

Malaysia: Is hate against LGBT so strong that gov't will not defend them?

Wednesday 31 July 2019, by [VENGADESAN Martin](#) (Date first published: 4 July 2019).

Lawyers for Liberty has weighed in on Malaysia's vote against the International Labour Organization [Convention on Violence and Harassment](#), saying that Putrajaya and workers' bodies are shirking their responsibilities in defending those under their care.

"It was a very disappointing move by the Malaysian Trades Union Congress (MTUC) and the Malaysian Employers Federation (MEF) to vote against the convention, and for the government to abstain from voting," LFL executive director Melissa Sasidaran told *Malaysiakini*.

"The main mandate of these bodies is to protect the rights and welfare of all workers, regardless of their background, and that should include sexual orientation."

Sasidaran criticised the initial explanations given by the [MTUC](#) and the [MEF](#) on not backing the ILO convention due to the insertion of the LGBT community as a vulnerable group in the original draft.

"The overreaction to the original wording, which included LGBT as a vulnerable group, is irrational," she said.

"What it means is that the hate against LGBT persons is so strong that the government, MTUC and MEF would deny the international recognition and protection against violence and harassment to all workers, just so that they would not be seen to be connected to anything related to LGBT." "In other words, they are implying that the issue at hand does not matter, and that they would even condone violence and harassment in the workplace against the LGBT community and would rather deny protection to all."

U-turn not official

Malaysia's stand on the issue has become murkier, following MTUC president Abdul Halim Mansor saying that the vote on the ILO convention in Geneva was due to "[certain misconceptions](#)."

Halim also said that the MTUC will be "pushing for the government to ratify it with full vigour and without any qualms."

Nothing has changed officially, however, despite Human Resources Minister M Kulasegaran saying on June 27 that the government took a [neutral stand](#) on the ILO convention because it did not wish to be in conflict with its stakeholders.

Kulasegaran is believed to be willing to change the government's position now that the MTUC has retracted its objections.

"While the government at present is, at minimum, responding to any constructive criticisms against their policies, we need to step up the pressure to ensure the government adopts this convention

without discrimination against any group of workers,” Sasidaran said.

“They must take a hard look into their policies on where they stand in terms of workers protection for all, no exceptions.”

Initial vote roundly criticised

The vote in Geneva on June 21 saw ILO member governments, employers’ federations and workers’ representatives deliver a strong mandate to adopt the ILO Convention on Violence and Harassment.

The vote was overwhelming, with 439 delegates voting for the convention’s adoption and only seven voting against, with 30 abstentions.

Both the MTUC and MEF were among the seven who voted against the resolution. Of the seven votes, MTUC was the only trade union umbrella body.

Although Indonesian and Middle Eastern delegations also objected to the initial usage of the term ‘LGBT’, all later voted in support of the treaty.

The Malaysian delegation, however, did not change its vote despite the amended wording. It is believed that this is the part of the misconception that Abdul Halim was referring to when he changed his stance.

Former MTUC president Syed Shahir Syed Mohamud, who was part of the delegation but did not cast a vote, said political realities must have played a part.

“It’s one thing if you want to look like a [progressive nation](#), to go abroad and sign a convention.” But it’s another thing to be able to ratify it,” he said, citing the case of the United States, which in the past has gone to international conferences to sign conventions, only to have problems ratifying them at home.

The votes delivered by the MTUC and MEF and the abstentions by the government courted flak from the All Women’s Action Society (Awam), which was left “extremely disappointed.”

Former MTUC secretary-general Gopal Kisham claimed that leaders of the congress had created a deficit of trust and confidence with the move.

Society for the Protection of Human Rights (Proham) secretary-general Ivy Josiah also expressed shock, since “the MTUC has a long history of defending women’s rights.”

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