



40th Human Rights Council Session

Item 6 - UPR Outcome Malaysia

14 March 2019

Statement by International Lesbian and Gay Association

Delivered by: Numan Afifi

Mr President,

This statement is made in consultation with a coalition of Malaysian NGOs working on SOGIESC issues. We welcome the 11 recommendations made to Malaysia by various Member States on sexual orientation, gender identity and expression and sex characteristics issues.

We welcome Malaysia's acceptance of the recommendation to implement anti-bullying campaigns in schools. However, we are also deeply concerned that Malaysia noted the remaining 10 SOGIESC recommendations.

LGBTQ persons face multiple and intersecting forms of discrimination and violence in Malaysia. In August 2018, two women in the state of Terengganu were sentenced to fine and caning for attempting sexual relations between women, violating their right to privacy. Between November 2018 and January 2019, there have also been 3 reported murders of trans women. The rise of violence is extremely concerning, and concrete steps need to be taken to fulfill the human rights of LGBTQ persons.

During Malaysia's UPR, the government affirmed that LGBTQ persons deserve equal rights as citizens. However, many actions that the State has taken do not reflect that. There are multiple forms of state sponsored violence such as the the *Mukharyyam* - conversion therapy camp, a 5 year action plan against LGBT person, among others. The recent Women's March saw the creation of an environment of impunity for harassment, intimidation and hate towards LGBTIQ persons and issues, with disproportionate sensationalised reports solely focusing on LGBTQ people participation in the march followed by swift condemnation by a Minister saying it is an abuse of democratic rights for LGBTQ person to assemble, including the Deputy Home Minister's proposal to reform legislation on freedom of assembly. Such incitement to hate and violence needs a strong stance by the government to defend the rights of all persons, in particular those who are already marginalised and persecuted.

We concur with our Foreign Minister's speech here in the United Nations two weeks ago, that LGBTI issues are not a taboo and we call for dialogue with the government on these issues.

We also call on the Malaysian government to stop all forms of state sponsored violence against people based on their real or perceived sexual orientation, gender identity and/or expression, to stop politicising and to protect LGBTQ persons from violence and discrimination, because we are all free and equal.

I thank you Mr. President