



MALAYSIA RACIAL DISCRIMINATION REPORT 2019

**PREPARED AND COMPILED BY:
PUSAT KOMAS, MALAYSIA**


komas

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*Compiled and Prepared By:
PUSAT KOMAS
NON-DISCRIMINATION PROGRAMME
Malaysia*

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GLOSSARY

ABIM	Muslim Youth Movement of Malaysia
ASLI	Asian Strategy and Leadership Institute
Bersatu	Malaysian United Indigenous Party
BFM	The Business Station
BN	National Front
Bumiputera	Malays and the Natives of Sabah and Sarawak
CM	Chief Minister
DAP	Democratic Action Party
Dewan Rakyat	House of Parliament (Lower Division)
Dong Zhong	The United Chinese School Committees Association of Malaysia
DPM	Deputy Prime Minister
EC	Election Commission
GAMIS	Malaysian Muslim Students Coalition
HRDF	Human Resources Development Fund
IDS	Institute for Development Studies
ISMA	Muslim Association of Malaysia
JAKIM	Malaysian Islamic Development Department
JAKOA	Department of Orang Asli (Indigenous Peoples) Affairs
JPIP	Unity Issues Management Committee
Khat	Arabic Calligraphy
LTTE	Liberation Tigers of Tamil Eelam
MCA	Malaysian Chinese Association
MIC	Malaysian Indian Congress
MP	Member of Parliament
MTEM	Malay Economic Action Council
Mufti	Islamic Jurist
NGO	Non-Governmental Organisation
PAP	People's Action Party
PAS	Malaysian Islamic Party
PH	Hope Alliance
PKAUM	University Malaya Academic Staff Union
PM	Prime Minister
PKR	People's Justice Party
PUTRA	Malaysia Mighty Bumiputera Party
SMK	National Secondary School
UKM	National University Malaysia
UM	University Malaya
UMMAH	Malaysian Muslim Solidarity
UMNO	United Malays National Organisation
Uyghur	Native to the Xinjian ethnic minorities
VC	Vice Chancellor
ZUNAR	Zulkiflee SM Anwar Ulhaque

FOREWORD

No matter which government comes into power, our hope remains for a systematic approach in finding ways to tackle the difficult issue of racism in Malaysia and to promote national unity and cohesion. We call upon the new government to continue the efforts that were previously begun and to work vigorously to end this legacy of shame that haunts Malaysia over the last several decades.

The 14th General Elections was a shift at many levels in changing Malaysia for the better, particularly in terms of institutional reforms which aim to strengthen the quality of democracy, good governance and human rights. Malaysians have been calling for a Malaysia that is free from discrimination – be it race, religion, language or other forms. Additionally, there are distinct demands on the government to reform laws that will be able to curb the usage of hate speech, while maintaining the right to freedom of expression. It is also more pressing than ever for the government to set up the Independent Commission on Harmony as per the recommendation of the National Unity Consultative Council (NUCC), which was supported by the previous government.

Pusat KOMAS Malaysia Racial Discrimination Report 2019 marks the 5th year of its publication this year, highlighting that the incidences of racial discrimination in Malaysia continues to rise. Unfortunately, racism has become more pronounced and has been increasingly used as a political tool to divide our society. 7 trends of racial discrimination in Malaysia were identified, which includes discrimination in the education sector, business sector and other industries, racializing criminality, hate speech and the use of provocative racial sentiments. Racial discrimination also reared its ugly head during the elections campaigning period. As witnessed before, there remains a number of individuals and right-wing groups that continue to fire up racial sentiments.

The purpose of creating a report such as this, is to keep a record of Malaysia in terms of our conduct on managing issues of racial discrimination. The Malaysia Racial Discrimination Report is a small effort to capture the trends of racial discrimination in Malaysia, but it does not claim to cover the holistic view of the issues reported within the Malaysia. In this report, Pusat KOMAS has, for the first time, embarked upon monitoring the speeches of the Members of Parliaments in Parliamentary sittings. Surprisingly, we have found that even our esteemed leaders of the nation have succumbed to uttering racial slurs in the Dewan Rakyat.

JERALD JOSEPH
ADVISOR
PUSAT KOMAS

EXECUTIVE SUMMARY



The year 2019 marked the second-year rule of the Pakatan Harapan (PH) Government after the change of the ruling government from the former Barisan Nasional (BN) Government, which had governed the nation for the past 60 years. The PH Government had brought hope to all Malaysians with its promises to create a Malaysia that is inclusive, moderate and globally respected. This aspiration is reflected in Pillar 5 of the PH manifesto, in which it promises to implement policies and programmes that unite the nation, create an inclusive society and maintain the harmony of multi-racial and multi-religious Malaysia. Under the PH Government, there has been some promising improvements in the government's commitment to uphold freedom of speech and expression. However, this freedom was exploited by opportunistic individuals, groups and political parties by using the renewed space to propagate racism.

Based on the exploratory observation by Pusat KOMAS on the incidences of racial discrimination in Malaysia in 2019, there was a **slight decrease** in both the *efforts to combat racial discrimination and to promote national unity* and the *number of media reports and incidences of racial discrimination in Malaysia*. However, there is a slight increase of the use of the racial and religious card by political actors. These groups would find the opportunity to be heralded as the so-called champion of their own race and ethnic origin. In the processes, the misguided act of championing the divisive cause of their respective race and ethnic origin had resulted in their demands for the exclusion and restriction of equal recognition footing other ethnic groups in Malaysia. This occurrence could be observed on both sides of the political divide. In fact, findings from this report have also indicated that the highest number of incidences and cases of racial discrimination in 2019 stemmed from racial and religious politics.

Apart from that, incidences of racial discrimination were also captured in several other sectors such as in education, property, employment and social media. Xenophobic behaviours were also documented in this report. These incidences were categorized in the Malaysia Racial Discrimination Report 2019 into seven different trends of racial discrimination in Malaysia as follows:

1. Racial and Religious Politics
2. Racial and Religious Incitement
3. Racism in Education
4. Racism in Other Sectors
5. Racism in Social Media
6. Racism in Parliament
7. Xenophobic Behaviour

In order to capture the incidences of racial discrimination, the report documented cases of racial discrimination as reported in the media, as well as direct reports via the Pusat KOMAS Report Racism mobile application. As this report is an exploratory observation, it only reviewed information and data that were already available. Even though numerous quarters may decry the incidences, perhaps alleging that the occurrences reported by the media may be sensationalized, we believe that the news reported and obtained via the mobile application not be ignored as it is vital for these cases to be documented. As the report serves as an exploratory observation, the findings from this report should not serve as an index; but as an indication of the issues of racial discrimination in Malaysia.

We believe that this effort can move the nation forward to achieve the high standards of national unity that was dreamt of by our forefathers and generations before us. This report was conducted not only to ensure that the incidences of racial discrimination were duly documented as a reminder that they did indeed take place, but also to spur us into finding ways that could overcome the issue.

Additionally, this report is also intended to be an important tool to facilitate engagement with relevant stakeholders such as government agencies, political parties, education institutions, academicians and non-governmental organizations (NGOs). The documentation of the incidences of racial discrimination would also be helpful to raise awareness and educate the public on the worrying state and extent of racial discrimination in the country. Furthermore, as this document also contains information on efforts taken by various individuals, groups and agencies to promote national unity and social cohesion, such efforts could be replicated or expanded upon.

The incidences of racial discrimination as well as the efforts to promote national unity and social cohesion are compiled from mainstream online media sources, Pusat KOMAS Report Racism mobile application and secondary sources such as accounts and views from individuals in social media. These cases provide clear examples of violations of basic rights which are enshrined in the Federal Constitution of Malaysia and are based on the international standard of racial discrimination.

Although they do not encompass all the incidences of racial discrimination in Malaysia, we are optimistic that Malaysians from all walks of life would contribute to the annual Malaysia Racial Discrimination Report and therefore enhance its contents.

DEFINITION OF RACIAL DISCRIMINATION

Three horizontal bars with a yellow-to-orange gradient, positioned to the right of the text 'DEFINITION', 'OF RACIAL', and 'DISCRIMINATION' respectively.



“

**“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”.**

”

**ARTICLE 1, INTERNATIONAL CONVENTION ON THE
ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION (ICERD)**

EFFORTS TO PROMOTE NATIONAL UNITY IN MALAYSIA IN 2019

Based on our media scanning of the year 2019, numerous efforts and initiatives were made by the government, politicians, influential individuals and ordinary Malaysians to tackle the issue of racial discrimination and to promote national unity. Such actions were highly lauded as these positive actions and voices are needed in order to overcome the rise of racial discrimination in Malaysia today.

1. **Racist landlords, watch out: Govt to draft anti-discrimination law**

Date: 28 January 2019

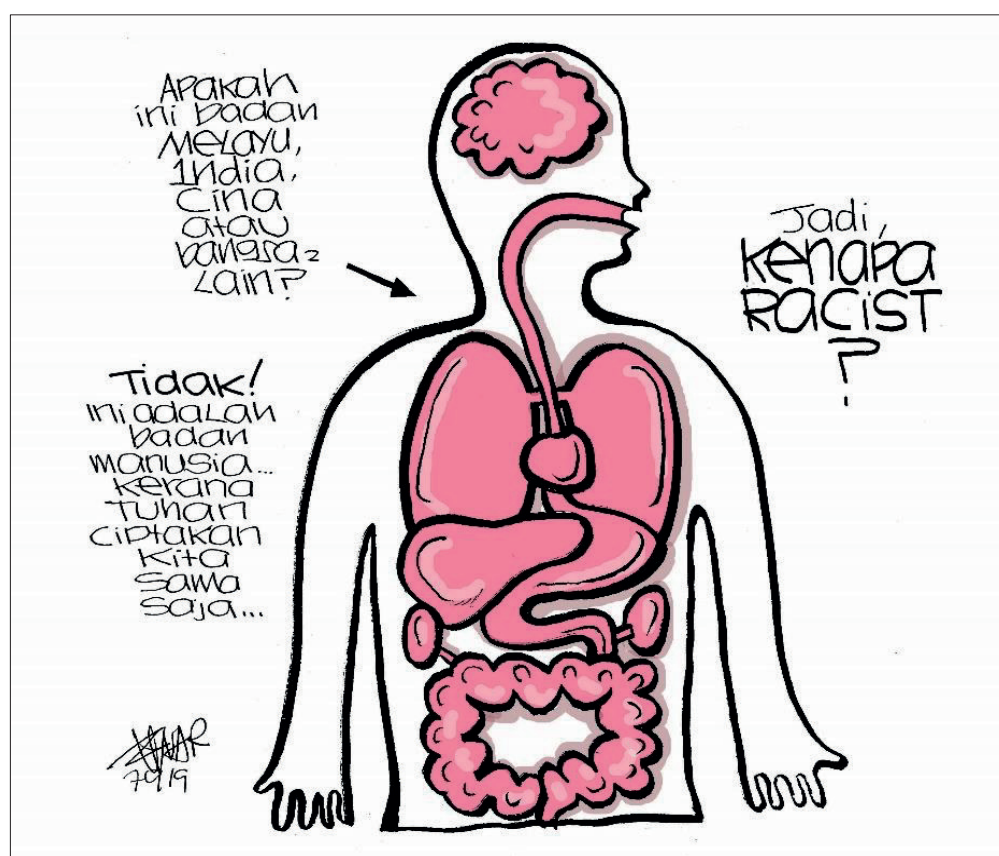
The government is looking into drafting new legislation to protect tenants against discrimination based on their ethnicity when seeking a place to rent, says Housing and Local Government Minister Zuraida Kamaruddin.

"The new law will include provisions against discrimination in accordance with international law," she told reporters after unveiling the new National Housing Policy (2018-2025) on Monday (Jan 28).¹

2. **EC considers deleting race section on electoral roll**

Date: 11 March 2019

The chairman of the EC, Azhar Azizan Harun in a radio interview with the BFM had indicated that the EC is considering the removal of the race box on the electoral roll as part of the EC's reform agenda.²



¹ The Star Online, "Racist landlords, watch out: Govt to draft anti-discrimination law", 28 January 2019. See: <https://www.thestar.com.my/news/nation/2019/01/28/racist-landlords-watch-out-govt-to-draft-anti-discrimination-law>

² The Malaysian Insight, "EC considers deleting race section on electoral roll", 11 March 2019. See: <https://www.themalaysianinsight.com/s/139608>

3. **Affirmative action a flop, make it needs-based, says Sabah think-tank chairman**

Date: 3 April 2019

Tan Sri Simon Sipaun, chairman of IDS (Sabah think-tank) has claimed that the affirmative action policy is a failure. He described that this policy only benefits the elite few and has caused divisions in the society. Furthermore, he claimed that the race- and religion-based affirmative action is not conducive to the creation and maintenance of genuine national unity and integration.³

4. **KJ needles Kulasegaran on 'our race must vote Streram' *ceramah***

Date: 12 April 2019

A video of Human Resources Minister M. Kulasegaran's *ceramah* in Tamil, appealing for the Indian community's votes in tomorrow's Rantau by-election, has caught the attention of Khairy Jamaluddin.

In the 58-second clip, which has Malay subtitles, Kulasegaran tells the audience that he would be embarrassed if Indian voters do not vote for Pakatan Harapan candidate Dr S Streram. What can we tell the cabinet? 'Those fellows' will say, 'Dei, he (UMNO acting chairperson Mohamad Hasan) is of a different race, different religion, but the Tamils (Indians) voted for him. Think carefully (about this). "I have come to Rantau so many times, there are so many Chinese shops, so many Malay shops, but I do not like to eat (in these places)...

"We go to Tamil (Indian) shops. Why? Because this our community," he added.

Malaysiakini has verified that the Malay translation of Kulasegaran's speech is accurate. According to the video, the minister was speaking at Harapan's *ceramah* in Bandar Ekar last night.⁴

5. **Minister: Law against racist housing practices to be tabled by year end**

Date: 14 April 2019

Minister of Housing and Local Government Zuraida Kamaruddin in an interview with the Sunday Star had indicated that a new bill called the Residential Tenancy Act, which aims to curb discriminatory practices in housing, primarily aimed to protect both landlords and tenants from racial discrimination is expected to undergo its first reading in Parliament by year end.⁵

³ Free Malaysia Today, "Affirmative action a flop, make it needs-based, says Sabah think-tank chairman", 3 April 2019. See: <https://www.freemalaysiatoday.com/category/nation/2019/04/03/affirmative-active-a-flop-make-it-needs-based-says-sabah-think-tank-chairman/>

⁴ Malaysiakini, "KJ needles Kulasegaran on 'our race must vote Streram' *ceramah*", 12 April 2019. See: <https://www.malaysiakini.com/news/472073>

⁵ Malay Mail, "Minister: Law against racist housing practices to be tabled by year end", 14 April 2019. See: <https://www.malaymail.com/news/malaysia/2019/04/14/zuraida-law-against-racist-housing-practices-to-be-tabled-by-year-end/1743097>

6. Don't single out any one race in blaming crimes, CM Shafie tells rep

Date: 16 April 2019

Datuk Seri Mohd Shafie Apdal had rebuked the Apas (Sabah state constituency) assemblyman Datuk Nizam Abu Bakar Titingan who alleged that the Bajau Pelauh (sea gypsy) community have been providing information to 'invaders' from neighbouring countries. In response to the allegation, Datuk Seri Mohd Shafie Apdal, the Chief Minister of Sabah had claimed that it wrong to blame crimes and problems on any one race. Instead, it is important to first obtain the right information and convey it to the relevant authorities for thorough investigations to be conducted. If it is proven true, the state government will then follow up with the necessary actions.⁶

7. Khairy raps UMNO for letting rep's 'foreigner' remark slide; MCA Youth demands retraction

Date: 18 April 2019

Khairy Jamaluddin (former UMNO Youth chief) had criticised his party, UMNO, for excusing Kemayan (Pahang state constituency) assemblyman Mohd Fadli Osman's remarks for calling students from Chinese and Tamil vernacular schools, "foreigners" during the Pahang state assembly sitting. He had also expressed his unhappiness over party secretary-general Tan Sri Annuar Musa who claimed that the comment was simply Fadli's personal opinion and did not represent the party's views. Additionally, Nicole Wong (MCA Youth chief) also criticised the UMNO state assemblyman for his racist remarks and demanded Fadli to retract his statement and apologise to the whole Malaysian.⁷

8. Championing one race will destroy all, warns Dr Mahathir

Date: 1 May 2019

Prime Minister Dr Mahathir Mohamad assured that the government is willing to reorient its approaches to discard inefficient methods and adopt the mentality of giving equality to all although it is a work in progress. However, he cautioned that any attempts to advance the agenda of particular race or religious groups at the expense of others will lead to the destruction of all.⁸

⁶ The Star Online, "Don't single out any one race in blaming crimes, CM Shafie tells rep", 16 April 2019. See: <https://www.thestar.com.my/news/nation/2019/04/16/dont-single-out-any-one-race-in-blaming-crimes-cm-shafie-tells-rep/>

⁷ Malay Mail, "Khairy raps UMNO for letting rep's 'foreigner' remark slide; MCA Youth demands retraction", 18 April 2019. See: <https://www.malaymail.com/news/malaysia/2019/04/18/khairy-raps-umno-for-letting-reps-foreigner-remark-slide-mca-youth-demands/1744542>

⁸ The Malaysian Insight, "Championing one race will destroy all, warns Dr Mahathir", 1 May 2019. See: <https://www.themalaysianinsight.com/s/151462>

9. Anwar objects to PAS leader's call to end vernacular schools

Date: 22 June 2019

PKR president Anwar Ibrahim says he strongly objects to a PAS Muslimat vice-chief, Salamiah Mohd Nor, who called for the government to end the vernacular school system during the PAS general assembly in Kuantan. Anwar claimed that this view was not at all suited for Malaysia and viewed that those who do not see the need to be proficient in other languages were not getting on with the times.⁹

10. DAP man jabs UMNO, MCA on PAS 'end vernacular schools' call

Date: 22 June 2019

A DAP leader has called on UMNO and MCA to state their stand on a call by the PAS women's wing to end the vernacular school's system. Kerk said the remarks were against the culture of diversity in Malaysia.

He said politicians in a "new Malaysia" should put the people's interest first instead of trying to divide them. He said the Federal Constitution guaranteed the right of other races to learn their mother tongues including in vernacular schools.¹⁰

11. PAS Youth chief: Make Mandarin, Tamil compulsory in primary schools

Date: 23 June 2019

According to PAS Youth chief Khairil Nizam Khirudin in his winding-up speech at the 65th PAS general assembly, he suggested that both Mandarin and Tamil should be taught as mandatory subjects at all national primary schools in a bid to boost national unity, while, at the same, time, respect the supremacy of the Federal Constitution.¹¹

12. MCA wants anti-Mandarin PAS leader probed for sedition

Date: 25 June 2019

MCA wants police to open investigations under the Sedition Act against a PAS leader who advocated for an end to vernacular schools. The Women's Wing chief of the party, Heng Seai Kie, said the remarks could cause racial conflict.

"Such views are extremist and contemptuous of the Federal Constitution, which protects the rights and interests of every Malaysian to mother tongue education." "If such views are to be expanded, it would surely instigate racial conflicts, society fallout and jeopardise national unity," Heng said in a statement today.¹²

⁹ Malaysiakini, "Anwar objects to PAS leader's call to end vernacular schools", 22 June 2019. See: <https://www.malaysiakini.com/news/480782>

¹⁰ Malaysiakini, "DAP man jabs Umno, MCA on PAS 'end vernacular schools' call", 22 June 2019 See: <https://www.malaysiakini.com/news/480785>

¹¹ Malaysiakini, "PAS Youth chief: Make Mandarin, Tamil compulsory in primary schools", 23 June 2019. See: <https://www.malaysiakini.com/news/480832>

¹² Malaysiakini, "MCA wants anti-Mandarin PAS leader probed for sedition", 25 June 2019. See: <https://www.malaysiakini.com/news/481055>

13. Don't sow enmity towards Islam - Perlis mufti to Muslims

Date: 30 June 2019

Perlis mufti Mohd Asri Zainul Abidin has warned against sowing enmity towards Islam following criticism of Finance Minister Lim Guan Eng over a Chinese couplet hung up in his office. "We may not agree with someone over certain things; however, we must be fair," Asri said in a Facebook post today.

Asri warned that by doing so, non-Muslims would assume that Islam teaches its adherents to hate without reason. Asri did not explicitly mention which incident he was referring to, but his Facebook post included a link to a *KiniTV* video in which Lim defended the presence of the couplet in his office.¹³

14. Nga: New Malaysia should 'move away from race-based politics'

Date: 8 July 2019

Perak DAP chief Nga Kor Ming (photo, above) is urging the Pakatan Harapan government to shift away from race-based politics in shaping a new Malaysia. His call comes after the controversy following Prime Minister Dr Mahathir Mohamad's surprise proposal for all Malay-based parties in the country to join Bersatu, including the latter's former party UMNO. Additionally, he claimed that it is time for Malaysia to move away from race-based politics and create a new Malaysia.¹⁴

15. Shafie: Don't fight over Race and Religion. Sabahans must unite

Date: 20 July 2019

Conflicts arising because of race and religion should be avoided to ensure that every race are able to contribute to the state's development. Chief Minister of Sabah, Datuk Seri Mohd. Shafie Apdal told that it is the people who will suffer if race and religion conflicts persist, who subsequently demand the people to unite as fellow Sabahans.¹⁵

16. Senator wants answers over lower number of Indian students for matriculation

Date: 25 July 2019

MIC Senator, T. Mohan has raised questions over the reduction in the intake of Indian students for matriculation programme which sees a decline from 1,804 in 2018 to 1,212 students this year. He further alluded it is a practise of racism if the numbers were deliberately reduced.¹⁶

¹³ Malaysiakini, "Don't sow enmity towards Islam - Perlis mufti to Muslims", 30 June 2019. See: <https://www.malaysiakini.com/news/481760>

¹⁴ Malaysiakini, "Nga: New Malaysia should 'move away from race-based politics'", 8 July 2019. See: <https://www.malaysiakini.com/news/482919>

¹⁵ Borneo Today, "Shafie: Bersatulah rakyat Sabah jangan gaduh pasal bangsa, agama", 20 July 2019. See: <https://www.borneotoday.net/shafie-bersatulah-rakyat-sabah-jangan-gaduh-pasal-bangsa-agama/>

¹⁶ Malaysiakini, "Senator wants answers over lower number of Indian students for matriculation", 25 July 2019. See: <https://www.malaysiakini.com/news/485366>

17. Avoid religious disputes: CM

Date: 26 July 2019

Datuk Seri Mohd Shafie Apdal requested the people of Sabah to focus on Sabah's future development instead of dwelling into racial and religious sentiments. The Chief Minister acknowledged religion is an individual's matter and should not be used to dispute or divide the people.¹⁷

18. Affirmative action policy to continue based on needs, not race, says Anwar.

Date: 26 July 2019

PKR president Anwar Ibrahim reassured that affirmative action policy would focus on needs rather than race. Commenting on the necessity for affirmative action, he claimed that the old affirmative action policy is obsolete and should be dismantled but should be replaced with a firm commitment based on needs involving the government and private sector. The policy must help everyone with equal rights that includes people from the rural areas and the poor around the nation.¹⁸

19. Bowing to racial groups no way to govern nation, says Rafidah

Date: 7 August 2019

Policymakers must not bow to extreme groups if they are serious about nation-building, said former minister Rafidah Aziz in her keynote address at a forum by the Perdana Leadership Foundation in Putrajaya. She mentioned that as long as we pander to groups with ulterior motives that are not for national development, the nation will never be a nation for all Malaysians.¹⁹

¹⁷ Daily Express, "Avoid religious disputes: CM", 26 July 2019. See: <http://www.dailyexpress.com.my/news/138367/avoid-religious-disputes-cm/>

¹⁸ Free Malaysia Today, "Affirmative action policy to continue based on needs, not race, says Anwar", 26 July 2019. See: <https://www.freemalaysiatoday.com/category/nation/2019/07/26/affirmative-policy-to-continue-based-on-needs-not-race-says-anwar/>

¹⁹ The Malaysian Insight, "Bowing to racial groups no way to govern nation, says Rafidah", 7 August 2019. See: <https://www.themalaysianinsight.com/s/173848>

20. Racial provocations are 'time bombs' waiting to explode, ruler says

Date: 1 September 2019

Sultan Nazrin Shah of Perak in the Peral level Maal Hijrah in Ipoh claimed that the political climate in the country after the 14th General Elections was getting hotter through the acts by political leaders from the government and the opposition. He claimed that the act of instilling the feeling of hatred between the races and religions are committed more often. Sultan Nazrin claimed that such situations are very unhealthy and would place the nation in a dangerous and worrying situation, further stating that the heated climate must be immediately brought down and the acts of instilling racial feelings and spreading the feelings of enmity between the religions must be stopped without delay. He also hoped that Malaysia would be placed under trustworthy and sincere leaders who would carry the voice of moderation, voice of reason and friendship, so that the people of various races and religions in this country could live in peace and harmony.²⁰

21. Mujahid: 'Hate, enmity' in one corner, 'Islamophobia' in the other

Date: 4 September 2019

De facto Religious Affairs Minister Mujahid Yusof Rawa has warned that opposing sentiments concerning Islam have taken hold in the country, aided by "opportunistic politicians". "[...] The country is being dragged into one corner with hate and enmity, while it is being dragged into another corner by unfounded worries over all things associated with the Malay and Islam brand. "The two (sides) often clash and flood public narratives with the incidents, decisions and statements uploaded onto social media of late,"

He was referring to the government themes for both celebrations - '*Sayangi Malaysiaku: Malaysia Bersih*' (Love Our Malaysia: A Clean Malaysia) and '*Negara Rahmah, Ummah Sejahtera*' (A blessed country, a peaceful community) - which were meant to portray a sense of inclusivity and a love for the country.²¹

²⁰ Malaysiakini, "Racial provocations are 'time bombs' waiting to explode, ruler says", 1 September 2019. See: <https://www.malaysiakini.com/news/490253>

²¹ Malaysiakini, "Mujahid: 'Hate, enmity' in one corner, 'Islamophobia' in the other", 4 September 2019. See: <https://www.malaysiakini.com/news/490391>

22. Buy Malaysian products first, not Muslim-made, Saifuddin says

Date: 9 October 2019

Domestic Trade and Consumer Affairs Minister Saifuddin Nasution Ismail today urged the people to buy Malaysian products instead of focusing only on goods made by Bumiputera-owned businesses, the main thrust of the recent "Buy Muslim-made First" (BMF) campaign. He said his ministry was focusing on healthy competition to ensure that the people get quality items at reasonable prices.

"We encourage competition, not discrimination, not price monopolies.

"The price has to be competitive," he said, adding that there should be no compromise regarding halal products. Prime Minister Dr Mahathir Mohamad subsequently said he disagreed with the campaign and that such acts would only be done by people with shallow thinking.²²

²² Free Malaysia Today, "Buy Malaysia Products first not muslim made", 9 October 2019. See: <https://www.freemalaysiatoday.com/category/nation/2019/10/09/buy-malaysian-products-first-not-muslim-made-saifuddin-says/>

23. UM academics stand by convo protest student

Date: 16 October 2019

PKAUM released a statement supporting Wong Yan Ke's solo protest at his convocation ceremony against the university's involvement in the Malay Dignity Congress. They claimed that they supported the student's right to express himself even though they disagreed with the platform through which he had chosen to do so. Additionally, they claimed that the vice-chancellor had failed to promote racial tolerance and unity at UM by engaging in the organisation of the congress in Shah Alam.²³



²³ Free Malaysia Today, "UM academics stand by convo protest student", 16 October 2019. See: <https://www.freemalaysiatoday.com/category/nation/2019/10/16/um-academics-stand-by-convo-protest-student/>

24. VC's Malay congress speech defied Malaysian unity, says UM Law Society

Date: 18 October 2019

The University of Malaya's (UM) Law Society has chided its vice-chancellor (VC) for his speech at the Malay Dignity Congress. The group claimed that Datuk Abdul Rahim Hashim's call for Malay political dominance during his speech goes against the provisions in the Federal Constitution and has sparked concerns in the multicultural society.

"The vice-chancellor in his speech was adamant in ingraining the idea of upholding Malay dignity which does not just go against the aspirations of equality laid down in the Federal Constitution but also regrettably implies that other citizens who are non-Malay should be inferior in the political landscape. We are of the opinion that prominent figures such as the prime minister and vice-chancellor, who are representatives of a multicultural society, should always carry the idea of racial equality and stand up against any form of prejudice or discrimination," it said.²⁴

25. Pro-Malay policies grounded in colonial racist narrative, says academic

Date: 19 October 2019

Sharifah Munirah Alatas, of UKM, had claimed that the government policies favouring the Malays have their origins in a racist narrative first promoted by the British colonialist who depicted the community as lazy. This tactic have resulted in two opposing phenomena where majority of Malays have gradually learnt to be very accommodating of leadership and secondly, a majority of non-Malays feel progressively alienated from society despite their contribution to the development of the country. She also claimed that the education ministry fails to understand that more emphasis on science, technology and engineering in higher education will not attract businesses and foreign investment if the society continues to be mired in moral, religious, racial and ethnic tensions.²⁵

26. Govt has set up committee to tackle sensitive, racial issues

Date: 29 October 2019

Deputy Law Minister in the Prime Minister's Department Mohamed Hanipa Maidin had informed the parliament that the government has set up JPIP to manage and pacify tensions related to sensitive and racial issues at the national level. He also claimed that the committee served as an official forum to identify issues and polemics that could threaten the unity and harmony of the community.²⁶

²⁴ Malay Mail, "VCs Malay congress speech defied Malaysian unity, says UM law society", 18 October 2019. See: <https://www.malaymail.com/news/malaysia/2019/10/18/vcs-malay-congress-speech-defied-malaysian-unity-says-um-law-society/1801589>

²⁵ Free Malaysia Today, "Pro-Malay policies grounded in colonial racist narrative, says academic", 19 October 2019. See: <https://www.freemalaysiatoday.com/category/nation/2019/10/19/pro-malay-policies-grounded-in-colonial-racist-narrative-says-academic/>

²⁶ Malay Mail, "Govt has set up committee to tackle sensitive, racial issues", 29 October 2019. See: <https://www.malaymail.com/news/malaysia/2019/10/29/govt-has-set-up-committee-to-tackle-sensitive-racial-issues/1804913>

27. UMNO Youth slams minister over 'racist, chauvinistic' speech

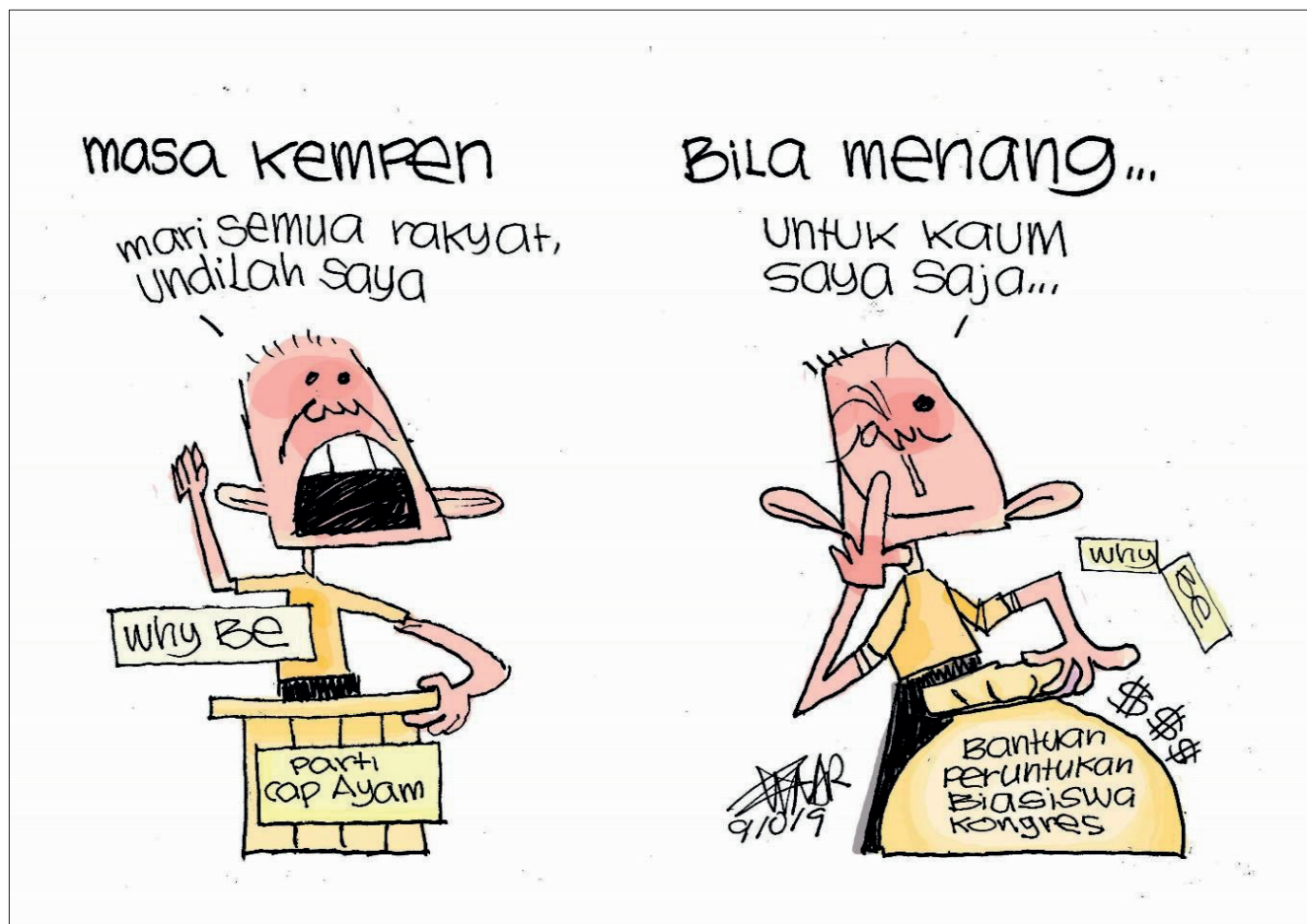
Date: 5 November 2019

Youth chief Asyraf Wajdi Dusuki had criticised Human Resources Minister Kulasegaran for stating that he will be embarrassed if the Indian voters did not support Pakatan Harapan's candidate in Rantau Dr. Streram Sinnasamy.²⁷

28. Fighting racism with cartoons, Zunar releases new book

Date: 6 November 2019

Cartoonist Zulkiflee SM Anwar Ulhaque declared that racism degrades the mind and is a major obstacle to nation-building efforts. In hoping to drive this message home through a book titled "Cartoons against racism". He claimed that the book is published in the midst of raging fires of racism and prejudice, stoked daily by certain groups and political parties.²⁸



²⁷ Free Malaysia Today, "UMNO Youth slams minister over 'racist, chauvinistic' speech", 5 November 2019. See: <https://www.freemalaysiatoday.com/category/nation/2019/11/05/umno-youth-slams-minister-over-racist-chauvinistic-speech/>

²⁸ Malaysiakini, "Fighting racism with cartoons, Zunar releases new book", 6 November 2019. See: <https://www.malaysiakini.com/news/498809>

29. Let's eradicate poverty without looking at race - Daim

Date: November 27, 2019

Former finance minister Daim Zainuddin in a conference held by Asli on "Poverty in Malaysia: Reality vs Perception" had emphasised that the issue of poverty in Malaysia must be recognised and addressed by the government without viewing it from a racial lens. He claimed that racial and religious diversity was a strength and something to be built on. Poverty can be eradicated provided if we tell ourselves that we are Malaysians first and lambasted those who tried to play up divisive issues and distract from building bridges and solving problems.²⁹

30. Don't allow racial issues to fester, become a cancer - DPM

Date: 1 December 2019

Deputy Prime Minister Wan Azizah Wan Ismail, in her speech at the Pandan Parliamentary Deepavali open house in Pandan Indah, said the values of unity should always be nurtured and racial issues should not be allowed to fester and become a cancer that will weaken the unity of the people in this country. She claimed that the people should practice tolerance, accept the religious and racial differences and stated promoting goodwill and unity should always be prioritised.³⁰

31. Students get together in Muhibah Camp to overcome racial distrust

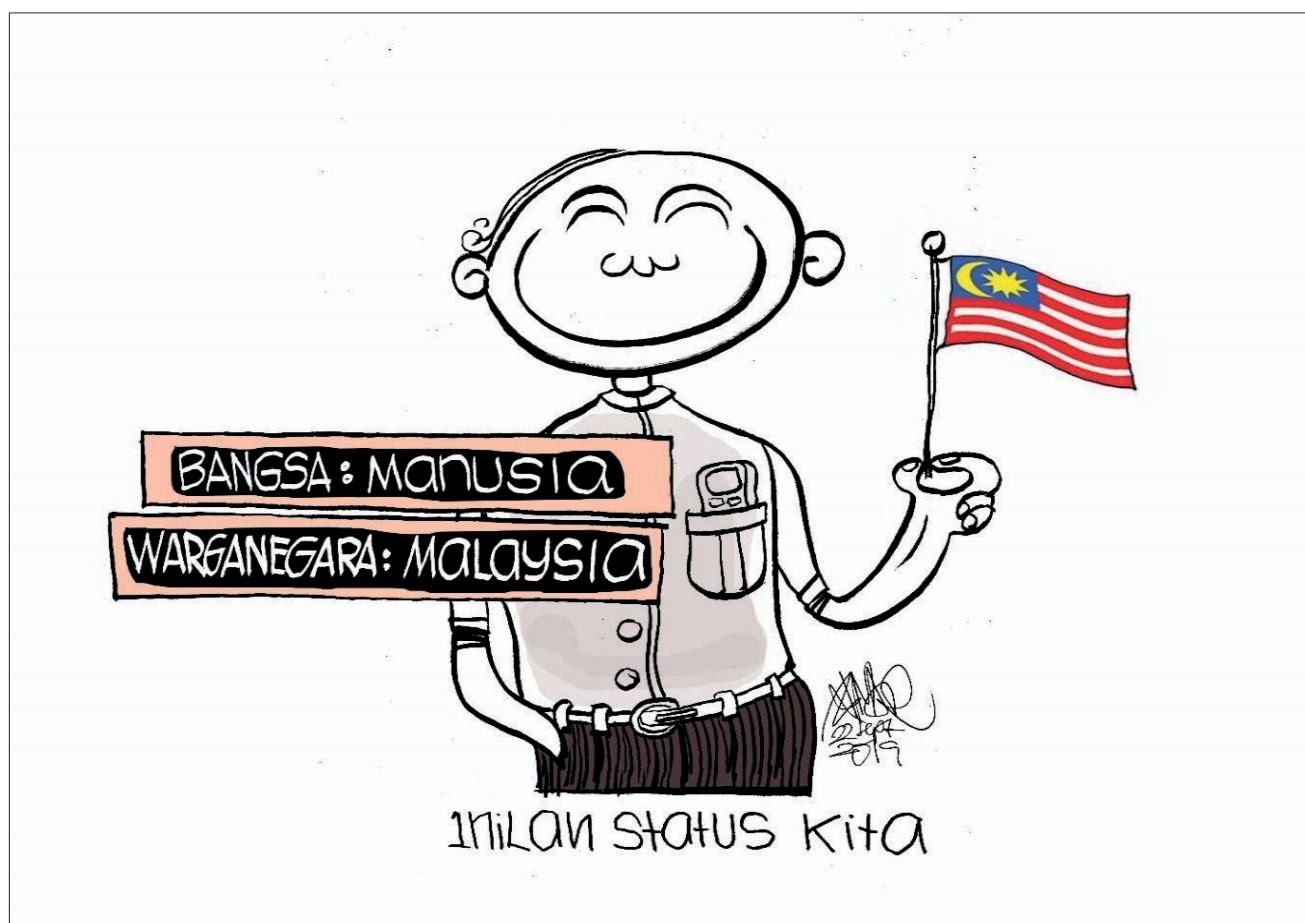
Date: 16 December 2019

Seventy-six students from different educational backgrounds got together at a three-day camp organized by educationist group Dong Zong and Islamic NGO, ABIM, in a bid to overcome racial distrust as a way forward for a better Malaysia. Some of these students never had friends from other races or religions due to their educational background and/or surroundings while others have friends from another race but rarely keep in touch due to cultural barriers. However, by the end of the camp, the camp participants had a better understanding and knowledge of other cultures and religions after going through various modules.³¹

²⁹ Malaysiakini, "Let's eradicate poverty without looking at race – Daim", 27 November 2019. See: <https://www.malaysiakini.com/news/501459>

³⁰ Malaysiakini, "Don't allow racial issues to fester, become a cancer - DPM", 1 December 2019. See: <https://www.malaysiakini.com/news/501920>

³¹ Malaysiakini, "Students get together in Muhibah Camp to overcome racial distrust", 16 December 2019. See: <https://www.malaysiakini.com/news/503748>



32. Why no action against those threatening spectres of May 13, asks Zaid

Date: December 29, 2019

Former federal minister Zaid Ibrahim has questioned the police for their inaction over threatening remarks by Gamis president Saifullah Baiduri who warned of bloody May 13, 1969 riots as long as Dong Zong still exists. They further claimed that Dong Zong is a "pus within the nation's unity", and had urged the home ministry and police to ban the Chinese group, accusing it of opposing nationalistic government policies. Zaid criticised the police for their lack of action as Dong Zong's congress was forced to be cancelled and trampled by threats of violence by those who use force and promise a riot like a repeat of May 13. He claimed that Malaysia is now at a stage where the Malay and Muslim groups will be encouraged to continue their harassment on the non-Malays due to the weakness in the country's security apparatus to maintain public order. He also added that such provocation should not be tolerated as it glorifies rioting and destruction of life and property.³²

³² Free Malaysia Today, "Why no action against those threatening spectres of May 13, asks Zaid", 29 December 2019. See: <https://www.freemalaysiatoday.com/category/nation/2019/12/29/why-no-action-against-those-threatening-spectre-of-may-13-asks-zaid/>

INCIDENCES OF RACIAL DISCRIMINATION IN MALAYSIA IN 2019

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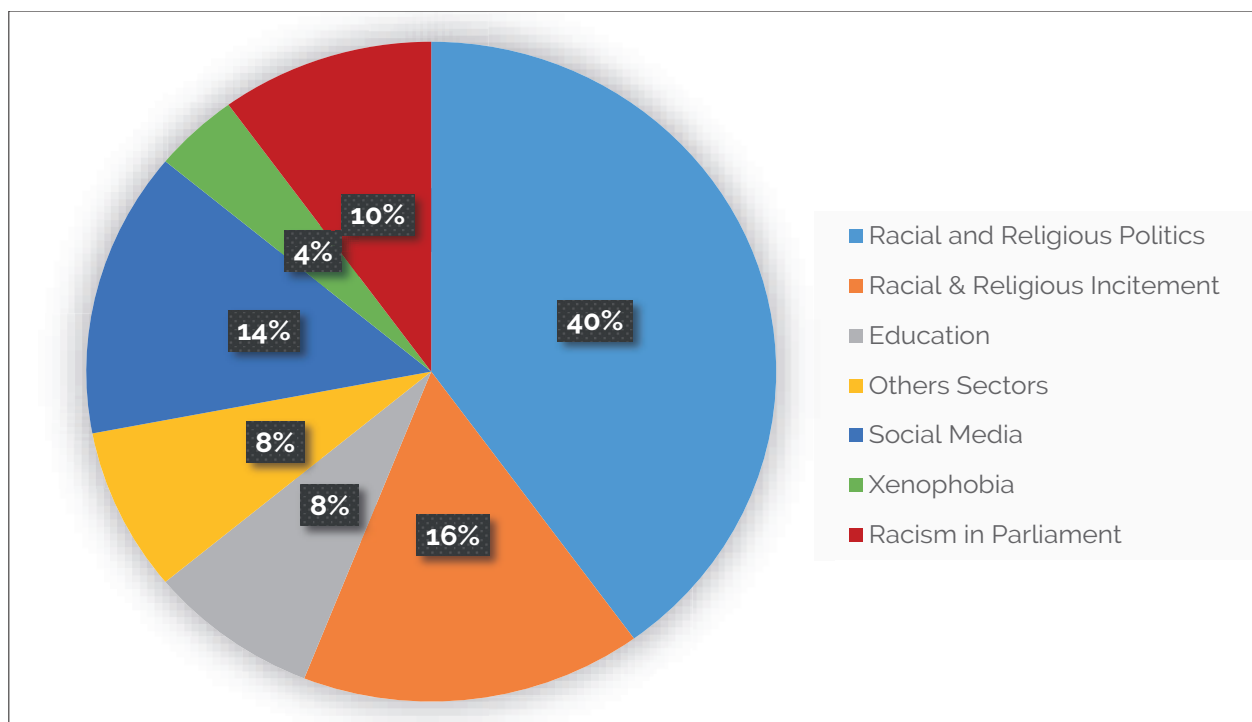
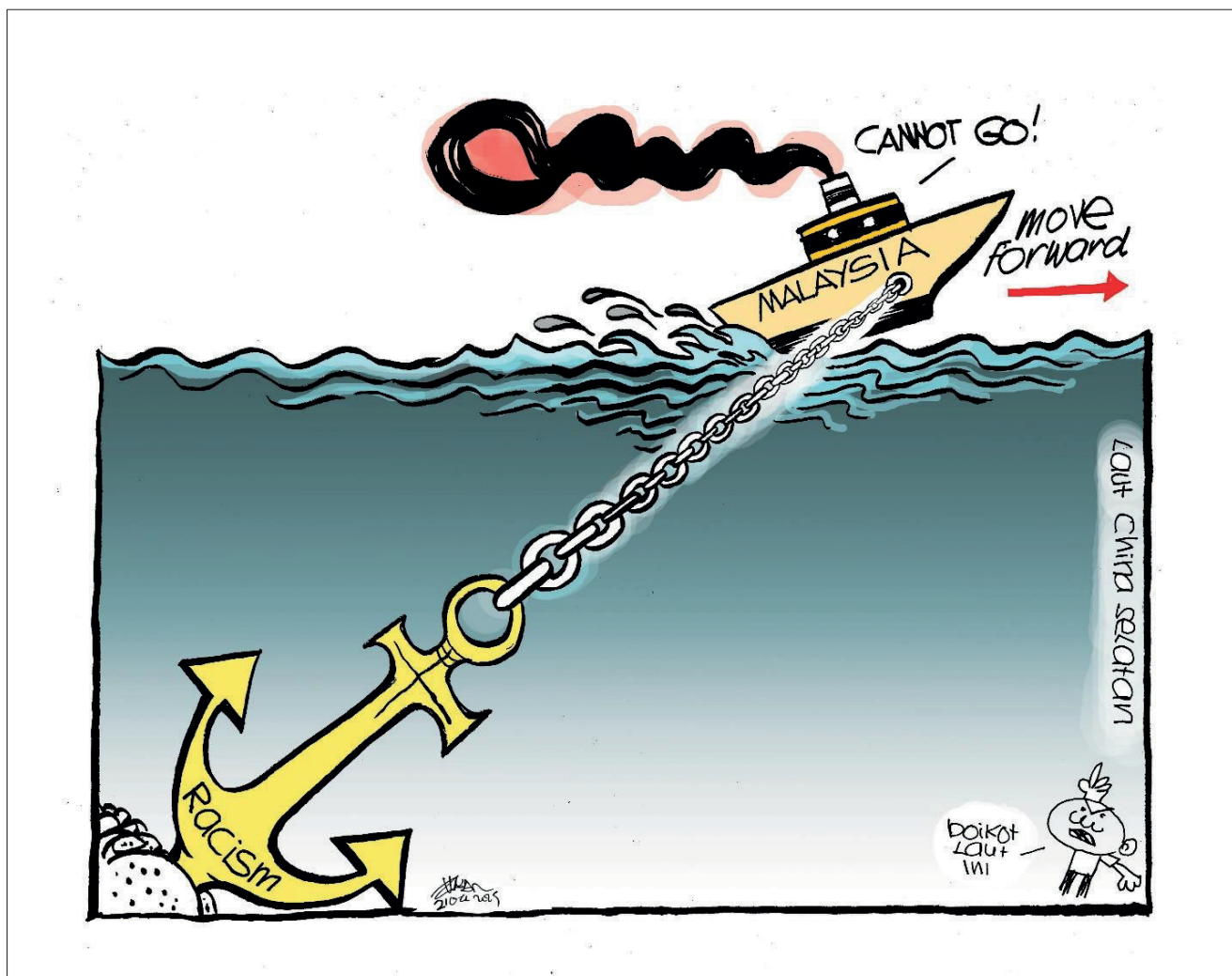


Figure 1. Breakdown of incidences of Racial Discrimination in 2019

The year of 2019 has seen a slight decrease in the incidences of racial discrimination reported in Malaysia. However, this decrease is not indicative of an improvement in the situation; instead, it could be attributed to the number of by-elections which took place in 2018. These by-elections presented limited opportunities and platforms for the use of racial and religious propaganda in 2019. A summary of the breakdown of incidences could be seen in Figure 1.

Data analysis of the number of incidences reported in the Malaysia Racial Discrimination Report 2019 indicate that **racial and religious politics** as possessing the highest number of incidences of racial discrimination. *It in fact constitutes 41%* of the total number of incidences. Additionally, 10% of the incidences reported included **racism in parliament**. Hence, it can be postulated that a total of 51% of the incidences of racial discrimination can be attributed to the use of race and religion by politicians. Furthermore, incidences of **racial and religious incitement** by specific groups, individuals and agencies constitute 17% of the number of incidences reported. These groups have at numerous times displayed their inclination to support the agenda of specific political parties. As such, the findings suggest that the racial and religious card is predominantly used in the political arena that it has taken the center stage of racism in Malaysia.



Apart from that, 15% of the incidences of racial discrimination in 2019 were also captured in **social media** where it was used as a platform by individuals and groups to spew racism under the guise of anonymity. Subsequently, **racism in education** and **racism in other sectors** each constitute 8% of these incidences, while **xenophobia** constitutes another 2%. However, it is important to note that the findings highlighted in this report is based on media scanning and the reports received by the Pusat KOMAS Report Racism mobile application and is therefore indicative of the situation on the ground.

RACIAL AND RELIGIOUS POLITICS

The practice of race- and religion-based politics has been in existence since the formation of Malaysia. Political actors and parties have exploited the issue of race and religion to gain political mileage and to ensure their political survival. These political parties to be regarded as the champions of a particular racial group to ensure control of their constituencies and voters. In the context of this report, incidences in which political actors or parties who utilized religion to ***justify any forms of distinction, exclusion, restriction or preference based on race, color, descent, or national or ethnic origin which has the purpose to nullify or impair human rights in any field of public life*** were included. However, careful consideration was put in the process of scrutinizing the incidences as both race and religion in Malaysia are closely intertwined and easily misinterpreted. The following are outlined news reports in which political actors and parties leveraged on racial and religious politics.

1. Hadi: PAS-UMNO critics like 'Jews' who must be battled to save the country

Date: 1 April 2019

PAS President, Abdul Hadi Awang has labelled those who oppose the cooperation between PAS and UMNO as "Jews". He was responding to the criticisms that their collaboration would turn Malaysia into a Taliban state, believed to be alluding to DAP leaders.

"When UMNO and PAS unite, they are accused of wishing to go to war with other races. (Our accusers are) like the Jews who did not want Muslims to be united during the Prophet's time.

"This is a disease we must fight. Let's join forces and send the enemy to hell," Hadi was quoted telling a gathering in Sabak Bernam, Selangor, to canvass for support for the BN candidate in the Rantau by-election.³³

³³ Malaysiakini, "Hadi: PAS-UMNO critics like 'Jews' who must be battled to save the country", 1 April 2019. See: <https://malaysiakini.com/news/470329>



2. 'Don't vote Keling' banner in Rantau - Mat Hasan denies it's BN

Date: 6 April 2019

Banners containing the word 'keling' (a derogatory remark against ethnic Indians) with the image of Pakatan Harapan candidate Dr. S Streram appeared during the Rantau by-election. Amongst others there were also slogans that says "This heritage land is our land,"

"Don't give him power," "Come rise Negeri Malays," "Let us shake him up, prove we are true sons of Rantau."

According to *Bernama*, Streram has also expressed concern over his safety because the slogan "Ganyang Samo Dio", which literally meant 'Crush (destroy) him', could be interpreted as an instruction to 'beat' him.³⁴

³⁴ Malaysiakini "Don't vote Keling banner in Rantau - Mat Hasan denies it's BN", 6 April 2019. See: <https://malaysiakini.com/news/471119>

3. **UMNO - PAS coalition to counter DAP, says Tok Mat**

Date: 11 April 2019

Rantau candidate Datuk Seri Mohamad Hasan declared the alliance between UMNO and PAS signals they are ready for a war against the non-Malays and the political landscape allegedly dominated by DAP. In his speech, he claimed the Malays and Muslims are struggling to live in their own country because Malaysia doesn't have sufficient funds to sustain our economy as the investors are withdrawing due to their lack of faith in the current government.³⁵

4. **Choose Mat Hasan because Malay majority in Rantau, says Hadi**

Date: 12 April 2019

PAS President had informed the people of Rantau should vote-in Mohamad Hasan (BN Candidate) as their representative in the upcoming by-election because it is a Malay-Muslim majority constituency. However, he also claimed that the coalition would not marginalize the non-Muslim and non-Malay community because Islam instructs to treat everyone fairly.³⁶

5. **Ibrahim Ali unveils new party, Putra, to fight for race and religion**

Date: 9 May 2019

A Malay-Muslim based party was launched by Ibrahim Ali meant for those looking for a political party that would not compromise on issues related to the Bumiputra and Islam.

He said that the party, called Putra for short, was to fight for the rights, well-being of the country, Islam and race

"We will not compromise (unlike) many main political parties after they win elections.

"Even though the Federal Constitution defends the religion, race, and country, they (political parties) compromise (on these aspects)," he said.³⁷

³⁵ Malay Mail, "UMNO - PAS coalition to counter DAP, says Tok Mat", 11 April 2019. See:

<https://www.malaymail.com/news/malaysia/2019/04/11/umno-pas-coalition-to-counter-dap-says-tok-mat/1742349>

³⁶ The Malaysian Insight, "Choose Mat Hasan because Malay majority in Rantau, says Hadi", 12 April 2019. See:

<https://www.themalaysianinsight.com/bahasa/s/147287/2019/04/12/Choose-Mat-Hasan-because-Malay-majority-in-Rantau,-says-Hadi->

³⁷ The Star, "Ibrahim Ali unveils new party, Putra, to fight for race and religion", 9 May 2019. See:

<https://www.thestar.com.my/news/nation/2019/05/09/ibrahim-ali-unveils-new-party-putra-to-fight-for-race-and-religion/>

6. PM: Harapan needs to address race issues to beat UMNO-PAS

Date: 28 May 2019

Speaking at a press conference today, Tun Dr Mahathir defended recent controversial statements by Education Minister Maszlee Malik, and stressed that talking about racial issues did not mean one was being racist.

"He (Maszlee) spoke a little about race, this does not mean he is racist," he said.

"In our party (Bersatu), many people talk about race. Those with Indian heritage will talk about the Indians, the Chinese from DAP will talk about the Chinese, the Malays will talk about the Malays, the Ibans about the Ibans and the Kadazans about the Kadazans.

"But they are all Malaysians, you cannot question their nationality. Race is different."³⁸

7. Hadi: Prioritize faith before integrity

Date: 21 June 2019

Having integrity is an important character trait but PAS president Abdul Hadi Awang today said the priority should always be given to electing Muslim leaders. In his policy speech at the 65th PAS Muktamar, Hadi said a person with integrity but does not have faith in Allah SWT will have no standing in the afterlife.

"Prioritize faith before integrity, because there is no value to integrity without faith.

"Pick Islam first before integrity, which remains an integral trait," Hadi said.³⁹

8. PAS delegate warns of 'Lee Kuan Yew reincarnated' in DAP

Date: 22 June 2019

PAS central delegate from Selangor has warned Malay-Muslims against threats from the DAP which he insisted was a "reincarnation" of Singapore's PAP under the republic's late prime minister Lee Kuan Yew. Selangor PAS election director Roslan Shahir Mohd Shahir cautioned that unless PAS and UMNO cooperate as the two largest Malay-Muslim political parties, Malaysia is doomed to turn into a "second Singapore" with no regard for special rights for Malays and Bumiputera. "We Malay-Muslims who are entrusted to lead Malays, Chinese, Indians, Muruts, Ibans, Orang Asal and others... we need to unite our strengths".⁴⁰

³⁸ Malaysiakini, "PM: Harapan needs to address race issues to beat Umno-PAS", 28 May 2019. See: <https://www.malaysiakini.com/news/477750>

³⁹ Malaysiakini, "Hadi: Prioritize faith before integrity", 21 June 2019. See: <https://www.malaysiakini.com/news/480542>

⁴⁰ Malaysiakini, "PAS delegate warns of 'Lee Kuan Yew reincarnated' in DAP", 22 June 2019. See: <https://www.malaysiakini.com/news/480697>

9. PAS leader urges Dr M to join PAS-UMNO in saving Malays' future

Date: 6 July 2019

Former PAS youth chief invited PM to join both PAS and UMNO in preserving the future of the Malays. He also concurred with Dr Mahathir's assessment that if the Malays are strong and united, then all planning, agendas and focus, especially in the economic sector, individual development and raising living standards can be achieved with excellence.

"After nearly 62 years of independence, the Malays are still left behind, be it economically, in education, or individual development".⁴¹

10. Waytha launches Malaysian Advancement Party for Indian interests

Date: 16 July 2019

Minister of National Unity and Social Well-Being launched a political party to advance the interests of the Indian community in Malaysia in the political, economic, educational, cultural, religious and social spheres. As a people's movement, he claimed that the party will ensure that it plays a crucial role for the Malaysian Indian community with effective representation, with renewed hope and opportunities.⁴²

11. Minister: Malays compromised too much with 'racists', time to rise up

Date: 14 August 2019

Entrepreneur Development Minister Mohd Redzuan Md Yusof has upped the ante amid rising tension among ethnic communities over a number of sensitive issues, claiming that Malays have compromised too much with "racists" and urged them to rise up.

"It is time for Malays to rise up and defend Malay culture before it is destroyed," he was quoted as saying by *Utusan Malaysia*.⁴³

⁴¹ Malay Mail, "PAS leader urges Dr M to join PAS-UMNO in saving Malays' future", 6 July 2019. See: <https://www.malaymail.com/news/malaysia/2019/07/06/pas-leader-urges-dr-m-to-join-pas-umno-in-saving-malays-future/1768858>

⁴² Malaysiakini, "Waytha launches Malaysian Advancement Party for Indian interests", 16 July 2019. See: <https://www.malaysiakini.com/news/483999>

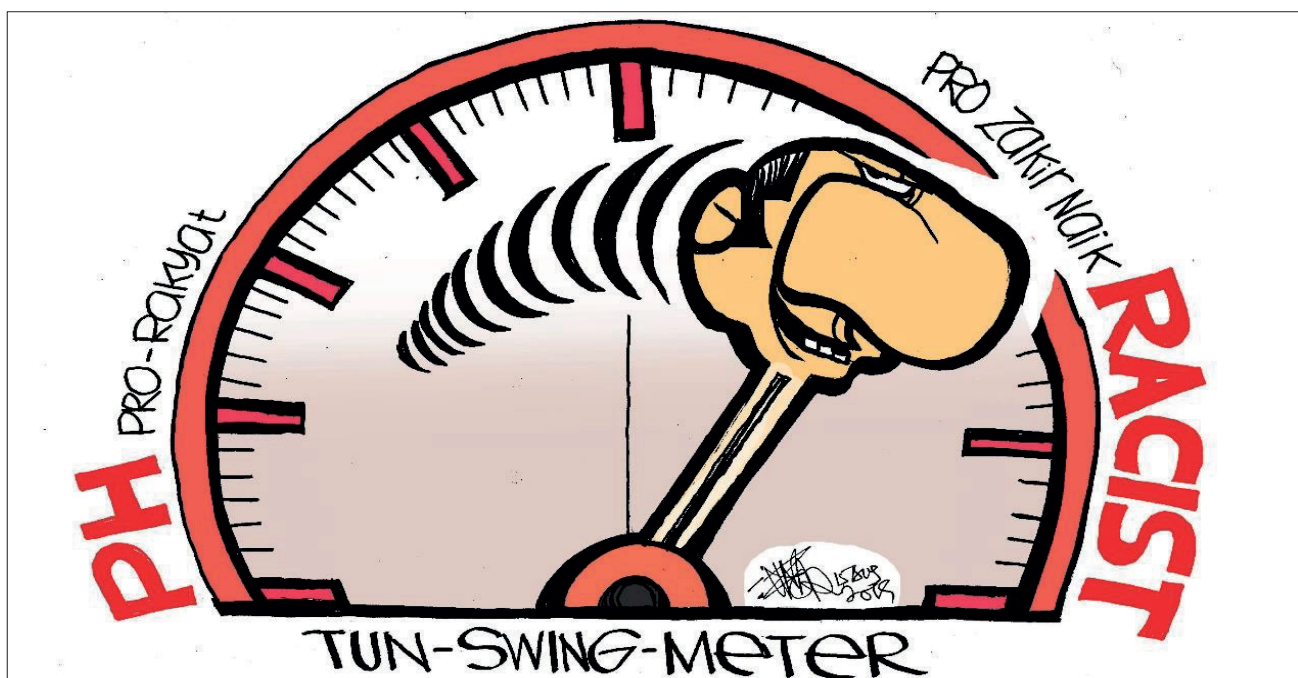
⁴³ Malaysiakini, "Minister: Malays compromised too much with 'racists', time to rise up", 14 August 2019. See: <https://www.malaysiakini.com/news/487876>

12. Those who want Zakir Naik expelled are enemies of Islam: Nik Abduh

Date: 15 August 2019

PAS central committee member Nik Abduh Nik Aziz said no non-Muslims would attempt to expel controversial preacher Zakir Naik from this country unless they were enemies of Islam. His statement via Facebook post today came amidst a controversy courted by the preacher following his remarks on Malaysian Chinese and Indians during a talk in Kelantan last week. Nik Abduh also trained his guns on Muslims who wished for Zakir to be expelled.

Zakir had remarked that Hindu Malaysians seemed to trust the Indian government more than Prime Minister Dr Mahathir Mohamad, while he also suggested that "old guests", referring to the Chinese, "go back." However, Zakir stressed that his statement on the Hindu community had been misquoted.⁴⁴



⁴⁴ Malaysiakini, "Those who want Zakir Naik expelled are enemies of Islam: Nik Abduh", 15 August 2019. See: <https://www.malaysiakini.com/news/488111>

13. Stop calling Malays 'racist', patience has its limits, says Hadi

Date: 25 October 2019

PAS president Abdul Hadi Awang today warned against accusing the Malays of racism, saying there are double standards at play in the application of the "racist" label.

He said the Malays have always been at the receiving end of such labels although they had only demanded what was rightfully theirs. "Only Malays who are too stupid, weak in their faith and who are spiritually lost are not aware to the point that they lose their identity in their own land," the Marang MP said in a statement today.

He also said the Malays had opposed the colonialists and rejected working with them, "This is different from the other races who were brought here and were ready to become their workers and slaves, be it officers or coolies," he added.⁴⁵

14. Putra insists will contest Tanjung Piai if BN fields non-Malay candidate

Date: 29 August 2019

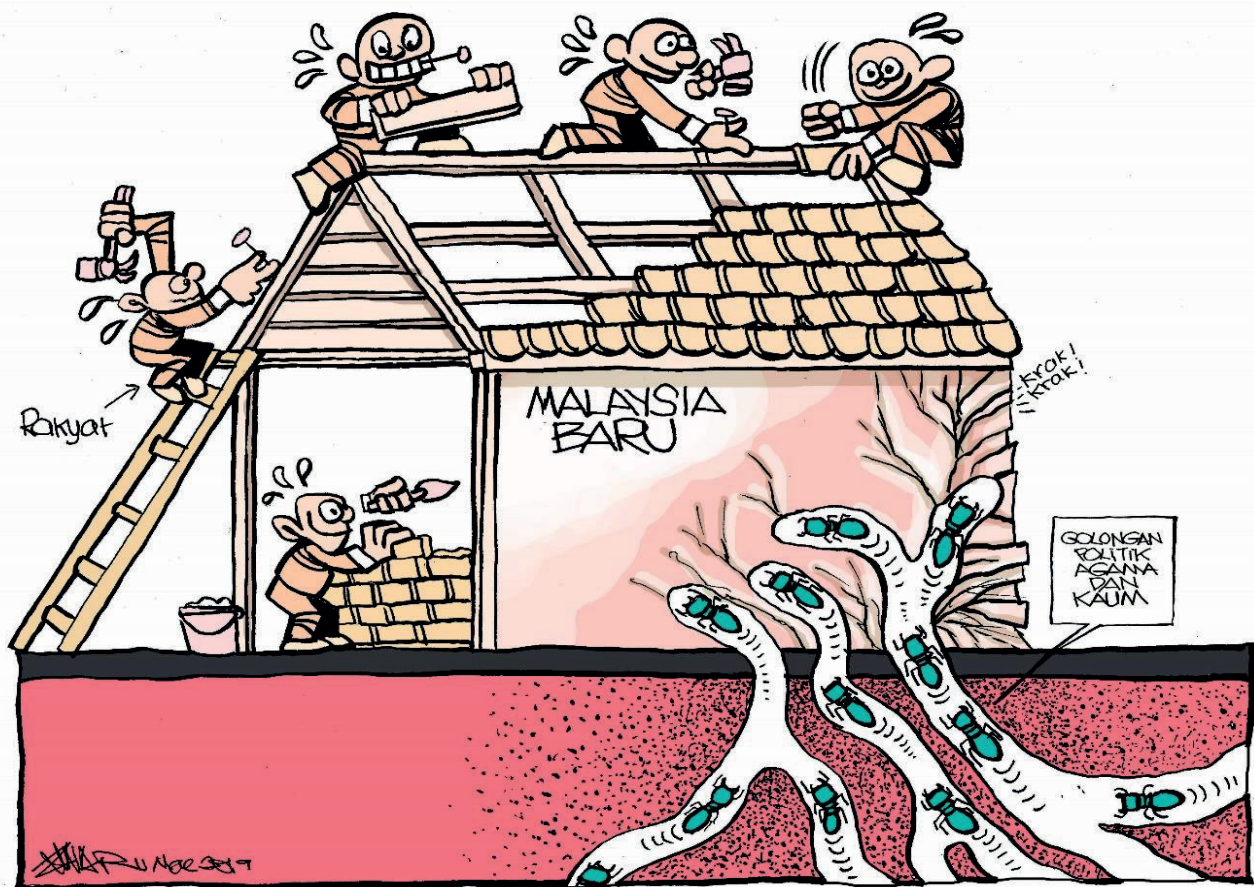
The Tanjung Piai Parti Bumiputera Perkasa Malaysia (Putra) today reiterated its stand and confirmed that it will be contesting in the constituency's coming parliamentary by-election if Barisan Nasional (BN) fields a non-Malay candidate.

"Tanjung Piai's sentiments is not about having a young or old candidate as I believe it is more racial in nature.

"As the majority of voters in Tanjung Piai are Malay, Putra is keen to contest a Malay candidate if BN pushes forward with a non-Malay one," he said.⁴⁶

⁴⁵ Free Malaysia Today, "Stop calling Malays 'racist', patience has its limits, says Hadi", 25 October 2019. See: <https://www.freemalaysiatoday.com/category/nation/2019/10/25/stop-calling-malays-racist-patience-has-its-limits-says-hadi/>

⁴⁶ Malay Mail, "Putra insists will contest Tanjung Piai if BN fields non-Malay candidate", 29 August 2019. See: <https://www.malaymail.com/news/malaysia/2019/10/29/putra-insists-will-contest-tanjung-piai-if-bn-fields-non-malay-candidate/1804815>



15. Ka Siong tells BN-PAS crowd: Not all Chinese are racists like 'that party'

Date: 7 November 2019

BN and PAS joined forces last night in a joint *ceramah* in support of MCA's candidate for the Tanjung Piai by-election. The event, which featured PAS president Abdul Hadi Awang, UMNO president Ahmad Zahid Hamidi and MCA president Wee Ka Siong.

In his speech, Wee took veiled swipes at DAP, which it labelled as 'that party', saying that unlike them, MCA had never insulted Malays, Islam or the royal institution.

"Not like that party, which asked Malays to screw Malays."

"This is not good. Whatever our religion, we must respect one another, which is why I want to say, MCA is different from other parties which allegedly represent the Chinese community."

"I just want to say, not all Chinese are racist. A small number may have different assumptions, perceptions or ideologies, but they believe in this country. There are Chinese who have the Malaysian spirit," he said to applause from the crowd.⁴⁷

16. Johor bicycle tragedy: Zahid questions court acquittal of driver

Date: 7 November 2019

UMNO president Ahmad Zahid Hamidi has claimed that the law is being abused under the watch of the Pakatan Harapan government and attorney-general Tommy Thomas.

Speaking at a *ceramah* in Tanjung Piai last night, one case Zahid questioned was Johor Bahru Magistrate's Court's acquittal of a woman on a charge of reckless driving, leading to the death of eight teenage cyclists in 2017.

While Zahid did not mention the woman's race, criticism of the court ruling has been focused on her Chinese ethnicity. After the ruling, social media was aflame with allegations that because she was Chinese or "*bangsa* DAP" (DAP race), they managed to buy or influence the judge's decision.⁴⁸

⁴⁷ Malaysiakini, "Ka Siong tells BN-PAS crowd: Not all Chinese are racists like that party", 7 November 2019. See: <https://www.malaysiakini.com/news/498904>

⁴⁸ Malaysiakini, "Johor bicycle tragedy: Zahid questions court acquittal of driver", 7 November 2019. See: <https://www.malaysiakini.com/news/498899>

17. Guan Eng slams Tuan Ibrahim as 'unethical' over non-Muslim rights

Date: 10 November 2019

The deputy president of PAS, Tuan Ibrahim Tuan Man, was described today as a dishonest and unethical politician by DAP secretary-general Lim Guan Eng, who accused Tuan Ibrahim and his party of calling for policies that would end the rights of non-Muslim and non-Malay Malaysians.

Speaking at the Selangor DAP convention today, Lim said Tuan Ibrahim had denied that PAS and UMNO leaders had made such calls which affected the right of non-Malays or non-Muslims to hold Cabinet positions; the teaching of mother-tongue languages in vernacular schools; alleging that the finance ministry had taken over JAKIM (Malaysian Islamic Development Department); and by calling for a boycott of non-Muslim products and businesses.⁴⁹

18. 'Vote Muslim First' flyer distributed at PH Talk, Syed Saddiq says its sabotage

Date: 13 November 2019

A flyer promoting the Pakatan Harapan candidate Kaimaine Sardini, uses the 'Buy Muslim first' campaign was distributed at a talk today. The flyer was placed at approximately 1000 chairs in the program that was held in Kukup Laut. The flyer displays the halal logo at the back with the words "Buy Islam products campaign". We will purchase as long as the person is a Malay Muslim.

In a quick response, the head of the Youth Wing of Bersatu, Syed Saddiq Syed Abdul Rahman claims that the distribution of the flyer is a sabotage. "This is not the stand of PH! I have checked with the organizer and nobody is aware of this. We suspect it is an act of sabotage."⁵⁰

19. Commotion in Dewan over racist accusation against DAP

Date: 18 November 2019

A commotion arose in the Dewan Rakyat today after an opposition MP accused DAP of making racially tinged speeches. Deputy Education Minister Teo Nie Ching (PH - Kulai) had been responding to an additional question by Mohd Shahar Abdullah (BN - Paya Besar) on whether the government allowed such speeches in schools. "We don't allow anyone to give racially tinged speeches in schools," she said. Other MPs from Barisan Nasional then joined the fray, with Noh Omar (BN - Tanjung Karang) accusing Teo of misleading the house. Ariff then asked Noh Omar to write to him stating the facts of how Teo had misled the house.⁵¹

⁴⁹ Free Malaysia Today, "Guan Eng slams Tuan Ibrahim as 'unethical' over non-Muslim rights", 10 November 2019. See: <https://www.freemalaysiatoday.com/category/nation/2019/11/10/guan-eng-slams-tuan-ibrahim-as-unethical-over-non-muslim-rights/>

⁵⁰ Malaysiakini, "Vote Muslim First flyer distributed at PH Talk, Syed Saddiq says its sabotage", 13 November 2019. See: <https://www.malaysiakini.com/news/499719>

⁵¹ Free Malaysia Today, "Commotion in Dewan over racist accusation against DAP", 18 November 2019. See: <https://www.freemalaysiatoday.com/category/nation/2019/11/18/commotion-in-dewan-over-racist-accusation-against-dap/>

20. Hadi defends 'Malay world' remark, tells other races to be grateful to Malays who came first

Date: 29 December 2019

PAS president Datuk Seri Abdul Hadi Awang defended today his earlier remark aimed at ethnic Chinese educationists that they were living in a "Malay World" by asserting that the other Malaysian races should be grateful to the Malays who were the first occupiers of the land.

Hadi said that those who oppose the initial form of Bahasa Melayu were neo-colonialists and could be deemed enemies of Islam, calling for a *jihad*.

He claimed that past colonialists were against Bahasa Melayu and had sought to prevent its spread but had not interfered with the use of Chinese or Tamil script locally.

"Other races should respect and be grateful for the permission by the Malay race who were first to step foot in this Malay World. The existence of other races in Tanah Melayu is because of the situation created during the colonial times," he said in his Facebook page, using the pre-Malaysia term of "Tanah Melayu" or "Malaya for the" peninsula.⁵²

⁵² Malay Mail, "Hadi defends 'Malay world' remark, tells other races to be grateful to Malays who came first", 29 December 2019. See: <https://www.malaymail.com/news/malaysia/2019/12/29/hadi-defends-malay-world-remark-tells-other-races-to-be-grateful-to-malays/1823049>

RACIAL AND RELIGIOUS INCITEMENT

Previously, this category was referred to as “*groups, agencies and individuals that use provocative racial and religious sentiments*”; however, in this report, this category was renamed as **racial and religious incitement**. Incidences included in this category captured news reports of groups, agencies and individuals (not part of a political party) that may incite racial and religious hatred. Similar to the “racial and religious politics” category, incidences in which groups, agencies and individuals that utilized religion to justify their racially discriminatory actions were included in this category.

1. Malay economic body defends Azmin's pro-Bumiputera stand

Date: 8 March 2019

A coalition of Malay NGOs has defended Economic Affairs Minister Azmin Ali's call to focus on the Malay and Bumiputera agenda. At a press conference, the Malay Economic Action Council (MTEM) said Azmin's call should not be turned into a political issue, adding it was the only way to reduce the income and wealth gap between the races.

“All MTEM members and the Bumiputera economic community fully support any leader who does not hesitate to defend and fight for the Bumiputera economic agenda,” MTEM chief executive Ahmad Yazid Othman said.⁵³

2. Schools infuriates parents for an order for Muslim students to join a Hindu celebration.

Date: 30 January 2019

A posting from Ismaweb claimed that they have received shocking information from parents with regards to the Ponggal celebration that has been widely celebrated by some schools in the Klang Valley, Negeri Sembilan or other states. The web then continues to report that it has found that Muslim students were forced to participate in this celebration by participating in activities like decorating the ‘*kolam*’ with coloured rice or flour.

The reporting then continues to highlight that the high school, (SMK) ‘forces’ the Muslim students to celebrate even though the school consists of a majority of Muslim students. In addition to that, Muslim teachers were also mentioned to be participative in the Ponggal celebration. The report also mentioned to not use the celebration as an excuse for ‘racial unity’ whilst the laws of Islam are left aside.⁵⁴

⁵³ Free Malaysia Today, “Malay economic body defends Azmin's pro-Bumiputera stand”, 8 March 2019. See: <https://www.freemalaysiatoday.com/category/nation/2019/03/08/malay-economic-body-defends-azmins-pro-bumiputera-stand/>

⁵⁴ Ismaweb, “Schools infuriates parents for an order for Muslim students to join a Hindu celebration”, 30 January 2019. See: <https://www.ismaweb.net/2019/01/30/ibu-bapa-marah-sekolah-arrah-pelajar-islam-sertai-acara-agama-hindu/>

3. Muslims being bullied by Pakatan, says Perlis mufti

Date: 29 April 2019

Perlis Mufti Mohd Asri Zainul Abidin has labeled Pakatan Harapan led-government as bullies for arresting Muhammad Zamri Vinoth Kalimuthu, allegedly because insulting Hinduism.

Asri in a Facebook post said there were various statements made by individuals who are in the government who insulted Muslims and caused racial tension but were only called to give their statements.⁵⁵

4. Malaysia is for Malays, says Perlis mufti

Date: 16 August 2019

Perlis Mufti Mohd Asri Zainul Abidin has criticised those he claims disregard the dominance of the Malays in Malaysia, saying the idea that all races are equal in moulding a nation's identity does not exist in practice even in the advanced West. "A country has its identity. China is for Chinese, is India for the Chinese too? No, it's for the Indians," he said in a lecture at a mosque last night.

"What about Malaysia, *Tanah Melayu*? If China is for the Chinese and the Indian sub-continent is for the Indians, can *Tanah Melayu* be for all?

Malaysia, on the other hand, said Asri, has given leeway to different communities to set up their own vernacular schools.⁵⁶

5. UMMAH claims liberalism, Christianization are 'clear threats' to Islam

Date: 25 August 2019

Gerakan Pembela Ummah has highlighted several issues which purportedly pose an existential threat to Islam, such as liberalism and Christianization.

In his opening speech at the Ummah convention in Kuala Lumpur today, chairperson Aminuddin Yahya said "enemies" have seized the opportunity to oppress Malay-Muslims because they have fractured into smaller groups.

"The liberal movement has openly attacked the religious institution in the country, which they labelled as a waste of people's money and does not bring any good to the country's development".⁵⁷

⁵⁵ *The Malaysian Insight*, "Muslims being bullied by Pakatan, says Perlis mufti", 29 April 2019. See: <https://www.themalaysianinsight.com/s/151145/2019/04/29/Muslims-being-bullied-by-Pakatan,-says-Perlis-mufti>

⁵⁶ *Free Malaysia Today*, "Malaysia is for Malays, says Perlis mufti", 16 August 2019. See: <https://www.freemalaysiatoday.com/category/nation/2019/08/16/malaysia-is-for-malays-says-perlis-mufti/>

⁵⁷ *Malaysiakini*, "Ummah claims liberalism, Christianization are 'clear threats' to Islam", 25 August 2019. See: <https://www.malaysiakini.com/news/489384>

6. Malaysia belongs to Malays, Shah Alam congress warns ahead of Dr. M's speech

Date: 6 October 2019

The chief organizer of the Malay Dignity Congress had reminded other communities of their social contract with Malays, saying it was the basis of giving them citizenship which could be suspended if they break the agreement. Quoting verses from the Quran, Zainal Kling said Malays, who he claimed "inherited the country for over 5,000 years", could always suspend their social contract with non-Malays, adding that they were the rightful owners of the land.

"If people want to continue to transgress the agreements in the Federal Constitution, then perhaps the Malays have to return to Allah's words in the Surah At-Taubah", he said. He said Malaysia is for Malays just as Thailand is for the Thais, China for the Chinese, and India for the Indians.⁵⁸

7. Kulasegaran practices 'Indian first, Malay out' ethics

Date: 8 October 2019

M. Kulasegaran, a DAP Minister, was claimed to have practiced racial sentiments when he prioritizes the Indian community in his ministerial department.

According to the report from the web portal, Sabahkini2, the governmental agency under his ministry, Human Resource Development Fund (HRDF), is now monopolized by a majority of Indians while many Malay staffs have been retired.

One of the examples given were the election of the new Chief Executive Officer (CEO) of HRDF, Elanjelian Venugopal which was done without an interview. Additionally, top positioned staffs that are not of Indian descent were either pressed until they quit or their contract have not been renewed to give way to his cronies. It was also reported that Indian staffs with records of bribery cases are still maintained.⁵⁹

⁵⁸ Free Malaysia Today, "Malaysia belongs to Malays Shah Alam congress warns ahead of Dr. Ms speech", 6 October 2019. See: <https://www.freemalaysiatoday.com/category/nation/2019/10/06/malaysia-belongs-to-malays-shah-alam-congress-warns-ahead-of-dr-ms-speech/>

⁵⁹ Nthqibord, "Kulasegaran practices 'Indian first, Malay out' ethics", 8 October 2019. See: <https://nthqibord.com/2019/10/08/kulasegaran-didakwa-amal-dasar-indian-first-malay-out/>

8. We would be like the Uyghur if the “chauvinistic party” rules our country

Date: 21 December 2019

It is highly possible that the Malays in Malaysia will receive the same fate as the minority ethnic in China which is the Uyghur Islam if the “chauvinistic party” continues to rule the administration of the country in totality.

A member of the Islamic movement (ISMA), IR Muhammad Lukman Al Hakim, says that the Islam in Malaysia have to remain united in ensuring that the Malay domination as well as Islam in the political scenario to avoid the same possibility.

In providing further information, Muhammad Lukman also mentioned that a lot of the actions and stand of a “chauvinistic party” is anti-national besides instilling hate in Islam. He mentioned that this worrying matter should be taken seriously by Muslims since there is a rise in the hate towards Islam in the nation.⁶⁰

RACISM IN EDUCATION

Racially discriminatory actions were also present in the education sector in Malaysia. In 2019, several policies were introduced by the Pakatan Harapan government which were perceived as intending to impair the recognition, enjoyment or exercise of human rights and fundamental freedoms of other groups in the education sector. This had stirred several controversies and backlash.

1. Education minister whipped for 'behaving like UMNO politician'

Date: 17 May 2019

Education Minister Maszlee Malik's remarks linking the continuation of the matriculation quota to unfair employment practices in the private sector with regard to the Bumiputera is shocking, Penang Deputy Chief Minister II P Ramasamy said.

"He is saying as long as the private sector, in other words, Chinese employers, are recruiting on the basis of knowledge of Mandarin, then the government will maintain the present matriculation quota.

He replied, "If we want to change, if we say in 'Malaysia Baru' there is no need for a quota system and so on, then we must also make sure job opportunities are not denied to Bumiputera just because they don't know Mandarin."⁶¹

⁶⁰ Ismaweb, "We would be like the Uyghur if the chauvinistic party rules our country", 21 December 2019. See: <https://www.ismaweb.net/2019/12/21/kita-jadi-seperti-uyghur-jika1/>

⁶¹ Malaysiakini, "Education minister whipped for 'behaving like Umno politician'", 17 May 2019. See: <https://www.malaysiakini.com/news/4764659>

2. 'End vernacular schools, don't let Mandarin become second language'

Date: 22 June 2019

Muslimat PAS, the women's wing of the Islamist party, said it is unwilling to see Mandarin become a second language for Malaysians.

"Dewan Muslimat has one hope - we are unwilling for Mandarin to become a second language.

"We want the second language to be that of the Quran and Sunnah which have been neglected for generations, causing some Muslims to become ignorant about the Quran." Salamiah said the education system should be based on the Quran. "We do not want education to separate knowledge from religion," she added.⁶²

3. Indigenous people quit school due to bullying and being mocked at

Date: 27 July 2019

A forum consisting of teachers, an activist and the Director General of JAKOA, Juli Edo that was discussing on mater pertaining to the Indigenous community today concluded that bullying, discrimination and fear of losing their identity are a few factors that causes the kids of the community to quit school.

According to the Department of Indigenous People Affairs (JAKOA), the rate of dropouts from high school in the community is on the rise and has reached 51.06 percent in the year 2018.

The panel in the forum also shared how the kids of the community were called with derogatory terms and have been physically bullied in school because of their identity.⁶³

4. Amid *khat* controversy, Dr M says 'racist' Dong Zong opposes everything

Date: 12 August 2019

Prime Minister Dr Mahathir Mohamad has branded Dong Zong "racist" after it claimed the government's move to introduce *khat* in schools was a form of "Islamization". The Chinese educationist group recently launched a petition against the teaching of Jawi calligraphy to Standard Four pupils despite the Education Ministry's decision to making the lesson optional and halving the number of pages.⁶⁴

⁶² Malaysiakini, "End vernacular schools, don't let Mandarin become second language", 22 June 2019. See: <https://www.malaysiakini.com/news/480710>

⁶³ Malaysiakini, "Indigenous people quits school due to bullying and being mocked at", 27 July 2019. See: <https://www.malaysiakini.com/news/485660/2019/07/27/Orang-Asli-berhenti-sekolah-kerana-dibuli-dan-dihina>

⁶⁴ Malaysiakini, "Amid *khat* controversy, Dr M says 'racist' Dong Zong opposes everything", 12 August 2019. See: <https://www.malaysiakini.com/news/487664>

RACISM IN OTHER SECTORS

Racially discriminatory practices were also observed in other sectors, such as the property and employment sectors. Some Malaysians were denied equal opportunities due to specific racial preferences by individuals and groups. The incidences in this category include reports obtained via the Pusat KOMAS Report Racism mobile application and through media scanning.

1. Housing market: Rental racism

Date: 31 January 2019

Already, the amount of time spent and effort looking for a suitable or practical place to rent according to one's budget is daunting. It gets more arduous when landlords don't want tenants of certain ethnicity. Rental discrimination is common in Malaysia.

A survey involving more than 1,000 Malaysians by YouGov Omnibus revealed that 62% of respondents, aged 18 and above, have encountered advertisements with specific racial requirements when looking for a place to rent. If one opines that this is prevalent only in the cities, you are wrong.

One in particular which went viral recently was about a Chindian man who almost secured a room to rent when the landlord, at first, thought he was Chinese. The landlord later rejected him when he told the former that one of his parents is Indian.⁶⁵

2. In 'liberal' Bangsar, race still matters to landlords

Date: 11 March 2019

Landlords in a middle-class settlement like Bangsar rejects potential tenants due to their ethnicity. It is also reported that the "Middle Eastern and African" or black tenants are less likely to get a house there.⁶⁶

A reader and professional, Suriani Ariff, told *Malay Mail* her enquiries to real estate agents with a view to renting a condominium unit in Bangsar within the RM2,500 to RM3,000 price range were met with rejections, allegedly because she is Malay and that the landlords prefer tenants who are ethnic Chinese or white expatriates over Malays or Indians.

"We got a new government in 2018 and my God, we still have the same problem. Racism is institutionalized in Malaysia, you cannot change this overnight, it's going to take more than a few generations.

⁶⁵ *New Straits Times*, "Housing market: Rental racism", 31 January 2019. See: <https://www.nst.com.my/opinion/leaders/2019/01/456080/housing-market-rental-racism>

⁶⁶ *Malay Mail*, "In 'liberal' Bangsar, race still matters to landlords", 11 March 2019. See: <https://www.malaymail.com/news/malaysia/2019/03/11/in-liberal-bangsar-race-still-matters-to-landlords/1731215>

3. **Former anti-discrimination officer becomes a 'discrimination victim'**

Date: 31 October 2019

In an ironic twist, a former anti-discrimination officer has claimed that his efforts to rent a room very likely proved futile because of his ethnicity. Ilaiya Barathi Paneerselvam, 26, said that after nearly four weeks of searching for a room in Penang, no one wanted to rent it to him.

Barathi said that after answering more than 20 advertisements online and being told the rooms were "unavailable", he felt his ethnic makeup was a factor.

"I was stunned at first, but later I got angry, as most of the property owners in Penang appear to be comfortable with Chinese, Malays, or even expatriates. Just look at the ads on these websites," he said.⁶⁷

4. **Employment: "Chinese only"**

Date: 3rd November 2019

A report that was lodged at our Report Racism application was based on a job advertisement that was placed at a jewellery store in Paradigm Mall. What was shocking was the fact that the advertisement clearly stipulated that it is open for female Chinese applicants only.⁶⁸

RACISM IN SOCIAL MEDIA AMONG MALAYSIANS

Over the years, social media has become the go-to platform for Malaysians to propagate racism and to incite hatred under the guise of anonymity. Numerous incidences of racism in social media were captured in this report. Pusat KOMAS Report Racism mobile application had also received several reports of racially discriminatory statements in social media.

1. **Racist remark made with an intention to hurt**

Date: 7 January 2019

A report lodged with Pusat KOMAS' Report Racism mobile application had alleged that an individual, who had admitted that he was racist, had called for the user of the account to their God for help. The individual also expressed that he wished to see that happen so that he would be able to punch the user.⁶⁹

⁶⁷Free Malaysia Today, "Former anti-discrimination officer becomes a discrimination victim", 31 October 2019. See: <https://www.freemalaysiatoday.com/category/nation/2019/10/31/former-anti-discrimination-officer-becomes-a-discrimination-victim/>

⁶⁸ Report obtained from the KOMAS Report Racism Mobile Application

⁶⁹ Report obtained from the KOMAS Report Racism Mobile Application

2. Hate speech and calling for ethnic cleansing.

Date: 25th January 2019

A report was lodged by an individual who alleged an individual on Facebook for demeaning and instilling hate on the Sabahans. The individual had purportedly promoted ethnic cleansing in the comment section.⁷⁰

3. Insulting a particular race and ethnic group with derogatory remarks

Date: 3rd March 2019

A report had highlighted the usage of the derogatory terms 'Keling' and 'Pariah' to refer to the Indian ethnic group in the comment sections of the posts by Harian Metro Online and Oh My Media. Additionally, a particular comment also used the word 'Jakun' to insult another user.⁷¹

4. Racist and derogatory remarks made in a work chat group

Date: 14th March 2019

A report had shown a screenshot of an individual making racist comments about a fellow colleague. The individual accused the colleague of being a thief and called said colleague a 'keling estate' who is hungry for power. Despite these messages being posted in the work chat group, there was no response from the other colleagues with regards to this incident.⁷²

5. Racist remarks against Malaysian model Amelia Henderson

Date: 13 June 2019

Malaysian model, Amelia Henderson of Sri Lankan and Scottish parentage was taken aback when among 1,300 comments which included congratulatory messages, two comments had claimed that she is not Malaysian. The comments stated, "You're not Malay, the Malaysian people should stand up to foreigners like you". Another comment also read, "Maybe some high echelons people is paying you to say this for social engineering. Put it this way... YOU ARE NOT MALAY."⁷³

6. Exchange of racist insults on the Facebook Messenger platform by Malaysian netizens.

Date: 26th July 2019

A report was lodged where it highlighted an exchange of comments made by two users. The users proceeded to use foul language and made racist remarks against the complainant via the Facebook Messenger platform.⁷⁴

⁷⁰ Report obtained from the KOMAS Report Racism Mobile Application

⁷¹ Report obtained from the KOMAS Report Racism Mobile Application

⁷² Report obtained from the KOMAS Report Racism Mobile Application

⁷³ Malay Mail, "Racist remarks against Malaysian model Amelia Henderson", 13 June 2019. See:

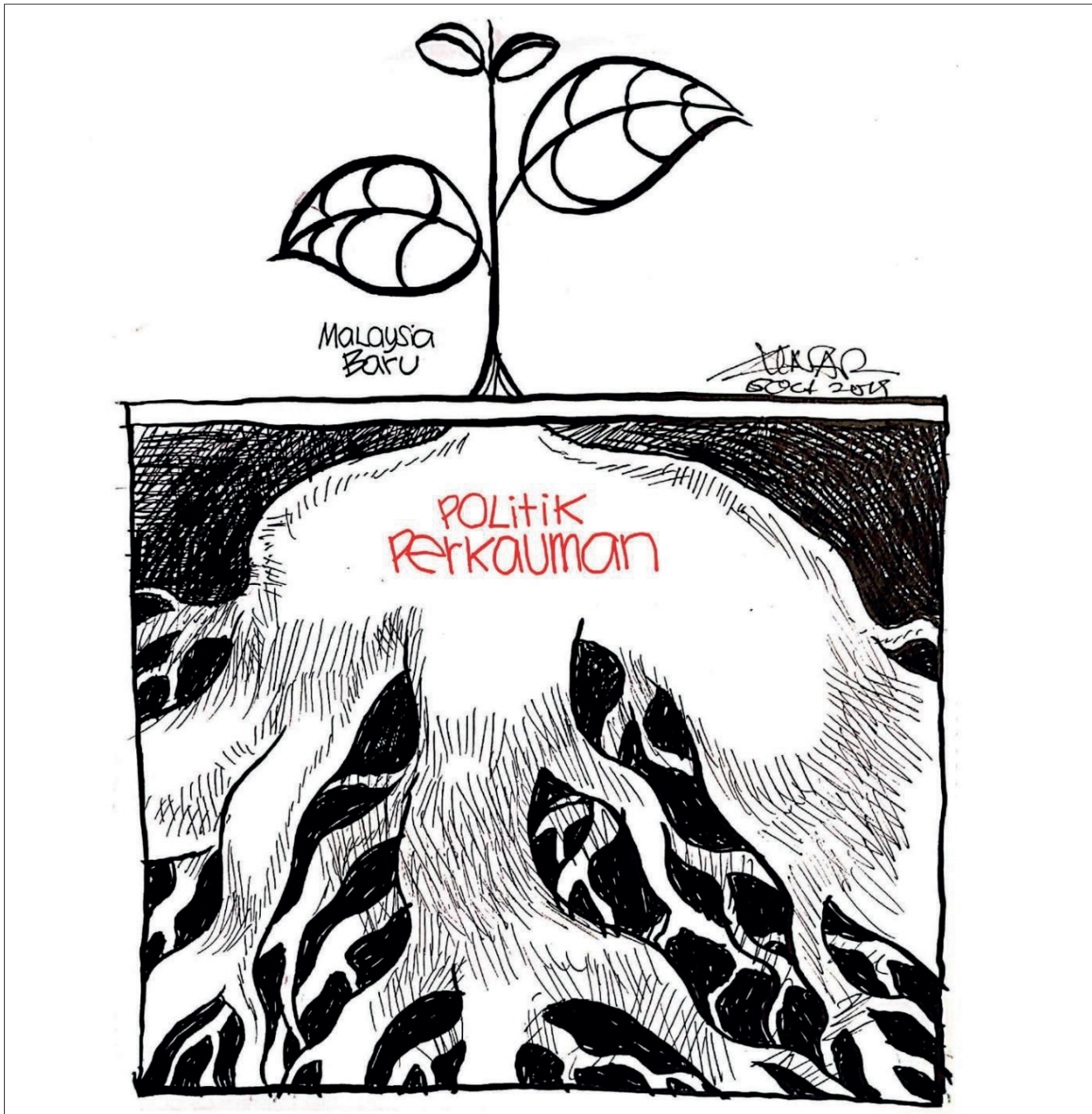
<https://www.malaymail.com/news/showbiz/2019/06/13/racist-remarks-against-malaysian-model-amelia-henderson-what-makes-a-real-m/1761780>

⁷⁴ Report obtained from the KOMAS Report Racism Mobile Application

7. Call to boycott a product made by an Indian-owned business.

Date: 23rd August 2019

A lodged report had referenced a post made by an individual in a Facebook Group named "Gabungan Anak Terengganu", which called for all Muslim consumers to boycott a sauce produced by an Indian business owner. The user then went on to a particular ethnic group with the death of the late Malaysian firefighter Muhammad Adib Mohd Kassim.⁷⁵



⁷⁵ Report obtained from the KOMAS Report Racism Mobile Application

RACISM IN PARLIAMENT

The Parliament was also not spared from racial and religious incitement. Based on "Pusat KOMAS" scanning of the parliamentary seating in 2019, several incidences which have shown poor conduct on the part of the Members of Parliament were captured. Oftentimes, the parliamentarians would resort to the race and religion card to incite the opposing group of parliamentarians and to disrupt parliamentary proceedings. Parliamentarians would also make remarks which were deemed to be racially and religiously sensitive (e.g., "Communist" and "Taliban") to provoke the opposing lawmakers. The extracts of the parliamentary Hansard below were among some of the examples of racism in Parliament. Additionally, parliamentarians also resorted to conducting 'selective' interpretations of the provisions in the Federal Constitution to justify their racist statements.

1. Parliamentary Hansard ⁷⁶

Date: 28 March 2019

Tuan Nga Kor Ming [Deputy Speaker]:
What is the question Rembau?

Tuan Khairy Jamaluddin Abu Bakar [Rembau]:
Is it during the by-election that you have a comprehensive understanding problem, Taliban?

Tuan Nga Kor Ming [Deputy Speaker]:
Retract that statement, Respected Rembau.

Tuan Khairy Jamaluddin Abu Bakar [Rembau]:
Retract what?

Tuan Nga Kor Ming [Deputy Speaker]:
The word *Taliban*.

⁷⁶ <https://www.parlimen.gov.my/files/hindex/pdf/DR-14102019.pdf#page=6&zoom=100&search=taliban>

2. Parliamentary Hansard ⁷⁷

Date: 14 October 2019

Ustaz Haji Ahmad Marzuk bin Shaary [Pengkalan Chepal]:
Assalamualaikum warahmatullahi wabaraktuh, Mister Chairperson, I would like to start with a verse.

*"Raya Haji Raya Korban;
Dari Pontian ke Pulau Sedeli;
Kamu kata kami Taliban;
Rupanya kamu pejuang LTTE..."*

Tuan Cha Kee Chin [Rasah]:
Stupid. Stupid.

Dato' Seri Dr. Shahidan bin Kassim [Arau]:
Is the Speaker following the ways of a Taliban?

Tuan Haji Awang bin Hashim [Pendang]:
Taliban connotes a student, keen to learn.

3. Parliamentary Hansard ⁷⁸

Date: 18 November 2019

Tuan Sanisvara Nethaji Rayer a/l Rajaji [Jelutong]:
If that is the case, this shows that UMNO is racist from before, now and will continue to be forever.

Dato' Seri Dr. Shahidan bin Kassim [Arau]:
Retract that statement if not, you will be classified as a communist.

Tuan Sanisvara Nethaji Rayer a/l Rajaji [Jelutong]:
Mister Chairperson, I am ready to retract my statement.

Tuan Sanisvara Nethaji Rayer a/l Rajaji [Jelutong]:
I would like to ask if PAS showers its blessing on the close relationship between UMNO and the Chinese Communist Party?

Tuan Haji Awang bin Hashim [Pendang]:
Look at this act Mister Chairperson if I whoop him later it will be bad.

⁷⁷ <https://www.parlimen.gov.my/files/hindex/pdf/DR-14102019.pdf#page=6&zoom=100&search=taliban>

⁷⁸ <https://www.parlimen.gov.my/files/hindex/pdf/DR-18112019.pdf#page=117&zoom=100&search=umno%20rasis>

4. Parliamentary Hansard ⁷⁹

Date: 19 November 2019

Tan Sri Haji Noh bin Haji Omar [Tanjong Karang]:

This is an unheard story Respected Minister that may be true. But it is true - look at Article 153, the permission gives advantage to the bumiputera, and if it is allowed with no restriction, I strongly disagree because these opportunities give priority to the Bumiputera over anyone else. I'm not being a racist, Member of Parliament Jelutong, I am only speaking based on Article 153.

5. Parliamentary Hansard ⁸⁰

Date: 3 December 2019

Dato Sri Haji Tajuddin bin Abdul Rahman [Pasar Salak]:

I would like to ask, that ash, is that the ash of Chin Peng? (Laughs) (referring to Jelutong MP's forehead)

XENOPHOBIC BEHAVIOUR

Reports were also made in regards to foreigners and migrant workers, which depicted them as not being spared from becoming victims of racial discrimination. Oftentimes, they were targeted and victimized because of their ethnic and national origins.

1. Behaviour displayed by Cheras restaurant

Date: 23 June 2019

A restaurant in Seksyen 9, Bandar Mahkota Cheras, was reported by a user for displaying xenophobic behaviour. The restaurant was reported to have shunned their African patrons by using derogatory terms. Additionally, a waiter went to the extent of removing the plates from the customer's table without giving any explanation. ⁸¹

2. Behaviour displayed by a Carousel dealer

Date: 19 October 2019

A report was made where it claimed that a seller from an online marketplace application, Carousell, had exhibited hostile xenophobic behaviour. After the complainant provided a feedback to the services provided, the seller criticized on the individual's appearance and his African ethnicity. ⁸²

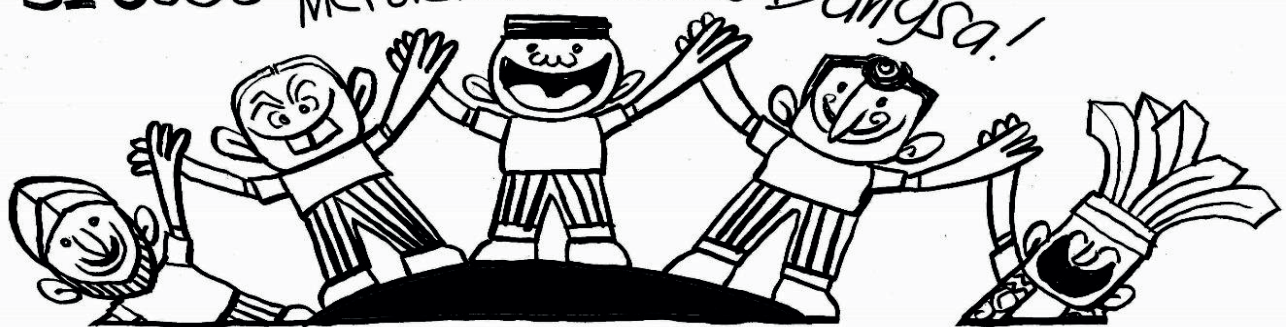
⁷⁹ <https://www.parlimen.gov.my/files/hindex/pdf/DR-19112019.pdf#page=99&zoom=100&search=artikel%20153>

⁸⁰ <https://www.parlimen.gov.my/files/hindex/pdf/DR03122019.pdf#page=38&zoom=100&search=chin%20peng>

⁸¹ Report obtained from the KOMAS Report Racism Mobile Application

⁸² Report obtained from the KOMAS Report Racism Mobile Application

31 OGOS merdeka!! Satu Bangsa!



SELEPAS
31 OGOS

Pendatang!



mahu
persamaan
hak



Stateless
Indians

Sarawak for
Sarawakians,
Sabah for
Sabahians



National Unity hanya LIPSTICK hiasan perayaan

SPECIAL REPORT:
A FIVE-YEAR
OVERVIEW OF RACIAL
DISCRIMINATION
IN MALAYSIA
(2015 - 2019)

This year marks the fifth year of publication of the annual Pusat KOMAS Racial Discrimination Report. This five-year overview provides information of the total number of efforts made by individuals, groups, agencies and the government to counter the issue of racial discrimination in Malaysia. In addition, it also provides an overview of the trends of racial discrimination in Malaysia and the number of incidences documented over the past five years.

1. Efforts to counter racial discrimination and promote national unity

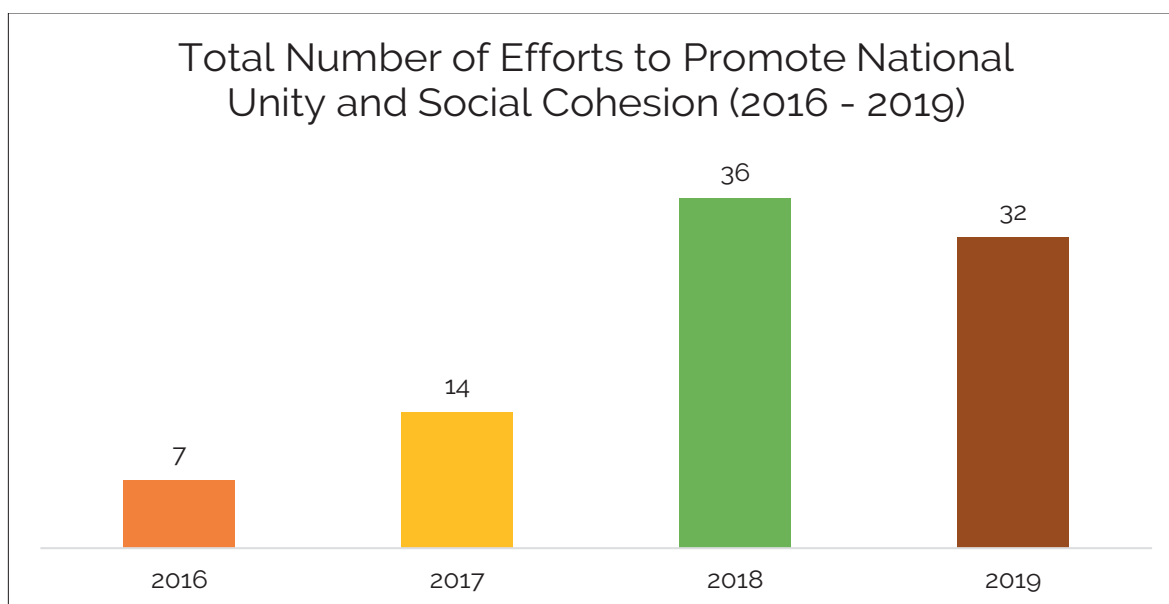


Figure 2. Total number of efforts to promote national unity and social cohesion from 2016 to 2019

The initiative to document the efforts to promote national unity and social cohesion began in the year 2016. The total number of efforts documented had increased two-fold in 2016 to 2017, from 7 to 14 efforts. Meanwhile, from 2017 to 2018, there is an exponential increase in the total number of efforts going from 14 to 36 efforts. The increase could be attributed to the change of the Malaysian government from the former Barisan Nasional (BN) ruling party to Pakatan Harapan (PH) whereby the new government had indicated their commitment to implement policies and programmes that would unite the nation, create an inclusive society and maintain the harmony of multi-racial and multi-religious Malaysia. However, in 2019, there is a slight decrease in the number of efforts taken to promote national unity and social cohesion, from 36 to 32 efforts. The slight decrease could be attributed to the process of implementation of commitments made by the PH government. However, it is important to note that besides the government's promises and commitment to promote national unity and social cohesion, there was an increase in the number of initiatives undertaken by fellow Malaysians which were recorded by the media. The increase in the number of efforts undertaken are highly applauded as it provides a sense of hope in the midst of rising levels of racism and extremism in the nation.

2. Incidences of racial discrimination

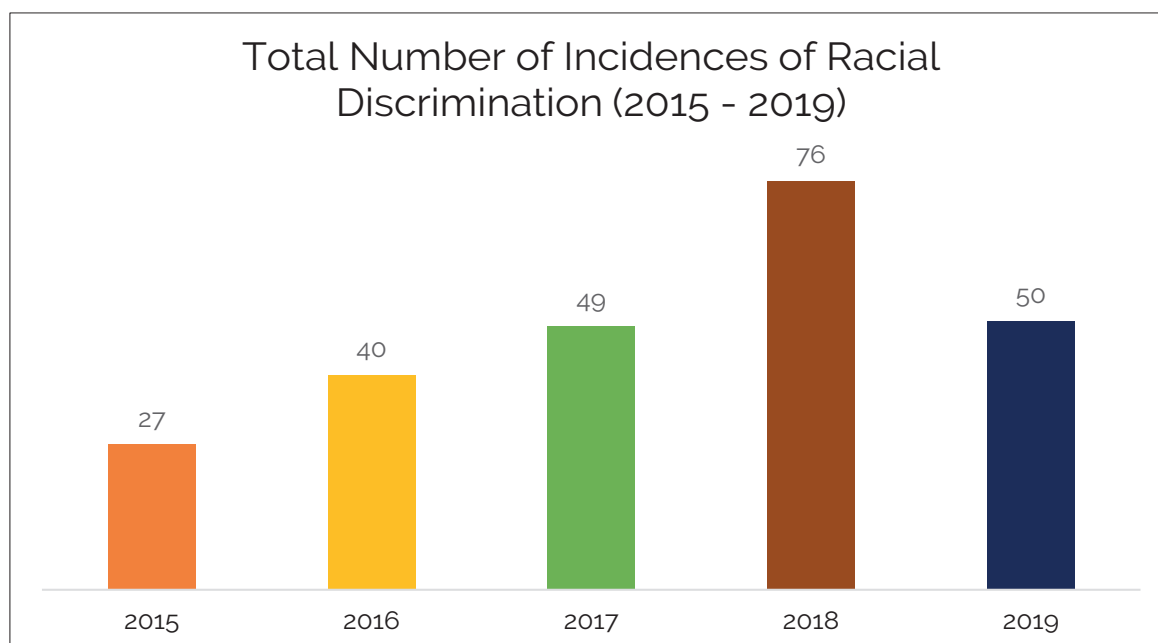
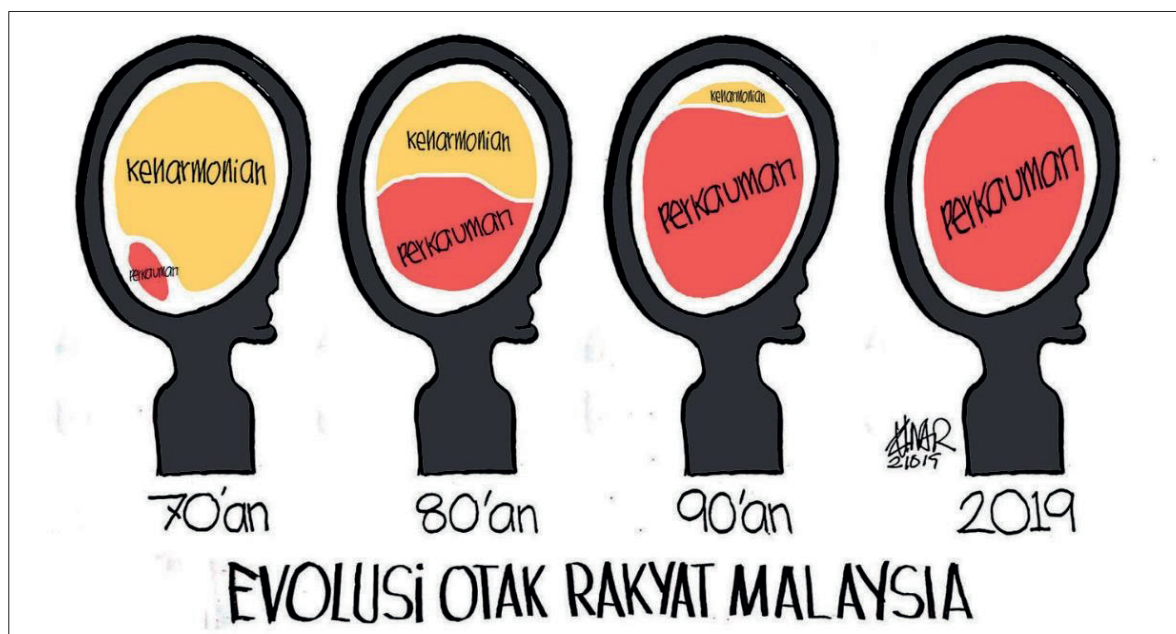


Figure 3. Total number of incidences of racial discrimination from 2015 to 2019

The number of incidences of racial discrimination reported by the media and via the Pusat KOMAS Report Racism mobile application have seen an increase from 2015. The number of incidences of racial discrimination reached its peak in the year 2018, during which a total number of 76 cases were reported. The exponential increase in the number of incidences reported could be attributed to the 14th General Election during which various political actors and parties had resorted to the use of the racial and religious card to garner support from their constituencies. However, in 2019, there was a drop in the number of incidences reported. A detailed breakdown of the trends of the incidences is highlighted in Figure 4.



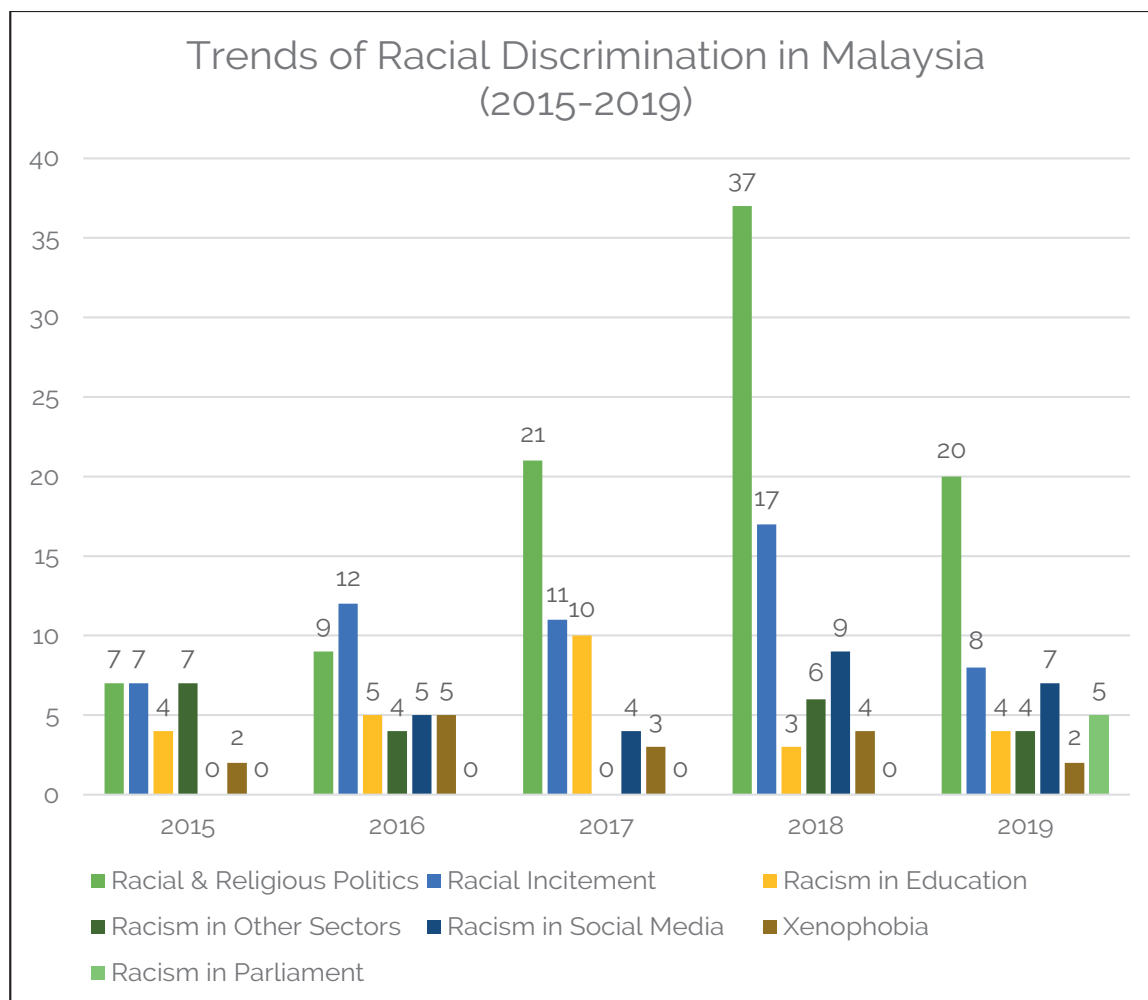


Figure 4. Breakdown of the trends of racial discrimination from 2015 - 2019

Based on the breakdown of trends of racial discrimination in Malaysia from 2015 to 2019, there has been an exponential increase in the use of racial and religious politics. In 2015, the total number of incidences of racial and religious politics is 7, and it has seen a steady increase in 2016 with 9 incidences; 21 incidences in 2017; 37 in 2018; and 20 in 2019. The increase from the year 2015 to 2017 could be attributed to the preparation of the 14th General Election, where the use of racial and religious politics peaked as the General Election was ongoing. Racial and religious politics were also subsequently used in 2019, especially during the by-elections. Furthermore, a number of political actors and parties post-14th General Elections had continued to stir controversy and incite hatred among different ethnic groups in attempts to wrest control of the political power.

Meanwhile, the number of cases related to racial incitement by individuals, groups and agencies have increased from 2015 to 2016, from 7 cases to 12 cases, and where it saw a slight reduction to 11 cases in 2017. However, there is a spike in the number of incidences from 2017 to 2018, with a total number of 17 cases. There is a decrease in the number of incidences to 8 in 2019. Although there is a decrease, incidences of racial incitement continued to persist as a follow-up to the incidences in 2018. These individuals, groups and agencies had leveraged upon the unhappiness of the community in 2018 and continued to further divide the community.

In terms of racism in education, the highest peak of incidences could be seen in 2017 with a total number of 10 cases. Meanwhile, racism in other sectors were also present in every consecutive year. As seen in the reports in previous years, the incidences related to racism in social media had reached its peak total in 2018 and persisted in its rate of frequency. The increase of racism in social media could be attributed to the Pakatan Harapan government's commitment to uphold freedom of speech. Due to this commitment, Malaysians had flocked to social media to incite hatred and spread criticism under the guise of anonymity, resulting in the increase in both 2018 and 2019.

Lastly, incidences of xenophobia were captured in every consecutive year. However, these incidences were often obtained via Pusat KOMAS Report Racism mobile application and not through the media. Although the number of incidences reported may be low, the actual number of cases may be higher. It is important to note that the incidences of racism in parliament were only recorded in 2019 as Pusat KOMAS had only decided to monitor parliamentary proceedings in that same year. Drawing upon the data obtained for the past five years, it can be postulated that the issue of racial and religious politics has played an unfortunately prominent role in Malaysia. It is imperative to note that the political model of 'consociationalism', which political actors believe that they represent all the races in the country, still exists today. However, in reality, political actors and parties had continued to leverage on racial politics in order to ensure their political survival. Even though the Pakatan Harapan government had shown its commitment to break away from this model, they were unable to overcome the growing dissatisfaction due to the fear of losing their powers. This had led to the Pakatan Harapan government backtracking on numerous decisions to promote national unity and social cohesion, such as the ratification of the International Convention on the Elimination of Racial Discrimination (ICERD). Instead, it had been extremely careful in making any decisions and initiatives, and had opted to the easiest and conventional use of identity politics.

Despite the flaws in the Pakatan Harapan government, the exponential increase in the efforts to combat racial discrimination as well as to promote national unity and social cohesion are noteworthy. The findings suggest that the Pakatan Harapan government and fellow Malaysians are committed to combating racial discrimination in the nation, but faced challenges from individuals, groups and agencies that do not subscribe to such ideologies. It is therefore obvious that more effort is required from fellow Malaysians, hand-in-hand with any governmental changes and decisions to ensure that racial discrimination is eradicated in Malaysia.

MALAYSIAN FEDERAL CONSTITUTION



The Malaysian Federal Constitution⁸³ contains provisions which prohibit racial discrimination in the country, as spelt out in both Article 8 (1, 2) and Article 12.

Article 8 (1 & 2):

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

Article 12 (1):

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

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

Article 153 (1):

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

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

Article 153 (7):

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

⁸³ Article 8 (1, 2) and Article 12 (1) in the Malaysian Federal Constitution

**MALAYSIA'S
INTERNATIONAL
HUMAN RIGHTS
COMMITMENT
IN ELIMINATING
RACIAL
DISCRIMINATION**

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

Among the treaties signed were the Convention of the Rights of the Child (CRC) ratified in 1995; the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) ratified in 1995; and the Convention on the Rights of Persons with Disabilities (CRPD) ratified in 2010. These treaties also outline provisions against racial discrimination.

Malaysia is also a party to several declarations, such as the Universal Declarations of Human Rights and the ASEAN Human Rights Declaration which was signed in 2012. In addition, the Malaysian government has also shown its commitment to implement the Sustainable Development Goal (SDG). The specific provisions of the abovementioned declarations, which outlines the state's commitment to promote non-racial discrimination, are highlighted below.

Sadly, the incidents of racial discrimination reported in 2018 continue to reflect the violations on the legislative and policy frameworks of the State at both the national and international level. Incidents and trends on racial discrimination in the same year is a strong indicator of Malaysia's deplorable state of racism and dire need for non-discrimination in the country. This alarming situation should convey a strong message to the Government and the Malaysian people that a lot remains to be done in terms of strengthening national unity and social cohesion in the State.

Universal Declaration of Human Rights⁸⁴

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)

(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.

⁸⁴ Article 2, 18, 22 and 26 (2) in the Universal Declaration of Human Rights (UDHR)

ASEAN Human Rights Declaration⁸⁵

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)⁸⁶

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

⁸⁵ Provisions 2, 3, 9, 22 and 31 (3) in the ASEAN Human Rights Declaration

⁸⁶ SDG Target 10.2 and 10.3 in the Sustainable Development Goals

Recommendations from the 3rd Universal Periodic Review (UPR)⁸⁷

The following recommendations were presented to Malaysia at the 3rd Universal Period Review (UPR) in 2018 to overcome racial discrimination and to improve national unity and social cohesion in the State.

Recommendation 1 (Human Rights Treaties)

Ratify the remaining core international human rights treaties and to ensure their proper implementation (Republic of Moldova); Finalise the ratification of and accession to outstanding core human rights instruments (South Africa); Advance in the ratification, accession and adhesion to the basic, core human rights treaties as mentioned by the delegation (Spain) Expedite the ratification and implementation of the remaining 6 international human rights instruments, thereby, publicly indicating the Government's commitment to human rights (Cyprus) Take steps to accede to the core international Conventions on human rights and fundamental freedoms to which Malaysia is not part yet (Italy) Ratify the remaining core international human rights treaties (Lithuania) Ratify and implement all remaining core human rights treaties (Norway)

Recommendation 3 (Human Rights Treaties)

Ratify key human rights treaties without reservations and take all the necessary actions to this end without delay (Finland)

Recommendation 6 (Human Rights Treaties)

Accelerate the process of ratification of the key international human rights instruments (Kazakhstan)

Recommendation 7 (Human Rights Treaties)

Strengthen its human rights framework, in particular, by fulfilling its pledge to ratify core UN human rights instruments, such as the International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and International Convention on the Elimination of All Forms of Racial Discrimination, and the 1951 Refugee Convention (Republic of Korea)

Recommendation 8 (Human Rights Treaties)

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, the International Convention on the Elimination of All Forms of Racial Discrimination and the Rome Statute on the International Criminal Court (Romania)

⁸⁷ Recommendations 1, 3, 6, 8, 9, 10, 15, 16, 39, 130, 131, 265, 266 in the Malaysia Universal Period Review Third Cycle

Recommendation 9 (Human Rights Treaties)

Speed up its deliberations on the signature and ratification of the International Convention on the Elimination of All Forms of Racial Discrimination, International Covenant on Civil and Political Rights, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, International Covenant on Economic, Social and Cultural Rights and International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Turkey)

Recommendation 10 (Human Rights Treaties)

Ratify 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 International Convention against Torture (United Kingdom of Great Britain and Northern Ireland)

Recommendation 15 (Human Rights Treaties)

Join the International Covenant on Civil and Political 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)

Recommendation 16 (Human Rights Treaties)

Ratify International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the International Convention on the Elimination of All Forms of Racial Discrimination (Kenya)

Recommendation 39 (Human Rights Treaties)

Withdraw all reservations to the Convention on the Elimination of all Forms of Discrimination against Women and abandon discriminatory laws against all women regardless of their ethnic or religious background (Norway)

Recommendation 130 (Interethnic, Interreligious interaction)

Continue the implementation of measures aimed at strengthening interethnic and inter religious interaction in the country (Belarus)

Recommendation 131 (Freedom of religion, Religious Intolerance)

Guarantee freedom of religion or belief to all, stemming racial and religious intolerance, including against the Christian community (Croatia)

Recommendation 265 (Migrant workers)

Increase further efforts for social inclusion of migrant workers, and integration with local community irrespective of their race and religion (Myanmar)

Recommendation 266 (Migrants)

Take necessary measures to prevent and punish all forms of violence against migrant workers, including hate crimes and racism (Myanmar)

CONCLUSIONS

AND

RECOMMENDATIONS

To address the growing issue of racial discrimination in Malaysia, a collective effort by multiple/various stakeholders is needed to combat the rising frequency of incidences of racial discrimination in Malaysia. Action must be taken to overcome the increased presence of racial and religious politics as it is detrimental to the social fabric of the nation. The authorities are required to take strict actions to censure politicians and political parties that continue to propagate provocative racial and religious sentiments and not provide lip service to appease the public. Additionally, the government should move away from race-based policies, and should instead implement policies and programmes that unite the nation to create an inclusive society and maintain the harmony of our multi-racial and multi religious country. Furthermore, the government should continue its open engagement with civil society organizations, academicians, media and other sectors of Malaysian society to find possible ways forward to address and eradicate racial discrimination in our nation.

Firstly, the Malaysian government needs to come out with a clear narrative to counter the issue of racial discrimination in Malaysia and to not take the easy way out by playing to the tunes of the opposition. Even though the Malaysian government had made its decision to not sign and ratify the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), efforts to dismantle the misconceptions of the international convention need to be improved. The government should also reconsider this decision to not sign and ratify the ICERD as Malaysia is viewed as a bastion of multicultural life. The decision to not sign and ratify the ICERD have indicated that the government of Malaysia condones racial discrimination.

Serious attention needs to be given to policies and practices in relation to racism and racial discrimination in Malaysia. It is timely for our country to institutionalize a new Malaysia where every Malaysian is treated equally. The government of Malaysia needs to respect and engage diversity from the lens of human rights, in congruence with international standards and norms. This approach does not take away any legal provisions that were instituted as affirmative action policies as positive discrimination is allowed for the sole reason of achieving equality.

To conclude the 2019 report, several significant recommendations are proposed to the Malaysian government.

- The government to lead the initiatives to carry out intense and widespread public and social awareness education through mass campaigns, public information and especially through the formal education system, in order to educate, promote and instill consciousness as well as to eradicate racism and discrimination at all levels of Malaysian society. Starting from Government Ministers, Parliament members, State Assemblymen; all senior politicians; Town and City mayors and local councillors; Department heads and senior staff members in all government agencies and departments of the civil service; and all enforcement agencies must be involved.
- The government in collaboration with CSOs must continue to diligently and systematically monitor and ensure zero tolerance for policy and practices of racism and discrimination in all levels of governance.
- The government must be willing to impose heavy legal and formal sanctions (in line with international human rights norms) on any government ministers, senior officers, elected representatives, organizations and groups, individuals, politicians, mass and social media groups that exhibit, racist and discriminatory tendencies in speech and actions.
- The government must continue engaging the Malaysian people to be part of the process of implementing these recommendations. A comprehensive National Harmony Act which balances the right to freedom of expression and the criminalizing of hate speech in adherence to international human rights norms should be tabled in the parliament.
- The government must remove reservations on non-discrimination and equal opportunity in the Convention on the Rights of the Child (CRC)⁸⁸, particularly Article 2 (1)(2) and 14 (1), and its declaration made upon ratifying the Convention on the Rights of Persons with Disability (CRPD)⁸⁹.
- The government should uphold all promises and declarations to eliminate all forms of intolerance, discrimination and incitement of hatred based on religion and beliefs that they have committed to international and regional platforms, such as the UPR process in Geneva and the ASEAN Human Rights Declaration.

**REPORT COMPILED AND PREPARED BY
PUSAT KOMAS MALAYSIA**

⁸⁸ Article 2, 14 (1) in the Convention of the Rights of the Child (CRC)

⁸⁹ Article 3 (b, e) and 5 (2) of the Convention on the Rights of Persons with Disability

ABOUT KOMAS

Pusat KOMAS is a human rights organisation in Malaysia which was established in 1993. KOMAS actively promotes equality and the elimination of all forms of racial discrimination in Malaysia. #akubangsamalaysia.

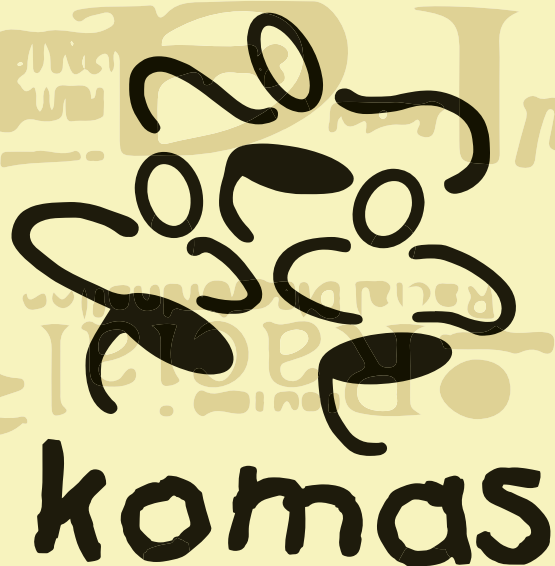
Since its inception, KOMAS has conducted human rights workshops, forums and conferences to promote social cohesion and national unity in Malaysia. In addition, KOMAS leads the national campaign to ratify the International Convention on the Elimination of all Forms of Racial Discrimination (ICERD) in Malaysia. As part of its advocacy to ratify ICERD, KOMAS has been engaging the federal, state and local government and conducted dialogues with the grassroots to increase the knowledge and awareness on the issue of Racial Discrimination in Malaysia and the importance of the ratification of ICERD.

Pusat KOMAS has been working in close collaboration with Jaringan Kampung Orang Asli Semenanjung Malaysia (JKOASM) since 1993. JKOASM is a network of indigenous villages in Peninsular Malaysia, that advocates the issues of the Orang Asli and empowers the communities on their ancestral rights and basic human rights.

KOMAS has always felt proud to be at the forefront along other civil society movements in the promotion and enhancement of democracy, equality and human rights in Malaysia.

KOMAS has been working in collaboration with several NGO coalitions in Malaysia such as BERSIH 2.0, the Coalition of Malaysian NGO's (COMANGO) for the Universal Periodic Review (UPR) process, Malaysian Civil Society Organizations on Sustainable Development Goals (CSO-SDG Alliance), the Ratify ICERD Working Group and Gabungan Bertindak Malaysia (GBM). Furthermore, KOMAS is also an active participant at the regional level.

KOMAS is an accredited member of Asian Forum for Human Rights and Development (Forum Asia) and the ASEAN Intergovernmental Commission on Human Rights (AICHR). In addition, KOMAS is a voting member of the World Alliance for Citizen Participation (CIVICUS). KOMAS is also an active participant of the ASEAN Civil Society Conference/ ASEAN's Peoples Forum (ACSC/APF) and had played the secretariat and co-secretariat role in Malaysia and Timor Leste in 2015 and 2016 respectively.



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