

Malaysia: stop targeting LGBT, says PSM

Saturday 27 July 2019, by [LEE Annabelle](#), [Malaysiakini](#) (Date first published: 19 August 2018).

PSM has defended the right of LGBT activists to participate in public events like the International Women's Day demonstration. This in response to Islamist criticism of government and police "failure" to intervene against LGBT participants earlier this year.

The latest attack on the "liberal" approach of the Pakatan Harapan government comes from the deputy president of the Islamist PAS party, Tuan Ibrahim Tuan Man.

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Parti Sosialis Malaysia Deputy chairperson S Arutchelvan was responding to Tuan Ibrahim [dismissing](#) the government's response on the matter as "shallow and disappointing."

On the contrary, the PSM leader described *de facto* Deputy Law Minister Mohamed Hanipa Maidin's parliamentary reply on the matter as "correct and spot on."

"Freedom of assembly is a fundamental law guaranteed by Article 10 of the Federal Constitution. Nobody can stop any citizen from exercising their right to this freedom.

"PSM urges Tuan Ibrahim not to look at these issues from a shallow perspective," he added in a statement this afternoon.

Arutchelvan said the police could have taken action against the participants if laws were broken.

"But you cannot use laws to segregate certain groups of people and criminalise everything we are not comfortable with. We cannot criminalise or stereotype people as we wish.

"We need to be more inclusive in differences in our society as long as it does not violate the individual rights of another," he added.

Arutchelvan pointed out that PSM, in its recent national congress, also passed a resolution asking the government to take a clear stand to protect the LGBTIQ community against hate, violence and discrimination.

In his parliamentary reply on Wednesday, Hanipa said the Women's March [did not violate](#) Article 10 of the Federal Constitution, which guarantees the right to peaceful assembly.

However, Tuan Ibrahim wanted the deputy minister to retract his statement.

"I urge the deputy minister's answer to be withdrawn as it contradicts stipulations in the law and statements from the police." Such an answer is seen as not addressing the real issue and could confuse the public," said the PAS leader.

Women's March didn't violate Federal Constitution, says Hanipa

PARLIAMENT | The Women's March, in which a pro-LGBT group took part, did not contravene the Federal Constitution, *de facto* Deputy Law Minister Mohamed Hanipa Maidin said.

"The Women's March involving the LGBT group did not violate Article 10 of the Federal Constitution," Hanipa said in a parliamentary reply yesterday.

Article 10 of the Federal Constitution allows all citizens the right to assemble peacefully without weapons.

He was responding to Siti Zailah Mohd Yusoff (PAS-Rantau Panjang), who asked why the government classified the Women's March involving the pro-LGBT group as "no further action" when it "obviously violated Islam and the Federal Constitution".

Explaining further, Hanipa said the government did so as the police investigation found the event organiser had submitted [a notice](#) to the police 10 days prior to the march, in line with Section 9(1) of the Peaceful Assembly Act.

"During the assembly, there was no incident that breached the law," Hanipa added.

"Even if the honourable MP's (Siti Zailah's) accusation that what happened had violated Islam was true, under the law, the attorney-general has no power to charge those who go against Islam," he said.

Participants in the march in Kuala Lumpur on March 9 put forward [a list of demands](#), which included an end to child marriage and gender-based violence.

However, the demands were overshadowed by intense criticism over the presence of LGBT participants in the demonstration.

Police previously [questioned](#) nine people in connection with the Women's March.

The police also conducted an investigation under Section 9(5) of the Peaceful Assembly Act 2012 and Section 4(1) of the Sedition Act 1948, after receiving reports from the Dang Wangi district police headquarters.

In May, Home Minister Muhyiddin Yassin said the case was classified as 'no further action'.

A guide to what happened at Women's March

KINIGUIDE | The presence of LGBT participants at yesterday's Women's March in Kuala Lumpur has courted swift and growing backlash from both sides of the political divide.

De facto Islamic Affairs Minister Mujahid Yusof Rawa slammed the defence of LGBT rights at the march as an [abuse of democratic space](#), as he said it was against Islamic teachings.

Bersatu supreme council member Wan Saiful Wan Jan, meanwhile, criticised the participants for "polluting" the march and destabilising the country, while Wanita Umno chief Noraini Ahmad claimed that advocating LGBT rights would lead to "great destruction to social institutions."

At least three police reports are expected to be lodged against the march organised by Penang

Pakatan Harapan Youth, Selangor Bersatu Youth and a group calling themselves Gerakan Srikandi Malaysia.

But what was the march about? What did LGBT participants do and demand for?

Here, *Malaysiakini* recaptures what happened on the ground yesterday.

What was the march about?

The march was held in conjunction with International Women's Day, and its main theme was "*Hentikan Keganasan, Hormati Perempuan*" (Stop violence, respect women).

It focused on five demands:

- Ending all violence based on gender and sexual orientation;
- Banning all child marriages;
- Ensuring women's rights and freedoms to make choices over their own bodies and lives;
- Ensuring a dignified minimum wage of RM1,800; and
- Destroying patriarchy and building genuine democracy at all levels of society.

Throughout the march, these demands were written on a large banner and repeatedly emphasised in the chants.

Were LGBT participants present at the march?

Among the 300 or so people present, some were seen holding rainbow flags, a popular symbol of solidarity for the LGBT community.

Some were also seen holding placards advocating just treatment of LGBT people, among them "People of quality do not fear equality" and "We exist."

Is it true there were 'Hidup LGBT' chants?

Yes. Shouts of "*Jangan kacau LGBT* (Leave the LGBT community alone)" and "*Hidup LGBT* (Long live LGBT)" were heard during the march.

The majority of the chants, however, called for an end to violence against women, rape culture, sexual harassment, child marriage and patriarchy.

Were there demands for 'LGBT rights' at the march?

One speech by a self-identified transwoman highlighted the recent killings of those from the community, and called for an end to gender-based violence and discrimination.

She also stressed that transgender people were equal citizens who were protected by the Federal Constitution.

She repeatedly denied that they sought any "special rights" or special treatment.

The other speeches had called for an immediate ban on child marriages and advocated the rights of Orang Asli women, [disabled women](#), female university students, refugee women and female domestic workers.

Critics have listed SIS and WAO as the organisers of the march. Is this true?

No. According to the Women's March's [website](#), it was coordinated by a "loose coalition comprising various actors including collectives, non-governmental organisations and individuals."

The Sisters in Islam and the Women's Aid Organisation clarified to *Malaysiakini* that none of their members was on the organising committee.

However, both groups stressed they were in full support of the march.

What about reports that the march did not receive a police permit?

The Peaceful Assembly Act 2012 stipulates that organisers need to notify the police 10 days before a march or assembly is held, but makes no mention of a permit.

In a statement to *Malaysiakini*, the organising committee stated that it had notified Dang Wangi police on Feb 25, 10 days before the march.

Despite meeting with the police to inform them of the names of the organisers and the proposed route, they said they did not receive "further communication or objection" from the police before the march.

Throughout the two-and-a-half hour march, at least one police car and several police outriders were observed monitoring traffic conditions and participants.

How have the organisers responded to the backlash?

The organisers have [condemned](#) the singling out of LGBT participants at the march.

"This borders on incitement to hatred and violence towards a section of Malaysian society who are already at risk and facing multiple forms of discrimination.

"We strongly reject such a move, and the continued escalation of this hostile and aggressive treatment.

"A healthy democracy rests on the full and equal participation by all levels of society," read an excerpt.

For this, they attributed blame on the media as well as the "political opportunism by individuals in positions of authority."

This installment of KiniGuide is compiled by ANNABELLE LEE.

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