

Malaysia

Country Focus Report 2026



Credit: Meric Dagli



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A) An Introduction to the Enabling Environment

What we understand by an Enabling Environment is the combination of laws, rules and social attitudes that support and promote the work of civil society. Within such an environment, civil society can engage in political and public life without fear of reprisals, openly express its views, and actively participate in shaping its context. This includes a supportive legal and regulatory framework for civil society, ensuring access to information and resources that are sustainable and flexible to pursue their goals unhindered, in safe physical and digital spaces. In an enabling environment, the state demonstrates openness and responsiveness in governance, promoting transparency, accountability, and inclusive decision-making. Positive values, norms, attitudes, and practices towards civil society from state and non-state actors further underscore the supportive environment.

To capture the state of the Enabling Environment, we use the following six principles:



In this Country Focus Report, each enabling principle is assessed with a quantitative score and complemented by an analysis and recommendations written by our Network Members. Rather than offering a singular index to rank countries, the report aims to measure the enabling

environment for civil society across the six principles, discerning dimensions of strength and those requiring attention.

The findings presented in this report are grounded in the insights and diverse perspectives of civil society actors who came together in a dedicated panel with representatives from civil society to discuss and evaluate the state of the Enabling Environment. Their collective input enriches the report with a grounded, participatory assessment. This primary input is further supported by secondary sources of information, which provide additional context and strengthen the analysis.

Brief Overview of the Country Context

Reporting period: June 2025-July 2026

Between June 2025 and July 2026, the enabling environment for civil society in Malaysia regressed as the State tightened its grip on civic space across physical and digital domains. This period marked disparity between the government's rhetoric and actions, further departing from the current unity government's promises of reforms.

Constitutional protections for free speech and assembly remained constrained as authorities relied on broad security statutes to police public discourse around sensitive topics under the 3R (Race, Religion, and Royalty) directive. Crucially, the period saw a transition toward a more restrictive legal and administrative architecture, marked by a shift from reactive censorship to a systemic enforcement regime centred on automated compliance. Through mandatory platform licensing, the enforcement of the [Online Safety Act 2025 \(ONSA\)](#), and the introduction of the [Cybercrimes Bill 2026](#), the state established far-reaching powers that compromise digital security and privacy by placing heavy monitoring burdens on platform intermediaries and encouraging pre-emptive content removal under threat of severe fines.

Simultaneously, financial sustainability for rights-based organisations contracted due to international aid shifts and domestic funding restrictions on 'sensitive' themes. Although formal engagement appeared to expand through technical consultations between officials and civil society actors, this open dialogue operated alongside ongoing legal inquiries and administrative barriers under assembly and association laws. Combined with persistent moral policing against marginalised groups, these developments impeded the growth of an inclusive public space for civic discourse, driving civil society into a state of heightened vulnerability and risk.

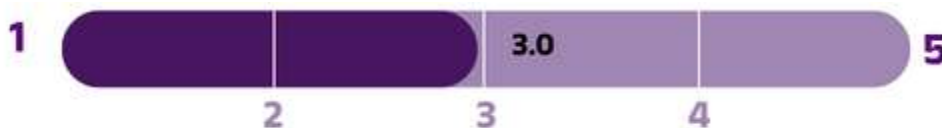
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B) Assessment of the Enabling Environment

PRINCIPLE SCORE

1. Respect and Protection of Fundamental Freedoms

Score: ¹



Year on year, Principle 1 shows an increasingly restrictive trajectory, despite an important judicial advance regarding peaceful assembly. Formal constitutional protections for association, assembly and expression continue to be undermined by restrictive legislation and increasingly interventionist enforcement. Freedom of association has deteriorated due to growing police scrutiny, surveillance and investigations of civil society organisations (CSOs) and human rights defenders (HRDs), while existing legal exclusions continue to disproportionately constrain non-citizens, stateless persons, migrants and LGBTQ+ organisations. The trend for freedom of assembly is mixed: while the Federal Court's 2025 decision to remove criminal penalties for failing to provide prior notification represented a significant improvement in legal protection, this has not translated into more enabling practices. The period from 2025 to 2026 was marked by arrests, intimidation, excessive policing, and other interventions against protesters, students, indigenous communities, refugees, and other marginalised groups. Freedom of expression has also deteriorated due to the expansion of digital regulation, the continued use of the Sedition Act and Section 233 of the CMA, and increased regulatory oversight, which have broadened the state's capacity to investigate and sanction critical speech. This has reinforced self-censorship among journalists, activists, and ordinary citizens. Overall, therefore, legal progress in a narrow area is being outweighed by increasingly restrictive implementation and enforcement, with the deterioration being particularly pronounced for those challenging state authority or advocating for politically sensitive issues and marginalised people's rights.

¹This is a rebased score derived from the [CIVICUS Monitor rating](#) published in December 2025.

1.1 | Freedom of Association

Freedom of association in Malaysia is guaranteed under Article 10(1)(c) of the Federal Constitution, though the right is qualified rather than absolute, and executive oversight continues to expand. The [constitution](#) states that ‘all citizens have the right to form associations’, explicitly limiting the right only to Malaysian citizens. This directly contradicts Article 20 of the [Universal Declaration of Human Rights](#) and [ILO Convention No. 87](#), which assert that everyone—including foreign workers and undocumented migrants—has the inherent right to form and join associations. Articles 10(2), (3) and (4), on the other hand, outline restrictions to freedom of association. This includes the ability for the Malaysian Parliament to impose restrictions if it deems necessary, as well as the use of labour or education laws to restrict associations. Since the Federal Constitution is the supreme law of the land, its articulation of fundamental liberties directly shapes the scope of all laws. In turn, as seen in the [Trade Unions Act 1959](#) and [Societies Act 1966](#), domestic laws routinely fall short of international standards.

Both the Societies Act and Trade Unions Act place restrictions on [non-citizens](#), including stateless persons and migrants. They are prohibited from forming an organisation or holding leadership positions, but may join existing groups formed by Malaysian citizens as ordinary members. Consequently, attempting to register a formal organisation places non-citizens at risk of arrest, detention, or deportation.

Although the Acts do not impose legal restrictions on people with disabilities (PWDs), indirect legal and other barriers continue to exist for them and other vulnerable and marginalised groups. The marginalisation of PWDs due to legal and social exclusion has an impact on their freedom of association. As the [Disability Justice Project](#) explains, the need to bridge the social gaps created by structural barriers often takes precedence and ‘makes organising for disability justice in Malaysia more difficult, slower and more fragmented’. Furthermore, the article goes on to explain that inequality persists even among local PWD groups, where a select few are able to navigate the system, while others lack the necessary ‘access, fluency or institutional proximity’. Between June 2025 and July 2026, various restrictions on freedom of association were imposed, ranging from the provisional dissolution of associations to state surveillance and police investigations of various CSOs and HRDs who criticised the government or worked on good governance.

On one occasion, two plain-clothes police officers visited the office of BERSIH, an election monitoring group. They were seeking the whereabouts of the group's leaders, but as the office was closed, they questioned a neighbouring NGO instead. With no prior notice or explanation for their presence, this visit appears to be an act of police intimidation. In the same month, [14 activists and academics](#) were questioned by the police under anti-subversion laws. Among those questioned was human rights defender and former C4 Centre CEO [Pushpan Murugiah](#), who was investigated for 90 minutes after his name was linked to an email claiming that a high-profile figure had sought to ‘topple the government’ via an international media organisation.

LGBTQ+ groups continued to face harassment and threats to their freedom of association. Following police reports about their activities from various sources, including political parties, two LGBTQ+ groups were investigated by the police: [Justice for Sisters](#) under Sections 233 and 505 of the Communications and Multimedia Act and the Penal Code respectively, and [JEJAKA](#) under Sections 504 and 233 of the same acts. These investigations are part of an

ongoing trend of escalating state and societal pushback against LGBTQ+ visibility and activities. In February 2026, the [Deputy Minister](#) in the Prime Minister's Department (Religious Affairs) announced that JAKIM and other agencies were collaborating to 'control and prevent NGOs from promoting deviant culture', in response to calls to ban JEJAKA's registration made during the [first parliamentary meeting](#) of the year. The aggressive state and societal scrutiny has also led to the postponement or cancellation of workshops and community gatherings.

1.2 | Freedom of Assembly

Article 10(1)(b) of the Federal Constitution guarantees Malaysian citizens the right to assemble peacefully without arms, a right that is operationalised and regulated by the [Peaceful Assembly Act 2012](#) (PAA 2012). However, Section 4 of the Act prohibits non-citizens and individuals under the age of 21 from participating in assemblies. These restrictions conflict with the Convention on the Rights of the Child (CRC), Article 20 of the [Universal Declaration of Human Rights](#) and [ILO Convention No. 87](#).

[Article 15 of the CRC](#) safeguards children's right to freedom of peaceful assembly, subject to restrictions prescribed by law that are necessary in a democratic society and serve specific interests. In line with Malaysia's state obligations as a party to the CRC, the CRC Committee [recommended in 2026](#) that Malaysia 'strengthen children's right to freedom of association and peaceful assembly, including by removing age-limit restrictions from the PAA 2012'.

The PAA 2012 also transitioned the country from a permit-based regime under the former Police Act 1967 to a [notification-based system](#). Under Section 9 of the PAA, organisers were required to provide advance notice of at least five days to the relevant district police chief. However, a [monumental shift](#) occurred on 1 July 2025, when the Federal Court declared Section 9(5) of the PAA—which criminalised failing to provide prior notice—unconstitutional. The Federal Court ruled that penalising organisers for failing to submit advance notice was an excessive intervention that amounted to a prohibition rather than a permissible restriction on constitutional rights.

Despite this landmark judicial victory, legislative reforms have stalled. Civil society coalitions, including Bersih, have repeatedly urged the Ministry of Home Affairs to set out a clear [timeline](#) for amending the PAA to align it with the court's ruling. Months after initial assurances of stakeholder engagement, broader consultations with civil society have yet to materialise, leaving a significant discrepancy between constitutional protections and state enforcement.

Throughout 2025 and into early 2026, police tactics escalated significantly, featuring targeted arrests and physical disruptions. In January 2026, for example, a peaceful [sit-in protest](#) at Universiti Malaya turned violent when auxiliary police forcibly confiscated placards from student demonstrators. In Sabah, student activists involved in anti-corruption protests were [intimidated](#) and issued with [disciplinary notices](#) by Universiti Malaysia Sabah. Special Branch officers also [used tactics](#) to extract 'intelligence statements'. The Rakyat [Benci Rasuah protest](#) was met with immediate police intervention due to a flare being set off, while high-profile activists were arrested at random following rallies calling for investigations into top anti-corruption officials. Other marches, such as those involving Malaysian plantation workers submitting a [memorandum on the new housing](#) law and demonstrations against home [evictions and demolitions](#) in Kampung Papan, were met with [excessive force](#), arrest and [obstruction charges](#) under the Penal Code.

Marginalised and vulnerable populations face a greater risk of state-sanctioned moral policing when exercising their right to assemble. Groups advocating for [LGBTQI+ rights](#), minority

religious freedoms or gender equality operate in a constant state of anxiety. Confronted with aggressive state policing, criminal investigations and hostile counter-narratives, several organisations have been compelled to [cancel physical events](#) entirely to protect their participants. According to [Article 19](#), targeting minorities normalises discrimination against LGBTQ+ individuals and organisations, forcing them further underground and reinforcing a climate of fear and self-censorship.

In Malaysia, the peaceful assemblies of indigenous peoples (Orang Asli and Asal), as well as stateless and migrant communities, are often treated as threats to public order instead of being protected civic expressions, even when they are demanding land rights, legal status, or basic infrastructure. Following the [demolition](#) of indigenous homes in Kampung Sungai Baru to make way for oil palm developments in May 2026, over 1,500 Orang Asli and Asal people from six states across Peninsular Malaysia [marched](#) to the Ministry of Rural and Regional Development in Putrajaya, calling for the legal recognition of customary ancestral land, an end to state encroachment and reforms within the Department of Orang Asli Development (JAKOA). In July 2026, the National Human Rights Commission of Malaysia (SUHAKAM) called for the [immediate protection](#) of the Orang Asli community in Kampung Sungai Cot, who were facing criminal enforcement in an unresolved customary land dispute case. SUHAKAM argued that such actions risked further marginalising Orang Asli communities who were simply defending their livelihoods and culture. Also in July, over 100 Rohingya refugees were [detained](#) after gathering outside the Kuala Lumpur UNHCR office to protest against displacement and seek protection, having been evicted from their homes in Penang. Entire families were arrested in response to Prime Minister Anwar Ibrahim's instruction for the authorities to take "[stern action](#)" against the refugees who had gathered. Responding to peaceful protests with mass detentions and criminal charges suggests that the State perceives the survival demands of indigenous and refugee communities as matters of public disorder rather than human rights.

1.3 | Freedom of Expression

Under Article 10(1)(a) of the Federal Constitution of Malaysia, every citizen has the right to freedom of speech and expression. However, Article 10(2)(a) grants Parliament the authority to impose restrictions deemed necessary in the interest of national security, public order, morality, or friendly relations with other countries. While citizens technically possess the freedom to publish and post content online, they bear full legal responsibility for its real-world impact.

Re-sharing or amplifying alleged defamation or misinformation carries the same legal exposure as originating the content under Malaysian law. This risk is reinforced by a complex web of security and speech-regulating statutes that shape civic space. Notable examples include the [Sedition Act 1948](#), the [Defamation Act 1957](#), [Section 233 of the CMA](#), [Printing Presses and Publications Act](#), the [Cybersecurity Act 2024](#), and various Penal Code provisions. Between 2025 and 2026, the state significantly expanded its regulatory reach through new administrative and statutory overhauls. The Malaysian Communications and Multimedia Commission (MCMC) [ruled](#) that internet messaging and social media platforms with over 8 million Malaysian users would automatically be treated as having a Class Application Service Provider licence. This requires them to operate in line with Malaysia's legal and regulatory framework, including compliance with local content removal directives. The [Online Safety Act 2025](#) (ONSA) came into effect on 1 June 2026, imposing a stringent code of conduct on digital platforms. Platforms operating in Malaysia face penalties of up to RM10 million if their algorithms fail to restrict content deemed 'harmful to public order' — a term that human rights groups have cautioned could be weaponised to suppress dissent. In addition, Malaysia's

Cybercrimes Bill 2026 was passed by Parliament to replace the outdated Computer Crimes Act 1997, but it has been heavily [criticised](#) for its vague language and lack of safeguards, which could result in it being used as a tool for further state surveillance and censorship.

Section 233 of the 1998 Communications and Multimedia Act (CMA) is often employed to regulate online speech, criminalising content that is considered obscene, indecent, false, threatening or offensive. Between January and November 2025, the authorities invoked this and other restrictive legislation, such as the Sedition Act, [over 233 times](#). Alongside the two [government representatives](#) on the new Malaysian Media Council (MMC) board, these measures signal an ongoing trend towards tightening state oversight of the country's media sector. This section includes the terms 'offensive' and 'annoy', which were initially ruled [unconstitutional](#) in the [Heidi Quah Gaik Li vs Government of Malaysia](#) case in 2025. However, in February of this year, the Federal Court [partly reversed](#) this decision, ruling that the terms do not violate the Constitution.

The Sedition Act 1948 prohibits acts, speeches or publications with 'seditious intent', particularly those that incite hatred or contempt against the royal family, the government or the judicial system. State censorship and police enforcement focus heavily on the '3 Rs' — Race, Religion, and Royalty. Operating as an aggressive directive rather than a single static law, the 3R framework is used to police political commentary, suppress minority discourse and target civil society actors. Criticism of governance failures or royal prerogatives routinely triggers swift legal action.

Journalists, academics, civil society actors and ordinary citizens routinely face criminalisation for expressing critical views. For example, former MP Tony Pua was subjected to [140 police reports](#) nationwide and investigated under Section 233 of the Communications and Multimedia Act (CMA) and Section 505 of the Penal Code after publishing Facebook posts analysing the constitutional limits on royal decrees. A ['Free Malaysia Today' journalist](#) was detained under Section 233 CMA and the Sedition Act for allegedly raising racial issues during a public lecture on Palestine. Student activist [Fadhil Kasim](#) was questioned by the police over his online commentary on [state governors](#). Everyday [citizens](#) have also been arrested for online posts criticising the government. While these investigations rarely result in immediate imprisonment, the resulting financial, administrative and psychological impact creates a severe chilling effect on civic space.

PRINCIPLE SCORE

2. Supportive Legal and Regulatory Framework

Score:



Year on year, Principle 2 shows modest overall improvement in the formal and operational environment for civil society organisations, but this progress remains fragile, selective and highly dependent on the nature of an organisation's work. Registration procedures have become more accessible and general administrative barriers have decreased, although organisations working on politically sensitive issues or representing marginalised groups continue to face greater scrutiny and pressure regarding their mandates, as well as unequal accessibility. The operational environment has also improved marginally, with most registered CSOs now able to function without significant interference. However, this improvement is uneven: rights-based, student and politically sensitive organisations still face audits, administrative restrictions, temporary dissolution, inspections and other forms of regulatory pressure. There was a more notable improvement in protection from interference, starting from a very low baseline. This reflects the greater space to undertake advocacy and criticise government policy under the current administration. However, this has not been accompanied by stronger institutional or statutory safeguards for CSOs and HRDs. Overall, therefore, the year-on-year trend is one of cautious improvement without corresponding structural reform. Administrative and operational space has widened to some extent. However, selective enforcement, broad executive discretion and the absence of durable protections mean that these gains remain politically contingent. Rights-based and marginalised groups continue to experience a substantially less enabling environment than non-confrontational or welfare-oriented organisations.

2.1 | Registration

Although registering a civil society organisation in Malaysia is now much easier than in previous decades, the process still reflects the government's reluctance to fully recognise the right to advocate for human rights. CSOs must choose between [two registration pathways](#),

each with its own operational implications. Registration with the Registrar of Societies (ROS) under the Societies Act 1966 is widely considered to infringe the right to freedom of association, since it gives the state extensive discretionary powers over governance, leadership and potential dissolution.

As an alternative, CSOs choose to register as a Company Limited by Guarantee (CLBG) with the Registrar of Companies (ROC). The ROC is the government authority responsible for incorporating, overseeing and regulating companies under the Companies Act 2016. While this offers greater administrative efficiency, it classifies organisations as business entities, which subjects them to tax obligations and limits access to funding from international foundations, with restrictive eligibility criteria based on organisation types.

Clear registration procedures do exist, and organisations can generally register successfully if they comply with the necessary processes and regulations. However, those working on politically sensitive issues or representing marginalised communities often face more rigorous vetting, disagreements over their logo and name, and external interference. For example, groups supporting stateless communities in Sabah or advocating for LGBTQ+ rights often face pressure to remove terms such as 'stateless children' from their constitutions. This forces them to register under generic labels such as 'welfare', 'consultancy', or 'research' to secure approval. A similar issue arises when religious authorities are brought in to review applications from organisations working on religion-related issues that intersect with race and gender. Conversely, organisations led by persons with disabilities (PWDs) often face pressure to register as ROCs due to ongoing accessibility issues, such as inaccessible online systems, screen-reader incompatibility, and limited information in accessible formats. Furthermore, the choice of registration pathway has lasting legal consequences. This limitation was highlighted when the Islamic NGO Pertubuhan Ikram Malaysia was barred from pursuing a defamation suit on the grounds that registered societies have no legal reputation capable of protection, despite all elements of defamation being proven.

The score for this dimension improved from 2 in the last reporting period to 3. Experts noted that, while broader challenges in the enabling environment persist, the registration process itself is relatively accessible. They also considered some inspections or administrative scrutiny from the authorities to be a regulatory requirement rather than a barrier to registration.

2.2 | Operational Environment

In Malaysia, most registered civil society organisations operate without severe state interference, provided they do not engage in politically sensitive advocacy or advocacy that is inconsistent with majoritarian socio-cultural and religious views. CSOs are regulated by several laws, including the Societies Act 1966, the Companies Act 2016, the Trade Unions Act 1959, the Trustees (Incorporation) Act 1952 and the Universities and University Colleges Act 1971 (UUCA). The Registrar of Societies (RoS) has broad powers to cancel or revoke an organisation's registration in the event of statutory breaches or administrative non-compliance under Section 13 of the Societies Act 1966. Furthermore, Section 5 empowers the Minister to declare any society unlawful if it is deemed to be detrimental to public order, security or morality. Meanwhile, Section 41(1)(b) criminalises leadership in unregistered or banned groups, imposing severe fines and imprisonment.

In practice, there is a selective regulatory landscape where the level of scrutiny depends on an organisation's focus. For example, welfare organisations have had minimal interaction with the RoS beyond the initial registration process, whereas advocacy organisations have been subject to false accusations of foreign funding being used as a pretext for prolonged RoS

audits, financial investigations, and police raids. While this is not indicative of a broader pattern of formal organisational dissolutions, a notable example of regulatory pressure from the RoS occurred in May 2026 when the RoS ordered the [temporary dissolution](#) of the Malaysian Trades Union Congress (MTUC) for failing to submit documents relating to audited financial statements and details of foreign funding received. Despite the MTUC submitting seven out of the nine requested documents, the RoS rejected their request for an extension to the deadline without explanation. However, the Shah Alam High Court ultimately [suspended the dissolution](#), stating that it was essential for the MTUC to continue their vital work advocating for workers and for pay auditors to complete the RoS's requested financial reports.

Regardless of their registration status, groups are vulnerable to harassment. For example, environmental groups that expose illegal logging have experienced intrusive office inspections and permit checks, forcing advocates into self-censorship to avoid legal retaliation. Additionally, student activism continues to face restrictions through national and university-based regulations. In June 2025, Universiti Malaya introduced a [new policy](#) requiring all student groups to appoint university-approved advisers and centralise venue approvals. This limits student autonomy — a process previously managed independently by the Universiti Malaya Student Union (UMSU). This has caused major operational delays and the arbitrary cancellation of events with no opportunity for appeal. In March 2026, Universiti Malaya issued a [cease-and-desist letter](#) to the Liga Mahasiswa Universiti Malaya (LMUM) student activist movement. The university used trademark law to demand that LMUM, which is not officially registered as a society with the university, stop using the 'Universiti Malaya' name and logo within seven days, or face legal action. This escalation in reprisals, which goes beyond typical disciplinary actions under the UUCA such as fines, suspension or expulsion, suggests a shift towards lawfare to delegitimise informal and unregistered groups.

Although the score increased marginally from 2.5 in the previous reporting period to 3.0, structural challenges persist. While operational space remains accessible for benign civic work, the constant threat of ministerial dissolution and regulatory harassment forces advocacy groups to mask their core missions. This illustrates that freedom of association in Malaysia remains highly conditional.

2.3 | Protection from Interference

Malaysia still lacks dedicated protective legislation for civil society organisations (CSOs) and human rights defenders (HRDs), leaving them operating in a fragile and highly conditional environment governed by selective state tolerance. In this environment, groups that advocate for human rights, democratic reform or marginalised populations face arbitrary administrative interference and targeted harassment. Conversely, non-confrontational, welfare-oriented and ethnoreligious organisations are permitted to operate with minimal disruption from the state. Experts note that this divide is deeply shaped by Malaysia's broader ethnic, religious, and political dynamics. They warn, however, that while the current government appears more open to civil engagement, the absence of permanent structural safeguards leaves CSOs vulnerable to swift rollbacks under future administrations.

Existing legal frameworks systematically prioritise state preservation over civil society protection. Experts have pointed out that laws granting the government significant discretion over CSOs have not changed, creating opportunities for societies to be dissolved or targeted if they are not perceived as aligning with government interests. Under Section 18 of the Societies Act 1966, aggrieved CSOs are given just 30 days to [appeal](#) the refusal or cancellation of registrations or prohibitions of foreign links to the Minister or Head Registrar, whose decision is final. Authorities also exploit broad security provisions, such as Section

124B of the Penal Code (activities detrimental to parliamentary democracy), to target individuals who voice criticism. In March 2026, the police summoned the [CEO of the C4 Centre](#), Pushpan Murugiah, and several former BERSIH representatives, as well as several academics, researchers and political analysts, to Bukit Aman. They were asked 81 invasive questions about their backgrounds, internal protocols and funding streams, which far exceeded the factual scope of the case. Similarly, the 'foreign funding' narrative is used to delegitimise dissent. For example, in mid-2026, political actors — including individuals within the current state administration — publicly [accused the youth group MANDIRI](#) of receiving foreign grants to destabilise the government and threaten political stability.

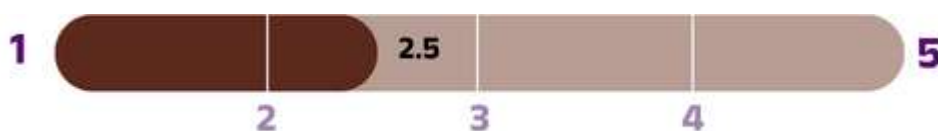
Political barriers can also take the form of operational restrictions, as demonstrated when BERSIH Executive Director Asraf Sharafi was [barred from entering Sabah](#) upon arrival at Kota Kinabalu International Airport after being placed on the state's Immigration Warning List (NAS). This entry ban was issued ahead of an anti-corruption gathering scheduled for that weekend and was imposed just hours after Asraf submitted a parliamentary memorandum urging the establishment of a Royal Commission of Inquiry (RCI).

.Scores for this section increased from 1 to 2 in the last reporting period, indicating a modest improvement in a still fragile environment. Although the ability to conduct advocacy activities and criticise government policies indicates a degree of protection within the current civic space, where state non-interference is a form of protection, securing true operational freedom necessitates institutional safeguards and statutory protections, such as anti-SLAPP laws and the reform of restrictive legislation. This would ensure that the operational freedom of CSOs is not dependent on the political discretion of the governing administration.

PRINCIPLE SCORE

3. Accessible and Sustainable Resources

Score:



Year on year, Principle 3 reveals a largely stagnant and increasingly precarious environment in terms of resources for civil society, with little evidence to suggest that funding conditions are becoming more accessible, effective or sustainable. The accessibility of resources has not changed, with civil society organisations continuing to face limited domestic funding, selective tax and administrative practices, and political scrutiny of foreign funding. Rights-based and advocacy organisations are particularly disadvantaged compared with service-delivery organisations. The effectiveness of the available resources is also limited, as dependence on international donors, project-based funding and shifting donor priorities restricts the ability of CSOs to respond flexibly to locally defined needs and exposes programmes to abrupt funding disruptions. The sustainability of resources remains fragile, with short grant cycles, insufficient core and institutional funding, donor withdrawal, and Malaysia's transition towards high-income status placing increasing pressure on organisations to demonstrate sustainability without the necessary investment in their long-term resilience. These pressures disproportionately affect smaller, less resourced CSOs and those serving marginalised communities, including refugees and persons with disabilities (PWDs). Overall, therefore, the year-on-year trend is one of stagnation combined with growing financial vulnerability. The absence of a supportive domestic funding ecosystem leaves much of rights-based civil society dependent on volatile external resources, forcing them to focus on short-term organisational survival rather than long-term institutional development and sustained advocacy.

3.1 | Accessibility of Resources

Although CSOs in Malaysia are [not legally prohibited](#) from receiving domestic or foreign funding, they may face constraints due to political bias and systemic administrative obstacles. International funding can trigger public and political backlash against government watchdog CSOs, exposing them to accusations of foreign interference and political subversion. CSOs

that criticise the state risk criminal investigations, often under Section 124C of the Penal Code, which carries the threat of government-enforced dissolution.

Domestic funding is scarce and distributed according to state preferences. Welfare and service-delivery organisations are favoured over those advocating for human rights, LGBTQ+ rights, migrant rights and political reforms. Even within single sectors, organisations providing direct services for persons with disabilities (PWDs)—such as sign language interpretation, transport, or healthcare support—are generally eligible for funding, while groups advocating for PWD political empowerment are excluded. Notably, a CSO that contributed to Malaysia's Universal Periodic Review (UPR) process reported receiving no financial support and minimal engagement from relevant ministries due to its advocacy focus.

With scarce domestic funding, advocacy and human rights organisations rely heavily on international donors. Those that can adapt to and integrate shifting funder priorities, such as emerging interests in technology and intersectionality, have a competitive edge in securing international funding. However, this reliance also exposes CSOs to global financial volatility. When international funding streams were disrupted in 2025, many organisations were forced to scramble for alternative sources of funding under difficult circumstances. This reinforced the hostile public narrative that they are driven by foreign agendas.

Crowdfunding is not generally suitable for long-term advocacy as it is tied to short-term, project-specific funding, rather than the flexible financing required for ongoing structural work. Additionally, CSOs may require prior approval from the relevant regulatory bodies before implementing any online donation or crowdfunding mechanisms.

Inconsistent and discretionary tax exemption policies continue to pose major barriers to non-profits registered with the [Registrar of Societies \(RoS\)](#) or the [Companies and Cooperative Societies Department](#) (SSM), as decisions on applications are made selectively and without transparency. These systemic challenges were illustrated when one organisation faced continuous rejections despite repeated applications, while another organisation that provides welfare assistance for at-risk and vulnerable youth saw its tax-exempt status threatened simply because its work also benefits non-citizens. CSO experts therefore argue that a transparent, inclusive tax exemption framework is essential in order to strengthen domestic philanthropy and reduce reliance on foreign funding. Adding to these financial pressures, CSOs often encounter problems with banks and financial service providers. One organisation had its bank account suspended after being misflagged as a 'mule account' in a scam targeting donors, while other organisations could only regain access to their accounts after raising the issue publicly on social media.

The unchanged score of 2 in both reporting periods highlights a stagnant landscape in which financial resources are technically available but functionally constrained by the state's preference for service delivery over advocacy, as well as by administrative and financial obstacles.

3.2 | Effectiveness of Resources

Funding conditions generally vary between donors, with specialised international donors typically offering greater flexibility and lighter reporting requirements than state or tax-funded grants for issues such as statelessness, LGBTQ+ rights and women's rights. While project implementation allows for some adaptation, revising grant agreements requires lengthy negotiations with donors and administrative processes, which can discourage civil society organisations (CSOs) from adapting projects in response to changing circumstances.

Funding agreements still favour donors, enabling them to modify or withdraw funds unilaterally. This leaves CSOs in a state of operational precarity. A prime example of this is when Western donors withdrew human rights funding, leaving organisations scrambling to sustain planned activities.

While donors do not directly dictate CSO agendas, the scarcity of local funding for human rights advocacy forces CSOs to align their priorities with external grant criteria in order to survive. Consequently, abruptly shifting donor trends can dismantle core programmes regardless of local community needs or project progress. However, this dynamic is perceived by CSO experts as a consequence of limited funding availability rather than intentional donor interference. Despite these systemic weaknesses, a small subset of CSOs has found success in sustaining their operations locally, driven by strong public backing and loyal donors.

3.3 | Sustainability of Resources

Experts note that funders increasingly expect organisations to demonstrate long-term sustainability and to incorporate self-care or collective-care practices. However, they do not necessarily provide sufficient resources to build institutional capacity. As most funding is delivered through project-specific grants that require reporting to be completed within a stipulated timeline, civil society organisations are trapped in a cycle of immediate programme delivery, leaving little room for continuity or long-term planning. This creates a clear paradox between the demand for long-term sustainability and the reality of being financially locked into short-term survival. Consequently, rather than building institutional resilience, organisations are compelled to exhaust their limited administrative capacity in an attempt to remain afloat from one grant cycle to the next. This structural precarity is exacerbated by donor policies that restrict funding to just two cycles before expecting organisations to become self-sustaining.

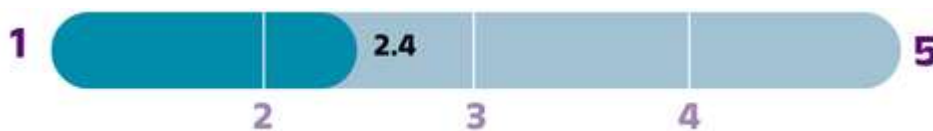
Single-source funding also poses severe risks to vulnerable populations, including persons with disabilities (PWD) and refugee organisations. This was demonstrated when the United States withdrew funding, resulting in the closure of several refugee organisations and affecting the services they provided to refugee communities. A PWD organisation shared that they were initially incubated by another organisation with the intention of eventually operating independently. However, they struggled to sustain operations when expected funding support failed to materialise. Consequently, they currently rely on crowdfunding and voluntary efforts.

Paradoxically, financial success can also limit future support. Some donors assess whether an organisation has secured alternative income streams, and then stop supporting it once financial stability is achieved. Furthermore, Malaysia's transition towards high-income nation status has prompted international donors to shift their funding priorities away from the country. Experts cautioned against this trend, noting that one country's economic development does not reflect the strength or financial needs of its civil society ecosystem.

PRINCIPLE SCORE

4. Open and Responsive State

Score:



Year on year, Principle 4 shows a modest improvement in the state's engagement with civil society. However, progress remains largely procedural and has not resulted in systemic improvements in transparency, meaningful participation or public accountability. Transparency remains weak, showing limited substantive improvement. Access to public information continues to depend heavily on political discretion and informal relationships. Declining proactive disclosure and the absence of an effective federal right-to-information framework constrain evidence-based advocacy. Although the tabling of the FOI Bill represents movement towards reform, its current shortcomings mean its potential impact remains unrealised. Participation has improved in terms of the frequency and institutionalisation of consultations. CSOs are increasingly being invited to contribute to policy and legislative processes. However, the quality and inclusiveness of engagement remain uneven. Consultations are often held too late, are too selective, and do not respond adequately to input from civil society, particularly from critical and marginalised groups. Accountability shows the clearest year-on-year improvement, albeit from a low baseline. This reflects increased opportunities for engagement and some examples of more substantive exchange. However, the continued absence of systematic feedback loops, outcome reporting and explanations of how CSO recommendations inform decisions limit the accountability value of these processes. Overall, therefore, there has been an increase in opportunities for engagement without a corresponding increase in civil society influence. Procedural openness is advancing faster than the institutional transparency, inclusiveness and accountability needed to make participation genuinely meaningful.

4.1 | Transparency

Transparency at state level remains severely limited because access to information is dependent on political will and informal relationships rather than enforceable legal rights. Although Penang and Selangor have state-level Freedom of Information (FOI) legislation, the

scope of this legislation is limited as many recommendations proposed by civil society representatives during the drafting process were ultimately omitted. Meanwhile, access to information at federal level remains heavily restricted in the absence of comprehensive federal right-to-information legislation. In this context, access to federal and state-level data and public information relies heavily on informal relationships with government officials rather than formal channels. CSOs frequently have to rely on Members of Parliament [to raise parliamentary questions](#), a process which often yields inconsistent or uninformative ministry responses.

On 13 July 2026, the long-awaited [Freedom of Information \(FOI\) Bill 2026](#) was first tabled in the Malaysian Parliament. However, the version of the bill that was presented falls far short of the minimum international standards required for freedom of information [legislation](#). Instead, it focused on administrative procedures for requesting information that is already obtainable through internal operating procedures, representing a missed opportunity for genuine governance reform. Following widespread opposition from civil society groups, media outlets and legal organisations, the Minister in the Prime Minister's Department (Law and Institutional Reform) announced on 14 July 2026 that the bill [would be referred](#) to the Parliamentary Special Select Committee (PSSC) under Standing Order 81(1). This mechanism temporarily halts the passage of the bill to allow for comprehensive scrutiny of its clauses by members of Parliament from both government and opposition benches, as well as other stakeholders. This review process provides stakeholders with a brief opportunity to advocate for significant reforms, such as setting a maximum disclosure threshold and reconciling discrepancies between the bill and existing secrecy laws.

This institutional opacity is further exacerbated by a notable decline in proactive disclosure across key policy areas. Government agencies are increasingly restricting public data. For example, they have shifted from publishing 'age-disaggregated child marriage statistics' to broad, aggregated figures, which hinder civil society organisations (CSOs) from identifying critical trends and formulating targeted policy interventions. Similarly, environmental monitoring is impeded by a lack of central coordination. While Selangor is one of the few states to publicly disclose Environmental Impact Assessments (EIAs) and hold public consultations, other government departments publish conflicting statistics on important metrics such as forest cover. Furthermore, institutions such as religious councils and the Conference of Rulers continue to operate with near-total opacity and are not held to the same level of public accountability as other government agencies.

Despite this prevailing culture of secrecy, recent developments reveal isolated pockets of progress. Notably, there has been [successful litigation](#) in the Petaling Jaya Dispersal Link (PJD Link) project, which [secured public access](#) to the project's Environmental, Social and Traffic Impact Assessments. Concurrently, there has been an improvement in engagement efforts with the defence sector, which has demonstrated a greater willingness to discuss international transparency standards and corruption risk assessments with civil society. Nevertheless, these successes remain exceptional rather than systemic. Until robust Freedom of Information legislation is enacted at the federal level, access to information will continue to depend on political goodwill.

4.2 | Participation

Although the current administration has increased public consultations with civil society organisations, these remain largely procedural and selective, having little influence on final policy outcomes. For example, during the Parliamentary [Special Select Committee meetings](#) held in April and May 2026, civil society organisations were invited to review the proposed bill to separate the offices of the Attorney General and the Public Prosecutor. Prior to the

sessions, the CSOs [submitted a detailed statement](#) outlining critical concerns regarding public prosecutor accountability. Despite this engagement, however, the [reviewed bill](#) still falls short of the necessary reforms, failing to guarantee an independent appointment process for the public prosecutor.

The quality of engagement varies across government initiatives. While consultations on criminal law reform incorporated meaningful feedback, other consultations failed to include CSO contributions in the final policies or explain how recommendations were considered. In several instances, experts reported that some of the consultations they had attended were essentially token exercises, convened simply to fulfil procedural requirements — sometimes even after official decisions had been finalised.

Consultation processes are rarely structured to facilitate meaningful participation. CSOs are often invited at short notice, with no prior access to documentation, which limits their ability to prepare and provide informed contributions. Short meeting durations further reduce opportunities for substantive discussion. Additionally, a persistent lack of post-consultation feedback leaves organisations unaware of whether their recommendations were accepted, modified or rejected.

Furthermore, state engagement remains highly politicised and exclusionary. Critical advocacy groups face political pushback and marginalised communities, particularly LGBTQ+ organisations, are routinely excluded from direct dialogue on religiously or politically sensitive issues, including Syariah, human rights and legal reform. For example, organisations representing key affected populations were reportedly not consulted when developing a manual on HIV and Islam, despite being the intended beneficiaries. It has been suggested that non-Muslim organisations were excluded from discussions due to the religious nature of the initiative.

4.3 | Accountability

A key weakness of government consultation in Malaysia is the near-total absence of feedback loops and accountability mechanisms to demonstrate how input from civil society is evaluated. Although town halls and consultative sessions have become more institutionalised, they often operate as transactional ‘tick-box’ exercises, sometimes merely to fulfil international obligations such as reporting to the UN Convention on the Rights of the Child (UNCRC). Afterwards, engagement ceases completely.

Even in direct discussions on critical policy issues such as the decriminalisation of suicide and proposed amendments to citizenship laws, input from civil society is often dismissed outright, hidden behind non-disclosure agreements or simply dropped after the session without explanation. There are positive exceptions in technical areas such as criminal law reform and AI governance, where written feedback and explanatory materials have fostered genuine exchange.

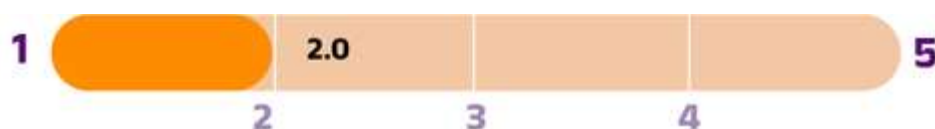
However, the overarching barrier remains the lack of post-consultation tracking. Government agencies rarely release outcome reports, provide implementation updates, or clarify the reasons behind accepting, altering or dismissing specific CSO contributions. Without clear documentation and accountability, CSOs are unable to evaluate the actual influence of their contributions. This forces them to exhaust their limited time and resources on engagement processes that yield no visible return or policy change.

.Reflecting these persistent structural shortcomings alongside modest progress in specific areas, the score stands at 2 for this reporting period. While this represents a one-point increase from the previous period, this reflects engagement at a process level rather than a fundamental shift towards accountability after consultation.

PRINCIPLE SCORE

5. Supportive Public Culture and Discourses on Civil Society

Score:



Year on year, Principle 5 (public culture and discourses on civil society) shows modest but uneven improvement in the public environment for civil society. However, deep structural inequalities and hostile narratives continue to constrain inclusive civic participation. Public discourse and constructive dialogue have improved only marginally. While there is now some space for civil society visibility, there is still continued polarisation and negative or sensationalist portrayals of human rights defenders (HRDs) working on politically, religiously or socially sensitive issues, particularly LGBTQ+ rights, migrant and refugee rights, disability rights and anti-corruption. Public perceptions of civil society and civic engagement have improved more clearly, reflecting greater recognition of CSOs and increased instances of public mobilisation. However, engagement remains largely reactive and issue-driven. Meanwhile, formal civic education continues to emphasise compliance and patriotism rather than rights-based democratic participation. In contrast, civic equality and inclusion showed no year-on-year improvement and remained persistently poor, as legal, institutional, socio-economic and accessibility barriers continued to exclude persons with disabilities (PWDs), indigenous peoples, refugees, stateless persons, LGBTQ+ communities and other marginalised groups from meaningful representation and participation. Overall, therefore, there has been limited improvement in the visibility, perception and public engagement of civil society, but without any corresponding progress in inclusion. This leaves Malaysia's civic environment characterised by a widening gap between the opportunities available for mainstream civic participation and the significantly more restrictive conditions experienced by marginalised groups and rights-based CSOs.

5.1 | Public Discourse and Constructive Dialogue

The public and media discourse on civil society in Malaysia is starkly two-tiered. Non-controversial organisations enjoy nominal recognition, but human rights defenders (HRDs) handling politically or religiously sensitive issues, such as [LGBTQ+ rights](#), migrant protections and anti-corruption, are routinely framed as societal threats promoting deviant culture or moral

degeneracy. During anti-corruption protests in Sabah in July 2026, two activist organisers were targeted after photographs of them in a pub were shared on Facebook and TikTok the day before the protest. These posts, circulated by unverified sources, fixated on moralising over alcohol consumption instead of addressing the anti-corruption movement itself.

Reporting standards in the media, including court reporting related to marginalised, discriminated against and criminalised populations, are poor. This can be attributed to a lack of human rights analysis among media practitioners and organisations, resulting in violations of dignity and privacy. Court reporting of Muslim individuals facing [prosecution](#) under Shariah law for consensual sexual acts or their gender identity lacks critical analysis of the laws. For example, the media has consistently covered the court proceedings of transgender women [facing prosecution](#) because of their gender identity in Kelantan and Terengganu. An LGBTQ+ advocacy organisation monitoring the proceedings has highlighted discriminatory and tabloid media practices. Photographers have attempted to take close-up shots of those facing prosecution, despite clear expressions of discomfort from the defendants. Their names and other details were disclosed regardless of their pleas, further exposing them and reinforcing harmful anti-LGBTQ+ sentiments.

This hostile framing is particularly evident outside the Klang Valley, where commercial incentives encourage journalists to engage in 'rage-bait' journalism at the expense of ethical standards. In contrast, two journalists who covered a sensitive case with balance and nuance were reprimanded, illustrating the institutional pressures favouring sensational reporting.

Furthermore, media narratives often omit human rights perspectives. In the [case of the assault](#) on deaf and mute e-hailing driver Ong Ing Keong, for example, [media coverage](#) focused little on issues of justice or rights violations. People with disabilities (PWDs) are often portrayed through charitable or welfare-based narratives instead of as rights holders, which limits public awareness. Experts have also observed that government-linked media outlets frequently portray issues relating to migrants and refugees in a negative light, fuelling public prejudice. Coverage of Rohingya refugees, LGBTQ+ rights and gender equality remains highly politicised, often shaped by power imbalances between the state, the media and civil society.

Therefore, the score in this section increased slightly to 2.0, up by just 0.5 from the previous reporting period, reflecting persistent compromises in ethical media standards and the ongoing marginalisation of vulnerable groups in public discourse.

5.2 | Perception of Civil Society and Civic Engagement

Although public appreciation of civil society improved after it played a vital role in delivering services during the Covid-19 pandemic, this heightened visibility has not led to a deeper public understanding of its role in shaping governance and public policy. Basic civic awareness remains largely restricted to voting rights, and there is limited public understanding of wider governance structures.

Although formal civic and political education is embedded in schools and universities, its purpose is to cultivate 'good citizens' who are patriotic and obedient to authority. Conversely, alternative civic education programmes led by civil society organisations address critical gaps left by formal institutions and seek to cultivate 'democratic citizens' who are aware of their rights and equipped with critical thinking skills. Activist training programmes teach essential skills that are often missing from university curricula, such as how to understand police authority and the rights of citizens upon arrest. Without widespread access to this transformative civic training, public engagement remains largely reactive. Consequently, public mobilisations occur, such as [the Malaysian Global Sumud Flotilla rallies](#), but they tend

to be based on localised issues and driven by viral public attention rather than sustained civic engagement.

Experts note that the score of 3 for this dimension this reporting year, an increase from last year's score of 2, reflects an environment in which formal civic education exists and public appreciation of CSOs has grown, but democratic participation remains largely passive and compliance-driven. While citizens occasionally mobilise around local or viral issues, meaningful civic engagement is constrained by formal curricula that prioritise patriotism and obedience over awareness of citizens' rights.

5.3 | Civic Equality and Inclusion

The score for this dimension remained at 1, indicating that significant legal, structural, social and economic barriers continue to prevent marginalised communities from participating equally in Malaysia's civic and political life. Formal representation in decision-making bodies, including Parliament, state legislative assemblies and independent institutions such as SUHAKAM, remains minimal or entirely absent for groups such as people with disabilities (PWDs), indigenous peoples, LGBTQ+ individuals and refugees. For example, the indigenous Orang Asli people of Peninsular Malaysia have no reserved parliamentary quotas, and the first Orang Asli Member of Parliament [was only elected in 2019](#). Currently, Parliament includes just one representative with a physical disability: Senator Isaiah Jacob. Furthermore, constitutional provisions prevent some individuals with psychosocial disabilities from standing in elections, holding Senate seats, or serving as SUHAKAM commissioners.

These representational gaps are underpinned by inadequate legal protections and persistent institutional discrimination. Article 8 of the [Federal Constitution](#) lacks explicit protections against disability-based discrimination, and the [Persons with Disabilities Act 2008](#) contains no enforceable prohibitions against it. The real-world consequences of these legal voids were starkly demonstrated when Ong Ing Keong, a deaf and mute e-hailing driver, [was assaulted](#) by a high-profile police escort, resulting in the perpetrator receiving only a light fine despite the long delay in justice. Ong filed a civil suit against the Royal Malaysian Police (PDRM) and the government, seeking damages and demanding the provision of sign language interpreters at police stations nationwide. Discriminatory exclusions are even more absolute for non-citizens and stateless youth. Niko Ansboy, a 17-year-old stateless student at [Borneo Komrad](#), [was arrested](#) while shopping for Eid clothes in Sabah, despite his teachers explaining the situation to the police.

In January 2026, the Malaysian government [announced plans](#) to introduce a refugee registration system to replace the current UNHCR system. The new system will require more detailed information on individuals' status, whereabouts and backgrounds. However, when the government ordered the UNHCR to stop registering refugees in July 2026, human rights groups such as Amnesty International Malaysia [expressed concerns](#) that suspending international registration in order to transition to a state-managed system, especially amid ongoing plans to repatriate approximately 5,000 Myanmar nationals held in immigration detention centres, would leave asylum seekers without adequate protection.

For gender and sexual minorities, state-sanctioned hostility and low social tolerance create an extraordinarily high-risk environment for civic engagement. CSOs advocating for LGBTQ+ rights are routinely denied legitimacy and subjected to intense political intimidation. This was evident when the advocacy group JEJAKA was [forced to cancel](#) its 'Glamping with Pride' health literacy retreat following public backlash, death threats and police investigations under

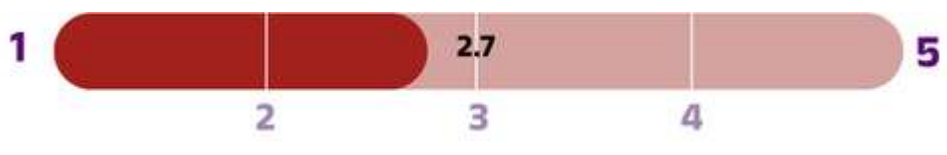
the Penal Code and the Communications and Multimedia Act 1998. State hostility was further demonstrated during a [high-profile police raid](#) on the Otot2 wellness centre in Kuala Lumpur, where over 200 individuals, including the centre's owner and staff, were arrested and detained. Detainees faced severe human rights violations during the raid and detention, including degrading treatment, intrusive interrogations and the online leaking of photos of detainees.

Finally, socio-economic precarity and accessibility issues restrict democratic participation even further. Marginalised groups experience higher rates of poverty and face systemic barriers that hinder their ability to engage in sustained advocacy. Religious freedom remains restricted by legal hurdles around conversion and family rights that affect individuals across generations. Alarming, accessibility barriers exist within civil society itself, where many CSO events lack basic physical accessibility and sign language interpretation. This paradox reveals how deep-seated societal biases can permeate even progressive movements, sometimes limiting the full participation of the communities they aim to support. Together with state policies that prevent non-citizen children from accessing formal education, these intersecting economic, physical and legal barriers prevent marginalised populations from achieving true civic equality and full inclusion in public life.

PRINCIPLE SCORE

6. Access to a Secure Digital Environment

Score:



Year on year, Principle 6 (access to a secure digital environment) shows an increasingly restrictive trajectory, with improvements in digital infrastructure and accessibility outweighed by an intensification of regulatory control, surveillance, and online risks for civil society. Digital rights and freedoms remained largely restricted, as the reinstatement of restrictive provisions under the CMA and the implementation of the Online Safety Act reinforced content removal, blocking and self-censorship, rather than signalling meaningful liberalisation. Digital security and privacy have deteriorated as state demands for telecommunications data have increased alongside coordinated trolling, intimidation and threats. This has increased the exposure of civil society organisations and human rights defenders to surveillance and digitally enabled harassment, with a disproportionate impact on LGBTQ+ persons, refugees and migrants, persons with disabilities (PWDs) and other marginalised groups. Digital accessibility is the area showing the clearest gradual improvement. This is supported by high national connectivity and new government investment. This includes measures aimed at addressing infrastructure gaps between Peninsular and East Malaysia. However, these gains have yet to resolve persistent regional, digital literacy and CSO capacity disparities. Overall, therefore, the year-on-year trend is one of increasing digital access but diminishing digital civic space, as stronger connectivity has not translated into greater freedom, security or equitable participation online.

6.1 | Digital Rights and Freedoms

The digital rights landscape in Malaysia is shaped by formal legal frameworks, informal harassment networks and state inaction. Key legislation, including the Communications and Multimedia Act (CMA) of 1998, the [Cyber Security Act 2024](#), and the [Online Safety Act](#) of 2025, provides the basis for content regulation and state takedown powers. Although Section 233 of the CMA was temporarily amended in August 2025 to remove the vaguely worded

terms ‘offensive’ and ‘annoying’, the Federal Court reinstated them in February 2026. The court ruled that free speech under Article 10(1)(a) of the Constitution is not absolute.

Malaysia has never experienced a government-mandated nationwide internet shutdown, including during this reporting period. However, rather than implementing full internet shutdowns, the authorities restrict digital spaces through aggressive content regulation, surveillance, intimidation and technical measures such as DNS blocking. The Malaysian Communications and Multimedia Commission (MCMC) routinely flags content deemed ‘sensitive’, particularly that relating to race, religion, and the monarchy (‘the 3 Rs’) or direct criticism of state authorities. To avoid regulatory fallout, platforms implement excessive regulation, resulting in widespread shadow-banning and filtering. Between January and August 2025 alone, the MCMC requested the removal of over 85,000 TikTok videos, achieving an 86% compliance rate. Earlier this year, the MCMC [announced](#) that they would be taking ‘definitive steps or legal action against Meta’ under the Online Safety Act due to their lack of cooperation in removing ‘harmful content’, including online scams, impersonation, gambling, and content involving the ‘3Rs’ and defamation. Platforms can face [penalties](#) of up to RM1 million, as well as daily fines of RM100,000, on top of penalties of up to RM10 million. This significant financial threat may result in excessive content monitoring and the frequent removal of borderline or flagged content, as platforms err on the side of caution.

Automated algorithms that scan for keywords such as ‘3R material’ [may remove content](#) simply because they overlook the context in which it is presented, for example if it is intended for criticism, satire or news reporting. Furthermore, the MCMC has [blocked dating platforms](#) that are widely used by the LGBTQ+ community, thereby further shrinking the digital space in which they can build communities and communicate privately. This was justified as a necessary effort to remove content that ‘[violates local laws](#)’, and the MCMC is exploring possible legal avenues to restrict these applications.

State and community surveillance reinforce this restrictive climate. The police actively monitor social media and act on frequent public reports regarding online comments, sometimes extending digital monitoring into physical interventions. Human rights defenders (HRDs) face severe state scrutiny: in December 2025, graphic artist Fahmi Reza was subject to 284 police reports and investigations under the Sedition Act and CMA for posts regarding the Regent of Johor. Similarly, environmental activist Shakila Zen was [investigated](#) under the Penal Code and CMA for allegedly defaming the Pahang royal institution. In this context, a mechanism of ‘lateral surveillance’ emerges, whereby ordinary citizens act as decentralised monitors, providing the government with additional eyes and ears.

At the same time, state-tolerated cyber troopers and non-state actors are amplifying online attacks, targeting HRDs and orchestrating campaigns against vulnerable groups such as LGBTQ+ individuals, refugees and migrants. Government-linked media channels and agencies, such as the Department of Community Communications (JKOM), have also been observed amplifying anti-Rohingya rhetoric and using minority scapegoating to divert public attention from critical issues.

The score for this reporting period therefore remained at 3. Experts noted that indirect forms of control, such as online intimidation, coordinated reporting and legal pressure, continue to restrict meaningful digital participation and freedom of expression.

6.2 | Digital Security and Privacy

The [Personal Data Protection Act](#) (PDPA) of 2010 is overseen by the Department of Personal Data Protection and the Personal Data Protection Commissioner, who are responsible for

ensuring compliance, handling complaints, and issuing enforcement notices. Although it serves as Malaysia's primary data protection framework, its scope is limited to commercial data processing only, leaving civil society actors without robust privacy protections. This regulatory gap leaves CSO members and human rights defenders vulnerable to systemic online intimidation and targeted harassment.

In April 2025, the Malaysian Communications and Multimedia Commission (MCMC) directed Malaysia's telecoms companies to hand over call and internet usage data to inform evidence-based policymaking. The MCMC [defended](#) these activities by claiming that the data would be completely anonymous and used only for statistical purposes. Nonetheless, this action [sparked concerns](#) about privacy and surveillance, as even anonymised data can be decrypted. Furthermore, non-compliance with the order could result in a fine of RM20,000 or six months' imprisonment under the Communications and Multimedia Act, which allows the MCMC [to collect data](#). The lack of an 'opt-out' option makes the situation appear all the more invasive, effectively forcing telecoms companies and their customers into passive compliance with state-level data collection. Similarly, in 2024, the MCMC [issued another data handover](#) directive that included the same data requests, as well as GPS location history. This highlights a recurring pattern of non-consensual state data collection backed by criminal penalties.

Opponents and troll networks routinely deploy tactics such as forcing the takedown of official CSO social media accounts, orchestrating repeated spam call campaigns and launching coordinated attacks from burner accounts in order to suppress visibility and undermine advocacy. A Sabahan activist told us that they had received persistent calls from unknown numbers before joining protests, which they saw as an intimidation tactic. Similarly, a PWD rights organisation was subjected to aggressive trolling following an online session on disability rights, with the aim of reducing the visibility of posts. In another instance, the youth organisation Mandiri had its X account seemingly [suspended](#) following a protest during the MACC Chief Commissioner's keynote speech. While sabotage remains unconfirmed, the timing suggests targeted suppression.

Some online hate narratives also appear to be coordinated, emerging and being amplified rapidly through organised online activity. For example, experts have observed the rise of anti-Rohingya sentiments that appear to have been curated in response to statements or activities linked to the Community Communications Department (J-KOM). In June 2026, a politician [called out](#) the department for messaging linked to J-KOM which called for people to 'keep an eye on the Rohingya' ('jom pantau Rohingya' in Malay). An LGBTQ+ health and rights group received [violent threats](#) and death threats on social media.

Overall, Malaysian advocacy groups and marginalised communities continue to face targeted, multi-channel harassment, leaving them vulnerable to account suspension, algorithmic suppression and direct threats to their personal safety.

6.3 | Digital Accessibility

Despite an [internet penetration rate](#) of over 97%, basic connectivity statistics hide a significant disparity in true digital accessibility, particularly with regard to digital literacy, technical capacity and regional infrastructure. In Malaysia, most internet usage centres on passive entertainment and social media consumption, and there are significant skill gaps in operating advanced digital tools and verifying critical information. The rise of AI-generated media and viral misinformation further exacerbates this vulnerability, as many users lack the digital literacy required to distinguish credible news from deliberate manipulation.

This gap also affects CSOs, whose technical capacity varies drastically. While well-resourced CSOs use digital platforms for advocacy and data visualisation, underfunded groups struggle to adopt emerging technologies or build digital resilience. Right-wing groups and online influencers, however, seem quick to adopt digital tools. With the rise of the manosphere, these groups and influencers utilise AI tools and rage-bait tactics to broadcast patriarchal or conservative ideology. Rights-based CSOs struggle to counter this due to limited budgets, algorithms that reward sensationalism and bad-faith framing that portrays progressive advocacy as a foreign agenda.

In November 2025, the Communications Minister [announced](#) that Malaysia has one of the most affordable 5G networks, costing roughly two cents per gigabyte, ranking second in the Asia-Pacific region. An [initiative](#) called the National Information Dissemination Centre (NADI) aims to bridge the digital divide by providing underserved or rural areas with reliable internet and computer facilities, as well as offering programmes on entrepreneurship, lifelong e-learning, self-wellness and responsible internet usage. However, this community digital hub was subsequently rebranded as NADI Madani, which [also claims](#) to disseminate accurate and current information about government initiatives. This could risk shifting the centre's focus away from independent digital empowerment and turning it into another political branding tool.

Furthermore, a significant connectivity disparity remains between Peninsular and East Malaysia. In Sarawak, for example, even in the state capital, unstable internet access frequently disrupts basic activities such as participating in cross-regional online meetings with other organisations. Similarly, CSOs based in Sabah face additional challenges in understanding the digital environment, coordinating online campaigns, responding to fake news and dealing with online intimidation. Thus, the connectivity gap in East Malaysia limits the ability of local CSOs and HRDs to participate equally in national digital advocacy spaces. To bridge these inequities, reliable network infrastructure must be expanded to East Malaysia, alongside targeted investments in media literacy and technical capacity building for marginalised communities and civil society actors.

The federal government [has allocated RM2 billion](#) for the MADANI submarine cable connection (SALAM) project, which aims to strengthen connectivity between Peninsular Malaysia, Sabah and Sarawak. This initiative will [address connection issues](#) in East Malaysia, even in its capital cities. Rather than merely boosting speed, the project increases capacity and [provides a vital backup route](#), ensuring that internet traffic is immediately rerouted in the event of a cable breakage without causing regional slowdowns. Ultimately, it will provide Sabah and Sarawak with a more reliable and disruption-proof internet infrastructure for long-term digital growth, but completion is not expected until 2028 or later. Other interim measures are required in the meantime to ensure East Malaysians can fully participate in civic life without being sidelined by existing infrastructure gaps.

C) Recommendations

Recommendations to the Government of Malaysia:

- The Ministry of Home Affairs should amend the Peaceful Assembly Act 2012 (PAA) to formally align with the July 2025 Federal Court ruling on Section 9(5), explicitly decriminalising the absence of advance notice and removing restrictive administrative practices, ensuring all amendments undergo timely, meaningful stakeholder and civil society consultations prior to parliamentary tabling.
- Repeal or amend broad laws that restrict Freedom of Expression, including Section 233 of the Communications and Multimedia Act 1998 (CMA), the Sedition Act 1948, Printing Presses and Publications Act 1984, and Penal Code provisions to prevent their weaponisation against routine political criticism and human rights advocacy. The Attorney-General's Chambers should review pending expression-related cases to determine whether they are consistent with international human rights standards and constitutional protections.
- The Royal Malaysia Police (PDRM) should strengthen their police training modules and standard operating procedures regarding the management of peaceful assemblies to shift law enforcement's priority from containment to facilitation. The SOPs should ensure de-escalation, alignment with international guidelines on the use of force, and an end to immediate criminal investigations for peaceful assemblies.
- The Legal Affairs Division (BHEUU) of the Prime Minister's Department should introduce anti-SLAPP (Strategic Lawsuits Against Public Participation) provisions to safeguard CSOs, HRDs, journalists, and whistleblowers from arbitrary investigations and civil or criminal lawsuits.
- The Registrar of Societies (ROS) and the Ministry of Home Affairs should amend the Societies Act 1966 to eliminate arbitrary executive discretion in approving rights-based organisations and ensure registration portals are accessible to PWDs.
- The Ministry of Higher Education should issue guidance prohibiting higher education institutions—including public and private universities, polytechnics, and community colleges—from misusing trademark law or administrative procedures to restrict student political participation, suppress peaceful student movements, and stifle dissent.

- The Parliamentary Special Select Committee should revise the proposed 2026 FOI Bill to mandate proactive disclosure of public-interest data, ensuring it incorporates civil society recommendations and fully aligns with international human rights standards.
- The Prime Minister's Department, all ministries, and Parliamentary Select Committees should institutionalise mandatory post-consultation feedback mechanisms and reports that transparently detail how civil society inputs are evaluated, accepted, or rejected during legislative drafting, moving away from tokenistic engagement practices.
- The Ministry of Digital and the Department of Personal Data Protection (JPDP) should expand Malaysia's Personal Data Protection Act (PDPA) to expand its scope beyond commercial transactions. The expansion must safeguard HRDs, journalists, and all citizens from state surveillance, doxxing, and online intimidation.
- The Federal Government, State Governments, relevant ministries, and JAKOA must formally recognise and legally protect the customary land rights (Tanah Adat) of the Orang Asli and Asal by enacting statutory safeguards against state encroachment and land grabbing—upholding their rights, dignity, and self-determination.
- Establish a Parliamentary Special Select Committee on Migrants and Refugees to scrutinise government policies and review detention and processing systems.
- The Ministry of Home Affairs and the Immigration Department should review arrest and detention practices to eliminate arbitrary detention of migrant workers and refugees, while prioritising alternatives to detention for children, asylum seekers, and vulnerable individuals.
- Establish a clear timeline for implementing human rights recommendations from civil society, SUHAKAM, and UN processes (e.g. UPR, CEDAW, CRC, CRPD) which includes reforming discriminatory legislation to dismantle structural barriers faced by marginalised groups and ensure civic equality for all.

Recommendations to Civil Society Organisations:

- Larger and more established CSOs should institutionalise intra-sector resource sharing—such as fiscal sponsorship, administrative support, and mentorship—to support smaller or unregistered grassroots groups, lower operational costs, and strengthen collective resilience.
- Strengthen collective protection mechanisms for human rights defenders, while actively advocating for a formal legal and policy framework that recognises their legitimate work and establishes safeguards against reprisals.
- Develop joint rapid-response protocols to streamline collective legal, communications, security, and advocacy responses whenever groups or individual defenders face sudden regulatory restrictions, criminalisation, or intimidation.
- Institutionalise mandatory Accessibility-First programme budget allocations, earmarking a dedicated percentage (5-10%) specifically for essential needs, including sign-language interpretation, ramp availability, CART captioning, and plain-language translation.

Recommendations to Donors and the International Community:

- Transition from predominantly short-term, project-based funding cycles towards predictable, multi-year institutional support to give CSOs the financial capacity needed to cover competitive staff remuneration, leadership development, digital security infrastructure, and long-term organisational planning.
- Provide dedicated and sustained funding for strategic litigation that covers not only legal fees, but also the accompanying research, community engagement, and advocacy required to successfully challenge restrictive laws and set progressive legal precedents.
- Establish regional shared funds for collective learning to enable CSOs across countries to co-develop resources and cross-share proven practices, tools, and strategies.
- Incorporate emergency-pivot clauses into grant agreements to allow CSOs to redirect a reasonable amount of project funding towards urgent needs arising from unexpected changes in the regulatory or socio-political environment.

D) Research Process

Each principle encompasses various dimensions which are assessed and aggregated to provide quantitative scores per principle. These scores reflect the degree to which the environment within the country enables or disables the work of civil society. Scores are on a five-category scale defined as: fully disabling (1), disabling (2), partially enabling (3), enabling (4), and fully enabling (5). To complement the scores, this report provides a narrative analysis of the enabling or disabling environment for civil society, identifying strengths and weaknesses as well as offering recommendations. The process of drafting the analysis is led by Network Members; the consortium provides quality control and editorial oversight before publication.

For Principle 1 - which evaluates respect for and protection of freedom of association and peaceful assembly - the score integrates data from the [CIVICUS Monitor](#). However, for Principles 2–6, the availability of yearly updated external quantitative indicators for the 86 countries part of the EUSEE programme are either limited or non-existent. To address this, Network Members convene a panel of representatives of civil society and experts once a year. This panel uses a set of guiding questions to assess the status of each principle and its dimensions within the country. **The panel for this report was convened in July 2026.** The discussions are supported by secondary sources, such as [V-Dem](#), the [Bertelsmann Stiftung Governance Index](#), the [RTI Rating from the Centre for Law and Democracy](#), and other trusted resources. These sources provide benchmarks for measuring similar dimensions and are complemented by primary data collection and other secondary sources of information available for the country. Guided by these deliberations, the panel assigns scores for each dimension, which the Network Members submit to the Consortium, accompanied by detailed justifications that reflect the country's specific context. To determine a single score per principle, the scores assigned to each dimension are aggregated using a weighted average, reflecting the relative importance of each dimension within the principle. This approach balances diverse perspectives while maintaining a structured and objective evaluation framework.

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