
UPR pre-session: Malaysia

Justice for Sisters

Areas of focus

1 Gender equality

2 SOGIESC



Gender equality

- 'gender' is a protected ground of discrimination in Federal Constitution post-CEDAW ratification
- understanding and application of gender remain binary and essentialist.
- Malaysia still
 - maintains reservations on Articles 9(2) and 16(1)(a), (c), (f) and (g)
 - has not ratified Optional Protocols.
 - has not domesticated into national laws. A gender equality bill has been stalled due to concerns over the use of 'gender'.

Recommendation - Gender

- 01 | maintain the gender equality bill titled as is and include protected characteristics guided by Article 2 and General Recommendation 28 of CEDAW to ensure protection for persons of all genders.
- 02 | Implement recommendations made by CEDAW committee
- 03 | Remove all reservations and declarations on CEDAW and take immediate actions to accede to the optional protocols



SOGIESC

increasing state-sponsored anti-LGBT efforts

- criminalization,
- conversion practices,
- censorship,
- introduction of guidelines to regulate trans people's access to religious spaces and performers based on their SOGIE or LGBT activism,
- surveillance and raids of LGBT events,
- investigation of rally organizers and those who defend the rights of LGBT people in offline and online spaces.
- exclusionary statements by state actors



SOGIESC



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SOGIESC

Impact

- low levels of self-acceptance, internalized shame and guilt among LGBT people
- correlation between the promotion of conversion practices and SOGIE-change pressure on LGBT people
- increased self-censorship, strain on mental health, discrimination with impunity, and desire to migrate and seek asylum

Recommendations - SOGIESC

- 01 | Repeal laws, regulations, guidelines, and measures that criminalise or discriminate against persons based on sexual orientation, gender identity, and gender expression (SOGIE) at all levels in line with international human rights law
- 02 | End all forms of LGBT rehabilitation or conversion practices and pathologization of LGBTI persons
- 03 | Address all forms of LGBTIQ-related mis/disinformation and end all forms of censorship of LGBT content and expression
- 04 | Increase capacity state actors on gender, human rights and intersectionality based on international human rights law



Thank you.

