶.

i. Defence Minister Datuk Seri Hishammuddin Hussein Response to Patriot

Date: 20 December 2017

Defence Minister Datuk Seri Hishammuddin Hussein stated that the politics of hate and instigation of racial tension is normal when elections are around the corner, in his response to a recent statement by Patriot that non-Bumiputeras shy away from joining the armed forces due to distinctive division along ethnic lines. He blamed the opposition and parties that are not supportive of the current government and stated that they will play up the racial divide and sensitivities. He further warned those who play up the issues that there are limits to it and subsequently blamed the social media for spreading such sentiments⁷⁷.

⁷⁵ Free Malaysia Today, "Mahathir a/I Iskandar Kutty is using the Malays and UMNO, says Zahid" 30 July 2017. See: <http://www.freemalaysiatoday.com/category/nation/2017/07/30/zahid-accuses-dr-mahathir-of-using-malays-and-umno/>

⁷⁶ The Malaysian Insight, "Real Bugis warriors don't steal, Dr Mahathir says of Najib" 26 October 2017. See: <https://www.themalaysianinsight.com/s/20169/>

⁷⁷ The Sun Daily, "It's politics of hate, Hisham says of National Patriot Association's comments" 20 December 2017. See: <http://www.thesundaily.my/news/2017/12/21/it-s-politics-hate-hisham-says-national-patriot-association-s-comments-updated>

j. **PAS President Envisioning All-Malay Cabinet Members for Malaysia**

Date: 24 December 2017

PAS Party President Datuk Seri Abdul Hadi Awang had shared that PAS envisions a Malaysian Cabinet line-up consisting only of Malays as they are the majority race. He highlighted that the national leader and his Cabinet members must profess the Islamic faith who were from the most influential race and also stated that Islam provides rights to non-Muslims on the aspects of politics, economy and other affairs of life. Hadi then further stated that the rights for non-Muslims accorded by Islam are better than other religious beliefs and further quoted an Islamic scholar who had stated that it was required by Islam for non-Muslims to be appointed as ministers but they will only be restricted to management duties and not policy makers. Hadi further stated that in terms of politics, Islam firmly requires the primary leadership to be Muslims to safeguard its policies and concepts. He added that Islam also accepts non-Muslims' areas of expertise and management^{78 79}.



⁷⁸ *Malaysian Digest*, "Pas President: All-Malay Cabinet Members for Malaysia" 24 December 2017. See: <http://www.malaysiandigest.com/frontpage/29-4-tile/714518-pas-president-all-malay-cabinet-members-for-malaysia.html>

⁷⁹ *Harakah Daily*, "Mengapa kalau Islam tidak boleh?" 22 December 2017. See: <http://www.harakahdaily.net/index.php/kolumnis/presiden/4493-mengapa-kalau-islam-tidak-boleh>

5. Entrenched Racism Among Malaysians

The Malaysian public have at most times demonstrated inherent traits of racism especially in social media. They would prefer to make statements which are racist in nature in an anonymous guise on social media. Often time these statements criticise a particular race based on their own racial prejudgments and stereotypes. In the year of 2017, social media became a platform for people to spread racially discriminatory statements which have eroded the social fabric of the nation.

a. Preconceptions on Government's Support for Athletes

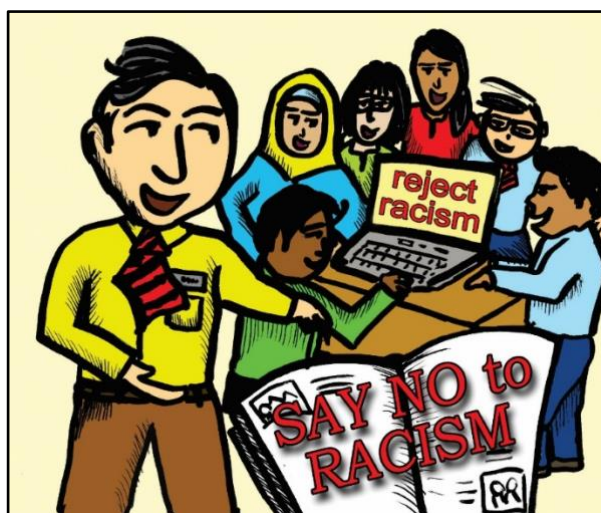
Date: 28 May 2017

The loss of Agilan Thani, the Mixed Martial Arts (MMA) fighter in the ONE Welterweight World Championships had shown the ugly side of Malaysians who had racial preconceptions on the government's support for athletes. Several quarters had turned his loss into a racial issue by stating that he is an Indian and hence, the Government of Malaysia was reluctant to support him⁸⁰.

b. Racist Statements Against the Malays and the Melanaus by Papagomo on Facebook

Date: 15 June 2017

Controversial blogger Papagomo, Wan Muhammad Azri Wan Derus in a had made a racially provocative remark in Facebook by reminding the Malay-Melanau in Sarawak not to be arrogant stating that the Malay-Melanau in Sarawak only constitutes 28 per cent of the population in Sarawak while the Dayak and Chinese constitutes of 72 per cent of the population of Sarawak. He further stated that the Malay Melanau are ruling Sarawak because of the strength of the Malays in Peninsular Malaysia. Following the incident, several police reports were made against Papagomo and he had purportedly removed the Facebook account⁸¹.



⁸⁰ The Sun Daily, "Agilan urges Malaysians not to turn his loss into a racial issue" 28 May 2017. See: <http://www.thesundaily.my/news/2017/05/29/agilan-urges-malaysians-not-turn-his-loss-racial-issue>

⁸¹ Sarawak Voice, "12 laporan polis terhadap PapaGomo, digasak netizen hingga tutup akaun Facebook" 14 June 2017. See: <https://sarawakvoice.com/2017/06/14/12-laporan-polis-terhadap-papagomo-digasak-netizen-hingga-tutup-akaun-facebook/>

c. Lecturer in a University Receiving a Message which has Racial Undertone

Date: 24 August 2017

A lecturer of a university received a text message from a colleague of hers with racial undertones. In the text message, the sender was found to have questioned the actions of another individual who is believed to be of the Chinese race. The sender further stated that the person who was questioned had been spiteful and rude to another lecturer. Furthermore, the sender in defending the lecturer was found to be stating that the lecturer is an elderly Malay and Islamic lecturer who is more experienced and he does not need to compete with the individual. The sender further questioned the individual's patriotism by giving a connotation that Malays are more patriotic than the Chinese race⁸².

d. Racist Comments found in Social Media

The emergence of social media has provided ordinary Malaysians the opportunity to make malicious and racially provocative statements that are meant to offend a certain ethnic group. As social media platforms allow these individuals to make these statements anonymously, more and more individuals have become brave in making these comments.

In an incident which was reported via the Report Racism Application, an individual going by the Facebook moniker name Encik Jebat, commented on a post of PPIM and on his homepage, that Indians and Chinese (the usage of derogatory terms) are the cause of the corruption of the police force because all other religions except Islam lack punishment in the afterlife⁸³.

Another incident which was reported via the Report Racism Application showed that an individual using the name Olta Prayer had made a racist Facebook status sharing about the incident where he was tricked to accept a personal loan online. In his status, he was found using racist language and blamed the Chinese for tricking him. His actions were reported as it provided an improper and incorrect impression of another ethnic race.

6. Xenophobic Behavior

Issues of xenophobia (dislike of or prejudice against people from other countries) is evident in Malaysia. Foreigners and migrant workers who have come over to Malaysia are often victims of xenophobic behavior by Malaysians.

⁸² Report obtained from the KOMAS Report Racism Mobile Application

⁸³ Report obtained from the KOMAS Report Racism Mobile Application

a. Malaysians Warning Home Owners not to Rent their Property to Africans

Foreign workers are usually targeted by property owners and they find it difficult to rent property in Malaysia. For instance, in 2017, a banner informing owners of houses in Taman Taming Indah 2, Sungai Long in Cheras not to rent houses or rooms to Africans was found hanging at the road junction before entering the housing area. The banner erected was written in both English and Mandarin. The banner showed clear xenophobic behavior of Malaysians towards foreigners⁸⁴.

b. Malaysians Chanting Derogatory Words during a Football Match in the SEA Games

Even within sports, Malaysians have shown their ugly side chanting derogatory words during a football match between Malaysia and Singapore at the Shah Alam Stadium during the SEA Games. In a 20-second video of Malaysian fans titled “Singapore anjing (dog)”, one of the spectators was seen showing his middle finger to the players on the pitch during the game. The group believed to be a member of Ultra Malaya, a band of hardcore Harimau Malaysia fans, made chants such as, “we come to Shah Alam, united in supporting Malaysia, Singapore dogs can be killed⁸⁵.

c. Malaysians Showing Xenophobic Behaviour to Colleagues from Different Countries

In a report sent to Pusat KOMAS, a foreign employee in a local business service provider heard several discriminatory statements regarding religion, gender and the accent made by the team leader against foreign employees and candidates of the company. The employee has since reported the incident to the Human Resource Department and the Chief Executive Officer but no actions have been taken to address the issue. Among some of the discriminatory statements issued include, the leader criticising the foreign employee’s accent, “Can you guys understand what he’s saying? To be honest I asked about my colleague regarding your accent, but he told me that it is not an English accent”. In another occasion, the team leader stated that one of the Thai candidates had an African Accent and was not chosen because the team leader is worried that there will be miscommunication. The team leader also made another discriminatory statement and action by not choosing a girl wearing a Hijab as a team member because it may be difficult to decide team gathering places. These actions made by the team leader were discriminatory in nature and the actions were xenophobic in nature.

⁸⁴ Report obtained from the KOMAS Report Racism Mobile Application

⁸⁵ The Sun Daily, “Singapore anjing chan mars SEA Games football match” 22 August 2017. See: <http://www.thesundaily.my/news/2017/08/22/singapore-anjing'-chant-mars-sea-games-football-match-video>

SPECIAL REPORT:

Social Disparity in Sports and the Malaysian Experience

*“Woi, K*ling Hitam, Monyet! Lari je laju, bawak bola pun tak pandai!”* (Hey you, Blackie, Monkey! You can only run; you don’t even know how to dribble!) This is one of many instances where some football players – usually Indian or African footballers; are on the receiving end of racial slurs from fans in the stadium during Malaysian league matches. “Tidak apa” (never mind) mentality seems to prevail in our society, since there are a lot of people who consider it as a minor issue. In Malaysia, if football players were taunted by the fans, the match referee will usually just tell them to play on. In fact, most of the incidents have blemished the career of the athletes involved. Not only inside the stadium, racism is also a recurring theme off the field. There are some football coaches or scouting officials who identify players by the colour of their skin.

Multiracialism and multiculturalism may be values that Malaysians hold dear. However, the training fields, indoor halls and hard courts of popular sports here such as football, sepak takraw, basketball, table tennis and badminton seem to tell a different story. There is a lack of racial diversity. So, why is there still lack of ethnic diversity in certain sports in our multiracial society?

Language is considered as a barrier in sports dominated by a race. Therefore, in most cases, athletes need to be fluent in Malay or Mandarin to communicate with their colleagues. For example, since basketball is dominated by Chinese, the athletes usually used to study at Chinese schools in Malaysia such as Sekolah Jenis Kebangsaan Cina or Sekolah Menengah Jenis Kebangsaan. Nur Izzati Yaakob, the captain of our women’s basketball team studied in a Chinese school and can speak Mandarin well. She is the first Malay who skippered our national basketball team during the SEA Games 2015 in Singapore.

There are players or coaches who feel more comfortable communicating in their native language, without first considering about those who do not speak in that particular language. Some may feel pressured to pick up the language. Usually, if most of the participants in a sport are from one race, they tend to speak in their native language instead of Bahasa Malaysia. The communication barrier makes it very hard for other races to join the sport. To ensure inclusivity, Bahasa Malaysia and English should be the main language of communication for all sports in Malaysia.

The other factor is favoritism and cronyism. There are coaches who tend to favour Malays or Chinese because of their own pre-conceived notions and assumptions: ‘some particular race is better in a particular sport’. Often, talents are chosen because their parents are friends or family members of the scouting officials. The numbers of Orang Asli who succeed as national athletes can also be questioned. The nature of sport should be “colour-blind” and based on potential. We must give an opportunity to everyone and we must use the system of meritocracy to see who deserves it most. The selection should be based on the passion and flair for the sport, and the athlete needs to work hard to excel at it.

Racial dominance and racial imbalance in sports is nothing new. In Malaysia, certain ethnicities have built up a history in a particular sport. So, the young people of that ethnicity are more inspired to follow in their ancestors' footsteps and try to excel in that sport. Malays prefer football and sepak takraw, while Chinese prefer basketball and table tennis. For example, 88 per cent of Malaysian football players during the 2015 Asian Cup Qualification Round were Malays. Meanwhile, 87.5 per cent of the footballers who received a call up for the national team in September 2017 were Malays. The Malaysian Sepak Takraw team consists of all Malay players; while there is no other race other than Chinese in our 2017 national basketball team's list.

The viability of pursuing a meaningful career in sports also becomes a factor. Some think that football and rugby is a short-term and risky career, compared to having a conventional job. Malays find football an accessible and viable career, with the potential to achieve some fame. Chinese youth and their parents are less likely to see football as such and would aspire for careers in the professions or management.

Next is the issue of religion. There is customary sportswear, such as shaped leotard in gymnastic, which is not allowed in Islam. This is because Islam requires Muslims to cover some parts of their body. This has led to Muslims not joining sports such as gymnastic and swimming. However, there are world class Muslim-Malay athletes such as Nur Dhabitah Sabri (diving) and Farah Ann Abdul Hadi (gymnastics) who excel in their career.

Having more local sporting heroes performing on the international stage, will inspire Malaysians of all races and walks of life. Athletes like Mokhtar Dahari, James Wong, Soh Chin Aun, Santokh Singh, R. Arumugam (football), Sidek Brothers, Lee Chong Wei (badminton), Nicol Ann-David (squash), Pandalela Renong (diving), Hafizh Syahrin Abdullah (superbike - MotoGP), Agilan Thani (Mixed Martial Arts), Dineshvaran Krishnan (rugby), Josiah Ng and Azizulhasni Awang (cycling) inspire us to be like them. When Malaysian cheer groups support our athletes at stadiums, ethnicity of the athletes isn't an issue. That's the beauty of sports as a unifying factor. It's heartwarming every time Malaysian spectators cheer our athletes at the national and international level competitions regardless of their racial and religious diversity. The cheers grow louder when Malaysian athletes win a medal.

Racial polarisation is still quite apparent among youngsters, especially in schools and activities. Some of the teams at the junior level are mono-ethnic in composition. In SMK Pakan, Sarikei, Sarawak, 80 per cent of their hockey and football players are Ibans, while 90 per cent of their basketball players are Chinese. In SK Jalan Kebun Baharu, Teluk Panglima Garang, Selangor, 80 per cent of their football players are Malays, while 20 per cent are Indians. 80 per cent of their rugby, handball and netball players are Malays. 100 per cent of their dodgeball and takraw team are Malays. Meanwhile, 90 per cent of their ping pong and basketball players are Chinese.

In SK Kampong Endah, Banting, Selangor, 80 per cent of their ping pong, handball, track and field, cross-country, netball, bowling, and football athletes are Malays. In SK Sungai Buaya, Banting Selangor, all of their rugby, football, netball, badminton and track and field athletes are Malays. In Sekolah Seri Cahaya, Shah Alam, Selangor, 90 per cent of their basketball

players are Chinese, while 70 per cent of their football athletes are Malays. In Sekolah Tenby, Ipoh, 90 per cent of their basketball athletes are Chinese.

Thus, we need to promote multiracialism not only at the elite level, but at youth and grassroots levels. Schools are probably the best 'playground' for such inter-racial encounters to occur and for friendships to form. So primary schools can possibly introduce a wide variety of sports to young students and let them choose from there the particular sports they may eventually pursue.

The media can also help to establish more positive coverage over all aspects of local sports. This is to ensure that sports in Malaysia is more open and inclusive, and not only focusing on some popular sports. Advancements in technology, mobile gadgets and social media are making people oblivious to others around them and not interested in outdoor activities. In a multiracial, multicultural and multireligious society like Malaysia, it means weaker national integration, solidarity and unity.

Sports facilities development in Malaysia are inadequate compared to the overall development of sports at the international level. We have seen a lot of field and sport facilities unattended and in declining condition. A student once died after football goalposts fell on him while he was playing in a school field. Commercial development has acquired a lot of sport facilities, especially in urban areas. Just look around and you will notice that football fields and playgrounds have vanished, including in schools. Without a football field, without a sport facility, how can we play sports? Let us not destroy what little we have.

The declining importance given to sports in the school system and by parents alike are also seen as shrinking the available talent pool. Some schools don't even have a field big enough for pupils to play football, let alone other facilities such as a hockey field. Previously, the bastion of hockey was in urban areas, especially in the secondary schools. However, most of these schools have lost their hockey fields and hockey is no longer played at these schools. The majority of Tamil schools in the country are not only not fully aided but also lack basic infrastructural facilities. Most of Sekolah Kebangsaan or Sekolah Menengah Kebangsaan don't have basketball courts, while some of Chinese schools don't even have a football field. In SK Jalan Kebun Baharu, Teluk Panglima Garang; SK Kampung Endah, Banting; and SK Sungai Buaya, Banting Selangor, there is no basketball arena for the students.

Parents need to emphasise their children's personal fulfilment and satisfaction. The children's decision should be made based on what they are passionate about. Parents should realise that their children can still pursue their sporting aspirations without compromising on their education. Schools and football clubs need to work together to come up with the best plan for the athletes to train and compete while also ensuring that he/ she does not miss out on getting his/ her educational qualifications.

The promulgation of the National Sports Policy in 1988 shows that the government sees sport as an important part of Malaysian society. However, in Malaysia, sports were deemed to be little more than another social institution subject to affirmative action policies. As a result, sports were a weak driver for social change. In fact, sports have a vital function in

social cohesion and has a significant part to play in the development of political policy and law.

The importance of a 'sport for all' aspiration at the individual, social and national levels in Malaysia needs to be explored. The strong support of people of various races proves that sports can unite the people. We are all Malaysians first, and sports should welcome people of every colour. With all the constraints we face, we have to think of ways to increase the meeting points. Being a Malaysian does not make anyone less Malay, Chinese, Indian, Kadazan or Iban, and they should start accepting each other as Malaysians regardless of race and religion. Unity should begin with individuals and every Malaysian should strengthen it by speaking in one voice that represents all Malaysians. The choice is ours.

Of course, there is never a full stop to the issue of racism. However, since we live in a multiracial country, we need to work hard to curb racism in our country. To unite a nation after each intensely fought general election, sports is the most effective and viable remedy to bring citizens of all political inclinations and races together, under a common platform. Racism is an issue that is plaguing the world and if things get worse, it will not be good for the development of sports in Malaysia. One thing is certain: as long as you are Malaysian, your skin colour has nothing to do with it. Racism is not a petty issue. **Racism has to stop!**

Article by:

Zairudin Hashim (Che Din)⁸⁶

Zairudin Hashim (Che Din) is a sports writer at multiple sports web-site. He is also ABIM's Assistant Secretary General. He read law and can be reached at <http://chedinsphere.blogspot.my/>



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MALAYSIA FEDERAL CONSTITUTION

The Malaysian Federal Constitution⁸⁷ has provisions which prohibit racial discrimination in the country, as spelt out in both Article 8 (1, 2) and Article 12.

Article 8 (1 & 2):

- (1) All persons are equal before the law and entitled to the equal protection of the law.*
- (2) Except as expressly authorized by this Constitution, there shall be no discrimination against citizens on the ground only of religion, race, descent or place of birth or gender in any law or in the appointment to any office or employment under a public authority or in the administration of any law relating to the acquisition, holding or disposition of property or the establishing or carrying on of any trade, business, profession, vocation or employment.*

Article 12 (1):

Without prejudice to the generality of Article 8, there shall be no discrimination against any citizen on the grounds only of religion, race, descent or place of birth.

Although both these Articles clearly state the principles of equality in the protection of rights of every Malaysian, exceptions can be made based on Article 153 on the Malaysian Constitution.

Article 153 (1):

It shall be the responsibility of the Yang di-Pertuan Agong to safeguard the special position of the Malays and natives of any of the States of Sabah and Sarawak and the legitimate interests of other communities in accordance with the provisions of this Article.

This Article also spells out specifically the reservation of quotas for public service positions, scholarships, educational or training privileges and business permits or licenses. However, despite the exceptions, Article 153 has provisions under point (7) and (8) to also ensure the protection of legitimate interests of other communities. For instance:

Article 153 (7):

Nothing in this Article shall operate to deprive or authorize the deprivation of any person of any right, privilege, permit or license accrued to or enjoyed or held by him or to authorize a refusal to renew to any person any such permit or license or refusal to grant to the heirs, successors or assigns of a person any permit or license when the renewal or grant might reasonably be expected in the ordinary course of events.

⁸⁷ Article 8 (1, 2) and Article 12 (1) in the Malaysian Federal Constitution

MALAYSIA'S INTERNATIONAL HUMAN RIGHTS COMMITMENT IN ELIMINATING RACIAL DISCRIMINATION

The Malaysian government has signed several important international treaties and agreements to protect the rights of women and children. It is also a party to several important international human rights documents.

Among the treaties signed were the Convention of the Rights of the Child (CRC) ratified in 1995, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) ratified in 1995 and the Convention on the Rights of Persons with Disabilities (CRPD) ratified in 2010. Malaysia is also a party to several declarations such as the Universal Declarations of Human Rights and the ASEAN Human Rights Declaration which was signed in 2012. In addition, the Malaysian government had also shown its commitment to implement the Sustainable Development Goal (SDG).

However, the racial discrimination incidents reported in 2016 continue to reflect the violations on the legislative and policy frameworks of the State at both the international and national level. Incidents and trends on racial discrimination in the year is a strong indicator of Malaysia's deplorable state of racism and dire need for non-discrimination in the country. This alarming situation should convey a strong message to the Government and the Malaysian people that a lot remains to be done in terms of strengthening national unity and social cohesion in the State.

Universal Declaration of Human Rights⁸⁸

Article 2

Everyone is entitled to all the rights and freedom set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any limitation of sovereignty.

Article 7

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 18

Everyone has the right to freedom of thought, conscience, and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

⁸⁸ Article 2, 18, 22 and 26 (2) in the Universal Declaration of Human Rights (UDHR)

Article 22

Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Article 26 (2)

Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedom. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

Article 27 (1)

(1) Everyone has the right to freely participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

ASEAN Human Rights Declaration⁸⁹

Provision 2

Every person is entitled to the rights and freedoms set forth herein, without distinction of any kind, such as race, gender, age, language, religion, political or other opinion, national or social origin, economic status, birth, disability or other status.

Provision 3

Every person has the right to recognition everywhere as a person before the law. Every person is equal before the law. Every person is entitled without discrimination to equal protection of the law.

Provision 9

In the realization of the human rights and freedoms contained in this Declaration, the principles of impartiality, objectivity, non-selectivity, non-discrimination, non-confrontation and avoidance of double standards and politicization, should always be upheld. The process of such realization shall take into account peoples' participation, inclusivity and the need for accountability.

Provision 22

Every person has the right to freedom of thought, conscience and religion. All forms of intolerance, discrimination and incitement of hatred based on religion and beliefs shall be eliminated.

Provision 31 (3)

Education shall be directed to the full development of the human personality and the sense of his or her dignity. Education shall strengthen the respect for human rights and fundamental freedoms in ASEAN Member States. Furthermore, education shall enable all persons to participate effectively in their respective societies, promote understanding

⁸⁹ Provisions 2, 3, 9, 22 and 31 (3) in the ASEAN Human Rights Declaration

tolerance and friendship among all nations, racial and religious groups, and enhance the activities of ASEAN for the maintenance of peace.

Sustainable Development Goals (SDG)⁹⁰

Goal 10 - Reduced Inequality Within and Among Countries

SDG Target 10.2

By 2030, empower and promote the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status

SDG Target 10.3

Ensure equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard

Recommendations of the 2nd Universal Periodic Review (UPR)⁹¹

The Malaysian government accepted the following recommendations in the 2nd Universal Period Review (UPR) in 2013 in full to improve national unity and social cohesion in the State.

Recommendation 146.87

In accordance with national circumstances, continue to strengthen mutual respect and tolerance and different cultures among religions and maintain social plurality while maintain improved family harmony and respect for women (China)

Recommendation 146.88

Continue the implementation of initiatives to strengthen national unity and promote inter-ethnic tolerance and respect (Russian Federation)

Recommendation 146.89

Streamline current measures to address the unique needs of its diverse society (Zimbabwe)

Recommendation 146.90

Enhance its initiatives and programmes to further promote a sense of national unity and pride among all its citizens (South Africa)

Recommendation 146.91

Enhance initiatives on the programme to bolster a sense of national unity (Islamic Republic of Iran)

⁹⁰ SDG Target 10.2 and 10.3 in the Sustainable Development Goals

⁹¹ Recommendations 146.87, 146.88, 146.89, 146.90, 146.91, 146.92 and 146.93 in the Malaysia Universal Period Review Second Cycle

Recommendation 146.92

Enhance its initiatives and programmes to further instill a sense of national unity and pride among its people (Democratic People's Republic of Korea)

Recommendation 146.93

Continue implementing the positive initiatives introduced under the 1Malaysia concept with a view to strengthen national unity (Democratic People's Republic of Korea)



CONCLUSION AND RECOMMENDATIONS

Collective efforts by multi-stakeholders are needed to combat the rising incidences of religious and racial discrimination in Malaysia. The government especially have to be willing and ready to engage with civil society organisations, academicians, media and other sectors of Malaysian society to address this phenomenon.

Firstly, as Malaysia is a member of the United Nations, the Malaysian Government has to adhere to and ensure the implementation of the universally accepted documents such as the Universal Declaration of Human Rights (UDHR) and the Sustainable Development Goals (SDG). The Malaysian government has to also implement the basic human rights spelled out in the Federal Constitution. In addition, the Malaysian Government should also sign and ratify the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD).

Serious attention needs to be given to the policy and practices to address the issue of racism and racial discrimination in Malaysia. It is timely for Malaysia to institutionalise a new Malaysia where every Malaysian is treated equally. The Government of Malaysia needs to respect and engage diversity in a human rights way, in congruence with international standards and norms.

To conclude the 2017 report, several significant recommendations are proposed to the Malaysian government.

- The government to lead the initiatives to carry out intense and widespread public and social awareness education through mass campaigns, public information and especially through the formal education system, in order to educate, promote and instill consciousness and eradicate racism and discrimination at all levels of the Malaysian society. Starting from Government Ministers, Parliament members, State Assemblymen; all senior politicians, Town and City mayors and local councilors, Department heads and senior staff members in all government agencies and departments of the civil service and all enforcement agencies must be involved.
- The government in collaboration with CSOs must continue to diligently and systematically monitor, check and ensure zero tolerance for policy and practices of racism and discrimination in all levels of governance.
- The government must be willing to impose heavy legal and formal sanctions (in line with international human rights norms) on any government Ministers, senior officers, elected representatives, organisations and groups, individuals, politicians, mass and social media groups who exhibit, racist and discriminatory tendencies in speech and actions.
- The Malaysian people must be meaningfully engaged and be part of the process of implementing these recommendations. The government should also immediately release its findings and recommendations made in the National Unity Blueprint put forth by the National Unity Consultative Council (NUCC) established in 2013. The people must have access to view the National Harmony Act proposed by NUCC which balances the right to

freedom of expression and the criminalising of hate speech in adherence to international human rights norms.

- Malaysia has been waiting for far too long for the ratification of the International Convention on the Elimination of Racial Discrimination (ICERD). The ratification of ICERD must be moved fast. ICERD strengthens and commits its members towards the elimination of racial discrimination, the promotion of equality and unity among all races and requires them to create mechanisms, change laws and policies to minimise and eradicate racial discrimination and condemn any group or organisation that perpetuates it. To date, 176 United Nations member states have ratified ICERD but sadly Malaysia has not ratified the convention. It is among the 15 countries, including North Korea, which have not ratified this convention.
- The government must remove reservations on non-discrimination and equal opportunity in the Convention on the Rights of the Child (CRC)⁹² particularly Article 2 (1)(2) and 14 (1); and its declaration made upon ratifying the Convention on the Rights of Persons with Disability (CRPD)⁹³.
- The government must uphold not renege on its promises and declarations to eliminate all forms of intolerance, discrimination and incitement of hatred based on religion and beliefs they have committed to international and regional platforms such as the UPR process in Geneva and the ASEAN Human Rights Declaration.



**REPORT COMPILED AND PREPARED BY
PUSAT KOMAS MALAYSIA
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⁹² Article 2, 14 (1) in the Convention of the Rights of the Child (CRC)

⁹³ Article 3 (b, e) and 5 (2) of the Convention on the Rights of Persons with Disability



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