

Malaysia on US watch list for limitations on religious freedom

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By Elizabeth Zachariah

A US advisory body has placed Malaysia on its watch list due to concerns over religious freedom. – The Malaysian Insider pic, May 3, 2014. Malaysia has been placed on a watch list by an advisory body of the United States government over concerns about its limitation on freedom of religion, putting it on a par with countries like Afghanistan, Cuba, Indonesia, Laos, Russia and Turkey.

In its 2014 annual report, the US Commission on International Religious Freedom (USCIRF) placed Malaysia on Tier 2, one level down from Tier 1 (countries of particular concern) which lists countries like Myanmar, China, Iran, Iraq, Pakistan and Sudan, among others.

"USCIRF found that the intertwining of religion, ethnicity, and politics in Malaysia complicate religious freedom protections for religious minorities and non-Sunni Muslims," the commission said in the report.

USCIRF is an independent US government advisory body that monitors religious freedom worldwide and makes policy recommendations to the American president, the secretary of state and Congress.

The commission noted that it had not reported on Malaysia since 2007.

"Renewed reporting stems from concerns about inadequate legal protections for religious minorities and ethnic Malays who wish to change their religion, bans on certain publications and groups considered religiously deviant, including Shia, and expanded efforts to arrest and harass members of such groups in the past two years," the report said.

In the report, USCIRF listed several conditions of freedom of religion that have marred Malaysia's image as a "moderate nation" and a "multi-faith model", including the ban on the use of the word Allah by non-Muslims and official promotion of religious hatred.

In October last year, the Court of Appeal overturned a 2010 High Court decision to allow Christians to use the word Allah in the Catholic weekly, Herald.

The word Allah, the court had ruled, belonged exclusively to Islam and that its usage by other religious groups could confuse Muslims and be used as a tool of conversion.

The Department of Islamic Development Malaysia (Jakim) received mention in the report for issuing official sermons criticising the Jews and Christians.

"In March 2013, it issued an official sermon stating that 'Muslims must understand Jews are the main enemy to Muslims'. In November 2013, Jakim published a sermon that discussed the 'despicable nature' of the Jewish race and stated that 'Israel is a nation of ruthless criminals'," the report said.

"After criticism, the sermons were removed and the government of Malaysia apologised. However, in January 2014, Jakim released another approved sermon stating that 'divisions among Muslims... are caused by Christians and Jews'."

Jakim officials, it said, seek to influence the content of sermons, use mosques to convey political messages, and prevent certain imams from speaking at mosques.

The commission also said the arrest of members from "banned" sects was also a condition that had earned Malaysia a mention in its report.

"Over the past several years, Malaysia has expanded efforts to monitor and detain followers of banned sects, most prominently Shia and Al-Arqam.

"Since 2010, over 200 Shia followers have been detained, including in Kuala Lumpur, Selangor, and Perak," it added.

The federal and state governments reportedly maintain lists of "deviant religious sects" deemed to threaten national security. Among the groups believed to be included are Shia, Ahmadis, Baha'i, Jehovah's Witnesses, the Church of the Latter Day Saints, and Al-Arqam, USCIRF said.

"Enforcement efforts generally focus on conversions and proselytism, not assembly or worship, but members of such groups are vulnerable to arrests and detentions at any time, particularly if they are ethnic Malays."

Another condition mentioned in the report is the proposal to expand the powers of Jakim including by creating a religious police force for Islamic affairs departments nationwide.

"This proposal has been widely criticised, but Jakim's powers to restrict freedoms have expanded in recent years," the commission said.

A case in point, it said, was the May 2013 arrest of Borders bookstore employee Nik Raina Nik Abdul Aziz for distributing Irshad Manji's

controversial book "Allah, Liberty and Love," even before it was officially banned.

"In August 2013, on Jakim's recommendation, police detained Maznah Mohd Yusof after deeming a video of her and her three dogs she posted on YouTube was 'insulting to Islam'. She was released on bail, pending an investigation."

The commission recommended that the US government "publicly acknowledge" that the increasingly religion-oriented politics undermine the efforts of those working to make Malaysia a religiously-pluralistic, Muslim-majority democracy.

It also called on the US government to undertake greater efforts to connect religious freedom and tolerance issues to US-Malaysia bilateral relations by:

- * Urging the Malaysian government to cease the arrest of individuals involved in peaceful religious activity, such as Shia and Al-Arqam groups, and end government efforts to police religious belief and expression;
- * Pressing the Malaysian government to bring all laws and policies into conformity with international commitments, including on freedom of religion or belief and freedom of expression;
- * Encouraging Malaysian elected leaders to address the human rights shortcomings of the parallel civil-Shariah justice systems to guarantee that all Malaysians, regardless of ethnicity or religion, can enjoy freedom of religion or belief in line with international standards; and
- * In the context of expanding US-Malaysia relations, insist in negotiations concerning Malaysia joining the Trans-Pacific Partnership Agreement (TPPA) that religious and ethnic minorities benefit fairly from freer and expanded trade. – May 3, 2014.

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