

14 November 2014

Spokesperson for the UN High Commissioner for Human Rights: Rupert Colville

Location: Geneva

Subjects: (1) Libya (2) Malaysia

(1) Libya

We are alarmed by the escalating violence in Libya with reports of increased human rights abuses, beheadings of activists and the recent closure of the country's national human rights institution in Tripoli. The dramatic increase in use of car bombs in the last few days, with civilians the main victims, illustrates the rapidly deteriorating security and human rights situation in the country. Over the last week alone, there were two explosions in Shahhat, three each in Tobruk, al-Baida and Benghazi, and two in Tripoli, causing several deaths and injuries.

We are very concerned about the continuing threats, intimidation and other repressive measures being taken against Libya's national human rights institution, the National Council of Civil Liberties and Human Rights.

In mid-October, a group of armed men visited the Council, and demanded the hand-over of keys to the premises and the organization's official stamps. In a separate incident, armed men also sought to question a number of senior Council members, including the current General Secretary.

On 21 October, when UN human rights officers visited the building during a visit to Tripoli, they found it deserted.

Then last Sunday, 9 November, armed men in military uniform arrived at the Council, led by a man known for his support for Operation Libya Dawn. According to an eyewitness, the group locked the building and told passers-by that the Council was being shut down by Libya Dawn, and anybody attempting to re-open the Council would be arrested.

We urge those in control of Tripoli to ensure that the office premises of the Council are immediately re-opened and that this key institution is allowed to resume its work without any form of intimidation or obstruction. The UN Human Rights Office stresses the importance of allowing the Council to function smoothly and independently at a time when Libyans are facing serious human rights violations, and the need for independent monitoring in the country is critical.

(2) Malaysia

We welcome the 7 November judgment by the Court of Appeal of Malaysia that declares unconstitutional section 66 of the Syariah Criminal Enactment of Negeri Sembilan State.

The Court of Appeal had been asked to examine the constitutionality of the law of Negeri Sembilan State which criminalizes Muslim transgender women (people who were assigned as male at birth, but identify as female) for wearing women's clothes or presenting themselves as women, with fines and up to six months imprisonment.

The Court found that section 66 infringes the constitutionally guaranteed rights of the appellants to live with dignity, to work, to equality before the law and equal protection of the law, to freedom from discrimination, to freedom of movement and to freedom of expression.

We have received reports of transgender women being arrested and convicted under this and similar laws in other Malaysian States and being subjected to violence, humiliation and discriminatory treatment by authorities, as well as threats against human rights defenders and civil society actors involved in this case or those advocating for the rights of transgender people.

Every person has the right to dignity and to live life free from violence and discrimination – including transgender persons. Laws that criminalize transgender people and discriminate against them on the basis of their appearance, gender identity or expression violate international human rights law. States have an obligation to repeal such laws, and to recognize the gender identity of transgender persons.

The Malaysian authorities should now implement this judgment and ensure effective protection of transgender persons from the violence and discrimination that they continue to face. Recent threats against human rights defenders advocating for the rights of transgender people should also be investigated and measures taken to ensure their protection from reprisals for their human rights work.

ENDS

For more information or media requests, please contact Rupert Colville (+41 22 917 9767 / rcolville@ohchr.org)

UN Human Rights, follow us on social media:

Facebook: <https://www.facebook.com/unitednationshumanrights>

Twitter: <http://twitter.com/UNrightswire>

Google+ [gplus.to/unitednationshumanrights](https://plus.google.com/u/0/unitednationshumanrights)

YouTube: <http://www.youtube.com/UNOHCHR>

Storify: <http://storify.com/UNrightswire>

Check the Universal Human Rights Index: <http://uhri.ohchr.org/en>