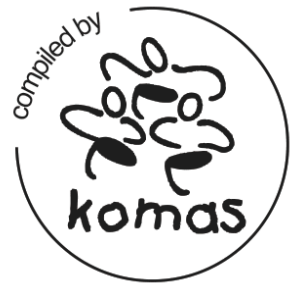


10 Years of Monitoring Racism in Malaysia

MALAYSIA RACISM REPORT



INDUSTRIAL COURT CASTIGATES FIRM FOR USING RACE CARD TO DISMISS EMPLOYEE. RACIAL ATTACKS IN POLITICS AT DANGEROUS LEVEL. CONVENTION TO OUTLINE NATIONAL UNITY PLAN. TWO FAKE NEWS. TWO TARGET AUDIENCE. ONE ROOT CAUSE. ALLOWING UNITY TO GROW THROUGH FOOD, SPORTS AND RELATIONSHIPS. NEW SUHAKAM CHIEF TARGETS RATIFICATION OF ICERD. RACISM XENOPHOBIA *aku bangsa*

THE TINY VILLAGE TEACHING MALAYSIA A BIG LESSON IN HARMONY. CALL OUT POLITICIANS WHO DIVIDE PEOPLE. DON'T TURN STATELESSNESS EVENT INTO RACIAL ISSUE. SABAH'S BAJAU LAUT HANG BY A THREAD AFTER MASS EVICTIONS. CLAMPDOWN ON CHINESE SIGNBOARDS. FOREIGNER PUNCHED. HEED RACIAL DIVERSITY. STOP RIDING ON 3R ISSUE. RACIAL DISCRIMINATION *Malaysia*

2024



MALAYSIA
RACISM
REPORT
2024

Compiled and prepared by:

Pusat KOMAS

Malaysia

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Foreword

It is with great pride and a deep sense of responsibility that we present this Annual Report on Racism in Malaysia. This report stands as a crucial instrument in the ongoing fight against racial discrimination and inequality within our society. The careful documentation and analysis of racial discrimination cases, patterns, and responses provide not only a mirror to our collective conscience but also a valuable tool for policymakers, civil society, and the general public to reflect upon and act accordingly.

Pusat KOMAS has been in Malaysia the last 32 years and we keep pushing for changes for human rights from community to policy level. This report is a testament to the ongoing work of Pusat KOMAS and other human rights defenders who tirelessly advocate for equality and justice. It is a different space for Malaysia now politically and socially, as compared to decades ago. This offers some hope and possibilities too that the issues of racism can also be tackled much better.

Racism remains one of the most persistent challenges in Malaysia, often lurking beneath the surface of daily interactions and institutional practices. The data and insights presented in this report are not just statistics — they are reflections of lived experiences, hardships, and the resilience of individuals and communities who have experienced the painful truth of being targeted. By highlighting these realities, this report empowers us to better understand the root causes of discrimination and encourages more informed and effective responses from the government and other stakeholders.

Importantly, this report serves as a wake-up call to society. It lays bare the uncomfortable truth about how regressive some elements of our society remain and how deeply ingrained racial biases continue to manifest in various aspects of life. Understanding these pushbacks is essential, not to be discouraged, but to strategize better ways to confront and dismantle them. Public awareness and societal engagement are key in challenging discriminatory narratives and fostering a more inclusive and just Malaysia.

The findings and recommendations contained in this report are not only informative but also can trigger good actions in society. They provide a foundation for evidence-based policymaking and legislative improvements, encouraging the government to address systemic discrimination with greater urgency and resolve.

As we navigate through these complex challenges, it is my hope that this report will inspire deeper conversations, greater accountability, and more inclusive policies. Only through collective action, grounded in truth and justice, can we build a Malaysia where every individual is treated with dignity and respect, regardless of race or background.

Well done to the team at Pusat KOMAS, a small humble team of 4 staff and all those who contributed to this important work. May this report serve as a catalyst for positive change and a step toward a more united and harmonious Malaysia.

Jerald Joseph
Director
Pusat KOMAS

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Executive Summary

Malaysia Racism Report 2024 is the 10th Report that was produced by Pusat KOMAS in 10 years. Since its inception, this report has captured incidents pertaining racial discrimination and racism in Malaysia under five (5) different governments. Based on our observation, we have found that during the tenure of the respective governments, each prime minister ruled the country with differing visions and this observation trickles down to their approach in addressing racism and racial discrimination in Malaysia. Through the production of this report over the years, we are made aware of the political dynamics involved in curbing this long standing systemic issue.

In this 2024 Malaysia Racism Report, Pusat KOMAS remains steadfast in adopting its methodology to monitor the media, in which incidents and cases that were reported form factual references throughout the production of this report. As Pusat KOMAS venture to ensure the production of this report is all encompassing compared to its predecessors, this year, Pusat KOMAS has extensively monitored parliamentary sittings. Premised on the guidelines and international standards, we have extracted phrases/statements/nuances with the elements of race and/or religion from the Hansard to be included in this report.

We are firm believers that despite Parliamentarians being afforded immunity for matters said and/or discussed in the Parliament, we also believe that Parliamentary debates should be reserved for policy making so that the Malaysia we love advances to greater heights. Keeping that spirit in mind, the team in Pusat KOMAS is in high hopes and spirits that members of Parliament could utilise this report to learn from past mistakes and ensure that they lead by example by ensuring quality debates are presented in Parliament and avoid any form of nuances that may incite racism and/or racial discrimination.

As a result of the addition above, in the 2024 report, there is visible increase in the number of reported incidents of racism, racial discrimination and xenophobia in Malaysia as compared to 2023. A total of 73 cases of racism, racial discrimination and xenophobia were documented. These incidents were categorised into 8 different trends respectively:

1. Racial and/or Religious Discrimination in Politics
2. Racial and/or Religious Discrimination in Business/Workplace
3. Racial and/or Religious Expressions of Prejudice, Provocation
4. Racial and/or Religious Discriminatory Policies
5. Racial and/or Religious Discrimination in the Education Sector
6. Xenophobia
7. Racial and/or Religious Incitement
8. Racial and/or Religious Discrimination in Parliament

Meanwhile a total of 30 efforts to promote unity, combat racism and racial discrimination and xenophobia were recorded. They were grouped into two categories - Statements, Commitments, Efforts, or Actions by Institutions or People in Power or with Influence and Malaysians' efforts in combating racism.

Guiding Principles & Methodology

This report adopts definitions, terminology and concepts accepted by international bodies, including provisions established within our local laws, especially the Federal Constitution. These principles provide the foundation for the framework to the objectivity and fair standards of categorization and reporting.

Key Concepts

<p>Principle of equality and non-discrimination</p>	<p>A principle which is proclaimed in the first article of the Universal Declaration of Human Rights (UDHR): <i>“All human beings are born free and equal in dignity and rights”</i>¹ and reiterated in international and regional human rights treaties. This report is grounded by this foundational principle.</p>
<p>Racism</p>	<p>There are no universally accepted legal definitions on the term racism. Even in Malaysia, racism is not defined in any legal documents. However, the most comprehensive provision on racism is highlighted by Article 4 of ICERD:</p> <p><i>“State Parties condemn all propaganda and all organisations which are based on ideas or theories of superiority of one race or group of persons of one colour or ethnic origin, or which attempt to justify or promote racial hatred and discrimination in any form, and undertake to adopt immediate and positive measures designed to eradicate all incitement to, or acts of, such discrimination.”</i>²</p> <p>This report adopts the definition of racism in as stated in “Dimensions of Racism”, published by the Office of the United Nations High Commissioner for Human Rights (“OHCHR”):</p>

¹ United Nations, ‘Universal Declaration of Human Rights’ (*United Nations*) <<https://www.un.org/en/about-us/universal-declaration-of-human-rights>> accessed 27 February 2024.

² ‘International Convention on the Elimination of All Forms of Racial Discrimination’ (*OHCHR*) <<https://www.ohchr.org/en/instruments-mechanisms/instruments/international-convention-elimination-all-forms-racial>> accessed 27 February 2024.

	<p><i>“a construct that assigns a certain race and/or ethnic group to a position of power over others on the basis of physical and cultural attributes, as well as economic wealth, involving hierarchical relations where the ‘superior’ race exercises domination and control over others”.</i>³</p> <p>Racism is a broader experience and practice than racial discrimination (see below). It includes racist ideologies, prejudiced behaviour, structural arrangements and institutionalised practices resulting in racial inequality as well as the fallacious notion that discriminatory relations between groups are morally and scientifically justifiable.⁴</p> <p>Racism can manifest in the form of racial jokes, slurs or even hate crimes. Racism can also be deeply rooted in attitudes, values and stereotypical beliefs.</p>
<p>Racial Discrimination</p>	<p>Guided by the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), racial discrimination is defined as:</p> <p><i>“any distinction, exclusion, restriction or preference based on race, colour, 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.”</i>⁵</p> <p>In order to determine whether a particular action is considered to be racial discrimination, the action has to be assessed whether <i>“that action has an unjustifiable disparate impact upon a group distinguished by race, colour, descent, or national or ethnic origin.”</i>⁶</p>

³ International Labour Organisation (ILO), International Organization for Migration (IOM), Office of the United Nations High Commissioner for Human Rights (OHCHR), & Office of the United Nations High Commissioner for Refugees (UNHCR).

⁴ Article 2 (2), Declaration on Race and Racial Prejudice, available here:

<https://www.ohchr.org/en/instrumentsmechanisms/instruments/declaration-race-and-racial-prejudice>

⁵ Article 1, International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)

⁶ CERD, General Recommendation No. 14, paragraph 2. This includes practices that are non-discriminatory in their purpose but have a discriminatory effect. See CERD Concluding Observations on the initial, second and third periodic report of the United States of America, adopted by the Committee during its 59th Session (2001), U.N. Doc. CERD/C/59/Misc.17/Rev.3, on the “the persistence of the discriminatory effects of the legacy of slavery, segregation, and destructive policies with regard to Native Americans.” available at: [http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=A%2f56%2f18\(SUPP\)&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=A%2f56%2f18(SUPP)&Lang=en)

Special Measures

However, special measures such as affirmative action policies are allowed. Affirmative policies are defined “for the purpose of securing adequate advancement of certain racial or ethnic groups or individuals requiring such protection as may be necessary in order to ensure such groups or individuals’ equal enjoyment or exercise of human rights”⁷ and it does not tantamount to racial discrimination provided that such measures do not lead to the creation or maintenance of separate rights for different groups. Affirmative action also must have its predetermined end once the objective has been achieved by the specific target groups.

The United Nations in August 2009 released an explanation note in the form of General Recommendation No. 32, titled “The meaning and scope of special measures in ICERD”, which provides further guidelines and explanations for the implementation of ICERD.⁸ Amongst the conditions for the adoption and implementation of special measures include:

1. Special measures should be appropriate to the situation to be remedied, be legitimate, necessary in a democratic society, respect the principles of fairness and proportionality, and be temporary. The measures should be designed and implemented on the basis of need, grounded in a realistic appraisal of the current situation of the individuals and communities concerned.
 - a. Appraisals on the necessities of special measures should be carried out based on accurate data, disaggregated by race, colour, descent and ethnic or national origin and incorporating a gender perspective, on the socioeconomic and cultural status.
 - b. The conditions of the various groups in the population and their participation in the social and economic development of the country should also be included.

⁷ For further discussion on special measures, see: UN Committee on the Elimination of Racial Discrimination, General Recommendation No. 32, CERD/C/GC/32, 2009, available here:

https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=6&DocTypeID=11

⁸ UN Committee on the Elimination of Racial Discrimination (CERD), General Recommendation No. 32, The meaning and scope of special measures in the International Convention on the Elimination of All Forms [of] Racial Discrimination, 24 September 2009, CERD/C/GC/32, available at: <https://www.refworld.org/docid/4adc30382.html>

	<p>Additionally, such actions “should not lead to the creation or maintenance of separate rights for different racial groups” and “they shall not be continued after the objectives for which they have been taken have been achieved”.</p> <p>As such, special measures should, therefore, be carefully tailored to meet the particular needs of the groups or individuals concerned. If the purported “special measures” do not fulfil the above standards, such actions are deemed to be racially discriminatory.</p>
<p>Xenophobia</p>	<p>There is no internationally recognised legal definition of xenophobia. However, according to the United Nations Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, xenophobia is defined as:</p> <p><i>“behaviour specifically based on the perception that the other is foreign to or originates from outside the community or nation.”⁹</i></p> <p>Xenophobia exists when “individuals are denied equal rights on account of real or perceived geographic origins of the said individuals or groups, or the values, beliefs and/or practices associated with such individuals or groups that make them appear as foreigners or outsiders.”¹⁰</p> <p>Generally, xenophobia implies discrimination based on the perception of the other as foreign or originating from outside a community or a nation.¹¹</p>
<p>The Rabat Plan of Action</p>	<p>The term “incitement to violence” is included in the International Covenant on Civil and Political Rights, in article 20 (2):</p> <p><i>“Prohibition of advocacy of national, racial, or religious hatred that constitutes incitement to discrimination, hostility or violence.”</i></p>

⁹ UN Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Report to the UN Human Rights Council on xenophobia, A/HRC/32/50, 13 May 2016, available here: <https://undocs.org/A/HRC/32/50>

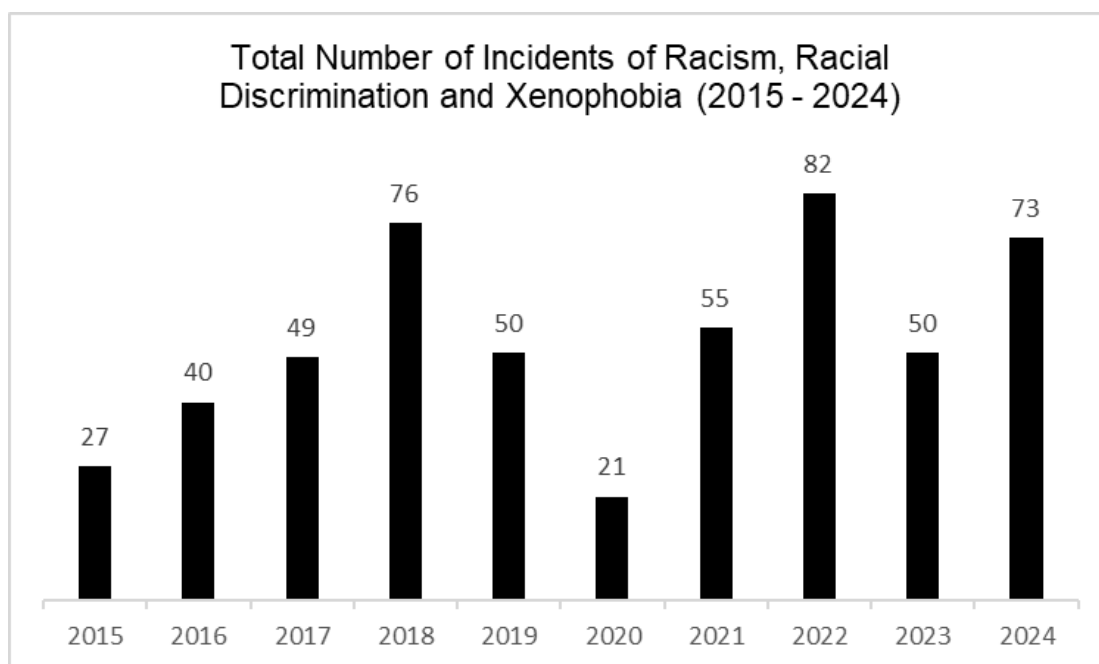
¹⁰ UN Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Report to the UN Human Rights Council on xenophobia, A/HRC/32/50, 13 May 2016, available here: <https://undocs.org/A/HRC/32/50>

¹¹ Inter-Agency (International Labour Office (ILO), International Organization for Migration (IOM), and Office of the United Nations High Commissioner for Human Rights (OHCHR), in consultation with UNHCR), International Migration, Racism, Discrimination and Xenophobia, August 2001, available at: <http://www.refworld.org/docid/49353b4d2.html>, page 2

	<p>Acts that constitute incitement to violence can include any communication that encourages violence against an individual or group. Incitement can take various forms, including political speeches and flyers, media articles, social media communications and visual arts products.</p> <p>Hate speech may suggest that the person or group - it is usually groups - is inferior and that they should be excluded or discriminated against on this basis including, for example, by limiting their access to education, employment or political positions. Notably, incitement to violence differs from "hate speech". While all incitement to discrimination, hostility or violence is hate speech, not all hate speech constitutes incitement. While there is no legal definition of "hate speech", and the characterisation of what is "hateful" is subjective, hate speech is normally defined as any kind of communication in speech, writing or behaviour, that denigrates a person or a group on the basis of who they are, in other words based on their religion, ethnicity, nationality, race or other identity factor. ¹²</p>
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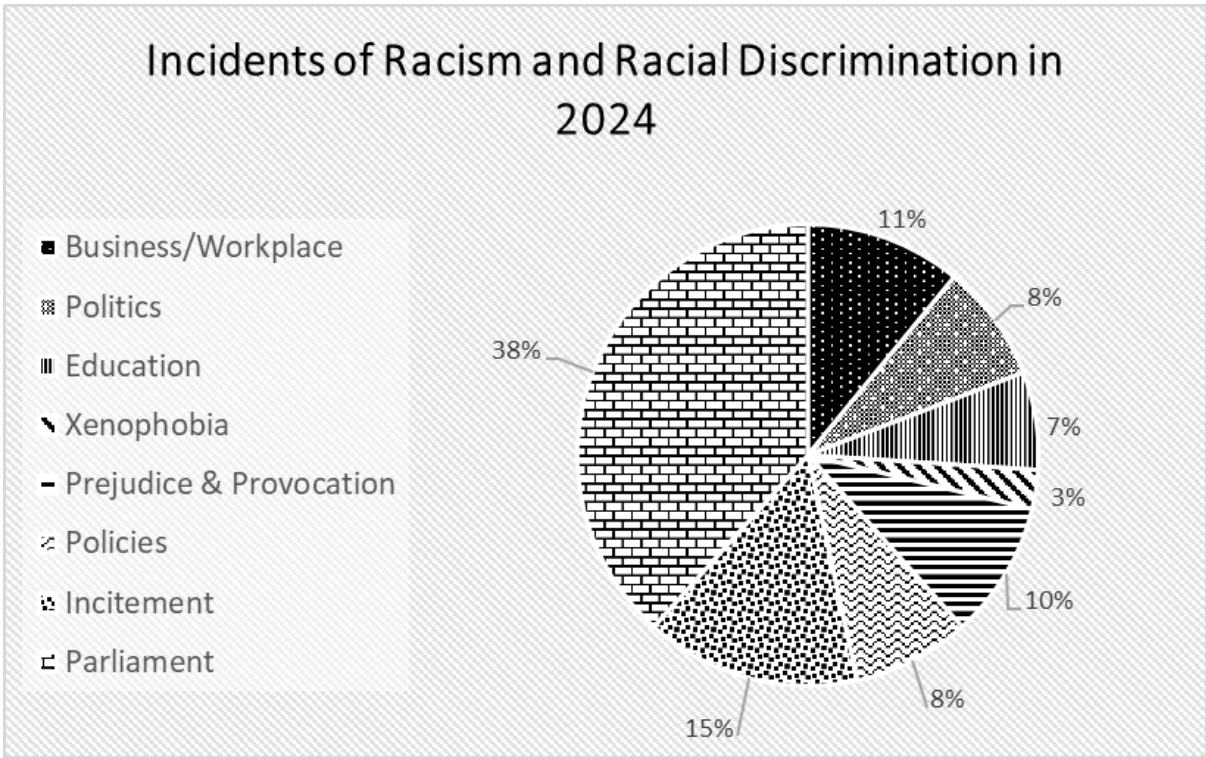
¹² United Nations Office on Genocide Prevention and the Responsibility to Protect, Plan of Action for Religious Leaders and Actors to Prevent Incitement to Violence that Could Lead to Atrocity Crimes, available at <https://www.un.org/en/genocideprevention/documents/Plan%20of%20Action%20Advanced%20Copy.pdf>

Incidents of Racism and Racial Discrimination

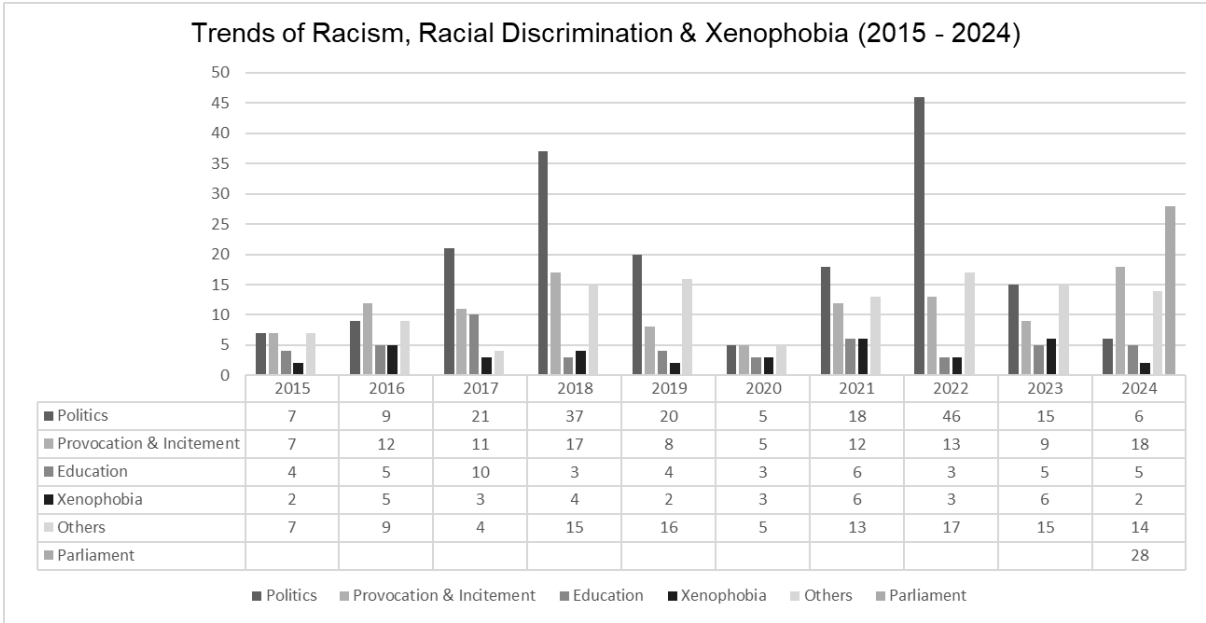


Graph 1: Total Number of Incidents of Racism, Racial Discrimination and Xenophobia from 2015 to 2024

In 2024, a total of seventy-three (73) incidents were identified as racism, racial discrimination or xenophobia (refer to Graph 1). Incidents which demonstrated similar themes were grouped together and categorised into trends. Compared to 2023, there has been an increase in the total number of incidents reported. However, this is mainly because Pusat KOMAS has added a new category of Racial and/or Religious Discrimination in Parliament that constitutes the highest number of cases reported this year (38%). Next, Pusat KOMAS has also separated a new section on Racial and/or Religious Incitement (15%) which used to be together with Racial and/or Religious Expressions of Prejudice and Provocation (10%) due to the severity of incitement incidents over the year of 2024. In addition, there are Racial and/or Religious Discrimination in Business/Workplace (11%), Racial and/or Religious Discriminatory in Policies (8%), Racial and/or Religious Discrimination in Politics (8%), Racial and/or Religious Discrimination in Education (7%) and Xenophobia (3%).



Graph 2: Trends of Racism, Racial Discrimination and Xenophobia in 2024
 (Note: 'Others' category includes Policy, Sports, Employment, Business, Media, and Rental Market)



Graph 3. Number of incidents recorded in each year on the trend of racism, racial discrimination, and xenophobia. (Note: 'Others' category includes Policy, Sports, Employment, Business, Media, and Rental Market)

Over the past decade, incidents of racism, racial discrimination, and xenophobia have continued to surface across Malaysia. While media monitoring in 2024 recorded a relatively lower number of cases compared to previous years, this does not necessarily indicate a decline in racial issues. Instead, the expansion of Pusat KOMAS' monitoring efforts to include the parliamentary sphere revealed a significant number of racist incidents within political discourse, contributing to the overall count.

Additionally, despite the lower number of recorded cases, the nature of these incidents has become more intense and deeply racialized. Some cases escalated to acts of violence, and many took prolonged periods to de-escalate. This suggests that while fewer incidents were documented, their impact and severity were greater, indicating a worrying trend in the persistence and intensity of racial tensions in the country.

Racial and/or Religious Discrimination in Politics

Date	Incidents
10/02/2024	UMNO is against Kampung Baru Cina to be nominated as UNESCO heritage because it threatens the harmony and it is also against the Federal Constitution that recognised only bumiputera as the son of the soil. ¹³
10/03/2024	UMNO objected to Bak Kut Teh as national heritage food as it touched race and religious sensitivities. ¹⁴
11/03/2024	UMNO Youth chief alleges that Urimai leader Prof. Dr. P. Ramasamy was drunk when the latter commented that racial polarisation stems from political institutions. ¹⁵
18/07/2024	UMNO Youth Chief, Dr. Akmal Saleh slandered YB Teresa Kok with racist remarks over Halal Certification issue despite being opinionated from an economic perspective. ¹⁶
06/08/2024	PAS Terengganu bans women singers in temple, justifying their action by telling DAP that it's the majority rights ¹⁷
13/09/2024	PAS deputy president Tuan Ibrahim accused using vernacular languages such as Mandarin and Tamil will spark bad assumptions among the Malays. ¹⁸

In 2024, cases of racial discrimination in politics were seen to be reduced. Despite the reduction, the reality on the ground indicates that there is still a fragment of politicians that uses the race card for their political mileage. Among others, issues such as the economy, education and other social issues form the crux of their racial divisive agenda. Sadly, racism and racial discrimination sells. Politicians are fully apprised of this fact which has been the reason why they latch on to these issues whenever they wish to garner support from the general public. Throughout Pusat KOMAS' racism report over the years, we have observed that the incidents of racism and/or racial discrimination soar during the election period.

¹³ 'Tiada Keperluan Wujudkan Kampung Baru Cina Sebagai Tapak UNESCO - Mohamad Hasan | Astro Awani'

<<https://www.astroawani.com/berita-malaysia/tiada-keperluan-wujudkan-kampung-baru-cina-sebagai-tapak-unesco-mohamad-hasan-457698>>

¹⁴ 'UMNO Putrajaya Bantah "bak Kut Teh" Disenarai Makanan Warisan Negara | Astro Awani'

<<https://www.astroawani.com/berita-politik/umno-putrajaya-bantah-bak-kut-teh-disenarai-makanan-warisan-negara-461714>>

¹⁵ "'Are You Drunk?', Umno Youth Chief Chides Ramasamy for Racial Polarisation Comment [NSTTV]

<<https://www.nst.com.my/news/politics/2024/03/1024027/are-you-drunk-umno-youth-chief-chides-ramasamy-racial-polarisation>>

¹⁶ Mohammad Khairil Ashraf Mohd Khalid, 'Akmal "belasah" Teresa Kok Isu Sijil Halal' (*Harian Metro*, 7 September 2024)

<<https://www.hmetro.com.my/mutakhir/2024/09/1131462/akmal-belasah-teresa-kok-isu-sijil-halal>>

¹⁷ FMT Reporters, 'Respect Majority's Rights, DAP Told over Ban on Women Singers at Temple' (*Free Malaysia Today* | FMT, 6 August 2024)

<<https://www.freemalaysiatoday.com/category/nation/2024/08/06/respect-majoritys-rights-dap-told-over-ban-on-women-singers-at-temple/>>

¹⁸ FMT Reporters, 'Police Report Lodged against Tuan Ibrahim over Remarks on Non-Malay Languages' (*Free Malaysia Today* | FMT, 13

September 2024)

<<https://www.freemalaysiatoday.com/category/nation/2024/09/13/police-report-lodged-against-tuan-ibrahim-over-remarks-on-non-malay-languages/>>

To expound on the above, we refer to the incident involving UMNO's opposition to Kampung Baru Cina's UNESCO nomination. According to UMNO, they claim that it threatens national harmony and contradicts the Federal Constitution, which prioritises Bumiputera as the "sons of the soil." The position taken by UMNO, who led the nation for some 60+ years is erroneous as it negates the historical recognition for Chinese settlements. UMNO's position also reinforces the perception of a racial hierarchy in which only the Malay heritage is deemed worthy of preservation. This is far from the spirit of 1 Malaysia their government preached more than a decade before.

UMNO once again was spotlighted on 10th March 2024 where they objected to Bak Kut Teh as a national heritage food based on its Chinese origins and association with non-halal ingredients, dismissing the multicultural reality of Malaysia's food heritage. Under the unfounded pretext of race and religious sensitivities, UMNO excludes non-Malay cultural elements from national recognition, despite the existence of halal versions of the dish.

Pusat KOMAS takes cognisance that UMNO is a Malay-centric party ,thus, protecting the interest of the Malay community is of paramount interest to them, especially when the Malay Muslims are making up the largest population in the country. Whilst the bah kut teh topic may be frugal, it should be noted that even if UMNO is genuine in their pursuit to preserve the cultural and religious sensitivities of the Malays, they must be minded that a balance must be struck due to Malaysia's diversity and any "preservation" must not hamper the interest of other faith and/or beliefs.

However, the two cases above reflect a broader pattern on ethnocentric nationalism, where Malay-Muslim culture is prioritised as the defining identity of the nation while contributions from other communities are sidelined. Ethnocentric nationalism differs from "preserving" or "protecting the interest" of a cross section of society as it is based on the idea that a nation should be defined by a specific ethnic group which promotes the dominance of one group against another (majority vs minority). This systemic racial exclusion limits Malaysia's ability to embrace its full cultural diversity but instead reinforces institutional discrimination against non-Malay communities.

Our exploratory media searches have also indicated that certain politicians leverage their position and influence to impose their beliefs to other people of different belief or faith. Similar to our finding above, under the pretext of "protecting a certain group of people", lawmakers start to limit and/or prohibit certain groups, predominantly minority groups, from freely exercising their cultural and religious freedoms. One such example is in Terengganu where a ban on female singers performing in temples was imposed. This reported case is worrying for numerous reasons but one in particular would be the justification given by PAS Terengganu where they have stated that it was done simply because it is the majority's right.

The position taken by the PAS-led Terengganu government is flawed as it infringes upon the fundamental liberties afforded to all in the Federal Constitution (FC). Objectively, there is no purported law nor rule in the FC nor any enacted laws that enables such an action from the Kuala Terengganu City Council. The guideline issued by the City Council which was used to enact this ban is, in itself, discriminatory in nature as it shifts responsibility towards the organisers to protect Muslim sensitivities despite being organised for temple-goers of Non-Muslim faith. This is one of many instances wherein politicians, especially from PAS, stretch the definition of Article 153 of the FC - the special position of the Malays - to enact majoritarian rules over a Malaysian society which is extremely nuanced and diverse.

In addition, PAS Terengganu, through their justification, is setting a dangerous precedent. This is because if every state or locality adopts such a position, we would see major infringements of the freedoms of minority communities in said regions. Malaysia's complex history sees ethnic and religious distributions to be varied across localities, the most obvious examples being in East Malaysia. In fact, Malaysia does not exist with this reality in isolation. Communities across the world, especially post-colonial societies not just respect, but embrace the diverse makeup of their community. Malaysia was founded on these principles of acceptance as well. Hence, this wayward position adopted has to be curbed and has no place in modern Malaysia.

Despite the year being 2025 (2024 is when this report was produced), politicians have also actively resorted to cheap tactics such as prejudiced and racist remarks to undermine people of other races especially from different parties. This can be seen when UMNO Youth chief, Dr. Akmal Saleh claimed that Dr. P.Ramasamy was drunk when he mentioned that racial polarisations stem from political institutions. This remark is frowned upon because it belittles and discredits a legitimate racial issue while reinforcing negative stereotypes regarding the Indian community, particularly the association with alcohol. For many years, Malaysia has struggled to shrug the burden of combatting casual racism and this is steeped institutionally due to stereotypes associated with individual race and ethnicities.

The root of the matter as raised by Dr. Ramasamy revolves around maintaining vernacular education. Instead of addressing that issue, Dr. Akmal instead made an insensitive remark - which qualifies as casual racism - against Dr. Ramasamy. Whilst his intention of uttering those words remains unclear, such unsubstantiated statements remain unwelcome as this inadvertently normalises casual racism. The Rabat Plan of Action classifies the statement made by Dr. Akmal as one with the tendency of perpetuating hate speech, which in this instance takes up the form of racism. Taking into account Dr. Akmal's stature as a prominent political figure, this increases the impact of his statement in influencing others. In a separate incident, Dr. Akmal Saleh also called Teresa Kok a '*Nyonya Tua*' (old Chinese woman) when the issue of halal certification was sensationalised. Dr. Akmal's repeated behaviour in

hurling racial insults could only lead to the assertion that his actions were intentional and does not stem from him being misinformed.

Lastly, PAS deputy president Tuan Ibrahim has accused the use of other languages other than Malay and English will cause distrust in the Malay communities. He mentioned that the justification is because the Malays could not understand the language. At this juncture, it is worthy to note that Malaysia is home to approximately 137 languages. This statement by Tuan Ibrahim falls short from being reasonable and seems to disregard the use of mother tongue language of other races and ethnicities in Malaysia. Besides that, if there is some resemblance of truth in Tuan Ibrahim's statement, that the Malays will not be able to understand other languages, thus sowing distrust, Tuan Ibrahim should be informed that there is an increase in the enrolment of Malay students to vernacular schools over the years. Thus, a generation of young Malaysians that are multilingual are being nurtured and their comprehension will negate the 'distrust' he purports.

In addition to the above, his statement is also contrary to provision in Article 152 of the Federal Constitution where it protects the right to practice other languages.

Racial and/or Religious Discrimination in Business/Workplace

Date	Incidents
16/01/2024	Property agent discriminated an Indian girl after revealing her ethnicity while house hunting ¹⁹
02/02/2024	A water recreation park limits their customers only for the Muslims. ²⁰
13/02/2024	Ice cream seller refuses to sell ice cream to Indian family in Pantai Remis, but sells ice cream to Malay family instead ²¹
25/03/2024	Perkasa President, Syed Hassan Syed Ali has threatened to rally the Malays in boycotting Petronas if they do not hire contractors among the Malays. ²²
10/05/2024	Darsa Fried Chicken Facebook admin sparks racial controversy by saying Type C (Chinese community) is sabotaging the business. ²³
22/07/2024	Auto Abundance Sdn Bhd dismissed an employee using the race card and has been castigated in the industrial court. ²⁴
27/09/2024	An Indian grab car rider received unfavorable treatment from a Pizza Hut outlet every time picking up food, compared to other grab riders of different ethnicity. ²⁵
17/11/2024	A campaign through WhatsApp for the Bar Council Election was seen in promoting 15 Malays and only 1 Chinese. ²⁶

¹⁹ 'Malaysian Property Agent Fired after Viral Post Exposed Discriminatory Remarks, Later Issues Public Apology via Video' (Yahoo News, 16 January 2024)

²⁰ 'Water Recreation Park Raises Eyebrows with "Strictly for Muslims" Policy | Malaysia | The Vibes'

<<https://www.thevibes.com/articles/news/100827/water-recreation-park-raises-eyebrows-with-strictly-for-muslims-policy>>

²¹ '#NSTviral: Ice Cream Vendor Refuses to Sell Ice Cream to Children, Another Family Steps in and Buy for Them [Watch]'

<<https://www.nst.com.my/news/nst-viral/2024/02/1012693/nstviral-ice-cream-vendor-refuses-sell-ice-cream-children-another>>

²² Adeline Leong, 'Perkasa President Threatens One Week Petronas Boycott If They "Don't Help Malay Contractors" | TRP'

(<https://www.therakyatpost.com/>, 25 March 2024)

<<https://www.therakyatpost.com/news/2024/03/25/perkasa-president-threatens-one-week-petronas-boycott-if-they-dont-help-malay-contractors/>>

²³ 'Under Fire for Racist "Type C" Comment, Fried Chicken Brand Blames FB Admin and Reassigns Her | Malay Mail'

<<https://www.malaymail.com/news/malaysia/2024/05/10/under-fire-for-racist-type-c-comment-fried-chicken-brand-blames-fb-admin-and-reassigns-her/133575>>

²⁴ 'Industrial Court Castigates Firm for Using Race Card to Dismiss Employee' <<https://www.malaysiakini.com/news/712726>>

²⁵ Report obtained from the KOMAS Report Racism Office Phone Number

²⁶ FMT Reporters, 'Lawyer Slams WhatsApp Campaign Promoting 15 Malay Candidates, 1 Chinese in Bar Election' (*Free Malaysia Today* | FMT, 17 November 2024)

<<https://www.freemalaysiatoday.com/category/nation/2024/11/17/lawyer-slams-whatsapp-campaign-promoting-15-malay-candidates-1-chinese-in-bar-election/>>

As a developing nation, Malaysia is a growing business hub for both locals and foreign workers. The prospects of a stable income and a brighter future, particularly in the urban regions have caused a surge in the younger generations moving to big cities. The causal effect of this migration results in certain city centres becoming a melting pot for a diverse congregation. However, where there is beauty that lies in the purported migration, there are also instances where this melting pot becomes the root of racist tendencies and behaviour. Sadly, this is depicted vastly in the working scene as well regardless of it being the private nor the public sector.

Based on reported cases, we have found that there is an increase of incidents in the business and industry sector. There are specific incidents that were captured wherein business owners try to create an exclusive market for a particular race in order to appease a particular market. This is akin to the "BMF" slogan that was highlighted by Pusat KOMAS in our report in the past. This practice is distasteful because it reinforces division and segregation in the market while also creating unfair opportunities in terms of hiring, promotions and partnerships. At this juncture, it is important to note that market exclusivity is not prohibited entirely, but it must be justified. For example, if a vendor is selling pork, thus, they advertise a job specifically only to the non- Malays, this is justified as the advertisement bears into consideration that pork (either handling or consuming) is haram in Islam and as such, there is a need for an exclusive market.

In one reported case, a water recreation park was only limited to Malay patrons. In hindsight, water recreation parks are deemed to not infringe any religious law nor rules. As such, by limiting the market to a particular race and/or religion, it connotes discrimination. For countless generations, Malaysia was built on trust and camaraderie amongst its people. Malaysian households used to share salt and cooking ingredients without fear or favour. Even in 2024, a water theme park is being subjected to racial exclusivity. The case above is even more perplexing as it is evident that the rule discriminates against any other beliefs or race, especially given that Muslims are defined as Malays in Malaysia. Non-Muslims and non-Malays were denied entrance to the park simply on the basis of their religion and/or race, despite the fact that the waterpark is not a religious establishment, which may excuse the discriminating policy (see prohibition based on exclusive market above).

Incredibly, for all the wrong reasons, Malaysians in particular would refer to "USB" or "Type C" as charging cables for their electronic devices. However, in one case, DarSa Fried Chicken ("DFC") took the definition to a different level. In their opening promotional campaign, DFC took the limelight as its social media account branded the Chinese as 'Type C' and further blamed them for bringing down their business. This unfounded fear mongering is unnecessary in order to promote one's business. For a F&B company, the rule is simple: if the food served is of good quality coupled with the right price, the business will flourish.

Although there was no mention of race in the Facebook post, the insinuation is clear and was quickly picked up by netizens. The business admin page shamelessly attempted to blame Chinese in order to win support and customers from the Malay Muslim community. Both situations demonstrated the unnecessary leverage of race and/or religion in the business sector when services and products can be enjoyed jointly.

On another occasion, racism was also practised when certain prejudices became normalised in the community. An example was seen in the case of an Indian girl who was discriminated against by a property agent after revealing her ethnicity while house hunting. It was clearly pictured that the property agent was discriminating against the girl by her race when her ethnicity became the turning point for the property agent to reject her tenancy request. Race should never be a requirement as it is discriminatory, unethical because everyone deserves an equal access to housing. There may be a school of thought that believes that perhaps there could be some leniency to this practice as some homeowners may have had a bad experience with a tenant before. However, Pusat KOMAS takes the position that the act of one person or a group of people should not define the entire race. Malaysians must be reminded that whilst at home (in Malaysia) they may defend or justify such racist practices, they cannot then cry foul when their spouses, kids and/or any relative is discriminated against abroad, due to the very same reason, their race.

Similar to the case of an ice cream seller refusing to sell ice cream to the Indian family. This incident is particularly alarming because the livelihood of the ice cream seller depends on sales. However, the purported ice cream seller is willing to forgo his livelihood due to the racist belief he/she may have against a particular ethnic group. This proves that racism does extend through all parts of lives, affecting a huge number of people that become victims in Malaysia.

In another example, there is a case of the Perkasa President threatening to boycott Petronas if they do not help Malay contractors. First and foremost, Petronas is a government-linked company and it was not included under Article 153 as a special position for only Bumiputera to be hired as subcontractors. Hence, the phrase to 'help' the Malays is an indirect way of indicating to Petronas that they should discriminate against people of different races is a clear act of racial discrimination. Besides that, this is also an instance whereby the special position is abused. Whilst affirmative action is permitted, (refer to Article 2 of ICERD), this is not a situation that warrants the need for an affirmative action. For brevity, the purpose of an affirmative action is to assist groups that are marginalised to be on an equal footing with the rest of their peers. If a Malay contractor is capable of competing for a tender from Petronas, it would be difficult to defend that the contractor would need a form of "assistance". To permit such a request as per Perkasa would prevent other possible contractors of better merits and qualifications to be taken as contractors hence limiting the growth of their business and economic advancement.

Not only that, the industry has also been practicing the action of “attacking” the race of an individual in justifying their action in dismissing their employees. In a reported case that is ongoing in court, the employer has written a racially-charged statement against the employee after the employee was dismissed. The statement was even rejected by the court due to its racial element. This is akin to a situation in promotion, where instead of promoting the merits of the candidates, race has been used to promote certain candidates for promotion or title. This can be seen in the recent Bar Council election where a WhatsApp message that was circulated was seen to promote certain races. Although denounced by various members, we take the position that race and religion should not creep into any elections be it the Bar Council Elections or a General Election as it would cause segregation and hamper the efforts of deserving candidates.

Racial and/or Religious Expressions of Prejudice and Provocation

Date	Incidents
15/01/2024	Dr Mahathir claimed Malaysian Indians are not loyal to the country. ²⁷
24/05/2024	Chef Wan has commented on a drawn similarity of the famous Indian Actress' dress, Aishwarya Rai, to a Thaipusam Kavadi. ²⁸
22/08/2024	A Malaysian Actress, Izara Aishah has used the term 'jakun' to describe a demeaning expression. ²⁹
25/8/2024	Unknown viral videos claiming that there are no Indians but only Tamils circulated in social media. ³⁰
03/09/2024	Fake news on Palestinian flag flypast during Malaysian Independence day and a welcome greeting in Chinese language was meant to spread hate. ³¹
30/09/2024	A Chinese influencer interrogated an Indian Masala Tea seller by calling out racist names such as 'Type B' and made prejudiced comments on paying tax. ³²
13/11/2024	A Dayak footballer, Tommy Mawat Bada was attacked on social media with racial slurs after an on-pitch altercation between him and JDT player, Arif Aiman. ³³

Racial prejudice refers to a preconceived opinion or judgment about someone based on their race or ethnicity. It often involves negative stereotypes, discrimination, or bias, where individuals are treated unfairly or unequally due to their racial background. Provocation on the other hand refers to an action or behavior that causes someone to react strongly, often in a way that might be considered unreasonable or excessive.

²⁷ 'Ex-PM Dr Mahathir Receives Backlash over Comments on Malaysian Indians' (*Marketing-Interactive*, 15 January 2024)

<<https://www.marketing-interactive.com/dr-mahathir-backlash-indian-malaysians>>

²⁸ 'Chef Wan Slammed for "Racist" Comment on Aishwarya Rai's Dress at Cannes'

<https://newswav.com/article/chef-wan-slammed-for-racist-comment-on-aishwarya-rai-s-dress-at-cannes-A2405_JXfMWM>

²⁹ NUR AL-FAIRUZA SYARFA NOR SAIDI, 'Sebab terma "jakun", Izara Aish

ah dituduh hina suku kaum Orang Asli' (*Kosmo Digital*, 22 August 2024)

<<https://www.kosmo.com.my/2024/08/22/sebab-terma-jakun-izara-aishah-dituduh-hina-suku-kaum-orang-asli/>>

³⁰ FMT Reporters, 'Groups Urge Probe on Videos Claiming There Are No Indians, Only Tamils' (*Free Malaysia Today* | FMT, 25 August 2024)

<<https://www.freemalaysiatoday.com/category/nation/2024/08/25/groups-urge-probe-on-tiktok-videos-claiming-only-tamils-are-indians/>>

³¹ 'Two Fake News, Two Target Audiences, One Root Cause, DAP MP Says' <<https://www.malaysiakini.com/news/717971>>

³² 'Sam Lim on TikTok' (*TikTok*) <https://www.tiktok.com/@samlimmmm/video/7420303948394827028?_r=1&_t=8qBZgHN9LBE>

³³ 'Sarawakian Footballer Slams Online Racist Trolls'

<<https://thesun.my/sport/don-t-dayak-me-sarawakian-footballer-slams-online-racist-trolls-F113285527>>

Sadly, in Malaysia, racial prejudice and provocation has been used to undermine people of different races. In today's world, social media has made it much easier to spread messages and hate without limits on time or audience. This platform not only amplifies sensational and divisive content but also influences public opinion through misleading narratives about race and religion.

Our exploratory report evinces provocative statements, such as Dr. Mahathir's claim that Malaysian Indians are not loyal to the country, stem from baseless accusations and are clearly intended to incite racial tensions among Malaysians. Such remarks not only undermine Malaysian Indians but also reflect deep-seated prejudices against them. Similarly, Malaysian actress Izara Aishah sparked controversy when she publicly used the word jakun on her "X" platform. Despite widespread criticism highlighting that jakun refers to an Orang Asli tribe and carries demeaning connotations, Izara defended her usage, citing its presence in the dictionary. Her provocative stance further fueled racial debates in the social media sphere.

Other examples include the spread of fake news, such as the false claim that a Palestinian flag flypast took place during Malaysia's Independence Day celebration and the controversy over a welcome greeting in Chinese. These incidents fueled unnecessary fear and suspicion, causing certain racial groups to feel threatened by others. Likewise, viral videos falsely asserting that there are no Indians, only Tamils, not only insulted the Indian community but also erased its rich diversity, ignoring ethnic groups such as Malayalees and Telugus. Such misinformation not only provokes anger but also poses a greater risk by misleading those unfamiliar with the diverse identities within the Indian community, further deepening racial misunderstandings and divisions.

In another reported incident, Chef Wan, a prominent celebrity chef faced backlash for his comment on Aishwarya Rai's dress, where he compared the celebrity's outfit to a Thaipusam kavadi. While he claimed it was a harmless joke, the remark was widely criticised for being insensitive, as it trivialised a deeply religious and culturally significant tradition. Reducing a sacred ritual to mere aesthetics not only disrespects the beliefs of the Hindu community but also perpetuates a dismissive attitude toward religious practices. Such comments reinforce the normalisation of making faith-based customs the subject of ridicule, which can contribute to a broader culture of ignorance and insensitivity. Even if unintentional, dismissing religious symbolism as comedic undermines the respect that should be given to diverse cultural expressions.

The role of an influencer has gained significant popularity, leading many individuals to engage in content creation to capture public interest and earn a livelihood. However, many fail to realise that the world of content creation comes at the expense of a heavy responsibility as these “content creators” are looked at as role models by many young aspirants.

For example, in one reported incident, influencer 'Sam Lim,' who approached an Indian Masala Tea vendor using derogatory labels such as 'Type B' and 'Type I' were spotlighted as his gestures and statements in the video did not only make the tea vendor uncomfortable, but, also Malaysians at large when they watched his video. To add salt to the already distasteful behaviour of his, he continues to question the tea vendor of unethical behavior, including tax evasion. Despite Malaysians coming to the aid of the tea vendor in criticising Sam Lim's content, the reality is that many contents displayed on mass media goes unchecked. As stated above, the content creation industry wields significant influence, and content that demeans individuals contributes to the proliferation of hate speech and negativity within society. It will not only incite racial intolerance but also foster disharmony among individuals, exacerbating stereotypes and prejudices as it normalises the usage of derogatory slurs and demeaning languages against fellow human beings.

Racial and/or Religious Discriminatory Policies

Date	Incidents
20/03/2024	A woman was stopped from entering a hospital due to wearing shorts ³⁴
25/06/2024	SPM top scorers among the non-bumis have voiced out their frustration over rejection on entering the matriculation. ³⁵
18/07/2024	The state government has burned and demolished Sabah's Bajau Laut houses. ³⁶
12/08/2024	ISMA claimed ICERD is a formula for failure that is brought to our country. ³⁷
26/11/2024	Kuala Lumpur City Hall (DBKL) has enforced a law on all advertisement required Malay languages, however targets were seen only against the Chinese signage. ³⁸
27/12/2024	PAS youth, Khairul Nadzir has called out Nga Kor Ming for having Christmas Celebration in the government office. ³⁹

Malaysia's legal and political framework has long been shaped by racial and religious considerations, with policies that sometimes lead to discrimination against certain groups. These policies, while often justified as measures to protect national unity and economic balance, have sparked debates about fairness, equality, and social cohesion. However, Pusat KOMAS takes cognisance of the realities in Malaysia that sometimes, these policies and/or rules are over stretched. Oftentimes, these are actions of little Napoleons that go beyond law and order in order to justify their racist practices.

The above is coupled with certain shortcomings i.e. the lack of concrete and clear regulations and policies that eliminate racial discrimination. On the other hand, policies that are meant to empower marginalised groups have been misused and exploited by certain groups of people for wealth and power.

³⁴ Carol Yong [@carolyong], 'Hey @DrDzul @KKMPutrajaya @HRHJohorII I'm Wondering Why Guards at Hospital Sultanah Aminah Blok D Refused Me Entry on the Basis of Me Wearing Shorts (Skimming the Knee) despite Me Making It Clear the Docs Were Requesting My Immediate Presence? I Thought We Settled This? (1/n) <https://t.co/ydfwuMBUie>' <<https://x.com/carolyong/status/1770280756574875807>>

³⁵ K Parkaran, 'Matriculation Heartbreak Has Begun for SPM Top-Scorers' (*Free Malaysia Today* | FMT, 25 June 2024) <<https://www.freemalaysiatoday.com/category/opinion/2024/06/25/matriculation-heartbreak-has-begun-for-spm-top-scorers/>>

³⁶ 'Sabah's Bajau Laut Hang by a Thread after Mass Evictions' <<https://www.malaysiakini.com/news/712307>>

³⁷ Media ISMA, 'ICERD Adalah Formula Gagal Yang Mahu Diimport Ke Dalam Negara Kita.' (*ISMA*, 12 August 2024) <<https://isma.org.my/icerd-adalah-formula-gagal-yang-mahu-diimport-ke-dalam-negara-kita/>>

³⁸ 'Clampdown on Chinese Signboards in Kuala Lumpur Sparks Debate amid Push for Tourism Dollars | The Straits Times' <<https://www.straitstimes.com/asia/se-asia/clampdown-on-chinese-signboards-in-kuala-lumpur-sparks-debate-amid-push-for-tourism-dollars>>

³⁹ 'Sambutan Krismas Di Pejabat Kerajaan Tidak Wajar - Pemuda Pas - Sinar Harian' <<https://www.sinarharian.com.my/article/704137/berita/politik/sambutan-krismas-di-pejabat-kerajaan-tidak-wajar---pemuda-pas>>

For example, to expound on the issues raised pertaining to the actions of Little Napoleons, Pusat KOMAS has captured an incident involving a woman being denied entry to a hospital based on her selected pair of shorts highlights a significant flaw within the system that permits such occurrences to persist. A hospital serves as an institution where people's lives are prioritised above all else, regardless of their race, religion, or attire. Therefore, the regulation mandating individuals to adhere to a particular dress code when visiting the hospital is unwarranted. Although in 2023, the health minister, Dr. Dzulkefly Ahmad has responded to similar cases with a statement saying that the health ministry is always focused on better services and not dress code, the same case is still happening in 2024. This raises the added concern pertaining to the implementation of policies given that a directive was issued by the Health Ministry.

Malaysia was also shocked by the eviction of Sabah's Bajau Laut people. Although they have been living in Malaysia for generations, the Bajau Laut tribe is still not recognised as Malaysian citizens. Due to the lack of recognition by the government and lack of support in education and economy, they are mostly living in poor and dilapidated conditions. Adding more to their misery, the government has been evicting them from their houses, leaving them disempowered, resulting in more serious cases of poverty and exploitation. This policy on citizenship must be improved and people of Bajau Laut must be helped, educated, empowered and protected by the government.

The matriculation quota has long been a source of disappointment and frustration for non-Bumiputera students. It is deeply discouraging that a child's chance to pursue matriculation is determined by race rather than merit, even when they have excelled academically. This system not only denies deserving students a fair opportunity but also reinforces racial divisions among the youth. Experiencing such disparities at a young age may lead them to internalize the belief that their country prioritizes one race over another, fostering a sense of exclusion and disillusionment that could have long-term consequences for national unity.

Similarly, the policy requiring Bahasa Malaysia on Chinese-language signboards is not only unnecessary but also impractical, particularly when many brand names have no direct translation. The enforcement of this rule has disproportionately targeted Chinese restaurants with Chinese-language signage, while larger brands that do not comply seem to escape scrutiny. If the rule is meant to apply to all, its selective implementation raises concerns about bias. Singling out Chinese-language signboards appears arbitrary, especially when these businesses cater primarily to non-Malay Muslims. This enforcement can be perceived as an attempt to impose Malay cultural elements rather than a genuine effort toward inclusivity.

PAS Youth's condemnation of Christmas celebrations in government offices highlights a troubling double standard. As a multicultural nation, Malaysia embraces a variety of religious and cultural festivities throughout the year. In workplaces and diverse communities, acknowledging and celebrating these occasions is not an act of religious imposition but rather a reflection of national unity and mutual respect. Suppressing such celebrations contradicts the values of harmony and inclusivity that Malaysia strives to uphold.

Additionally, Malaysia has yet to ratify the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), which serves as a global framework to ensure the eradication of racial discrimination within national institutions and systems. The recent proposal by the new SUHAKAM Chair to sign ICERD has sparked opposition from ISMA, a group that has published misleading information to denounce the initiative. Their claims suggest that ratifying ICERD would threaten the status of royalty, the special position of the Bumiputera, and the recognition of Islam as the religion of the federation—despite a lack of thorough understanding of how the convention actually functions. The spread of such misinformation must be addressed, as it further perpetuates the deep-rooted issue of racial discrimination in Malaysia.

Racial and/or Religious Discrimination in the Education Sector

Date	Incidents
05/03/2024	Prof Teo Kok Seong claimed that Chinese schools propagate racism. ⁴⁰
09/03/2024	UMNO Youth, Dr Akmal Salleh has called for assessment on the vernacular system that is believed to be the source of separation and segregation in Malaysia. ⁴¹
13/03/2024	Head of Dewan Ulama PAS Pusat claimed the open canteen in school during Ramadan is an over reaction that disrespect the holy month. ⁴²
11/06/2024	Firdaus Wong preached conversion among non-Muslims students by advising them to hide their conversion from their parents. ⁴³
06/10/2024	Dewan Muslimat PAS Malaysia (DMPM) has urged for the government to increase BM courses for Chinese and Indian teachers, citing that they still lack literacy for the Malay language. ⁴⁴

Racism in education has remained a pressing issue in recent years, particularly in the regulation of students' attire, as well as discrimination in sports and the curriculum. However, in 2024, this issue escalated due to the actions and rhetoric of those in power within the education sector.

One of the most contentious debates in 2024 has been the repeated political discourse surrounding vernacular schools. Certain politicians have argued that these schools contribute to racial divisions, claiming that all languages should instead be integrated into the national curriculum across all Malaysian schools. Such statements not only disregard the historical and legal recognition of linguistic diversity in Malaysia but also unfairly target non-Malay communities. Meanwhile, opposition parties have criticized the education minister's decision to allow school canteens to operate during the fasting month, indirectly pressuring non-Muslim students to adhere to practices that are not required of them. These remarks reflect an ongoing attempt to marginalise non-Malay and non-Muslim students, despite Malaysia's long-standing principles of religious and cultural coexistence.

⁴⁰ "Chinese Schools Sow Racism": Prof Doubles down, Says Teresa in Denial' <<https://www.malaysiakini.com/news/698279>>

⁴¹ 'Umno Youth Calls for Review of Vernacular Education System amid Rising Ethnic Tension' <<https://www.nst.com.my/news/nation/2024/03/1023469/umno-youth-calls-review-vernacular-education-system-amid-rising-ethnic>>

⁴² "Saya Tidak Mahu Pelajar Bukan Islam Makan Di Stor, Tempat Tidak Wajar" <<https://www.bharian.com.my/berita/nasional/2024/03/1223152/saya-tidak-mahu-pelajar-bukan-islam-makan-di-stor-tempat-tidak-wajar>>.

⁴³ "Kerajaan Tak Boleh Terus Berdiam Diri Isu Firdaus Wong" <<https://www.malaysiakini.com/news/708444>>

⁴⁴ Yusman Awang, "Guru-Guru Cina, India Yang Perlukan Kursus Bahasa Melayu" (*Harakahdaily*, 12 October 2024) <<https://harakahdaily.net/index.php/2024/10/12/guru-guru-cina-india-yang-perlukan-kursus-bahasa-melayu/>>

Additionally, concerns have been raised over Firdaus Wong's school visits, where he has reportedly engaged in religious preaching and encouraged non-Muslim students to convert to Islam—going so far as to advise them to keep their conversions hidden from their parents. Such actions are highly unethical and inappropriate, as they target impressionable minors with religious proselytization that could lead to familial conflict and emotional distress. Schools should be safe spaces for education, free from coercion or undue influence, especially when it comes to personal and religious beliefs.

Furthermore, Dewan Muslimat PAS Malaysia's proposal to enhance Malay language courses specifically for Chinese and Indian teachers perpetuates harmful stereotypes that suggest these educators lack proficiency in the national language. All Malaysian teachers are required to hold the necessary degrees and certifications in their respective fields, making such an initiative both unnecessary and discriminatory. Imposing additional language requirements based on ethnicity not only undermines the professionalism of teachers but also reflects deep-seated prejudices against non-Malay educators.

Ultimately, these issues highlight the persistence of racism within Malaysia's education system, particularly through policy decisions and political rhetoric that alienate minority communities. Addressing these concerns requires a commitment to upholding the principles of inclusivity, respect, and equal opportunity for all students and educators, regardless of race or religion.

Xenophobia

Date	Incidents
04/10/2024	The Palestinian Ambassador has threatened Palestinians with deportation to Gaza after Malaysians condemned Palestinians who are damaging public property at Wisma Transit. ⁴⁵
20/11/2024	An official at the airport was seen punching a foreigner for unknown reasons in a short video-clip. ⁴⁶

Malaysians have emerged as some of the most vocal and steadfast advocates for the Palestinian cause on the global stage, condemning the ongoing genocide and advocating for justice. However, the notion of returning rescued Palestinians to a place still engulfed in violence and persecution is not only inhumane but also an egregious act of discrimination. Decades of genocide have inflicted profound physical and psychological trauma on the Palestinian people. Those who have endured such atrocities often suffer from severe psychological conditions, including Post-Traumatic Stress Disorder (PTSD), survivor's guilt, intergenerational trauma, and separation anxiety. As stated before, the act of a certain group or individual does not warrant unfair treatment against the entire Palestinian community. As such, the threat made by the Palestinian Ambassador is rather troubling as it is deemed to punish Palestinians who have not done any wrong. This generalisation, albeit in this case, the Palestinians is a common feature in the Malaysian landscape. Malaysians are quick to generalise one's behaviour, often associating it to a race which ultimately taints the image of the race altogether.

Given this reality, in this regard, Malaysia, as a nation actively providing aid to displaced Palestinian refugees, must also take concrete steps to establish appropriate mechanisms for their protection and integration. This includes considering the ratification of the Refugee Convention to ensure legal safeguards and sustainable support for those seeking refuge.

Meanwhile, in an unrelated incident, a video circulating online shows a foreign national being physically assaulted at Kuala Lumpur International Airport (KLIA) in the Not-To-Land Area. This designated space is used by immigration authorities to hold individuals denied entry due to various reasons, the most common being insufficient documentation. While immigration regulations must be upheld, resorting to physical violence is entirely unacceptable. Every individual, regardless of their immigration status, deserves to be treated with dignity and respect. Acts of aggression, such as punching, undermine Malaysia's commitment to human rights and must be addressed appropriately.

⁴⁵ 'Misbehaving Palestinians in Viral Video to Be Sent Back, Says Ambassador [WATCH]'

<<https://www.nst.com.my/news/nation/2024/10/1114934/misbehaving-palestinians-viral-video-be-sent-back-says-ambassador-watch>>

⁴⁶ 'Foreigner Punched, Yelled at in KLIA's "not to Land" Area' <https://www.malaysiakini.com/news/726435#google_vignette>

Racial and/or Religious Incitement

The Malaysia Racism Report has historically focused on incidents explicitly involving race, religion and ethnicity. However, in recent years, it has become evident that many issues have been sensationalized by individuals in positions of power and influence and subsequently absorbed by the general public. These issues, while not initially racial or religious in nature, have been reframed by said individuals and/or the people consuming such narratives - thus their inclusion under this category.

To assess these incidents, we refer to the Rabat Plan of Action, which provides a framework for determining speech that incites racist and religious narratives. This year's report applies these principles to identify instances where rhetoric has escalated tensions and contributed to divisive discourse.

According to the standards as per the Rabat Plan of Action, speech that qualifies as incitement to hatred must meet a six-point threshold test to be considered a criminal offence. However, for the purposes of our report, we have applied these criteria to assess the potential or actual harm caused by statements made in the context of racial or religious tensions, which are as follows:

- a) **Context** - This refers to the broader socio-political and historical background in which the statement was made and whether existing racial or religious tensions could amplify its impact.
- b) **Speaker** - the influence, authority, and credibility of the speaker determines how impactful their words are, particularly if they hold positions of power, such as political leaders, religious figures, or media personalities.
- c) **Intent** - This considers whether the speaker deliberately aimed to incite hatred, violence, or discrimination, whether their words carried malice, or if they acted recklessly without regard for the consequences.
- d) **Content and Form** - The language, imagery, and tone of the statement are assessed, including whether it contains inflammatory or dehumanizing elements and the medium through which it was conveyed, such as mainstream media, social media, or speeches.
- e) **Extent of the Speech Act** - This measures how widely the statement was shared, whether it gained traction through mainstream or social media, and the level of public engagement it received.
- f) **Likelihood and Immense of Harm** - This evaluates whether the speech has led to tangible consequences, such as violence, discrimination, or harmful policy changes, and the probability of immediate or future harm.

Date	Incidents
20/02/2024	A surau demolition in Perak has sparked the notion that Malays are oppressed even though the demolition was authorised by the Perak Fatwa Committee. ⁴⁷
25/02/2024	Racial talk buzzing after the demotion of Tourism Director General. ⁴⁸
28/02/2024	ISMA disagrees with Bak Kut Teh being the nation's heritage food as it does not represent Malaysia as an Islamic country. ⁴⁹
02/04/2024	KK Mart petrol bombed after it was found to have accidentally sold socks with the word Allah on it. ⁵⁰
09/04/2024	Muslims target Vern's, a shoe company for allegedly designing a shoe that resembles the Arabic word for Allah. ⁵¹
26/05/2024	A Moroccan influencer was seen reciting the Quran in front of Batu Caves - a Hindu temple. ⁵²
06/06/2024	Parent-teacher associations are against the implementation of at least one class in Bahasa Malaysia. ⁵³
09/06/2024	An event that was meant to inform people on statelessness was accused of providing "free nationality" to its participants. ⁵⁴
23/07/2024	Donations issued by alcohol companies turn into racial conflict. ⁵⁵
28/08/2024	A Muslim Preacher Zirwah al-Idrus draws a comic that mentions a mother telling her son that Hinduism is a 'kafir' religion. ⁵⁶
09/09/2024	UMNO Youth condemns Teresa Kok and Kelvin Yii for speaking up against the issue of halal certification. ⁵⁷

⁴⁷ 'Fact-Check: Perak Surau Demolition Permitted by Local Fatwa Body' <<https://www.malaysiakini.com/news/696676>>

⁴⁸ 'Tiong Must Do More to Stop Racial Talk over DG's Demotion, Says Analyst | FMT' <<https://www.freemalaysiatoday.com/category/nation/2024/02/25/tiong-must-do-more-to-stop-racial-talk-over-dgs-demotion-says-analyst/>>

⁴⁹ Media ISMA, 'Pengiktirafan Warisan Patut Selari Citra, Budaya Asal Negara' (ISMA, 28 February 2024) <<https://isma.org.my/pengiktirafan-warisan-patut-selari-citra-budaya-asal-negara/>>

⁵⁰ Rebecca Ratcliffe, 'Malaysian Shop Chain That Sold "Allah Socks" Targeted with Petrol Bombs' The Guardian (2 April 2024) <<https://www.theguardian.com/world/2024/apr/02/malaysian-shop-chain-that-sold-allah-socks-targeted-with-petrol-bombs>>

⁵¹ 'Malaysian Firm Removes Shoes From Sale Over Religious Complaints' <<https://thediplomat.com/2024/04/malaysian-firm-removes-shoes-from-sale-over-religious-complaints/>>

⁵² 'Group Calls for Ban on Foreigners Who Mock Religions after Batu Caves Incident | FMT' <<https://www.freemalaysiatoday.com/category/nation/2024/05/26/group-calls-for-ban-on-moroccan-content-creator-over-3r-offence/>>

⁵³ Nur Izzati Mohamad, 'DLP: KPM Akan Bertemu Lembaga Sekolah, PIBG Di Pulau Pinang' (Berita Harian, 6 June 2024) <<https://www.bharian.com.my/berita/nasional/2024/06/1255521/dlp-kpm-akan-bertemu-lembaga-sekolah-pibg-di-pulau-pinang>>

⁵⁴ 'Don't Turn Statelessness Event into Racial Issue, Says DAP Man' <<https://www.malaysiakini.com/news/708188>>

⁵⁵ 'Don't Distort Fundraising Efforts to Create Racial Conflict, Groups Say over Brewery Donation Issue' (23 July 2024) <<https://focusmalaysia.my/dont-distort-fundraising-efforts-to-create-racial-conflict-groups-say-over-brewery-donation-issue/>>

⁵⁶ [1] 'Kumpulan Hindu Desak Pendakwah Islam Turunkan Komik Tidak Sensitif | The Malaysian Insight' <<https://www.themalaysianinsight.com/bahasa/s/487087>> accessed 20 January 2025.

⁵⁷ Ruwaida Md Zain, 'Jangan Cabar Hak Umat Islam - Exco Pemuda UMNO' (Berita Harian, 9 September 2024) <<https://www.bharian.com.my/berita/politik/2024/09/1296312/jangan-cabar-hak-umat-islam-exco-pemuda-umno>>

In Malaysia, racial and religious incitement are often manufactured, with political and social actors distorting issues to provoke fear and division. Even neutral matters (administrative decisions, commercial disputes, social issues, etc.) are framed through racial and religious lenses, turning them into national controversies. These narratives are observed to gain traction through sensationalist rhetoric, social media amplification, and political opportunism which distrust and hostility, as can be seen through the cases listed in this category.

One such case where facts were distorted to fit a racial or religious agenda was the demolition of a surau in Perak. The demolition - despite being authorized by the Perak Fatwa Committee - was framed as an attack on Malay-Muslims, fueling outrage over perceived oppression and threats to Islam. This fear mongering turned an issue of governance into an ethnic flashpoint. Similarly, a statelessness awareness program was falsely claimed to be a scheme granting automatic citizenship to stateless individuals, triggering baseless fears of there being a threat to national identity. Despite the program's intention to help individuals facing issues with citizenship in Malaysia, misinformation and emotional manipulation, often spread through social media, shifted public perception and fostered fear and hostility towards marginalised communities. These cases illustrate how issues unrelated to race or religion can be manipulated to inflame public sentiment, reinforcing an "us vs. them" mentality.

Religious sensitivities, particularly those tied to Malay-Muslim identity, are frequently exploited to escalate minor incidents into large-scale controversies. The KK Mart controversy, where socks bearing the word "Allah" began as a commercial mistake. It later quickly escalated into a violent confrontation, with petrol bomb attacks targeting KK Mart outlets. What should have been an issue of corporate accountability was hijacked by public figures, especially UMNO Youth Chief Dr. Akmal Salleh, who frames the issue as an attack on Malay-Muslims as victims of systemic oppression, further entrenching the notion that Islam was under attack. This subsequently stoked emotional retaliation rather than resolution. Shortly after this controversy, the already hostile environment encouraged accusations towards a shoe design by Vern that resembled the Arabic word for 'Allah' despite no clear evidence of intent. The outrage spread rapidly, with politicians and social media figures amplifying calls for boycotts. These cases highlight how minor grievances can be transformed into national crises, creating an environment where public outrage is expected rather than rational discourse.

Beyond these reactive incidents, some individuals actively seek to stir racial and religious resentment. A Moroccan influencer's Quran recitation at Batu Caves - a Hindu place of worship - was widely perceived as a deliberate provocation, triggering sectarian outrage. Similarly, Muslim preacher Zarwah Al-Idrus's comic labeling Hinduism as a 'kafir' religion, a direct insult to Hindu beliefs. While these actions may have been framed as personal

expressions, their impact was widespread, reinforcing religious hostility and normalizing disrespect toward other faiths. These acts could potentially reinforce the cycle of religious divisions, fostering a culture where faith-based intolerance is legitimised rather than challenged.

Even governance and economic issues are also racialized for political gain, turning routine administrative decisions into ethnic controversies. The demotion of the Tourism Director-General was immediately framed as racial discrimination, despite no official evidence suggesting to support the claim. The move sparked accusations that non-Malay leaders - especially the Tourism Minister YB Tiong King Seng in this context - were sidelining Malay figures, fueling ethnic distrust toward government institutions.

Similarly, a brewery donating funds to a community initiative claimed to a Chinese vernacular school was reframed as an attack towards the country's majority religious sensitivities. Despite being repeatedly being reminded that vernacular schools are language-based and admission has nothing to do with racial indoctrination, the pattern of deliberately racializing vernacular schools has been persistent over recent years. Pusat KOMAS have documented such incidents annually for the past decade where the same tropes are used, where these schools are positioned as a threat to Malaysian culture.

The halal certification issue followed a similar pattern—rather than focusing on regulatory or economic concerns, it was framed as an existential threat to Malay-Muslims, shifting the conversation from policy to racial confrontation. These cases demonstrate how political figures use racial narratives to deflect from real governance issues, redirecting public frustration toward communal tensions instead of systemic change.

The continued racialisation and religious framing of everyday issues have profound and far-reaching consequences for Malaysia. These narratives erode between different communities, while diverting attention from meaningful discourse and into cycles of fear and resentment. Instead of focusing on economic development, policy reform or effective governance, political actors and social influencers stoke divisions for short-term goals. If left unchecked, Malaysia risks becoming a society where ethnic and religious identity overrides reason and governance, where progressive policymaking efforts take a backseat to toxic political discourse.

To counteract these manufactured crises, responsible leadership, media accountability, and critical thinking must be prioritized. Without these interventions, Malaysia's political and social landscape will remain trapped in a cycle of division and resentment, ultimately preventing genuine national progress.

Racial and/or Religious Discrimination in Parliament

The Malaysian Parliament plays a crucial role as the nation's highest legislative body, responsible for enacting laws, shaping national policies, and ensuring government accountability. It consists of the Dewan Rakyat (House of Representatives) and the Dewan Negara (Senate), both of which debate and pass legislation that affects the country's governance, economy, and social structure. Parliament also serves as a check and balance on the executive branch by scrutinizing government actions, approving budgets, and representing the diverse interests of Malaysians. Through parliamentary debates, inquiries, and committees, it upholds democratic principles, protects citizens' rights, and maintains political stability, making it an essential institution in Malaysia's governance. As such, it is crucial for Parliamentary debates to be conducted in the highest standards, away from all racial nuances to advance the true issues of the rakyat.

For the Malaysia Racial Discrimination Report 2024, Pusat KOMAS has analysed racial sentiments uttered by Member of Parliaments (MPs) specifically during the parliament sittings, specifically in the Dewan Rakyat. Based on the incidents, it was found that the MPs have used racial and religious sentiments in their speeches, placing subtle and/or overt hints of racial superiority, stereotyping, prejudice and misinformation of existing laws.

This year, our focus will be exclusively on the Dewan Rakyat, as its members are elected by the rakyat and therefore bear a greater responsibility to uphold democratic standards. Unfortunately, this very reality also incentivizes them to exploit racial and religious rhetoric for political gain, as will be explored in this section.

Date	Incidents
27/02/2024	MP Pasir Mas, Tuan Haji Ahmad Fadhli has referenced Dr. Teo Kok Seong on Malaysia being owned by Malays and he continued stating that wanting a non-Malay prime minister is a sensitive issue. ⁵⁸
28/02/2024	MP Padang Serai, Dato' Azman Nasrudin stated that the Malay's special position is protected in the constitution hence there is no equality in Federal Constitution and social contract. ⁵⁹
04/03/2024	MP Kepala Batas, Dr. Siti Mastura claimed some Rohingya refugees are prone to committing crimes to the locals in her constituency. She also stated that illegal immigrants are using fake IC to receive government aid and could vote in the future. ⁶⁰

⁵⁸ DR-27022024, Senarai Penyata Rasmi (Hansard) <<https://www.parlimen.gov.my/hansard-dewan-rakyat.html?uweb=dr&arkib=yes>>

⁵⁹ DR-28022024, Senarai Penyata Rasmi (Hansard) <<https://www.parlimen.gov.my/hansard-dewan-rakyat.html?uweb=dr&arkib=yes>>

⁶⁰ DR-04032024, Senarai Penyata Rasmi (Hansard) <<https://www.parlimen.gov.my/hansard-dewan-rakyat.html?uweb=dr&arkib=yes>>

04/03/2024	MP Temerloh, Puan Hajah Salamiah claimed that sensitive issues that could divide people are non-Malays Prime Minister and Bak Kut Teh as Malaysian heritage food because Islam is the official religion of the country. ⁶¹
05/03/2024	MP Maran, Dato' Sri Dr.Haji Ismail has questioned the eligibility of Kampung Baru Cina as UNESCO site because the village was built by the communist. He claimed that the ministry is validating communist movement in Malaysia. ⁶²
05/03/2024	MP Machang, Tuan Wan Ahmad Fayhsal has mentioned that there are Chinese elements in communism. ⁶³
05/03/2024	MP Kuala Krai, Tuan Abdul Latiff has questioned Kampung Baru Cina that has not achieved 100 years old to be heritage site, Bak Kut Teh being heritage food and also non-malay as Prime Minister. ⁶⁴
05/03/2024	MP Padang Terap, Tuan Nurul Amin has emphasized that Muslims, Malays and Bumiputera should ensure power rests in their hands to maintain the interest of the majority. ⁶⁵
07/03/2024	MP Pulai, Tuan Suhaizan intentionally emphasised Rohingya refugees to litter at the river and threatened the lives of the locals. ⁶⁶
11/03/2024	MP Paya Besar, Dato' Indera Mohd Shahar has compared the foreign workers using the term 'Ali Bangla', which is a derogatory term, dominating the Malaysian workforce industry. ⁶⁷
11/03/2024	Tuan Wan Ahmad Fayhsal, MP Machang, emphasised Professor Teo Kok Seong's argument that strong Chinese history and a lack of Bahasa Malaysia usage are the result of exclusively speaking to one race in the Chinese school. ⁶⁸
13/03/2024	MP Hulu Terengganu, Dato' Rosol and MP Pendang, Datuk Awang have attacked and ridiculed Dato' Sri Tiong King Sing for his language saying he could not understand him because of his bad Bahasa Melayu and requested him to answer parliamentary question only through written answers. ⁶⁹

⁶¹ DR-04032024, Senarai Penyata Rasmi (Hansard) <<https://www.parlimen.gov.my/hansard-dewan-rakyat.html?uweb=dr&arkib=yes>>

⁶² DR-05032024, Senarai Penyata Rasmi (Hansard) , pg 58 <<https://www.parlimen.gov.my/hansard-dewan-rakyat.html?uweb=dr&arkib=yes>>

⁶³ DR-05032024, Senarai Penyata Rasmi (Hansard) , pg 63 <<https://www.parlimen.gov.my/hansard-dewan-rakyat.html?uweb=dr&arkib=yes>>

⁶⁴ DR-05032024, Senarai Penyata Rasmi (Hansard) , pg 76 <<https://www.parlimen.gov.my/hansard-dewan-rakyat.html?uweb=dr&arkib=yes>>

⁶⁵ DR-05032024, Senarai Penyata Rasmi (Hansard) , pg 117 <<https://www.parlimen.gov.my/hansard-dewan-rakyat.html?uweb=dr&arkib=yes>>

⁶⁶ DR-07032024, Senarai Penyata Rasmi (Hansard) , pg 59 <<https://www.parlimen.gov.my/hansard-dewan-rakyat.html?uweb=dr&arkib=yes>>

⁶⁷ DR-11032024, Senarai Penyata Rasmi (Hansard) , pg 5 <<https://www.parlimen.gov.my/hansard-dewan-rakyat.html?uweb=dr&arkib=yes>>

⁶⁸ DR-11032024, Senarai Penyata Rasmi (Hansard) , pg 61 <<https://www.parlimen.gov.my/hansard-dewan-rakyat.html?uweb=dr&arkib=yes>>

⁶⁹ DR-13032024, Senarai Penyata Rasmi (Hansard) , pg 48 and 49

<<https://www.parlimen.gov.my/hansard-dewan-rakyat.html?uweb=dr&arkib=yes>>

19/03/2024	Dr. Radzi, MP Putrajaya, has questioned PETRONAS' decision not to award tenders to Bumiputera enterprises, claiming that there should be little merit to be considered in the selection process and disputing Bumiputera eligibility. ⁷⁰
27/06/2024	MP Tampin, Dato' Mohd Isam stated that ICERD is not needed in Malaysia as discrimination does not exist in Malaysia. He also added that the Malay Muslims are only protecting their rights according to the constitution. ⁷¹
01/07/2024	MP Kuala Krai, Tuan Haji Abdul Latiff has claimed that local CSOs are urging unreasonable demands such as ratification of ICERD that is in contradiction with the Federal Constitution. ⁷²
01/07/2024	MP Jelebu, Datuk Seri Jalaluddin has demanded SUHAKAM to include a report on the number of cases that were committed by Rohingya refugees instead of only the oppression that they are facing. ⁷³
10/07/2024	MP Wilayah Persekutuan, Dr.Zaliha stated that abandoned houses were invaded by drug addicts and immigrants. ⁷⁴
16/10/2024	MP Pengkalan Chepa, Datuk Dr.Ahmad Marzuk states that the Malays have kindly gifted nationality to people of other races that were brought to <i>Tanah Melayu</i> . ⁷⁵
16/10/2024	MP Pasir Mas, Tuan Haji Ahmad Fadhli stated that the Malays were threatened by the non-Malays' presence, however were willing to tolerate the non-Malays and gave them nationality to ensure economic and social stability. ⁷⁶
16/10/2024	MP Kuantan, Tuan Wan Razali also stated that the Bumiputera has tolerated in accepting the non-bumis to become Malaysians. ⁷⁷
16/10/2024	MP Pengkalan Chepa, Datuk Dr.Ahmad Marzuk has quoted The Rakyat Post and mentioned DAP and MCA as Chinese political parties that prioritised Chinese globally. ⁷⁸
17/10/2024	MP Padang Serai, Dato' Azman has mentioned that upon Independence day the Malays, in good spirit, have gifted Nationality to the other races. ⁷⁹

⁷⁰ DR-19032024, Senarai Penyata Rasmi (Hansard) <<https://www.parlimen.gov.my/hansard-dewan-rakyat.html?uweb=dr&arkib=yes>>

⁷¹ DR-19032024, Senarai Penyata Rasmi (Hansard), pg 87 <<https://www.parlimen.gov.my/hansard-dewan-rakyat.html?uweb=dr&arkib=yes>>

⁷² DR-01072024, Senarai Penyata Rasmi (Hansard) <<https://www.parlimen.gov.my/hansard-dewan-rakyat.html?uweb=dr&arkib=yes>>

⁷³ DR-01072024, Senarai Penyata Rasmi (Hansard) <<https://www.parlimen.gov.my/hansard-dewan-rakyat.html?uweb=dr&arkib=yes>>

⁷⁴ DR-10072024, Senarai Penyata Rasmi (Hansard), pg 16 <<https://www.parlimen.gov.my/hansard-dewan-rakyat.html?uweb=dr&arkib=yes>>

⁷⁵ DR-16072024, Senarai Penyata Rasmi (Hansard), pg 67 <<https://www.parlimen.gov.my/hansard-dewan-rakyat.html?uweb=dr&arkib=yes>>

⁷⁶ DR-16102024, Senarai Penyata Rasmi (Hansard), pg 93 <<https://www.parlimen.gov.my/hansard-dewan-rakyat.html?uweb=dr&arkib=yes>>

⁷⁷ DR-16102024, Senarai Penyata Rasmi (Hansard), pg 119 <<https://www.parlimen.gov.my/hansard-dewan-rakyat.html?uweb=dr&arkib=yes>>

⁷⁸ DR-16102024, Senarai Penyata Rasmi (Hansard), pg 69 <<https://www.parlimen.gov.my/hansard-dewan-rakyat.html?uweb=dr&arkib=yes>>

⁷⁹ DR-22102024, Senarai Penyata Rasmi (Hansard), pg 53 <<https://www.parlimen.gov.my/hansard-dewan-rakyat.html?uweb=dr&arkib=yes>>

22/10/2024	Afnan Hamimi, MP of Alor Setar has used the analogy of Mamak Pasembur to the Prime Minister's attendance in the parliament. ⁸⁰
24/10/2024	MP Jerai, Tuan Sabri stated that there is a stigma of fear against Bahasa Melayu in vernacular schools. ⁸¹
29/10/2024	MP Kuantan, Tuan Wan Razali has implied the viral issue of Chinese nationals waving China flag by saying that citizens who are accepted as Malaysians should not wave the flag of other nationals. ⁸²
25/11/2024	MP Besut, Datuk Che Mohamad Zulkifly triggers parliament by saying that signboards or signage that have Chinese but not Malay language means the place prioritises Chinese language. ⁸³
03/12/2024	MP Hulu Terengganu, Dato' Rosol stated that tourists feel weird that Malaysians are using a variety of languages. ⁸⁴
3/12/2024	Dr.Zaliha stated that empty units in Kampung Baru were occupied by foreigners that created social problems. ⁸⁵

The central issue revolved around racial superiority in the context of power and national interests. The concept of Malay dominance, or *Ketuanan Melayu*, was subtly invoked by Members of Parliament (MPs) in their statements. MP for Padang Terap, Tuan Nurul Amin, emphasized the necessity of maintaining power in the hands of Malay Muslims and Bumiputera. Similarly, MPs such as Pasir Mas's Tuan Haji Ahmad Fadhli and Temerloh's Puan Hajah Salamiah suggested that the idea of a non-Malay Prime Minister remains highly contentious, implicitly reinforcing the notion that political authority should remain with the Malay majority. Their argument was justified by the demographic reality that Malays form the majority in Malaysia, thus positioning the protection of their interests as the highest priority. However, this emphasis on racial division not only fosters discrimination but also perpetuates the belief that the majority holds inherent superiority over minority groups.

In a similar scenario, notions of racial superiority were subtly woven into political discourse by portraying the nation as the rightful domain of the Bumiputera, while non-Bumiputera individuals were depicted as "fortunate" to be accepted within the country. Several MPs reinforced this idea by asserting that Malaysian nationality was granted to non-Bumiputeras and non-Malays by the Bumiputera majority. MP for Pengkalan Chepa, Datuk Dr. Ahmad Marzuk, stated that Malays were responsible for conferring nationality upon non-Malays,

⁸⁰ Predeep Nambiar, 'Appeal Ruling on "Mamak Pasembur", Rayer Told' (*Free Malaysia Today* | FMT, 22 October 2024)

<<https://www.freemalaysiatoday.com/category/nation/2024/10/22/appeal-ruling-on-mamak-pasembur-rayer-told/>>

⁸¹ DR-24102024, Senarai Penyata Rasmi (Hansard), pg 107 <<https://www.parlimen.gov.my/hansard-dewan-rakyat.html?uweb=dr&arkib=yes>>

⁸² DR-29102024, Senarai Penyata Rasmi (Hansard) <<https://www.parlimen.gov.my/hansard-dewan-rakyat.html?uweb=dr&arkib=yes>>

⁸³ DR-25112024, Senarai Penyata Rasmi (Hansard), pg 82 <<https://www.parlimen.gov.my/hansard-dewan-rakyat.html?uweb=dr&arkib=yes>>

⁸⁴ DR-03122024, Senarai Penyata Rasmi (Hansard), pg 78 <<https://www.parlimen.gov.my/hansard-dewan-rakyat.html?uweb=dr&arkib=yes>>

⁸⁵ DR-03122024, Senarai Penyata Rasmi (Hansard), pg 19 <<https://www.parlimen.gov.my/hansard-dewan-rakyat.html?uweb=dr&arkib=yes>>

while MP for Pasir Mas, Tuan Haji Ahmad Fadhli, remarked that despite historical challenges posed by non-Malays, the Malay community has exercised tolerance for the sake of national stability. This notion of "gifting nationality" was framed as an act of generosity and patience on the part of the Malays, implicitly suggesting that non-Malays and non-Bumiputeras should be grateful for their inclusion. Such rhetoric reinforces a hierarchy where Malays and Bumiputeras are positioned as benevolent benefactors, reinforcing a sense of superiority over other ethnic groups.

This underlying notion of racial superiority has indirectly led to the nation being presented as the heritage of a singular race, disregarding its rich multicultural identity. MP for Temerloh, Puan Hajah Salamiah, raised concerns over the classification of Bak Kut Teh as part of Malaysia's food heritage, arguing that only halal food should represent the nation due to its Muslim-majority status. Her statement overlooked the diverse culinary traditions, cultures, and religions that shape Malaysia's identity. While Islam is the official religion of the federation, the freedom to practice other religions is enshrined in the constitution, reflecting Malaysia's long-standing commitment to cultural and religious diversity. The debate surrounding Bak Kut Teh mirrors broader concerns raised by other MPs about the global representation of Malaysia's multicultural heritage.

Similarly, MP for Maran, Dato' Sri Dr. Haji Ismail, opposed the nomination of Kampung Baru Cina for UNESCO recognition, citing its historical ties to communism. He argued that granting UNESCO status to the site would equate to government endorsement of communism. MP for Machang, Tuan Wan Ahmad Fayhsal, supported this stance, linking communism to Chinese identity through historical references. However, Malaysia has been independent for 67 years, during which communism has had no influence in the country. Associating Kampung Baru Cina, which is home to Malaysian citizens, with communism risks perpetuating biases against the Chinese community. Such rhetoric not only distorts history but also fuels ethnic divisions, undermining the nation's multicultural fabric.

Several Members of Parliament have similarly perpetuated prejudice and racial stereotyping in their remarks on various ethnic and refugee-related issues. Afnan Hamimi of Perikatan Nasional used the analogy of a "mamak pasembur" vendor (an Indian Muslim selling *pasembur*) to illustrate that the Prime Minister's attendance in Parliament is not guaranteed, unlike the presence of such a vendor. This analogy, which relies on inappropriate terminology, has drawn criticism for its insensitive portrayal of the Indian Muslim community.

Stereotypes have also been directed toward the refugee community. MP for Kepala Batas, Dr. Siti Mastura, explicitly linked the Rohingya refugees to criminal activities and fraud, while MP for Pulau, Tuan Suhaizan, accused Rohingya refugees of polluting rivers and endangering local residents. As the general perception of the Rohingya communities are already tainted, fear mongering tactics employed by these individuals run the risk of further ostracisation of the Rohingya community in Malaysia thus exacerbating xenophobia against them. In a similar light, MP for Wilayah Persekutuan, Dr. Zaliha, associated immigrants with drug addiction and crime. Although such offenses are also committed by local Malaysians, the disproportionate focus and blame placed on refugees have effectively turned them into scapegoats. When the Human Rights Commission of Malaysia (SUHAKAM) attempted to highlight the struggles of refugees, MP for Jelebu, Datuk Seri Jalaluddin, diverted attention by insisting that SUHAKAM should prioritise cases involving crimes allegedly committed by Rohingya refugees—reinforcing prejudiced narratives while ignoring their hardships.

Additionally, racially derogatory language has been used against foreign workers. MP for Paya Besar, Dato' Indera Mohd Shahar, referred to Bangladeshi workers using the term "Ali Bangla," a derogatory slur. In his speech, he framed foreign workers as a source of increased job competition for locals, further fueling anti-immigrant sentiments. His choice of words not only reflects racial bias but also spreads misinformation, exacerbating public hostility toward migrant workers.

In a different setting, the Members of Parliament have also penalised other Members for their use of the Malay language. Members of Parliament for Hulu Terengganu and Pendang, Datuk Awang, have criticized Dato' Sri Tiong King Sing for his language, stating that they found his Bahasa Melayu difficult to comprehend and asked him to re-learn the language. This incident occurs multiple times during parliamentary sessions throughout the year, resulting in the disturbance during the parliamentary debates. At this Pusat KOMAS would like to highlight the hypocrisy of these individuals. On one end of the spectrum, non-native speakers are often criticised for speaking in their mother tongue languages. In fact, in our previous report, we have captured incidents where individuals were hurling chants of "balik negara asal" on the premise that one could not speak the Malay language. However, in this situation, when a person, in this case Dato' Sri Tiong King Sing, is attempting to debate in the Malay language, he is criticised due to his proficiency in the language.

MPs have leveraged institutional frameworks and policies to reinforce racial narratives. MP for Padang Serai, Dato' Azman Nasrudin, argued that the Federal Constitution does not uphold absolute equality due to the existence of social contracts that protect the special status of the Bumiputeras. Supporting this stance, MP for Tampin, Dato' Mohd Isam, claimed that Malay Muslims are merely safeguarding their constitutional rights, thereby dismissing the need for equal rights conventions such as the International Convention on the Elimination of Racial Discrimination (ICERD). He suggested that the country's adherence to existing laws is sufficient proof that discrimination does not exist. Similarly, MP for Kuala Krai, Tuan Haji Abdul Latiff, criticised civil society organizations advocating for the ratification of ICERD, arguing that it contradicts the Federal Constitution and represents unreasonable demands.

To further expound on the social contract, Pusat KOMAS verily believes that politicians have used this as a tool to tighten their grip over society. Till date, there is no codified social contract that one could refer to. In this absence, politicians are well aware that they are able to exploit the social contract when it is favourable to them. In fact, the term social contract does not appear in everyday Malaysian conversations and/or transactions. The term is and has only been sensationalised by politicians. Further to the above, in addressing the topic of ICERD, it is worthy to highlight that till date, there has been no legitimate reason to oppose ICERD but for misconceptions etc.

However, while the Federal Constitution upholds fairness through Article 8, which guarantees equality before the law, and Article 153, which provides affirmative action for Bumiputeras, these provisions must be applied in a manner that genuinely supports disadvantaged groups rather than being used as a tool to marginalize others. Affirmative action, as outlined in Article 153, aligns with ICERD when implemented appropriately, yet certain MPs have exploited it to consolidate power and justify racial hierarchies.

Malaysians, we can do better!

Date	Incidents
16/07/2024	George Town Festival organiser apologises for Malay 'exclusion' ⁸⁶
31/08/2024	Promotional video for Malacca tourism triggers hate as it features only Chinese cast. ⁸⁷
24/11/2024	Public misunderstood TVS dropping out the song 'O Holy Night' in a Christmas programme ⁸⁸

Malaysia, characterised by its many ethnicities and civilisations, occasionally overlook certain cultural considerations inadvertently. This incident may (if left unattended) lead to misunderstandings and provoke racial issues. Therefore, this little segment serves as a crucial reminder that the promotion of a harmonious Malaysia must embody its different ethnicities and customs.

Recently, the Georgetown Festival was critiqued as it was found to exclude the Malay population from its promotional videos. The event has incited public animosity, prompting the organiser to issue an apology for the exclusion and to emphasize that individuals from other races and ethnicities, including Malays, contributed to the video's development. Therefore, the exclusion of the Malays was unintentional and may be improved. However, we at Pusat KOMAS believe that the Georgetown Festival can definitely do better given that it has been running for some 15 years.

The idea of social inclusion must be at the forefront of any planning and not merely an afterthought as captured in this incident. A similar incident occurred in the promotional film for Visit Melaka, when the cast predominantly comprised individuals of Chinese descent. While Melaka is renowned for its Baba Nyonya culture, it is also essential to acknowledge the myriad nationalities, as Melaka is a city rich in unique heritage.

Besides that, there is no doubt that the public recognises the significance and inclusion of specific cultures and songs throughout joyful seasons. In fact, it is safe to say that the public are well acquainted with certain songs that are played in the shopping malls and/or stores during festive occasions, some even memorising the lyrics and tune to the songs due to its familiarity over the years. Consequently, the omission of specific features may provoke misinterpretation among the audience.

⁸⁶ 'George Town Festival Organiser Apologises for Malay "Exclusion"' <<https://www.malaysiakini.com/news/712057>> accessed

⁸⁷ Rex Tan, 'Govt Not behind Melaka Video with Chinese Cast, Says Tiong' (Free Malaysia Today | FMT, 31 August 2024) <<https://www.freemalaysiatoday.com/category/nation/2024/08/31/govt-not-behind-melaka-video-with-chinese-cast-says-tiong/>>

⁸⁸ 'Hanya Salah Faham, TVS Tidak Ada Niat Gugur Lagu "O Holy Night" Pada Program Krismas - TVS' <<https://www.tvsarawak.my/2023/11/24/hanya-salah-faham-tidak-ada-niat-gugur-lagu-o-holy-night-pada-program-krismas/>>

This is captured in an incident that occurred when TVS (an entertainment hub in Sarawak), inadvertently omitted the song 'O Holy Night' from their Christmas show "*A Christmas Carol Sarawak in Diversity*". Given that the song is sacred in meaning, is a staple for all carols and it is essential for Christian viewers; the exclusion came as a surprise to most of their viewers given the position taken by the Sarawak state being in the forefront in promoting unity beyond borders. Although explained by UNIFOR that the exclusion was not deliberate, the crux of the issue is that the management should be aware of the local sentiments and the significance of certain cultural celebrations and traditions. In understanding, Malaysians, be it young or old, will develop a level of respect and profoundness towards one another which would inevitably lead to a harmonious society.

Efforts to Combat Racism and Racial Discrimination

Statements, Commitments, Efforts, or Actions by Institutions or People in Power or with Influence

Date	Incidents
10/01/2024	Juwai IQI sacks employees for racial discrimination against an Indian girl who wanted to rent property. ⁸⁹
16/01/2024	Sarawak politicians say minorities should be recognised for their contributions to the Malaysian economy. ⁹⁰
26/02/2024	Yang Di-Pertuan Agong, Sultan Ibrahim has called for the government to formulate a new policy that aims for stronger unity and harmony. ⁹¹
29/02/2024	MP Sri Gading, YB Haji Aminolhuda suggested a Residential Rental Act (Akta Sewaan Kediaman) to curb renters' discrimination by race. ⁹²
06/03/2024	MP Segamat, YB Yuneswaran a/l Ramaraj suggested a holistic policy and specific laws to preserve national harmony, akin to the Moureaux Law in Belgium which bans racial discrimination and criminalises its propagation. ⁹³
04/04/2024	Sarawak minister Abdul Karim Rahman Hamza wants Akmal arrested for racial provocation due to the 'Allah' socks issue. ⁹⁴
05/04/2024	Sultan Selangor, Sultan Sharafuddin has urged Malaysians to be more tolerant and avoid prejudices of each other to ensure harmony. ⁹⁵
23/04/2024	Deputy Minister of Youth and Sports, YB Adam Adli has reminded other politicians to not ride on the issue of race and religions. ⁹⁶

⁸⁹ Amirul Aiman, 'Juwai IQI Sacks Employee for Racial Discrimination' (Free Malaysia Today | FMT, 10 January 2024)

<<https://www.freemalaysiatoday.com/category/nation/2024/01/10/juwai-iqi-sacked-employee-for-racial-discrimination/>>

⁹⁰ 'Sarawak Politician Suggests Recognising Minorities for Contributing to Malaysia's Economy and Education Instead of Questioning Loyalty to Country | Malay Mail'

<https://www.malaymail.com/news/malaysia/2024/01/16/sarawak-politician-suggests-recognising-minorities-for-contributing-to-malaysias-economy-and-education-instead-of-questioning-loyalty-to-country/112680#google_vignette>

⁹¹ DR-26022024, Senarai Penyata Rasmi (Hansard), pg 3 <<https://www.parlimen.gov.my/hansard-dewan-rakyat.html?uweb=dr&arkib=yes>>

⁹² DR-29022024, Senarai Penyata Rasmi (Hansard), pg 77 <<https://www.parlimen.gov.my/hansard-dewan-rakyat.html?uweb=dr&arkib=yes>>

⁹³ DR-06032024, Senarai Penyata Rasmi (Hansard), pg 123 <<https://www.parlimen.gov.my/hansard-dewan-rakyat.html?uweb=dr&arkib=yes>>

⁹⁴ 'S'wak Minister Wants Akmal Arrested for Racial Provocation - Report'

<https://m.malaysiakini.com/news/701738?utm_source=dvr.it&utm_medium=facebook#google_vignette>

⁹⁵ 'Selangor Sultan Calls for Greater Tolerance, Cooperation to Preserve Social Harmony' (The Star, 5 April 2024)

<<https://www.thestar.com.my/news/nation/2024/04/05/selangor-sultan-calls-for-greater-tolerance-cooperation-to-preserve-social-harmony>>

⁹⁶ 'Stop Riding on Race, Religion - Adam Tells PAS Counterpart' <<https://www.malaysiakini.com/news/703346>>

27/07/2024	The Penang Governor reminded the people to include racial diversity while developing state programmes in Penang. ⁹⁷
28/07/2024	Former MP, Kasthuri Patto reminds the youth to call out politicians who divide people. ⁹⁸
30/08/2024	Prime Minister, Datuk Seri Anwar Ibrahim expressed his commitment to strengthen laws against racial incitement. ⁹⁹
08/08/2024	New SUHAKAM Chief, Hishamudin Yunus aims to ratify ICERD and refugee convention ratification. ¹⁰⁰
18/08/2024	Police have summoned Muhyiddin to give a statement as the police receive 29 reports of his campaign speech that touched on 3R issues. ¹⁰¹
28/08/2024	Prime Minister, Datuk Seri Anwar Ibrahim has reminded the Malays to not rely on privileges. ¹⁰²
16/09/2024	Religious Minister, Mohd Na'im gives out a statement that the people are becoming victims of race and religious manipulation. ¹⁰³
20/09/2024	The Unity Minister ensures a national unity plan will be outlined. ¹⁰⁴
30/09/2024	The Prime Minister emphasized that racial attacks in politics have reached a dangerous level. ¹⁰⁵
01/10/2024	The government lifted racial barrier for matriculation for all SPM top-scorers. ¹⁰⁶
12/10/2024	Communications Minister, YB Fahmi Fadzil gave a stern warning to the public that spread false rumours and urged the police to take firm action. ¹⁰⁷

⁹⁷ Bernama, 'Heed Penang's Racial Diversity When Developing State Programmes, Says Governor' (Free Malaysia Today | FMT, 27 July 2024) <<https://www.freemalaysiatoday.com/category/nation/2024/07/27/heed-penangs-racial-diversity-when-developing-state-programmes-says-governor/>>

⁹⁸ 'Call out Politicians Who Divide People, Kasthuri Patto Tells Youth | FMT' <https://www.freemalaysiatoday.com/category/nation/2024/07/28/call-out-politicians-who-divide-people-kasthuri-patto-tells-youth/?utm_source=whatsapp&utm_medium=share-button>

⁹⁹ BERNAMA, 'Government Ready To Strengthen Laws Against Racial Incitement - PM Anwar' (BERNAMA, 30 August 2024) <<https://www.bernama.com/en/news.php/news.php?id=2335244>>

¹⁰⁰ Jason Thomas, 'New Suhakam Chief Targets ICERD, Refugee Convention Ratification' (Free Malaysia Today | FMT, 8 August 2024) <<https://www.freemalaysiatoday.com/category/nation/2024/08/08/new-suhakam-chief-targets-icerd-refugee-convention-ratification/>>

¹⁰¹ '3R Issue: Police Summon Muhyiddin to Give Statement on Tuesday' <<https://www.malaysiakini.com/news/716067>>

¹⁰² 'Orang Melayu Tak Boleh Terus "Disuap", Kata Anwar | FMT' <<https://www.freemalaysiatoday.com/category/bahasa/tempatan/2024/08/28/orang-melayu-tak-boleh-terus-disuap-kata-anwar/>>

¹⁰³ 'Rakyat Jadi Mangsa Tindakan Pihak Memanipulasi Agama, Perkauman - Mohd Na'im' <<https://www.bharian.com.my/berita/nasional/2024/09/1298861/rakyat-jadi-mangsa-tindakan-pihak-memanipulasi-agama-perkauman-mohd>>

¹⁰⁴ 'Convention to Outline National Unity Plan, Says Minister' (Borneo Post Online, 19 September 2024) <<https://www.theborneopost.com/2024/09/20/convention-to-outline-national-unity-plan-says-minister/>>

¹⁰⁵ 'Racial Attacks in Politics Now at Dangerous Level, Says PM | FMT' <https://www.freemalaysiatoday.com/category/nation/2024/09/30/racial-attacks-in-politics-now-at-dangerous-level-says-pm/?utm_source=twitter&utm_medium=share-button>

¹⁰⁶ 'Govt Lifts Racial Barrier for Matriculation for All SPM Top-Scorers' <<https://www.malaysiakini.com/news/710359>>

¹⁰⁷ 'Students Waving China Flag in Penang School Are Not Malaysians, Says Fahmi | The Star' <<https://www.thestar.com.my/news/nation/2024/10/12/students-waving-china-flag-in-penang-school-are-not-malaysians-says-fahmi>>

12/10/2024	Bersatu Youth Wing Chief, Wan Fahysal called for more inclusivity in the party. ¹⁰⁸
14/10/2024	Approved amendment of Sabah Labour Ordinance (Amendment) Bill that can be used against any discriminatory offence, including race-based discrimination between employer and employee. ¹⁰⁹
09/11/2024	Sultan Nazrin Shah decreed that efforts must be taken to curb racial discrimination and religious extremism. ¹¹⁰
26/11/2024	The National Unity Ministry has organised programmes through food , sports and relationships to bolster unity among Malaysians. ¹¹¹
10/12/2024	Minister of Laws, Dato’ Sri Azalina displayed commitment in increasing monitoring online hate speech under MCMC. ¹¹²
31/12/2024	Sultan Sharafuddin calls for unity and progress in the New Year message. ¹¹³

Similar to the yesteryears, the Malaysia Racism report does not only capture incidents pertaining to racism and racial discrimination but also efforts to curb it. As this report was created to nurture awareness amongst Malaysians, we at Pusat KOMAS applaud the efforts exhibited by certain parties to curb the prevailing issues of racism and racial discrimination. It is our hope that more Malaysians will be able to stand up against racism.

In 2024 alone, Pusat KOMAS managed to identify 30 reports that deserved to be commended in the media. Pusat KOMAS also recognised that various efforts were made in different levels and areas that were not reported but deserve to be commended. These efforts vary from political parties, enterprises and even individuals who have gone above and beyond to promote a more harmonious Malaysia.

The efforts compiled by Pusat KOMAS here consist primarily of actions taken through public statements or positions articulated by influential individuals. However, we concede that this compilation is one without critiques. Some may consider us celebrating the bare minimum. However, we believe that every single effort matters in this fight against a daunting foe, racism. As such, where there are instances where people have used their influence or have taken the necessary actions to right the wrong, due praise is given to them.

¹⁰⁸ Nora Mahpar, ‘Time for Bersatu to Be More Inclusive, Says Wan Fayhsal’ (Free Malaysia Today | FMT, 12 October 2024)

<<https://www.freemalaysiatoday.com/category/nation/2024/10/12/time-for-bersatu-to-be-more-inclusive-says-wan-fayhsal/>>

¹⁰⁹DR-04032024, Senarai Penyata Rasmi (Hansard), pg.128 <<https://www.parlimen.gov.my/hansard-dewan-rakyat.html?uweb=dr&arkib=yes>>

¹¹⁰ ‘Isu Kaum Dan Agama Ancam Perpaduan, Perlu Segera Dibendung, Titah Sutan Nazrin | Astro Awani’

<<https://www.astroawani.com/berita-malaysia/isu-kaum-dan-agama-ancam-perpaduan-perlu-segera-dibendung-titah-sutan-nazrin-495523>>

¹¹¹ ‘Allowing Unity to Grow through Food, Sports and Relationships | FMT’

<<https://www.freemalaysiatoday.com/category/nation/2024/11/26/allowing-unity-to-grow-through-food-sports-and-relationships/>>

¹¹² DR-10122024, Senarai Penyata Rasmi (Hansard) <<https://www.parlimen.gov.my/hansard-dewan-rakyat.html?uweb=dr&arkib=yes>>

¹¹³ Fuad Nizam, ‘Sultan Sharafuddin Calls for Unity and Progress in New Year Message’ (NST Online, 31 December 2024)

<<https://www.nst.com.my/news/nation/2024/12/1154935/sultan-sharafuddin-calls-unity-and-progress-new-year-message>>

One of the incidents captured in this trend involved the Penang Governor where he advocated for racial diversity in the development of state programs. This act by the leader of the State, serves as a call for the inclusion of racial diversity in the administration of state based programmes. As Penang is a growing business hub, this action not only is beneficial to residents in Penang as they are beneficiaries of an inclusive governance, but it may also potentially attract foreign investors to invest in Penang due to its reputation.

Besides that, Pusat KOMAS through the 2024 Malaysia Racism Report also commends other influential figures, including politicians, who are actively addressing the exploitation of racial sentiments. For instance, YB Adam Adli, the Deputy Minister of Youth and Sports, has urged fellow politicians to refrain from using race and religion as tools to maintain their political power. In addition to the above, the Prime Minister, Datuk Seri Anwar Ibrahim has actively addressed the issue of racism and racial discrimination in his speeches, acknowledging the role of racial and religious sentiments in undermining the government's position. The prime minister has subtly indicated that the special position should not be subject to abuse, necessitating an update of implementation standards. The Prime Minister has consistently urged the youth to avoid being ensnared by racial and religious sentiments. Similarly, former MP Kasthuri Patto has encouraged young individuals to hold politicians accountable for divisive actions.

As social media is often marred with racism and racial discrimination, and sometimes even perpetrated by politicians and/or other political figures, as evinced above through Pusat KOMAS' exploratory findings, it is refreshing to see certain political leaders taking a stand and being vocal about this issue. In fact, it is pivotal to note that certain leaders have also taken the extra mile to call out other elected leaders for their foul play and demanded accountability. For example, in a reported case, Sarawakian Minister, Abdul Karim Rahman Hamza called out Akmal Salleh for racial provocation. This action, albeit in scarcity, is important to ensure that politicians are reminded that their actions have dire consequences and issues of racism and racial discrimination will not be tolerated any longer.

Further to the above, the year 2024 was also the year several commitments were pledged to promote racial stability. The newly minted SUHAKAM Chairman, Dato' Seri Hishamudin Yunus, had indicated his intentions to steer the National Human Rights Commission under his helm to ratify ICERD. This commitment, despite the absence of detailed plans, has instilled optimism for continued progress and efforts toward ratification. Datuk Seri Anwar Ibrahim has called for ground work on raising awareness on ICERD to be done before ratification can happen. However, the plan to ratify ICERD will be academic if systemic racism is not tackled from the ground up. Commendation has to be given to the Unity Ministry where it has actively contributed to the promotion of unity through various programs, including food, festivals, cultural events, and historical activities. However, these events provide a platform to foster healthy and respectful relationships among individuals

of diverse racial backgrounds which need to be substantiated with comprehensive laws and policies that support non-discrimination.

Additionally, there were also implementations by the institution and authoritative figures, encompassing enforcement measures and policy modifications. The Prime Minister's decision to accept all students with 10As into matriculation, irrespective of race, marks a significant advancement, alleviating the longstanding challenges faced by non-bumiputeras in accessing matriculation despite their exemplary academic performance and in challenging the pre-existing notion of an unfair quota system that was yearned by many. The Prime Minister's decision is also a step taken in the right direction to promote needs based on merits instead of race.

Whilst racial discrimination is often chided to be perpetrated in the public sector, the private sector has also played its part in contributing to growth of racism and racial discrimination in Malaysia. Thus, actions taken like in the case of *Juwai*, where Juwai IQI terminated the employment of an individual found to have discriminated against an Indian female seeking to rent property is crucial in communicating to employees that discrimination is not tolerated within the workplace. This case reinforces the underlying truth that there are no winners in racism. In perpetuating racism, the employee had hampered the possibility of the tenant in finding a place for shelter. Upon the discovery of the event, the employee was then terminated from their employment. This incident serves as a timely reminder for all Malaysians to refrain from racism altogether to avoid any unwanted and unnecessary consequences.

Finally, Pusat KOMAS in this report also lauds the police who have proactively played their role in taking action against the politicians who were reported to play the 3R issue, such as Muhyiddin Yassin, in his campaign speech. The actions taken by our uniformed officers is a worthy reminder that hate speech and religious incitement is a criminal offence that is punishable by the law and that the law applies equally to everyone regardless of race, creed or their social status. However, punitive measures should be utilised as the last resort to managing and/or handling incidents pertaining to race and religion.

Instead, to address the matters above, Pusat KOMAS believes that there is a dire need for proper mechanisms to be in place to address the 3R issues. As such, our proposal to establish a National Harmony Commission will jive with this case as the proposed Commission will be able to play an intermediary role in resolving any conflict stemming from race and religion. This would also prevent claims of "selective persecution" as often claimed by the general public in certain cases thus, increasing the transparency of the Royal Malaysian Police Department and other national institutions while curbing racism duly.

Malaysians Rewriting the Narrative on Race and Religion

Date	Incidents
24/07/2024	Kidd Santhe made music that tackles racism and societal challenges. ¹¹⁴
07/09/2024	Kuala Sangga is a tiny village in Malaysia where the Chinese Buddhist community diligently preserved St. Anne Chapel. ¹¹⁵
26/10/2024	A Malaysian Indian man hilariously tackles racist stereotypes with 'Ah Pu Neh Neh' bogeyman myth. ¹¹⁶
31/10/2024	Sri Seetharaman Temple revived by a Chinese family. ¹¹⁷
22/11/2024	Muslim doctor in Miri decorates a Christmas tree every year to spread joy and cheer. ¹¹⁸

In 2024, we at Pusat KOMAS observed that Malaysians are also actively playing their part in fostering harmony and unity among the people. Malaysians will never shy away from lending a helping hand without fear or favour and this was inculcated in the Malaysian identity many years ago. From temple devotees assisting a pregnant woman to deliver her child after being stuck in a traffic jam in Batu Caves to Malaysians collectively defending a Malaysian shuttler against racist remarks hurled at her, there will always be tales of harmony from Malaysians who have lived together for decades to be passed on to the future generation.

Malaysian singer songwriter, Kidd Santhe positively used his influence and creative skillset to produce a song addressing the issue of racism. The song titled "Bawah," released in 2020, addresses themes of loss, racism, and societal challenges. This song aims to engage a broader Malaysian audience, fostering awareness of the challenges faced by the population. Acknowledgment of these issues is essential to prevent their escalation among more Malaysians.

¹¹⁴ 'Raw and Unfiltered Reflections: Kidd Santhe's Music Confronting Racism - Sinar Daily'

<<https://www.sinardaily.my/article/219926/culture/personality/raw-and-unfiltered-reflections-kidd-santhes-music-confronting-racism>>

¹¹⁵ Benedict Lopez, 'Kuala Sangga: The Tiny Village Teaching Malaysia a Big Lesson in Harmony' (*Aliran*, 6 September 2024)

<<https://m.aliran.com/thinking-allowed-online/kuala-sangga-the-tiny-village-teaching-malaysia-a-big-lesson-in-harmony>>

¹¹⁶ 'Beware the "Ah Pu Neh Neh": Malaysian Indian Men's Hilarious Spin on Racist Bogeyman Myths and Mixed Marriages (VIDEO)' (*Malay Mail*, 26 October 2024)

<<https://www.malaymail.com/news/life/2024/10/26/beware-the-ah-pu-neh-neh-malaysian-indian-mans-hilarious-spin-on-racist-bogeyman-myths-and-mixed-marriages-video/154909>>

¹¹⁷ Theevya Ragu @ FMT Lifestyle, 'How a Bird and Visions Made Yong Family Custodians of Hindu Temple' (Free Malaysia Today | FMT, 30 October 2024)

<<https://www.freemalaysiatoday.com/category/leisure/2024/10/31/how-a-bird-and-visions-made-yong-family-custodians-of-hindu-temple/>>

¹¹⁸ 'Muslim Doctor in Miri Decorates Christmas Tree Every Year to Spread Joy and Cheer | Malaysia | The Vibes'

<<https://www.thevibes.com/articles/news/104127/muslim-doctor-in-miri-decorate-christmas-tree-every-year-to-spread-joy-and-cheer>>

In another reported incident, tales of a multiracial society co-existing with one another harmoniously is depicted in places like Kuala Sangga. For context, Kuala Sangga is largely populated by the Chinese Buddhist community. This case is particularly heartwarming because the ethnic Chinese Buddhist community has been diligently preserving the century-old St. Anne Chapel, despite the absence of Christian residents. The villagers maintain the chapel's cleanliness by placing offerings of chicken, fruit, and tea on the first and fifteenth of each month. This practice demonstrates a profound respect for places of worship, underscoring a harmonious coexistence that surpasses religious boundaries.

Finally, in another heartwarming incident, a Muslim doctor in Miri, who does not celebrate Christmas, makes a concerted effort to decorate a Christmas tree in the hospital annually to promote joy and cheer. Although the topic of Christmas celebration and greetings is sensationalised annually, this doctor, being a Muslim, decided to challenge the existing the purported misrepresentation by certain individuals for political mileage, by recognising the significance of the occasion and facilitate opportunities for all Malaysians to share in the joy and meaning of the day together.

Recommendations and Conclusion

Based on the findings of the Malaysia Racism Report 2024, Pusat KOMAS urges key stakeholders, including the government, political leaders, civil society organizations, businesses, and the general public, to take decisive action to combat racism, racial discrimination, and xenophobia. The following recommendations outline necessary steps to promote a more just, inclusive, and united Malaysia:

1. The government should establish an independent National Harmony Commission to monitor and regulate racial relations and tensions in Malaysia. This body should have the authority to investigate racial discrimination cases, mediate racial conflicts, and propose policy reforms to foster national unity.
2. Introduce and enforce a comprehensive legal framework on anti-racism to address racial and religious discrimination in all sectors, including employment, education, housing, and public services.
3. Mandatory racial sensitivity training should be implemented for all parliamentarians, state legislators, and civil servants to ensure they engage in responsible discourse and avoid racial provocation.
4. Implement critical thinking and media literacy programs in schools and communities to combat misinformation, racial stereotypes, and xenophobic narratives.
5. The Ministry of Human Resources should adopt the Code of Conduct for the Promotion of Equal Opportunities through the Elimination of Racial Discrimination¹¹⁹ in private sectors to prevent racial bias in hiring, promotions, and workplace treatment.
6. Fulfil all international commitments on promoting anti-discrimination, especially recommendations from the UPR process which has been fully accepted as follows:
 - a. Work on equal education and employment opportunities for ethnic and religious minorities in public and private spheres (India)
 - b. Take concrete steps to eliminate extremist ideologies that promote and condone violence and discrimination and propagate hate speech against religious and ethnic minorities (India)
 - c. Pursue efforts aiming at ensuring the inclusion and respect of rights of all religious communities in a spirit of peaceful coexistence (Lebanon)
 - d. Guarantee to all persons the right to participate in cultural and religious practices, and enjoy cultural life without discrimination (India)
 - e. Better protect the land rights of Indigenous Peoples by integrating and applying the principle of free, prior and informed consent in matters concerning the lands and livelihoods of Indigenous Peoples (Luxembourg)

¹¹⁹ The Code of Conduct for the Promotion of Equal Opportunities through the Elimination of Racial Discrimination is a document developed by Pusat KOMAS based on the United Nations Guiding Principles on Business and Human Rights as a policy to be enacted by State and Federal governments as a mechanism to address racial discrimination in the business sector.

The Malaysia Racism Report 2024 highlights a concerning trend: while the number of documented cases may have decreased, the intensity and impact of racial discrimination have escalated. The expansion of monitoring to the parliamentary sphere has revealed deep-seated racial and religious rhetoric that continues to polarize Malaysian society.

Despite ongoing challenges, the year has also seen positive efforts from individuals, civil society groups, and government agencies working towards fostering unity and combating racial discrimination. However, these efforts must be scaled up and institutionalized to create meaningful change. The government must demonstrate firm political will in addressing racial discrimination at all levels, from legal frameworks to policy reforms and public discourse.

Malaysia's rich multicultural identity should be its greatest strength, not a point of division. The path to a more inclusive Malaysia requires sustained commitment from all sectors of society. Pusat KOMAS remains steadfast in advocating for justice, equality, and national unity, urging all Malaysians to work together in rejecting racism and building a society where every individual is treated with dignity and respect.

References & Contextual Framework

Legal and Institutional Framework Related to Racial Equality

Malaysia's Federal Constitution

The Federal Constitution of Malaysia is a written constitution that came into force in 1957 and is the supreme law of Malaysia consisting of a total of 183 Articles. The Constitution is an amalgamation of two former pieces of legislation namely the Federation of Malaya Agreement (1948) and the Independence Constitution (1957). The Federal Constitution of Malaysia establishes the Federation as a constitutional monarchy in which the Yang di-pertuan Agong rules as the Head of State and further established 3 branches of the government i.e. the Legislative arm namely the Dewan Rakyat and Dewan Negara (Senate), the Judiciary led by the Federal Court and the Executive arm led by the Prime Minister and his appointed Cabinet members. It contains specific provisions which safeguards the interest of all Malaysians. This section highlights specific provisions within the Federal Constitution which upholds equality and non-discrimination.

Article 3

- 1) Islam is the religion of the Federation; but other religions may be practiced in peace and harmony in any part of the Federation.

Article 4

- 1) This Constitution is the **supreme law of the Federation** and any law passed after Merdeka Day which is inconsistent with this Constitution shall, to the extent of the inconsistency, be void.

Article 8

- 1) All persons are equal before the law and entitled to the equal protection of the law.
- 2) Except as expressly authorised by this Constitution there shall be no discrimination against citizens on the ground only of religion, race, descent or place of birth 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
- 3) There shall be no discrimination in favour of a person on the ground that he is a subject of the Rule, of any State.
- 4) No public authority shall discriminate against any person on the ground that he is resident or carrying or business in any part of the Federation outside the jurisdiction of the authority.

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 —
 - a) in the administration of any educational institution maintained by a public authority, and, in particular, the admission of pupils or students or the payment of fees; or
 - b) in providing out of the funds of a public authority financial aid for the maintenance or education of pupils or students in any educational institution (whether or not maintained by a public authority and whether within or outside the Federation).
- 2) Every religious group has the right to establish and maintain institutions for the education of children in its own religion, and there shall be no discrimination on the ground only of religion in any law relating to such institutions or in the administration of any such law; but it shall be lawful for the Federation or a State to establish or maintain or assist in establishing or maintaining Islamic institutions or provide or assist in providing instruction in the religion of Islam and incur such expenditure as may be necessary for the purpose.

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.
- (2) Notwithstanding anything in this Constitution, but subject to the provisions of Article 40 and of this Article, the Yang di-Pertuan Agong shall exercise his functions under this Constitution and federal law in such manner as may be necessary to safeguard the special position of the Malays and natives of any of the States of Sabah and Sarawak and to ensure the reservation for Malays and natives of any of the States of Sabah and Sarawak of such proportion as he may deem reasonable of positions in the public service (other than the public service of a State) and of scholarships, exhibitions and other similar educational or training privileges or special facilities given or accorded by the Federal Government and, when any permit or licence for the operation of any trade or business is required by federal law, then, subject to the provisions of that law and this Article, of such permits and licences.
- (7) Nothing in this Article shall operate to deprive or authorize the deprivation of any person of any right, privilege, permit or licence accrued to or enjoyed or held by him or to authorize a refusal to renew to any person any such permit or licence or a refusal to grant to the heirs, successors or assigns of a person any permit or licence when the renewal or grant might reasonably be expected in the ordinary course of events.

National Principles (Rukun Negara)

The National Principles (Rukun Negara) was introduced on 31 August 1970 by the Malaysian Government to celebrate the 13th anniversary of the nation's independence.

Its inception as a national ideology was deemed as a needed response to the "13 May" incident in 1969, following the general election in Malaysia. The outbreak of riots had resulted in the creation of the National Operations Council (Majlis Gerakan Negara) to restore peace and stability to Malaysia till 1971. Subsequently, the Rukun Negara was utilized to forge national unity among the citizens primarily through instilling its values and principles through education in schools. Presently, this ideology has become a guiding principle to encourage racial harmony and mutual respect.

In the **Preamble** of the National Principles, Malaysia nurtures the ambitions of:

- Achieving a more perfect unity amongst the whole of her society;
- Preserving a democratic way of life;
- Creating a just society where the prosperity of the country can be enjoyed together in a fair and equitable manner;
- Guaranteeing a liberal approach towards our traditional heritage that is rich and diverse
- Building a progressive society that will make use of science and modern technology.

Core Values

WE, residents of Malaysia, pledge our united efforts to attain these ends guided by these principles:

- BELIEF IN GOD (Kepercayaan kepada Tuhan)
- LOYALTY TO KING AND COUNTRY (Kesetiaan kepada Raja dan Negara)
- SUPREMACY OF THE CONSTITUTION (Keluhuran Perlembagaan)
- RULE OF LAW (Kedaulatan Undang-Undang)
- COURTESY AND MORALITY (Kesopanan dan kesusilaan)

Malaysia's Voluntary Pledges and Commitments for the Candidature to the United Nations Human Rights Council for the Term 2022 – 2024¹²⁰

Malaysia presents its candidacy for the membership of the United Nations Human Rights Council for the term 2022-2024 as it is confident that it would be able to serve as a constructive member of the Council. Malaysia is honoured to have been unanimously endorsed by the Association of Southeast Asian Nations (ASEAN) as ASEAN's candidate to the Council.

If elected to the Human Rights Council, Malaysia pledges to:

- I. Take a whole-of-society approach in the promotion and protection of human rights in the country, primarily in the assessment, monitoring and implementation of the Universal Periodic Review (UPR) recommendations
- II. Cooperate with the OHCHR and other relevant United Nations agencies towards the promotion of human rights in the country and globally
- III. Continue to engage constructively with the Human Rights Council (HRC) and its mechanisms while espousing a moderate and balanced perspective to nurture a spirit of cooperation
- IV. Implement policies and legislations that promote and protect the rights of the most vulnerable groups
- V. Strengthen efforts to achieve gender equality, women empowerment and eliminate violence against women
- VI. Take greater steps in engaging and empowering youth
- VII. Develop a National Action Plan on Business and Human Rights
- VIII. Intensify efforts to promote a safe, clean, healthy and sustainable environment and improve understanding on the effects of climate change on the enjoyment of human rights
- IX. Continue to promote diversity through respect for cultural rights
- X. Continue to strengthen human rights institution and mechanism in Malaysia
- XI. Continue to engage constructively with all Member States and stakeholders towards the full realisation of the 2030 Agenda for Sustainable Development

¹²⁰ Ministry of Foreign Affairs Malaysia, "MALAYSIA'S CANDIDATURE TO THE UNITED NATIONS HUMAN RIGHTS COUNCIL FOR THE TERM 2022-2024: VOLUNTARY PLEDGES AND COMMITMENTS", 6 April 2021. See: https://www.kln.gov.my/web/usa_un-new-york/news-from-mission/-/blogs/malaysia-s-candidature-to-the-human-rightscouncil-term-2022-2024-voluntary-commitments-and-pledges

Towards fulfilling these pledges, Malaysia is committed to:-

- I. Undertaking and promoting a balanced, impartial, universal, non-politicised, and constructive approach to human rights issues at the HRC.
- II. Deepening cooperation at the international level in supporting the work of various UN actors and mechanisms involved in the promotion and protection of human rights, including promoting and protecting the rights of vulnerable, marginalised and minority communities in the country.
- III. Upholding the principles of a whole-of-society approach by continuing to engage in inter-agency consultations with relevant stakeholders such as the NHRI (SUHAKAM) and Civil Society Organizations (CSOs) in furthering the promotion and protection of human rights for its people.
- IV. Continuing to review the implementation of international human rights instruments that Malaysia is party to. The reviews had led to the withdrawal of several reservations to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and Convention on the Rights of the Child (CRC) in 2010.
- V. Engaging closely with the relevant stakeholders on the possibility of signing and ratifying the outstanding international conventions related to human rights, with the aim to achieving a precise and full understanding of the relevant rights and obligations, as well as to consider the possibility of reconciling the standard established by the said instruments with the Federal Constitution and domestic laws.
- VI. Intensifying efforts to raise human rights awareness among all segments of the population including the public service, such as law-enforcement officials, members of the judiciary, government officials and other stakeholders.
- VII. Improving its monitoring mechanism on the UPR process, by using the National Recommendation Tracking Database developed by the OHCHR viii. Supporting and implementing the 2030 Agenda for Sustainable Development, particularly in realising the right to development, including support for ongoing efforts aimed at its operationalisation and implementation.
- VIII. Sharing best practices with other Member States and interested partners, including on advancing the rights of women, children and persons with disabilities, poverty eradication, health and education.
- IX. Working continuously at the regional level with its partners under the ASEAN framework, in particular, with the ASEAN Intergovernmental Commission on Human Rights (AICHR) in the promotion of human rights in the region.

- X. Increasing its bilateral collaborations in terms of technology transfer and the exchange of scientists in vaccine development as Malaysia calls for an affordable, accessible and equitable vaccine and embarks on the roadmap of vaccine development and production.

- XI. Continuing to work hand in hand with the UN and the WHO in improving the lives of our people. The challenges brought about by COVID-19 compel every country, including Malaysia to focus on the rights to physical and mental health; the right to social security; the right to education; and the right to an adequate standard of living, including food, clothing, and housing.

International and Regional Human Rights Standards

Universal Declaration of Human Rights

The Universal Declaration of Human Rights (UDHR) is a milestone document in the history of human rights. Drafted by representatives with different legal and cultural backgrounds from all regions of the world, the Declaration was proclaimed by the United Nations General Assembly in Paris on 10 December 1948 as a common standard of achievements for all peoples and all nations.

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.

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)

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 Declaration

Malaysia as a Member State of ASEAN had reaffirmed her adherence to the purposes and principles of ASEAN as enshrined in the ASEAN Charter, in particular the respect for an promotion and protection of human rights and fundamental freedoms, as well as the principles of democracy, the rule of law and good governance. In doing so, Malaysia has agreed to uphold the general principles which addresses the issues of racism and racial discrimination.

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, 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)

Malaysia together with 192 other world leaders adopted the 2030 Agenda for Sustainable Development (2030 Agenda) at the United Nations General Assembly in New York on 25 September 2015. This is a **global commitment towards a more sustainable, resilient and inclusive development**, with 17 SDGs and 169 targets. Malaysia has put in place an enabling environment to embrace and implement the 17 SDGs in a systematic and measurable manner. The following outlines the Goals that aim to promote inclusivity and equal opportunity.

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 from Malaysia's 4th Universal Periodic Review (2024)

The Universal Periodic Review (UPR) is a unique mechanism that assesses the human rights records of all UN Member States every five years. The UPR is a State-driven process, under the auspices of the United Nations Human Rights Council (UNHRC), which provides the opportunity for each State to outline the actions taken to **advance human rights in their countries and address concerns raised by other nations**. The review results in recommendations that the State under Review (SuR) must respond to, **either by accepting them fully, in part or taking note**.

The result of each review is reflected in the Report of the Working Group¹²¹, which lists the **recommendations** to the SuR to be implemented before the next review. The implementation phase, coordinated by the Ministry of Foreign Affairs (MoFA), involves the relevant ministries work on the necessary legal and policy reforms while engaging with stakeholders, which includes civil society, the National Human Rights Commission (SUHAKAM), and other relevant bodies. Progress will then be monitored through mid-term reviews (optional), reports from CSOs, and periodic assessments by the UN.

The UPR process also works both ways, whereby Malaysia also participates by providing recommendations to other States undergoing their review. The recommendations a country offers reflect not only its stance on global human rights issues but also the values and principles it upholds on the international stage. The following are some of the recommendations that Malaysia has made to other States in their Fourth UPR Cycle:

- "Continue promoting religious and social harmony, including by strengthening constructive engagements with human rights mechanisms"¹²² recommended during China's Fourth UPR Cycle in 2024 which was fully accepted¹²³
- In 2023, Malaysia made 4 recommendations to Israel to fully cooperate with UN bodies and international mechanisms, end colonial-apartheid policies, cease the illegal occupation of Palestinian and Arab territories, and respect Palestinians' freedom of movement, including access to religious sites and lifting the Gaza blockade.¹²⁴

¹²¹ Human Rights Council, 'Report of the Working Group on the Universal Periodic Review - Malaysia' (14 March 2024) UN Doc A/HRC/56/11 <https://docs.un.org/en/A/HRC/56/11>

¹²² United Nations Human Rights Council, 'Report of the Working Group on the Universal Periodic Review: China' (11 March 2024) A/HRC/56/6 <https://docs.un.org/en/A/HRC/56/6>

¹²³ United Nations Human Rights Council, 'Addendum to the Report of the Working Group on the Universal Periodic Review: China' (31 May 2024) A/HRC/56/6/Add.1 <https://docs.un.org/en/A/HRC/56/6/Add.1>

¹²⁴ United Nations Human Rights Council, 'Report of the Working Group on the Universal Periodic Review: China (Addendum)' (28 June 2023) A/HRC/54/16 <https://docs.un.org/en/A/HRC/54/16>

- Malaysia recommended that Canada “effectively address hate speech and crimes targeting race, religion or ethnicity both online and offline, including hate speech, by formulating and implementing a comprehensive national anti-hate strategy,”¹²⁵ which Canada has fully accepted and are presently implementing new measures to combat hate speech.¹²⁶

Malaysia’s participation in its Fourth UPR Cycle in 2024 displays its ongoing commitment to engage with the global community in a frank, meaningful and robust exchange of views in the field of promotion and protection of human rights such as the accession to international human rights instruments. However, while some recommendations were fully accepted, others were only partially accepted or noted - reflecting the government’s considerations in balancing international expectations with domestic policies, legal frameworks and social dynamics.

That said, meaningful engagement with the UPR should go beyond participation alone. Malaysia must take concrete steps to implement its commitments. This starts with strengthening SUHAKAM, its A-status, GAHNRI accredited independent human rights body, to serve as a primary check-and-balance mechanism in ensuring that Malaysia meets its international human rights obligations. The MADANI government, with its finite term, must recognize that time is limited - rhetoric alone will not solidify its reformist promises. As Malaysia navigates the path forward, it is crucial to examine the specific recommendations received and the rationale behind the government’s responses.

The following sections outline key recommendations¹²⁷ made to Malaysia and the rationales given behind its responses.

¹²⁵ United Nations Human Rights Council, 'Report of the Working Group on the Universal Periodic Review: Canada' (19 December 2023) A/HRC/55/12 <https://docs.un.org/en/A/HRC/55/12>

¹²⁶ United Nations Human Rights Council, 'Addendum to the Report of the Working Group on the Universal Periodic Review: Canada' (15 March 2024) A/HRC/55/12/Add.1 <https://docs.un.org/en/A/HRC/55/12/Add.1>

¹²⁷ Human Rights Council, 'Views on Conclusions and/or Recommendations, Voluntary Commitments and Replies Presented by the State under Review - Malaysia' (11 June 2024) UN Doc A/HRC/56/11/Add.1 <https://www.ohchr.org/en/hr-bodies/upr/my-index>

Recommendations on Anti-Discrimination and Freedom of Religion or Belief

Malaysia has maintained that its existing legal framework provides adequate protection against discrimination, citing Article 8 of the Federal Constitution which guarantees equality before the law. While Article 8 serves as a guide, the racial and religious incidents represented in this Report displays the insufficiency of the Article as a solution to addressing them. Aside from Article 8 being subjected to abuse and misuse, authorities resorting to punitive rather than restorative measures does not seem to address issues of social cohesion in the country appropriately.

However, recommendations urging Malaysia to enact comprehensive anti-discrimination legislation and enhance protections for freedom of religion or belief were either partially accepted or taken note of, reflecting concerns over constitutional provisions, social sensitivities and national security.

<i>Legend: AD - Anti- Discrimination, FOE - Freedom of Expression, FORB - Freedom of Religion or Belief, IP - Indigenous People</i>			
No.	Recommendation	Category	Govt. Position
297	Work on equal education and employment opportunities for ethnic and religious minorities in public and private spheres (India)	AD	Accept in Full
298	Take concrete steps to eliminate extremist ideologies that promote and condone violence and discrimination and propagate hate speech against religious and ethnic minorities (India)	AD	Accept in Full
299	Pursue efforts aiming at ensuring the inclusion and respect of rights of all religious communities in a spirit of peaceful coexistence (Lebanon)	AD	Accept in Full
206	Guarantee to all persons the right to participate in cultural and religious practices, and enjoy cultural life without discrimination (India)	FORB	Accept in Full
295	Better protect the land rights of Indigenous Peoples by integrating and applying the principle of free, prior and informed consent in matters concerning the lands and livelihoods of Indigenous Peoples (Luxembourg)	FORB, AD and IP	Accept in Full
64	Adopt comprehensive anti-discrimination legislation on all prohibited grounds (Estonia)	AD	Accept in Part

Legend: AD - Anti- Discrimination, FOE - Freedom of Expression, FORB - Freedom of Religion or Belief, IP - Indigenous People

No.	Recommendation	Category	Govt. Position
65	Take effective measures to adopt a comprehensive anti-discrimination law (Ghana) (Montenegro)	AD	Accept in Part
67	Continue efforts to combat discrimination, including through the development of a comprehensive law (Plurinational State of Bolivia)	AD	Accept in Part
68	Strengthen efforts to prevent and fight against all forms of discrimination (Italy)	AD	Accept in Part
66	Enact comprehensive anti-discrimination legislation to protect individuals at risk of discrimination and violence, including on the grounds of ethnicity, nationality, religion or belief, sexual orientation or gender identity, disability and age (Israel)	AD	Take Note
101	Repeal the Sedition Act, the Printing Presses and Publications Act and section 233 of the Communications and Multimedia Act to strengthen freedom of expression, and prioritize the submission of anti-discrimination legislation to parliament (Australia)	AD & FOE	Take Note
98	Repeal or amend laws that undermine human rights, including the rights to freedom of expression and freedom of religion or belief, such as the Sedition Act 1948, the Communications and Multimedia Act 1998, the Printing Presses and Publication Act 1984 and Penal Code provisions on offending religious sensitivities (United States of America)	FORB & FOE	Take Note

Government Justifications for Partial or Noted Acceptances:

- Equality and Non-Discrimination

The government asserts that existing protections under Article 8 of the Federal Constitution provide sufficient safeguards for equality, and have been used as a basis to develop other legislation such as the Employment Act 1955 [Act 265]. **However, recommendations for comprehensive anti-discrimination legislation were only partially accepted due to concerns about potential conflicts with Article 153 of the Federal Constitution, which safeguards privileges for Malays and the Indigenous Peoples of Sabah and Sarawak.**

- Freedom of Religion or Belief

Malaysia maintains that while freedom of religion is guaranteed, legal restrictions are necessary to safeguard inter-religious harmony and ensure national security. The rejection of recommendations to repeal laws governing religious expression, including the Sedition Act 1948 and the Printing Presses and Publications Act 1984, reflects the government's stance that these laws are necessary to prevent unrest in a multi religious society. **Although, it has been argued extensively that these legal provisions are often applied in a draconian manner that disproportionately restricts dissenting voices. Maintaining these laws raise concern about Malaysia's commitment to international human rights.**

- Indigenous People

Malaysia's acceptance of recommendations related to Indigenous Peoples' land rights and the principles of Free, Prior, and Informed Consent (FPIC) aligns with the efforts to develop the Orang Asli Development Policy (OADP), expected to be tabled in 2025. The government's commitment to incorporate FPIC into its policies is a commendable step towards strengthening indigenous land rights. **To further enhance this effort, the government should make the step to coordinate between federal and state authority jurisdictions to ensure a consistent rights-based approach to indigenous land governance.**

- Freedom of Expression

While Malaysia recognises freedom of speech, it argues that laws such as the Communications and Multimedia Act 1998 and the Sedition Act 1948 remain necessary for maintaining public order. Recommendations urging their repeal were noted, with the government emphasizing the importance of national stability over unrestricted expression. However, these laws have frequently been used to suppress dissenting voices, particularly those speaking out on 3R issues (race, religion and royalty). **The selective enforcement of these laws contributes to a situation where certain racial and religious narratives dominate public discourse while minority perspectives are sidelined, exacerbating tensions and deepening societal divisions.** Without a more balanced approach to regulating speech, Malaysia risks further entrenching systemic discrimination and limiting opportunities for genuine intergroup dialogue.

Ratification of Core International Human Rights Treaties

Recommendations 1, 2, 4, 8, 9, 10 and 13 all urge Malaysia to ratify the remaining core international human rights treaties which include:

- the International Covenant on Civil and Political Rights (ICCPR)
- the International Covenant on Economic, Social and Cultural Rights (ICESCR)
- the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)
- the Convention relating to the Status of Refugees
- the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

The government cites **incremental approaches** to human rights commitments with a two-pronged strategy in place - human rights literacy and institutional reform - to enable Malaysia to fulfil their international obligations appropriately. The Malaysian government has yet to lay out substantial plans to ensure the necessary steps are taken in the ratification of these treaties.

Ratification of the International Convention on the Elimination of Racial Discrimination (ICERD)

On the topic of the treaty ratification, Pusat KOMAS has long advocated for the acceding to the ICERD, which was explicitly mentioned in four of the recommendations Malaysia has received. Recommendations on ICERD were all partially accepted or noted, with the government citing existing legal safeguards and concerns over its impact on Bumiputra affirmative action policies, which have always been disputed as it is a permissible within the ambit of the treaty.

No.	Recommendation	Govt. Position
10	Strengthen efforts aiming at ratifying core international human rights treaties, like the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Hungary)	Accept in Part
12	Continue the efforts of adhering to international legal instruments in the field of human rights, inter alia, the International Covenant on Civil and Political Rights and the International Convention on the Elimination of All Forms of Racial Discrimination (Romania)	Take Note
27	Intensify efforts to ratify the International Convention on the Elimination of All Forms of Racial Discrimination (Zimbabwe)	Take Note
34	Ratify the Convention relating to the Status of Refugees, the Geneva Conventions of 12 August 1949, as well as the International Convention on the Elimination of All Forms of Racial Discrimination (Brazil)	Take Note

Conclusion

Malaysia's engagement in the UPR process is an important step in reaffirming its commitment to human rights at both domestic and international levels. However, the true measure of this commitment lies in the effective implementation of the recommendations it has accepted. While balancing international obligations with domestic realities is the current view, meaningful progress requires concrete action and not just diplomatic rhetoric.

The government's selective acceptance of key human rights recommendations, particularly on anti-discrimination laws and treaty ratifications, highlights the challenges in aligning international obligations with Malaysia's socio political framework. Even so, these challenges should not be a deterrent to action. Enacting genuine legal and policy reforms upon having meaningful engagements with stakeholders, are essential steps in demonstrating that Malaysia's participation in the UPR process is more than a procedural exercise.

The MADANI administration has a limited window to implement these reforms before the next General Elections, where in Malaysia's current political state it is not guaranteed that they will receive a second term to deliver on their reformist promises. As Malaysia moves forward, it must recognize that human rights progress is not merely about global standards - it is the cornerstone to ensuring dignity, equality, and justice for all within its borders.

Glossary

3R	Race, Religion and the Royal Institution
AD	Anti-Discrimination
AICHR	ASEAN Intergovernmental Commission on Human Rights
ASEAN	Association of Southeast Asian Nations
BMF	Buy Muslim First
BERSATU	Parti Pribumi Bersatu Malaysia (Malaysian Indigenous Unity Party)
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
COVID-19	Coronavirus Disease 2019
CRC	Child Rights Convention
CSO	Civil Society Organization
DAP	Democratic Action Party
DBKL	Dewan Bandaraya Kuala Lumpur (Kuala Lumpur City Hall)
DMPM	Dewan Muslimat PAS Malaysia (PAS Women's Wing)
DFC	Darsa Fried Chicken
FC	Federal Constitution
FOE	Freedom of Expression
FORB	Freedom of Religion or Belief
F&B	Food and Beverage Service
GAHNRI	Global Alliance of National Human Rights Institutions
HRC	Human Rights Council
ICCPR	International Covenant on Civil and Political Rights
ICESR	International Covenant on Economic, Social and Cultural Rights

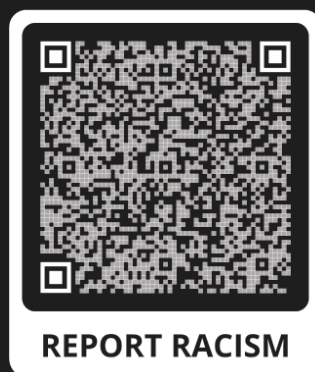
ICERD	International Convention on the Elimination of Racial Discrimination
IP	Indigenous Peoples
ISMA	Ikatan Muslimin Malaysia (Malaysian Muslim Solidarity)
KLIA	Kuala Lumpur International Airport
MADANI	keMampanan (sustainability), kesejAhteraan (prosperity), Daya cipta (innovation), hormAt (respect), keyakiNan (trust) and Ihsan (compassion)
	The slogan used by the current government under the stewardship of Datuk Seri Anwar Ibrahim, used to refer to this government’s tenure.
MCA	Malaysian Chinese Association
MCMC	Malaysian Communications and Multimedia Commission
MP	Member of Parliament
MOFA	Ministry of Foreign Affairs Malaysia
OHCHR	Office of the United Nations High Commissioner for Human Rights
PAS	Parti Islam Se-Malaysia (Malaysian Islamic Party)
PERKASA	Pertubuhan Pribumi Perkasa Malaysia (Mighty Native Organisation)
PETRONAS	Petroliam Nasional Berhad
PTSD	Post-Traumatic Stress Disorder
SDG	Sustainable Development Goals
SPM	Sijil Pelajaran Malaysia (Malaysian Certificate of Education)
SUHAKAM	Suruhanjaya Hak Asasi Manusia Malaysia (Human Rights Commission of Malaysia)
TVS	TV Sarawak
UDHR	Universal Declaration of Human Rights
UMNO	United Malays National Organisation
UN	United Nations
UNESCO	United Nations Educational, Scientific, and Cultural Organization
UNHRC	United Nations Human Rights Council

UNIFOR	Unit Hal Ehwal Agama-Agama Lain (Unit for Other Religions)
UPR	Universal Periodic Review
WHO	World Health Organization
YB	Yang Berhormat (Honorable)

The **Malaysia Racism Report** is an annual initiative by **Pusat KOMAS**, which began in 2015. The report reflects a concentrated effort to document instances of **racism** and **racial discrimination** found in the media, as well as reports that **Pusat KOMAS** has received from the public throughout the year.

Have you ever experienced or witnessed an
instance of racism or racial discrimination recently?

Scan here and tell us:



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