



Malaysia: Stop Persecution of Women Human Rights Defenders and LGBT Community

(12 March 2019) – The Asian Forum for Human Rights and Development (FORUM-ASIA), Suara Rakyat Malaysia (SUARAM), Pusat KOMAS, and the ASEAN SOGIE Caucus express grave concern over the public reaction from conservative groups and government officials to the Women’s March on 9 March 2019. Particularly the backlash received by the Organising Committee of the march and the Lesbian, Gay, Bisexual, Transgender, Intersex, and Queer (LGBTIQ) people in the country has been worrying. We urge the concerned parties to act with restraint and with full attention to the legitimate demands of civil society organisation on substantive equality.

The recent Women’s March on 9 March 2019 was a peaceful rally, during which one of the main demands were to end all forms of violence and discrimination, including against people with diverse sexual orientation, gender identity and expression, and sex characteristics (SOGIESC). The march itself and all the demands made during the gathering fall fully within the freedom of expression and peaceful assembly, as guaranteed for all Malaysian citizens.

However, the response to the march has not done so. One problematic statement, for example, came from the Government’s Minister of Religion, Mr. Minister Mujahid Yusof Rawa, who stated that the march was ‘a misuse of democratic space.’ Additionally, the Ministry of Home Affairs reported that the Police is investigating the organisers of the rally on the allegation of conducting a rally without a permit.

The anti-LGBTIQ backlash has led to breaches of the right to privacy of some assembly participants. Social media posts inciting hatred against LGBTIQ persons used photographs of women and girls wearing hijab while also holding a rainbow flag without their consent.

This is not the first time the Government of Malaysia has made discriminatory statements and actions against the LGBTIQ community. Since the Government took power in May 2018, the harassment of the LGBTIQ community has continued, including: the removal of LGBTIQ portraits from an exhibition;¹ the raid of a gay bar supposedly for promoting LGBTIQ culture;² the caning of two women accused of performing lesbian sex;³ and hate crimes against transgender women leading to death and injuries.⁴ These, and other incidents have seriously affected the safety and security of LGBTIQ persons.

All human have equal rights, including to the freedom of expression, assembly and association, as enshrined in the Universal Human Rights Declaration (UDHR), as well as in the Federal Constitution

¹ <https://www.bbc.com/news/world-asia-45125012>

² <https://www.pinknews.co.uk/2018/08/18/police-raid-malaysian-gay-bar-to-stop-the-spread-of-lgbt-culture-in-society/>

³ <https://www.theguardian.com/world/2018/sep/03/women-caned-in-malaysia-for-attempting-to-have-lesbian-sex>

⁴ <https://www.straitstimes.com/asia/se-asia/death-of-transgender-woman-in-malaysia-sparks-fears-of-rising-hate-crime>

of Malaysia Article 10. The recent attacks against the LGBTIQ community tell a different story, which is indicative of the shrinking civic space for the LGBTIQ community in offline and online spaces.

Recent statements from the Government have further fuelled the persecution of women human rights defenders and the LGBTIQ community. It is an irrational act to further polarise public views on LGBTIQ rights by leaning on conservative sentiments. It is an insidious attempt to weaken the existing solidarity between LGBTIQ activists and the feminist movement.

FORUM-ASIA, SUARAM, Pusat KOMAS, and the ASEAN SOGIE Caucus stand in solidarity with the organisers of the march, as well as the affected women human right defenders and LGBTIQ persons in Malaysia. We call on the Government of Malaysia to put a halt to the persecution of the LGBTIQ community, and to take immediate steps to improve the human rights protection of all people in the country, as promised in its election manifesto.

Democracy and respect for fundamental freedoms are inherently connected. A legitimate democracy rests on a society in which the concerns and hopes of marginalised groups are expressed without fear. A society in which such concerns are addressed seriously, and not trivialised. During its recent Universal Periodic Review, Malaysia already positioned itself as a leader in promoting human rights, both globally and within the region. It is time for the Government to uphold these human rights commitment, particularly when it comes to women human rights defenders and the LGBTIQ community.