

**Refugee Review Tribunal
AUSTRALIA**

RRT RESEARCH RESPONSE

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Questions

1. Could you please provide information regarding the treatment of transsexual persons in Malaysia?

RESPONSE

1. Could you please provide information regarding the treatment of transsexual persons in Malaysia?

A paper by Teh Yik Koon, presented at the Fourth International Malaysian Studies Conference held from 3-5 August 2004 at the Universiti Kebangsaan Malaysia, looks at the situation of male to female transsexuals, known as *mak nyahs*, in Malaysia. The paper indicates that “[g]enerally the present Malaysian society perceive this community in a negative manner, labeling them as sexual deviants, without ever knowing anyone of them or having an understanding on the concepts of gender, sexuality and transsexualism.” The paper includes details of “research carried out in 2000 on 507 *mak nyah* respondents on their characteristics.” It is stated in the paper that:

The Malaysian term for male to female transsexuals is *mak nyah* (Teh, 1998: 169). This term refers to those who have undergone sex change operations as well as to those who have not. It has been estimated that there are about 10,000 *mak nyahs* in the country (Teh, 1998: 169). About 70% to 80% are Malay; the rest are made up of Chinese, Indian and other minority ethnic groups. Islam is the religion of the Malay population and is the official religion of Malaysia. The majority of *mak nyahs* are Muslim.

Islam permits only *khunsa* or hermaphrodites to undergo a sex change operation so that the person can be either a female or a male (Teh, 2002; 46). However, Islam forbids males to

behave like females in terms of cross-dressing, wearing make-up, injecting hormones to enlarge their breasts, and undergoing sex change operations.

In 1983, the Conference of Rulers in Malaysia decided that a *fatwa* prohibiting sex change operations should be imposed on all Muslims, with the exception of hermaphrodites (Teh, 2002; 46). Cross-dressing is also prohibited. Thus, Muslim *mak nyahs* are considered to violate the tenets of Islam, and consequently are non-entities in Malaysian society. They could be charged in the Syariah Court for violating the tenets of Islam.

Non-Muslim *mak nyahs* are mainly Buddhists, Christians or Hindus. They are generally allowed to be *mak nyahs*, although their religion may not allow it. This is because there are no official religious rulings, as there are among Muslims, to enforce the prohibition. Occasionally, they are caught by the police for cross-dressing, and charged with indecent behaviour under section 21 of the Minor Offences Act 1955.

...The *mak nyahs* had a better standard of living during the colonial days (Teh, 2002; 129-130). There were less sex workers then as compared to present day. Many were *Mak Andams* (bride's attendants), *joget* dancers, cooks or artistes. In my interview with a 63 years old *mak nyah*, it was related that *mak nyahs* during the colonial time were a happy lot as they were left to be who they wanted to be. The police and the Islamic religious authorities did not harrass them. The police were good to them and accepted them as they were. Sometimes, the police even gave them a treat, but never asked them for any favours. Many *mak nyahs* went overseas to have their sex change operation as they could afford it since they were earning good money. Those who had their sex change operations could have their names and gender in their identity cards changed to that of females.

Today most *mak nyahs* in Malaysia are employed as sex workers. More than a third of them live below the poverty line of RM500 (Teh, 2002; 56-57). Only a small percentage (4%) of transsexuals actually obtain higher educational degrees. The community as a whole suffers high levels of discrimination, which limits their ability to acquire well-paid jobs and this contributes to their relative impoverishment. The current conditions vary sharply from earlier years, where the community faced less stigma and had greater employment opportunities.

The changing status of transsexuals in Malaysia was closely tied to changes in the political climate, notably the ability of the community to obtain a sex change operation. Before 1983, sex change operations were carried out in Malaysia, although few in number due to the lack of qualified surgeons specializing in this area. The Universiti Hospital (University Malaya Medical Centre) was one of a few hospitals that performed sex change operations. The University Hospital had very meticulous procedures in place before it would carry out an operation. For example, a transsexual patient opting for sex change operation would have to undergo two years of pre-counseling to ensure that the operation was really what the patient wanted. They would also have to go through two years of post-counseling so that they could adjust to their new roles.

The *fatwa* that was decreed by the Conference of Rulers in 1983 changed the whole scenario. Muslim *mak nyahs*, with the exception of *khunsas*, are banned from having the sex change operations. Muslim surgeons are also prohibited from carrying out sex change operations. The immediate effect of the law was to increase the stigmatization of the transsexual community. Muslim *mak nyahs* were now considered violators of the tenets of Islam, and consequently less moral.

The religious non-acceptance and stigmatization of the *mak nyahs* has increased discrimination against them. Besides having problems getting decent paying jobs, they were teased and called derogatory names, they have problems renting a place to live, getting bank loans to purchase their own homes and legally adopting children as they are considered unfit parents

(Teh, 1998; 176-179). The *mak nyahs* who have had a sex change operation cannot change their names and gender in their identity cards to that of females. They could only add their new female names beside their original ones on their identity cards, but their gender remains the same. The lack of a genuine official gender status creates problems for them; they cannot purchase health insurance because they have female organs while their identity cards state that they are males. They also have problems at the immigration as they look female, but their documentation states that they are males. The impact has negatively affected the quality of life of this community.

The discrimination and non-acceptance by society that the male to female transsexuals in Malaysia face have contributed to self-destructive behaviour like drug abuse. It has been estimated that about half of the *mak nyah* community and about 80% of the transsexual sex workers are addicted to drugs (Teh, 2003). The implication of this self-destructive behaviour on HIV/AIDS cannot be ignored since HIV/AIDS cases have already been detected in this community. About 14 % of the *mak nyah* community had tried committing suicide (Teh, 2002; 88). If this situation is left unchecked, it will get worse (Teh, Y.K. 2004, 'The male to female transsexuals in Malaysia: what should we do with them?', *Paper presented at the Fourth International Malaysian Studies Conference, 3-5 August 2004*, Universiti Kebangsaan Malaysia <http://phuakl.tripod.com/pssm/conference/day236.doc> – Accessed 12 June 2009 – Attachment 1).

An earlier paper by Teh Yik Koon dated 2 May 2002 also looks at the situation of transsexuals in Malaysia (Teh, Y.K. 2002, 'Country Report: Malaysia', Transgender ASIA Research Centre, University of Hong Kong website, 2 May. http://web.hku.hk/~sjwinter/TransgenderASIA/country_report_malaysia.htm – Accessed 29 October 2004 – Attachment 2). Another paper by Teh Yik Koon, published in *The International Journal of Transgenderism* dated July-September 2001, provides further information on the survey of 507 *mak nyahs* in Malaysia. The paper refers to the treatment of *mak nyahs* by the police and the Islamic religious authority (Teh, Y.K. 2001, 'Mak Nyahs (Male Transsexuals) in Malaysia: The Influence of Culture and Religion on their Identity', *The International Journal of Transgenderism*, Volume 5, Number 3, July-September http://www.symposion.com/ijt/ijtvo05no03_04.htm – Accessed 12 June 2009 – Attachment 3).

An Immigration and Refugee Board of Canada response to information request dated 30 August 2005 on the treatment of sexual minorities in Malaysia indicates that “[w]hile there are no laws prohibiting sex reassignment surgery or gender reassignment therapy, no laws allow Malaysian transsexuals to officially change their gender on public documents (The Malaysian Bar 1 Feb. 2005). In addition, the Council of Rulers purportedly forbids Muslims from undergoing sex change operations (ibid.)” The response to information request includes the following information on transsexuals in Malaysia:

A 10 November 2004 article published in *The Malay Mail* cited the leader of a Presbyterian church as saying that his church would offer pastoral counselling to transsexuals.

Transsexuals

An article published by The Malaysian Bar estimated that the proportion of transsexuals in Malaysian society could be as high as one in every 200 individuals (1 Feb. 2005). While there are no laws prohibiting sex reassignment surgery or gender reassignment therapy, no laws allow Malaysian transsexuals to officially change their gender on public documents (The Malaysian Bar 1 Feb. 2005). In addition, the Council of Rulers purportedly forbids Muslims from undergoing sex change operations (ibid.). According to The Malaysian Bar,

[b]ecause transsexuals cannot change their identification cards, they face constant harassment and persecution from the police and religious authorities, cannot undergo burial rites in accordance with their religious beliefs, are often refused employment, are deprived of the right to marry lawfully although they are fully functioning members of their chosen sex and are exposed to other dangers such as hate crimes when their sex at birth is revealed. The transsexual community has reported harassment and discrimination even in attempting to open a bank account or applying for a passport. They also face difficulty in finding employment because employers inevitably learn that they were born in the other sex. There are no laws in Malaysia that rule that discrimination against transsexuals at work is unlawful (1 Feb. 2005).

In March 2005, the Taiping Religious Department allegedly arrested a man wearing women's clothes while he was sitting in the garden of a friend's house (*Sunday Mail* 20 Mar. 2005; see also *New Straits Times* 7 Apr. 2005). When the officers realized that the transsexual was not Muslim, they promptly released him; the man later complained to police on the grounds of "wrongful arrest, abuse of power and brutality" (*Sunday Mail* 20 Mar. 2005). While the government does not have any data on the number of people arrested in Malaysia for being transsexual, the Minister of the Women, Family and Community Development Ministry said that there were no Malaysian laws against transsexuals or transvestites since the expression of either of these identities does not break any Malaysian laws (Malaysian Bernama 14 Sept. 2004). However, according to The Malaysian Bar, when transsexuals are detained by police, many end up being victims of sexual violence such as being forced to strip (1 Feb. 2005).

In November 2004, several sources reported that a man who had undergone a sex change and was previously a woman lost his bid to the Ipoh High Court to be legally recognized as a male (The Malaysian Bar 1 Feb. 2005; *Sunday Mail* 21 Nov. 2004; *New Straits Times* 20 Nov. 2004; *ibid.* 16 Nov. 2004; Malaysian Bernama 4 Nov. 2004; see also BBC 5 Nov. 2004). While the High Court stated that Malaysian law did not recognize transsexuals, the deputy home minister declared that the Birth and Death Act of 1957 "will be studied for amendments to cater [to] transsexuals who have undergone sex changes" (*Sunday Mail* 21 Nov. 2004). As well, the government has indicated that it would consider allowing transsexuals to state their new gender in passports and identity cards, provided that certain laws are amended (*New Straits Times* 16 Nov. 2004). While two lawyers have agreed to represent the transsexual pro bono in an appeal (*New Straits Times* 20 Nov. 2004), no information on the outcome of this appeal could be found among the sources consulted by the Research Directorate.

According to the *Sunday Mail*, the Bar Council, non-governmental organizations and religious groups support the rights of transsexuals in Malaysia (21 Nov. 2004). However, the *Sunday Mail* article adds that many transsexuals have difficulty finding employment (*Sunday Mail* 21 Nov. 2004; *New Straits Times* 16 Nov. 2004) and are sometimes abandoned by their families (*Sunday Mail* 21 Nov. 2004). Possibly as a result, many allegedly turn to prostitution (The Malaysian Bar 1 Feb. 2005; *New Straits Times* 16 Nov. 2004) (Immigration and Refugee Board of Canada 2005, *MYS100434.E – Malaysia: Treatment of sexual minorities (August 2004 – August 2005)*, 30 August – Attachment 4).

According to an article dated 1 February 2005 on The Malaysian Bar website referred to in the above mentioned response to information request, "[o]ne of the biggest problems faced by the transsexual community in Malaysia is that of exclusion". It is stated in the article that:

One of the biggest problems faced by the transsexual community in Malaysia is that of exclusion. The transsexual community has frequently been overlooked and excluded from decisions that affect their welfare, livelihood and legal status. While it is true that the Women and Family Development Ministry had in 2000—2001 announced its intention to look into the

problems of the transsexual community and to provide such assistance as they could, there was, prior to 2001, no ministry regarded as appropriate to hear and handle issues pertaining to the transsexual community; and transsexuals continue to be heavily marginalised, underrepresented and misunderstood (Wong, E.L. 2005, 'Neither Here Nor There: the Legal Dilemma of the Transsexual Community in Malaysia', The Malaysian Bar website, 1 February

http://www.malaysianbar.org.my/gender_issues/Neither_here_nor_there_the_legal_dilemma_of_the_transsexual_community_in_malaysia.html – Accessed 12 June 2009 – Attachment 5).

The following documents provide further information on the treatment of transsexuals in Malaysia:

A *Bernama Daily Malaysian News* article dated 29 November 2008 indicates that “UN resident coordinator (Malaysia) Kamal Malhotra” had “said the number of HIV-infected people was on the rise, instead of decreasing” in Malaysia. Malhotra said that Malaysia “needed to focus its resources on five high-risk categories”, including transsexuals (‘HIV cases in Malaysia on the rise, says UN coordinator’ 2008, *Bernama Daily Malaysian News*, 29 November – Attachment 6).

Another *Bernama Daily Malaysian News* article dated 25 November 2008 refers to “Deputy Women, Family and Community Development Minister Noriah Kasnon” saying “the ministry had prepared capacity building programmes for transsexuals.” The article continues:

“In the women and single mother’s programme, we provide trainings in handicraft, tailoring, bakery and beauty therapy which are open to them.”

“With the knowledge and skills, the transsexual groups could get a job or venture into their own business,” she said in reply to Dr Lo’ Lo’ Mohamad Ghazali (PAS-Titiwangsa) who wanted to know about the aid provided by the government to transsexuals (‘Over 7,000 prostitutes busted in “Ops Noda” since 2003’ 2008, *Bernama Daily Malaysian News*, 25 November – Attachment 7).

A report dated 27 October 2008 by the UN Human Rights Council, which summarises stakeholders’ submissions on Malaysia to the universal periodic review, indicates that:

13. AI [Amnesty International] called on the Government to repeal or reform articles 377a and 377b of the Penal Code, which have created an environment, that allows for discrimination against lesbians, gays, bisexuals and transsexuals.

...37. According to COMANGO [Coalition of Malaysian NGOs in the UPR process], the violation of freedom of expression through the regulation of sexuality is most often used against women and the transgendered (UN Human Rights Council 2008, ‘Summary prepared by the Office of the High Commissioner for Human Rights, in accordance with paragraph 15(c) of the Annex to Human Rights Council Resolution 5/1 – Malaysia’, *United Nations General Assembly, A/HRC/WG.6/4/MYS/3*, 27 October, Paragraphs 13 & 37 <http://www.unhcr.org/refworld/country,,,MYS,,49465a111,0.html> – Accessed 11 June 2009 Attachment 8).

A submission dated 8 September 2008 on Malaysia by Amnesty International to the UN Universal Periodic Review is attached. In relation to discrimination based on sexual orientation or identity, it is stated in the submission that “Sections 377a and 377b of the Penal Code, which detail provisions on ‘carnal intercourse against the order of nature’, have created

an environment that allows for discrimination against lesbians, gays, bisexuals and transsexuals, and have been used by the government to silence political dissent” (Amnesty International 2008, *Document – Malaysia: Amnesty International Submission to the UN Universal Periodic Review: Fourth session of the UPR Working Group of the Human Rights Council, February 2009*, 8 September

<http://www.amnesty.org/en/library/asset/ASA28/003/2008/en/b8d828ab-9075-11dd-b16f-6118895def38/asa280032008en.html> – Accessed 9 June 2009 – Attachment 9).

An article in the *New Sunday Times* dated 17 August 2008 indicates that “officers of the Kelantan Islamic Religious Department” had “pounced on the transvestites and transsexuals participating in the beauty pageant at a resort in Bachok on July 25. Sixteen were arrested” ‘(Knowledge is the best ...)’ 2008, *New Sunday Times*, 17 August – Attachment 10).

An article in the *New Sunday Times* dated 18 May 2008 refers to the work done by the PT Foundation in Malaysia, which was started in 1987 to “to offer sexuality counselling and HIV/AIDS information over the phone.” According to the article:

By 1992, PT gradually expanded its services to other marginalised groups -- the transsexuals, the drug users, the sex workers and eventually, people who are living with HIV.

...It started when the transsexual group approached them for help to disseminate information on HIV/AIDS among their people.

“This involvement then spilled over to include sex workers, drug users, and eventually people who were infected and affected by HIV.”

Today, PT provides a safe space, runs an outreach programme and provides drop-in centres at various spots in Kuala Lumpur for each of these communities.

...”PT has done a lot for the mak nyahs (transsexuals) and without PT, we couldn’t have become the way we are now, more empowered, more confident in ourselves,” says Khartini Slamah, founder of the Mak Nyah programme at PT, and who now sits on PT’s board of trustees.

...Money crisis or no, PT managed to win the UNAIDS Red Ribbon Award for its Transsexuals Programme in 2006 and was one of the top five nominees for the 2007 NST Humanitarian Award for its programme on sex workers (Tan, C.C. 2008, ‘Still pink and bold’, *New Sunday Times*, 18 May – Attachment 11).

The PT Foundation website includes information on the programmes for transsexuals provided by the organisation (“Transsexuals And Sex Workers Programs’ (undated), PT Foundation website <http://www.ptfmalaysia.org/transex.htm> – Accessed 12 June 2009 – Attachment 12).

An article in the *New Sunday Times* dated 6 April 2008 indicates that “[f]or the estimated 30,000 transgenders in the country, dealing with rejections from the ‘normal’ members of society is a daily preoccupation. And the first rejection is almost always from family members.” It is stated in the article that:

Turned away from home, most mak nyahs do not finish schooling and would later find it hard to nail a job due to lack of paper qualifications, and harder still to hold one down because of stigmatization.

...Pushed to the brink of survival, many transsexuals have no choice but to resort to sex work, which exposes them to a high risk of contracting HIV/AIDS,

...Where the legal framework is concerned, everything comes to naught. There is no avenue for mak nyahs who have undergone sex change to change their sex stated in personal documents.

...In the 1970s and 80s, transgenders were given the liberty to change their name and bin to binti in the identity card, says Khartini [Slamah, founder of the Mak Nyah Programme at PT Foundation (PTF)], but the practice was stopped after 1990.

Now, a mak nyah can add a female name to her IC, but the male name will be maintained.

Further dialogues with the NRD [National Registration Department] have allowed a transsexual to change her name to a female one, but the alteration is put under the “error in name” clause, meaning the parents had misspelled her name when they applied for her IC.

“But what’s the point of being known as Azlina when the IC shows you are a male?” asks Preetam [Kaur of PTF].

“It’s your identity as a person. If that itself is questionable, everything else you face in life will be a stumbling block -- employment, buying a house, marriage, adoption, getting a bank loan, EPF (Employees’ Provident Fund). It’s already dodgy from day one and it has a domino effect.”

...Transsexuals are wary of anti-vice enforcers, and for those who are Malay, they have to be doubly cautious with the religious authorities.

If caught with more than two condoms in their possession, they can be charged for soliciting business for sex work. Detained mak nyahs might be subjected to body searches.

...So far, PTF has received many cases of mak nyahs who have been subjected to violation of their basic rights while under detention.

...The advocates understand that the police have a duty to perform, but what they ask is for mak nyahs to be treated equally and not be abused.

In recent years, tenacity in advocacy work by PTF and the legal team, such as holding dialogues with the authorities, has carved inroads.

For example, KL police in Dang Wangi, Sentul and Hang Tuah have agreed to place detained mak nyahs in a cell separate from male and female detainees (Chai, M.L. 2008, ‘Speaking up for their gender’, *New Sunday Times*, 6 April – Attachment 13).

Another article on *nstonline* dated 6 April 2008 refers to mak nyahs receiving religious studies at the Mak nyah Drop-in Centre of PT Foundation, with “Ustaz Muhamad Kasim Mohd Osman from the Federal Territory Islamic Affairs Department (Jawi)” explaining “Islamic teachings to his students using simple terms in a non-judgmental manner.” The article indicates that “20 years of relentless efforts in getting the religious authorities to engage in dialogues with transgenders bore fruit when they decided to listen to the silenced community.” According to the article:

“When we talked to bodies like Jawi, Jakim (Department of Islamic Development) and Pusat Islam 10 years ago, we were not entertained. Now, at least they listen to us.

From then on, religious classes started in PTF, anti-vice raids were not so hostile and a few issues were resolved, albeit only a handful out of a sea of questions which remain unanswered till this day.

One of those seen as “solved” is the issue of bathing of the body of a dead Muslim, which must be done by people of the same sex, except if they are related.

In the case of transsexuals, the religious bodies taught them how to bathe a body, so that they can do so for their friends who have died.

Issues that remain in the grey area include will writing, inheritance, and burial (male and female Muslims have different tombstones), among others (‘Spotlight: Mak nyahs have not abandoned God’ 2008, *nstonline*, 6 April http://www.nst.com.my/Current_News/NST/Sunday/Focus/2203815/Article/pppull_index.html – Accessed 12 June 2009 – Attachment 14).

The 2008 Amnesty International report on Malaysia refers to “Ayu, a transsexual,” being “seriously beaten by officials from the Melaka Islamic Religious Affairs Department (JAIM)” on 30 July 2007. The officials “reportedly punched and kicked her, rupturing a pre-existing hernia. A JAIM official stated that Ayu was detained for committing the ‘offence’ of ‘men dressing as women in a public space’, which is punishable by a fine of 1,000 ringgit (US\$300), a six-month prison sentence or both under the Melak Syariah Offences Act” (Amnesty International 2008, *Amnesty International Report 2008: Malaysia*, 28 May – Attachment 15).

An earlier Amnesty International document dated 3 August 2007 includes further information on the assault on Ayu. The document indicates that:

Abuses against transsexual people appear to be rising in Malaysia at the hands of both the ordinary police and so-called ‘religious police’ like JAIM. There are fears that such actions may be creating a climate of vigilantism among community groups and society at large against those whose sexuality or gender identity is perceived to deviate from the ‘norm’.

In April 2007, it was reported that the authorities in Terengganu state were planning to set up a ‘rehabilitation centre’ for transsexual people due to fears that men were becoming more ‘effeminate’ and that many transsexual people were ‘back to their old habit’ even after serving time in prison.

While the scope and target of their operations may differ in different parts of the country, ‘religious police’ may impose sanctions on anyone deemed to be engaged in ‘indecent behaviour’, such as transsexual people, couples kissing in public (both mixed and same-sex), Muslim women deemed to be dressed inappropriately, or even young people wearing punk-style clothing (Amnesty International 2007, *UA 200/07 Fear for safety/torture or ill-treatment: Malaysia Ayu (f), aged 44 Other transsexual individuals in Malaysia*, 3 August, ASA 28/002/2007 <http://web.amnesty.org/library/Index/ENGASA280022007?open&of=ENG-MYS> – Accessed 30 October 2007 – Attachment 16).

An RRT research response dated 31 October 2007 on the situation of homosexuals in Malaysia provides information on the treatment of transsexuals in Malaysia (RRT Research

& Information 2007, *Research Response MYS32402*, 31 October – Attachment 17). Articles referred to in the research response include an article dated 28 October 2007 which indicates that “[t]ranssexuals are still social outcasts, the victims of physical abuse and verbal harassment by the public, police and religious authorities, who advocate counselling and the use of hormone injections to suppress transsexuals’ inclinations.” It is stated in the article that:

Malaysia’s transsexuals are in a legal limbo.

In February 2005, a Malaysian court allowed a non-Muslim male transsexual to change the gender on his identity card after he showed medical evidence of sex-change by surgery, media reports said at the time.

But later that year, the government declared as invalid the marriage of a couple in which the wife was a non-Muslim man who had undergone sex change surgery, saying it was a same-sex union.

“We are tolerant of them (transsexuals). But whether we will have laws that will protect them – I don’t think with the conservative nature of our culture – that we will,” said criminologist P Sundramoorthy.

...Transsexuals are still social outcasts, the victims of physical abuse and verbal harassment by the public, police and religious authorities, who advocate counselling and the use of hormone injections to suppress transsexuals’ inclinations.

“We very much encourage them to return to their original form,” said Abdullah Md Zin, a minister for religious affairs.

“We cannot accept them” (Y-Sing, L. 2007, ‘Malaysia’s transsexuals battle sex change woes’, *Brisbane Times*, 28 October <http://www.brisbanetimes.com.au/news/world/malaysias-transsexuals-battle-sex-change-woes/2007/10/28/1193506339315.html#> – Accessed 29 October 2007 – Attachment 18).

The research response also refers to a compilation of news articles on the Global Gayz website, including an *Associated Press* article dated 12 December 2006 which indicates that a well-known transsexual had said that “[t]ranssexuals are gaining more acceptance in mostly Muslim Malaysia”. According to the article:

Jessie Chung, an ethnic Chinese Malaysian who had sex-change surgery in 2003, said her country’s transsexuals are “luckier than those in some other places” because anti-discrimination campaigns by nongovernment groups have helped to change the way in which many people view them.

“I know this because when I walk down the street, strangers who recognize me often approach me with encouraging words,” Chung told reporters. “Our society is becoming more open-minded.”

Chung, a Christian in her 30s who was born male, made national headlines by becoming the first transsexual to have a public wedding, on Nov. 12, 2005. She married accountant Joshua Beh in front of 800 guests in a ceremony conducted by independent church pastors.

However, the government has ruled the marriage invalid because it is considered a same-sex union. Chung’s identification documents state she is a man, since Malaysian transsexuals cannot legally update their gender status even after changing their sex (‘Prominent Malaysian transsexual sees progress in societal acceptance’ 2006, *The Associated Press*, 12 December,

in 'Gay Malaysia News & Reports' 2007, Global Gayz website, updated 5 September <http://www.globalgayz.com/malaysia-news.html> – Accessed 29 October 2007 – Attachment 19).

Another RRT research response dated 2 February 2007 also includes some information on transsexuals in Malaysia (RRT Country Research 2007, *Research Response MYS31228*, 2 February, (Question 1) – Attachment 20).

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US Department of State <http://www.state.gov/>

United Nations (UN)

UN High Commissioner for Refugees (UNHCR) Refworld

<http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain>

Non-Government Organisations

Human Rights Watch <http://www.hrw.org/>

Amnesty International <http://www.amnesty.org>

Topic Specific Links

International Lesbian and Gay Organisation <http://www.ilga.org/>

International News & Politics

BBC News <http://news.bbc.co.uk>

Region Specific Links

PT Foundation <http://www.ptfmalaysia.org/index.html>

The Malaysian Bar <http://www.malaysianbar.org.my/>

Search Engines

Copernic <http://www.copernic.com/>

Databases:

FACTIVA (news database)

BACIS (DIAC Country Information database)

REFINFO (IRBDC (Canada) Country Information database)

ISYS (RRT Research & Information database, including Amnesty International, Human Rights Watch, US Department of State Reports)

MRT-RRT Library Catalogue

List of Attachments

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