

35th Human Rights Council session

June 15, 2017

ITEM 4 – General Debate

Statement by the International Lesbian and Gay Association

Delivered by Zhan Chiam

[A full version of this statement can be found on the extranet]

Thank you, Mr. President,

This statement was made in consultation with the ASEAN SOGIE Caucus, ILGA ASIA, Oogachaga and SEED Malaysia.

In the past few months, LGBTIQ persons have faced high levels of violence in the ASEAN region. Today we are calling for an end to this violence.

In Indonesia's second largest city, **Surabaya**, 14 gay men were arrested and tested for HIV, and their right to privacy was violated by the authorities who published their data, including their names and addresses.¹ Last month, in the **province of Aceh**, Indonesia, the government publicly caned two men -82 times each- for consensual same-sex acts done in the privacy of their own home.² A crowd of more than 1,000 people watched the caning. The evidence used to condemn them was produced under extreme duress and compromised their right to privacy. The accused were refused access to legal aid and their family members. Reports indicate that Aceh police also denied them contact with lawyers.

In May 21 of 2017 in **Indonesia**, police arrested 141 men at a raid of a sauna called Atlantis in Jakarta. Such arrests constitute arbitrary detention under international law.³ The raid was conducted by the North Jakarta Police Headquarters, who forced the detained men to strip, and violated their right to privacy by taking pictures and distributing them. The police denied them access to legal aid. One week ago, the West Java Police Chief announced the creation of a special taskforce to crack down on LGBT people.⁴

The current situation is part of a wave of anti-LGBTIQ incidents in Indonesia - agencies, including the Indonesian Child Protection Commission (KPAI), issue statements denouncing so-called 'LGBT propaganda' as a social-ill contrary to domestic culture. We call on the Government of Indonesia to conduct thorough investigations concerning these human rights violations, bring the perpetrators to justice, provide redress, including psycho-social support, and accept the 12 recommendations received during its UPR relating to sexual orientation and gender identity as one step to show their commitment to the human rights of all.

In **Malaysia**, state-sponsored homophobia and transphobia can be observed through the launch of videos, seminars, publications, manuals, apps, and action plans centered on the theme of *rehabilitation*: that LGBTIQ persons can and

¹ <http://bit.ly/2t56a5E>

² <http://cnn.it/2qghudj>

³ <http://bit.ly/2qNBuaz>

⁴ <http://bit.ly/2se80kA>

should be *cured* or *corrected*. The Mukhayyam Programme led by the Government targets trans women, and offers information on *spirituality* and Islam, HIV and microcredit assistance with the objective of *helping* trans women *return to the right path*. This state-sponsored homophobia and transphobia encourages discrimination, hatred and violence towards LGBTIQ people.

Last week, In Penang, **Malaysia** an 18-year old boy was beaten, sodomised and burnt, allegedly by a group of youths, including former schoolmates, who allegedly bullied him in school because of his gender expression and perceived sexual orientation.⁵ Earlier this year, one trans woman was brutally murdered in Pahang,⁶ and another from Thailand was stabbed multiple times in Penang.⁷

In **Singapore**, recent changes to the Public Order Act rules on general assembly now only allows Singaporean Citizens and Permanent Residents to assemble at Speakers' Corner, directly impacting on Pink Dot 2017, the annual gathering for LGBT persons in Singapore.⁸ This further shrinks already scarce public gathering space in Singapore and increases criminalization of peaceful assembly.

Mr. President,

This year has seen a significant increase in anti-LGBTIQ incidents across ASEAN countries, including attacks on and detention of, LGBTIQ defenders. The ASEAN human rights mechanism has failed to take concrete actions to address this wave of violence. We would like to remind these states and this Council that we are born free and equal in dignity and in rights and that violence and discrimination should not be allowed on any grounds.

I thank you Mr. President.

⁵ <http://bit.ly/2sw0Zid>

⁶ <http://bit.ly/2sw28pT>

⁷ <http://bit.ly/2t5colY>

⁸ <http://bit.ly/2tq5wim>