

## USCIRF–RECOMMENDED FOR SPECIAL WATCH LIST (SWL)

### KEY FINDINGS

In 2025, religious freedom conditions in Malaysia remained poor amid a troubling rise in religious polarization and restriction that threatened to deepen its longstanding challenges. The country's [dual legal system](#) of Shari'a and civil courts continued to privilege Islamic law, according to the Shaf'i school of Sunni jurisprudence, and to restrict dissenting interpretations of its principles through fatwas (religious rulings), legal action, and intrusive monitoring. The state persisted in discriminating against Muslim groups it viewed as representing "deviant" or "liberal" versions of Islam, targeting members with bans, raids, and arrests. Actions that state authorities deemed "insulting" to Islam continued to lead to blasphemy prosecutions, while efforts to elevate moral policing according to the official interpretation of Shari'a—by both police and members of the public—have increased the use of coercive tactics such as surveillance, public shaming, and prosecution. The government's persistent conflation of Malay ethnic identity with Islamic religious identity also continued to exacerbate interreligious tensions.

In March, the Muzakarah Committee of the National Council for Islamic Religious Affairs Malaysia declared that the teachings of the Ahmadi Religion of Peace and Light (AROPL) deviate from accepted Islamic doctrine, upholding a total ban on possessing or distributing the group's literature and opening the door to related prosecutions. In June, the Federal Court struck down a 2014 fatwa from the Selangor Fatwa Committee, which had labeled Sisters in Islam (SIS)—a nongovernmental organization that advocates for the rights of Muslim women—as "deviant" for promoting liberalism

and religious pluralism. However, the ruling upheld elements of the fatwa that apply to individuals, thus maintaining the force of law to prosecute persons who face such accusations and demand their repentance. Authorities also increased moral policing operations during Ramadan to identify and fine Muslims eating or drinking during daytime hours and to subject non-Muslims to penalties for selling food, drinks, or tobacco to Muslims. These efforts to enforce Islamic law into the public and private spheres have fostered a societal environment that emboldens bystanders to interfere in others' religious choices. For example, during Ramadan in March, a Malay Muslim man assaulted a non-Muslim individual in a convenience store for eating in public while demanding to see his identification card.

Despite these significant religious freedom challenges, there were some positive developments in 2025. In November, the Federal Court ruled on the case of Pastor Raymond Koh by holding the police and government liable for his forced disappearance in 2017. The Malaysian Parliament also continued through 2025 to defer consideration of a controversial bill that would formalize and expand the role and power of the state-appointed mufti (chief Islamic jurist) in the three federal territories. These dynamics do not diminish the country's ongoing and concerning religious challenges; instead, they demonstrate Malaysia's complex environment for religious freedom, in which the potential remained evident for either limited improvement or backsliding into further religious repression.

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Include Malaysia on the Special Watch List for engaging in or tolerating severe violations of religious freedom pursuant to the International Religious Freedom Act (IRFA);
- Urge the Malaysian government to ratify core international human rights treaties that impact religious freedom of all Malaysians, including the International Covenant on Civil and Political Rights and the 1951

Convention Relating to the Status of Refugees and its 1967 Protocol; and

- Engage with the Malaysian government to make progress on systematic religious freedom reforms, including a repeal of laws that curtail religious expression, such as Section 233 of the Communications and Multimedia Act, and blasphemy statutes, such as Section 298 of the Penal Code.

The U.S. Congress should:

- Encourage counterparts in the Malaysian Parliament, through the U.S. House Subcommittee on the Indo-Pacific, to amend the SUHAKAM Act of 1999 to bolster that body's functions and authority, including its work on religious freedom, to maintain its independence and bring greater transparency and impartiality to the selection and appointment of its commissioners.

### KEY USCIRF RESOURCES & ACTIVITIES

- **Country Update:** [Malaysia](#)
- **Factsheet:** [The Responsibility of Host Countries to Protect Refugees Fleeing Religious Persecution—Examples from South and Southeast Asia](#)
- **Frank R. Wolf Freedom of Religion or Belief** [Victims List](#) and Appendix 2

## Background

Malaysia is home to a diverse set of religious and ethnic communities, and those identities often overlap in legally significant ways. Over 63 percent of the population is Muslim, most of whom the government classifies as Sunni Muslims; however, the constitution explicitly defines ethnic Malays as Muslims from birth, regardless of their individual religious convictions. Other groups include Buddhists (around 19 percent), Christians (9 percent), Hindus (6 percent), and mostly ethnic Chinese followers of traditional beliefs such as Confucianism and Taoism (1 percent). Despite this diversity, developments in recent years have afforded greater political influence to groups and parties that espouse a rigid interpretation of Shari'a and advocate for a more forceful application of its principles while marginalizing non-Muslim communities. That influence is readily apparent in the state apparatus; in February, a member of Parliament's warning of "the threat of Christianization" prompted Minister of Religious Affairs Na'im Mokhtar's written concurrence and pledge to bolster collaboration between Islamic institutions and all levels of government to counter the supposed "threat."

## Legal and Administrative Challenges to Religious Freedom

Malaysia's dual legal system continued to generate conflict between the implementation of Shari'a and protection of constitutional rights. In May, the Court of Appeals blocked a former Christian, who had converted to Islam 14 years prior, from legally reverting to his Christian identity, citing religious law. A Supreme Court ruling in early 2024, which struck down as unconstitutional over a dozen religiously based laws in Kelantan, prompted the government to order states to align all such laws with the federal constitution by December 31 of that year. However, no states had complied with the order by that deadline or by the end of 2025; the Conference of Rulers, which is responsible for deliberation on matters of national policy, was particularly culpable in this failure. The state government of Terengganu—which the Pan-Malaysian Islamic Party controls—also passed a law in August coercing all Muslim men to attend public Friday prayers, at threat of up to two years in prison and a substantial fine for failing to do so.

Furthermore, the Malaysian government continued to enforce blasphemy laws, levying fines and jail time for related convictions—particularly under Section 298 of the Penal Code, which outlaws "disharmony, disunity or feelings of enmity or hatred on religious grounds," and Section 233 of the Communications and Multimedia Act (CMA) of 1998, which bans vaguely defined "offensive" or "annoying" speech. In January, a comedian's Facebook post joking about mislabeled halal items at a local university ignited public backlash and a police investigation, while another Facebook user who commented on his post also faced investigation under both the Penal Code and the CMA. In March, the Malaysian Communications

and Multimedia Commission fined both individuals 10,000 ringgit (\$2,361). That same month, the High Court dismissed a petition from two filmmakers specifically opposing Section 298 of the Penal Code, following their prosecution for a film depicting a Muslim girl exploring other beliefs. Police also responded in March to the circulation of a video showing three Malay Muslim radio hosts mocking Hindu rituals by investigating the case under the same two statutes. While the trio returned to work a month later, authorities fined their station's operator 250,000 ringgit (\$59,283). While such blasphemy cases rarely lead to extended prison sentences, their frequency and steep financial burden contribute to a repressive atmosphere of religious expression across Malaysia.

Government interests also continued to override the rights of religious minority communities. Municipal authorities in Kuala Lumpur slated a legally registered Hindu temple for relocation in March to make way for a mosque, sparking backlash from Hindu advocacy groups and others. Although the temple committee eventually agreed to relocate the Hindu site, critics argued that authorities had unjustly coerced the congregation to concede to the Muslim majority. Furthermore, in April, Malaysian police reportedly arrested 76 practitioners of Falun Gong—which the government does not recognize—ahead of a state visit in May from Chinese President Xi Jinping and detained some of them throughout the visit. Critics have accused the police of acting at the behest of the Chinese Communist Party, which has violently persecuted the Falun Gong movement, although Malaysian officials have vehemently denied the accusation.

## Key U.S. Policy

While the United States and Malaysia have [maintained](#) strong strategic, economic, and military ties for many years, 2025 was unusually active in terms of deepening that bilateral relationship. U.S. President Donald J. Trump visited Malaysia in [October](#) to participate in the 2025 Association of Southeast Asian Nations (ASEAN) Summit, where he secured several [bilateral](#) and regional trade agreements and co-pledged with Malaysian Prime Minister Anwar Ibrahim over the [Kuala Lumpur Peace Accords](#) between Thailand and Cambodia. U.S. Secretary of State Marco Rubio also visited Malaysia on two separate occasions during the year: in [July](#) to participate in the ASEAN-United States Post-Ministerial Conference, the East Asia Summit Foreign Ministers' Meeting, and the ASEAN Regional Forum Foreign Ministers' Meeting; and again in [October](#) to join President Trump at the ASEAN Summit. U.S. Secretary of Defense Pete Hegseth visited Malaysia that same month to attend a meeting of the ASEAN-Plus Defense Ministers and hold [bilateral talks](#) with Malaysian Minister of Defense Dato' Seri Haji Mohamed Khaled bin Nordin. However, neither Malaysia's religious freedom conditions nor broader human rights issues appeared to have arisen during the above high-level meetings that focused on trade and military partnerships.