

JOINT STATEMENT
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Malaysia: Protect political speech and amend the CMA

ARTICLE 19 and the Centre for Independent Journalism (CIJ) express deep concern about an [injunction](#) issued against Telegram today by the Kuala Lumpur High Court in Malaysia to prevent two channels known as “*Edisi Siasat*” and “*Edisi Khas*” from disseminating ‘harmful’ content, in a concerning application of the Communications and Multimedia Act 1998 (CMA). Both channels are [known](#) for publishing whistleblower-style exposés, often targeting public institutions and enforcement agencies. The injunction amounts to government overreach, restricting important political content protected under freedom of expression standards and depriving the public of important information. We call for the decision to be reversed in the proceedings to follow. We also call on the government to review the CMA in line with international law.

According to the media, the MCMC invoked different reasons for requesting the injunction - reportedly, the judge [said](#) MCMC had established that Telegram was involved in disseminating offensive content targeting government agencies, enforcement bodies and members of the administration. It appears that the MCMC had further [claimed](#) that “the two Telegram channels have published and disseminated menacing, grossly malicious statements, including doxxing individuals, especially those in public institutions”. Offensive content is protected under freedom of expression, and especially so when directed at public officials or government institutions. It constitutes political dissent and criticism of those in power which is particularly protected under international human rights standards.

“This injunction risks giving overly broad powers to the authorities, enabling them to further silence dissent and suppress legitimate public interest reporting under the pretext of tackling ‘harmful content’. When the authorities use legal tools to silence issues deemed uncomfortable, this sends a warning to whistleblowers, journalists and the public at large – that speaking out comes at a cost. Instead of censoring legitimate opinions, the authorities should be ensuring the highest possible level of protection for political speech and focusing their efforts on addressing real harms, such as tackling online ‘hate speech’, which requires close coordination with online platforms, not reliance on heavy-handed injunctions,” said Alfred Wu, Head of Asia Pacific Programme at ARTICLE 19.

As to the allegations of doxxing in particular, we note that any injunction should have focused on those particular pieces of content to meet the standards of proportionality, rather than targeting entire channels. Equally, it is problematic that several reasons are combined to justify the injunction. This does not allow for the level of transparency and scrutiny necessary to fully assess the injunction’s compliance with freedom of expression standards and does that the government instead focused on restricting politically inconvenient content. This does not bode well for future government actions.

We note that Telegram itself has important responsibilities under international human rights standards, as articulated in the UN Guiding Principles on Business and Human Rights, including in its content moderation practices. This includes, among others, adopting clear content policies, which align with international human rights standards, properly training any automated content moderation tools employed, including in all the relevant languages, mitigating risks of content circulating on the platform which negatively impacts human rights of its users, having enough human reviewers in place and providing justifications and internal redress mechanisms for users affected by content moderation practices. Telegram has often fallen short of these responsibilities. However, when the government focuses on restricting legitimate political speech on Telegram, it undermines public trust and casts doubt on any future actions it may take to address genuinely harmful speech that infringes on human rights.

“Transparency is essential — if content is to be restricted, the public must know which content is being restricted or under question, on what grounds, and what avenues exist to challenge such decisions. Public interest content plays a vital role in holding those in power to account and suppressing it not only weakens democratic institutions, but also erodes public trust. Without clear and accountable processes, freedom of expression is severely undermined. Restricting any online content must uphold the principles of legitimacy, necessity and proportionality. This action against Telegram could potentially have a chilling effect on the public who rely on social media for discourse and information. What’s next - would failure to adhere to this injunction lead to the banning of Telegram?” said Wathshlah Naidu, Executive Director for the Centre for Independent Journalism.

On 19 June, the Malaysian Communications and Multimedia Commission (MCMC) [filed](#) a suit against the two Telegram channels under the CMA for allegedly disseminating information that could undermine public institutions and threaten public order. The action is the first of its kind against a social media platform provider, particularly since Telegram is a licensee under the Application Service Provider (Class) [ASP(C)] – a licensing framework that took effect on 1 January 2025 and requires Internet messaging services and social media to comply with the CMA and its subsidiary legislations.

Last year, ARTICLE 19 and CIJ [warned](#) about the dangers of this licensing framework and the far-reaching implications for online free speech, including broad powers given to the Minister of Communication and MCMC to oversee the licensing system, despite not being an independent regulator. Of concern, certain provisions of the CMA – particularly Sections 211 and 233 that penalise “indecent, obscene, false, menacing, or offensive content” – fail to meet the international standards of legality, legitimacy, necessity, and proportionality. Section 233 has [regularly](#) been used by the authorities to restrict free speech online concerning race, religion, royalty, and critics of the government.

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For further inquiries, please contact Lim Jih-Ming at comms@cijmalaysia.net