

A REPORT
ON THE STATE OF

*Freedom of
Expression*

IN MALAYSIA

2025



The Centre for Independent Journalism (CIJ) is a feminist, freedom of expression watchdog and non-profit organisation that aspires for a society that is democratic, just and free, where all peoples will enjoy free media and the freedom to express, seek and impart information.

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INTRODUCTION

The state of Freedom of Expression (FOE) in Malaysia reflects a complex and often contradictory environment, as 2025 proves to be a critical juncture. While the Madani Government continues to express commitments to reform, improving democratic norms, and providing support in empowering freedom of expression¹, its actions, on the other hand, frequently rely on restrictive legislation and practices that suppress rather than enable open discourse². Earlier this year, Prime Minister Anwar Ibrahim reaffirmed his commitment towards upholding freedom of expression and democratic practices, pledging to review laws that would restrict such rights³. Contradictory to this, enforcement of laws such as the Communications and Multimedia Act 1998 (CMA), the Sedition Act, and the Printing Presses and Publications Act 1984 remain widespread, particularly in addressing political criticism, sensitive issues, and online commentary perceived as destabilising Malaysia's harmony. The 2025 Human Rights Watch has highlighted this concern, highlighting that the current Madani administration has not delivered on its reform promises, observing increased state powers in online censorship and continued use of vaguely defined legislation to restrict free speech⁴.

Despite being the ASEAN chair, Malaysia, in comparison to the year before, recorded an increase in patterns of investigations, censorship, digital surveillance concerns, and regulatory pressure across multiple spaces. Our monitoring work throughout 2025 documented the continued reliance on broad and punitive laws to police both online and offline expression. The Communications and Multimedia Act 1998 (CMA) – particularly Section 233 – remains the most frequently invoked instrument against online speech, functioning as a catch-all provision for content deemed grossly offensive, misleading, or politically sensitive. The Sedition Act 1948 continues to be used in cases involving the royalty, race, and religion, while the Penal Code, especially Sections 505 and 506, was applied in situations characterised as threatening 'public order or causing public mischief. Laws such as the Peaceful Assembly Act 2012 (PAA) and Printing Presses and Publications Act 1984 (PPPA) sustained their role as tools of control over assembly and publications, respectively. It is evident that these laws have been used to silence both dissent, dissatisfaction, and the right to express, demonstrating the minimal progress on legislative reform from the Madani government.

1 <https://www.nst.com.my/news/nation/2023/05/905190/malaysia-madani-unity-govt-committed-supporting-freedom-expression>

2 <https://www.hrw.org/news/2025/01/16/malaysia-rights-backslide-under-prime-minister-anwar-ibrahim>

3 malaymail.com/news/malaysia/2025/07/26/anwar-reaffirms-commitment-to-free-speech-after-kl-rally-urges-dialogue-beyond-the-streets/185313

4 <https://www.hrw.org/world-report/2025/country-chapters/malaysia>

In regards to policy development, the Madani government's focus on misinformation, digital safety, and platform accountability intensified in 2025. Amendments to the CMA, which entered into force in February 2025, and discussions surrounding online platform obligations signal a shift toward more formalised digital regulation, but these processes lack transparency, meaningful consultation, and human rights principles. In line with these efforts, the government recently announced their plans to ban social media accounts for children under the age of 16 starting next year, citing child safety and protection from cybercrimes⁵. While framed as protective, critics⁶ emphasised that the measure underscores the continued expansion of regulatory control over online spaces – reinforcing broader patterns of oversight that intersects with FOE concerns.

At the same time, there were some positive developments in 2025 that **warrant recognition**. The government successfully passed the Malaysian Media Council (MMC) Act⁷ in March 2025, a long-awaited initiative at improving media governance and freedom of the press. Minister of Communications Fahmi Fadzil emphasised that the MMC would operate as an independent body rather than being placed under his ministry⁸, signalling a shift towards greater media autonomy. However, the legislation still permits the appointment by the Minister of two government representatives to the Board of the Council. This has raised concerns among civil society and media practitioners regarding the extent of the MMC's independence in practice, particularly regarding political influence, appointment processes, and the safeguards to ensure media autonomy. Separately, the government announced that a Federal Freedom of Information Bill will be tabled – initially in 2025, but now delayed to 2026 – highlighting an encouraging development in principle, although its scope, implementation framework, and alignment with secrecy laws, such as the Official Secrets Act 1972, remains to be seen⁹.

Beyond media-related reforms, the government also highlighted broader structural changes underway as part of its agenda. The Minister in the Prime Minister's Department (Law and Institutional Reform) Dato' Seri Azalina Othman reiterated that Putrajaya has begun reviewing Malaysia's core criminal laws, including the Penal Code, Criminal Procedure Code, and Evidence Act 1950, under the newly established Criminal Law Reform Committee (CLRC)¹⁰. The review seeks to replace outdated colonial-era provisions, ensure legal frameworks keep pace with technological developments, and strengthen human rights. Additionally, the committee is also reviewing the Child Act 2001, cybercrime-related provisions, national security offences, and prosecution mechanisms.

5 <https://www.nst.com.my/news/nation/2025/11/1321565/under-16-social-media-ban-planned-next-year>

6 <https://asia.nikkei.com/spotlight/society/malaysia-s-planned-u-16-social-media-ban-draws-surveillance-concerns>

7 <https://www.malaymail.com/news/malaysia/2025/02/26/malaysias-first-media-council-bill-passed-in-parliament/168048>

8 <https://www.nst.com.my/news/nation/2025/07/1245102/fahmi-malaysian-media-council-remain-independent-govt-only-offers>

9 <https://www.article19.org/resources/malaysia-freedom-of-information-act-must-promote-accountability-and-trust/>

10 <https://www.malaysiakini.com/news/756049>

CIJ's monitoring data reveals ongoing vulnerabilities across multiple thematic areas, including digital rights, media freedom, gendered expression, artistic and academic spaces, and civic participation. Journalists and media organisations continue to face pressure through investigations, content takedowns, and intimidation. Online gender-based harassment remains persistent, with women and LGBTQ+ activists disproportionately targeted.

Table 1: A Review of the Government's Commitments on Freedom of Expression

GOVERNMENT PROMISES	BACKTRACKED	NO PROGRESS	IN PROGRESS/ SUCCESS	AMENDED, BUT A STEP BACKWARDS
Malaysian Media Council			✓	
Right to Information Bill			✓	
Communications and Multimedia Act 1998 (CMA)				✓
Peaceful Assembly Act 2012 (PAA)		✓		
Printing Presses and Publications Act 1984 (PPPA)	✓			
Official Secrets Act 1972 (OSA)		✓		
Sedition Act 1948	✓			

The lack of substantial reforms or rights-based amendments to laws that curtail FOE continue to be a cause for concern. As highlighted in Table 1, key legislations related to the FOE context of Malaysia remain either unchanged or have been amended towards a more restrictive and vague legislation. The Communications and Multimedia Act 1998, which was amended last year and entered into force in February 2025, saw the usage of overtly vague terms such as 'grossly offensive' and the sudden increase of fines up to RM500,000 for those in violation of Section 233, added¹¹ – ignoring pleas from both civil society and media representatives. As such, Malaysia's FOE trajectory in 2025 remains *partially restricted and largely stagnant*, with emerging signs of regression rather than the reform that had been promised. This is reflected in the 2025 Freedom House Index, where Malaysia retained the same score and continued to be classified as "*partly free*", indicating no substantive progress from the previous year¹². The reform rhetoric from

11 <https://theedgemaalaysia.com/node/737343>

12 <https://freedomhouse.org/country/malaysia/freedom-world/2025>

the government has not translated into structural guarantees or rights-based policies. Enforcement patterns continue to prioritise alleged political stability, social cohesion, and national security, often at the cost of democratic participation and civil liberties. Positive developments, such as increased discussions on Right to Information (RTI) or advances in media independence and freedom, remain overshadowed by the continued use of punitive laws and the absence of concrete legislative change.

The findings in this report underscore the urgent need for rights-respecting legal reform, transparent policymaking, and mechanisms that safeguard freedom of expression in both traditional and digital spaces. As Malaysia navigates growing geopolitical, technological, and sociopolitical pressures, clear structural commitments to human rights remain essential to ensuring a democratic and participatory society, aligning with the government's road towards true reform.

THE LEGAL LANDSCAPE: USE OF LAWS TO RESTRICT FREEDOM OF EXPRESSION

The legal and policy environment governing FOE in 2025 reflects the ongoing disparity between reform-oriented political commitments and the government's continued reliance on restrictive and punitive legislative frameworks. While the government has taken grand steps toward positive structural reforms – most notably through progress on the Malaysian Media Council and the Right to Information Bill/ Freedom of Information Bill, a great number of laws that have historically constrained civic space and participation remain in operation.

International human rights bodies have also highlighted Malaysia's constant reliance on outdated and overly broad legislation. The UN High Commissioner for Human Rights, Volker Türk, during his visit to Malaysia in 2024, urged Malaysia to amend or reconsider colonial-era and archaic laws, particularly the Sedition Act 1948, and raised serious concerns regarding the ongoing use of the Communications and Multimedia Act 1998, the Peaceful Assembly Act 2012, and the Printing Presses and Publications Act 1984. Türk emphasised that these laws have curtailed freedom of expression, restricted civic space, and silenced human rights defenders¹³ – underscoring the evidential urgent need for substantive reform to align Malaysia's legal landscape with international human rights standards. According to Türk, people in democratic societies must be able to express dissenting views without fear of reprisal and that restrictive laws must not be allowed to hinder Malaysia's progress towards a more open and rights-respecting future.

The enforcement patterns documented by CIJ's monitoring work in 2025 have demonstrated the state's continued dependence on an array of legal frameworks to regulate media activity, speech, expression, and civic participation.

The following table provides an overview of the laws used this year in comparison with 2024:

Table 2: Number of times FOE regulatory laws were used for investigations and arrests[#]

LAWS	2024 ¹⁴	2025 ¹⁵	PERCENTAGE OF INCREASE (%)
Section 233 of the Communications and Multimedia Act 1998 (Criminalises improper use of network facilities, etc.)	99	123	24.24
Sedition Act 1948 (Criminalises discourse deemed as seditious)	19	36	89.47
Section 505(b) of the Penal Code (Criminalises statements conducting to public mischief)	19	27	42.10
Section 505(c) of the Penal Code (Criminalises statements or rumors that, with the intent to incite, are likely to incite one class or community to commit an offense against one another)	2	3	50
Section 298 + Section 298(a) of the Penal Code (Uttering words, etc., with deliberate intent to wound the religious feelings of any person; causes, attempts to cause, or is likely to cause disharmony, disunity, or feelings of enmity, hatred, or ill will)	14	8	- 42.85% (Decrease)
Section 504 of the Penal Code (Criminalises speech—intentional insults with intent to provoke a breach of peace)	14	12	21.43
Peaceful Assembly Act 2012 (Regulates public protest)	14	6	- 57.14% (Decrease)
Section 500 of the Penal Code (Criminalises defamation)	11	14	27.27
The Printing Presses and Publications Act 1984 (Governs the usage of printing presses) ¹⁶	3	4	33.33
Total	189	233	23.28

Note: Some cases involve overlapping laws, eg., a single online post may trigger investigations under multiple laws, such as Section 233 CMA, Sedition Act, and Penal Code provisions simultaneously. These overlaps reflect a legal environment where multiple legislations are used in combination to strengthen regulatory reach and limit public expression.

¹⁴ Number of laws used captured in 2024, which includes reported police investigations, arrests, and charges.

¹⁵ Data captured from 1 January 2025 to 30 November 2025; includes the number of investigations and arrests only, for cases mentioned in Table 1.

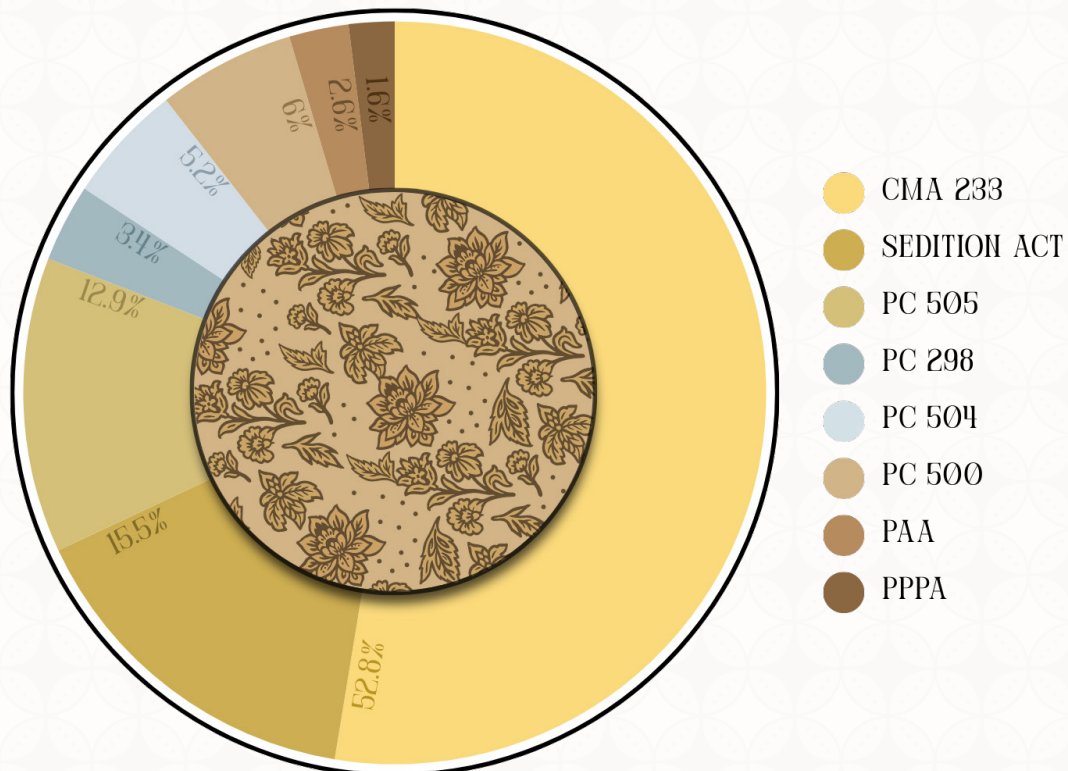
¹⁶ Data indicative of cases investigated, not publications or books banned

2.1 Overview of Enforcement Trends

From the months of January to November 2025, the laws listed above have been used by authorities **233 times**, comparatively higher (23.28% higher) than that of 2024. There is also a staggering 108 unique cases¹⁷, averaging slightly higher than CIJ’s findings in 2024. The data in the table above evidently shows the sustained reliance on multiple legal instruments to regulate expression across digital, political, and public order contexts.

Although the final total of cases where these laws were invoked were higher than that of 2024, the general pattern of enforcement has remained consistent, with Section 233 of the Communications and Multimedia Act 1998 dominating FOE-related cases, thus reaffirming the centrality of digital spaces in public discourse and state intervention. Similarly, the Sedition Act and provisions of the Penal Code – including Sections 505(b) and 504 remain significant tools for handling speech or actions deemed offensive or detrimental to public order and safety. Concurrently, the Peaceful Assembly Act and the Printing Presses and Publications Act, although cases remain minimal this year, continue to shape the boundaries of civic mobilisation and control the distribution of information, content, and publications.

Chart 1: Chart of FOE-Related Laws and the amount of times used in 2025¹⁸



Note: Section 505 Penal Code above includes both 505(b) and 505(c).

¹⁷ Unique cases is defined when multiple laws are used for one case, such as Sedition Act, CMA, and Penal Code provisions for one case

¹⁸ Data compiled from CIJ Monitoring Team from January to November 2025

2.2 Why These Numbers Matter

While CIJ's monitoring data alone cannot accurately capture the lived experiences of restricted civic space and troubles with freedom of expression, the figures above reflect a broader enforcement model in which an array of laws collectively shape what Malaysians can publicly express, critique, question, or act. Even as the current government expresses a strong commitment to reform, consistencies in legal reliance over the course of the three years in power suggest that punitive regulatory tools remain embedded in Malaysian governance and institutional practices.

The dominance of Section 233 CMA, combined with the persistent use of the Sedition Act and key provisions from the Penal Code – particularly Section 505(b), shows that the ruling government is not one that prioritises rights-based and democratic safeguards, but one that is fixated on retaining political power, alleged public order and moral policing. In practice, these priorities have created an environment where many citizens, journalists, activists, and vulnerable communities alike face legal uncertainties and repercussions for engaging in critiques towards the government or political discourse. According to ARTICLE 19, laws and provisions such as Section 233 of the Communications and Multimedia Act and Section 4 of the Sedition Act have been weaponised to silence and criminalise dissenting views – thus highlighting the government's systemic misuse of such laws to silence expression and intimidate activists¹⁹.

Such trends involving punitive laws emphasise the country's dire need for comprehensive legal reform that would address not just these laws, but also the broader ecosystem of overlapping powers and vague prohibitions that have been shown to affect FOE in Malaysia.

2.3 Key Laws and Policy Developments

2.3.1 The Communications and Multimedia Act 1998 (CMA 1998)

a. The Central Mechanism of Digital Regulation and Overreach in 2025

The CMA remained the most commonly invoked legislation restricting FOE in Malaysia throughout 2025, emphasising its position as the spinal cord of state control over digital expression in online spaces. Often criticised for its vague and subjective terms since its enforcement and the most recent amendments in 2024, the CMA continued to dominate FOE-related investigations, serving as a powerful arsenal for policing online behaviour, dissent, political criticism, and sensitive commentary.

Despite widespread demands for rights-based amendments and reform, the powers of the CMA have not been narrowed or aligned with international human rights standards. Instead, the 2024 amendments, of which have been enforced

in February this year, strengthened the Act – thus expanding the scope of criminalisation, introducing harsher penalties, and enhancing the investigative reach of the Malaysian Communications and Multimedia Commission (MCMC)²⁰.

b. Section 233 under Constitutional Review & the Government’s Response

An important Section 233 development this year was the constitutional challenge brought forward by refugee rights activist Heidy Quah, who contested the terms ‘offensive’ and ‘annoy’ in the pre-amended version of Section 233. On 19 August, marking the end of a four year long legal battle, the Court of Appeal ruled in Heidy’s favour, declaring the terms ‘offensive’ and ‘annoy’ unconstitutional for being vague, subjective, and inconsistent with Article 10 of the Federal Constitution²¹. Heidy Quah’s challenge, rooted in her 2021 statement on Facebook regarding the mistreatment of refugees, has become a test case for the proportionality of Malaysia’s digital speech and expression laws.

This historic ruling was widely welcomed by civil society, lawmakers, and legal experts, with government backbenchers urging the Attorney-General’s Chambers to review all ongoing cases under the old Section 233²².

However, the government and the Ministry of Communication’s decision to appeal the rights-based ruling marks a crucial moment for Malaysia’s FOE landscape, underscoring concerns with the lack of reforms. Prime Minister Anwar Ibrahim defended his government’s appeal, stating that institutional reforms cannot solely be guided by court decisions and that it would need to take into account other areas such as issues of public order and the sensitivities of the rulers²³. The Prime Minister’s remarks may be deemed as indicative of the government’s political intention to retain certain restrictions of speech, despite the constitutional issues identified by the Court of Appeal. It is a clear sign that the government will go on the counteroffensive in justifying the provisions of the CMA.

Recently, in November 2025, the Federal Court of Malaysia granted leave to the government to appeal the decision²⁴. The three judge panel led by Justice Abu Bakar Jais accepted two out of four constitutional questions concerning:

- ▶ Whether “offensive” and “annoy” fall within permissible restrictions under Article 10(2) (public order & morality) and;
- ▶ Whether Malaysia should interpret Section 233 in line with comparable United Kingdom and European Union provisions.

20 <https://www.article19.org/resources/repressive-amendments-communications-multimedia-act/>

21 CJ’s court watch monitoring, 19th August 2025

22 <https://www.freemalaysiatoday.com/category/nation/2025/08/19/review-cases-under-old-cma-section-ag-urged-after-landmark-ruling>

23 <https://www.freemalaysiatoday.com/category/nation/2025/08/21/reform-must-be-studied-not-just-left-to-courts-says-anwar>

24 <https://www.thestar.com.my/news/nation/2025/11/13/federal-court-grants-leave-to-appeal-on-section-233-ruling-in-heidy-quah-case>

On the other hand, notably, the government committed to ceasing prosecutions under the pre-amended version of Section 233, pending the Federal Court’s decision, in light of Justice Abu Bakar Jais granting the leave to appeal. However, the new amendments replacing “offensive” with “grossly offensive”, of which many deem as undefined by law, did not resolve the constitutional issue raised by Quah’s challenge.

CMA Amendments in force in 2025: Expansion of Powers and Shrinking of Digital Freedom

The amendments, which are still not compliant to the international human rights standards, introduced even broader powers and heavier penalties for those accused, marking a regression in digital expression.

In 2024 CIJ noted the following key concerns amid the new amendments:

CONCERNS	EXPLANATION
Expanded investigative and enforcement powers	Sections 51, 73A, 252A, and 252B grant MCMC sweeping authority to issue directives, demand information, conduct searches, and compel compliance with minimal judicial oversight.
Introduction of “grossly offensive” (Vague and inconsistent with rights-based principles)	The term remains vague and subjective, open to broad interpretation, enabling discretionary and unpredictable enforcement.
Disproportionate penalties	Fines reaching RM1,000,000, exceeding international norms, punitive approach to digital speech.
Exemption from judicial review	MCMC’s orders are protected from being challenged, restricting avenues for accountability.
Extension of MCMC’s reach beyond licencees	CMA effectively applies to any persons, civil groups, media outlets, and platforms. Compelled to apply with directives.

c. CMA cases to highlight in 2025

Beyond structural concerns with the new CMA amendments, several cases this year highlighted how Section 233 is used as a tool to police digital expression. Cases this year reveal a recurring pattern – harsh penalties imposed on ordinary netizens, expanding measures of investigatory powers, and widening interpretations of offences deemed ‘offensive’ or ‘grossly offensive’.

In one of the earliest cases of a hefty fine this year, an elderly man was fined RM30,000 after pleading guilty to posting content deemed offensive to the Yang di-Pertua Agong and the Conference of Rulers on Facebook²⁵. He was charged under Section 233(1)(a) and faced the possibility of imprisonment,

along with an additional daily fine for continuing the offence. This case has shown how broadly the term 'offensive' is applied in charges related to the Communications and Multimedia Act



Image source: The Star, 1 September

In a separate case in June, Pahang MCA Youth Chief Wong Siew Mun was questioned by police at Bukit Aman over a video she posted expressing concerns on MCMC's request to telecommunications companies for mobile phone user data. According to reports, Siew Mun was questioned for 2 hours and had her mobile phone confiscated, as she was investigated under Section 233 of the CMA and Section 505(b) of the Penal Code²⁶ – underscoring how online commentary on matters involving public interest are subject to regulatory measures.

The Youth Chief was investigated yet again in August, this time in connection with a video of herself commenting on the Urban Renewal Bill (URA). She was summoned to MCMC's headquarters in Cyberjaya where officers recorded her statement for nearly 3 hours and seized her mobile phone to aid in investigations²⁷. Siew Mun later stated that the procedure went smoothly, but further stressed on the need to defend freedom of speech in Malaysia. It is evident that both incidents illustrate the sustained pattern of using the CMA to investigate criticism towards the government, alongside the increasing involvement of multiple enforcement agencies such as the police and MCMC.

26 <https://www.freemalaysiatoday.com/category/nation/2025/06/18/cops-quiz-pahang-mca-youth-chief-over-video-on-mobile-data-sharing>

27 <https://www.thestar.com.my/news/nation/2025/09/01/pahang-mca-youth-chief-probed>



Image source: Malaysiakini, 10 May

Another widely scrutinised Section 233 case involved social media influencer Aliff Ahmad, who was investigated in May 2025 for content allegedly containing ‘grossly offensive’ elements containing race, religion, and royalty. However, the investigation was closely linked to his data profiling system, Scrut Analytica, which he said could be used to conduct ‘background checks’ on prominent politicians, including Nurul Izzah Anwar. A joint team of the police and MCMC executed a search with a Magistrate Court-approved search warrant at Aliff’s workshop and spent over 5 hours accessing his Facebook account²⁸. His mobile phone was seized, and he was later brought to the Pudu police station for further questioning.

2.3.2. The Sedition Act 1948

Despite longstanding promises of amendments and repeal from lawmakers and government bodies alike, the Sedition Act 1948 continues to play an immense yet troubling role in shaping the boundaries of speech and expression in Malaysia. Throughout the year, and mostly accompanying the CMA, the Sedition Act remained the second most enduring and punitive tool for policing political commentary or discourse – particularly on issues touching race, religion, or royalty (3R). The Sedition Act’s continued use by authorities stands in contrast to the Pakatan Harapan-led government’s commitments to repeal the colonial-era act in the name of democratic reforms²⁹, and has reinforced fears among civil society that Malaysia’s civic space would continue to be narrowed.

a. Policy Developments: The Government’s Position on Reform

In 2024, the government reaffirmed its decision to retain the Sedition Act 1948

28 <https://www.malaysiakini.com/news/742840>

29 <https://www.lawyersforliberty.org/2019/07/09/lfl-wan-jis-imprisonment-under-the-sedition-act-a-huge-stain-in-malaysia-baharu/>

despite earlier pledges to review or abolish it. Deputy Home Minister Datuk Seri Shamsul Anuar announced in Parliament that the Act would be maintained in order to safeguard national security and public order³⁰. He added that police investigations are conducted in order to prevent issues from escalating into national security threats. In the same year, Home Minister Dato' Seri Saifuddin Nasution stated that the Cabinet agreed to commence the process of amending the Sedition Act beginning with engagements with the police. This signalled hope that reform was indeed underway, though without concrete direction.

Proposal to amend or repeal Sedition Act requires careful study, says Saifuddin

By Nor Ain Mohamed Radhi, Mohamad ALas November 6, 2025 @ 9:27am



Home Minister Datuk Seri Saifuddin Nasution Ismail said the review process must take into account the perspectives of enforcement agencies, the judiciary, academia, civil society organisations and the general public. FILE PIC

Image source: New Straits Times, 6 November

By 2025, however, it seemed that the government and the Home Ministry's stance had shifted again, with Saifuddin stating that any further developments to amend or repeal the Sedition Act must undergo thorough and careful consideration and proper study³¹, stressing the need to:

- ▶ Safeguard harmony in a multiracial society
- ▶ Preserve public order
- ▶ Balance constitutional rights, such as Article 10 of the Federal Constitution, with national stability

The Home Ministry also noted that they had conducted engagements with relevant stakeholders such as the judiciary, academia, civil society organisations, and enforcement agencies such as the police and MCMC. Nonetheless, since the Home Minister's statement in November 2025, there continues to be a lack of proper timeline, roadmaps, or concrete political commitment to proceed with the amendment of the Sedition Act. The constant wavering and the shifting of the goalpost leading to any kind of amendment or repeal of the Act as well as the lack of clarity from government officials have continued to fuel concerns that the act will remain an instrumental method of control over democratic practices in Malaysia.

30 <https://www.malaymail.com/news/malaysia/2024/11/14/sedition-act-stays-for-now-but-national-security-bill-in-the-works-says-deputy-home-minister>

31 <https://www.nst.com.my/news/nation/2025/11/1309388/proposal-amend-or-repeal-sedition-act-requires-careful-study-says>

b. Enforcement Trends: Continuation is Nigh

CIJ's monitoring in 2025 has clearly shown that the year did not bring any positive shift in regards to enforcement patterns with the Sedition Act. Familiar trends and patterns intensified, particularly with the Sedition Act being used more frequently in combination with Section 233 of the CMA and Sections 505 or 504 of the Penal Code.

Enforcement patterns in 2025:

Chart 2: Use of Sedition Act on Individuals

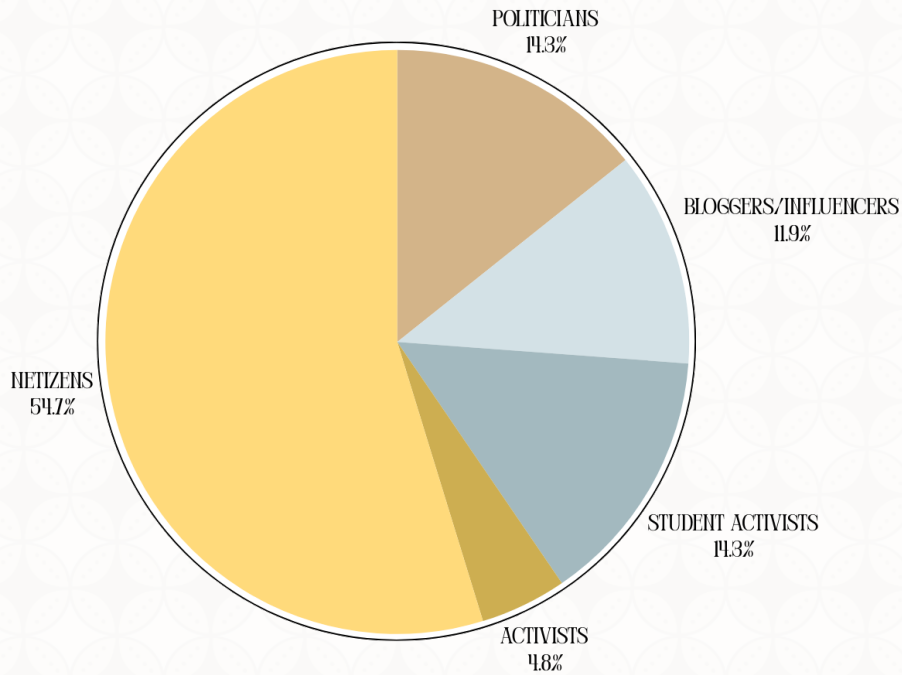
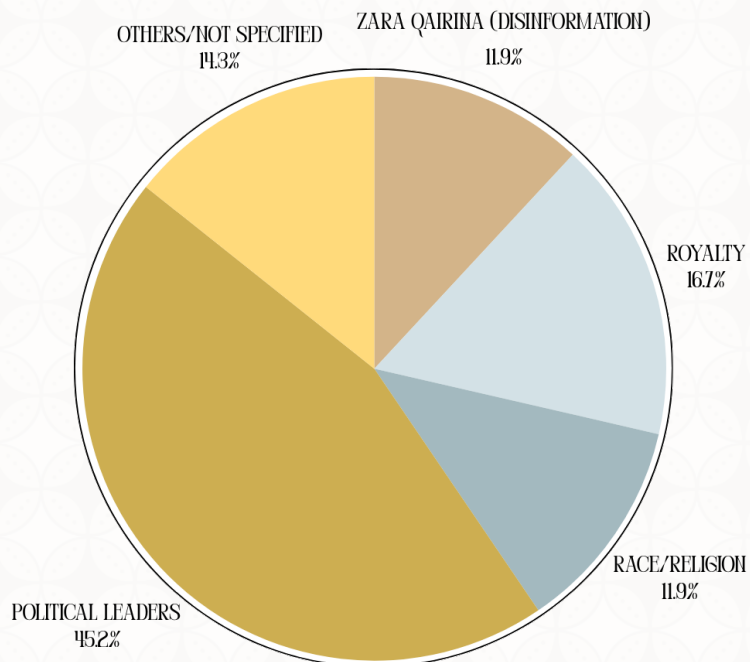


Chart 3: Uses of the Sedition Act on Issues



There was a marked increase of use of the Sedition Act in 2025, with monitored incidents rising from **19 in 2024** to **36 in 2025**, representing an **89.47% increase**. This growth suggests heightened enforcement attention or a broader interpretation of what constitutes seditious activity.

As detailed in Chart 2, the 35 monitored incidents involved 42 individuals being investigated, representing the following demographics, possibly targeting specific demographics, coordinated events or online discussions drawing collective or heightened scrutiny: **politicians (14%), bloggers or influencers (12%), activists (5%), student activists (14%) and general public or netizen (55%)**.

Chart 3 shows that the individuals were investigated for content or action against **political leaders (45%); royalty (17%); alleged disinformation related to Zara Qairina's case (12%); and those related to race or religion (12%)**. There were 6 investigations on other issues or the grounds not specified.

From a demographic and issue-type perspective, the increase may imply that enforcement covered a wider range of scrutiny in areas involving public commentary, political speech, inter-racial or religious tensions, or online discourse, suggesting that authorities are monitoring a broader set of expressions against the ruling administration or reacting to a more informed public environment.

Throughout 2025, enforcement further displayed several recurring characteristics with the Sedition Act:

- ▶ Most investigations disproportionately targeted student activists, political critics, commentators on issues with national leaders, and creators of satire.
- ▶ Online expressions were the primary trigger for action, particularly trending posts on social media such as TikTok, X, and Facebook.
- ▶ Authorities in Malaysia relied on multiple laws simultaneously, such as the Sedition Act, the Communications and Multimedia Act, the Peaceful Assembly Act (particularly for cases involving student activists), and sections 505 and 504 of the Penal Code to regulate speech.
- ▶ Swift investigations, raids, and summons were increasingly common, even where charges were not pursued, strengthening an enforcement culture built on deterrence through an iron fist.

c. Sedition Crackdown on Student Activists & Political Commentators

Case Study: Sabah Student Activists Investigated Over Anti-Graft Assembly



Image source: *Federasi.my*, 24 June

Amid increasing crackdowns in freedom of speech and assembly in East Malaysia, three Sabah student activists, Fadhil Kasim, Aliff Danial, and Sabir Syarafuddin, were arrested in June after allegedly torching a banner depicting the Prime Minister during an anti-graft rally in Kota Kinabalu. It is understood that the burning of the banner was intended to pressure the government to act against corruption in Sabah and to meet their 'reformasi' pledges³². Police in Kota Kinabalu confirmed that investigations were opened under the Sedition Act and the Peaceful Assembly Act for offences relating to incitement, open burning, and alleged 3R sensitivities. Their arrests sparked public debate among human rights defenders over whether symbolic political protests should constitute a crime, particularly when such demonstrations mirror the historical traditions of Malaysia's current political leaders during the Barisan Nasional era.

In October, another student activist, Sudirman Arshad of Universiti Malaysia Sabah, was allegedly detained and interrogated for several hours under the Sedition Act³³ despite prior arrangements to present himself at a later date. The questioning reportedly relates to his involvement in the same rally the three student activists were arrested for earlier in June. Although police later denied his arrest, the incident reflects a pattern of sudden and unexpected enforcement, a chilling effect on student-led activism.

32 <https://www.malaysiakini.com/news/747079>

33 <https://www.scmp.com/week-asia/politics/article/3333730/malaysias-sabah-state-poll-its-gen-z-vs-old-guard>

Case Study: UMS Student Investigated Over FB Comment

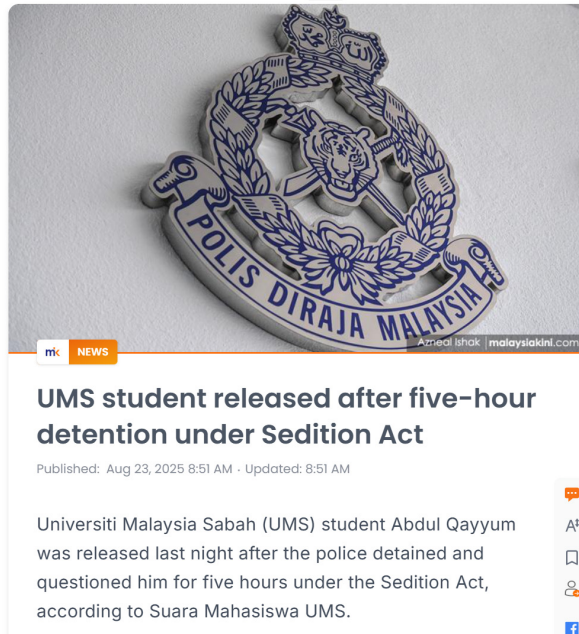


Image source: Malaysiakini. 23 August

In another incident, a Universiti Malaysia Sabah (UMS) student, Abdul Qayyum, was detained and questioned for five hours under Section 4(1) of the Sedition Act in August, over a comment he posted on Sabah Governor Tun Musa Aman's Facebook page³⁴. It was reported that his mobile phone and sim card were confiscated to aid in investigations. While the initial indication was that he would be remanded, he was later released without charge after significant pressure from public pressure and demands from youth groups such as Mahasiswa UMS. This case has yet again raised alarm about the powers of the Sedition Act to scrutinise mild expressions of political opinion online.

Case Study: Alleged Seditious Speech at Tawau Rally

CRIME & COURTS Woman Arrested Over Alleged Seditious Remarks At Justice For Zara Rally

03/09/2025 12:02 AM



TAWAU, Sept 2 (Bernama) -- Police today arrested a woman for allegedly making seditious remarks against the Yang Dipertua Negeri of Sabah during the Justice for Zara solidarity gathering here last Sunday.

Image source: Bernama, 3 September

Following the growing trend of arrests due to participation in rallies and alleged 'seditious' movements in East Malaysia, police in Tawau launched a sedition investigation and an arrest of a woman who delivered a speech during a *Justice for Zara* gathering. Authorities claimed her remarks contained elements that touched on the position of the Sabah governor, Tun Musa Aman, causing public unease³⁵. She was investigated under the Sedition Act, Sections 506 and 505(b) of the Penal Code, and Section 233 of the CMA. This incident has highlighted the increasing vulnerability of ordinary citizens who speak at public gatherings, even when the context involves the expression of grievances.

In retrospect, the continued use of the Sedition Act, its convergence with digital regulatory measures such as the CMA, and its expanding reach into student activism, online commentary, and peaceful assembly, demonstrate an increasingly complex enforcement landscape. As we dive into the overlap of regulatory laws in Malaysia, it becomes clear that Malaysia's regulatory ecosystem operates less of independent acts and more as a coordinated arsenal that would allow authorities to control speech, dissent, and criticism.

2.3.3 Overlap of Regulatory Laws Used in 2025

A defining feature of Malaysia's enforcement landscape in 2025 is the convergence of multiple legal instruments used to regulate political expression, online commentary, and public criticism. Rather than relying on a single framework, authorities used multiple overlapping laws such as the Sedition Act, Section 233 of the Communications and Multimedia Act, and notable Penal Code provisions (Sections 504 or 505) to criminalise the same speech.

This increasingly multi-layered enforcement strategy by the authorities creates an expansive regulatory net where a single expression or speech may trigger investigations under three to four different laws at the same time. In essence, this has heightened a chilling effect on public discourse and has normalised the use of criminalisation on offline and online speech.

a. Key enforcement patterns

- ▶ Investigations begin with viral online content, followed by multi-law investigatory reach.
- ▶ Individuals were frequently investigated under the combination of the Sedition Act, the CMA, and Penal Code provisions – even though the alleged speech did not cause harm, disorder, or violence
- ▶ Enforcement disproportionately targets critics of national leaders, political commentators, and ordinary social media users dabbling in local political discourse

This enforcement overlap has underscored a broader shift towards deterrence by investigation, as the process is a form of punishment in itself.

Case Study: Arrests for alleged 'Insults' to National Leaders under the Laws



Seven held over sedition, insults at gov't leaders

Published: Oct 6, 2025 8:20 PM · Updated: 8:20 PM

Image source: Malaysiakini, 6 October

A prominent illustration of these laws' overlap when used in combination with each other emerged when authorities arrested 7 individuals across multiple states for allegedly posting content that 'insulted' or 'threatened' national leaders on TikTok and Facebook³⁶. Each case was investigated with a combination of laws, including:

- ▶ Section 4(1) of the Sedition Act;
- ▶ Sections 504 and 505(b) of the Penal Code (intentional insults, statements conducive to public mischief)
- ▶ Section 233 CMA (misuse of network facilities)

The authorities emphasised a 'zero tolerance' towards provocative online content, signalling the continued entrenchment of digital enforcement through multiple laws.

Case Study: Multi-Law Enforcement against Online Commentary

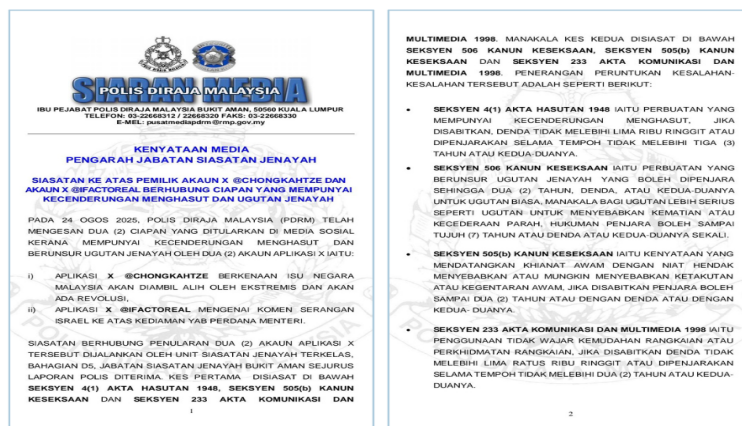


Image source: PDRM Facebook, 25 August

Another illustration of the increasing use of overlapping legal provisions was when the police arrested and obtained a remand order against Andrew Chong, who was the former chief operating officer of local food chain myBurgerLab. Chong was remanded for two days to assist in investigations under Section 4(1) of the Sedition Act, Section 505(b) of the Penal Code, and Section 233 of the CMA³⁷.

36 <https://www.malaysiakini.com/news/757197>

37 https://www.facebook.com/pdrmsiaofficial/posts/1184504323709786?ref=embed_post

Chong criticised the Terengganu state government for imposing fines on Muslim men who miss Friday prayers without valid reason, warning that such decisions could lead Malaysia towards 'extremism'. His post generated a multitude of backlash, with accusations that Chong had insulted Islamic values. The former COO later issued an apology and his employment with myBurgerLab was terminated.

The police further stated that stern action would be taken against any individual who disseminates statements deemed to carry seditious tendencies or content capable of causing public alarm.

Case Study: More online speech enforcement, across three separate incidents



Home > News > Malaysia

Police detain three men in separate social media incitement cases

Image source: The Sun, 12 September

Furthering the trend of the convergence of multiple speech-related laws, police arrested three men for separate cases involving seditious remarks, criminal intimidation, and threats against national leaders³⁸. The first case centred on a Facebook account that posted comments deemed seditious and contained criminal intimidation towards national leaders, while the second case involved a 69 year old man who delivered an allegedly seditious public speech towards national leaders. Both cases were probed under the Sedition Act, the CMA, and Section 506³⁹ of the Penal Code.

The third case, which involved another Facebook account posting statements deemed intimidating towards national leaders and causing public fear, was investigated only under the CMA and Section 506 of the Penal Code. Across

38
39

<https://thesun.my/news/malaysia-news/police-detain-three-men-in-separate-social-media-incitement-cases-mf14884392/>

Section 506 is not monitored by CIJ, but often accompanies speech-related laws such as the Sedition Act and the CMA.

these three incidents in 2025, the police reinforced that stern action will be taken against netizens who misuse network facilities to disseminate seditious statements or provocative content.

Case study: Investigations into activists

Lawyer slams investigation into activists over surau issue

1 MONTH AGO
Muthesh Subra

Share

Activists Rafidah Ibrahim and M Mythreyar were summoned by police to provide their statements for allegedly attempting to 'incite public hatred'.



MOST VIEWED LAST 2 DAYS

- 1** **NATION** Aliff Syukri ordered to pay RM10,000 for failing to promote restaurant
- 2** **LIFESTYLE** Redeemed your RM100 SARA yet? Here you can make it count
- 3** **LIFESTYLE** Meet the local talent behind Perodua's ever EV
- 4** **NATION** Shamsul was cuffed, Anwar says after questioned over integrity claim
- 5** **NATION** Deputy minister's officer ordered to re

SPECIAL FEATURES

Image source: Free Malaysia Today, 14 October

Two activists, Rafidah Ibrahim and M. Mythreyar were summoned by police for questioning after they publicly raised concerns over the possible demolition of an old surau to make way for a development project in Kampung Seri Keramat in Perak⁴⁰. Their comments against the demolition triggered a multi-law investigation involving three separate regulatory statutes, which is Section 505(b) of the Penal Code, Section 4 of the Sedition Act, and Section 233 of the CMA. Lawyer Zaid Malek criticised the investigation as an unnecessary restriction to freedom of expression.

b. Why these overlaps matter

The collective impact of these overlapping investigations are profound as they:

- ▶ vastly expand state discretion, as authorities may select any combination of laws to pursue an individual;
- ▶ enable investigations even if the threshold for prosecuting under any one law is not met;
- ▶ create chilling effects across online communities, activists, and students.

The overlap of regulatory laws in these cases also demonstrate that the enforcement ecosystem is no longer isolated from one another. Instead, it functions as an interlocking network of colonial-era, digital-era, and penal provisions. To visualise how these regulatory frameworks overlap, the diagram below maps all the cases CIJ monitored from January 2025 across the dominant regulatory laws, specifically CMA, Sedition Act, and Penal Code Sections 298,

500, 504, and 505:

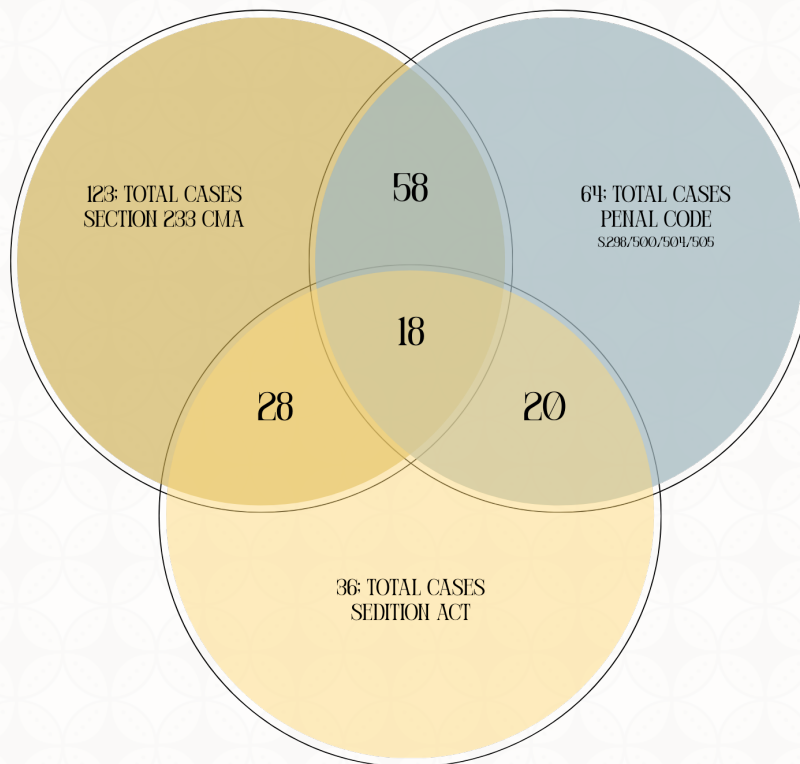


Diagram 1⁴¹; overlap of cases between Sedition Act, CMA, and Penal Code provisions⁴²

In addition, there was only 1 instance⁴³ of overlap found for the Peaceful Assembly Act – which was used alongside the Sedition Act and the Penal Code for the Gempur Rasuah Rally 2.0. Similarly, only one case⁴⁴ was recorded with the Printing Presses and Publications Act – as it was used with Section 233 of the Communications and Multimedia Act for an investigation on a social media post with an incomplete Jalur Gemilang design.

⁴¹ Data from CIJ monitoring from January to November 2025

⁴² CIJ only monitors Sections 298, 500, 504, and 505 of the Penal Code

⁴³ 23 June: Participants of the Gempur Rasuah 2.0 rally on 21 June were under investigation for nine offences, including incitement, open burning, possession of dangerous substances, and raising 3R (royalty, religion, race) issues—one of which involved the burning of a caricature of Prime Minister Anwar Ibrahim.

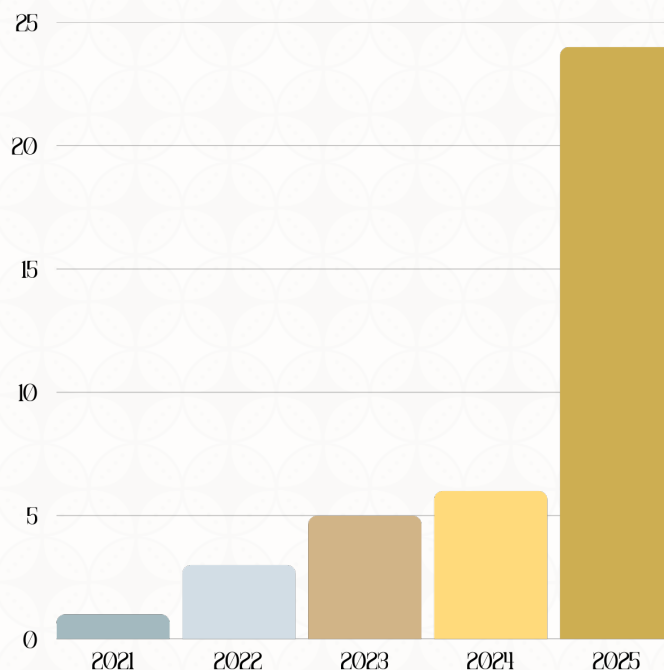
⁴⁴ 15 May: The Malaysian Communications and Multimedia Commission (MCMC) has launched an investigation into a social media post that featured an illustration of the Jalur Gemilang in an incomplete form.

2.2.4 The Printing Presses and Publications Act

a. Regulatory Developments: PPPA Amendments & Ongoing Concerns

This year had also seen renewed debate surrounding the Printing Presses and Publications Act (PPPA) 1984, an act long used for enabling executive control over media licensing and publication. In 2024, Home Minister Saifuddin Nasution announced that PPPA amendments would only be tabled after ‘extensive’ consultations with stakeholders⁴⁵, following public concern by CIJ, NUJM, and GERAMM on the proposed amendments which would limit media freedom⁴⁶. PM Anwar Ibrahim had also pledged to examine the recommendations and criticisms carefully, stressing the need to balance media freedom with responsible reporting and the general well-being of the media industry⁴⁷.

Chart 4: Publications banned under PPPA from 2022-2025



Source: *Senarai Perintah Larangan KDN, as of 24th August 2025*

However, recent findings indicate a continued rise in the use of PPPA as an instrument of censorship, particularly through the banning of publications. According to the recent report on media censorship by Justice for Sisters (JFS), 42% of all materials banned between 2020 and May 2025 this year fell under themes related to gender and sexuality, indicating a growing reliance on ‘public morality’ and ‘public order justifications’⁴⁸.

CIJ’s monitoring likewise recorded an uptick in book bans this year, with 24 publications⁴⁹ banned to date, spanning a range of genres including social issues, literature, graphic novels, and works addressing marginalised communities. The PPPA continues to serve

45 <https://www.nst.com.my/news/nation/2024/12/1143101/saifuddin-pledges-stakeholder-talks-amending-pppa>

46 <https://www.malaysiakini.com/news/706796>

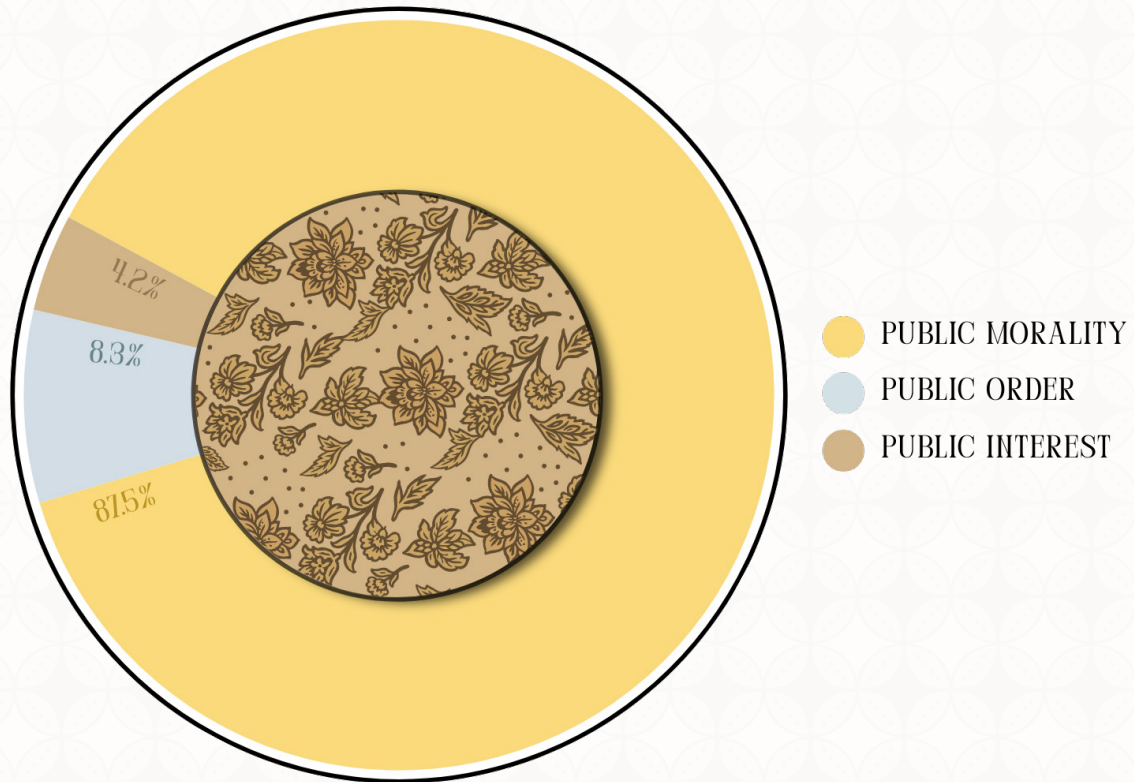
47 <https://www.nst.com.my/news/nation/2024/12/1143878/pm-pledges-fair-review-printing-presses-and-publications-act-amid-media>

48 <https://justiceforsisters.org/resources/report-censorship-of-lgbtqi-expression-under-the-printing-presses-and-publications-act-pppa/>

49 <https://epq.kdn.gov.my/e-pq/index.php?mod=public>

as a key regulatory measure to control printed content, with a particular emphasis on morality and 'religious norms'. The significant spike compared to the previous four years (2021-2024) mirrors the trends seen during former Prime Minister Najib Razak's administration, where bans also increased sharply, peaking at 45 in 2017⁵⁰.

Chart 5: Grounds for Banning under the PPPA in 2025



The grounds for banning in 2025 reveals that the overwhelming majority (21 out of 24) were restricted on the basis of **public morality**, while **public order** accounted for 2 bans and **public interest** only 1. This implies that regulating content deemed morally sensitive will continue to take precedence over concerns about institutional reform, political stability, or broader matters of public interest.

The dramatic rise in 2025 may indicate heightened governmental scrutiny of publications, possibly reflecting socio-political sensitivities or increased enforcement of very subjective moral standards. Historically, similar surges during Najib's tenure were often associated with periods of political sensitivity or perceived threats to social norms.

Patterns such as this continue to underscore how the PPPA functions as a broad weapon of state censorship, with major focus on moral policing, and inadvertently impacting artistic expression and information flow.

⁵⁰ https://lom.agc.gov.my/act-detail.php?act%3D301%26lang%3DBM&sa=D&source=docs&ust=1765029429124021&usg=AOvVaw3y7tX7pZrS_ca_Zm9dHwwO

DIGITAL RIGHTS AND GOVERNANCE: THE EXPANDING ARCHITECTURE

Following the CMA's newly-amended enforcement, this year marked a crucial turning point in our digital governance landscape. A series of new regulatory proposals, institutional actions and laws, introduced by both the Ministry of Communications and the MCMC, have collectively expanded the influence of the state on online expression, platform governance, and online safety regimes. While these decisions from the government were justified in order to ensure 'digital safety', 'online content responsibility', and 'child protection', civil society groups warned that such measures will intensify long-standing concerns regarding overreach, selective enforcement, and the gradual shrinking of online civic space.

The emerging regulatory architecture over the course of the past two years represents the most significant show of state power onto digital life since the CMA came into force in 1998. This modern day regulatory framework is characterised by expansive authority discretion, increased surveillance, platform liability pressures, and weakened safeguards for privacy and anonymity, and independent oversight – all of which is reshaping the FOE landscape in dire ways.

To contextualise these developments within global human rights assessments, Malaysia's standing in Freedom House's Freedom of the Net 2025 Report index remained partly free, with overall internet freedom assessed as stable but constrained due to regulatory laws and state actions⁵¹. The report also noted persistent content removals from authorities, particularly targeting criticism of the government, along with expanded powers of the CMA, and continued arrests for online expression. Freedom House also highlighted growing risks linked to surveillance, weakening anonymity online, and the lack of an independent regulatory oversight – concerns aligning closely with trends documented in this section.

Alongside these regulatory shifts, Malaysia is advancing towards a national Artificial Intelligence (AI) agenda under the 13th Malaysia Plan and the upcoming National AI Action Plan. Government commitments include transforming Malaysia into an 'inclusive and sustainable' AI nation by 2030, expanding AI adoption and establishing a National Data Commission to oversee data governance⁵². Malaysia has also positioned itself as a key digital hub in the region in platforms such as the ASEAN AI Summit, where officials emphasised AI governance based on ethics and sustainability, trustworthy data

51 <https://freedomhouse.org/country/malaysia/freedom-net/2025>

52 <https://www.thestar.com.my/business/business-news/2025/10/06/national-ai-action-plan-2026-2030-to-be-tabled-in-december>

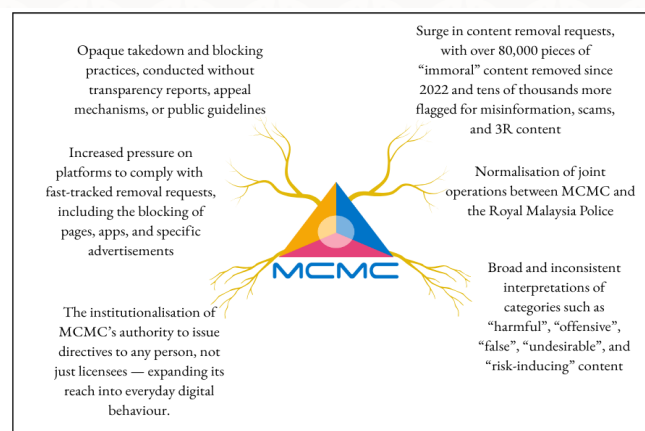
systems, and the expansion of data centre capacities⁵³. While these advancements aim to strengthen innovation and digital capacity, they have yet to fully integrate a fully human rights framework, having not assessed the human rights impact associated with widespread AI. Global commentary shows that AI systems are increasingly reshaping the information environment, such as improved accessibility, but also harmful ones such as AI-generated disinformation and the amplification of biased or discriminatory content⁵⁴. A particular concern is the rise of deepfake technology, which has been documented globally as a tool for gendered harassment and the silencing of women journalists and activists. As Malaysia expands on its AI governance architecture, the absence of safeguards on privacy, data protection, and protections against gender-based violence risks deepening existing vulnerabilities.

Before this section expands on the concerns of Malaysia’s digital governance, CIJ recognises that the government’s intentions surrounding child protection, online scams, and cyberbullying are legitimate and profoundly vital given the rapid increase of social media users globally⁵⁵. However, the mechanisms currently being introduced by government bodies, without critical safeguards, risk entrenching punitive approaches that would undermine basic human rights, outpace institutional safeguards, and weaken the country’s online ecosystem.

3.1 Expanding Powers Without Oversight

Throughout the year, MCMC’s role evolved from a regulator into a centralised authority for content governance and digital policing. Enabled by recent amendments to the CMA, the Online Safety Act (OSA) 2024, as well as ministerial directions, this expansion has entrenched MCMC as the dominant force monitoring online speech – though with minimal checks and balances.

Key trends documented by CIJ on enforcement include, but not limited to:



56

53 <https://www.digitalnewsasia.com/digital-economy/malaysia-hosts-asean-ai-summit-shape-responsible-digital-future>

54 https://www.oas.org/en/IACHR/jsForm/?File=/en/iachr/expression/media_center/preleases/2025/089.asp

55 <https://datareportal.com/reports/digital-2025-sub-section-state-of-social>

56 Source on social media post takedowns: <https://www.malaymail.com/news/malaysia/2025/08/14/ministry-over-82000-immoral-social-media-posts-in-malaysia-taken-down-since-2022-over-37000-more-on-false-info/187579>

Meanwhile, the Minister of Communications continues to hold powers under Section 7 of the CMA to issue directions to MCMC, including those of a 'general character or otherwise'. While such powers have existed in the foundations of the regulatory framework, civil society groups have expressed concerns that the layout does not provide sufficient separation between the executive branch and the regulator. Additionally, the recent CMA amendments introduced a 'good faith' protection clause for MCMC officials, with the intention of supporting operational efficiency, but may also enable abuse of powers and narrow avenues for public redress in cases of overreach – thus creating an accountability gap for human rights violations⁵⁷.

Collectively, with the lack of independent oversight, these developments will lead to the normalisation of administrative censorship as a routine element of the government.

3.2 Mandatory e-KYC for Social Media Users: Identity Policing

The government's push for the mandatory electronic Know-Your-Customer (eKYC) verification for all social media users, which is framed as the ultimate solution to curb scams, online harm, and ensure child protection, represents one of the most important policy propositions⁵⁸ in the scope of FOE and digital rights. Accompanying the social media ban for children under 16, the MCMC would require social media platforms to adopt the measure by the end of Q2 2026⁵⁹. While the government's motivations are indeed legitimate, the implications are potentially severe as the eKYC would involve the use of documents such as passports, MyKad, or the MyDigital ID. Malaysia still lacks a comprehensive data protection framework that binds government agencies, such as the MCMC. Repeated data breaches across both public and private sectors have already been a cause for concern for the people, and the recent CMA amendments further strengthen these concerns by expanding the government's ability to access user information under broad powers. Besides that, embedding identity verification into digital interactions creates a worrying infrastructure for systemic, identity-linked surveillance⁶⁰, whereby authorities are able to map who interacts with certain posts and track one's social networks.

This potential decline of online anonymity, which is an importance for journalists, whistleblowers, activists, and persons from communities at risk, would further discourage participation in public interest discourse and political discussions. In a legal environment where Section 233 of the Communications and Multimedia Act, the Sedition Act, and other broad provisions of the Penal Code are acting as an arsenal against critical speech, the proposed mandatory eKYC would intensify the climate of widespread censorship and restricted digital expression. Moreover, one of the biggest flaws of the eKYC is the potential disproportionate exclusion of communities at risk such as the elderly, undocumented migrants, refugees, stateless individuals, and those

57 <https://www.article19.org/resources/repressive-amendments-communications-multimedia-act/>

58 <https://www.thestar.com.my/news/nation/2025/09/26/social-media-must-adopt-ekyc>

59 <https://www.freemalaysiatoday.com/category/nation/2025/11/26/govt-wants-social-media-platforms-to-roll-out-ekyc-systems-by-q2-2026>

60 <https://www.article19.org/resources/malaysia-halt-hasty-imposition-of-mandatory-electronic-verification/>

living in rural areas – as they may not be able to provide the necessary documents or navigate through complex verification procedures. This exclusion risks deepening inequalities, leading to marginalised communities being pushed out of the digital sphere. Additionally, CIJ and fellow civil society groups, ARTICLE 19 and Sinar Project, highlighted the danger of the ‘function creep’: once implemented for social media platforms, the eKYC could easily expand to news platforms, comment sections on social media and news portals, messaging applications, and other digital avenues – thereby entrenching centralised identity control across the online space.

3.3 The Social Media Ban for Children under 16

Amid new digital laws and proposals, the government announced its intention to implement a nationwide social media blanket ban for children under the age of 16 from 2026 onwards. This measure, framed as a response to recent issues of cyberbullying, sexual exploitation, and violence involving school students, will rely heavily on the eKYC and Online Safety Act infrastructure to verify social media users’ age based on their identification to create a safer digital environment for children⁶¹.

Fahmi says Malaysia to block under-16s from social media next year with eKYC age checks in place



Image source: Malay Mail, 23 November

While the government’s intention to protect children is legitimate and widely shared, the proposed ban raises serious structural and rights-based concerns that extends beyond mere child safety. Indeed, the policy does echo a growing trend globally, with Australia being the first country to adopt such a prohibition⁶². However, it is worth noting that emerging concerns from Australia state that the bans are largely unworkable and risk harming rather than protecting children from online harms⁶³. One of the more prominent problems is that age-assurance laws are fundamentally immature and

⁶¹ <https://www.malaymail.com/news/malaysia/2025/11/23/fahmi-says-malaysia-to-block-under-16s-from-social-media-next-year-with-ekyc-age-checks-in-place/199448>

⁶² <https://www.nytimes.com/2025/11/24/world/asia/malaysia-social-media-ban.html>

⁶³ <https://humanities.org.au/uncategorised/an-age-ban-on-social-media-is-unworkable-what-are-the-alternatives/>

globally unresolved. In regards to Australia's implementation of the ban, documents prepared for the eSafety Commissioner⁶⁴ acknowledges that no country in the world has solved the challenge of implementing age verification without compromising privacy and data security. Essentially, verification systems require platforms to collect and store masses of sensitive personal data. In the context of Malaysia, where data breaches have compromised databases, enforcing eKYC along with the social media ban at a similar scale to Australia's would deepen vulnerabilities and expand the scope for state surveillance under the already broad CMA powers.

The concerns on the social media ban extend into children's developmental rights, as international research has emphasised that social media plays a vital role in helping children build community, gain digital literacy, and access support networks online – especially for those who lack safe spaces offline. Additionally, removing children from online social networks may risk pushing their digital lives into unpleasant territories, such as creating fake accounts, utilising VPN workarounds, or accessing unregulated and unsafe social media platforms. The ban may also undermine children's abilities to learn digital literacy and online resilience, a skill much needed in adulthood.

Moreover, it is understood that digital spaces are central to the formation of children's identities, social development, and access to information. The UN Committee on the Rights of the Child, particularly in General Comment No.25 (2021)⁶⁵, emphasises that digital technologies are vital to children's lives and their future, as it enables access to global information, self expression, and social connection with one another. Children interviewed for the General Comment described the Internet as a platform where they can learn, seek joy, and connect with peers from their environment and beyond. As the committee notes, the digital environment is rapidly expanding across every aspect of life and ultimately carries profound implications for the realisation of children's rights. In addition, the General Comment called for greater transparency, literacy, and protection, rather than exclusion from online spaces, and warned that inequitable or inadequate digital access may exacerbate new inequalities – particularly for marginalised communities.

In this light, Malaysia's proposed ban stands in contrast to several international best practices rooted in rights-based governance. A prime example would be the UK's Age Appropriate Design Code⁶⁶ (Children's Code), which establishes mandatory standards for how online services and platforms manage and protect children's data. Essentially, the code requires platforms to prioritise the privacy of children by default, minimise the collection of data, and design proper online environments that are age-appropriate and centred on safety.

The proposed ban, the reliance of eKYC age assurance, and the absence of rights-based safeguards point to a policy trajectory that may risk undermining children's

64 <https://www.theguardian.com/australia-news/article/2024/sep/10/australia-children-social-media-ban-age-limit-under-16-details>

65 <https://www.ohchr.org/en/documents/general-comments-and-recommendations/general-comment-no-25-2021-childrens-rights-relation>

66 <https://5rightsfoundation.com/resource/setting-new-standards-for-childrens-data-privacy-the-childrens-code/>

welfare in digital spaces. Global research increasingly shows that exclusionary models, particularly those built on expansive data collection, are neither effective nor future proof. As the digital space becomes inseparable from education, social participation, and identity formation among youths, policies must prioritise creating safer and empowering ecosystems online, as well as rights-based frameworks⁶⁷ – rather than blanket prohibitions that would lead to the entrenchment of surveillance and a shrinking civic space both for children and the public.

3.4 Cross-border Enforcement, Transnational Repression, and Murray Hunter

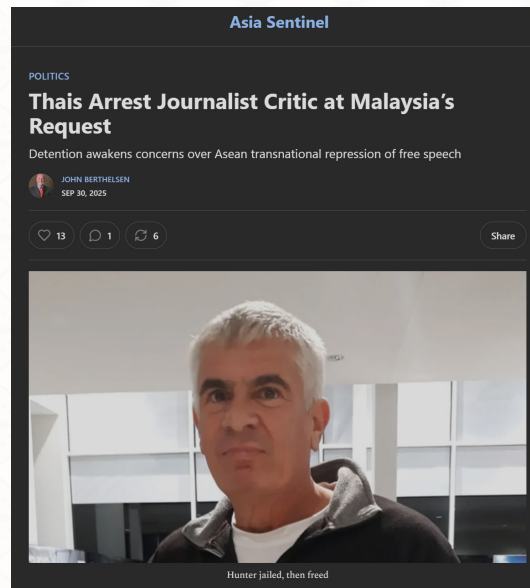


Image source: Asia Sentinel, 30 September

Another alarming development in 2025 was the arrest of Australian political commentator and researcher Murray Hunter in Thailand, following reports and legal action initiated by Malaysia's online regulator, MCMC – raising significant alarm about Malaysia's growing transnational reach in policing online expression. Hunter, known for his critical blog posts on Malaysian enforcement, was detained at Bangkok's Suvarnabhumi Airport for 24-48 hours, and later released on bail with his passport confiscated. His arrest stemmed from a criminal defamation complaint filed in Thailand and Malaysia by MCMC's legal representatives regarding articles published on Hunter's Substack last year⁶⁸. He now faces prosecution under Section 328 of Thailand's Criminal Code, and his trial is scheduled for 22 December 2025.

Although MCMC, in their statement, clarified that Thai authorities acted due to Hunter's alleged non-cooperation with local summons, the researcher maintains that he was arrested at the behest of the Malaysian regulator. Statements from concerned civil society groups such as CIJ, PEN Malaysia, and even the International Human Rights Watch warned that this move represents an alarming form of cross-border repression of speech⁶⁹, noting that if a Malaysian regulator did indeed initiate a foreign criminal

⁶⁷ https://www.oecd.org/en/publications/towards-digital-safety-by-design-for-children_c167b650-en.html

⁶⁸ <https://www.malaysiakini.com/news/756675>

⁶⁹ <https://cijmalaysia.net/detention-of-political-commentator-murray-hunter-a-suppression-of-free-speech/>

process to pursue criticism written outside of Malaysia’s jurisdiction, it would mark a dangerous extension of state power beyond borders and would contradict Article 10 of the Federal Constitution. The case also highlights a broader regional trend in which governments cooperate to silence dissent across borders, echoing patterns of transnational repression of expression in ASEAN⁷⁰.

The case of Murray Hunter illustrates how expansive regulatory powers may also extend beyond our borders, with a domestic regulator reportedly triggering a foreign criminal process against a political commentator abroad. As a whole, in the context of digital rights and governance in Malaysia, these developments highlight a digital ecosystem increasingly shaped by punitive enforcement, identity-linked monitoring, and cross-border pressure on critical online expression – suppressing dissent and undermining the foundations of the right to expression.

MEDIA FREEDOM

Throughout the year, when compared to the last, Malaysia has seen evidential progress with improving the state of media freedom. Recently, government spokesperson and Minister of Communications Fahmi Fadzil assured that journalists and news representatives may ask questions without any fear or intimidation, and emphasised the need to safeguard the rights and duties of journalists to question even government officials for any matter of concern⁷¹. The government's stance on the protection of journalists was indeed a welcome development, particularly amid other troubling patterns which may continue to pose risks to freedom of expression and freedom of the press.

At the same time, Malaysia's media landscape reflects a mix of institutional reforms, structural constraints, and heightened regulatory scrutiny. While the government has taken steps toward establishing an independent media council and improving media governance, long-standing and punitive frameworks such as the Printing Presses and Publications Act 1984 and expansive investigatory powers held by government agencies such as the MCMC and the MACC continue to shape journalistic practices and the role of the media.

4.1 Malaysia and the World Press Freedom Index

The country's media environment continues to face scrutiny internationally. The country climbed 19 places to rank 88th globally⁷² in Reporters Without Borders' (RSF) 2025 World Press Freedom Index, recovering from its abysmal ranking last year. While the improvement is a step forward, RSF still categorises Malaysia as being in a 'problematic situation'. According to the report, Malaysia scored poorly in the legislative (133rd) and political (92nd) indicators, reflecting the country's restrictive regulatory laws, sensitivities with reporting, and political pressures affecting media independence. Meanwhile, there were moderate improvements in the security environment (90th) and social context (81st), with fewer physical threats but ongoing judicial harassment towards journalists. Altogether, the report reinforced longstanding concerns around licensing controls, concentrated media ownership, and draconian legislations such as the Sedition Act and regulatory laws such as the PPPA.

71 <https://themalaysianreserve.com/2025/10/31/fahmi-defends-press-freedom-after-nga-reporter-exchange-draws-concern/>

72 <https://rsf.org/en/country/malaysia>

4.2 The Malaysian Media Council: An Institutional Reform

One of the most significant structural developments this year was the passing of the 2024 Malaysian Media Council (MMC) Bill, a historic milestone decades in the making. The council is envisioned as a self-regulatory, multi-stakeholder body designed to enhance media standards, strengthen ethical and responsible journalism, and provide a formal mechanism for complaint resolution⁷³. Deputy Minister of Communications Teo Nie Ching highlighted that the bill's passage reflects the media industry's aspiration to create a structure that is "of the media, by the media, for the media"⁷⁴. CIJ notes that the MMC's responsibilities include:

- ▶ Developing and enforcing a Code of Conduct for all media practitioners
- ▶ Providing a complaints and disciplinary mechanism
- ▶ Coordinating training and capacity building
- ▶ Maintaining a national database of media practitioners
- ▶ Strengthening public trust in journalism and improving media ethics



Image source: Bernama, 10 November

During the MMC's inaugural Annual General Meeting (AGM) in November this year, 12 board members were elected, representing media companies, journalists and media associations both from West and East Malaysia, along with academia and civil society representatives, such as CIJ. Reports from the meeting highlighted key milestones, namely that women account for 50% of the elected board⁷⁵ and that the council includes representation from Borneo, signalling a diverse and representative council. Furthermore, the MMC successfully adopted its Code of Conduct and complaint mechanism during the AGM, thus establishing the foundation for a self-regulatory system long demanded.

73 <https://m.aliran.com/aliran-csi/malaysias-media-council-strengthening-democracy-through-independent-journalism>

74 <https://www.thestar.com.my/news/nation/2025/11/12/malaysian-media-council-to-uphold-ethics-and-professionalism-says-teo>

75 <https://www.theborneopost.com/2025/11/07/teo-first-agm-of-malaysian-media-council-marks-historic-milestone/>

Despite these positive developments, concerns remain regarding the degree of the council's autonomy. The MMC includes two government-appointed representatives in the Board to be nominated by the Ministry of Communications, raising questions about the council's structural independence. Moreover, while the act mandates the MMC to encourage communication between the media, the government, and the public, it does not empower the council to resist political interference. With that said, the absence of a strong independence mandate risks limiting the MMC's ability to protect journalists, particularly in contexts involving state agencies, political sensitivities, or government linked issues.

4.3 Escalating Enforcement, Platform Interference, and Investigations

Over the past year, enforcement actions against news and print outlets intensified, most notably in the case involving Sin Chew Daily's publication of an incomplete Jalur Gemilang illustration in April. The incident led to legal and administrative responses: the Home Ministry issued a show-cause letter, the police opened investigations under the PPPA and the Emblems and Names (Prevention of Improper Use) Act 1963, and more than 40 witnesses from Sin Chew Media were brought in to give statements⁷⁶. The Chinese daily's chief editor and sub-editor were both detained overnight, despite the outlet issuing an apology and attributing the error to a technical oversight. Civil society groups, including CIJ, criticised the severe and disproportionate actions by the government, noting that such responses risk affecting press freedom in the country.



Image source: Sin Chew Daily

The matter escalated in September, when the Malaysian Communications and Multimedia Commission (MCMC) issued a RM100,000 compound on Sin Chew Media Corporation and Sinar Karangkras⁷⁷. Sin Chew was fined for the Jalur Gemilang incident, whereas Sinar Karangkras was penalised for an Instagram post containing inaccurate information on the Inspector-General of the police. Both investigations were pursued under Section 233 of the Communications and Multimedia Act – showing the extensive reach of the regulatory act. The Malaysian Media Council expressed deep concern⁷⁸ over the penalties, describing them as excessive and disproportionate, and warning that such

76 <https://www.freemalaysiatoday.com/category/nation/2025/04/18/42-witnesses-summoned-over-jalur-gemilang-blunder>

77 <https://www.malaymail.com/news/malaysia/2025/09/19/sin-chew-fined-rm100000-for-flag-error-sinar-for-wrong-info-on-igp/191589>

78 <https://www.theborneopost.com/2025/09/20/media-council-criticises-rm100000-mcmc-compounds-on-sin-chew-media-sinar-karangkras-as-excessive/>

punitive measures could destabilise an already financially strained industry.

Apart from print media developments, concerns grew around platform interference after Malaysiakini and KiniTV's Facebook pages were abruptly suspended, coincidentally after the publication of an exposé revealing a network of the government's cybertroopers⁷⁹. Although Meta later described the suspension as merely a 'technical issue', it provided no explanations to the suspension. The suspension raised questions regarding platform transparency, the consistency of content regulation, and the vulnerabilities faced by independent media that report on political issues.

4.4 Attacks and Investigations on Journalists

Beyond regulatory pressures, another concerning development in 2025 is the physical attack⁸⁰ on Haresh Deol, who is the National Press Club Deputy President and a prominent sports journalist in Malaysia. The attack, which was filmed on video, left him with multiple injuries and raised concerns among media organisations, who have all condemned the attack and described it as an intolerable act of violence against the press. Deol had recently been reporting on the Football Association of Malaysia's (FAM) scandal, raising questions on whether the sudden attack may have been linked to his investigative work. Although a suspect has been remanded, police revealed that the assault was a case of mistaken identity, citing that investigations are still ongoing.



Image source: Malaysiakini, 14 March

Alongside physical attacks, judicial pressure on journalists remained a serious concern. Malaysiakini reported that well-known journalist Nantha Kumar was detained by the Malaysian Anti-Corruption Commission⁸¹ (MACC) in a 'trap case', occurring shortly after he published an exposé on alleged syndicate smuggling migrants at KLIA. MACC alleged that Nantha solicited and accepted a RM20,000 bribe from a foreign worker in exchange for not exposing further reporting. Nantha denied such allegations,

79 <https://www.malaysiakini.com/news/756601>

80 <https://www.freemalysiatoday.com/category/nation/2025/12/01/probe-into-assault-on-sports-journo-still-ongoing-says-kl-top-cop>

81 <https://www.malaysiakini.com/news/737267>

stating that he was just merely acting as an informal undercover source to gather information regarding the syndicate. Malaysiakini emphasised Nantha's longstanding record of reporting on corruption, trafficking, and syndicates, describing the charges as unexpected and inconsistent with his experience. Nantha was charged at the Shah Alam High Court under Section 16)(a)(A) of the MACC Act, illustrating how investigative journalists, working on corruption and syndicates, remain deeply vulnerable to state-driven investigations.



Image source: Malaysiakini, 21 August

Another point of concern regarding media freedom would be the repeated police investigations into MalaysiaNow editor Abdar Rahman Koya following the news portal's series of exposés on an alleged mineral exploration license scandal in Sabah⁸². Across several months, Rahman Koya was summoned multiple times by police, with overlapping investigations opened under Section 500 of the Penal Code and Section 233 of the CMA – with his mobile phone seized⁸³ in the most recent investigation at the Petaling Jaya police headquarters, raising concerns over the confidentiality of journalists. Such tactics to limit investigative journalism risk creating a chilling effect, where journalists may not be inclined to take on reporting involving politically-connected issues which pertain to the public interest.

82 <https://www.malaysiakini.com/news/752593>

83 <https://www.malaysiakini.com/news/759965>



Probe on KJ: MCMC conducts 'data preservation' on Mkini article

Image source: Malaysiakini, 28 January

A further escalation of state pressure on the media was seen earlier in January, when Malaysiakini faced unprecedented demand from the MCMC and police for access to its backend content management system⁸⁴, alongside the seizure of a laptop belonging to its executive director, RK Anand. The request, made in connection with a police investigation into former minister Khairy Jamaluddin's comments, went far beyond ordinary investigative procedure and raised alarm among media groups, academics, and press freedom advocates⁸⁵. Despite Malaysiakini being classified merely as a 'witness' in the probe, authorities insisted that non-compliance with the backend access would constitute an offence. This has prompted concerns that such investigative tactics could compromise journalistic confidentiality, expose newsroom and server data, and open the door to future demands for access whenever police reports are lodged. Press freedom groups such as CIJ, NUJ, and GERAMM, along with several senior journalists condemned the move as an intimidation tactic and a form of technical overreach⁸⁶, warning that such investigations would erode media freedom.

4.5 Media Code of Ethics & Unethical Reporting

Last year, the Ministry of Communications launched the Malaysian Code of Ethics for Journalists, which was introduced as part of a broader effort to professionalise the media industry. It outlines eight core principles, emphasising accuracy, fairness, integrity, transparency, protection of sources, and adherence to laws relevant to journalistic practice. The code was framed as a guideline intended to strengthen responsible reporting amid the challenges of misinformation and other challenges of the digital era⁸⁷. However, the updated code drew significant criticism from media practitioners, civil society, and legal experts such as CIJ and Lawyers for Liberty – raising concerns that the principles were vague and lacked grounding in international standards such as the Universal Declaration of Human Rights (UDHR).

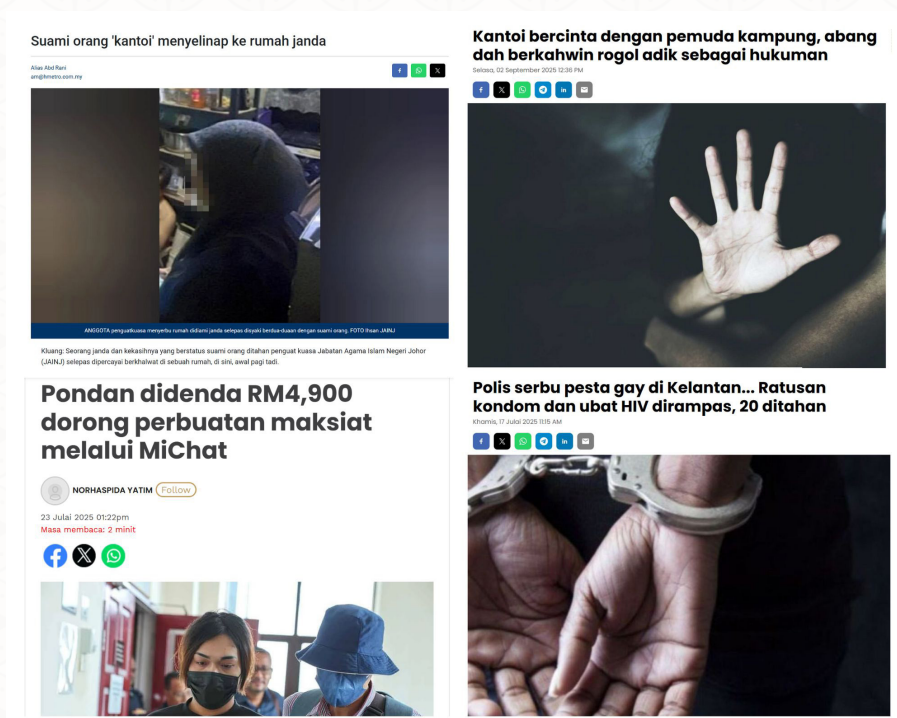
84 <https://www.malaysiakini.com/news/732995>

85 <https://www.freemalaysiatoday.com/category/nation/2025/01/28/journalists-media-groups-slam-seizure-of-malaysiakini-laptop>

86 <https://focusmalaysia.my/seizure-of-laptop-from-malaysiakini-halt-intimidation-tactics-against-media-govt-told/>

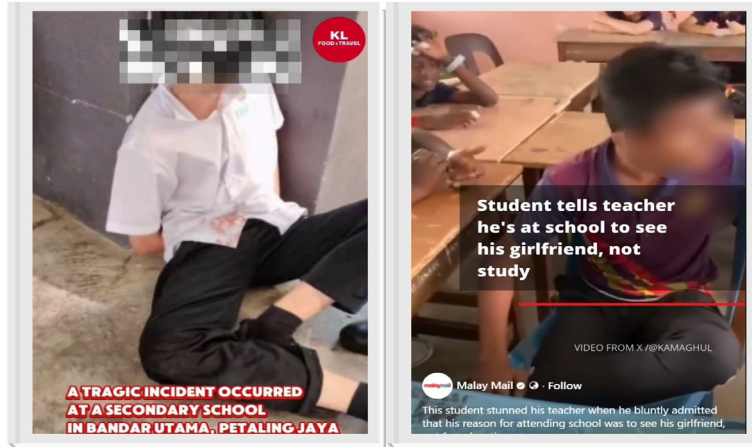
87 <https://www.thestar.com.my/news/nation/2024/02/20/communications-ministry-launches-malaysian-code-of-ethics-for-journalists>

While reforms to strengthen media professionalism are underway, the quality of news reporting in Malaysia continues to be undermined by ethical lapses across mainstream and digital outlets. These issues are not merely isolated incidents but reflect structural weaknesses, such as the absence of a strong and independent media council until recently, the lack of clear enforcement pathways, and increasing competition for online traffic in an evolving digital ecosystem. These gaps have enabled a range of unethical reporting practices to persist, from sensationalism and intrusive coverage, to the irresponsible circulation of sensitive content involving children. Recent cases monitored by CIJ illustrate this ongoing challenge in upholding ethical journalism and highlight why robust oversight, clearer standards, and stronger newsroom accountability mechanisms remain urgently needed. Further examples of unethical reporting towards gender, sexuality, and LGBTQ+ communities are expanded in the Gender section of this report.



88

Unethical and sensational reporting continues to disproportionately harm communities at risk, children, women, and gender-diverse groups, thus compounding existing inequalities in Malaysia’s media landscape. Sensational headlines that frame sexual violence as entertainment or trivialise rape would normalise gender-based harm and perpetuate a culture of sexism. Likewise, articles that use derogatory terms for trans persons or misrepresents community health outreach as ‘gay festivals’ fuels public hostility, reinforces stigma, and exposes already vulnerable groups to discrimination.



*Image Source: Screenshoted from KL Food and Travel and Malay Mail
(The image of the child on the left was not censored)*

Besides that, the re-posting of videos involving children, often without consent or contextual safeguards, violates privacy and strips subjects of dignity, while driving click-based traffic at the expense of ethical journalism. Patterns such as these fail to adhere to the Child Act 2001 restrictions on media reporting and publication, nor does it align with established ethical reporting standards, particularly accuracy, responsible reporting, and protection of vulnerable individuals.

RIGHT TO INFORMATION (RTI)

The right to information (RTI) is a fundamental right embedded within Article 10 of the Federal Constitution and recognised internationally under Article 19 of the Universal Declaration of Human Rights (UDHR)⁸⁹. RTI is considered an essential tool to promote transparency, strengthen accountability, and ensure meaningful democratic practices in a country. However, civil society groups in Malaysia have long highlighted the entrenched culture of secrecy across public institutions, where barriers to obtain information continue to impede public oversight – often shaped by laws such as the Official Secrets Act 1972 (OSA) and section 203A of the Penal Code. Throughout the year, discussion surrounding RTI intensified amid developments such as gag orders on public concern, calls for independent oversight, and ongoing government efforts to draft a Freedom of Information Bill in parliament. These debates highlight both the complexity and urgency in establishing a transparent information ecosystem in Malaysia.

In what would be a breach to both right to information and freedom of expression, Putrajaya and several government bodies filed a gag order⁹⁰ prohibiting public discussion of an addendum related to former Prime Minister Najib Razak’s house arrest application in January. Civil society groups long advocating for RTI criticised the move as perpetuating a culture of secrecy, and stressed the need for a progressive legislation grounded in proportionality and principles of legality.

5.1 Momentum toward FOI Legislation and Institutional Reform

In the push to adopt a right to information legislation, the government, through the Legal Affairs Division in the Prime Minister’s Department (BHEUU), set up a Protem Committee to draft the FOI Bill, which includes representatives from the Attorney-General’s Chambers (AGC), government ministries, the Malaysian Human Rights Commission (SUHAKAM), CIJ, Article 19, C4 Centre, The Malaysian Bar, and academics⁹¹.

The committee successfully drafted the FOI Bill, ready to be tabled in Parliament. However, during the recent FOI Roundtable held by CIJ and BHEUU, Director-General Datuk Zamri Misman announced that the cabinet has decided to defer the tabling of both the FOI Bill and the Ombudsman Bill to 2026’s parliament sitting. This decision

89 <https://www.un.org/en/about-us/universal-declaration-of-human-rights>

90 <https://www.freemalaysiatoday.com/category/nation/2025/01/22/gag-order-on-addendum-raises-alarm-about-freedom-of-expression-says-ng>

91 <https://www.malaysiakini.com/news/741043>

was done to reportedly allow further refinement and provide the AGC sufficient time to review both drafts⁹². PM Anwar Ibrahim had also stated earlier in the year that the upcoming FOI Act will enhance public access to information, establish a review body composed of experts, and align with broader reforms⁹³.

Civil society continued the call for the FOI Bill to include an effective oversight mechanism through the establishment of an Independent Information Commission, stressing that any FOI framework must include an impartial and independent body that reports directly to the Parliament. In theory, this independent body would order disclosures and set proactive publication standards, and advocate for the right to information⁹⁴.

5.2 Persisting Culture of Secrecy

While federal-level reforms are moving forward, several developments have shown how opaque practices remain pervasive in Malaysia. A notable example emerged in Selangor when documents related to the Selangor Intelligent Parking (SIP) were classified as ‘national secrets’ under the OSA. This case became prominent when a member of the public attempting to access documents under the Selangor FOI Enactment of 2011 was denied access on grounds that disclosure could ‘endanger national security’⁹⁵.

This classification raised significant public concern, with MPs such as Petaling Jaya MP Lee Chean Chung questioning how a parking system contract could constitute a national security threat. C4 Centre also criticised the state government for how documents related to a privatised parking system could be classified under the OSA. Practices as such undermine trust and contradict the spirit of Selangor’s own FOI law. This issue also highlights the urgent need to align federal-level reforms with state-level FOI frameworks, and serves as a reminder that without structural amendments to secrecy laws such as the OSA, and without enforceable disclosure standards, even the most progressive FOI legislation risks being weakened by archaic practices.

92 <https://www.malaymail.com/news/malaysia/2025/11/14/malaysias-first-freedom-of-information-bill-part-of-broader-push-for-transparency-and-accountability-says-legal-affairs-d-g/198340>

93 <https://www.malaymail.com/news/malaysia/2025/07/15/anwar-freedom-of-information-act-to-be-tabled-by-year-end-to-boost-transparency/184026>

94 <https://www.article19.org/resources/malaysia-freedom-of-information-act-must-promote-accountability-and-trust/>

95 <https://www.freemalysiatoday.com/category/nation/2025/11/22/mp-calls-for-selangor-parking-papers-to-be-released-quickly>

PEACEFUL ASSEMBLY

Although the majority of the cases were the suppression of freedom of expression in digital spaces, it is also evident that both activists and human rights defenders alike have faced numerous challenges from expressing their right to peaceful assembly. As of the past few years, CIJ has monitored numerous crackdowns on assemblies throughout the country, with disproportionate investigations and excessive use of force used by the authorities on individuals who seek to only express their views. The year 2025 however, has shown gradual progress in limiting the roadblocks to achieve peaceful assemblies and removing speed bumps for prominent policy developments to ensure Article 10(1)(b) of the Federal Constitution⁹⁶ is respected. In short, key developments in 2025 with the Peaceful Assembly Act reflect both a mix of progress and concerns.

6.1 Policy Developments and Government Commitments

Earlier this year, the government announced their intention to amend the Peaceful Assembly Act, particularly with a focus on Section 11, a provision requiring organisers to obtain permission from venue owners and to notify the police before an assembly is held. This decision, though in line with the government's reform agenda, also comes from calls from civil society and human rights defenders who have long criticised the act as a barrier to organising assemblies. Following calls for its amendment and the repeal of certain sections in the Act, PM Anwar Ibrahim and Home Minister Saifuddin Nasution both announced a moratorium⁹⁷ on investigations related to Section 11. The government stated that this moratorium sought to reduce arbitrary punishments while preserving the requirement for organisers to submit the standard five-day notice prior to an assembly.

Despite these promises from the government, investigations on student activists involved in organising anti-graft rallies in West and East Malaysia continued, raising concerns about the visible gap between government announcements and enforcement practices on the ground. For example, the charging of UMS student activist Fadhil Kasim under both the Penal Code and Section 9(5) of the PAA⁹⁸ for organising an anti-graft rally in Kota Kinabalu last year further deepened the misalignment of government intentions and enforcement realities.

96 Guarantees the right to assemble peacefully and without arms

97 <https://www.freemalaysiatoday.com/category/nation/2025/02/13/moratorium-on-notice-requirement-for-rallies-says-saifuddin>

98 <https://www.thestar.com.my/news/nation/2025/02/22/ums-student-leader-to-be-charged-over-protest-rally>

6.2 The Historic Federal Court Decision on Section 9(5)

In what was deemed as the most consequential development with the PAA this year, the Federal Court delivered a landmark judgement in the case of Amir Hariri Abdul Hadi v. Public Prosecutor. The case stemmed from an August 2022 assembly which demanded accountability on the Littoral Combat Ship (LCS) scandal, during which Amir did not provide the required five day notice to authorities. The apex court ruled that Section 9(5), which criminalises failure to give the police a notice of an assembly, is unconstitutional⁹⁹. The five-judge panel led by former Chief Justice Tengku Maimun held that penalising organisers of a peaceful assembly for a mere procedural requirement restricts the fundamental right to assemble as enshrined in Article 10(1) (b) of the Federal Constitution. The court further reaffirmed that the State only retains the authority to act when assemblies become disorderly or unlawful, not solely on non-compliance.



Image source: CIJ Monitoring

This ruling not only reaffirmed earlier decisions with the Court of Appeal but also highlighted the key role of the judiciary in safeguarding civil liberties and freedom of expression – thus prompting responses from key policymakers to review the Act accordingly, while also reaffirming the moratorium on prosecutions under Section 9(5). A week after the decision, Amir Hadi was acquitted in his criminal case for failing to notify the police in the 2022 LCS rally¹⁰⁰. According to his lawyer, Rajsurian Pillai, the Magistrate’s Court took into account the Federal Court’s landmark ruling on the unconstitutionality of Section 9(5). The court also noted that Amir would not face further charges related to the rally, signalling the immediate impact of the landmark decision surrounding peaceful assembly.

99 <https://theedgemalaysia.com/node/760934>

100 <https://theedgemalaysia.com/node/765786>

6.3 Enforcement and Contradictions on the Ground

Although these progressive shifts occurred prior to landmark rulings, 2025 did see investigations, police interventions, and barriers imposed on assemblies. Investigations by police often accompanied the rise of anti-graft rallies, particularly towards student activists and organisers of peaceful assemblies. This pattern reveals a notable disconnect between what is said on the Federal level and what is enforced on the ground. The government’s messaging as of late reflects this ongoing tension. In the November Parliament sitting, Deputy Home Minister Shamsul Anuar stressed that while peaceful assembly is a constitutional right, organisers must still comply with the five-day notice requirement¹⁰¹, despite the recent Federal Court ruling. Shamsul explained that the authorities would continue intelligence gathering, monitoring, and enforcement in accordance with the relevant SOPs, citing national security considerations. The ongoing struggle to translate reforms into on the ground practice is illustrated in this reaffirmation of procedural compliance, even after landmark rulings from the court and prior commitments to the moratorium of investigations related to Section 11.

a. KL Anti-Graft Rally and Police Intimidation

Following the ‘Himpunan Rakyat Benci Rasuah’ rally in January, which drew approximately 200 participants marching from Sogo to Dataran Merdeka, police summoned 13 student activists under the peaceful Assembly Act¹⁰². Although the rally proceeded peacefully without any disruptions to public order and that the government had no prior objections, activists from the rally were called in for questioning at Dang Wangi Police Headquarters (IPD).



Image source: NSTP/Aziah Azmee

101 <https://www.thestar.com.my/news/nation/2025/11/17/m039sians-have-right-to-hold-peaceful-assemblies-but-must-give-five-days-notice>
102 <https://www.malaysiakini.com/news/733216>

Of the 13 students called in for questioning, 9 were part of the organising committee and 4 were participants who had given brief speeches during the assembly. According to the students, the investigation was described as a form of intimidation, illustrating the continued trend from previous years of excessive policing using the PAA.

b. UM Feminism Club press conference on sexual harassment

In another case on the same day as the Anti-Graft rally, 4 speakers from a Universiti Malaya Feminism Club-led press conference, addressing allegations of sexual misconduct from a professor, were summoned to the Brickfields police headquarters. Although the press conference was held peacefully within the university setting and was, in general, harmless to public order, police deployed armed officers to the university and claimed that the event was held in breach of the Peaceful Assembly Act¹⁰³.



Image source: CIJ Monitoring

The summons targeted student leaders, academics, and advocates speaking out in solidarity for survivors of sexual harassment, and raises questions of the overreach of the Peaceful Assembly Act and the policing of campus activism.

c. SOSMA Hunger Strike by families of detainees

Outside the Sungai Buloh prison in February, families of detainees held under the Security Offences (Special Measures) Act 2012 (SOSMA) staged a hunger strike to demand transparency of the detainees' welfare and visitation rights amid the Thaipusam period. Despite the non-disruptive nature of the gathering and the humanitarian context for families of those imprisoned, the police opened investigations under Section 9(5) of the PAA for not providing notice of an assembly. This move was widely scrutinised as it was inconsistent with the government's stance on the moratorium on Section 11 enforcement, highlighting the fragmented implementation of reforms among authorities.

103 <https://www.freemalaysiatoday.com/category/nation/2025/01/21/4-summoned-over-press-conference-on-professor-accused-of-sharing-nude-pictures>

d. Police blocking Peaceful March towards Parliament

In a more recent incident this year, a group of activists from different civil society organisations marched from Taman Tugu to Parliament in the heavy rain to deliver a memorandum calling for the abolishment of the Peaceful Assembly Act and the Sedition Act, amid recent investigations and disproportionate enforcement. While the rally was peaceful, modest in size, and had intentions only to pass a memorandum to Members of Parliament, police formed a cordon and a blockade to prevent the rally's approach to the Parliament gates¹⁰⁴. There was a significant police presence, including officers from the Federal Reserve Unit (FRU) equipped with shields and batons – arguably unnecessary for a memorandum hand-in.



Image source: CIJ Monitoring

Tensions had escalated when a student activist was allegedly manhandled by a police officer at the blockade amid negotiations to pass through to the Parliament entrance¹⁰⁵. Approximately 50 participants, comprising representatives from civil society and student movements, took part in the rally. Despite the peaceful nature of the Anti-Draconian Laws rally, the heavy handed police response raised concerns on police practices, enforcement measures, and the government's supposed commitment to ensure peaceful assemblies amid reforms.

e. Police blocking Peaceful March towards Parliament 2.0

104 <https://www.nst.com.my/news/nation/2025/07/1248591/police-block-march-students-activists-parliament-watch>

105 <https://www.freemalaysiatoday.com/category/nation/2025/07/22/gathering-on-assembly-act-reform-turns-tense-in-brief-standoff-with-cops>

A month after this incident, another peaceful march to Parliament involving more than 100 plantation workers led by Parti Sosialis Malaysia (PSM) was similarly blocked by police force. The workers and PSM representatives marched from Taman Tugu to submit a memorandum and a draft bill calling for mandatory housing for plantation workers. Despite the peaceful march, a scuffle occurred at the barricade, during which PSM Deputy Chairman S. Arutchelvan was allegedly pushed to the ground by a police officer¹⁰⁶. Authorities however, in the later hours of the day, opened an investigation¹⁰⁷ against Arutchelvan under Sections 353 and 427 of the Penal Code, alleging use of criminal force on a public servant and mischief. His subsequent arrest at IPD Dang Wangi a week later further fuelled worries about peaceful assemblies.

6.4 Growing pressure for Reform

As consultations between the Home Ministry and civil society groups continue, expectations remain high for the amendment of the Peaceful Assembly Act next year in Parliament. Throughout the year, government representatives from the Home Ministry, the government held engagement sessions with members of civil society, youth groups, and human rights defenders to collate opinions on the Act. Framed as part of the government's reform agenda, consultations signal the Home Minister Saifuddin Nasution's openness to re-evaluate longstanding concerns with the PAA and to have beneficial two-way dialogues.



Source: Saifuddin Nasution

With the Federal Court ruling dramatically shifting the legal baseline, the government has the responsibility to determine whether the PAA evolves into a law that is in line with the Constitution. Civil society groups have stressed that these reforms must not be delayed and that the amendments must honour the spirit of international human rights standards and the right to assemble peacefully.

106 <https://www.article19.org/resources/malaysia-stop-using-unnecessary-disproportionate-force-against-protesters/>

107 <https://www.freemalaysiatoday.com/category/nation/2025/08/14/psm-pans-police-probe-into-deputy-chief-over-parliament-scuffle>

GENDER

In 2025, there has been little to no progress where gender intersects with the people's right to freedom of expression and public participation. Women and girls, as well as the LGBTQ+ community face constant threats to what little space they already have to be heard and seen as equal members of society.

7.1 Women in Media and Online spaces

Editorial and leadership positions in newsrooms continue to be dominated by men in 2025; a trend that has seen no change for years. Moreover, unethical reporting on gender-related issues persists. Women are often subject to stereotypes in news reporting and online spaces, where hate speech and harmful narratives against women continue to be normalised. Online gender-based violence is frequently proliferated on social media platforms, where platforms fail to address the issue of hate speech against women – particularly survivors of sexual assault or harassment.¹⁰⁸ This perpetuates an online rape culture and normalises the inherent dehumanisation and sexualisation of women in online spaces. Women also continue to be morally policed. A Sinar Harian article highlighted recently in November that the Kelantan State Executive Council (Islamic Development, Dakwah, Information & Public Relations) advised flood victims to cover up or '*menutup aurat*' in the midst of navigating the life-threatening floods, illustrating this continued trend of moral policing, despite life-threatening circumstances.

Mangsa banjir dinasihatkan jaga ibadah, aurat semasa di PPS



HAZELEN LIANA KAMARUDIN [Follow](#)

25 November 2025 02:41pm

Masa membaca: 1 minit



Image source: Sinar Harian, 25 November

7.2 LGBTQ+ issues

The government continued to crack down on the LGBTQ+ community's right to exist by weaponising archaic laws against their right to public participation and freedom of expression. Most frequently, discourse surrounding this community has been stifled through the Printing Presses and Publications Act where the Home Ministry has banned a total of 10 publications in 2025 discussing the topic of queer rights, or even the existence of the LGBTQ+ community.

Case Study: PSM's LGBTQ+ Workshop



Police seize PSM Youth leader's phone in LGBTQ+ event probe

Image source: Malaysiakini, 4 June

A significant incident in 2025 concerns the investigation into Parti Sosialis Malaysia (PSM) Youth's 'Pride Care and Sexual Awareness' workshop, which became a target of a rapid and disproportionate enforcement response from authorities. Following conservative backlash and a statement from the Religious Affairs Minister in the PM's Department rejecting attempts to "normalise LGBT culture", police initiated probes under multiple laws, beginning with Section 298A of the Penal Code and Section 233 of the CMA, and later expanding to include Section 505(c) of the Penal Code for incitement-related offences¹⁰⁹. As part of the investigation, two PSM Youth members were questioned by the Classified Crimes Investigation Unit, with one mobile phone confiscated to aid in the investigation.

While the event was intended as a closed-door workshop aimed at improving sexual health awareness, the government's framing and investigations from authorities triggered a surge of online hostility. PSM Youth Chairperson Amanda Shweeta Louis reported that hateful comments and death threats increased significantly during the investigations¹¹⁰, highlighting how regulatory measures using expression-related laws could affect lived realities.

109 <https://www.malaysiakini.com/news/745226>

110 <https://www.malaysiakini.com/news/744891>

In July 2025, reports¹¹¹ that the authorities raided what was termed a 'pesta gay' or 'gay party' in Kota Bharu, Kelantan, were made a month after the actual incident took place. CSOs and some media organisations undertook on-the-ground investigations and later discovered that the 'party' was, in fact, a health screening event organised by the Ministry of Health. While some media organisations such as Malaysiakini¹¹² and Code Blue¹¹³ reported these facts, many publications had already used derogatory terms such as '*parti songsang*'¹¹⁴ to describe the health event.

The media carries the responsibility of upholding the dignity of women and girls, as well as members of the LGBTQ+ community in Malaysia. However, the frequent chase for headlines that carry levels of clickbait and biased reporting have led to the propagation of a narrative that dehumanises and negatively stereotypes the queer community.

More recently, there was a raid on a health centre in Kuala Lumpur by the police, JAWI and DBKL on 28 November 2025, resulting in the arrest and detention of 201 people. The media was also invited to cover the raid and many harmful reports were released thereafter, with many calling the raid '*Op Songsang*'¹¹⁵ and highlighting the use of the venue for 'unnatural sexual activities'¹¹⁶. In the same week, another raid was carried out at a spa in Perai (Penang) by police and the Seberang Perai City Council (MBSP) on 29 November¹¹⁷. A total of 13 men, including the owner were arrested and remanded till 5 December. Both the raids have led to an investigation under Section 377B of the Penal Code criminalising "carnal intercourse against the order of nature". A number of mainstream media outlets have also published several articles on this raid with headlines that propagate certain stereotypes. CIJ commends the fact that on one hand, they sought to cover a more rights-based view through an article that highlighted the element of discrimination against the LGBTQ community.¹¹⁸ However, several other articles were published with headlines that propagated harmful narratives and stereotypes that demonise the people involved.

111 <https://www.astroawani.com/video/video-terkini-x7sio1/pesta-gay-di-kelantan-gagal-20-lelaki-ditahan-x9n23bg>

112 <https://www.malaysiakini.com/news/749482>

113 <https://codeblue.galencentre.org/2025/07/ngo-provides-details-on-hiv-outreach-after-kota-bharu-police-raid/>

114 <https://lobakmerah.com/polis-kelantan-serbu-parti-songsang-dihadiri-hampir-100-lelaki-ratusan-kndom-ubat-hiv-dirampas/>

115 <https://www.nst.com.my/news/nation/2025/12/1328435/senior-officer-deputy-ministers-office-told-quit-after-chow-kit-sauna>

116 <https://www.malaymail.com/news/malaysia/2025/11/29/police-detain-over-200-including-civil-servants-in-raid-on-suspected-chow-kit-gay-sex-club/200076>

117 <https://www.thevibes.com/articles/news/116317/police-raid-premises-in-bukit-mertajam-offering-unnatural-sexual-services>

118 <https://www.thestar.com.my/news/nation/2025/11/29/raid-of-039men-only039-spa-smells-of-discrimination-against-lgbtq-community-says-activist-group>

'Men only' spa raid: 171 get off scot-free after court rejects remand bid in 'victimless' case



By FARIK ZOLKEPLI

Surgeon, DPP among 201 held at all-men sex den



By FARIK ZOLKEPLI

NATION

Sunday, 30 Nov 2025

Caught with their pants down: Prosecutor, surgeon among 201 detained at 'men only' vice raid



By FARIK ZOLKEPLI

201 lelaki termasuk 17 penjawat awam disyaki terabit aktiviti hubungan songsang ditahan

Oleh Safeek Affendy Razali - November 29, 2025 @ 7:55am



KUALA LUMPUR: Seramai 201 lelaki yang juga pengunjung sebuah pusat kesihatan di Jalan Raja Laut, di

Source: *The Star, Berita Harian*

Alarmingly, the identities of many of the persons involved were also doxxed online – a violation of their right to privacy. There was also a particular spotlight on 17 civil servants involved in the event, resulting in some being told to resign from their respective workplaces.¹¹⁹ This raid and the reporting thereof, as well as the proliferation of hate speech against the patrons puts a harder target and further legitimises the violation of the LGBTQ+ community's basic human rights.

Recent developments of this issue show that the Pan-Islamic Party (PAS) Youth wing has lodged a police report against Justice for Sisters for speaking out against this raid¹²⁰. CIJ notes with concern that this legal action marks another instance of **SLAPP** (Strategic Litigation against Public Participation) which aims to silence human rights defenders.

119 <https://www.malaysiakini.com/news/762355>

120 <https://www.malaysiakini.com/news/762481>

ARTISTIC FREEDOM

Artistic freedom in Malaysia remained constrained in 2025, with artists, comedians, and satirists continuing to face investigations, compounds, and online harassment for works that fall squarely within the realm of satire, critique, or cultural commentary.

8.1 Legal environment

Laws, especially the PPPA, Section 233 of the CMA, and the Sedition Act, remain broad and vague, and provide authorities with expansive powers to ban, censor, arrest or investigate creators. Further, the increasing conservative religious and social pressure plays a role, particularly around issues of morality, gender, sexuality, and “cultural values.” It is evident that any work with LGBTIQ content or perceived “indecent” content are disproportionately targeted. Within the current digital age, as more creators publish online or use social media, digital-era laws and surveillance expand the state’s ability to monitor, censor, or criminalize content, thus making online platforms precarious for free expression.

8.1.1 Regulatory changes under National Film Development Corporation Malaysia (FINAS)

In 2024, new film-censorship guidelines were introduced by the Malaysian Film Censorship Board (LPF). According to Home Minister Saifuddin Nasution, “the new guidelines adhere to the Federal Constitution. There will be no tolerating content that disputes matters like Islam as the religion of the federation, the role of the royal institution, the special privileges given to Bumiputeras, or the official language.”¹²¹ Many film critics claimed that it significantly restricts the kinds of themes and content acceptable in Malaysian films, particularly around religion, morality, social-cultural issues, sexuality, and identity.

In December this year the FINAS (Amendment) Bill was passed by Parliament¹²² purportedly to modernize the industry for the digital era, through films, streaming, VOD, amongst others. FINAS says the amendments are intended to support industry welfare, production standards, and better governance.

Even as FINAS distances itself from direct censorship¹²³ of streaming media, critics remain wary as the broader regulatory environment, combined with censorship law under the Film Censorship Board of Malaysia (LPF), continues to constrain content

121 https://www.freemalaysiatoday.com/category/nation/2024/05/20/new-improved-film-censorship-guidelines-launched?utm_source

122 <https://www.bernama.com/en/region/news.php/business/news.php?id=2498134>

123 https://www.thestar.com.my/news/2025/03/19/no-censorship-in-proposed-finas-amendments-assures-communications-minister?utm_source

deemed sensitive. For example, for works with religious, racial, sexual or politically sensitive themes, creators must anticipate possible rejection, cuts, or outright bans, which would then shape what kinds of stories get told, how boldly they're told, or whether they get made at all.

8.1.2 "Guidelines" for performers

a. PUSPAL guidelines

The Unit for Application for Foreign Filming and Performance by Foreign Artists (PUSPAL)'s updated guidelines¹²⁴ for concerts in Malaysia came into effect on 1 May 2025 to prohibit male artists from cross-dressing, ban female performers from wearing clothes that are immodest or excessively revealing, or wearing outfits that expose the chest area or are excessively above the knee, and forbid the removal of clothing on stage¹²⁵. Foreign artists will also be forbidden from holding large scale concerts and live shows on the eve or actual religious public holidays and Islamic religious occasions unless approved by the respective Islamic authorities. Concert organisers are expected to brief artists on Malaysia's "cultural, religious and legal expectations" before performance. Minister of Communication Fahmi Fadzil defended the tightened guidelines as critical to "protect the sensitivities of everybody in Malaysia".

Although the government clarified that these rules formally apply only to performers (not punishing audience members for attire), the guidelines' broader social purpose and publicity create a climate in which "self-censorship" might extend to audiences too, thus discouraging non-conformist styles or expressions during public events.

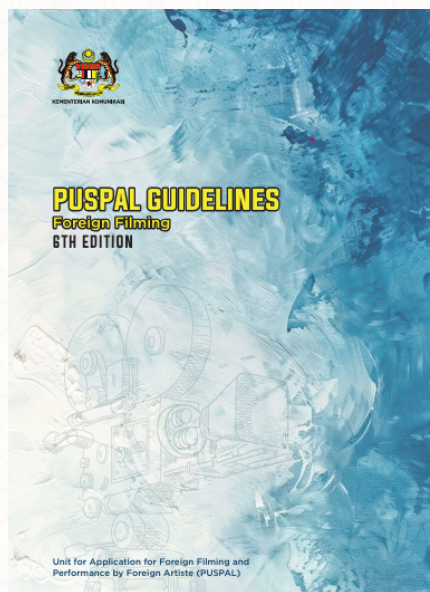


Image source: Ministry of Communications

124 <https://epuspal.komunikasi.gov.my/portal/file/eqqz5VtYP3sUiCa3xLLiX3wP7Ju9H7BO.pdf>

125 https://www.straitstimes.com/asia/se-asia/bare-shoulders-backlash-malaysias-artists-turn-to-self-censorship-amid-syariah-oversight-concerns?utm_source

While some states, like Selangor, posit they remain “open to concerts” and entertainment, as long as organisers comply with safety and drug-prevention measures¹²⁶, many organisers claim that it is becoming difficult to schedule concerts due to confusing and unpredictable regulatory requirements. A critic noted¹²⁷ that “Malaysia has repeatedly lost major concerts due to confusing guidelines, inconsistent SOP and unpredictable approvals.”

b. Kill switch

Following the 1975 band incident during the Good Vibes Festival in 2023, the government had introduced a kill switch to be activated by authorities or concert organisers if the performer breaches cultural or legal guidelines. The kill switch, a switch or system that literally cuts electricity to the stage/sound system, is meant to curb unwanted or inappropriate incidents during a show.

It was activated for the first time on 31 May during South Korean singer Hyolyn’s Ye!LoO concert¹²⁸. The concert was interrupted, as the performer was allegedly wearing revealing clothes, and the stage plunged into darkness while the singer and her dancers were still performing.

c. University Teknologi Malaysia Circular

Universiti Teknologi Malaysia’s (UTM) came under flak in November for its recent circular concerning its arts and culture policy. The circular stipulated:

- ▶ foreign cultural elements were banned from its campus;
- ▶ mixed-gender cultural performances were not allowed;
- ▶ performances by female groups may only be watched by a female audience;
- ▶ the rhythm of the music chosen for performances must be “gentle, Malay in character, and tasteful”.

The University subsequently issued a statement¹²⁹ on 16 November clarifying that the term “foreign cultures” refers to cultures that are not in line with the institution’s values and the cultural practice of Malaysian society. The university sought to assure the public that the term does not refer to any culture, tradition or community within the country.

The UTM ruling reflects the broader deeply alarming pattern of moral policing, indiscriminate gender discrimination and the imposition of restrictive conditions on artistic freedom for both Muslim and non-Muslim artistes alike, including on ethnic and religious minorities. Such measures could exclude participation and expression by those whose work does not conform to these narrow and subjective definitions.

126 https://www.businesstoday.com.my/2025/01/08/selangor-keeps-concert-sop-unchanged-despite-recent-issues/?utm_source

127 https://www.thestar.com.my/opinion/letters/2025/12/05/streamline-approvals-to-bring-in-mega-stars?utm_source

128 <https://www.thestar.com.my/news/nation/2025/09/21/new-directive-sets-dress-conduct-rules-for-concerts>

129 https://www.facebook.com/photo.php?fbid=1266339722197635&set=a.630254342472846&type=3&ref=embed_post

These regulations affect the creative freedom of stage performers, and arguably restrict the diversity and boldness of live shows, especially in terms of dressing, expression, dance, music videos, and performance art.

8.1.3 Johor Islamic Religious Department (JAINJ) issues new guidelines for Kuda Kepang & other performances

In September 2025, the Johor Islamic Religious Department (JAINJ) introduced new guidelines to ensure Kuda Kepang and other cultural performances “align with Islamic teachings” and do not contain any rituals or elements of polytheism or superstition.

According to the Johor Islamic Religious Affairs Committee chairperson Mohd Fared Mohd Khalid, the guidelines would apply to various activities, including cultural performances, *silat* and sports, where they are banned from the following three prohibited elements:

- ▶ “sajian kepada makhluk lain” – providing offerings to other beings,
- ▶ “pemujaan” – idol worship/ritualistic veneration, and
- ▶ “hilang kewarasan” – trance/possession.

Thus, while the kuda kepang and other traditional performances remain “allowed,” it is now strictly policed and only sanitized, “non-ritualistic” versions are permissible.

8.2 Art under attack

According to a report by ArtsEquator¹³⁰ on artistic freedom, even socially or politically engaged art, including critical film, visual art, poetry/ literature faces arbitrary censorship, screenings blocked or banned under vaguely defined “morality” or “public order” pretexts.

8.2.1 Crackdowns on comedy and and satire

Although the government has repeatedly affirmed its commitment to protecting parody and creative expression under legal reforms, enforcement patterns reveal a widening gap between policy assurances and lived realities. Authorities continue to use the archaic regulatory laws, such as Section 233 of the CMA and the Sedition Act, to police humour, political commentary, and visual art. These actions not only infringe on artistic freedom, but also signal the shrinking space for creative dissent – an important component of a healthy democratic society.

Case study: Harith Iskander's Ham Joke



Image source: Harith Iskandar

An example illustrating how these laws continue to disproportionately penalise online expression is the case of Harith Iskander and Facebook user Cecilia Yap, both of whom were issued RM10,000 compounds by the Malaysian Communications and Multimedia Commission (MCMC) earlier this year for comments made amid the KK Mart 'Ham Sandwich' controversy. Despite the nature of the post being satirical with Harith joking about public confusion regarding halal labeling, the authorities pursued enforcement under the prerogative of Section 233 of the CMA for allegedly 'offensive' content involving Islam. MCMC also gave a directive to Meta to have Harith's and Cecilia's Facebook accounts suspended entirely.

The state's response to a satirical post and a comment highlights how Section 233 continues to be a punitive tool for policing speech, where matters involving current affairs and even humour can be subjected to investigations, fines, and attempts at deplatforming. Beyond the investigation, Harith reported receiving death threats, and his family were subjected to messages of hate and abuse online, showing the potential for how online enforcement can translate into real-world harms.

The backlash triggered by public reports and complaints eventually led to the cancellation of his stand-up comedy show at Dewan Filharmonik Petronas scheduled for January 2025¹³¹. The venue issued a cancellation notice, though without specifying an official reason.

131 https://www.malaymail.com/news/showbiz/2025/01/25/dewan-filharmonik-announces-cancellation-of-harith-iskanders-stand-up-show-after-ham-joke-controversy/164509?utm_source

Case Study: Fahmi Reza's Investigations



Image source: Fahmi Reza

Throughout late 2024 and the entirety of 2025, activist and artist Fahmi Reza continued to face a sequence of criminal investigations, underscoring how Malaysia's expression-related laws remain routinely deployed against public-interest commentary, political satire, and civic education. Towards the end of December 2024, Fahmi was called in for questioning over a satirical graphic criticising the appointment of Tun Musa Aman as Sabah's Governor. He revealed that police informed him the probe stemmed from a report lodged by the MCMC itself. The investigation was opened under Section 4(1) of the Sedition Act, Section 233 CMA, and Section 504 of the Penal Code. Despite government assurances that satire and parody would no longer be criminalised under the amended CMA, Fahmi highlighted the contradiction between parliamentary statements and ongoing enforcements towards him.



Image source: Fahmi Reza

Towards the end of 2024, Fahmi was arrested in Sabah over the same graphic after pasting printed versions of it in public spaces. He was remanded overnight, despite the nature of his actions lacking incitement or threats. Later on in May 2025, Fahmi was barred from

entering Sabah under Section 65(1)(a) of the Immigration Act, an extraordinary action signalling how state-level discretion can be used to restrict the movement of critics.



Image source: Fahmi Reza

Furthermore, the pattern of enforcement continued with his Kelas Demokrasi livestream on TikTok, where he discussed the possible removal of Sabah's Governor in the 2025 Sabah State Elections. Although the livestream centred on civic education, Fahmi was again summoned by authorities. He reported being questioned on 45 detailed points and probed once more under the Sedition Act, Section 233 of the CMA, and Section 504 of the Penal Code. Collectively, the sequence of actions against Fahmi, such as multiple investigations, remand, and interstate entry ban, and the renewed use of the CMA despite promises of reform, illustrates how expression-related laws continue to operate as a punitive measure against satire, dissent, and public-interest commentary.

8.2.2 Poetry and literature under censorship

Independent bookstores, publishers, and cultural venues have experienced increased scrutiny, where raids, seizure of materials, and monitoring of bookshops or literary events have been reported.

As stated above, twenty four books were banned in 2025 under the PPPA. Further, additional enforcement actions in 2025 also show a continued pattern of pre-emptive seizures through confiscation from bookstores for "review".

Gerakbudaya posted on its social media that enforcement officers from the Home Ministry had visited the independent bookstore on 14 February. The officers were in search of three books which were banned under the PPPA as they were deemed potentially harmful to public morality in Malaysia. The three books banned in January 2025, included "My Shadow Is Purple" by Scott Stuart, "Koleksi Puisi Masturbasi" by Amir Hamzah Akal Ali (Benz Ali), and "All That's Left In The World" by Erik J Brown.



Image source: GerakBudaya on X

A day later, on 15 February, Gerakbudaya posted a picture of two armed police officers outside their premises where people were gathered for the publisher’s indoor event.



Image source: Gerakbudaya on X

Another incident involved Home Ministry enforcement officers seizing two novels, *Jelik* and *Jelik 2* by Ismi Fa Ismail, from Buku Fixi¹³² on 25 June 2025, allegedly for “content review”. Authorities claimed the books needed to be assessed to determine if they went against “public morality” or national interests. The books are about twin brothers who go missing while filming a documentary and contain certain gory and psychological elements¹³³.

132 https://www.malysiakini.com/news/747311?utm_source

133 <https://www.abc.net.au/news/2025-06-29/malaysia-book-bans-aim-to-police-public-morality/105425594>



Image source: Malaysiakini, 26 June

The censorship and banning remained broad and significant this year, with government bans, including young adult romance novels and gay-romance / LGBTQ-themed books, citing “moral, socio-cultural risks” or “public morality.”

The publication of books dealing with religious, political or social critique also remains under scrutiny with the Home Ministry officially banning two books in April 2025. The books, “The Goal of The Wise: The Gospel of The Riser of The Family of Mohammed” and “Suka Duka Perjalanan Dhul-Qarnain / Cyrus The Great dan Iskandar Agung” were deemed possible threat to public order and public interest¹³⁴.

While past enforcement often focused on overt political or left-wing books, recent actions increasingly target works with romance, youth fiction, LGBTQ themes, and even horror fiction. This reflects a broader, more value/morality-based censorship rather than just political¹³⁵.

134 https://www.thestar.com.my/news/nation/2025/04/10/home-ministry-bans-two-publications?utm_source

64 135 https://www.abc.net.au/news/2025-06-29/malaysia-book-bans-aim-to-police-public-morality/105425594?utm_source

8.2.3 Traditional art losing its magic

In August 2025 a viral video of a Kuda Kepang performance in Johor allegedly involving “jinn ritual / trance / spirit-invocation” triggered a swift crackdown¹³⁶. The Johor Menteri Besar Datuk Onn Hafiz Ghazi directed the Johor Islamic Religious Department (JAINJ) and police to investigate the matter. Three men were subsequently brought before the Batu Pahat Syariah Court¹³⁷ under charges relating to “worship/ritual acts contrary to Islamic law.” The authorities explicitly declared that all forms of “superstition, sorcery, wrongful worship or rituals that contradict Islamic law are strictly prohibited.”¹³⁸



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Kuda Kepang can be preserved, but must align with Shariah – Johor Mufti

Image source: The Sun, 9 September

As an immediate reaction, JAINJ issued the above mentioned performance guidelines¹³⁹ specifically for Kuda Kepang and other cultural or performance arts to ensure they were free of practices deemed contrary to Islamic teachings, notably offerings, invocation of spirits, trance/possession, and other “superstitious”/ritual elements. Authorities emphasise that while Kuda Kepang as cultural heritage is “not abolished,” the “original” dance, especially elements involving trance, ritual, invocation, are effectively disallowed for Muslims in Johor¹⁴⁰.

While the art form survives, it is now stripped of its mystical dimension. These developments mean that groups practising or performing Kuda Kepang risk legal action if their performance fails to conform to the new norm.

¹³⁶ https://www.malaymail.com/news/malaysia/2025/08/29/johor-mb-orders-probe-into-viral-kuda-kepang-video-alleging-non-islamic-practices-in-batu-pahat/189280?utm_source=chatgpt.com#google_vignette

¹³⁷ <https://www.malaymail.com/news/malaysia/2025/08/30/three-to-face-batu-pahat-syariah-court-over-viral-djinn-ritual-kuda-kepang-dip/189373>

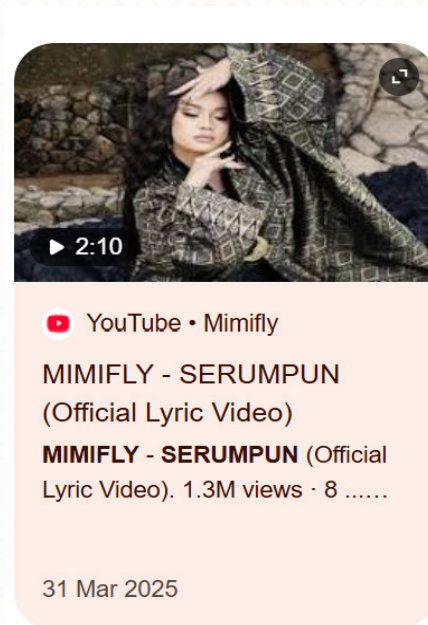
¹³⁸ Ibid

¹³⁹ https://www.malaymail.com/news/malaysia/2025/09/04/new-guidelines-soon-in-johor-to-ensure-kuda-kepang-cultural-performances-align-with-islamic-teachings/189991?utm_source

¹⁴⁰ https://thesun.my/news/malaysia-news/kuda-kepang-can-be-preserved-but-must-align-with-shariah-johor-mufti-bl14862201/?utm_source

8.2.4 Performances halted

This year we are also seeing non-political, mainstream entertainment becoming a target. In March, we saw rapper Mimifly experiencing backlash over her music video for “Serumpun” that was released for Hari Raya Aidilfitri. Her traditional Kemban which left her shoulders exposed was deemed inappropriate for a video released during Ramadan. Following a public reprimand by the Mufti of the Federal Territory, Mimifly issued an apology and subsequently replaced the original video with an edited version¹⁴¹.



In November we saw the music video titled “Question” by Dolla, a popular group of three young performers, removed from digital platforms after backlash from religious conservatives over their attire. Religious Affairs Minister Mohd Na’im Mokhtar stated that Muslim artistes fall under syariah provisions on attire and dressing. He had stated that a review will be carried out to determine if there were violations under Syariah law in the music video. The Minister¹⁴² had also instructed the Islamic Development Department (Jakim) and the Federal Territories Mufti to review existing guidelines on the attire of Muslim artistes. On 15 November, Dolla’s music label Universal Music Malaysia (UMM) subsequently removed¹⁴³ the video from all digital platforms to protect the sensitivities of the various races and religions in Malaysia.

141 https://www.malaymail.com/news/showbiz/2025/03/22/i-did-it-because-i-care-mimi-fly-edits-serumpun-mv-after-criticism-video/170410#google_vignette

142 <https://www.bharian.com.my/berita/nasional/2025/11/1472178/artis-beragama-islam-berpakaian-mencolok-mata-boleh-diambil-tindakan>

143 <https://www.nst.com.my/lifestyle/groove/2025/11/1315990/showbiz-universal-music-malaysia-takes-down-dollas-latest-question>

#SHOWBIZ: Universal Music Malaysia takes down Dolla's latest 'Question' music video

By Nst Entertainment November 16, 2025 @ 8:05am



The recent appearance of Dolla in their latest music video, 'Question', has garnered negative attention after some members of the public described it as excessive. Pic courtesy of Universal Music Malaysia

Image source: New Straits Times, 16 November

This crackdown reflects a pattern: rather than targeting overt political dissent only, the authorities increasingly target works touching on gender, sexuality, identity, or representations deemed to challenge prevailing “morality” or social norms.

8.3 Chilling effects of the shrinking space

The shrinking of creative spaces and chilling effects of state censorship, paired with unpredictable enforcement that covers a broad range of artistic expression, including political satire, identity, sexuality, entertainment and art, many performers, artistes, creators, writers and publishers are likely to self-censor. The high-handed backlash over ambiguous “morality” or religious based laws may result in artists avoiding certain “sensitive or controversial” themes altogether, thus stunting our learning, critical thinking, social reflection and cultural diversity in this global society.

The current environment also discourages social-critique art, provocative narratives, or representation of diverse identities (especially LGBTIQ). This not only limits diversity in the arts, but undermines the role of art as a space for dialogue, dissent and social change.

The raises in publishing houses and bookstores, also indicate that independent cultural institutions face heightened risk. If left unchecked, this may lead to downsizing, relocation, or shutting down entirely of bookstores, publishers, small film houses, grassroots art collectives, and over time this will erode infrastructure for free artistic expression.

We are seeing a possibility where this can degrade the vibrancy and openness of Malaysia’s cultural sphere, making it harder for future generations of artists to produce meaningful, challenging, or transformative work.

RECOMMENDATIONS

Legislative and Structural Reform

1. Repeal or amend laws that restrict freedom of expression, including the Sedition Act 1948, Printing Presses and Publications Act (PPPA) 1984, Section 233 of the Communications and Multimedia Act 1998, and overly broad Penal Code provisions such as Sections 298A, 500, 504, 505 to guarantee that these laws are not applied in selective and arbitrary ways that create fear and suppress public participation. Any restrictions to freedom of expression must uphold international standards of legitimacy, necessity and proportionality.

Strengthen Transparency and the Right to Information (RTI)

2. Enact the Federal Freedom of Information (FOI) Act without delay, ensuring that it includes:
- a. an Independent Information Commission,
 - b. clear timelines and procedures for disclosure, and
 - c. narrow and proportionate exemptions.
3. Repeal the Official Secrets Act (OSA) 1972 and Section 203A of the Penal Code to ensure it is aligned with RTI standards.

Safeguarding Digital Rights & Preventing Overreach

4. Establish an independent multi-stakeholder regulatory body on platform governance, which include independent oversight and focus on the designs and systems of the platforms rather than being mainly focused on content moderation.
5. Ensure that AI policy frameworks adopt a rights based approach and include meaningful consultation with all affected stakeholders.

Protect Media Freedom and Ethical Journalism

6. Ensure the Malaysian Media Council (MMC) is adequately resourced and operates fully independently, with safeguards against ministerial or political influence.

Protect Civic Participation & Peaceful Assembly

7. Align the Peaceful Assembly Act (PAA) with constitutional guarantee and Federal Court decision, shift from punitive policing to facilitative protection of rights during assemblies.

8. End the investigation and harassment of activists, students, and human rights defenders.

Gender, LGBTQ+ Expression, and Protection from Harassment

9. Implement comprehensive protections against online gender-based violence (OGBV), ensuring that platforms and enforcement agencies meaningfully address harassment, hate speech, and sexualised abuse targeting women and LGBTQ+ people.

10. Stop the policing of expression based on gender norms, including moral policing of women's clothing and suppression of LGBTQ+ events and community activities. Public policy must protect, not silence, vulnerable communities.

Protect Artistic and Cultural Expression

11. Decriminalise artistic expression and establish clear, rights-based guidelines for cultural content that avoid vague "morality" standards.

12. End the misuse of PPPA and content takedowns as tools to censor artistic, gender, or identity-related content.

Strengthen Meaningful Public Consultations

13. Institutionalise structured, inclusive stakeholder engagement for all FOE-related reforms, including civil society, journalists, academics, and affected communities.

Annex 1.0 - Description of Regulatory Laws

LAW	DESCRIPTION
Section 233, Communications and Multimedia Act 1998	Prohibits posting offensive content online with the intent to annoy, abuse, threaten, or harass. The section has a broad and subjective definition of "improper use of network facilities or network services," criminalising "obscene," "indecent," "false," "menacing," or "offensive content."
Sedition Act 1948	Criminalises anything of a "seditious tendency" without requiring proof of intent, including exciting disaffection against the Ruler, promoting feelings of ill-will and hostility between races or classes, and questioning matters related to Malay as the official language or the special position of Malays and natives of Sabah and Sarawak. Terms like "hatred," "contempt," and "discontent" are vague and subjective.
Printing Presses and Publications Act (PPPA) 1984	Requires licence for publishing newspapers, issued by the Ministry of Home Affairs. Grants broad powers to the Home Minister to curtail content, revoke or suspend licence, and ban books and publications deemed prejudicial to public order, morality, security, or public interest. The grounds are vague and open to interpretation.
Official Secrets Act 1972	Criminalises dissemination of information classified as an official "secret." Allows any document to be classified as secret, with no harm requirement or connection to national security. No time limits for declassification, and courts cannot review the classification of documents.
Section 204A, Penal Code	Makes it an offence to disclose information obtained during the performance of duties or functions, with penalties of up to RM1 million in fines, imprisonment for up to one year, or both.
Section 500, Penal Code	Criminalises defamation.
Section 504, Penal Code	Criminalises intentional insults with intent to provoke a breach of the peace. The law is broad and used to criminalise all "insults," including legitimate comments necessary for democracy and accountability.
Section 505, Penal Code	Criminalises statements "conducive to mischief," including the making of misleading, false statements, or misinformation.
Section 298A, Penal Code	Criminalises speech insulting religion by causing, or attempting to cause, disharmony, disunity, enmity, hatred, ill will, or prejudice to harmony or unity on religious grounds.

Annex 2.0 - Incidents to Highlight

3 January, police recorded former Rembau Member of Parliament Khairy Jamaluddin's statement regarding his claim about the existence of an additional document related to former Prime Minister Datuk Seri Najib Tun Razak's purported house. The case was investigated under Section 500 of the Penal Code (criminal defamation) and Section 233 of the Communications and Multimedia Act 1998.

7 January, the Home Ministry banned six books under the Printing Presses and Publications Act 1984 (Act 301) for being "likely to cause prejudice to public order, morality and public interest". Checks found that at least three of the books contain LGBT (lesbian, gay, bisexual, transgender) themes or characters.

22 January, Harith Iskander gave his statement at the Bukit Aman police headquarters following a police report lodged against him by Shahrol Shiro, a fellow comedian, regarding a Facebook post (18 Jan) in which Harith had joked about his faith being shaken over the "ham sap kopi" advertisement on a menu as it included the word "ham". His joke followed a controversy surrounding ham sandwiches allegedly lacking halal certification being sold at a convenience store at Universiti Malaya. The case was investigated under Section 298 (criminalises the act of intentionally insulting a religion) and 505(c) of the Penal Code (statements conducing to public mischief), and Section 233 of the Communications and Multimedia Act 1998.

25 January, police investigated four speakers following their press conference on 20 Dec in front of UM's Chancellery Building on a professor accused of sharing nude pictures of himself with students. In a statement, the UM Feminism Club (UMFC) mentioned that the four individuals were informed that they had violated the Peaceful Assembly Act 2012 (PAA) and were questioned at IPD Brickfields.

27 January, police seized a laptop from Malaysiakini in connection with a probe on former minister Khairy Jamaluddin. The news portal also provided MCMC with access to its backend system on 28 Jan. Failure to comply would be an offence.

31 January, police summoned 13 students and activists from the recent anti-graft rally held on 25 January, with 11 questioned in IPD Dang Wangi, and 2 in IPD Kepayan. According to Dang Wangi Police Chief, the case is being investigated under the Peaceful Assembly Act 2012.

9 February, police launched an investigation against a rally in front of the Sungai Buloh Prison Complex that called for the abolishment of the Security Offences (Special Measures) Act (Sosma) 2012. Police investigated the case under Section 9(5) of the Peaceful Assembly Act 2012, which criminalises the organiser's failure to give 5-day notice before a gathering.

9 February, the government issued a prohibition order against three books deemed potentially harmful to public morality in Malaysia. The ban was officially gazetted under the Printing

Presses and Publications Act 1984 (Act 301), which serves as a preventive measure to curb potential threats or harm before they arise. The ban was also in line with Section 7(1) of Act 301, which prohibits the printing, importation, reproduction, publication, sale, distribution or possession of materials that could compromise public morality in Malaysia.

12 February, police summoned Port Dickson Bersatu division chief Chegubard to Bukit Aman over a Facebook post concerning the Yang di-Pertuan Agong's health. He also alleged that Prime Minister Anwar Ibrahim was not invited to the Conference of Malay Rulers' pre-council meeting last week. He was investigated under Section 4(1) of the Sedition Act (actions with seditious tendency), Section 500 and Section 505(b) of the Penal Code (defamation and statements conducing to public mischief), and Section 233 of the Communications and Multimedia Act (misuse of network facilities).

15 February, eight people have had their statements recorded by the Malaysian Communications and Multimedia Commission (MCMC) for allegedly uploading false and offensive content that could cause confusion and public concern, as well as incite hatred and ridicule towards the royal Institution. During the operations, eight smartphones and eight SIM cards related to the case were seized to assist with investigations. Forensic analysis will be carried out on the seized devices to gather evidence and support the case. The investigation was conducted under Section 233(1)(a) of the Communications and Multimedia Act 1998 (Act 588), which provides for a maximum punishment of RM50,000 or a year's jail or both.

25 February, an elderly man was fined RM30,000 by the sessions court for uploading an offensive post on social media about the Yang di-Pertuan Agong and the Conference of Rulers on Facebook after an investigation by the Malaysian Communications and Multimedia Commission (MCMC). Johari was charged with knowingly using Facebook to initiate the transmission of offensive communication with the intention of annoying others under Section 233(1)(a) of the Communications and Multimedia Act 1998, punishable under Section 233 (3) of the same law (fine not exceeding RM50,000 or imprisonment not exceeding 1 year).

1 March, Malaysiakini journalist B Nantha Kumar was arrested on 28th February believed to be over an article on an alleged Pakistani cartel smuggling migrant workers into Malaysia. However, MACC chief Azam Baki has denied that the journalist was arrested over the article Malaysiakini had published. Instead, MACC officers had caught Nantha after he allegedly took a RM20,000 bribe from an agent that dealt with migrant workers as a payoff so that two articles on the agent would not be published. The case is still currently undergoing investigations by the Malaysian Anti-Corruption Commission (MACC), with many FOE Watchers monitoring the case.

6 March, the director and producer of the controversial film *Mentega Terbang* will go to trial after the High Court today dismissed their application to refer constitutional questions regarding their charges of wounding the religious feelings of others. Judge K. Muniandy said the court found that the application by film's director Mohd Khairianwar Jailani, 33, and its producer Tan Meng Kheng, 38, to judicially repeal Section 298 of the Penal Code lacked basis. The judge further added that Section 298 of the Penal Code (deliberate intention of wounding the religious feelings of any person) is a pre-Independence law according to Article 160(2) of the constitution, and it shall continue to be in force. The judge also stated that the Malaysian Parliament is entitled in law to impose restrictions on the right to freedom of speech and expression in the interest of public order or morality pursuant to Article 10(2) (a) of the

constitution.

24 March, Inspector-General of Police Razarudin Husain said the police's close collaboration with the Malaysian Communications and Multimedia Commission (MCMC) has been vital as the agency is responsible for monitoring online content and taking swift action against sensitive materials, including issuing orders for removal or blocking. Razarudin said openly insulting religions verbally, in writing or through social media constitutes a serious offence under the Sedition Act 1948, the Penal Code, and the Communications and Multimedia Act 1998. Among the applicable legal provisions is Section 298A of the Penal Code, which imposes a maximum imprisonment of five years on individuals who intentionally disturb public order by insulting or demeaning any religion.

7 April, MCMC questioned Syarul Ema about several controversial issues she raised online, including the Perak state anthem and Malay economic empowerment. MCMC recorded her statement, confiscated her phone and SIM card for analysis, and investigated the case under Section 233(1)(a) of the Communications and Multimedia Act 1998, which carries penalties of up to RM500,000 in fines, two years imprisonment, or both.

10 April, the Home Ministry banned two books under Section 7(1) of the Printing Presses and Publications Act 1984 (PPPA), which prohibits materials 'likely to be detrimental to public order'. The books are *The Goal of The Wise: The Gospel of The Riser of The Family of Mohammed* by Abdullah Hashem and *Suka Duka Perjalanan Dhul-Qarnain/ Cyrus The Great dan Iskandar Agung*, which has no identified author or publication date.

10 April, social media personality and political activist Syarul Ema Rena Abu Samah, better known as Ratu Naga, was detained over a video alleging that students at a Chinese school in Teluk Intan had sung the national anthem in Mandarin. Her lawyer stated that she was arrested by Perak police in Petaling Jaya under the Sedition Act 1948 and Section 233 of the Communications and Multimedia Act 1998, which criminalises improper use of network facilities.

16-19 April, *Sin Chew Daily* published a front-page illustration with the Malaysian and Chinese flags in conjunction with President Xi Jinping's visit, but the Malaysian flag was missing its crescent moon. This led to public backlash, a royal rebuke, and multiple investigations. Police received 40 reports and investigated under the Emblems and Names (Prevention of Improper Use) Act 1963 and the Printing Presses and Publications Act (PPPA) 1984. After 54 statements were taken, the case was referred to the Attorney-General's Chambers. The Home Ministry and the Malaysian Communications and Multimedia Commission (MCMC) also investigated under the PPPA and Section 233 of the Communications and Multimedia Act 1998, regarding the misuse of online facilities.

16 April, the Malaysian Communications and Multimedia Commission (MCMC) summoned Chinese-language daily *Kwong Wah Yit Poh* over a report featuring an image of the Malaysian flag without its crescent, which was posted on the organisation's official Facebook page earlier today. Screenshots of the image have since circulated widely on social media, prompting public criticism and comparisons to a previous incident involving *Sin Chew Daily*. In a

statement, the MCMC confirmed that the matter is being investigated under Section 233 of the Communications and Multimedia Act 1998 (Act 233), as it involves online content.

16 April, a 25-year-old man was detained by police for allegedly uploading a TikTok video containing remarks deemed insulting towards Prime Minister Datuk Seri Anwar Ibrahim, with the intent to provoke public unrest and encourage a boycott of the Aidilfitri Madani celebration held on 12 April at Pantai Irama, Bachok. According to Bachok district police chief Supt Mohamad Ismail Jamaluddin, the video featured offensive language, derogatory nicknames directed at the Prime Minister, and allegations of public deception during the event. Following a report lodged on 11 April, authorities arrested the individual and seized his mobile phone for further investigation. The case was investigated under Section 504 of the Penal Code, Section 233 of the Communications and Multimedia Act 1998, and Section 14 of the Minor Offences Act 1955.

17 April, police opened an investigation into a viral social media post allegedly containing content deemed insulting to His Majesty Sultan Ibrahim, the King of Malaysia. According to the Inspector-General of Police, an individual came forward to deny any involvement, stating that an account using his name and photo was created without his knowledge. Concerned the impersonation could lead to future issues, he lodged a police report to clarify the matter. The case was being investigated under Section 4(1) of the Sedition Act 1948 and Section 233 of the Communications and Multimedia Act 1998. The viral post featured a screenshot of a photo showing His Majesty Sultan Ibrahim with Chinese President Xi Jinping, accompanied by a caption allegedly insulting the King.

22 April, the Malaysian Communications and Multimedia Commission (MCMC) had taken a statement from a man suspected of posting false content about the Pahang government on Facebook. According to the MCMC, the material — allegedly generated using artificial intelligence (AI) — was uploaded on 19 April and is believed to have sparked public speculation and fostered negative perceptions, particularly regarding the issue of illegal farming in Raub. The case was investigated under Section 233 of the Communications and Multimedia Act 1998.

25 April, the Malaysian Communications and Multimedia Commission (MCMC) summoned social media influencer Aliff Ahmad for questioning over a Facebook post in which he offered to conduct a background check on PKR vice-president Nurul Izzah Anwar using the 'Scrut Analytica' system. In the post, Aliff offered to investigate Izzah's employment and sources of income, provided the post received 20,000 shares on Facebook. Aliff, who co-founded the data analytics platform, said he had received an official notice to present himself at MCMC's headquarters in Cyberjaya at 8pm on Thursday. However, he refused to comply with the scheduled time and instead instructed authorities to obtain a court-issued arrest warrant if necessary.

2 May, Home Minister Datuk Seri Saifuddin Nasution Ismail has filed a defamation lawsuit against a social media user at the KL High Court. In the court filing, Saifuddin claimed that Zubair Ismail, 43—who goes by the name "Tam Jebat" on TikTok and Facebook—used his social media platforms to damage his reputation. He alleged that Zubair falsely accused him

of orchestrating Malaysian Anti-Corruption Commission (MACC) and Inland Revenue Board (LHDN) raids on the Kedah Football Association last year. The claims were made in three Facebook posts and a TikTok video. Saifuddin said the statements were false, malicious, and defamatory, portraying him as an abusive leader unfit for public office. He is seeking general, aggravated, and exemplary damages, along with an injunction to prevent Zubair or his associates from making or repeating similar remarks. Additionally, Saifuddin wants the court to compel Zubair to delete the alleged defamatory content and for damages to include 5% interest and legal costs.

7 May, a man was fined RM10,000 for posting content on TikTok that contained offensive elements related to racial and religious sensitivities concerning the Kuala Lumpur Tower workers' issue. In a statement, the Malaysian Communications and Multimedia Commission (MCMC) said the fine was imposed on Bersatu' Hulu Langat Information Chief Mohamad Shafiq Abdul Halim, following approval for compound action from the Attorney General's Chambers. The case was investigated under Section 233 of the Communications and Multimedia Act 1998. However, the Bersatu Hulu Langat information chief denied stoking racial and religious sentiments, following a RM10,000 fine imposed on him by the Malaysian Communications and Multimedia Commission (MCMC).

10 May, a joint team comprising police and MCMC officers conducted a search at the Scrut Auto vehicle inspection workshop in Kuala Lumpur yesterday, spending over five hours at the premises. The search warrant was executed against the company's founder and social media influencer, Aliff Ahmad. Authorities arrived at the location around 5pm and departed close to 11pm, bringing Aliff along to the Pudu District Police Headquarters. This follows the investigation which began on 25 April, when Aliff was summoned to the MCMC headquarters in Cyberjaya for questioning regarding his offer to conduct a background check on PKR vice-president Nurul Izzah Anwar. Commenting on the current investigation, Aliff's lawyer Haziq said his client was questioned for nearly two more hours at the police headquarters, after which the MCMC took control of the "Aliff Ahmad" Facebook account.

12 May, a youth group condemned what it described as an act of intimidation after authorities allegedly disrupted their book reading and discussion session at Dataran Merdeka in Kuala Lumpur. The National Youth Federation (NYF) said that nearly a dozen police officers and Kuala Lumpur City Hall (DBKL) personnel had approached them, insisting that they obtain police permission to hold such public activities. According to the group, most of the officers were in plainclothes and had ordered them to end the programme and disperse by 10pm, without citing any clear legal basis for the directive. NYF expressed concern over the incident, questioning whether Malaysians now needed to submit an official application to use public spaces for peaceful activities such as book readings and discussions.

12 May, a police report was lodged at the Satok Police Station over a Facebook post allegedly insulting Sarawak Premier Datuk Patinggi Tan Sri Abang Johari Tun Openg and his family. The Premier's Political Secretary, Abdul Samat Gany, told reporters that the post contained statements deemed offensive and degrading towards the State's top leader. He said the post had been widely circulated and publicly accessible before it was eventually taken down by the Malaysian Communications and Multimedia Commission (MCMC). Abdul Samat expressed

concern that such content could threaten public harmony, particularly in Sarawak, and called for firm action under the Sedition Act 1948, the Communications and Multimedia Act 1998, and other relevant laws.

15 May, the Malaysian Communications and Multimedia Commission (MCMC) has launched an investigation into a social media post depicting an incomplete version of the Jalur Gemilang. In a statement, the MCMC said one individual has given a statement, and a mobile phone was seized to assist in the probe. The case is being investigated under Section 233 of the Communications and Multimedia Act 1998, which carries a penalty of up to RM500,000, two years imprisonment, or both upon conviction.

20 May, the local government department was instructed to track down a TikToker who allegedly spread false information and defamatory videos about the MyKiosk project on social media. Housing and Local Government Minister Nga Kor Ming said his ministry would also file reports with the police and the Malaysian Communications and Multimedia Commission. He said ministry staff had been collecting videos containing the allegations, which had been circulating online.

23-24 May, police questioned the leader of a Sabah student movement, purportedly over the group's objection to Musa Aman's appointment as the state governor, under Section 500 of the Penal Code and Section 233 of the Communications and Multimedia Act. According to Fadhil Kasim, who led the Suara Mahasiswa Universiti Malaysia Sabah (UMS) group, he was summoned to the Kota Kinabalu district police headquarters after a private secretary to Musa lodged a police report against him and the group. This followed the movement's press conference the previous week, where they announced a plan to hold a two-day protest in Kota Kinabalu and listed a series of their objections and demands. A day after Fadhil's questioning, it was reported that five other UMS students were also being investigated under Section 500 of the Penal Code, which punishes defamation, and Section 233 of the Communications and Multimedia Act for improper use of network facilities.

7 June, political activist and artist Fahmi Reza was reportedly prevented from leaving Malaysia at Kuala Lumpur International Airport, shortly after being blacklisted from entering Sabah. Fahmi said he was headed to Singapore for a concert when Immigration officers stopped him at check-in without issuing a formal travel ban. Inspector-General of Police Razarudin Husain later clarified that while there is no official travel ban against Fahmi, he is on an internal police watchlist due to past investigations. Fahmi has frequently been targeted for his satirical artwork criticising politicians and for calling out corruption among government representatives - actions that have led to repeated probes and restrictions. His case has raised concerns over the continued suppression of freedom of expression in Malaysia, with Fahmi saying he plans to sue the government over what he views as an unjust and arbitrary restriction on his movement.

16 June, two student groups have alleged that Universiti Malaya (UM) barred a forum on peaceful assembly from taking place on campus. The event, organised by Liga Mahasiswa and featuring activist Fahmi Reza and lawyer Rajsurian Pillai, was initially set for the 15th June at

the university's Kuala Lumpur campus. However, organisers say UM's auxiliary police informed them it could not proceed, reportedly on instructions from the deputy vice-chancellor for student affairs. As a result, the forum was held just outside the university gates.

19 June, Pahang MCA Youth chief Wong Siew Mun came under police investigation over a TikTok video she posted on 6 June, in which she questioned the Malaysian Communications and Multimedia Commission's (MCMC) move to collect mobile phone data from telcos. Her lawyer, Kamarudin Ahmad, said police had informed them that the case was being investigated under Section 505 of the Penal Code for causing public alarm, and Section 233 of the Communications and Multimedia Act 1998 for misuse of network facilities.

19 June, the Malaysian Communications and Multimedia Commission (MCMC) took civil action against two Telegram channels, "Edisi Siasat" and "Edisi Khas", for allegedly sharing content that violated the Communications and Multimedia Act 1998. In a statement, MCMC said the content had the potential to undermine public trust in institutions and threaten public order. The move marks the first legal action of its kind against a social media platform provider, particularly as Telegram holds an Application Service Provider (Class) [ASP(C)] licence.

23 June, participants of the Gempur Rasuah 2.0 rally on 21 June were under investigation for nine offences, including incitement, open burning, possession of dangerous substances, and raising 3R (royalty, religion, race) issues – one of which involved the burning of a caricature of Prime Minister Anwar Ibrahim. Sabah Police Commissioner Datuk Jauteh Dikun said three investigation papers were opened based on six reports, with probes underway under the Peaceful Assembly Act, the Sedition Act, and the Penal Code. Separately, three student activists – Fadhil Kasim, Aliff Danial Badrul Akmal Hisham, and Sabir Syarafuddin, were arrested without prior notice, reportedly after being called in to assist in a separate case involving acid attacks on their vehicles. They are now also being investigated under the Sedition Act.

1 July, the Federal Court ruled that Section 9(5) of the Peaceful Assembly Act 2012 - which makes it a crime for organisers to not give police five days' notice before a peaceful rally – is unconstitutional and no longer valid in Malaysia. The court found that the provision violated the constitutional right to peaceful assembly under Article 10(1)(b) by acting as a blanket prohibition rather than a reasonable restriction.

2 July, activist and writer Hishamuddin Rais was summoned to Bukit Aman over his participation in the *Himpunan Rakyat Benci Rasuah* rally held last Saturday in Kuala Lumpur. The prominent *Reformasi* figure shared that he received a call from federal police and was told to present himself for questioning. Hishamuddin was investigated under Section 14 of the Minor Offences Act, Section 505(b) of the Penal Code, and the Communications and Multimedia Act.

9 July, Hulu Langat Bersatu information chief Shafiq Abdul Halim has paid a RM10,000 compound to the Malaysian Communications and Multimedia Commission (MCMC) under Section 233 of the Communications and Multimedia Act 1998. He was fined for posting offensive content on TikTok on March 31 that touched on racial and religious sentiments linked to the Kuala Lumpur Tower dispute.

22 July, the Malaysian Communications and Multimedia Commission (MCMC) is investigating a TikTok user for allegedly spreading false and offensive content involving Prime Minister Anwar Ibrahim. The posts reportedly relate to a recent domestic controversy and the Prime Minister's official overseas visit. The individual was summoned for questioning at MCMC's Cyberjaya headquarters, where a phone and SIM card were seized. The case is being investigated under Section 233 of the Communications and Multimedia Act 1998, which carries penalties of up to RM500,000, two years' imprisonment, or both.

28 July, Bersatu division chief Badrul Hisham Shaharin, also known as Chegubard, was arrested at his home over his involvement in the 'Turun Anwar' rally in Kuala Lumpur, his lawyer confirmed. According to counsel Rafique Rashid Ali, the arrest was unnecessary as Badrul had already scheduled a meeting with police the following day. He was investigated under Section 14 of the Minor Offences Act, Section 504 of the Penal Code, Section 233 of the Communications and Multimedia Act, and Section 4(1) of the Sedition Act.

29 July, the Home Ministry banned two books, *Chase Me* by Tessa Bailey and *Ammar Zahrain: The Obsessive Husband* by Nssignature, citing public morality concerns. The bans were gazetted under the Printing Presses and Publications (Control of Undesirable Publications) Orders 2025, effective July 1 and 3. The ministry said the prohibition serves as a preventive measure under the Printing Presses and Publications Act 1984 to restrict inappropriate content. It warned that possession or distribution of the books is an offence under Section 7(1) of the Act and may lead to legal action.

10 August, Seberang Perai Utara police have launched an investigation after a video surfaced showing a hardware shop owner in Kepala Batas hoisting the Jalur Gemilang upside down. District police chief Anuar Abd Rahman said the case is being investigated under Section 5 of the Emblems and Names (Prevention of Improper Use) Act 1963, Section 14 of the Minor Offences Act 1955 and Section 233 of the Communications and Multimedia Act 1988. Statements from the complainant and the suspect have been recorded.

19 August, the Court of Appeal ruled it is no longer a crime to post "offensive" online comments with the intent to "annoy", striking down parts of Section 233 of the Communications and Multimedia Act for breaching free speech rights under Article 10 of the Federal Constitution. The challenge was brought by activist Heidy Quah, who had been charged in 2021 over a Facebook post alleging mistreatment of refugees at immigration detention centres. Judges found terms like "offensive" and "annoy" were vague and risked arbitrary enforcement, stressing that truth should not be criminalised.

21 August, MalaysiaNow editor Abdar Rahman Koya was investigated for alleged criminal information disclosure and criminal defamation. Rahman's statement was recorded at the Petaling Jaya police headquarters at around, over a probe into criminal defamation under Section 500 of the Penal Code. Police were also investigating the report under Section 233 of the Communications and Multimedia Act 1998.

25 August, police arrested two men for allegedly uploading seditious and threatening posts on social media platform X. The Bukit Aman Criminal Investigation Department said one post, detected on 24 August, claimed Malaysia was on the verge of being taken over by extremists,

while another post commented on an Israeli strike on Anwar Ibrahim's residence. The suspects, aged 37 and 43, have been remanded for two and four days respectively to assist investigations. The first case is being probed under Section 4(1) of the Sedition Act, Section 505(b) of the Penal Code and Section 233 of the Communications and Multimedia Act, while the second is investigated under Section 505(b) and Section 506 of the Penal Code, along with Section 233 of the CMA.

31 August, Pahang MCA Youth chief Wong Siew Mun spent about three hours giving her statement to the Malaysian Communications and Multimedia Commission (MCMC) over a social media video on the Urban Renewal Bill. Her lawyer, Wanita MCA secretary-general Chan Quin Er, confirmed the process went smoothly and that Wong's mobile phone was seized for analysis. According to a statement by MCMC, Wong is being probed under Section 233 of the Communications and Multimedia Act 1998 for abuse of network services and facilities.

2 September, a 23-year-old public university student was arrested over a speech at the "Himpunan Solidarity Justice For Zara" rally in Dataran Majlis Perbandaran Tawau. Tawau district police chief Assistant Commissioner Jasmin Hussin said the third-semester student was detained around 12.30pm after 14 police reports were lodged, claiming her remarks touched on the position of the Yang di-Pertua Negeri of Sabah, Tun Musa Aman. The case was investigated under Section 4(1) of the Sedition Act 1948, as well as Section 506 and Section 505(b) of the Penal Code, and Section 233 of the Communications and Multimedia Act 1998. Police have also called in witnesses to assist and said the investigation will be conducted transparently.

6 September, Bersatu division chief Badrul Hisham Shaharin, better known as Chegubard, was arrested over alleged seditious and defamatory remarks made during a political ceramah in Bagan Serai, Perak. His lawyer, Rafique Rashid Ali, said the arrest was carried out by police from Bukit Aman's D7 unit under the Sedition Act, Section 500 of the Penal Code, and Section 233 of the Communications and Multimedia Act. Police confirmed that the probe was triggered by a viral TikTok video of Badrul's Aug 29 speech in Perak, where he was heard making allegedly seditious remarks about the Malay rulers. The investigation is being handled by Bukit Aman CID's Classified Crimes Investigation Unit.

11 September, Prime Minister Anwar Ibrahim said the government respected the right to peaceful assembly and freedom of expression but stressed that such liberties must be exercised responsibly and in accordance with the law. Referring to the assault of Dang Wangi District Police Chief Sulizmie Affendy Sulaiman during an enforcement operation in Kampung Sungai Baru, Anwar described the act as deplorable and called for swift action against those responsible. He confirmed that instructions had been given for a full investigation, adding that peaceful assembly should not be exploited for narrow political interests or to sow public unrest.

11 September, the Sessions Court fined a housewife RM10,000, in default two months' jail, after she pleaded guilty to making a false and defamatory Facebook post against the Sabah Yang Dipertua Negeri in connection with the death of Form One student Zara Qairina Mahathir. She was charged under Section 233(1)(a) of the Communications and Multimedia Act 1998, punishable under Section 233(2), which provides for a maximum fine of RM500,000 or up to one year's imprisonment, or both.

11 September, TikTok, Telegram and WeChat became the first social media platforms to be licensed under the Communications and Multimedia Act 1998, effective Aug 31. Communications Minister Fahmi Fadzil said the Malaysian Communications and Multimedia Commission (MCMC) is still processing applications from Meta and Google, citing technical, operational and legal complexities. He added that licensing aims to ensure safer and more responsible online use. WeChat International Private Limited, TikTok Private Limited and Telegram Messenger Incorporated have secured the Class Application Service Provider Licence. As for platform X, MCMC reviewed its actual Malaysian user base to determine whether it meets the licensing threshold.

11 September, the Kuala Lumpur High Court ordered Telegram to stop the *Edisi Siasat* and *Edisi Khas* channels from sharing harmful content deemed a threat to public order. Lawyer SN Nair said the prohibitory injunction, granted in MCMC's suit against the platform and others, will remain in force until the case is disposed of. The substantive hearing is set for Sept 24.

16 September, an investigation was opened after several police reports were lodged against Universiti Malaya Association of New Youth (UMANY) president Tang Yi Ze over his remarks on the matriculation programme. Bukit Aman Criminal Investigation Department (CID) director M Kumar said police received five reports on Tang's suggestion that STPM replace matriculation as the sole admission standard for public universities. The case was investigated under Section 505(b) of the Penal Code for statements conducive to public mischief, and Section 233 of the Communications and Multimedia Act 1998 for improper use of network facilities, according to Berita Harian.

19 September, the Malaysian Communications and Multimedia Commission (MCMC) fined Sin Chew Media Corporation Berhad and Sinar Karangkrak Sdn Bhd RM100,000 each after receiving authorisation from the Attorney-General's Chambers. The action followed investigations into Sin Chew Daily's display of an incomplete Jalur Gemilang on its website and Sinar Harian's publication of an infographic wrongly identifying Inspector-General of Police Khalid Ismail as a PKR member. Both outlets were charged under the Communications and Multimedia Act 1998, which provides for fines of up to RM500,000, imprisonment of up to two years, or both.

30 September, police arrested an individual for uploading online content critical of Prime Minister Anwar Ibrahim, in what was seen as the government's latest crackdown on free speech. Aidil Qayyum, who was part of Bersatu Youth's new media section, was arrested at his home, believed to be over comments critical of the government's new subsidy scheme for RON95 petrol. He was investigated under the Sedition Act, Section 233 of the Communications and Multimedia Act, and Section 505(b) of the Penal Code, which relates to causing "fear or alarm to the public."

30 September, several Facebook accounts belonging to Malaysiakini and KiniTV, along with the personal account of at least one administrator, were suspended after the outlets published an exposé revealing a network of over 260 accounts allegedly boosting support for Prime Minister Anwar Ibrahim on Facebook. The suspensions began around 5.40pm, less than two hours after the report was published, though it remains unclear whether the two incidents were connected. Meta's notice stated that the outlets had violated community guidelines on cybersecurity. Communications Minister Fahmi Fadzil denied government involvement in the suspension, clarifying that Meta had not suspended Malaysiakini's accounts earlier on 30 September, following concerns over media freedom.

29 October, undergraduate Sudirman Arshad was questioned for over five hours last week under the Sedition Act and Section 509 of the Penal Code, despite an earlier agreement that he would only present himself for questioning on Nov 1. According to student group Suara UMS, Sudirman had gone to the Kota Kinabalu district police headquarters to give a statement to the Traffic Investigation and Enforcement Department, but was instead suddenly questioned by several officers over his alleged involvement in the Gempur Rasuah Sabah 2.0 anti-corruption rally in June. He was later released. Kota Kinabalu police chief Kasim Muda denied that Sudirman was arrested, saying police had only recorded his statement as instructed by the deputy public prosecutor, and dismissed arrest claims as slander.

2 November, blogger Wan Azri Wan Deris, believed to be Papagomo, was arrested again as part of a sedition probe. His lawyer, Rafique Rashid Ali, said Wan Azri was detained at 9.30pm in front of his home and brought to the Dang Wangi police headquarters. He was expected to be remanded at 9.30am the following day. Rafique did not specify which case the arrest concerned. Wan Azri had also been arrested on Oct 26 at 12.30am and remanded the same morning. He has been standing trial at the Kuala Lumpur Sessions Court for allegedly making a seditious statement involving the Yang di-Pertuan Agong.

3 November, Communications Minister Fahmi Fadzil said he had never instructed authorities to investigate individuals accused of making offensive remarks but suggested that certain individuals should self-reflect to avoid repeated arrests. Responding to Tasek Gelugor MP Wan Saiful Wan Jan during his Budget 2026 winding-up speech, Fahmi referred to arrests involving blogger Wan Azri Wan Deris (Papagomo), Bersatu Youth executive council member Ashraf Hayup Khan, and Bersatu leader Badrul Hisham Shaharin (Chegubard). He said enforcement agencies acted independently based on their own assessments and investigations.

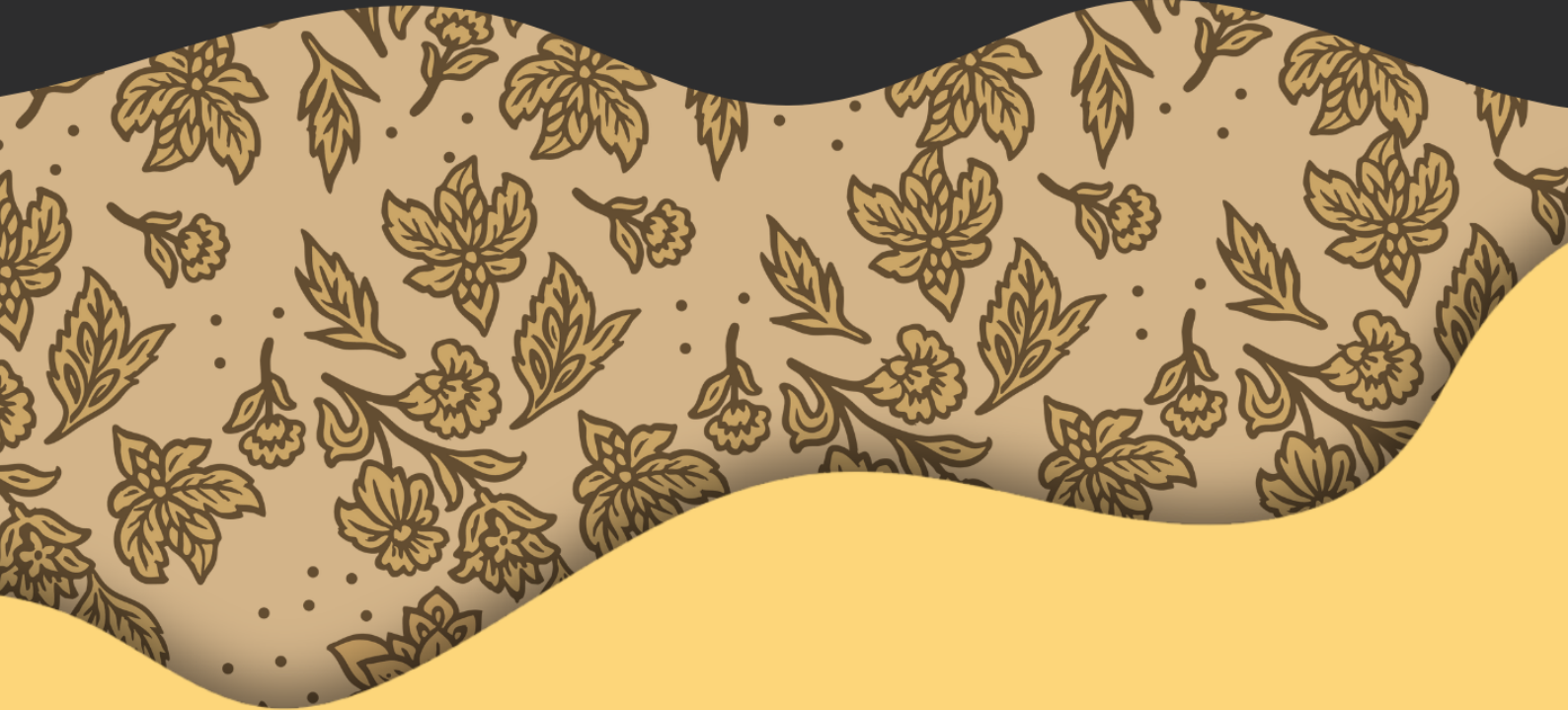
17 Nov, the government reiterated that Malaysians have the right to peaceful assembly but must comply with the current requirement to submit a five-day notice before any gathering, Deputy Home Minister Shamsul Anuar Nasarah told the Dewan Rakyat on 17 November. He said court rulings on peaceful assemblies were clear and fully respected, and that police actions would continue to follow the law and established SOPs.

Takedowns

26 Aug, A total of 83,511 posts on TikTok and Telegram were removed between January 2022 and July this year following requests by the Malaysian Communications and Multimedia Commission (MCMC). The Communications Ministry said the takedowns, comprising 80,657 posts on TikTok and 2,854 on Telegram, involved obscene, indecent, false, threatening or highly offensive content that contravened Section 233 of the Communications and Multimedia Act 1998 (Act 588).

16 October, The Communications Ministry said 46,130 pieces of fake or misleading content have been removed from online platforms as of Sept 30. Between Jan 2022 and Sept 2025, the Malaysian Communications and Multimedia Commission (MCMC) issued 54,175 takedown requests, with 85% successfully removed. The ministry said the actions were taken based on complaints and in line with each platform's community guidelines and Malaysian law. It added that MCMC continues to monitor online discussions involving public interest, crime, and

provocation, reminding users that spreading false information under Section 233(1) of the Communications and Multimedia Act 1998 can lead to a fine of up to RM500,000, two years' jail, or both.



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