



# Iran: Query response on the situation and treatment of the LGBTQI+ community

January 2024

(Country of Origin Information [COI] between 1<sup>st</sup> January 2020 and 16<sup>th</sup> December 2023)

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# Contents

<b>Contents</b>	<b>3</b>
<b>A. Explanatory Note</b>	<b>5</b>
<b>B. List of Sources</b>	<b>6</b>
<b>I. Background and Introduction</b>	<b>8</b>
<b>II. Legal Framework</b>	<b>9</b>
a. Legislation	9
i. Constitution	9
ii. Criminal code	10
iii. Other relevant legislation affecting LGBTQI+ persons	18
b. Implementation	32
i. Arrests	32
1. Entrapment	39
2. Mistreatment in investigations	40
ii. Treatment in detention facilities	47
iii. Prosecutions and convictions under laws that are deployed against the LGBTQI+ community (or those perceived as supporting the LGBTQI community)	54
<b>III. Treatment by State Actors</b>	<b>64</b>
a. Public statements by government officials	64
b. Homophobia and transphobia in government institutions (incl. state-owned media, within the police, in the prison service, in the judiciary, in the public health service, in the military, in the education system/schools)	70
c. Harassment and violence	94
d. Discrimination	101
i. Access to state-owned housing	101
ii. Access to and treatment in public health services	101
Gender affirming surgery, reparative/conversion therapy, and legal gender change	103
iii. Access to state employment (e.g. civil service, the military)	117
iv. Access to and treatment in public education	118

<b>IV. Societal Attitudes Towards LGBTQI+ Individuals .....</b>	<b>121</b>
a. Transgender individuals.....	127
b. Representation in media.....	133
c. Representation by influential cultural and religious figures.....	136
d. Impact of societal norms on state attitudes and vice versa .....	140
<b>V. Treatment by Non-State Actors .....</b>	<b>142</b>
a. Harassment and violence.....	142
b. Discrimination .....	153
i. Access to housing.....	154
ii. Access to and treatment in work.....	154
<b>VI. Treatment of LGBTQI+ Organizations and Human Rights Defenders .....</b>	<b>156</b>
a. Government recognition of LGBTQI+ NGOs .....	156
b. State treatment of LGBTQI+ activists or those supporting their case or those perceived as such	158
<b>VII. Availability of State Protection .....</b>	<b>163</b>
a. Investigation and prosecution of crimes against LGBTQI+ individuals.....	163
b. Fear of reporting to authorities .....	168

## A. Explanatory Note

### Background

This report presents Country of Origin Information (COI) on Iran focusing on issues identified to be of relevance in refugee status determination for Iranian nationals of the LGBTQI+ community.

The COI presented in this report is illustrative but not exhaustive of the information available in the public domain, nor is it determinative of any individual human rights or asylum claim. All sources are publicly available and a direct hyperlink has been provided.

A list of sources and databases consulted is also provided in this report, to enable users to conduct further research and source assessments. Research concentrated on events that took place between 1<sup>st</sup> January 2020 and 1<sup>st</sup> December 2023. All sources included in this report were accessed between 1<sup>st</sup> November and 16<sup>th</sup> December 2023.

Note that on occasion reports published during the reporting period cite sources which pre-date the cut-off for research. These have been included where they address issues of relevance and the footnotes for these sources have been cited within the document to clearly indicate their publication date.

### Disclaimer

This document is intended to be used as a tool to help to identify relevant COI and the COI referred to in this report can be considered by decision makers in assessing asylum applications and appeals. While we strive to be as comprehensive as possible, no amount of research can ever provide an exhaustive picture of the situation. It is therefore important to note that the absence of information should not be taken as evidence that an issue, incident or violation does not exist. **This report is also not a substitute for individualised case-specific research and therefore this document should not be submitted in isolation as evidence to refugee decision-making authorities.** Whilst every attempt has been made to ensure accuracy, the authors accept no responsibility for any errors included in this report.

## B. List of Sources

Not all of the sources listed here have been consulted for each issue addressed in the report. Additional sources to those individually listed were consulted via database searches. This non-exhaustive list is intended to assist in further case-specific research. To find out more about an organisation, view the 'About us' tab of a source's website.

### Databases

[Asylos's Research Notes \[subscription only\]](#)

[EUAA COI Portal](#)

[European Country of Origin Information Network \(ECOI\)](#)

[Immigration and Refugee Board of Canada – Responses to Information Requests](#)

[Relief Web](#)

[UNHCR Refworld](#)

### Media

[Al Jazeera](#)

[Edge Media Network](#)

[Equal Eyes](#)

[Global Gayz](#)

[Human Rights Activists News Agency \(HRANA\) in Iran](#)

[Inter Press Service](#)

[IranWire](#)

[Pink News](#)

[Reuters](#)

[The Guardian](#)

[The New Humanitarian](#)

### Sources

[6Rang \(Iranian Lesbian & Transgender Network\)](#)

[76 Crimes](#)

[Amnesty International \(Iran\)](#)

[Article 19](#)

[Bertelsmann Stiftung – BTI Transformation Index](#)

[CIVICUS](#)

[Civil Rights Defenders](#)

[EASO's List of sources in its report 'Researching the situation of lesbian, gay, and bisexual persons \(LGBT\) in countries or origin'](#)

[Equal Rights Trust](#)

[EuroMed Rights](#)

[Freedom House \(Iran\)](#)

[Frontline Defenders](#)  
[Global Action for Trans Equality \(GATE\)](#)  
[Human Dignity Trust \(Iran\)](#)  
[Human Rights Watch \(Iran\)](#)  
[International Bar Association](#)  
[International Centre for Prison Studies](#)  
[International Commission of Jurists](#)  
[International Federation for Human Rights \(Iran\)](#)  
[International Lesbian, Gay, Bisexual and Trans and Intersex Association \(ILGA\)](#)  
[International Railroad for Queer Refugees \(IRQR\)](#)  
[ILGA Database](#)  
[International Service for Human Rights](#)  
[InterPride](#)  
[Middle East Institute \(MEI\)](#)  
[Organization for Refuge, Asylum & Migration \(ORAM\)](#)  
[Out Right International](#)  
[Sexual Rights Initiative](#)  
[United Nations Committee Against Torture](#)  
[United Nations Committee on Economic, Social and Cultural Rights](#)  
[United Nations Committee on the Elimination of Discrimination Against Women](#)  
[United Nations Independent Expert on sexual orientation and gender identity](#)  
[United Nations News Centre](#)  
[United Nations Office of the High Commissioner for Human Rights \(OHCHR\) \(Iran\)](#)  
[United Nations Secretary General reports](#)  
[United Nations Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context](#)  
[United Nations Special Rapporteur on extrajudicial, summary or arbitrary executions](#)  
[United Nations Special Rapporteur on extreme poverty and human rights](#)  
[United Nations Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression](#)  
[United Nations Special Rapporteur on the right to education](#)  
[United Nations Special Rapporteur on the situation of human rights defenders](#)  
[United Nations Special Rapporteur on the situation of human rights in the Islamic Republic of Iran](#)  
[United Nations Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment](#)  
[United Nations Special Rapporteur on violence against women, its causes and consequences](#)  
[United Nations Women](#)  
[United States Department of State \(Annual human rights reports\)](#)

## I. Background and Introduction

By way of introduction, in August 2020, an article in the digital news outlet IranWire quoted a sexual minority rights activist: ““Gay people in Iran are in a much worse and more horrific situation than other people in the LGBTQ community,” says Shaya Goldoust. “A gay man is not tolerated by either the family or society. [...]””.<sup>1</sup>

IranWire reported again in October 2020, writing that, in Iran, “There are large groups of transgender, gay, lesbian and queer people who live in the shadows, and always have, for a range of reasons: fear of judgment, discrimination, violence, exclusion from family and community, and legal problems among them”.<sup>2</sup>

In February 2021, Mai Sato and Christopher Alexander published a report with Eleos Justice and the Capital Punishment Justice Project at Monash University on the state-sanctioned killing of sexual minorities, with a case study on Iran. On Iran, it commented that: “Same-sex attraction [...] is pathologised, and dealt with in the medical space”.<sup>3</sup>

In August 2021, the Open Observatory of Network Interference (OONI), OutRight Action International, and the Citizen Lab released a research report on LGBTIQ website censorship in six countries. With regards to Iran, it stated that: “The absence of education about gender and sexuality in Iran results in a gap in people’s knowledge regarding sexual orientation, and gender identity and expression. According to one interviewee, the lack of credible sources for researching LGBTIQ issues and the circulation of misinformation have led some people to think that they are transgender when they are likely to be gay.<sup>364</sup>”

[...] 364 [Shadi] Amin [director of 6rang], interview.<sup>4</sup>

6Rang (the Iranian Lesbian & Transgender Network) noted in January 2022 that: “Even though Iranian law does not criminalise trans individuals, there is still social stigma against these individuals”.<sup>5</sup>

BBC News remarked in September 2022 that: “Over the past few years, a vibrant underground LGBT movement has taken shape inside Iran, but this appears to have increased the authority's hostility”.<sup>6</sup>

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<sup>1</sup> IranWire, [A Dark History: Honor Killings of Iran's LGBTQ Citizens](#), 2 August 2020

<sup>2</sup> IranWire, [Three Transgender Iranians Arrested Because of Instagram Posts](#), 20 October 2020

<sup>3</sup> Mai Sato and Christopher Alexander, [State-Sanctioned Killing of Sexual Minorities: Looking Beyond the Death Penalty](#), February 2021, p. 39

<sup>4</sup> Open Observatory of Network Interference (OONI), OutRight Action International, and The Citizen Lab, [No Access: LGBTIQ Website Censorship in Six Countries](#), 8 August 2021, p. 84

<sup>5</sup> 6Rang (Iranian Lesbian & Transgender Network), [Suicide and neglect: Trans prisoners treated worse than animals in Iran's most notorious prison](#), 10 January 2022

<sup>6</sup> BBC News, ['I want to see the rainbow flag raised in Iran'](#), 11 September 2022



In June 2023, the Human Rights Activists News Agency (HRANA) in Iran wrote that: “Recognition of transgender identity in Iran is solely contingent upon undergoing state-supported sex reassignment surgery”.<sup>7</sup>

6Rang reported in March 2023 on official hate speech used against LGBT people in Iran, quoting Supreme Leader Ali Khamenei in December 2022 using the word “*hamjensbazi*”, a derogatory term for gay people/homosexuality/sex between a man and man or woman and woman.<sup>8</sup> A January 2022 ReportOUT piece also commented on the term (“همجنس باز”)—reportedly equivalent in offensiveness to “faggot”—being written on desecrated rainbow flags in Iran.<sup>9</sup>

## II. Legal Framework

### a. Legislation

#### i. Constitution

In December 2020, ILGA (International Lesbian, Gay, Bisexual, Trans and Intersex Association) World produced a global legislation overview update on their report on state-sponsored homophobia in 2020. On Iran, the report specified that there are no laws in Iran with regards to protection against discrimination based on sexual orientation (constitutional protection, broad protection, employment, hate crime, incitement, banning conversion therapy), and no legal recognition of same-sex marriages, civil unions, joint adoption, or second parent adoption.<sup>10</sup> On freedom of association, the report referred to the following two articles:

Article 26 of the Constitution of the Islamic Republic of Iran (1979) provides for the right to freedom of association provided that it does not violate “Islamic standards” and “the basis of the Islamic Republic”.

Article 8 of the Executive Regulations Concerning the Formation and Activities of Non-Governmental Organizations (2005) provides that the organisation’s constitution and activities must not be in violation of the Constitution.<sup>11</sup>

A February 2022 UK Parliament research briefing on LGBT+ rights and issues in the Middle East stated that: “Iran is an authoritarian theocracy with a Shia Islamic political system. The constitution stipulates Shia Islam to be the official religion and Shi’ite Islamic Sharia law is the basis of Iran’s legal system”.<sup>12</sup>

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<sup>7</sup> Human Rights Activists News Agency (HRANA), [Five Transgender Individuals Arrested and Coerced into Confession](#), 26 June 2023

<sup>8</sup> 6Rang (Iranian Lesbian & Transgender Network), [Silencing protests: Official hate speech against LGBT people as a tool of suppression](#), March 2023, p. 9

<sup>9</sup> ReportOUT, [A New Crackdown? What is Currently Happening in Iran to LGBTQ+ People?](#), 4 January 2022

<sup>10</sup> ILGA (International Lesbian, Gay, Bisexual, Trans and Intersex Association) World, [State-Sponsored Homophobia 2020: Global Legislation Overview Update](#), December 2020, p. 327

<sup>11</sup> ILGA (International Lesbian, Gay, Bisexual, Trans and Intersex Association) World, [State-Sponsored Homophobia 2020: Global Legislation Overview Update](#), December 2020, p. 177

<sup>12</sup> UK Parliament, [Research Briefing: LGBT+ rights and issues in the Middle East](#), 9 February 2022, p. 8

In September 2023, 6Rang wrote on the legal and historical background of gender expression in Iran, summarising the following with regards to the Constitution of Iran:

Article 4 of the constitution of the Islamic Republic set out Sharia as the primary source of laws and regulations. This is fundamental to the core of the regime and in any revisions made to the Constitution.<sup>41</sup> The Guardian Council, composed of 12 members, comprising 6 clerics (*faqih*) and 6 legal experts, with the clerics appointed by the Supreme Leader, holds the responsibility of ensuring compliance with Sharia by making determinations on whether proposed legislations align with Islamic law, thus determining their eligibility to become enacted laws.<sup>42</sup> For over the past four decades, the Guardian Council has made these decisions based on the most conservative interpretation of Sharia that has effectively founded systematic discrimination on the basis of gender and gender expression, this has included torturing and killing those deemed outside the conformity of traditional gender roles.

Women and LGBTIQ+ persons are two groups whose fundamental human rights and existence are affected by gender criteria imposed by the ideology, laws, and policies of the Islamic Republic. [...]

41 Article 4: "[Islamic Principle] All civil, penal financial, economic, administrative, cultural, military, political, and other laws and regulations must be based on Islamic criteria. This principle applies absolutely and generally to all articles of the Constitution as well as to all other laws and regulations, and the wise persons of the Guardian Council are judges in this matter.", available at: <https://www.servat.unibe.ch/icl/ir00000.html>.

42 <https://irandataportal.syr.edu/the-guardian-council>. 2 Shadi Sadr, *Majmooyeh-I Qvanin-i va Mogharrarat-i Poushesh dar Jomhuri-I Islami* [The Collection of Dress Codes and Regulations in the Islamic Republic of Iran] (Nili Book: Tehran, 2009), pp. 188-190. P58-9<sup>13</sup>

In November 2023, the UN Human Rights Committee issued its concluding observations following the review of the country's fourth periodic report under the International Covenant on Civil and Political Rights (ICCPR), within which it stated the following:

While in its Constitution the State party proclaims the enjoyment of equal rights and equal protection before the law, the Committee is concerned that the legal framework does not afford comprehensive and effective protection against discrimination on all the grounds covered by the Covenant, including gender, religion, political or other opinion, sexual orientation and gender identity. The Committee notes that the Charter of Citizenship Rights prohibits the spread of hatred; however, it is concerned by reports of a high prevalence of hate crimes and allegations that hate crimes are not investigated and perpetrators go unpunished.<sup>14</sup>

## ii. Criminal code

*Note: a full English translation of Books One and Two of the 2013 Islamic Penal Code (IPC) can be found [here](#), produced by the Iran Human Rights Documentation Center (IHRDC).<sup>15</sup>*

<sup>13</sup> 6Rang (Iranian Lesbian & Transgender Network), [War on Bodies and Minds: Gender Persecution of LGBTIQ+ Protestors in the Context of the 2022-23 Iran Uprising](#), September 2023, p. 15

<sup>14</sup> UN International Convention on Civil and Political Rights, Human Rights Committee, [Concluding observations on the fourth periodic report of the Islamic Republic of Iran](#), 23 November 2023, p. 3

<sup>15</sup> Iran Human Rights Documentation Center (IHRDC), [English Translation of Books I & II of the New Islamic Penal Code](#), 4 April 2014, pp. 10-11

Published in January 2020, the UN report on the situation of human rights in Iran observed that: “The death penalty continues to be applied in cases of adultery and consensual same-sex intercourse and for offences that are vague in scope, such as *efsad-e fel-arz* (spreading corruption on Earth), thereby granting judges wide-ranging interpretative powers”.<sup>16</sup>

In February 2020, the Iran Human Rights Documentation Center (IHRDC) released a report on access to justice for victims of sexual violence in Iran, giving the following legal background on same-sex rape and sexual assault:

[...] rape is a crime exclusive to male perpetrators. Therefore, a woman cannot commit rape against a man or a woman under Iranian law. But being charged with same-sex rape is possible for men. Again, rape is not a separate crime. Rather, it is a subcategory of the crime of sodomy (*livat*). Article 233 of the IPC [Islamic Penal Code] defines sodomy (*livat*):

Article 233– *Livat* is defined as penetration of a man’s sex organ (penis), up to the point of circumcision, into another male person’s anus.<sup>23</sup>

Article 234 of the IPC declares that forcible sodomy is punishable by death.<sup>24</sup> Iranian law provides for another same-sex crime as well. This crime, called *tafkhez* is defined in Article 235:

Article 235– *Tafkhez* is defined as putting a man’s sex organ (penis) between the thighs or buttocks of another male person.

Note- A penetration [of a penis into another male person’s anus] that does not reach the point of circumcision shall be regarded as *tafkhez*.<sup>25</sup>

Article 236 of the IPC states that the punishment for *tafkhez* is 100 lashes whether it is consensual or coercive.<sup>26</sup> In a case of coercive *tafkhez* the victim would not be punished, but the perpetrator would receive the same 100 lashes as if it were a consensual act.

Consent of the victim does not make a difference in cases of female on female rape or sexual assault either. For the crime of *mosaheqeh*, which is defined as where a female person puts her sex organ on the sex organ of another person of the same sex<sup>27</sup>, the punishment is 100 lashes whether or not coercion was involved.<sup>28</sup> For same-sex relations between males excluding sodomy (*livat*) and *tafkhez*, the punishment is 31 to 74 lashes. Again, the consent of the victim does not make a difference in the perpetrator’s punishment.<sup>29</sup> [...]

23 QANUNI MUJAZATI ISLAMI [Islamic Penal Code] Tehran 1392 [2013], art. 233, available at <https://iranhrdc.org/english-translation-of-books-i-ii-of-the-new-islamic-penal-code/#45>.

24 QANUNI MUJAZATI ISLAMI [Islamic Penal Code] Tehran 1392 [2013], art. 234, available at <https://iranhrdc.org/english-translation-of-books-i-ii-of-the-new-islamic-penal-code/#45>.

25 QANUNI MUJAZATI ISLAMI [Islamic Penal Code] Tehran 1392 [2013], art. 235, available at <https://iranhrdc.org/english-translation-of-books-i-ii-of-the-new-islamic-penal-code/#45>

26 QANUNI MUJAZATI ISLAMI [Islamic Penal Code] Tehran 1392 [2013], art. 236, <https://iranhrdc.org/english-translation-of-books-i-ii-of-the-new-islamic-penal-code/#45>

27 QANUNI MUJAZATI ISLAMI [Islamic Penal Code] Tehran 1392 [2013], art. 238, <https://iranhrdc.org/english-translation-of-books-i-ii-of-the-new-islamic-penal-code/#45>

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<sup>16</sup> UN General Assembly, [Situation of human rights in the Islamic Republic of Iran: Report of the Secretary-General](#), 17 January 2020, p. 2

28QANUNI MUJAZATI ISLAMI [Islamic Penal Code] Tehran 1392 [2013], art. 239, <https://iranhrdc.org/english-translation-of-books-i-ii-of-the-new-islamic-penal-code/#45>  
29 QANUNI MUJAZATI ISLAMI [Islamic Penal Code] Tehran 1392 [2013], art. 237, <https://iranhrdc.org/english-translation-of-books-i-ii-of-the-new-islamic-penal-code/#45><sup>17</sup>

In February 2020, 6Rang noted in a response to a 2019 official report by the Dutch government on the situation of Iranian LGBT persons that: “Just like lesbian, gay and bisexual people, the situation for trans people in IRI [Islamic Republic of Iran] is dangerous and they are being systematically persecuted. [...] To begin looking at some of the ways in which trans people are treated, transgender expressions, including cross-dressing, attract a punishment of flogging (74 lashes) under the broad and vaguely worded article 638 of the IPC [Islamic Penal Code]”.<sup>18</sup>

In an October 2020 report on the death penalty in Iran, the International Federation for Human Rights (FIDH) and the League for the Defense of Human Rights in Iran (LDDHI) wrote on LGBT persons facing capital punishment over sex-related offences, summarising the following in relation to the Islamic Penal Code (IPC):

Lesbian, gay, bisexual, and transgender (LGBT) individuals are directly impacted by the criminalization of certain same-sex conduct, which is punishable by death in Iran.

Lesbianism (*mosaheqeh*) (Article 239 of the IPC [Islamic Penal Code]) occurs when “a female person places her reproductive organ on the reproductive organ of the same sex” (Article 238). This is a crime that is punished by 100 lashes for the first three convictions and by death on the fourth conviction.

Consensual homosexual conduct involving the act of penetration is referred to as “sodomy” (*lavat*) (Article 233). In this case, the death penalty is imposed on the “active party,” only if he is married or the sexual act is not consensual (“forced sodomy” or *lavat-e be-onf*).<sup>95</sup> The “passive party” in consensual sex receives a death sentence whether he is married or not. If the sexual act is not consensual, the “passive party” is not subject to capital punishment. The death penalty is also imposed on a non-Muslim “active party” who engages in either consensual or non-consensual sexual acts with a Muslim party (Article 234 of the IPC). [...]

Article 236 of the IPC punishes intercrural sex (*tafkhez*),<sup>101</sup> i.e. sexual conduct between two men without penetration, with 100 lashes. The penalty is death for the fourth conviction, provided that the defendants have been previously convicted three times and received their lashing sentence in these instances (Article 136). [...]

95. The law does not mention the word equivalent for rape. [...]

101. Article 235 of the 2013 IPC defines *tafkhez* as “placing the reproductive organ of a man between the legs or buttocks of a male person and that includes penetration prior to the tip of the glans.”<sup>19</sup>

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<sup>17</sup> Iran Human Rights Documentation Center (IHRDC), [Access to Justice for Victims of Sexual Violence in Iran](#), February 2020

<sup>18</sup> 6Rang (Iranian Lesbian & Transgender Network), [6Rang letter to Dutch government regarding its asylum policy for Iranian LGBTQI](#), 11 February 2020

<sup>19</sup> International Federation for Human Rights (FIDH) and League for the Defense of Human Rights in Iran (LDDHI), [No one is spared: The widespread use of the death penalty in Iran](#), October 2020, p. 27

The December 2020 ILGA World report on state-sponsored homophobia in 2020 gave the following legislative overview of Iran's penal code:

Under the Iran Islamic Penal Code 2013,<sup>13</sup> the death penalty can be imposed in Iran for at least three specific crimes involving consensual same-sex sexual acts, namely for acts of *livat* (sodomy); for *tafkhez* (rubbing penis between thighs or buttocks); and *musahiqeh* (lesbian sex) if in the latter two cases the convicted individual has already been punished three times for the same act [...].

*Livat (male anal penetration)*

Article 233 defines *livat* (sodomy) as the penetration of a man's sex organ, up to the point of circumcision, into another male person's anus.<sup>14</sup> Article 234 establishes the penalties for such acts depending on the circumstances under which those acts were committed. Two of these are relevant to consensual same-sex sexual acts while one refers to anal rape. Notably, for *livat*, the law provides for a more stringent regime of punishment to the receptive party.

For consensual same-sex sexual acts, the insertive party is punished with the death penalty only under three specific circumstances (if he does not fall under any of these circumstances, the insertive party shall instead be sentenced to one hundred lashes):

1. if he meets the conditions for *ihsan*, a status defined in the IIPC [Iran Islamic Penal Code] as: "a status that a man is married to a permanent and pubescent wife and whilst he has been sane and pubescent has had a vaginal intercourse with the same wife while she was pubescent, and he can have an intercourse with her in the same way [vaginal] whenever he so wishes."<sup>15</sup>
2. if he is a non-Muslim and has penetrated a Muslim.<sup>16</sup>
3. if he is convicted for the fourth time.<sup>17</sup> In contrast, for the receptive/passive party, the death penalty is imposed regardless of the above circumstances.<sup>18</sup>

These conditions limit the circumstances in which the death penalty can be imposed in contrast to the 1991 Islamic Penal Code, which applied to both the insertive and receptive party so long as they were mature, of sound mind, and had free will.<sup>19</sup> However, the new provisions treat the receptive/passive party more harshly compared to the insertive/active party. The receptive/passive party faces a mandatory death penalty unless he proves lack of the conditions of maturity, sound mind, and free will (on other words, if he can prove that he was forced to participate in same sex intercourse).

With regard to these provisions, the Iranian Lesbian and Transgender Network (6Rang) has explained the Iranian authorities usually label incidents of *livat* as non-consensual by "offering a less severe sentence for one of the parties in exchange for the confession that he was forced into same-sex intercourse by the other party".<sup>20</sup> [...] 6Rang has further noted that this lack of due process is exacerbated by the fact that the right to due process and legal representation for those charged with *livat*. is in many cases violated by the judicial authorities.<sup>22</sup>

*Tafkhez (putting penis between male thighs or buttocks)*

Article 235 defines *tafkhez* as the putting of a man's sex organ (penis) between the thighs or buttocks of another male person.<sup>23</sup> Moreover, a penetration of a penis into another male person's anus that does not reach the point of circumcision is regarded as *tafkhez*.<sup>24</sup>

There are two circumstances under which men can be sentenced to death for acts of *tafkhez*:

1. when the active party is a non-Muslim, and the receptive party is a Muslim.<sup>25</sup>
2. upon conviction for the fourth time.<sup>26</sup>

Otherwise, the punishment for the insertive and receptive party is one hundred lashes.<sup>27</sup>

*Musahiqeh (touching between female sex organs)*

*Musaheqeh*, which is sometimes translated as “lesbianism”, is defined under the IIPC 2013 as a situation where a “female person puts her sex organ on the sex organ of another person of the same sex”.<sup>28</sup> A woman convicted for the fourth time may be sentenced to the death penalty.<sup>29</sup> For the first three offenses, the *hadd* punishment is one hundred lashes in all circumstances.<sup>30</sup> [...]

14 Iran Islamic Penal Code, Art. 233.

15 Id., Art. 234, note 2.

16 Id., Art. 234, note 1.

17 Art. 136 of the Iran Islamic Penal Code notes that “[w]here anyone commits the same offense punishable by *hadd* three times, and each time the *hadd* punishment is executed upon him/her, the *hadd* punishment on the fourth occasion shall be the death penalty.”

18 Iran Islamic Penal Code, Art. 234.

19 ILGA World, State-sponsored Homophobia, May 2012, 43.

20 “6Rang letter to Dutch government regarding its asylum policy for Iranian LGBTQI”, 6Rang, 11 February 2020. See also, 6Rang (Iranian Lesbian & Transgender Network), “‘It’s a great honor to violate homosexuals’ rights’: Official hate speech against LGBT people in Iran” (2017), 12. [...]

22 “6Rang letter to Dutch government regarding its asylum policy for Iranian LGBTQI”, 6Rang, 11 February 2020.

23 Iran Islamic Penal Code, Art. 235.

24 Id., Art. 235, Note.

25 Id., Art. 236.

26 Id., Art. 136 notes that “[w]here anyone commits the same offense punishable by *hadd* three times, and each time the *hadd* punishment is executed upon him/her, the *hadd* punishment on the fourth occasion shall be the death penalty.”

27 Id., Art. 236

28 Id., Art. 238.

29 Id., Art. 136 notes that “[w]here anyone commits the same offense punishable by *hadd* three times, and each time the *hadd* punishment is executed upon him/her, the *hadd* punishment on the fourth occasion shall be the death penalty.”

30 Iran Islamic Penal Code, Art. 239.<sup>20</sup>

The January 2021 report of the UN Special Rapporteur on the situation of human rights in Iran explained that: “The death penalty can be imposed for consensual sexual activity between members of the same sex in the Islamic Republic of Iran, with its applicability dependent on the religion and marital status of the persons involved and the nature of the acts (passive or active) while “kissing and touching out of lust” between persons of the same sex is punishable by flogging.<sup>81</sup>”.

[...] 81 Islamic Penal Code, arts. 233–240.<sup>21</sup>

In their report on the state-sanctioned killing of sexual minorities in February 2021, Mai Sato and Christopher Alexander produced the following table on relevant provisions in the Iranian Penal Code of 2013:<sup>22</sup>

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<sup>20</sup> ILGA (International Lesbian, Gay, Bisexual, Trans and Intersex Association) World, [State-Sponsored Homophobia 2020: Global Legislation Overview Update](#), December 2020, pp. 46-48

<sup>21</sup> UN General Assembly, [Situation of human rights in the Islamic Republic of Iran: Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Javaid Rehman](#), 11 January 2021, p. 10

<sup>22</sup> Mai Sato and Christopher Alexander, [State-Sanctioned Killing of Sexual Minorities: Looking Beyond the Death Penalty](#), February 2021, p. 27

**Table 1: Criminalisation of Same-Sex Sexual Acts in the Iranian Penal Code 2013**

<i>Livat</i> (penetrative anal intercourse between men) Article 233	<b>Non-consensual:</b> <ul style="list-style-type: none"> <li>Punishable by death for the insertive/active party if committed by force or coercion (Article 324)</li> </ul> <b>Consensual:</b> <ul style="list-style-type: none"> <li>Punishable by death for the passive party (Article 234)</li> <li>Punishable by death where the insertive/active party is a non-Muslim and the receptive/passive party is a Muslim, (Article 234, Note 1)</li> <li>Punishable by death if a man is past the age of puberty and married to a wife past the age of puberty, and while he has been sane has had vaginal intercourse with the same wife, and he can have an intercourse with her in the same way [vaginal] whenever he so wishes (Article 234, Note 2); otherwise, 100 lashes (Article 234).</li> <li>Punishable by death for the active party upon fourth conviction (Article 136).</li> </ul>
<i>Tafkehz</i> (putting one's penis between the thighs or buttocks of another man) Article 235	<ul style="list-style-type: none"> <li>Punishable by death upon fourth conviction (Article 136); otherwise, 100 lashes (Article 236).</li> <li>Punishable by death upon first conviction if the active party is a non-Muslim and the passive party is a Muslim (Article 236, Note).</li> </ul>
<i>Musabagah</i> (vaginal contact between two women) Article 238	<ul style="list-style-type: none"> <li>Punishable by death upon fourth conviction (Article 136); otherwise, 100 lashes (Article 239).</li> <li>No distinction drawn between 'active' and 'passive', or 'Muslim' and 'non-Muslim' (Article 240).</li> </ul>

Sources: English translation of the Islamic Penal Code is available at: <https://iranhrdc.org/english-translation-of-books-i-ii-of-the-new-islamic-penal-code/#44> (last accessed on 23 January 2021).

In the same report, it was noted that:

One of the interviewees noted that, in Iran, the 2013 Penal Code criminalises same-sex sexual acts, rather than same-sex *love* or *relationships* [...]. Same-sex attraction, on the other hand, is pathologised, and dealt with in the medical space:

The situation for lesbian, gay, and bisexual people in Iran is characterized by a fundamental dichotomy between concepts of perversion and deviation (*enheraf*) on the one hand and pathology and disorder (*ekhtelal*) on the other. This dichotomy is instituted by a legal framework in which homosexual acts are treated as crimes, whereas homosexual desires are taken as symptoms of a gender identity disorder in need of cure. (Bahreini and Nayyeri, 2021)<sup>23</sup>

The report also explained that:

By imposing the death penalty only on the passive/receptive sexual partner in consensual same-sex intercourse, the 2013 Penal Code creates a legal imbalance between sexual partners.<sup>40</sup> Once arrested, the Penal Code has a perverse effect of encouraging false accusations of rape: it incentivises persons alleged to have engaged in consensual acts to 'accuse their partner of rape to save their [own] lives' [...].

<sup>23</sup> Mai Sato and Christopher Alexander, [State-Sanctioned Killing of Sexual Minorities: Looking Beyond the Death Penalty](#), February 2021, p. 39

In addition to avoiding the death penalty, a false rape accusation may also be motivated by a desire to avoid the stigma associated with being gay [...]. The Penal Code could also discourage genuine accusations of rape: victims face the risk of being disbelieved about the coercive nature of the sexual act, which could result in an execution. This is because the disclosure of same-sex sexual interactions to the authorities—even where such acts were non-consensual—constitutes a ‘confession’ of having engaged in such acts, and could be used as evidence to prosecute the victim.). [...]

40 The 1991 Penal Code, on the other hand, did not discriminate on the basis of sexual position, and imposed the death penalty on both parties.<sup>24</sup>

FIDH remarked in a statement in September 2022 that: “Homosexuality is still illegal under domestic law in Iran. The Islamic Penal Code explicitly criminalises same-sex relationships for both men and women, which leads to the persecution of members of the LGBTQI+ community and those defending their rights”.<sup>25</sup>

Freedom House wrote in their annual Freedom in the World report for Iran, published in March 2023 and focusing on events in 2022, that: “The penal code criminalizes all sexual relations outside of traditional marriage, and Iran is among the few countries where individuals can be put to death for consensual same-sex conduct”.<sup>26</sup> The same statement was written in Freedom House’s 2022 report,<sup>27</sup> covering events in 2021, as well the 2021 report covering events in 2020.<sup>28</sup>

The US Department of State (USDOS) 2022 report on human rights practices in Iran, published in March 2023, stated that: “The law criminalizes consensual same-sex sexual activity, which is punishable by death, flogging, or a lesser punishment. The law does not distinguish between consensual and nonconsensual same-sex intercourse, and NGOs reported this lack of clarity led to both the survivor and the perpetrator being held criminally liable under the law in cases of assault”.<sup>29</sup>

Amnesty International confirmed in their annual report on events in 2022, published in March 2023, that: “Consensual same-sex sexual relations remained criminalized with punishments ranging from flogging to the death penalty”.<sup>30</sup>

The fifteenth annual report on the death penalty in Iran by Iran Human Rights (IHR) and Together Against the Death Penalty (ECPM), released in April 2023 and covering 2022, summarises the legislation related to same-sex relations as such:

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<sup>24</sup> Mai Sato and Christopher Alexander, [State-Sanctioned Killing of Sexual Minorities: Looking Beyond the Death Penalty](#), February 2021, p. 42

<sup>25</sup> International Federation for Human Rights (FIDH) and League for the Defense of Human Rights in Iran (LDDHI), [Iran: Death sentence against two women for speaking out in support of LGBTQI+ rights](#), 22 September 2022

<sup>26</sup> Freedom House, [Freedom in the World 2023: Iran Country Report](#), March 2023

<sup>27</sup> Freedom House, [Freedom in the World 2022: Iran Country Report](#), February 2022

<sup>28</sup> Freedom House, [Freedom in the World 2021: Iran Country Report](#), March 2021

<sup>29</sup> US Department of State (USDOS), [2022 Country Reports on Human Rights Practices: Iran](#), 20 March 2023

<sup>30</sup> Amnesty International, [Amnesty International Report 2022/23: The state of the world’s human rights](#), 27 March 2023, p. 199



## SAME-SEX RELATIONS

### LAVAT

Article 233 of the IPC [Islamic Penal Code] defines *lavat* (sodomy) and Article 234 sets out its punishments. In male homosexual relations, the law distinguishes between what it describes as the “active party” and “passive party.” The death penalty is imposed on the “active party” if he is married or commits rape, but the “passive party” receives the death penalty regardless of their marital status. According to Note 1 of Article 234, a non-Muslim “active party” in a sexual act with a Muslim party shall also receive the death penalty.

### TAFKHIZ

*Tafkhiz* (intercural/thigh sex) is defined in Article 235 and according to Article 236, the punishment for both parties is 100 lashes. However, the Note to the Article stipulates that the “active party” shall receive the death penalty if he is non-Muslim and the “passive party” is Muslim.

### MOSAHEGHEH

Defined in Article 238, in cases of *mosahegheh* (lesbian sex), no distinction is made in punishments set for the “active” or “passive” parties, their religion, marital status or consent (Article 240). Article 239 sets out the punishment for *mosahegheh* as 100 lashes. However, as it is a *hadd* crime, it is punishable by death on the fourth occasion if “offenders” are sentenced and receive the lashing punishments on the first three occasions. This has not been specifically stated in law, but can be inferred from the provisions of Article 136 of the IPC on “Repeat Offences” [...].<sup>31</sup>

In an April 2023 article by BBC News on the LGBTQ role in Iran protests, it was written that:

Afsaneh Rigot, a researcher in technology, law and human rights at Harvard University, says: "Seen globally, queer people in Iran face some of the harshest penalties for their existence."

"They are also criminalised in multiple ways, not only under oppressive laws generally criminalising freedom of expression on and offline, but also laws directly criminalising their identities," she adds.

These include wearing clothes considered female if a person is recorded as male at birth.

Other same-sex acts that are criminalised include same-sex "kissing or touching as a result of lust" and are punishable by flogging. These penalties also apply to children under the age of 18.<sup>32</sup>

In May 2023, 6Rang noted that: “The legal and political system of the Islamic Republic of Iran does not recognize any gender identity other than cisgender male or female. Any intimate relationship between two members of the same sex is criminalised”.<sup>33</sup>

6Rang wrote again in September 2023 that: “This legal framework risks creating a situation where willing “recipients” of anal intercourse may feel compelled, when targeted by the authorities, to characterize their consensual sexual activity as rape in order to avoid the death penalty.<sup>53</sup>”.

[...] 53 <https://uprdoc.ohchr.org/uprweb/downloadfile.aspx?filename=6762&file=EnglishTranslation>.<sup>34</sup>

<sup>31</sup> Iran Human Rights (IHR) and Together Against the Death Penalty (ECPM), [Annual Report on the Death Penalty in Iran 2022](#), 13 April 2023, p. 30

<sup>32</sup> BBC News, [Iran protests: LGBTQ community rises up](#), 19 April 2023

<sup>33</sup> 6Rang (Iranian Lesbian & Transgender Network), [Straitjacketed Identities: Reproductive Therapy in Systematic Medical Abuse of Iran’s LGBTI+ People](#), May 2023, p. 9

In September 2023, FIDH and LDDHI remarked in their joint submission to the UN Human Rights Committee's for its review of Iran's fourth periodic report that: "There are no plans to decriminalize same-sex sexual relations, as the punishments stipulated by the Islamic Penal Code and their ongoing imposition show".<sup>35</sup>

The UN Human Rights Committee's November 2023 concluding observations on the fourth periodic report of the Islamic Republic of Iran and its implementation of the ICCPR stated that: "The Committee remains concerned that consensual same-sex relations between adults are criminalized by the Islamic Penal Code, and that persons who are convicted in such cases are punished with severe criminal penalties, ranging from public lashing and flogging to death sentences, which are actively enforced by the State".<sup>36</sup>

ILGA World, in their updated November 2023 report on the enforcement of laws criminalising consensual same-sex acts and diverse gender expressions, remarked that: "Iran's Penal Code does not recognise rape as a separate crime from consensual same-sex activity. Instead, the acts of heterosexual and homosexual rape are discussed as forms of adultery and sodomy respectively".<sup>37</sup>

### iii. Other relevant legislation affecting LGBTQI+ persons

The January 2020 report of the UN Special Rapporteur on the situation of human rights in Iran stated that: "The death penalty may be applied for example in some cases of adultery, for certain cases of consensual same-sex intercourse between men or for offences that are not well-defined, such as *efsad-e fel-arz* ("spreading corruption on earth")".<sup>38</sup>

A January 2020 article in the *Development* journal on transgender identities in Pakistan, India, and Iran wrote that:

[...] in a country like Iran where the entire legislation is based on the idea that only two genders exists, this 'filtering' process does not allow for a trans person that occupies an 'in-between' space. One's sex determines family law, the course they take at university and even where they can sit on the bus, makes this very difficult for those who are transvestite for example [...]

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<sup>34</sup> 6Rang (Iranian Lesbian & Transgender Network), [War on Bodies and Minds: Gender Persecution of LGBTQI+ Protestors in the Context of the 2022-23 Iran Uprising](#), September 2023, p. 17

<sup>35</sup> International Federation for Human Rights (FIDH) and League for the Defense of Human Rights in Iran (LDDHI), [Joint submission: IRAN - UN Human Rights Committee 139th Session \(9 October - 3 November 2023\)](#), 12 September 2023, p. 2

<sup>36</sup> UN International Convention on Civil and Political Rights, Human Rights Committee, [Concluding observations on the fourth periodic report of the Islamic Republic of Iran](#), 23 November 2023, p. 3

<sup>37</sup> ILGA (International Lesbian, Gay, Bisexual, Trans and Intersex Association) World, [Our Identities Under Arrest: A global review on the enforcement of laws criminalising consensual same-sex acts and diverse gender expressions](#), 30 November 2023, p. 170

<sup>38</sup> UN General Assembly, [Situation of human rights in the Islamic Republic of Iran: Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran](#), 28 January 2020, p. 6

While recognition and encouragement of sex change has made space for transgenders in Iran it has adversely affected those that do not define themselves in strict divides: hetero/homo, male/female.<sup>39</sup>

In February 2020, 6Rang noted in their response to a 2019 official report by the Dutch government on the situation of Iranian LGBT persons that:

The persecution is not exclusive to activists or limited to conduct involving physical contact. In addition to imposing corporal punishments and, indeed, the death penalty for consensual same-sex conduct that involves physical contact (articles 234, 236-7, and 239), the Islamic Penal Code (adopted in 2013) also imposes sever [sic] corporal punishments for homosexual expressions either in the society or via social media platforms under its general provisions about immorality and indecency according to articles 639 and 640 IPC [Islamic Penal Code]. In certain cases, these expressions are punished according to article 286 IPC under a more serious charge of *efsad-e-fel-arz* (corruption on earth) punishable by the death penalty.<sup>40</sup>

The response further wrote on legislation relevant to transgender people in Iran:

[...] 6Rang's research shows that the criminalisation of LGB and transgender persons on the basis of sexual orientation and gender identity is increasingly accompanied by a range of legal and medical practices intended to *coerce* LGB and transgender people into reparative or conversion therapies, hormone treatments and sex reassignment and sterilisation surgeries.

In these cases, a free and informed consent of the individual is missing. The Iranian legal framework does not make being a trans person a crime. However, being transsexual is recognised as a medical condition known as Gender Identity Disorder (GID) that is curable through sex reassignment surgeries (SRS). As a result, LGBT individuals have two choices: first, to risk criminal prosecution, (state) harassment, and arbitrary arrest and detention; or second, to seek a diagnosis of GID with a view to undergo sex reassignment surgeries, sterilisation and hormone therapies. This means that LGB people cannot choose to be as they are and can only go through sex change in order express their identity and choose partners of the same sex. For trans persons this means that they cannot choose whether or not to undergo medical procedures. Additionally, medical professionals give the diagnosis of GID to LGBT individuals merely on the account of their same-sex desires and gender non-conformity and to individuals who do not conform to culturally approved models of femininity and masculinity. Thus, LGBT individuals are coerced to either receive reparative therapies aimed at "curing" them of homosexuality or undergo sterilisation and SRS aimed at turning them into "normally gendered" men or women.<sup>41</sup>

At the beginning of December 2020, Human Rights Watch reported on a draft law on violence against women, stating that: "Some of the crimes it sets out violate the right to privacy and other protected freedoms, such as proposing an "illicit relationship" and encouraging or persuading a woman to commit acts contrary to "chastity." While under Iranian law, there is no clear legal definition of what constitutes

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<sup>39</sup> Mahso Gichki, ["Deconstructing Transgender Identities in Pakistan, India, and Iran in Colonial and Post-colonial Context"](#), *Development*, Volume 63, 2020, p. 33

<sup>40</sup> 6Rang (Iranian Lesbian & Transgender Network), [6Rang letter to Dutch government regarding its asylum policy for Iranian LGBTQI](#), 11 February 2020

<sup>41</sup> 6Rang (Iranian Lesbian & Transgender Network), [6Rang letter to Dutch government regarding its asylum policy for Iranian LGBTQI](#), 11 February 2020

acts against chastity, judges have interpreted it to include, and thus criminalize, consensual sexual relationships short of sexual intercourse, and homosexual relationships”.<sup>42</sup>

The December 2020 ILGA World global legislation overview update for their state-sponsored homophobia report wrote the following on Iran:

*Efsad-e-fel-arz (spreading “corruption on Earth”)*

Some commentators have suggested that the vague provision of *efsad-e-fel-arz* (corruption on Earth) can also be used against non-heterosexual [sic] individuals. [...]

Although the provision does not contain any explicit SOGIESC [sexual orientation, gender identity, gender expression and sex characteristics] reference,<sup>33</sup> there have been reported instances of this provision being used against LGBTQ+ individuals. [...]

[...] courts may use other charges such as *efsad-e-fel-arz* (corruption on Earth) which disguises the fact that the death penalty may have been imposed for consensual same sex sexual relations. [...]

33 Art. 286 of the Iran Islamic Penal Code states: “Any person, who extensively commits felony against the bodily entity of people, offenses against internal or international security of the state, spreading lies, disruption of the economic system of the state, arson and destruction of properties, distribution of poisonous and bacterial and dangerous materials, and establishment of, or aiding and abetting in, places of corruption and prostitution, [on a scale] that causes severe disruption in the public order of the state and insecurity, or causes harsh damage to the bodily entity of people or public or private properties, or causes distribution of corruption and prostitution on a large scale, shall be considered as *mofsed-e-fel-arz* [corrupt on Earth] and shall be sentenced to death.”<sup>43</sup>

The report also gave the following summary on non-explicit legal barriers for LGBTQ+ individuals in Iran:

Article 6 of the Press Law (1986) claims that “the Press is free, except for items which undermine Islam’s bases and commandments, and public and private rights, including the spread of “fornication and forbidden practices” and “publishing photographs, pictures, and material which violate public chastity”. A violation of this provision is subject to punishments as determined in Article 698 of the Islamic Penal Code (imprisonment of between two months to two years and flogging of up to 74 lashes) and in the event of persistence, to an intensification of the punishments and the forfeiture of license.

Article 14 of Law on Computer Crimes (Law No. 71063) (2009) punishes with imprisonment and fines “the use of computer systems, telecommunications systems or data carriers to publish or distribute immoral content, or their storage with the intention of corrupting society”. Article 15 explicitly includes acts of “sexual perversion”.

Article 640 of the Islamic Penal Code (2013) prohibits “displays and shows to the public, or produces or keeps any writing or design, gravure, painting, picture, newspapers, advertisements, signs, film, cinema movie, or basically anything, that violates public prudency and morality”.<sup>44</sup>

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<sup>42</sup> Human Rights Watch, [Iran: Adopt Draft Law to Protect Women](#), 4 December 2020

<sup>43</sup> ILGA (International Lesbian, Gay, Bisexual, Trans and Intersex Association) World, [State-Sponsored Homophobia 2020: Global Legislation Overview Update](#), December 2020, pp. 48 and 50

<sup>44</sup> ILGA (International Lesbian, Gay, Bisexual, Trans and Intersex Association) World, [State-Sponsored Homophobia 2020: Global Legislation Overview Update](#), December 2020, p. 154

The same report also specified that there are no laws in Iran with regards to protection of LGBTQ+ persons (constitutional protection, broad protection, employment, hate crime, incitement, banning conversion therapy), and no legal recognition of same-sex marriages, civil unions, joint adoption, or second parent adoption.<sup>45</sup>

On freedom of association, the report referred to the following two articles:

Article 26 of the Constitution of the Islamic Republic of Iran (1979) provides for the right to freedom of association provided that it does not violate “Islamic standards” and “the basis of the Islamic Republic”.

Article 8 of the Executive Regulations Concerning the Formation and Activities of Non-Governmental Organizations (2005) provides that the organisation’s constitution and activities must not be in violation of the Constitution.<sup>46</sup>

With regards to protection of LGBTQ+ persons and prosecution of perpetrators of violence against them, IHR wrote in a May 2021 article that: “Article 302 of the new IPC [Islamic Penal Code] sets out a list of those that are *mahdoor-ol-dam*, one whose blood may be shed with immunity or deserving of death. Article 302(a) states that anyone charged with committing a crime against an individual who has committed a *hadd* crime punishable by death is considered *mahdoor-ol-dam* and the perpetrators of the murder against them will not be sentenced to *qisas* or have to pay *diya* (blood money)”.<sup>47</sup>

Regarding military exemption, the same article also wrote that:

A two-year military service is compulsory for all men in Iran unless they are exempted on one of the sanctioned grounds. Gay men may be exempted after going through a long and arduous process. According to the army’s 2020 Medical Exemption Regulations, “Article 33, Paragraph 8” will be written in the exemption section of their military cards. Article 33 Psychological exemptions are covered by Article 33, and Paragraph 8 refers to “behavioural disorders (neural and mental imbalances) and deviancies contrary to military etiquette, as well moral and sexual deviancies such as transsexualism.”<sup>48</sup>

In May 2021, Deutsche Welle (DW) released a piece on transgender people in Iran, writing that:

Transgender individuals live and work with no legal barriers in the country. [...]

When it comes to other forms of non-heterosexual identity, the state is not so lenient: Under certain circumstances, gay men and lesbians face the possibility of draconian penalties. The closest thing to recognition that gay men enjoy is an exemption from compulsory military service. In addition to gay sex being punishable by death, the government classifies men who want to have sex with other men as

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<sup>45</sup> ILGA (International Lesbian, Gay, Bisexual, Trans and Intersex Association) World, [State-Sponsored Homophobia 2020: Global Legislation Overview Update](#), December 2020, p. 327

<sup>46</sup> ILGA (International Lesbian, Gay, Bisexual, Trans and Intersex Association) World, [State-Sponsored Homophobia 2020: Global Legislation Overview Update](#), December 2020, p. 177

<sup>47</sup> Iran Human Rights, [Iran: The Islamic Penal Code Promotes Violence Against the LGBT Community](#), 15 May 2021

<sup>48</sup> Iran Human Rights, [Iran: The Islamic Penal Code Promotes Violence Against the LGBT Community](#), 15 May 2021

mentally ill and therefore incapable of serving in the military and ineligible for a wide range of public service jobs.<sup>49</sup>

In a May 2021 public statement, Amnesty International commented on further Iranian law relevant to LGBTI individuals:

Iranian criminal law also penalizes individuals who do not conform to stereotypical norms of “femininity” and “masculinity”, in violation of the rights to non-discrimination, privacy, freedom of belief and religion, freedom of expression, and protection from arbitrary arrests and detention, torture and other ill-treatment.

Article 638 of the 1996 Islamic Penal Code concerning *ta’zir* crimes<sup>9</sup> subjects any conduct in public deemed “religiously forbidden” (*haram*) or otherwise “offensive to public decency” to imprisonment of between 10 days to two months and/or flogging of up to 74 lashes. A note to Article 638 further imposes compulsory veiling on women and girls over the age of nine, and makes women and girls who fail to cover their head and comply with a strict Islamic dress code in public liable to imprisonment and/or fines. These provisions put women who may wish to wear items of clothing and accessories stereotypically regarded as “masculine” and men who wish to wear make-up and display expressions and behaviors stereotypically regarded as “feminine” at increased risk of discrimination, harassment, arbitrary arrest and detention, torture and other ill-treatment.

Currently, if LGBTI individuals in Iran wish to adopt, without being criminalized, a gender presentation not matching the stereotypical expectations associated with their biological sex, their only option is to apply for a legal sex change. This would involve undergoing gender reassignment surgery, as well as sterilization, and obtaining identity documents matching their preferred gender identity, which then legally changes their sex. Non-binary and other gender non-conforming individuals who cannot or do not wish to undergo gender reassignment surgery, change their legal sex or choose between the binary gender categories of man and woman are at a constant risk of criminalization. They also experience discrimination in access to education, employment, health care and public services because the Islamic Republic system in Iran heavily enforces gender segregation across a wide range of institutions and public spaces, and imposes strict dress codes for men and women.

The Iranian authorities continue to resort to the laws criminalizing same-sex sexual relations and gender non-conformity to persecute individuals on account of their actual or perceived sexual orientation, gender identity and gender expression, including by invading the private residences of individuals alleged to be engaging in homosexuality or “cross-dressing”.<sup>10</sup> [...]

9 The Islamic Penal Code of Iran consists of five parts. The first four parts are contained in a piece of legislation that was adopted in 2013 and concerns general principles, *hadd* crimes (crimes that have fixed definitions and punishments under Shari’a law and crimes punishable by “retribution-in-kind” (*qesas*) and/or “blood money” (*diyah*)). The fifth part is retained in a piece of legislation from 1996, which is still in effect and concerns *ta’zir* crimes (crimes that do not have a pre-determined definition and punishment under Shari’a law).

10 Justice for Iran, *Diagnosing Identities, Wounding-Bodies*, June 2014, <https://justice4iran.org/9226/>; Human Rights Watch, “We Are a Buried Generation”: *Discrimination and Violence against Sexual Minorities in Iran*, December 2010; <https://www.hrw.org/report/2010/12/15/we-are-buried-generation/discrimination-and-violence-against-sexual-minorities>; The Guardian, *Iran arrests 'network of homosexuals and satanists' at birthday party*, October 2013, <https://www.theguardian.com/world/2013/oct/10/iran-arrests-network-homosexual-satanists>; OutRight Action

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<sup>49</sup> Deutsche Welle (DW), [How transgender people navigate Iran](#), 16 May 2021

International has a number of reports on these issues on the Iran page of its website:  
<https://outrightinternational.org/region/islamic-republic-iran><sup>50</sup>

The same statement also commented on provisions in the Islamic Penal Code relevant to honour killings:

There are multiple provisions in Iran's 2013 Islamic Penal Code which facilitate or contribute to the commission of so-called "honour" killings in Iran, and, thereby, place girls and women and LGBTI persons at increased risk of violations of the right to life.

Article 301 of the 2013 Islamic Penal Code exempts men who kill their children and grandchildren from "retribution-in-kind" (*qesas*), which is the punishment provided for murder under Iranian law. The 2013 Islamic Penal Code does not provide what alternative sentences the perpetrator shall receive in such circumstances, but it is possible for the prosecution authorities to rely on Article 612 of the 1996 Islamic Penal Code concerning *ta'zir* crimes<sup>51</sup> to seek a prison sentence of between three and 10 years in prison on the basis that the perpetrator's conduct caused "disruption in order and security" or stirred "fears" that he or others may commit it again.

Article 302 of the 2013 Islamic Penal Code exempts any perpetrator of murder from "retribution-in-kind" (*qesas*) and the payment of "blood money" (*diyah*) if they establish that the murder victim had committed a *hadd* crime (crimes that have fixed definitions and punishments under Shari'a law and are considered to be against God) punishable by the death penalty; the "crimes" related to consensual same-sex relations [...] as well as adultery and certain sexual conduct outside marriage fall within the scope of this provision. Again, the 2013 Islamic Penal Code does not provide what alternative sentences the perpetrator shall receive in such circumstances, but they may eventually receive a prison sentence of between three and 10 years in prison on the basis of Article 612 of the 1996 Islamic Penal Code.

Article 303 of the 2013 Islamic Penal Code provides that even when the murder victim is not proven to have committed a *hadd* crime, if the perpetrator establishes that he "falsely" killed the victim on the basis of a belief that the victim had committed a *hadd* crime, the perpetrator would still be exempt from "retribution-in-kind" (*qesas*) and would only be required to pay "blood money" (*diyah*) and serve between three to 10 years in prison, as per Article 612 of the 1996 Islamic Penal Code.

Amnesty International opposes the death penalty in all circumstances, but is alarmed that Iranian criminal law exonerates or reduces the punishment for killings that are effectively related to the defence of "honour", thereby justifying and normalizing violence against women, girls, and LGBTI persons engaging in conduct deemed as "religiously forbidden" (*haram*) and constituting a "crime against God".<sup>51</sup>

A few days later, Amnesty International also wrote in May 2021 that: "Any gender presentation outside of what is expected from an individual's biological sex at birth must be accompanied by a legal sex change, or else be considered a criminal offence. This mandates gender reassignment surgery, sterilisation, and a complex documentation process for all gender non-conforming individuals, and threatens all who do not comply with criminal prosecution".<sup>52</sup>

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<sup>50</sup> Amnesty International, [Iran: Murder of 20-year-old gay man highlights urgent need to protect LGBTI rights](#), 17 May 2021, p. 4

<sup>51</sup> Amnesty International, [Iran: Murder of 20-year-old gay man highlights urgent need to protect LGBTI rights](#), 17 May 2021, p. 5

<sup>52</sup> Amnesty International, [Iran: Why Was Alireza Fazeli Monfared Murdered?](#), 21 May 2021



In June 2021, Mai Sato and Christopher Alexander wrote a piece for the *Australian Outlook*, of the Australian Institute of International Affairs, on state persecution of sexual minorities. It stated that:

In Iran, the criminal code distinguishes between murder and “honour” killings. This allows the offender to receive a lesser punishment compared to a punishment for murder conviction, or escape punishment completely. In these cases, the murder is committed by individuals, but the state is essentially sending the message to its citizens that it is acceptable to kill people based on their sexual orientation. The Iranian penal code provides that if the father carries out the honour killing, he can avoid punishment (*qisas*). Similarly, if the killing was a reaction to the victim committing a capital offence, the offender only needs to pay compensation (*divat*).<sup>53</sup>

The OONI, OutRight Action International, and the Citizen Lab’s August 2021 research report commented on the Computer Crimes Law and its relevance for LGBTIQ communities in Iran:

LGBTIQ individuals have been targeted online in the form of surveillance and harassment. Iran’s new Islamic Penal Code of 2013, particularly Article 639, further empowers authorities to target members of LGBTIQ social media groups and organized community chatrooms for facilitating a “place of immorality.”<sup>375</sup> The passing of the Computer Crimes Law has significantly expanded state surveillance and censorship powers, because many Internet-related laws are written vaguely, allowing for their broad application. Article 14 of the Computer Crimes Law, for example, criminalizes “producing, sending, publishing, distributing, saving or financially engaging in obscene contact by using computer or telecommunications systems or portable data storage devices.”<sup>376</sup> This article has been used to enforce state-defined morality against LGBTIQ communities and to prohibit the dissemination of materials, such as sexual health information.<sup>377</sup> Article 15 criminalizes the use of devices for inciting or aiding and abetting crimes. Additional language notes that fines and prison sentences are mandated for anyone who encourages “the public access to immoral content or facilitates access to this content,” or who “provokes or invites the public to participate in crimes against chastity . . . or acts of sexual perversion.”<sup>378</sup> Similarly, Article 18 “criminalizes the use of a computer or telecommunications to disseminate lies with the intention of damaging the public, disturbing the public state of mind or disturbing the official authorities’ state of mind.”<sup>379</sup> [...]

345 James Marchant et al., *Breaking the Silence: Digital Media and the Struggle for LGBTQ Rights in Iran* (Small Media, 2018): 92, [https://smallmedia.org.uk/media/projects/files/BreakingTheSilence\\_2018.pdf](https://smallmedia.org.uk/media/projects/files/BreakingTheSilence_2018.pdf). [...]

375 Being Lesbian in Iran (New York, NY: OutRight Action International, 2016): 36, <https://outrightinternational.org/sites/default/files/OutRightLesbianReport.pdf>.

376 Marchant et al., *Breaking the Silence*, 92; Matthew Carrieri et al., *After the Green Movement: Internet Controls in Iran, 2009-2012* (OpenNet Initiative, February 2013), <https://opennet.net/blog/2013/02/after-green-movement-internet-controls-iran-2009-2012>.

377 Rubin, “Evolution of Iranian Surveillance Strategies Toward the Internet and Social Media.”

378 Marchant et al., *Breaking the Silence*, 92.

379 Ibid.<sup>54</sup>

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<sup>53</sup> Mai Sato and Christopher Alexander, [When the State Kills: Persecution of Sexual Minorities](#), *Australian Outlook*, 17 June 2021

<sup>54</sup> Open Observatory of Network Interference (OONI), OutRight Action International, and The Citizen Lab, [No Access: LGBTIQ Website Censorship in Six Countries](#), 8 August 2021, p. 85



Amnesty International reported in January 2022 that: “Gender non-conforming individuals in Iran risk criminalization unless they seek a legal gender change, which require gender reassignment surgery and sterilization”.<sup>55</sup>

In February 2022, HRANA wrote in an article that: “Gender affirmation surgery has not been designated as legal or illegal under Iranian civil law. In 2013, however, Family Protection Bill set out some rules about the sex change process. In 1982, in a Fatwa, Ruhollah Khomeini, authorized religiously the sex-change surgery. Nonetheless, uncertainties in the law regarding this process and official acceptance of new identity have confused many transgender citizens who are afraid of being deprived of their rights by the erratic attitude of legal authorities”.<sup>56</sup>

In February 2022, the UK Parliament research briefing on LGBT+ rights and issues in the Middle East stated that: “Iran [...] has strict laws preventing freedom of expression and the government uses them widely to shut down media outlets, websites and organisations with content related to sexual orientation. There are also no protections, constitutional or otherwise, against discrimination and same-sex marriage or civil unions are not recognised”.<sup>57</sup>

In April 2022, Sayeh Isfahani wrote for the Atlantic Council, as well as for ARTICLE19, on the potential impact of a new Iranian Internet ‘Protection Bill’ on the LGBTQI community. The post stated that:

International human rights organizations and the United Nations are saying a lot about the repressive “Regulatory System for Cyberspace Services Bill”—widely referred to as the “Protection Bill”—currently under review by the Iranian parliament. However, not much light has been shed on one of the most marginalized groups that will suffer the most: Iran’s LGBTQI community. [...]

Queer expression and identities are targeted as “immoral” or “obscene” criminal acts within Iran’s Islamic Penal Code and, in some cases, are punishable by the death penalty. Despite this, the queer community has been using social media, dating apps—like Grindr, Hornet, Bumble, and Tinder—along with messaging apps like WhatsApp and Telegram in creative ways to forge a semblance of community online. [...]

All these hard-earned but fragile gains can be eroded, or at least severely impaired, if Iran’s parliament, as expected, proceeds with ratifying and implementing this oppressive piece of legislation.

Access to Internet and online anonymity at risk

Several key provisions in the Protection Bill pose an imminent threat to freedom of expression in Iran and endangers the LGBTQI community in particular. The bill envisions tightened state control over online spaces and aims to erode online anonymity while criminalizing VPNs (Virtual Private Networks)—essential tools for circumventing online censorship.

Under the bill, control over key communication infrastructure will be delegated to armed forces and security agencies—including the Islamic Revolutionary Guards Corps (IRGC) and police force—that have a history of cracking down on marginalized communities. These agencies, which lack transparency and

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<sup>55</sup> Amnesty International, [Ill-Treated Iranian LGBTI Defender At Risk](#), 25 January 2022

<sup>56</sup> Human Rights Activists News Agency (HRANA), [Transgender Citizen Dies By Suicide After Disallowance of Gender Affirming Surgery](#), 8 February 2022

<sup>57</sup> UK Parliament, [Research Briefing: LGBT+ rights and issues in the Middle East](#), 9 February 2022, p. 8

have been the main perpetrators of the persecution of LGBTQI persons in Iran, would be in a position to shut down and surveil the Internet with increased impunity and ease. [...]

One of the most concerning provisions of the bill is a chapter which, in practice, would lead to the introduction of a blanket ban against all international services, especially social media platforms and encrypted communication tools. Iran already has one of the most censored online spaces in the world, where all major social media platforms—except Instagram—are banned.

The imposition of such a blanket ban, coupled with provisions in the bill that aim to criminalize VPNs, would severely curtail access to encrypted communications and platforms outside the control of authorities inside Iran. In a country where authorities have no qualms in policing private lives and criminalizing queer bodies and expressions to the extreme of the death penalty, encrypted and independent communication tools are one of the last barricades protecting people's online privacy. [...]

In Iran, online anonymity and encryption aren't enough to prevent the targeting and identification of at-risk groups. Similarly, users in Iran live in a climate where state actors are on the watch to spot the smallest "blunder" in order to identify users and mount charges against them. What little protective shields there were to help users will be withered away with the enforcement of the Protection Bill.

The Islamic Republic also hopes to push people onto local platforms linked to state agencies by curtailing access to secure communication tools. These platforms don't use encryption and would not hesitate to share user data with authorities. Bereft of privacy protections, especially from the state, online spaces will turn into hunting grounds for security agencies, where they can roam with impunity.

Furthermore, provisions in the bill aim to reinforce the Islamic Republic's data localization push. The bill will either result in users emigrating to local services or potentially strong-arming international firms into hosting users' data inside Iran. The latter can lead to a situation where authorities can pressure the companies into surveillance and censorship operations, as seen in countries such as Russia.

With authoritarian states increasingly relying on digital "evidence" to persecute and prosecute at-risk groups like the LGBTQI community, data localization can turn online spaces into a treasure trove for security agencies.

The bill also requires platforms to "authenticate" users, tying their legal identity to their online persona. This will remove online anonymity, pushing users toward more self-censorship if not total withdrawal from online expression.

Many Iranians, including the queer community, rely on online anonymity to evade persecution at the hands of state actors. The institutions responsible for this persecution include Iran's Cyber Police as well as the numerous cyber divisions of the IRGC and its militia arm, the Basij. Benefiting from hefty budgets, these state actors monitor social media platforms and often orchestrate "raids" leading to the arrest of people criticizing the clerical establishment and security agencies or those "flouting morals and religious values." Beyond the state, queer individuals in Iran rely on online anonymity to evade hate crime, which in many cases, although sanctioned by the state, is perpetrated by their relatives. [...]

The bill also aims to criminalize the development, reproduction, and distribution of the ubiquitous methods Iranians use to circumvent censorship (VPNs and proxy software). A clause in the bill makes the use of these tools punishable by up to two years in jail. Since the Internet is strictly censored in Iran, people heavily rely on these tools for accessing the most basic services, including secure online communication tools, video sharing platforms like YouTube, and dating apps.

By creating a new criminal offense, which is likely to entail phone searches and online surveillance, the bill will expose the LGBTQI community to higher risk of persecution.

Over the past couple of years, confiscation of electronic devices and unwarranted laptop and phone searches have become the norm for Iranian security forces, even when arresting women for "disregarding hijab rules." The criminalization of VPNs would provide officers with additional legal justification to

conduct such searches that have been known to create double or layered legal consequences and charges for communities such as LGBTQI people.

VPN criminalization is also widely known to be a part of a wider policy of a multi-tiered system of Internet access. The creation of “legal VPNs” has long been discussed by top officials such as President Ebrahim Raisi. The policy would mean users are ranked based on their profession and proximity to centers of power and given different levels of access to the Internet.<sup>58</sup>

The 2021 USDOS report on human rights practices in Iran, published in April 2022, stated that: “The law does not prohibit discrimination based on sexual orientation and gender identity”.<sup>59</sup> The same statement is found in the 2020 USDOS report on human rights practices in Iran, published in March 2021.<sup>60</sup>

In a July 2022 country update for religious freedom in Iran, the US Commission on International Religious Freedom (USCIRF) remarked that: “Iranian lesbians also have little legal recourse if forced by their families into heterosexual marriages where they are subjected to sexual relations with a man against their will”.<sup>61</sup>

ARTICLE19 published a legal analysis in July 2022 on two supplementary articles to Book Five of the Islamic Penal Code (on *Ta’zirat* and Deterrent Punishments) along with five notes, added to the Islamic Penal Code in January 2021, and their compliance with international human rights law. In reference to Article 499 *bis*, which “imposes heavy punishments on anyone who ‘insults’ legally recognised religions, Islamic branches, and Iranian ethnicities with the intention to cause ‘violence or tension’ in society or with the knowledge that their conduct will result in ‘violence or tension’”,<sup>62</sup> the report wrote that:

Article 499 *bis* merely refers to ‘religions’ and ‘ethnicities’ in their abstract forms, without naming the groups the prohibited expression is targeting or the protected characteristics. This failure to include all the protected characteristics that appear under the broader non-discrimination provisions of international human rights law – such as race, language, sex, gender identity, sexual orientation, migration or refugee status, political or other opinion, and disability – is despite the fact that individuals and groups with protected characteristics, including the lesbian, gay, bisexual, transgender, questioning, and intersex (LGBTQI) community and migrants and refugees from Afghanistan, have faced systematic hate speech over the past decades.<sup>63</sup>

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<sup>58</sup> Atlantic Council, [The Internet ‘Protection Bill’ will hurt all Iranians, but the queer community will have the most to lose](#), 12 April 2022

<sup>59</sup> US Department of State (USDOS), [2021 Country Reports on Human Rights Practices: Iran](#), 12 April 2022

<sup>60</sup> US Department of State (USDOS), [2020 Country Reports on Human Rights Practices: Iran](#), 30 March 2021

<sup>61</sup> US Commission on International Religious Freedom (USCIRF), [Country Update: Iran - Religious Freedom in Iran in 2022](#), July 2022, p. 4

<sup>62</sup> ARTICLE19, [Legal Analysis: Iran: New Penal Code provisions as tools for further attacks on the rights to freedom of expression, religion, and belief](#), 6 July 2022, p. i

<sup>63</sup> ARTICLE19, [Legal Analysis: Iran: New Penal Code provisions as tools for further attacks on the rights to freedom of expression, religion, and belief](#), 6 July 2022, p. 17

The Center for Human Rights in Iran wrote in September 2022, quoting Iranian human rights lawyer Saeid Dehghan, that: ““The crime of ‘promoting homosexuality’ is not mentioned in Iranian laws... At most, the only law the authorities can base their accusations on is Article 639 of the Islamic Penal Code, which calls for a maximum punishment of 10 years for engaging in LGBTQ activities, not execution.” [...] Meanwhile, the charge of “corruption on earth” is used in the Islamic Republic’s judicial system as a vague catch-all charge to prosecute individuals for perceived political and cultural transgressions”.<sup>64</sup>

FIDH confirmed in a statement in September 2022 that: “The vague accusation of “spreading corruption on earth” is frequently used in Iran to prosecute people accused of a broad range of offences”.<sup>65</sup>

The USDOS 2022 report on human rights practices in Iran, published in March 2023, stated that:

The law does not prohibit discrimination based on sexual orientation, gender identity or expression, or sex characteristics and does not recognize LGBTQI+ individuals, couples, or their families. The law classifies gay men and transgender women as having mental disorders and, on those grounds, exempts them from the otherwise mandatory service for male citizens. Military identity cards list the subsection of the law dictating the exemption.<sup>66</sup>

The same or similar statements with regards to military service can also be found in the 2021 USDOS report on human rights practices in Iran, published in April 2022,<sup>67</sup> and in the 2020 report, published in March 2021.<sup>68</sup>

Equality Now, the Centre for Supporters of Human Rights (CSHR), and Femena gave an overview of Iran’s criminal laws and regulations within its submission in advance of the 139th session of the UN Human Rights Committee. It stated the following with relevance to the LGBTQI+ community:

Articles 199 and 209 of Iran’s Islamic Penal Code provide that in cases of adultery and other sexual activity and where *diya*<sup>37</sup> is involved, the testimony of a woman is worth half that of a man.<sup>38</sup> Specifically, Article 199 prescribes the standard of proof for testimony in all offenses shall be two male witnesses, unless in cases of ‘illicit sex outside of marriage’ (*‘zina’*) or various forms of homosexual sexual activity either between men or women (*‘livat’*, *‘tafkhez’* and *‘musaheqeh’*) where four male witnesses are required.<sup>39</sup> To prove *zina*, punishable by the *hadd* punishment<sup>40</sup> of flogging, shaving [of head] and/or banishment, the testimony of two ‘just’ men and four ‘just’ women are considered sufficient. If the punishment provided is other than the above, testimony of at least three men and two women shall be required. In such cases, if two just men and four just women testify for the offense, only the *hadd* punishment of flogging shall be given. Bodily offenses punishable by *diya* shall also be proved by one male witness and two female witnesses. [...]

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<sup>64</sup> Center for Human Rights in Iran, [UN, Governments Worldwide Must Speak Out for LGBTQ Activists Sentenced to Death in Iran](#), 6 September 2022

<sup>65</sup> International Federation for Human Rights (FIDH) and League for the Defense of Human Rights in Iran (LDDHI), [Iran: Death sentence against two women for speaking out in support of LGBTQI+ rights](#), 22 September 2022

<sup>66</sup> US Department of State (USDOS), [2022 Country Reports on Human Rights Practices: Iran](#), 20 March 2023

<sup>67</sup> US Department of State (USDOS), [2021 Country Reports on Human Rights Practices: Iran](#), 12 April 2022

<sup>68</sup> US Department of State (USDOS), [2020 Country Reports on Human Rights Practices: Iran](#), 30 March 2021

37 *Diya* are fines imposed under Shari'a for certain crimes.

38 "Where, in financial claims such as *diya* for bodily offenses, and also in claims which are about claiming a sum of money such as a negligent or quasi-intentional bodily offense which must be compensated by a *diya*, the private claimant is unable to provide an admissible evidence which meets the requirements under Shari'a, s/he [still] can produce one male witness or two female witnesses together with an oath and prove the financial part of his/her claim."

39 *Zina* is defined as illicit sex outside of marriage. *Livat*, *tafkhez* and *musaheqeh* are defined as various forms of homosexual sexual activity either between men or women.

40 Hadd is a punishment for certain crimes as specified under Shari'a.<sup>69</sup>

All Human Rights for All in Iran and eight other civil society organisations stated the following in their report to the UN Human Rights Committee ahead of its 139th session and periodic review of Iran:

Besides the criminalization of same-sex conduct, a number of other legal provisions directly impact on the rights of Lesbian, Gay, Bisexual, Trans, Intersex, Queer individuals and other persons with diverse sexual orientation, gender identity or gender expression (LGBTIQ+ individuals). This is the case in particular of Iranian laws related to public decency. For instance, Article 639 of the 2013 Islamic Penal Code criminalizes the facilitation or encouragement of "people to immorality or prostitution". Article 6 of the Press Law (1986) prohibits the dissemination of material "which violates public chastity" including "forbidden practices" such as same sex relations. Similarly, Article 14 of Law on Computer Crimes criminalizes the distribution of "immoral content". Governmental-mandated organizations set up to preserve "public morality", notably the Basij militia, reportedly harassed, arrested, detained and abused LGBTIQ+ individuals on the basis of the aforementioned regulations. Similarly, law enforcement forces have been reportedly arresting and detaining trans individuals for appearing cross-dressed in public, an act considered haram (forbidden under Islamic law) until a 'disorder' could be medically and legally established. Additionally, Article 638 of the 2013 Penal Code provides that all women must appear in public wearing the mandatory hijab, a provision that has been reportedly used against both transgender men pressured into wearing a hijab and transgender women accused of "cross-dressing" in public, regardless of whether their change in gender has been legally recognised.<sup>70</sup>

6Rang wrote in a September 2023 report that:

Article 638 of the Islamic Penal Code provides that "women who appear without Islamic hijab in public will be sentenced to imprisonment between 10 days and two months or payment of fine." This law applies to all women regardless of their religious beliefs, including Christian, Jewish, Zoroastrian, Baha'i, and atheist women, none of whose belief systems require hijab. Under current laws, all girls as young as

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<sup>69</sup> Equality Now, the Centre for Supporters of Human Rights (CSHR), and Femena, [Information on the Islamic Republic of Iran for its review by the Human Rights Committee at the 139th Session \(09 Oct 2023 - 03 Nov 2023\)](#), 12 September 2023, pp. 8-9

<sup>70</sup> All Human Rights for All in Iran, Association for Human Rights in Kurdistan – Geneva (KMMK-G), Association for the Human Rights Of The Azerbaijani People In Iran (AHRAZ), Balochistan Human Rights Group, Iran Human Rights Documentation Center (IHRDC), Impact Iran, Kurdpa, Rasank, and Siamak Pourzand Foundation, [Alternative report to the Human Rights Committee. For the periodic review of the Islamic Republic of Iran: Discrimination and violence based on religion or belief, ethnicity and language, sexual orientation and gender identity, Human Rights Committee, 139th session \(Geneva\), 9 October – 3 November 2023](#), September 2023, p. 16

seven – the age girls begin their formal education - are required to observe full hijab. As such, it constitutes a zero-tolerance policy toward any lesbian women, trans women or non-binary persons who may, for example, wish to cut her hair short, stop wearing hijab, wear androgynous or gender-neutral clothing or clothing in a manner regarded as ‘masculine’.<sup>45</sup>

The same article authorizes judges to sentence those who engage in conduct that is “*haram*” [religiously forbidden] or “offends public morals” to 74 lashes.<sup>46</sup> This article has been used to punish those who ‘cross-dress’ or simply act or behave against conformity with the social norms that are set in law. Similar restrictions are faced by gay men, trans men, and non-binary persons who wish to express their gender identity through make-up, ‘feminine’ dress, and mannerisms that are typically regarded as ‘feminine’. [...]

<sup>45</sup> <https://justice4iran.org/wp-content/uploads/2014/03/Hejab-Report-JFI-English.pdf>.

<sup>46</sup> Ibid.<sup>71</sup>

With regards to legal barriers in the media (non-explicit), the ILGA Database page for Iran summarised that:

In 2022, the Iranian Parliament submitted a bill for review entitled the Regulatory System for Cyberspace Services Bill (2022). International human rights organisations have highlighted how this bill, should it be passed into law, will have dire effects on the LGBTI community in Iran. The bill envisions tightened state control over online spaces and aims to erode online anonymity while criminalising VPNs (Virtual Private Networks), which are essential tools for circumventing online censorship. The bill also delegates control over key communication infrastructure to armed forces and security agencies like the Islamic Revolutionary Guards Corps (IRGC) who have a history of targeted persecution of LGBTI persons in Iran.<sup>72</sup>

The same database page listed that, to the best of ILGA World’s knowledge, “laws in force in Iran do not offer protection against discrimination based on “sexual orientation”, “gender identity”, “gender expression” or “sex characteristics” in the provision of goods and services, in healthcare, in education, in employment, or in housing. The page also states that, to the best of ILGA World’s knowledge, “laws in force in Iran neither aggravate penalties for crimes committed on the basis of “sexual orientation”, “gender identity”, “gender expression” or “sex characteristics” nor do they explicitly consider such crimes as “hate crimes””; that “laws in force in Iran do not prohibit incitement to hatred, violence or discrimination on the basis of “sexual orientation”, “gender identity”, “gender expression” or “sex characteristics””; “laws in force in Iran do not regulate or restrict sexual orientation, gender identity or gender expression change efforts (SOGIECE), regularly known as “conversion therapies””; and that “laws in force in Iran do not restrict medically unnecessary interventions aimed to modify the sex characteristics of intersex minors without their free, prior and full informed consent”.<sup>73</sup>

<sup>71</sup> 6Rang (Iranian Lesbian & Transgender Network), [War on Bodies and Minds: Gender Persecution of LGBTIQ+ Protestors in the Context of the 2022-23 Iran Uprising](#), September 2023, p. 16

<sup>72</sup> ILGA (International Lesbian, Gay, Bisexual, Trans and Intersex Association) Database, [Jurisdiction: Iran](#), undated

<sup>73</sup> ILGA (International Lesbian, Gay, Bisexual, Trans and Intersex Association) Database, [Jurisdiction: Iran](#), undated

The page also notes that, to the best of ILGA World's knowledge, "civil unions or marriage are not legally available for same-sex couples in Iran" and that "neither joint adoption nor second parent adoption are legally available for same-sex couples in Iran".<sup>74</sup>

On legal gender recognition, on name changes and gender marker changes, the ILGA Database page for Iran also details the following:

The National Organisation for Civil Registration is the state agency in charge of issuing national identification cards and birth certificates in Iran. The Civil registration regulations allow both adults and emancipated minors to change their names. In the case of unemancipated minors, their legal guardians or their father/grandfather may apply on their behalf.

However, Article 20 of the Civil registration Law (1976) states that "it is banned to choose names that differ with or mislead to the gender" and "forbids anyone to change their name to another that does not correspond with their gender". Subsection 14 exempts those cases where a competent court issued a ruling to change an applicant's gender marker in their official documents and identity cards, but even so, legal gender recognition remains unattainable for the majority of the cases, and thus gendered name changes are by and large not possible. [...]

On 8 November 1987 the Legal Medicine Organisation of Iran sent a query to the Legal Office of the Ministry of Justice asking for clarification on the legality of "sex reassignment surgery". The response was based on various sections of Ayatollah Khomeini's fatwa (a ruling on a point of Islamic law given by a recognised authority) entitled "Tahrir al-wasilah". In 1963, Khomeini had addressed the legal status of intersex individuals and in 1968 he had expressed that his "view was contrary to prohibiting the changing, by operation, of a man's sex to that of a woman or vice versa". A separate story has also been widely reported, about a trans woman who went to the residence of the Ayatollah directly to advocate for her right to legal gender recognition in 1987. The Ayatollah issued her with a letter, which she used to access surgery and legal gender recognition in 1997.

The Iranian government has long interpreted this fatwa as requiring "sex (re-)assignment surgeries" on trans persons, prior to accessing legal recognition. This decision was grounded on the idea that the "soul must prevail over the flesh", linking such medical interventions to the possibility of modifying the gender marker. [...] As such, access to surgery and legal gender recognition requires extensive screening from medical, psychological, and government officials.

Over the following decades, Islamic jurisprudence (fiqh), statutes and medical procedures progressively developed to establish a path to recognise the rights of trans persons, such as in 2013, when Article 4 was introduced in the Family Protection Act (2013), stating that the Family Court has competence over decisions regarding "sex reassignment", and the General Legal Department of the judiciary issued Advisory Opinion No. 4/8/92-1444/92/7 (2013) to clarify the legal process to obtain a gender marker modification. It states that "before obtaining a sex reassignment surgery and applying for a change of gender in identity cards, the applicant is first required to obtain court authorisation. When considering the request, the court should refer the issue to the Legal Medicine Organisation of Iran (for examinations, treatments and a gender identity disorder diagnosis), and based on the agency's opinion and other evidence, the court may resolve "as it considers appropriate". After undergoing the court-approved surgery, the applicant must approach the court again requesting an order for rectifying their gender marker and name at the National Organisation for Civil Registration. Before rendering a decision, the

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<sup>74</sup> ILGA (International Lesbian, Gay, Bisexual, Trans and Intersex Association) Database, [Jurisdiction: Iran](#), undated

court may require the plaintiff to undergo a body examination to confirm the “full completion of the surgeries”. This procedure varies in each municipality, where there may be different specific legal procedures not specified in the national guidelines.<sup>75</sup>

## b. Implementation

### i. Arrests

In September 2020, 6Rang released a research report on structural and social violence against LGBTI people in Iran, based on a qualitative and quantitative online survey questionnaire shared on social media. On the category of violence in the legal system, the research found that “12.6 percent (N:29) reported they were arrested by the police because of their gender identity and expression, and sexual orientation. [...] Many participants, even those who have not experienced police persecution, reported being in constant fear of being arrested by the police.”<sup>76</sup> The report further wrote that:

[...] the national police and paramilitary militia, known as Basij, regularly arrest, detain, and violently abuse LGBTI individuals. These actions are not based on sexual behavior, but on a mere perception of sexual orientation based on appearance and demeanor. It is noteworthy that this includes lesbian and transgender women who disregard the mandatory veiling and other restrictive dress codes imposed on women.<sup>10</sup>

Legal prohibition on the free expression of sexual orientation and gender identity goes beyond the public spaces and controls behavior also in private spaces. These laws provide the police and state actors with the excuse to raid private gatherings and parties where LGBTI people are reported to be gathering. They arrest the people present in the absence of any proof of illegal activity and merely on the basis of appearance and behavior.<sup>11</sup> [...]

10 Ibid [6Rang “Submission UN Universal Periodic Review 34th Session Working Group”, Available at: <https://uprdoc.ohchr.org/uprweb/downloadfile.aspx?filename=6762&file=EnglishTranslation>]

11 Ibid, supra note 1<sup>77</sup>

In October 2020, IranWire reported on the arrest of three transgender Iranians because of Instagram posts, writing that:

Three people from Iran’s LGBTQ community who have large followings on Instagram have been arrested by security forces and taken to Evin Prison, IranWire has learned.

The three detainees have been named as Meysam Valipour, Meysam Dehghani, and Alireza Asadi. All three, residents of Tehran, had published explicit posts about their sexual orientation and gender identity, as well as humorous content and posts critical of the Iranian regime.

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<sup>75</sup> ILGA (International Lesbian, Gay, Bisexual, Trans and Intersex Association) Database, [Jurisdiction: Iran](#), undated

<sup>76</sup> 6Rang (Iranian Lesbian & Transgender Network), [Hidden Wounds: A Research Report on Violence Against LGBTI in Iran](#), September 2020, p. 10

<sup>77</sup> 6Rang (Iranian Lesbian & Transgender Network), [Hidden Wounds: A Research Report on Violence Against LGBTI in Iran](#), September 2020, p. 12



Although the main reason for the arrests of the three, who are in their early 20s, has not yet been officially announced, unofficial reports hint that they have been targeted for these posts, which were described as “going against the social norms” of the Islamic Republic.

A source close to the three, who asked not to be named for security reasons, told Journalism is Not a Crime, IranWire’s affiliate website: “There was no reason to detain these people other than for their posting of videos, photos and content related to sexual orientation and gender identity on their personal pages. Two weeks ago, two of my friends were arrested at their home and taken to Evin Prison. My other friend was arrested three or four days ago. Two of these guys are transgender. I do not know anything about the details of these detentions because their families will not speak. All I know is that they are in Evin Prison now.” [...]

Iran’s law enforcement unit, or NAJA, regards its remit as enforcing people’s adherence to both the law and the moral principles of the Islamic Republic. In September 2020, the head of NAJA, Seyyed Alireza Adiani, indirectly threatened people who defied these codes, emphasizing how much power and authority Iran’s online police, or FATA, have to crack down on cybercrime and immoral behavior that goes against the religious, cultural, and social values of the Islamic Iran.

FATA, he said, was a “presence on the battlefield” and pursued “jihad in the name of God.”

In recent years, as groups of people have expanded their networks and activities online, Iranian authorities have expanded their operations too, setting out plans to further monitor, target and restrict particular individuals and groups, including activists and influencers. As people encounter new ways to communicate and share information online, they also face greater pressure. Certain platforms and apps have come under particularly fierce fire, and some authorities have repeatedly called for Instagram to be blocked or filtered.<sup>78</sup>

Reporting on the murder of a non-binary gay twenty-year-old man, Alireza Fazeli Monfared, in May 2021, Amnesty International stated that: “Alireza Fazeli Monfared’s partner and a close friend of his separately told the organization that, on at least one occasion, in August 2020, the authorities had arbitrarily arrested and detained him for several days in connection with his Instagram account on which he had posted videos of himself dancing, amongst other things”.<sup>79</sup>

HRANA stated in their 2021 annual report, published in December of that year, that: “In some cases, security and law enforcement agencies acknowledge the detention and harassment of members of this community. For example, in June of this year, Reza Molouki, head of the FATA police [Iran’s cyber police] in the east of Tehran Province announced the identification and arrest of a citizen on charges of “corruption on earth”, calling his relationship with a homosexual illegitimate”.<sup>80</sup>

Amnesty International also reported in January 2022 on the arbitrary detention of gender non-conforming human rights defender Zahra Sedighi-Hamadani, known as Sareh, writing that:

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<sup>78</sup> IranWire, [Three Transgender Iranians Arrested Because of Instagram Posts](#), 20 October 2020

<sup>79</sup> Amnesty International, [Iran: Murder of 20-year-old gay man highlights urgent need to protect LGBTI rights](#), 17 May 2021, p. 2

<sup>80</sup> Human Rights Activists News Agency (HRANA), [Annual Report 2021: Annual Statistical Report of Human Rights Conditions in Iran](#), December 2021, p. 54

[...] Zahra Sedighi-Hamadani, known as Sareh, is arbitrarily detained in the central prison in Urumieh solely in connection with her real or perceived sexual orientation and gender identity as well as her social media posts and statements in defence of the rights of lesbian, gay, bisexual, transgender and intersex (LGBTI) people. The Revolutionary Guards arrested her on 27 October 2021 near the Iranian border with Turkey while she was attempting to irregularly enter Turkey to seek international protection.<sup>81</sup>

The February 2022 UK Parliament research briefing on LGBT+ rights and issues in the Middle East remarked that: “Iranian security forces frequently harass, arrest, and detain individuals they suspect of being LGBT+. House raids and surveillance on individuals and internet sites are common in efforts to identify LGBT individuals”.<sup>82</sup>

In its annual report covering 2021 and published in April 2022, USCIRF noted that: “The Islamic Revolutionary Guard Corps (IRGC) arrested a lesbian woman in November on charges including “supporting homosexuality””.<sup>83</sup>

BBC News remarked in an article in September 2022 that: “Over the past few years, a vibrant underground LGBT movement has taken shape inside Iran, but this appears to have increased the authority's hostility. [...] there have been reports of people being arrested for using LGBT dating apps”.<sup>84</sup>

In December 2022, HRANA reported the following arrest:

On December 17, 2022, Raha Ajodani, a non-binary teenager, was arrested by security forces in Tehran and reportedly transferred to a youth detention centre. [...]

An informed source told HRANA, Ajodani was arrested while leaving her home. The agents searched the house and confiscated some of her belongings.

“Since her registered gender does not match her gender identity, it is unclear in which section for boys or girls, Ajodani has been sent, raising her family concerns,” this informed source added.

Despite frequent family inquiries, the reason for her arrest and the charges are unknown.

Earlier, on October 26, 2022, Ajodani was arrested at recent protests and released after a few hours.<sup>85</sup>

Freedom House, in their annual Freedom in the World report for Iran, published in March 2023 on events in 2022, recorded that: “In September 2022, a rights group reported that two LGBT+ activists had been sentenced to death for supposedly promoting homosexuality. The judiciary confirmed the sentence but said the case was connected to human trafficking”.<sup>86</sup>

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<sup>81</sup> Amnesty International, [Ill-Treated Iranian LGBTI Defender At Risk](#), 25 January 2022

<sup>82</sup> UK Parliament, [Research Briefing: LGBT+ rights and issues in the Middle East](#), 9 February 2022, p. 9

<sup>83</sup> US Commission on International Religious Freedom (USCIRF), [2022 Annual Report - Iran Chapter: Key Findings](#), April 2022, p. 23

<sup>84</sup> BBC News, [‘I want to see the rainbow flag raised in Iran’](#), 11 September 2022

<sup>85</sup> Human Rights Activists News Agency (HRANA), [Iran Protests: Non-binary Teenager Raha Ajodani Arrested](#), 20 December 2022

<sup>86</sup> Freedom House, [Freedom in the World 2023: Iran Country Report](#), March 2023

The 2022 USDOS report on human rights practices in Iran, published in March 2023, stated that: “Security forces harassed, arrested, and detained individuals they suspected or perceived as being LGBTQI+”.<sup>87</sup> A similar statement can be found in the 2020 USDOS report on human rights practices in Iran, published in March 2021.<sup>88</sup>

In June 2023, HRANA reported that: “In Tehran, five transgender citizens were arrested following a quarrel with a religious vigilante who targeted them for their attire. [...] The incident unfolded when a self-proclaimed religious enforcer took it upon themselves to interfere with these citizens, citing the religious duty of “enjoining good and forbidding wrong,” ultimately resulting in the arrest of these transgender individuals”.<sup>89</sup>

6Rang released a report in September 2023 on the gender persecution of LGBTQI+ protestors in the context of the 2022-23 Iran uprising, based on inputs from seventy individuals. On arrests, the report described the following:

From the 16th of September 2022 until February 2023, among thousands of people arrested were those belonging to the LGBTQI+ community. The officials confirmed the arrest of 20,000 people<sup>27</sup>, but human rights organisations believe that the actual number is much higher.

The evidence suggests the involvement of different units of the Islamic Republic Police (FARAJ), the Islamic Revolutionary Guard Corps (IRGC), and its Basij militia. The agents of the Ministry of Intelligence (VAJA) and their branches in education, healthcare, universities, factories, and government offices (altogether known as Herasat<sup>28</sup>) have also played a significant role in the crackdown in the streets or elsewhere where the protests were taking place. [...]

Mahan’s story shows how the authorities make an issue out of gender identity. He is a gay man from a religious city:

*It was a few days after Mahsa Amini’s death. We were angry and angry and could not sit on our hands and do nothing. Two of my friends and I decided to graffiti walls. We wrote Mahsa Amini’s name on walls all over the city; even on the walls of mosques.*<sup>64</sup>

One night, when they finished work and were almost home, they were arrested by a few plainclothes officers who attacked, handcuffed, and blindfolded them and forced them in a van with tasers and threats.<sup>65</sup>

Although they were arrested over expressing their dissident in the form of graffiti, they were questioned about their gender due to their appearances while being handcuffed and blindfolded [...]. [...] The arrest of Mohammad Sadeghi, who was perceived as non-masculine by the authorities is an example of how the perceived sexual orientation and gender identity of a person can become an aggravated element in suppressing their right to freedom of expression.

On 16th of July 2023, Mohammad Sadeghi, a young actor, was arrested during a raid on his apartment in Tehran by the Intelligence Organisation of the Police. He had posted a video on his Instagram account radically criticising the policies of the government in reinstating the morality police ten months after the death of Jina Mahsa Amini, referring to a video of a woman being brutally arrested.<sup>68</sup>

<sup>87</sup> US Department of State (USDOS), [2022 Country Reports on Human Rights Practices: Iran](#), 20 March 2023

<sup>88</sup> US Department of State (USDOS), [2020 Country Reports on Human Rights Practices: Iran](#), 30 March 2021

<sup>89</sup> Human Rights Activists News Agency (HRANA), [Five Transgender Individuals Arrested and Coerced into Confession](#), 26 June 2023

Sadeghi used to post photos of himself on Instagram that challenged gender norms and binaries. He also supported LGBTIQ+ persons who posed and took photos with the Rainbow flags in streets. [...]

Benyamin Ghaffari, a 20-year-old queer influencer was also arrested in January 2023<sup>70</sup> and detained in Evin prison for posting in support of the 2022 protests. He was later released on bail.<sup>71</sup> [...]

Sabri, a trans woman said, "in [83 November, I joined the crowd in Vali-Asr Street<sup>84</sup> to express my protests, and for freedom of expression and thoughts, not even the LGBTIQ+ rights which we are far away from. While I had not set foot outside for four years due to health problems but [with killing Jina Mahsa Amini, they did something that I could not be silent about]."<sup>85</sup>

Over seven security forces assaulted and arrested her:

*They beat me even harder when they realised that I'm trans and that's the reason for my hair being long. They insulted me, insulted my mother. They used a lighter to burn my hair. They touched me inappropriately. After that, I was put inside a van and taken to somewhere like a police station. We were blindfolded and didn't know where we were being taken. They kept kicking us while our hands were tied. Our eyes were closed, and we didn't know where we were going. They kept kicking us with our eyes and hands tied. They didn't know which detention centre to take me to, men's or women's. Finally, they saw that I'm registered as male on my ID.*<sup>86</sup> [...]

Dana, a 41-year-old trans woman who was arrested at night with about 50 other protestors in the city of Karaj said that she was treated differently by the guards and other security forces in the detention centre. [...] Erfan, a 35-year-old gay man, was raped repeatedly in detention. He was arrested after being identified, together with his two other friends who were also LGBTIQ+ persons, by the authorities for his involvement in a Telegram group that was used to organise street protests in their cities. The admin of the Telegram group was arrested and information about the group members including Erfan and his two other friends got into the hands of the IRGC. From searching his phone, they also learned that he sent videos of protests to Vahid Online, a Telegram Channel and Twitter account that was one of the main sources of news about the protests.<sup>102</sup> [...]

Although they were released on bail or under the Supreme Leader's Amnesty's order,<sup>111</sup> or a combination of both, their activities are still being monitored and the harassment and intimidation still continues in one way or another. [...]

Story of Raha Ajoudani

Raha Ajoudani, trans influencer, blogger, and civil activist was 19 years old when she was arrested by agents from the Ministry of Intelligence on 26th of October 2022 in Tehran, at the location where she was supposed to meet someone she was in love with. A few days earlier, she posted a video on her Instagram page in which she said: "Each and every one of us knows this very well. As long as this government holds power, it's a sword hanging over each of us. Any of us could have been Mahsa Amini. It could have been any of us who were killed instead of Mahsa Amini."<sup>116</sup>

"The reason I find myself on this path today is due to an incident that occurred when I was 12 years old. At that age, during a Basij student camp, I was raped by a camp organiser who was a member of the Revolutionary Guards. I reported the incident to the camp authorities and confided in my friends, but during those days no one believed me. They accused me of hallucinating, attention-seeking, or attempting to tarnish the reputation of the Basij. This experience led me to decide not to remain a victim and to strive so that others would not go through the same ordeal."<sup>117</sup>

On 26th of October 2022, 15 agents from the Ministry surrounded her, took her phone violently, and threw her on the ground: "When I told them why are you arresting me so brutally, they said, 'Don't pretend to be a girl here, this isn't the place to stir our emotions with a feminine tone'. I said, 'Why did there have to be 15 people to arrest me? Am I a terrorist?' They replied, 'You're worse than a terrorist.

Why would someone who has connections with adversarial governments like the US and Israel is at least not worse than a terrorist or an ISIS member?’

Their reference was to an open letter that I and a group of civil activists inside Iran had written to the United Nations Security Council [about the protests in Iran].” They took her to a Ministry of Intelligence office in Baradaran Mozaffari Street and interrogated her for hours. They questioned her about the involvement of the LGBTIQ+ community in the uprising.

They conditioned her release on her making a commitment both in writing and in front of a camera that she did what she did under the influence of foreign spies, and that she was wrong and would not engage in any media activity and remain silent about her arrest. They prepared the text for her and made her wear her headscarf while on camera. They told her that she should wait a few days until they summoned her again, and then released her.

On 17th of December 2022, Raha was arrested again during a raid to her home and by IRGC forces. [...]

27 <https://www.npr.org/2023/02/05/1154584532/iran-acknowledges-it-has-detained-tens-of-thousands-in-recent-protests>.

28 The Intelligence Ministry has set up Herasat divisions within all civil institutions and universities across the nation, assigning them the responsibility of pinpointing potential security risks. Allegedly, Herasat representatives engage in monitoring staff (such as overseeing their communications), serve as sources of information, and exert control over recruitment and termination procedures. See: <https://www.washingtoninstitute.org/policy-analysis/irans-coercive-apparatus-capacity-and-desire>. [...]

64 Interview with Mahan, July 2023 (his real identity is withheld for security reasons).

65 Ibid. [...]

68 Sadeghi was released on bail on 21st of August. At the time of writing, he is awaiting his trial: <https://www.hra-news.org/2023/hranews/a-43026>. [...]

70 <https://6rang.org/73777>.

71 Ibid. [...]

85 6Rang Interview with Sabri, July 2023 (her real identity is withheld for security reasons).

86 Ibid. [...]

102 6Rang Interview with Erfan, August 2023 (his real identity is withheld for security reasons). [...]

111 <https://apnews.com/article/iran-protests-and-demonstrations-government-ali-khamenei-8560e45570321ad08ef75f1f743f9b80>. [...]

116 <https://www.facebook.com/watch/?v=838481037407989>.

117 6Rang Interview with Raha Ajoudani, August 2023.<sup>90</sup>

In October 2023, Freedom House stated in its Freedom on the Net report for Iran that:

Prosecution of LGBT+ people over their online expression is prevalent and has increased over the years. In October 2022, Iran Wire reported that three openly transgender Instagram users were arrested and transferred to notorious Evin Prison in Tehran. The three had been targeted due to their social media posts, which Iranian authorities described as “flouting social and religious norms.”<sup>219</sup> According to the Iran Prisoners Atlas project, they have since been released. [...]

219 “3 LGBTQ Instagrammers Arrested,” Iran Wire, October 20, 2020, <https://iranwire.com/fa/iinac/42235><sup>91</sup>

<sup>90</sup> 6Rang (Iranian Lesbian & Transgender Network), [War on Bodies and Minds: Gender Persecution of LGBTIQ+ Protestors in the Context of the 2022-23 Iran Uprising](#), September 2023, pp. 10, 20-22, 25, 27-29, and 31

<sup>91</sup> Freedom House, [Freedom on the Net 2023: Iran](#), 4 October 2023

The UN Human Rights Committee's November 2023 concluding observations on the fourth periodic report of the Islamic Republic of Iran and its implementation of the ICCPR stated that it is "concerned that State actors frequently harass and detain lesbian, gay, bisexual and transgender individuals on the basis of public decency laws".<sup>92</sup>

ILGA World, in their updated November 2023 report on the enforcement of laws criminalising consensual same-sex acts and diverse gender expressions, gave the following examples in Iran:

In a 2020 report by 6Rang, one person interviewed said "[m]y family gave me over to the police because I am intersex". No further details are known regarding this incident, but the intervention of the State to persecute an intersex individual is notable.<sup>283</sup> The same 2020 report by 6Rang notes six additional individual testimonies of violent arrest, though dates, locations and details of the victims' detentions are not known.<sup>284</sup>

In August 2020 a self-described non-binary gay man by the name of Alireza Fazeli Monfared, from Khuzestan province, was arbitrarily arrested by police and detained for several days in connection to social media posts made by Monfared in which they were seen dancing and expressing themselves in a way likely not in line with a masculine gender expression. [...]

On 20 October 2020 it was reported that three young social media "influencers"—two of whom seem to be transgender—were arrested in Tehran and taken to Evin Prison for making posts online explicitly discussing their sexual orientations and for publishing satirical content critical of the government. Further details of their cases were not identified at the time of publication.<sup>286</sup>

On 27 October 2021, activist Zahra Sedighi-Hamadani was arrested by the IRGC again after attempting to leave Iran. She was accused of "illegally leaving the country" and "collaborating with hostile media" because of an interview she did with the BBC. [...]

It was reported on 13 November 2021 that two men who had engaged in same-sex sexual activity were sentenced to death for "adultery". The wife of one of the men requested clemency from the court, but her father allegedly demanded the execution of his son-in-law for his behaviour. The court ruled in the father's favour, though the date set for the men to be hanged, and whether any actions for an appeal might be open to them, were not clear at the time of publication.<sup>289</sup> [...]

In July 2022, the Iranian intelligence organisation of the IRGC reportedly arrested Zahra Sedighi-Hamadani again, accusing her of "trafficking Iranian women into Iraq, promoting homosexuality, gambling, fraud, and promoting illicit sexual relations and publishing them on the Internet".<sup>292</sup> [...]

On 17 December 2022 a transgender teenager, was arrested as she left her home in the Shahre Rey area of Tehran. The girl was taken to a juvenile detention centre, but her family expressed fear that as soon as she comes of age, she could be transferred to a men's facility and subjected to abuse there by the authorities. At the time of writing, she had not been granted access to her family or a lawyer.<sup>295</sup>

On 19 January 2023 a non-binary blogger was detained, but released some time later, according to 6Rang. The blogger seems to have been arrested for speaking out in favour of anti-government protests which had spread across much of Iran in the preceding months. They made statements on social media indicating that they expected to be arrested soon, and implied that if the authorities claimed they died of suicide or illness while in custody that this should not be believed.<sup>296</sup> [...]

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<sup>92</sup> UN International Convention on Civil and Political Rights, Human Rights Committee, [Concluding observations on the fourth periodic report of the Islamic Republic of Iran](#), 23 November 2023, p. 3

283 6Rang, Hidden Wounds: A Research Report on Violence Against LGBTI in Iran (2020), 11.

284 Id., 11. [...]

286 This source contains personal names or images and has thus been redacted to protect the safety of those involved. If you require access to this source for corroboration or for COI Research purposes, please reach out to [research@ilga.org](mailto:research@ilga.org). [...]

289 “Ιράν: Γκέι ζευγάρι καταδικάστηκε σε θάνατο μετά από απαίτηση της οικογένειας” [Iran: Gay couple sentenced to death at family request], Antivirus Magazine, 13 November 2021. [...]

292 This source contains personal names or images and has thus been redacted to protect the safety of those involved. If you require access to this source for corroboration or for COI Research purposes, please reach out to [research@ilga.org](mailto:research@ilga.org). [...]

295 “Iran: salvate Raha Ajudani, ragazza trans minorenne arrestata” [Iran: rescue Raha Ajudani, a minor trans girl arrested], Gay.it, 24 December 2022. “و شناسایی جدید موج”

“جامعه این مقاومت و لژیون بی بی تی اف راد دستگیر” [The new wave of identifying and arresting LGBT people and the resistance of this community], 6Rang, 19 January 2023.

296 “جامعه این مقاومت و لژیون بی بی تی اف راد دستگیر” [The new wave of identifying and arresting LGBT people and the resistance of this community], 6Rang, 19 January 2023.<sup>93</sup>

## 1. Entrapment

The OONI, OutRight Action International, and the Citizen Lab’s August 2021 research report on LGBTIQ website censorship in six countries set out the following on Iran:

LGBTIQ individuals are targeted online with surveillance and harassment. This is especially the case since the passing of Law No. 71063 on Computer Crimes of 2009, which significantly expands state surveillance and censorship powers.<sup>345</sup> Entrapment through dating apps is also a persistent concern. [...]

Evidence exists that members of law enforcement would pose as gay or trans people interested in “meeting up” to entrap LGBTIQ people, while those who were entrapped by police on dating apps (or caught offering sex for money) are then used to entrap others.<sup>381</sup> [...]

345 James Marchant et al., *Breaking the Silence: Digital Media and the Struggle for LGBTQ Rights in Iran* (Small Media, 2018): 92, [https://smallmedia.org.uk/media/projects/files/BreakingTheSilence\\_2018.pdf](https://smallmedia.org.uk/media/projects/files/BreakingTheSilence_2018.pdf). [...]

381 Houshyar, *LGBT Rights in Iran*; Shadi Amin (Director of 6rang, an Iranian Lesbian and Transgender network), as discussed with the interviewer, August 27, 2020.<sup>94</sup>

6Rang’s September 2023 report on the gender persecution of LGBTIQ+ protestors in the context of the 2022-23 Iran uprising reported on the following case:

Navid is a 25-year-old gay man. His story demonstrates how the breach of the right to privacy of LGBTIQ+ persons in the context of the protests can result in further gender-based violations.<sup>75</sup>

Navid was arrested on suspicion of plainclothes security forces who he believed were IRGC [Islamic Revolutionary Guard Corps]. He was taken to the university mosque, had his phone checked and security

<sup>93</sup> ILGA (International Lesbian, Gay, Bisexual, Trans and Intersex Association) World, [Our Identities Under Arrest: A global review on the enforcement of laws criminalising consensual same-sex acts and diverse gender expressions](#), 30 November 2023, pp. 175-176

<sup>94</sup> Open Observatory of Network Interference (OONI), OutRight Action International, and The Citizen Lab, [No Access: LGBTIQ Website Censorship in Six Countries](#), 8 August 2021, pp. 82, 85, and 86

forces discovered that he was gay as a result of seeing his chats with his boyfriend. The officers then forced him to add their numbers on his phone and solicited him for sex in exchange for indemnity.<sup>76</sup> He was then taken to Evin Prison and released on bail after 14 days. He has been subsequently sentenced to two years imprisonment.<sup>77</sup> [...]

<sup>75</sup> 6Rang Interview with Navid, July 2023 (his real identity is withheld for security reasons).

<sup>76</sup> Ibid.

<sup>77</sup> On the time of the interview, he was still waiting to be summoned to prison to serve his sentence.<sup>95</sup>

## 2. Mistreatment in investigations

In their report on the state-sanctioned killing of sexual minorities in February 2021, Mai Sato and Christopher Alexander gave the following information of prosecutions for same-sex sexual conduct:

When prosecuted for same-sex sexual conduct, defendants often struggle to find a lawyer:

One of our biggest challenges in Iran is to find a legal representative . . . No one would like to do it. We had just a couple of lawyers who take LGBT case several years ago, and they had to escape Iran and claim asylum . . . And the reason is that homosexuality is punishable by death in Iran according to Islamic punishment code. If anyone wants to challenge that rule, [they are deemed to be] against this rule, therefore you are against Islamic rule, therefore you are against Islam, and therefore you are against God. That person [the lawyer] can be executed or killed for being immoral or infidel . . . A lot of lawyers are reluctant to take those cases because they don't want to lose their license, they don't want to be accused that they're supporting LGBT causes. [...]<sup>34</sup>

Judges have the power to sentence defendants accused of same-sex sexual acts to death with little evidence. The evidentiary requirements for proving *livat* (penetrative sex between men) are varied, and may include the confession of the offender, the testimony of four male witnesses who claim to have witnessed the sexual act, or the 'knowledge of the judge' (Jafari, 2015:22). The latter is particularly concerning, insofar as it 'enables judges to rely on vague circumstantial evidence to determine whether a crime has occurred even in the absence of other evidence or in the presence of exculpatory evidence' (Ibid.) Our interviewees explained how this provision operates in practice:

A lot of time, that Article [knowledge of the judge] is being used, because there are [otherwise] a lot of conditions [to prove the same-sex sexual acts... But if none of them exist, and the judge thinks, 'okay, you look gay, and it's obvious for me that you are not a macho, patriotic man, I am comfortable to sentence you.' [...]

The 'knowledge of the judge' [may] be proved with some small, small evidence, [like] the atmosphere and environment of the case... [...] Even if the accused stays silent and did not confess, the judge may write something [like] 'he had behaviour like a woman. Behaviour like an LGBT.' [...]

Because this [the prosecution of same-sex sexual acts] is so reliant on individual judges' perception of a case, it is very arbitrary to find out where the sentence is coming from. There are some constituencies and entities within the government that are pretty supportive of LGBT issues, even though privately, [so] when it comes to individual judges and a lack of legal precedents for these cases, you know, we see that the attack is arbitrary... [...]

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<sup>95</sup> 6Rang (Iranian Lesbian & Transgender Network), [War on Bodies and Minds: Gender Persecution of LGBTIQ+ Protestors in the Context of the 2022-23 Iran Uprising](#), September 2023, p. 23



34 A human rights lawyer who used to practice in Iran spoke about how the Iranian authorities were not happy with him defending death penalty cases including sexual minorities, children, and women, which led to his eventual departure from Iran [...].<sup>96</sup>

Amnesty International reported in January 2022 on the arbitrary detention of Zahra Sedighi-Hamadani (Sareh), giving the following details with regards to her treatment during detention and investigation:

Gender nonconforming human rights defender Zahra Sedighi-Hamadani, known as Sareh, is arbitrarily detained in the central prison in Urumieh solely in connection with her real or perceived sexual orientation and gender identity as well as her social media posts and statements in defence of the rights of lesbian, gay, bisexual, transgender and intersex (LGBTI) people. The Revolutionary Guards arrested her on 27 October 2021 near the Iranian border with Turkey while she was attempting to irregularly enter Turkey to seek international protection. Following her arrest, she was forcibly disappeared for 53 days. It subsequently transpired that the Revolutionary Guards held her in solitary confinement in a detention centre in Urumieh. During this period, she says a Revolutionary Guard agent subjected her to intense interrogations accompanied by verbal abuse and insults directed at her identity and appearance and threatened to execute or otherwise harm her and take away the custody of her two young children. These acts violate the absolute prohibition on torture and other ill-treatment.<sup>97</sup>

The February 2022 UK Parliament research briefing on LGBT+ rights and issues in the Middle East stated that: “Iranian security forces frequently harass, arrest, and detain individuals they suspect of being LGBT+. [...] Those that are arrested are commonly subjected to torture and ill treatment in order to extract confessions and are denied the right to a fair trial”.<sup>98</sup>

Reporting on the sentencing to death of Zahra Sediqi Hamedani (Sareh) in September 2022, Hengaw Organization for Human Rights emphasised that: “It should be noted that Zahra Sediqi Hamadani was deprived of the right to access a lawyer during her detention, and the security agents threatened her with her execution and deprivation of custody of her two children besides verbal harassment and insults to her identity and appearance”.<sup>99</sup>

Also reporting on the sentencing to death of Zahra Sedighi-Hamadani (Sareh) as well as Elham Choubdar, another reported activist of the LGBT community, Amnesty International commented in September 2022 that:

The proceedings leading to the women’s convictions and sentences were grossly unfair. Zahra Sedighi-Hamadani was forcibly disappeared for 53 days following arrest. During this time, she was subjected to abusive interrogations without access to a lawyer, prolonged solitary confinement, homophobic insults,

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<sup>96</sup> Mai Sato and Christopher Alexander, [State-Sanctioned Killing of Sexual Minorities: Looking Beyond the Death Penalty](#), February 2021, pp. 39-40

<sup>97</sup> Amnesty International, [Ill-Treated Iranian LGBTI Defender At Risk](#), 25 January 2022

<sup>98</sup> UK Parliament, [Research Briefing: LGBT+ rights and issues in the Middle East](#), 9 February 2022, p. 9

<sup>99</sup> Hengaw Organization for Human Rights, [Zahra Sediqi Hamadani, an LGBT community activist, was sentenced to death by the Revolutionary Court of Urmia](#), 4 September 2022

death threats and threats to take away the custody of her children, which violate fair trial rights and the absolute prohibition on torture and other ill-treatment. Amnesty International understands that Elham Choubdar was pressured to make “confessions”. Moreover, the offence of “corruption on earth” fails to meet requirements for clarity and precision needed in criminal law and breaches the principle of legality and legal certainty.<sup>100</sup>

The USDOS 2022 report on human rights practices in Iran, published in March 2023, stated that: “Those accused of “sodomy” often faced summary trials, and evidentiary standards were not always met. The Iranian Lesbian and Transgender Network (6Rang) noted that individuals arrested under such conditions were traditionally subjected to forced anal examinations – which the United Nations and World Health Organization stated may constitute torture – and other degrading treatment and sexual insults”.<sup>101</sup> The same statements were found in the 2021 USDOS report on human rights practices in Iran, published in April 2022,<sup>102</sup> and their 2020 report, published in March 2021.<sup>103</sup>

In June 2023, HRANA reported on the use of forced confessions:

In Tehran, five transgender citizens were arrested following a quarrel with a religious vigilante who targeted them for their attire. The footage of their coerced confession has recently been released by security-affiliated media. [...]

The recently published video captures their forced confession, in which they express remorse for their behaviour and appearance. The identities of these individuals remain unknown at present.<sup>104</sup>

6Rang’s September 2023 report on the gender persecution of LGBTIQ+ protestors in the context of the 2022-23 Iran uprising gave detailed information on the following cases:

Mahan’s story shows how the authorities make an issue out of gender identity. He is a gay man from a religious city:

*It was a few days after Mahsa Amini’s death. We were angry and angry and could not sit on our hands and do nothing. Two of my friends and I decided to graffiti walls. We wrote Mahsa Amini’s name on walls all over the city; even on the walls of mosques.<sup>64</sup>*

One night, when they finished work and were almost home, they were arrested by a few plainclothes officers who attacked, handcuffed, and blindfolded them and forced them in a van with tasers and threats.<sup>65</sup>

Although they were arrested over expressing their dissident in the form of graffities, they were questioned about their gender due to their appearances while being handcuffed and blindfolded:

*Even though I don’t appear out-of-the-ordinary, I could hear the officers say ‘these are girls. Why have you brought them here?’ They meant me and my other friend who was a girl. One of the officers came to me and asked if I was a girl or a boy. I answered, ‘isn’t it clear that I’m a boy?’*

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<sup>100</sup> Amnesty International, [Urgent Action: Iranian LGBTI Defender Sentenced to Death](#), 15 September 2022

<sup>101</sup> US Department of State (USDOS), [2022 Country Reports on Human Rights Practices: Iran](#), 20 March 2023

<sup>102</sup> US Department of State (USDOS), [2021 Country Reports on Human Rights Practices: Iran](#), 12 April 2022

<sup>103</sup> US Department of State (USDOS), [2020 Country Reports on Human Rights Practices: Iran](#), 30 March 2021

<sup>104</sup> Human Rights Activists News Agency (HRANA), [Five Transgender Individuals Arrested and Coerced into Confession](#), 26 June 2023

*This made him use derogatory terms to speak to me. They insulted and cursed me, and if I responded to their insults, they would shock me with tasers. Amid humiliation and insults, they even told us to take off our pants to see if we are girls or boys!*<sup>66</sup> [...]

Confiscating mobile phones and other electronic devices of those arrested is a common practice for the Islamic Republic security forces.<sup>72</sup> Detainees are usually forced to give the passwords of their devices without a warrant and whatever is discovered on these devices can be used as evidence against them in court. Those who are arrested during protests are no exception and the authorities may check their phones and make decisions on whether to hold or release them based on what they find in their messages, photos, social media accounts, etc. LGBTIQ+ persons are the most vulnerable group; many aspects of their private life are criminalised, and anything discovered by the authorities on their devices that proves they had same-sex relations is incriminating.

Participants in this research experienced such violations to their right to privacy which later lead to extra measures on deprivation of human rights because their sexual activities were criminalised. In addition to being arrested during protests considered illegal by the authorities, they may face extra charges or punishments due to their sexual orientation, gender identity, or gender expression:

*They searched my phone. They used my photos as an excuse to say that I have a mental and sexual illness or, as they say, I am trans. But I'm not trans [I'm gay], with all due respect to my trans friends. But their sick minds see everything like this. It was as if the reason for my arrest had been forgotten. The questions were only about my sexual orientation, sex, appearance, and behaviour. They were trying to file a case against me. They kept asking if I'm a prostitute. They asked whether this is how I got the cash that was in my wallet. This went on for hours. Finally, they put papers in front of me and forced me to sign. It was written in the papers that I confirm that I am transgender and have a mental and sexual illness. They said that my family must approve this and sign the papers, otherwise they wouldn't let me go. They kept us all night. In the morning, they called my family, and told them to sign for me and take me.*<sup>73</sup>

The interrogators who belonged to the Intelligence Organization of the IRGC [Islamic Revolutionary Guard Corps], according to the above's father, deleted all his Instagram posts even his personal photos.<sup>74</sup>

Navid is a 25-year-old gay man. His story demonstrates how the breach of the right to privacy of LGBTIQ+ persons in the context of the protests can result in further gender-based violations.<sup>75</sup>

Navid was arrested on suspicion of plainclothes security forces who he believed were IRGC. He was taken to the university mosque, had his phone checked and security forces discovered that he was gay as a result of seeing his chats with his boyfriend. The officers then forced him to add their numbers on his phone and solicited him for sex in exchange for indemnity.<sup>76</sup> He was then taken to Evin Prison and released on bail after 14 days. He has been subsequently sentenced to two years imprisonment.<sup>77</sup>

Two of the participants of this research who had been detained due to taking part in the protests said that they believed their personal and home phones, as well as their activities on social media and even their movement, are being heavily monitored by security forces since their release.<sup>78</sup> [...]

All participants of this research who were arrested while exercising their rights to freedom of expression or freedom of assembly experienced torture and ill-treatment, often aggravated by gender-based violence and sexual abuse. These included the use of derogatory and insulting words referring to their gender, being threatened with rape, physical torture, and physical sexual assault. [...]

Mahan, a gay man was arrested because of spray-painting 'Woman, Life, Freedom' on walls. He was blindfolded and taken to several places, presumably detention centres, where he was interrogated repeatedly for hours. He says that as soon as interrogators became privy to his sexual orientation due to his appearance, they neglected the reason for his arrest.<sup>97</sup> He was kept for questioning on the basis of his identity:

*It was as if the reason for my arrest had been forgotten. The questions were only about my sexual orientation, sex, appearance, and behaviour. They were trying to file a case against me. They kept asking if I'm a prostitute. They asked whether this is how I got the cash that was in my wallet. This went on for hours. Finally, they put papers in front of me and forced me to sign. It was written in the papers that I confirm that I am transgender and have a mental and sexual illness. They said that my family must approve this and sign the papers, otherwise they wouldn't let me go. They kept us all night. In the morning, they called my family, and told them to sign for me and take me.<sup>98</sup>*

He believes that interrogators target LGBTIQ+ protestors: "They constantly threatened us with the possibility of being raped in prison because of our appearance and identities. They would tell us that we had been caught by good people and we were safe, since they hadn't raped us. It was as if they themselves openly admitted that they do these things with detainees and protestors."<sup>99</sup>

Sabri, a trans woman was arrested during a protest in Tehran and also had the same experience of being subjected to sexual insulting words and rape threats. She was placed under pressure and death threats to falsely confess in front of the interrogators' camera that she had set fire to trashcans.<sup>100</sup> She was asked who she had been collaborating with, where she had graffitied, etc. She and a few others refused to answer. Consequently, they were transferred from an unknown detention centre to another location that they called a prison. She was taken to a square in Tehran and released a few hours later after the head of the prison realised that she was trans: "I don't know if he felt sorry for me, or he did not want a LGBT person in his prison".<sup>101</sup>

Erfan, a 35-year-old gay man, was raped repeatedly in detention. He was arrested after being identified, together with his two other friends who were also LGBTIQ+ persons, by the authorities for his involvement in a Telegram group that was used to organise street protests in their cities. [...]

After the 7-day interrogation process, they were transferred from the IRGC detention centre where they were held in cells with only one inmate to a ward in the city general prison holding criminals with heavy charges. He and his friends were raped or otherwise sexually assaulted two to three times a day by the other prisoners for 20 days before being released. He believes that although those who identified and arrested him never mentioned anything about his sexual orientation, they knew about it and the guards used it to humiliate and abuse him.<sup>103</sup>

For instance, they searched him and touched his chest and genitals every time he was being returned to his cell after interrogation - an unusual process for a detainee returning from an interrogation room in the same building while blindfolded.<sup>104</sup> [...]

The impact of sexual abuse and gendered psychological abuse on LGBTIQ+ protestors after being released is devastating. Erfan almost committed suicide twice. He said, "I attempted suicide twice after I was released. I don't know why but I had a lot of suicidal thoughts to the point where I was too scared to sleep. One of my friends who is a doctor told me to take a drug test, so I did. The test came back positive for methamphetamine, amphetamine, and morphine. This was very interesting. My friend said this was probably why I was feeling suicidal."<sup>106</sup> He said it might've been in the tea or the food they gave us every day. We had to drink the tea and eat the food. Whether it was in the food or the tea, I can say I had withdrawal symptoms."<sup>107</sup> [...]

Raha Ajoudani, trans influencer, blogger, and civil activist was 19 years old when she was arrested by agents from the Ministry of Intelligence on 26th of October 2022 in Tehran, at the location where she was supposed to meet someone she was in love with. A few days earlier, she posted a video on her Instagram page in which she said: "Each and every one of us knows this very well. As long as this government holds power, it's a sword hanging over each of us. Any of us could have been Mahsa Amini. It could have been any of us who were killed instead of Mahsa Amini."<sup>116</sup>

"The reason I find myself on this path today is due to an incident that occurred when I was 12 years old. At that age, during a Basij student camp, I was raped by a camp organiser who was a member of the Revolutionary Guards. I reported the incident to the camp authorities and confided in my friends, but during those days no one believed me. They accused me of hallucinating, attention-seeking, or attempting to tarnish the reputation of the Basij. This experience led me to decide not to remain a victim and to strive so that others would not go through the same ordeal."<sup>117</sup>

On 26th of October 2022, 15 agents from the Ministry surrounded her, took her phone violently, and threw her on the ground: "When I told them why are you arresting me so brutally, they said, 'Don't pretend to be a girl here, this isn't the place to stir our emotions with a feminine tone'. I said, 'Why did there have to be 15 people to arrest me? Am I a terrorist?' They replied, 'You're worse than a terrorist. Why would someone who has connections with adversarial governments like the US and Israel is at least not worse than a terrorist or an ISIS member?'

Their reference was to an open letter that I and a group of civil activists inside Iran had written to the United Nations Security Council [about the protests in Iran]." They took her to a Ministry of Intelligence office in Baradaran Mozaffari Street and interrogated her for hours. They questioned her about the involvement of the LGBTIQ+ community in the uprising.

They conditioned her release on her making a commitment both in writing and in front of a camera that she did what she did under the influence of foreign spies, and that she was wrong and would not engage in any media activity and remain silent about her arrest. They prepared the text for her and made her wear her headscarf while on camera. They told her that she should wait a few days until they summoned her again, and then released her.

On 17th of December 2022, Raha was arrested again during a raid to her home and by IRGC forces. All her electronic devices were confiscated, her mother was intimidated not to break the news to media outlets outside the country, and she was taken to Branch 8 of Shahr-e Ray Prosecution Office where charges were brought against her. [...]

After 31 days of detention, she was released on a heavy bail of 20 billion Iranian Rials (approximately 473,000 USD). During 26 days of her detention, she was kept in solitary confinement in a clandestine detention centre where other detainees and the guards were all men.

A day later, she was summoned again to the Prosecution Office to be informed about a travel ban issued against her.

Branch 29 of the Tehran Revolutionary Court tried her on 24 June 2023, and sentenced her to a total of two year and six months imprisonment; "I had to appear in court dressed and perceived as a man."

The verdict also mentioned the defendant's sensitive circumstances, which referred to her gender. The authorities felt it was inappropriate for her to be sent to the men's prison because her gender expression was that of a woman; it was also inappropriate for her to go to a woman's prison because she was legally a man. Therefore, her sentence was converted into a fine of 740 million Iranian Rials (approximately 17,500 USD) which she is unable to pay. [...]

64 Interview with Mahan, July 2023 (his real identity is withheld for security reasons).

65 Ibid.

66 Ibid.

67 Ibid. [...]

72 <https://cpj.org/2022/09/iranian-security-forces-step-up-arrests-of-journalists-as-anti-state-protests-spread>.

73 6Rang Interview with Mahan, July 2023 (his real identity is withheld for security reasons).

74 Ibid.

75 6Rang Interview with Navid, July 2023 (his real identity is withheld for security reasons).

76 Ibid.

77 On the time of the interview, he was still waiting to be summoned to prison to serve his sentence.

78 6Rang Interview with Setare, July 2023 (her real identity is withheld for security reasons), and 6Rang Interview with Mahan, July 2023 (his real identity is withheld for security reasons) [...]

97 6Rang Interview with Mahan, July 2023 (his real identity is withheld for security reasons).

98 Ibid.

99 Ibid.

100 Inhaling smoke is a way to ease the impact of tear gas. Therefore, protestors set trash cans on fire. It was also used to prevent security forces from getting to protestors.

101 6Rang Interview with Sabri, July 2023 (her real identity is withheld for security reasons). [...]

103 Erfan

104 After the first interrogation, Erfan was taken to a doctor in the detention center to be generally examined while he was blindfolded: "I remember when someone took my hand and led me to the doctor down the hallway. On the way back, they turned to me and said, 'You're not very dainty.' I didn't say anything. When they took me to the doctor, they said, 'Yes, Doctor, this one is also quite dainty. Be careful with this one.' The doctor performed a physical examination. As they were taking me to the cell, they said, 'Gosh, you're not very dainty at all.' I turned and said, 'Goodness, you're not very decent either.'" [...]

106 Ibid.

107 Ibid. [...]

116 <https://www.facebook.com/watch/?v=838481037407989>.

117 6Rang Interview with Raha Ajoudani, August 2023.<sup>105</sup>

ILGA World, in their updated November 2023 report on the enforcement of laws criminalising consensual same-sex acts and diverse gender expressions, wrote:

Persons with diverse sexual orientations and gender identities are often held arbitrarily for extended periods, or sentenced on minimal or circumstantial evidence. It is also reportedly difficult for the accused to receive willing legal representation from lawyers who may not want to associate with their cases, while those that do are sometimes barred from their own clients' trials. Judicial procedures remain opaque, with judges seemingly able to forego the traditional need for a confession or four male witnesses in a case of same-sex activity, and rely on their own "discretionary knowledge" to mete out the death penalty instead.<sup>234</sup> [...]

On 27 October 2021, activist Zahra Sedighi-Hamadani was arrested by the IRGC again after attempting to leave Iran. She was accused of "illegally leaving the country" and "collaborating with hostile media" because of an interview she did with the BBC. Zahra was forcibly disappeared for 53 days after her arrest, and was subject to extreme abuse in a detention centre in Urumieh from October to December 2021.<sup>287</sup> [...]

On 17 December 2022 a transgender teenager, was arrested as she left her home in the Shahre Rey area of Tehran. The girl was taken to a juvenile detention centre, but her family expressed fear that as soon as she comes of age, she could be transferred to a men's facility and subjected to abuse there by the authorities. At the time of writing, she had not been granted access to her family or a lawyer.<sup>295</sup> [...]

<sup>234</sup> UN Human Rights Council, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Philip Alston. Addendum: Communications to and from Governments, A/HRC/14/24/Add.1 (2010), para. 450; Iran Human Rights Documentation Centre, Denied Identity: Human Rights Abuses Against Iran's LGBT Community (2013),

<sup>105</sup> 6Rang (Iranian Lesbian & Transgender Network), [War on Bodies and Minds: Gender Persecution of LGBTIQ+ Protestors in the Context of the 2022-23 Iran Uprising](#), September 2023, pp. 20-24, 26-29, and 31-32

21-22; Mai Sato and Christopher Alexander, *State-Sanctioned Killing of Sexual Minorities: Looking Beyond the Death Penalty* (Monash University, 2021), 40. [...]

287 "Iran: UN experts demand stay of execution for two women, including LGBT activist", OHCHR, 28 September 2022.

295 "Iran: salvate Raha Ajudani, ragazza trans minorenne arrestata" [Iran: rescue Raha Ajudani, a minor trans girl arrested], Gay.it, 24 December 2022; "و شناسایی جدید موج" [The new wave of identifying and arresting LGBT people and the resistance of this community], 6Rang, 19 January 2023.

296 "جامعه این مقاومت و لژیون بی بی تی اف راد س ت گ یری و شناسایی جدید موج" [The new wave of identifying and arresting LGBT people and the resistance of this community], 6Rang, 19 January 2023.<sup>106</sup>

## ii. Treatment in detention facilities

*For further relevant information consult also section II., b., ii, 2. [Mistreatment in investigations](#).*

In January 2020, the report of the UN Special Rapporteur on the situation of human rights in Iran wrote that [Note that no date is provided for this incident, but is likely to have taken place between the date of the previous report 18.07.2019 and the publication date of this report 28.01.2020]:

Another former detainee who was an activist for lesbian, gay, bisexual and transgender rights and for gender equality and who had spent 19 days in solitary confinement in ward 209 at Evin Prison informed the Special Rapporteur that she was kept in a cell measuring 2m by 3m and could not talk to her family or the outside world for the first 15 days of her detention. She was not allowed to have any books. In the bathroom, only hot water was available, and in her cell the lights were on 24 hours a day. She developed an anxiety disorder that caused panic attacks, as a result of which she was taken to the prison clinic, where she was given medication. Another person who was in solitary confinement in ward 209 reports having been kept in such confinement for 83 days. For three weeks he had access only to the bathroom. He could ring a bell to ask for assistance and, when taken to the bathroom, he was blindfolded. During that period, he could not receive visits. His parents came every week but were sent back every time. Another detainee who was held in solitary confinement in Zahedan Prison was not allowed to talk to his family for 30 days.<sup>107</sup>

In January 2021, IranWire released an article on the experiences of and conditions for LGBT prisoners in Iran. It wrote:

*According to IranWire's findings, most LGBT prisoners are held in Evin Prison in Tehran province, detained for alleged crimes from "nudity" or "feminine behavior" to recognized criminal acts such as robbery and fraud.*

<sup>106</sup> ILGA (International Lesbian, Gay, Bisexual, Trans and Intersex Association) World, [Our Identities Under Arrest: A global review on the enforcement of laws criminalising consensual same-sex acts and diverse gender expressions](#), 30 November 2023, pp. 170 and 176

<sup>107</sup> UN General Assembly, [Situation of human rights in the Islamic Republic of Iran: Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran](#), 28 January 2020, p. 16

*Prison is a frightening place for LGBT Iranians. The conditions in which they are held are just as bad as those for people convicted of national security crimes. Long periods of solitary confinement and the deprivation of their rights are, as always, just the beginning.*

Up until March 2020, most known gay and transgender prisoners were being held on Ward 240 of Evin Prison. Ward 240 is at the disposal of the Ministry of Intelligence of the Islamic Republic. It has several storeys, and each floor features a long corridor from which there are several cells on each side. Each cell has a small hatch, and at the bottom a small door, like that of a mailbox. There are two types of cells in this section; smaller ones that are three and a half square meters each, and others that measure around eight square meters. Inside each is a basin and a shower, as well as a “window” close to the ceiling covered with a metal mesh.

It is not possible to open the windows. No one can reach them. The gay and transgender prisoners of Ward 240 were held in the eight-square-meter cells, often entirely alone for the duration of their imprisonment, which could last for years on end. [...]

#### Transfer to the Basement of Ward One

In January 2020, after a flurry of reports were published pointing out the grim conditions these prisoners were dealing with, most of them were abruptly transferred to the basement of a different building in Evin.

Through the main gates of Evin Prison, across the green space and through to the other side of the administrative buildings, stands a building known as *Andarzgah* (Ward) One. The ground floor is being used as a quarantine space, where prisoners are held for at least two days, after which, depending on the conviction, they will be distributed across the rest of the complex.

But Ward One also has a basement. Past the guard’s room is a small door on the right that is always closed, but leads 16 steps down to another small door, beyond which lies the land of the forgotten. For years, the underground floor has either stood empty or held overflow prisoners for a limited period of time. Since January 2020, it has instead housed the gay and transgender prisoners of the Islamic Republic. The basement has no amenities. No outdoor space for breaks and exercise, no store to buy goods from without the help of intermediaries. But there are cameras: at least three for every prisoner, according to those who have been held. Aside from the surveillance, the only other relic of Ward 240 is the daily insults and humiliation from the guards. [...]

One Ward One basement detainee, who recently went on leave, told IranWire that the absence of family support made life in this miserable space even harder.

“We are imprisoned in these harsh conditions for a long time,” they said, “often for petty crimes involving just one, private plaintiff. We were cursed with long periods of solitary confinement and now a life underground.

“When we raise these issues with our families, they say this is what we deserve - and maybe even that this will correct us.”<sup>108</sup>

In August 2021, ABC News reported on conditions at Iran’s Evin Prison after a group of hackers reportedly leaked a series of videos showing torture and inhumane conditions, writing that:

The videos show prison officers beating inmates, stripping them naked for body investigations, and dozens of prisoners sleeping on floors due to a lack of beds in cells. [...]

With the videos going viral, former prisoners shared what they claim are their experiences of torture, humiliation and severe conditions. [...]

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<sup>108</sup> IranWire, [Voices From the Basement: Gay and Trans Detainees on Life in Evin Prison](#), 9 June 2021



Arash Sadeghi, a prisoner who is on temporary sick leave from the prison, said the situation facing people from minority groups, such as the LGBTQ community, is shocking. He said he believes the voices of such groups of prisoners never reach outside of the thick walls of Evin Prison.

"The LGBTQ prisoners' condition is so difficult that they have the highest number of suicide attempts amongst all other prisoners. They are constantly insulted, humiliated and sexually abused by the prison staff," Sadeghi told ABC News.<sup>109</sup>

HRANA reported in October 2021 on conditions for and treatment of LGBTQ+ prisoners in detention in Iran, stating the following:

According to HRANA, the news agency of Human Rights Activists, there are about 15 inmates imprisoned on LGBTQ+ related charges in Wards 2 and 10 of Rajai Shahr Prison in Karaj.

Ironically named the "cultural ward" by its residents, Ward 10 is where inmates convicted of crimes such as robbery, murder and membership in ISIS are housed. Ward 2, known as "Dar-al-Quran", houses inmates convicted of violent crimes.

In contrast, the 15 LGBTQ+ prisoners being held in these notorious wards have largely been detained on charges related to having consensual same-sex relationships, known as "Lavat", which are forbidden under Islamic Law.

"From the very moment they come to prison, (these prisoners) are harassed and intimidated by inmates convicted of violent crimes," an informed source told HRANA. "Some of them are still waiting for legal proceedings after two to five years." [...]

"Some of them have been long time held in prison without holding any court and conviction," the informed source added. "They are living in hard conditions worsened by the treatment of fellow inmates."<sup>110</sup>

In January 2022, 6Rang reported on conditions for trans prisoners in Iran, writing that:

Leaked footage from Evin Prison, Tehran, shows the deplorable living conditions and treatment of trans individuals in the so-called 'trans ward', including inhumane solitary confinement, neglect and suicide.

Several videos were leaked by a group of hackers who had intercepted the prison's CCTV system and recorded scenes of violence, one of which was located at the underground of the Quarantine Ward, as confirmed by 6Rang.

The horrifying living conditions depicted in these videos were overcrowding, lack of fresh air and sunlight and discrimination based on gender identity. Upon further research, 6Rang discovered that before these prisoners are transferred to the 'trans ward', they were usually kept in solitary confinements in Ward 240, some for months or even years. They were essentially quarantined and had only been allowed in the recreational yard a handful of times in years. There are reports about the cramped conditions causing physical ailments, such as issues with vision and bone problems.

Former prisoners who spoke up on social media after the leak talked of the sexual abuse they or their fellow trans prisoners experienced. They pointed to this as a cause of suicide in Evin prison, another scene that was shown in the footage.

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<sup>109</sup> ABC News, [Iran to investigate videos showing torture, inhumane conditions in prison](#), 31 August 2021

<sup>110</sup> Human Rights Activists News Agency (HRANA), [Fifteen LGBTQ+ Prisoners Being Held in Wards 2 and 10 of Rajai Shahr Prison](#), 20 October 2021

Violence and harassment run rampant in Evin prison, both at the hands of the guards and other inmates. One of the videos shows a physical fight between two prisoners with the guards standing to the side and not acting to break up the conflict. The negligence in part of the prison is quite clear here.<sup>111</sup>

Amnesty International reported in January 2022 on the conditions of arbitrary detention of Zahra Sedighi-Hamadani (Sareh), writing that:

Gender nonconforming human rights defender Zahra Sedighi-Hamadani, known as Sareh, is arbitrarily detained in the central prison in Urumieh solely in connection with her real or perceived sexual orientation and gender identity as well as her social media posts and statements in defence of the rights of lesbian, gay, bisexual, transgender and intersex (LGBTI) people. The Revolutionary Guards arrested her on 27 October 2021 near the Iranian border with Turkey while she was attempting to irregularly enter Turkey to seek international protection. Following her arrest, she was forcibly disappeared for 53 days. It subsequently transpired that the Revolutionary Guards held her in solitary confinement in a detention centre in Urumieh. During this period, she says a Revolutionary Guard agent subjected her to intense interrogations accompanied by verbal abuse and insults directed at her identity and appearance and threatened to execute or otherwise harm her and take away the custody of her two young children. These acts violate the absolute prohibition on torture and other ill-treatment.<sup>112</sup>

The February 2022 UK Parliament research briefing on LGBT+ rights and issues in the Middle East stated that: “Iranian security forces frequently harass, arrest, and detain individuals they suspect of being LGBT+. [...] Those that are arrested are commonly subjected to torture and ill treatment in order to extract confessions and are denied the right to a fair trial”.<sup>113</sup>

Reporting on the sentencing to death of Zahra Sedighi-Hamadani and Elham Choubdar, Amnesty International remarked in September 2022 that:

The proceedings leading to the women’s convictions and sentences were grossly unfair. Zahra Sedighi-Hamadani was forcibly disappeared for 53 days following arrest. During this time, she was subjected to abusive interrogations without access to a lawyer, prolonged solitary confinement, homophobic insults, death threats and threats to take away the custody of her children, which violate fair trial rights and the absolute prohibition on torture and other ill-treatment. Amnesty International understands that Elham Choubdar was pressured to make “confessions”.<sup>114</sup>

6Rang’s September 2023 report on the gender persecution of LGBTIQ+ protestors in the context of the 2022-23 Iran uprising commented on the following cases:

Mahan’s story shows how the authorities make an issue out of gender identity. He is a gay man from a religious city:

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<sup>111</sup> 6Rang (Iranian Lesbian & Transgender Network), [Suicide and neglect: Trans prisoners treated worse than animals in Iran’s most notorious prison](#), 10 January 2022

<sup>112</sup> Amnesty International, [Ill-Treated Iranian LGBTI Defender At Risk](#), 25 January 2022

<sup>113</sup> UK Parliament, [Research Briefing: LGBT+ rights and issues in the Middle East](#), 9 February 2022, p. 9

<sup>114</sup> Amnesty International, [Urgent Action: Iranian LGBTI Defender Sentenced to Death](#), 15 September 2022

*It was a few days after Mahsa Amini's death. We were angry and angry and could not sit on our hands and do nothing. Two of my friends and I decided to graffiti walls. We wrote Mahsa Amini's name on walls all over the city; even on the walls of mosques.<sup>64</sup>*

One night, when they finished work and were almost home, they were arrested by a few plainclothes officers who attacked, handcuffed, and blindfolded them and forced them in a van with tasers and threats.<sup>65</sup>

Although they were arrested over expressing their dissident in the form of graffiti, they were questioned about their gender due to their appearances while being handcuffed and blindfolded:

*Even though I don't appear out-of-the-ordinary, I could hear the officers say 'these are girls. Why have you brought them here?' They meant me and my other friend who was a girl. One of the officers came to me and asked if I was a girl or a boy. I answered, 'isn't it clear that I'm a boy?' This made him use derogatory terms to speak to me. They insulted and cursed me, and if I responded to their insults, they would shock me with tasers. Amid humiliation and insults, they even told us to take off our pants to see if we are girls or boys!<sup>66</sup> [...]*

All participants of this research who were arrested while exercising their rights to freedom of expression or freedom of assembly experienced torture and ill-treatment, often aggravated by gender-based violence and sexual abuse. These included the use of derogatory and insulting words referring to their gender, being threatened with rape, physical torture, and physical sexual assault.

Kamran, a gay man who was arrested at a protest in a southern city described the condition as follows:

*When we were in detention, they didn't give us any food for almost 24 hours. We were so frightened that we didn't even dare to ask for water. Until morning, they were kicking the metal door, there were 24 of us in a small detention centre where we couldn't even stretch our legs, and they constantly demanded that we stand up.*

*After that, they transferred us from our hometown to the prison in Bushehr which was about a 3-hour drive away (300 kilometres), we were in a van with metal walls and no windows in the southern heat. They didn't even open a ventilation duct.*

*Our hands were bound with plastic handcuffs, and they insulted us. The space was so small and they intentionally wafted unpleasant smells from the handcuffs towards our faces, just to make us lose our balance. (I can say that for the first two days in prison, my leg was so injured that I couldn't feel it.)<sup>95</sup>*

Dana, a 41-year-old trans woman who was arrested at night with about 50 other protestors in the city of Karaj said that she was treated differently by the guards and other security forces in the detention centre. While everyone was severely beaten, they also used vulgar terms against her such as *bacheh kouni* (batty boy) that referred to her gender.<sup>96</sup>

Mahan, a gay man was arrested because of spray-painting 'Woman, Life, Freedom' on walls. He was blindfolded and taken to several places, presumably detention centres, where he was interrogated repeatedly for hours. He says that as soon as interrogators became privy to his sexual orientation due to his appearance, they neglected the reason for his arrest.<sup>97</sup> He was kept for questioning on the basis of his identity:

*It was as if the reason for my arrest had been forgotten. The questions were only about my sexual orientation, sex, appearance, and behaviour. They were trying to file a case against me. They kept asking if I'm a prostitute. They asked whether this is how I got the cash that was in my wallet. This went on for hours. Finally, they put papers in front of me and forced me to sign. It was written in the papers that I confirm that I am transgender and have a mental and sexual illness. They said that my family must approve this and sign the papers, otherwise they wouldn't let me*

*go. They kept us all night. In the morning, they called my family, and told them to sign for me and take me.*<sup>98</sup>

He believes that interrogators target LGBTIQ+ protestors: "They constantly threatened us with the possibility of being raped in prison because of our appearance and identities. They would tell us that we had been caught by good people and we were safe, since they hadn't raped us. It was as if they themselves openly admitted that they do these things with detainees and protestors."<sup>99</sup>

Sabri, a trans woman was arrested during a protest in Tehran and also had the same experience of being subjected to sexual insulting words and rape threats. She was placed under pressure and death threats to falsely confess in front of the interrogators' camera that she had set fire to trashcans.<sup>100</sup> She was asked who she had been collaborating with, where she had graffitied, etc. She and a few others refused to answer. Consequently, they were transferred from an unknown detention centre to another location that they called a prison. She was taken to a square in Tehran and released a few hours later after the head of the prison realised that she was trans: "I don't know if he felt sorry for me, or he did not want a LGBT person in his prison".<sup>101</sup>

Erfan, a 35-year-old gay man, was raped repeatedly in detention. He was arrested after being identified, together with his two other friends who were also LGBTIQ+ persons, by the authorities for his involvement in a Telegram group that was used to organise street protests in their cities. The admin of the Telegram group was arrested and information about the group members including Erfan and his two other friends got into the hands of the IRGC [Islamic Revolutionary Guard Corps]. From searching his phone, they also learned that he sent videos of protests to Vahid Online, a Telegram Channel and Twitter account that was one of the main sources of news about the protests.<sup>102</sup>

After the 7-day interrogation process, they were transferred from the IRGC detention centre where they were held in cells with only one inmate to a ward in the city general prison holding criminals with heavy charges. He and his friends were raped or otherwise sexually assaulted two to three times a day by the other prisoners for 20 days before being released. He believes that although those who identified and arrested him never mentioned anything about his sexual orientation, they knew about it and the guards used it to humiliate and abuse him.<sup>103</sup>

For instance, they searched him and touched his chest and genitals every time he was being returned to his cell after interrogation - an unusual process for a detainee returning from an interrogation room in the same building while blindfolded.<sup>104</sup> He also said the fact that they put him and his friend in that particular ward implied they knew about their sexual orientation and wanted to punish them for it.<sup>105</sup>

The impact of sexual abuse and gendered psychological abuse on LGBTIQ+ protestors after being released is devastating. Erfan almost committed suicide twice. He said, "I attempted suicide twice after I was released. I don't know why but I had a lot of suicidal thoughts to the point where I was too scared to sleep. One of my friends who is a doctor told me to take a drug test, so I did. The test came back positive for methamphetamine, amphetamine, and morphine. This was very interesting. My friend said this was probably why I was feeling suicidal."<sup>106</sup> He said it might've been in the tea or the food they gave us every day. We had to drink the tea and eat the food. Whether it was in the food or the tea, I can say I had withdrawal symptoms."<sup>107</sup> [...]

Raha Ajoudani, trans influencer, blogger, and civil activist was 19 years old when she was arrested by agents from the Ministry of Intelligence on 26th of October 2022 in Tehran, at the location where she was supposed to meet someone she was in love with. A few days earlier, she posted a video on her Instagram page in which she said: "Each and every one of us knows this very well. As long as this government holds power, it's a sword hanging over each of us. Any of us could have been Mahsa Amini. It could have been any of us who were killed instead of Mahsa Amini."<sup>116</sup>

“The reason I find myself on this path today is due to an incident that occurred when I was 12 years old. At that age, during a Basij student camp, I was raped by a camp organiser who was a member of the Revolutionary Guards. I reported the incident to the camp authorities and confided in my friends, but during those days no one believed me. They accused me of hallucinating, attention-seeking, or attempting to tarnish the reputation of the Basij. This experience led me to decide not to remain a victim and to strive so that others would not go through the same ordeal.”<sup>117</sup> [...]

They took her to a Ministry of Intelligence office in Baradaran Mozaffari Street and interrogated her for hours. They questioned her about the involvement of the LGBTIQ+ community in the uprising.

They conditioned her release on her making a commitment both in writing and in front of a camera that she did what she did under the influence of foreign spies, and that she was wrong and would not engage in any media activity and remain silent about her arrest. They prepared the text for her and made her wear her headscarf while on camera. They told her that she should wait a few days until they summoned her again, and then released her.

On 17th of December 2022, Raha was arrested again during a raid to her home and by IRGC forces. [...]

“The accusations included insulting Islamic sanctities, engaging in propaganda against the system, calling for people to wage war and commit murder to disrupt national security, and allegedly collaborating with adversarial governments. Then they asked for an explanation, and I said, ‘I didn’t incite anyone to war or murder.’ They showed me a video related to Mahsa Amini that had been published by me. I asked, ‘Where do you see in this video that I’m inciting violence and murder?’ They replied, ‘Just the fact that you’re calling for nationwide protests is enough for that purpose.’ At that point, they told me, ‘You’re not a woman; why is your hair so long?’ Then they sent a female police officer who pulled my hair to see if it was real or fake.” [...]

During 26 days of her detention, she was kept in solitary confinement in a clandestine detention centre where other detainees and the guards were all men.

A day later, she was summoned again to the Prosecution Office to be informed about a travel ban issued against her. [...]

Branch 29 of the Tehran Revolutionary Court tried her on 24 June 2023, and sentenced her to a total of two year and six months imprisonment; “I had to appear in court dressed and perceived as a man.” [...]

64 Interview with Mahan, July 2023 (his real identity is withheld for security reasons).

65 Ibid.

66 Ibid.

67 Ibid. [...]

95 6Rang Interview with Kamran, June 2023 (his real identity is withheld for security reasons).

96 6Rang Interview with Dana, July 2023 (her real identity is withheld for security reasons).

97 6Rang Interview with Mahan, July 2023 (his real identity is withheld for security reasons).

98 Ibid.

99 Ibid.

100 Inhaling smoke is a way to ease the impact of tear gas. Therefore, protestors set trash cans on fire. It was also used to prevent security forces from getting to protestors.

101 6Rang Interview with Sabri, July 2023 (her real identity is withheld for security reasons).

102 6Rang Interview with Erfan, August 2023 (his real identity is withheld for security reasons).

103 Erfan

104 After the first interrogation, Erfan was taken to a doctor in the detention center to be generally examined while he was blindfolded: “I remember when someone took my hand and led me to the doctor down the hallway. On the way back, they turned to me and said, ‘You’re not very dainty.’ I didn’t say anything. When they took me to the doctor, they said, ‘Yes, Doctor, this one is also quite dainty. Be careful with this one.’ The doctor performed a physical

examination. As they were taking me to the cell, they said, 'Gosh, you're not very dainty at all.' I turned and said, 'Goodness, you're not very decent either.'

105 Ibid.

106 Ibid.

107 Ibid. [...]

116 <https://www.facebook.com/watch/?v=838481037407989>.

117 6Rang Interview with Raha Ajoudani, August 2023.<sup>115</sup>

The UN Human Rights Committee's November 2023 concluding observations on the fourth periodic report of the Islamic Republic of Iran and its implementation of the ICCPR stated that it is "concerned that State actors frequently harass and detain lesbian, gay, bisexual and transgender individuals on the basis of public decency laws and subject such persons to torture and ill-treatment while they are in detention".<sup>116</sup>

iii. Prosecutions and convictions under laws that are deployed against the LGBTQI+ community (or those perceived as supporting the LGBTQI community)

In February 2020, 6Rang noted, in a response to a 2019 official report by the Dutch government on the situation of Iranian LGBT persons, that: "there is no information published about many cases and they are buried due to a lack of transparency and respect for due process and because of the regime's success in oppressing these victims and stopping them from making their case public".<sup>117</sup> The response continued:

A lack of respect for due process is the reason why these sentences are not published; the regime *conceals* its human rights violations. In addition to no transparency, those charged with the crime of *Lavat* (sodomy) do not have the right to legal representation or attorney. The regime of Iran always labels these cases as *Lavat-e Be-Onf* or sodomy by force or rape—alleging the one party forced the other. The regime does this by offering a less severe sentence for one of the parties in exchange for the confession that he was forced into the same-sex intercourse by the other party. In other words, they offer one of the parties a deal in exchange for a false confession that he did not consent to the sexual conduct. This makes the case appear non-consensual and stops human rights organisations from fighting against the criminalisation and punishment of consensual same-sex conduct using this case. However, in these cases, there is not proof or documentation, whatsoever, of any force being applied by one party to the other, or vice versa, in the sexual relation. These same-sex sexual conducts are almost always with the consent of both parties.<sup>118</sup>

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<sup>115</sup> 6Rang (Iranian Lesbian & Transgender Network), [War on Bodies and Minds: Gender Persecution of LGBTQI+ Protestors in the Context of the 2022-23 Iran Uprising](#), September 2023, pp. 20-21, 27-29, and 31-32

<sup>116</sup> UN International Convention on Civil and Political Rights, Human Rights Committee, [Concluding observations on the fourth periodic report of the Islamic Republic of Iran](#), 23 November 2023, p. 3

<sup>117</sup> 6Rang (Iranian Lesbian & Transgender Network), [6Rang letter to Dutch government regarding its asylum policy for Iranian LGBTQI](#), 11 February 2020

<sup>118</sup> 6Rang (Iranian Lesbian & Transgender Network), [6Rang letter to Dutch government regarding its asylum policy for Iranian LGBTQI](#), 11 February 2020

Erasing 76 Crimes reported in July 2020 that a “top Iranian aide has been charged with “spreading moral corruption” for sharing a cartoon online that showed loving lesbian and gay parents”.<sup>119</sup> The article further wrote, quoting 6Rang, that:

Iranian president’s special assistant for citizenship rights, Shahindokht Molaverdi, has been charged with “spreading moral corruption and depravity” after she “accidentally” authorised the publication of a rainbow family infographic.

Following a complaint by the security and judicial authorities, the Culture and Media Court filed an indictment against Molaverdi. According to Fars News Agency, one of the three charges against is “spreading moral corruption and depravity” and providing the means for this sort of behaviour.

Earlier [on May 15], on the occasion of World Family Day, Molaverdi posted a photo on her Telegram channel, in which there were two illustrations of same-sex couples. Subsequently, Mashregh News published screenshots of this post from Molaverdi’s Telegram and wrote: “on the occasion of World Family Day, Molaverdi has published a post on her Telegram that depicts the deviant and reprehensible homosexual families made up of two women and a child and two men and a child.”

In response to this report and waves of attacks on social media, Molaverdi said she had accidentally posted the image on her Telegram channel and quickly deleted it afterwards.<sup>120</sup>

DW reported in December 2020 on the sentencing of a British-Iranian social researcher:

Iran sentenced British-Iranian researcher Kameel Ahmady to nine years in prison on Sunday, Iranian news agency Tasnim reported. [...]

The anthropologist and social researcher was convicted of conducting "subversive" research work. He was also fined €600,000 (\$727,000), which, according to Iranian amount authorities, is the amount he allegedly received for his research by institutions accused of trying to toppled [sic] the Iranian regime. [...]

The report by Tasnim said Ahmady had been charged with cooperating with European embassies for promoting homosexuality, visiting Israel, cooperation and communication with foreign and hostile media, infiltration, and sending false reports about the country to the United Nation’s special rapporteur on human rights in Iran.<sup>121</sup>

In their report on the state-sanctioned killing of sexual minorities in February 2021, Mai Sato and Christopher Alexander wrote that:

[...] based on our research, it is almost impossible to determine, or even estimate with any accuracy, the number of executions carried out for same-sex sexual conduct:

The lack of transparency and lack of due process that makes it very difficult to figure out what is happening in Iran’s criminal justice [system], and in particular for crimes such as this one [same-sex sexual conduct], where the state tries to hide it from the international community. [...]

[The] Iranian regime always change[s] the story... and it makes our organisation and activists’ jobs more difficult to prove what exactly happened. [...]

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<sup>119</sup> Erasing 76 Crimes, [Iran official charged for cartoon of loving same-sex parents](#), 18 July 2020

<sup>120</sup> Erasing 76 Crimes, [Iran official charged for cartoon of loving same-sex parents](#), 18 July 2020

<sup>121</sup> Deutsche Welle (DW), [Iran jails British-Iranian researcher for 'subversive' work](#), 14 December 2020

In addition to the government and the criminal justice system, the public is reluctant to speak on this issue. [...] data concerning cases involving sexual minorities are difficult to collect: 'because of the transphobic and homophobic culture, [families] don't want to contact the media or human rights organisations' [...].<sup>122</sup>

Amnesty International stated in their 2021 annual report on human rights in 2020 that, in Iran: "At least 160 people were sentenced to flogging, according to the Abdorrahman Boroumand Center, for theft and assault as well as for acts that are protected under international human rights law, such as participating in peaceful protests, engaging in extramarital or consensual same-sex relationships and attending mixed-gender parties. In many cases, flogging sentences were carried out".<sup>123</sup>

In April 2021, USCIRF reported in its annual report covering 2020 that: "Iran invokes its interpretation of Shari'a to justify religious freedom violations against the lesbian, gay, bisexual, transgender, and intersex (LGBTI) community and actively executes LGBTI people for their sexual identity".<sup>124</sup> Similarly in its 2022 annual report covering 2021, USCIRF wrote that: "Iran actively executes people who engage in same-sex relations, citing religious grounds".<sup>125</sup>

According to IHR in July 2021, "Farhad Najafi and Ali Ahmadi who had been sentenced to death for the rape of a man, have been executed in Maragheh Prison" on the morning of 5 July.<sup>126</sup>

Amnesty International reported in January 2022 on the arbitrary detention of Zahra Sedighi-Hamadani (Sareh), writing that:

Gender nonconforming human rights defender Zahra Sedighi-Hamadani, known as Sareh, is arbitrarily detained in the central prison in Urumieh solely in connection with her real or perceived sexual orientation and gender identity as well as her social media posts and statements in defence of the rights of lesbian, gay, bisexual, transgender and intersex (LGBTI) people. The Revolutionary Guards arrested her on 27 October 2021 near the Iranian border with Turkey while she was attempting to irregularly enter Turkey to seek international protection. [...]

On 16 January 2022, Zahra Sedighi-Hamadani was brought before the lead investigator of Branch 6 of the Office of the Revolutionary and Public Prosecutor in Urumieh who informed her that she is accused of "spreading corruption on earth" including through "promoting homosexuality", "communication with anti-Islamic Republic media channels" and "promoting Christianity". The first two accusations stem from her public defence of LGBTI rights, including on her social media platforms and in an appearance in a BBC documentary aired in May 2021 about the abuses that LGBTI people suffer in the Kurdistan Region of Iraq.

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<sup>122</sup> Mai Sato and Christopher Alexander, [State-Sanctioned Killing of Sexual Minorities: Looking Beyond the Death Penalty](#), February 2021, p. 42

<sup>123</sup> Amnesty International, [Amnesty International Report 2020/21: The state of the world's human rights](#), 7 April 2021, p. 192

<sup>124</sup> US Commission on International Religious Freedom (USCIRF), [2021 Annual Report - Iran Chapter: Key Findings](#), April 2021, p. 26

<sup>125</sup> US Commission on International Religious Freedom (USCIRF), [2022 Annual Report - Iran Chapter: Key Findings](#), April 2022, p. 23

<sup>126</sup> Iran Human Rights (IHR), [Farhad Najafi and Ali Ahmadi Executed on Rape Charges in Maragheh](#), 8 July 2021



According to information obtained by Amnesty International, the latter accusation is for wearing a cross necklace and attending a house church in Iran several years ago. Her case has since been referred to the head of the Office of the Revolutionary and Public Prosecutor in Urumieh to issue a formal indictment.<sup>127</sup>

At the beginning of February 2022, HRANA reported that: "On the morning of January 30, two inmates accused of and convicted for "forced sodomy" were executed in Maragheh Central Prison. [...] the executed inmates were Mehrdad (Akbar) Karimpour, age 32, and Farid Mohammadi. Six years ago, they were arrested, accused of forcible sodomy, and subsequently sentenced to death".<sup>128</sup>

The USDOS 2021 report on human rights practices in Iran, published in April 2022, stated that: "Punishment for same-sex sexual activity between men was more severe than between women".<sup>129</sup> The same statement is found in the USDOS 2020 report on human rights practices in Iran, published in March 2021.<sup>130</sup>

In July 2022, the UN Special Rapporteur wrote in the UN report on the situation of human rights in Iran that: "With regard to sexual minorities, in February 2022 two men were executed after being convicted on charges of sodomy. The two had spent six years on death row".<sup>131</sup>

In its July 2022 country update for religious freedom in Iran, USCIRF also wrote that: "Iran is one of a handful of countries that actively executes gay men for same sex intercourse. In January, Iran hanged Mehrdad Karimpou and Farid Mohammad at Maragheh Prison on sodomy charges. In June, Iran hanged Iman Safari Rad, on sodomy charges at Rajai Shahr Prison in Karaj".<sup>132</sup>

On 4 September 2022, Hengaw Organization for Human Rights reported that:

Zahra Sediqi Hamedani, known as "Sareh", 31, from Naqadeh, and Elham Chubdar, 24, from Urmia, both activists of the LGBT community, were sentenced to death by the Revolutionary Court of Urmia in a joint case on the charge of "Corruption on Earth" through the promoting homosexuality.

According to the report received by Hengaw Human Rights Organization, the sentence has been announced to them in the past few days in the women's ward of Urmia Central Prison.

The two activists of the LGT community were accused by the Urmia Public Prosecutor's Office on Sunday, January 16, 2022, of "Corruption on Earth" through "promoting homosexuality", "promoting Christianity", and "communicating with the media opposing the Islamic Republic".<sup>133</sup>

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<sup>127</sup> Amnesty International, [III-Treated Iranian LGBTI Defender At Risk](#), 25 January 2022

<sup>128</sup> Human Rights Activists News Agency (HRANA), [Two Inmates Executed in Maragheh Central Prison](#), 3 February 2022

<sup>129</sup> US Department of State (USDOS), [2021 Country Reports on Human Rights Practices: Iran](#), 12 April 2022

<sup>130</sup> US Department of State (USDOS), [2020 Country Reports on Human Rights Practices: Iran](#), 30 March 2021

<sup>131</sup> UN General Assembly, [Situation of human rights in the Islamic Republic of Iran: Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Javaid Rehman](#), 18 July 2022, p. 7

<sup>132</sup> US Commission on International Religious Freedom (USCIRF), [Country Update: Iran - Religious Freedom in Iran in 2022](#), July 2022, p. 4

<sup>133</sup> Hengaw Organization for Human Rights, [Zahra Sediqi Hamadani, an LGBT community activist, was sentenced to death by the Revolutionary Court of Urmia](#), 4 September 2022

Referring to the same sentencing, BBC News wrote in September 2022 that ““This is the first time that a woman has been sentenced to death in Iran for her sexual orientation,” spokeswoman Shadi Amin [director of 6Rang] told AFP news agency”.<sup>134</sup>

In reference to the same case, ARTICLE19 wrote in September 2022 that “the cases of Zahra (Sareh) Seddighi-Hamedani and Elham Choubdar also show how anti LGBTQI laws are repeatedly combined with other penal laws (such as ‘corruption on earth’) to create multiple charges and garner the highest sentences possible”.<sup>135</sup>

While reporting also on the same case, BBC News noted in September 2022 that: “According to Iranian activists, at least four other people have been executed for being gay in the last 12 months, two of them as recently as June” but that “The use of the same tactic with two LGBT women marks a new departure. Sex between women is not punishable with the death sentence, but with up to 100 flogs”.<sup>136</sup>

Amnesty International posted a campaign on 15 September 2022 related to the same court case. It stated that:

Lesbian, gay, bisexual, transgender and intersex (LGBTI) rights defender Zahra Sedighi-Hamadani, 31, known as Sareh, and another woman, Elham Choubdar, 24, were sentenced to death after the Revolutionary Court in Urumieh, West Azerbaijan province, tried them in early August 2022 and subsequently convicted them of “corruption on earth.” Official statements, state media reports, and statements made by prosecution officials to Zahra Sedighi-Hamadani since her arrest in October 2021 indicate that she was targeted for discriminatory reasons tied to her real or perceived sexual orientation and/or gender identity, as well as her peaceful LGBTI rights activism, including on social media, and her association with LGBTI asylum seekers in Iraq. On 18 July 2022, state media affiliated with the Revolutionary Guards aired a homophobic video portraying Zahra Sedighi-Hamadani as a “criminal” for publishing online content which “promoted homosexuality” and “challenged the stigma around religiously forbidden [*namashrou*] sexual relations”. The propaganda video linked Zahra Sedighi-Hamadani’s peaceful online LGBTI rights activism to unfounded accusations of “gambling” and “smuggling women and girls from Iran to Erbil [Iraq]” in a bid to vilify her. Court documents and other information reviewed by Amnesty International indicate that Elham Choubdar was similarly targeted for discriminatory reasons related to her real or perceived sexual orientation and/or gender identity, LGBTI supportive activities on social media, and association with Zahra Sedighi-Hamadani.<sup>137</sup>

Similarly, FIDH reported in September 2022 on the death sentence given to the two women for speaking in support of LGBTQI+ rights. It stated that:

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<sup>134</sup> BBC News, [Iran sentences two LGBT activists to death](#), 6 September 2022

<sup>135</sup> ARTICLE19, [Iran: Death sentences for LGBTQI activists must be immediately overturned](#), 8 September 2022

<sup>136</sup> BBC News, [‘I want to see the rainbow flag raised in Iran’](#), 11 September 2022

<sup>137</sup> Amnesty International, [Urgent Action: Iranian LGBTI Defender Sentenced to Death](#), 15 September 2022

On August 10, 2022, the Islamic Revolution Court of Urmia, West Azerbaijan Province, tried LGBTQI+ rights defender Ms. Zahra (aka Sareh) Sedighi Hamedani and Ms. Elham Chubdar, another woman active on LGBTQI+ matters online and associated with Ms. Sedighi Hamedani. The two were found guilty of "spreading corruption on earth" (Article 286 of the Islamic Penal Code) through "being members of gangs smuggling young women and girls, promoting homosexuality, proselytising Christianity, and contacts with opposition media". They were sentenced to death, following a grossly unfair trial. While the date of their conviction is unknown, the two women learned of their sentences on September 1, 2022, in the women's wing of Urmia jail, where they have been arbitrarily detained since late 2021. Their sentences have been appealed to the Supreme Court, which will examine their cases in the coming months.<sup>138</sup>

Erasing 76 Crimes, in their 2022 summary of LGBT rights progress in Asia, stated that on Iran that: "The government continued executing LGBT people in 2022".<sup>139</sup>

The February 2023 report of the UN Special Rapporteur on the situation of human rights in Iran also observed that: "On 1 September 2022, two lesbian, gay, bisexual and transgender rights activists, Zahra (Sareh) Sedighi and Elham Choobdar, were sentenced to death for vaguely worded and broadly defined charges of *efsad-e fil-arz*. A third co-defendant, Soheila Ashrafi from Urmia, currently held in Urmia Central Prison, is awaiting the verdict in her case.<sup>137</sup>".

[...] 137 See <https://iranhr.net/en/articles/5460><sup>140</sup>

Amnesty International followed up on the above case in their annual report on events in 2022, published in March 2023, noting that: "The Supreme Court quashed their conviction and sentence in December and sent their case for retrial".<sup>141</sup>

6Rang also provided an update in January 2023 that: "After immense international pressure, appeals against the death sentences of two Iranian LGBTQ+ activists have been accepted. 6Rang has been informed that the two LGBTQ+ activists have had their appeal approved and their case sent to another court in Urmia for review".<sup>142</sup>

In March 2023, 6Rang further reported that: "According to news received by 6Rang on March 13th, 2023, Elham Choubdar has been released after a one billion Rial bail was paid. This is great news. However, Sareh Sedighi Hamedani is still imprisoned due to failing to post a two billion Rial bail".<sup>143</sup>

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<sup>138</sup> International Federation for Human Rights (FIDH) and League for the Defense of Human Rights in Iran (LDDHI), [Iran: Death sentence against two women for speaking out in support of LGBTQI+ rights](#), 22 September 2022

<sup>139</sup> Erasing 76 Crimes, [2022 in worldwide LGBT rights progress – Part 4: Asia](#), 5 January 2023

<sup>140</sup> UN General Assembly, [Situation of human rights in the Islamic Republic of Iran: Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Javaid Rehman](#), 7 February 2023, p. 10

<sup>141</sup> Amnesty International, [Amnesty International Report 2022/23: The state of the world's human rights](#), 27 March 2023, p. 199

<sup>142</sup> 6Rang (Iranian Lesbian & Transgender Network), [Appeal against LGBTQ+ activists' death sentence accepted](#), 16 January 2023

<sup>143</sup> 6Rang (Iranian Lesbian & Transgender Network), [Elham Choubdar has been released from Urmia prison on bail](#), 13 March 2023

In May 2023, Amnesty International gave the following update that: “Sareh Sedighi-Hamadani’s death sentence for defending LGBTQIA+ rights has been overturned after facing unjust imprisonment and charges from Iranian authorities”.<sup>144</sup> The most recent information available in December 2023 by 6Rang reported that “Iranian LGBT+ activist Sareh (Zahra Sedighi Hamedani) who was released from prison on heavy bail following the cancellation of her death sentence, arrived safely in a secure country today”.<sup>145</sup>

The USDOS 2022 report on human rights practices in Iran, published in March 2023, stated that: “Lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) activists expressed concern that the government executed LGBTQI+ individuals under the pretext of more severe, and possibly specious, criminal charges such as rape and incest. Those accused of “sodomy” often faced summary trials, and evidentiary standards were not always met”.<sup>146</sup> This first sentence was also found in the USDOS 2021 report, published in April 2022,<sup>147</sup> and the 2020 report in March 2021.<sup>148</sup>

In its annual report covering 2022 and published in May 2023, USCIRF wrote that: “Iran [...] targeted and actively executed lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) Iranians on religious grounds, including those outside the country. Prison officials hanged two gay men on sodomy charges in January and two other gay men in July. In August, a court in Urmia issued death sentences against two LGBTQI+ activists for ‘corruption on Earth’”.<sup>149</sup>

The USDOS 2023 trafficking in persons report for Iran, published in June 2023, stated that: “the government brought spurious trafficking charges against LGBTQI+ activists, undercutting the government’s efforts to hold sex and labor traffickers criminally accountable”.<sup>150</sup> The report further explained the cases of Zahra (Sareh) Seddighi-Hamedani and Elham Choubdar:

[...] in September 2022, the government announced it convicted and sentenced two LGBTQI+ female activists to death on charges of human trafficking and “corruption on earth;” according to media and human rights organizations, the latter term is often used to describe attempts to undermine the Iranian government. Media sources and an international organization reported the trafficking charges stemmed from the activists’ work to help other LGBTQI+ persons leave Iran to escape persecution; Iranian media reported the activists were arrested for allegedly trafficking women for the purposes of commercial sex to Erbil. An international organization and several NGOs condemned the sentencing and called the charges baseless; observers expressed concern the government arbitrarily detained, ill-treated and prosecuted the women on the discriminatory basis of sexual orientation and gender identity.<sup>151</sup>

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<sup>144</sup> Amnesty International, [Good News: Sareh Sedighi-Hamadani’s Death Sentence Overturned](#), 16 May 2023

<sup>145</sup> 6Rang (Iranian Lesbian & Transgender Network), [Iranian LGBT+ activist Sareh arrives in a safe country following her release on bail](#), 1 December 2023

<sup>146</sup> US Department of State (USDOS), [2022 Country Reports on Human Rights Practices: Iran](#), 20 March 2023

<sup>147</sup> US Department of State (USDOS), [2021 Country Reports on Human Rights Practices: Iran](#), 12 April 2022

<sup>148</sup> US Department of State (USDOS), [2020 Country Reports on Human Rights Practices: Iran](#), 30 March 2021

<sup>149</sup> US Commission on International Religious Freedom (USCIRF), [2023 Annual Report - Iran Chapter: Key Findings](#), May 2023, p. 26

<sup>150</sup> US Department of State (USDOS), [2023 Trafficking in Persons Report: Iran](#), 15 June 2023

<sup>151</sup> US Department of State (USDOS), [2023 Trafficking in Persons Report: Iran](#), 15 June 2023

HRANA reported in July 2023 on the prosecution of Raha Ajoudani:

Raha Ajoudani, a transgender citizen and resident of Tehran, has received a two-year and six-month sentence from the Tehran Revolutionary Court. Additionally, she has been subjected to a six-month travel ban, restricting her from leaving the country. However, due to “her status as a trans woman and the lack of appropriate holding facilities,” her imprisonment has been replaced with a fine.

The verdict specifies that Ajoudani will face a one-year and six-month travel ban for charges related to “propaganda against the regime,” six months for “blasphemy,” and one year for “incitement to subvert national security.”

Arrested by security forces on December 17, 2022, Ajoudani was released on bail on January 17, 2023. Notably, she was briefly detained during the 2022 nationwide protests on October 26, 2022.<sup>152</sup>

6Rang’s September 2023 report on the gender persecution of LGBTIQ+ protestors in the context of the 2022-23 Iran uprising wrote on the story of Raha Ajoudani:

Raha Ajoudani, trans influencer, blogger, and civil activist was 19 years old when she was arrested by agents from the Ministry of Intelligence on 26th of October 2022 in Tehran, at the location where she was supposed to meet someone she was in love with. A few days earlier, she posted a video on her Instagram page in which she said: “Each and every one of us knows this very well. As long as this government holds power, it's a sword hanging over each of us. Any of us could have been Mahsa Amini. It could have been any of us who were killed instead of Mahsa Amini.”<sup>116</sup>

“The reason I find myself on this path today is due to an incident that occurred when I was 12 years old. At that age, during a Basij student camp, I was raped by a camp organiser who was a member of the Revolutionary Guards. I reported the incident to the camp authorities and confided in my friends, but during those days no one believed me. They accused me of hallucinating, attention-seeking, or attempting to tarnish the reputation of the Basij. This experience led me to decide not to remain a victim and to strive so that others would not go through the same ordeal.”<sup>117</sup>

On 26th of October 2022, 15 agents from the Ministry surrounded her, took her phone violently, and threw her on the ground: “When I told them why are you arresting me so brutally, they said, ‘Don't pretend to be a girl here, this isn't the place to stir our emotions with a feminine tone’. I said, ‘Why did there have to be 15 people to arrest me? Am I a terrorist?’ They replied, ‘You're worse than a terrorist. Why would someone who has connections with adversarial governments like the US and Israel is at least not worse than a terrorist or an ISIS member?’

Their reference was to an open letter that I and a group of civil activists inside Iran had written to the United Nations Security Council [about the protests in Iran].” They took her to a Ministry of Intelligence office in Baradaran Mozaffari Street and interrogated her for hours. They questioned her about the involvement of the LGBTIQ+ community in the uprising.

They conditioned her release on her making a commitment both in writing and in front of a camera that she did what she did under the influence of foreign spies, and that she was wrong and would not engage in any media activity and remain silent about her arrest. They prepared the text for her and made her

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<sup>152</sup> Human Rights Activists News Agency (HRANA), [Raha Ajoudani Sentenced to Travel Ban and Fine](#), 7 July 2023

wear her headscarf while on camera. They told her that she should wait a few days until they summoned her again, and then released her.

On 17th of December 2022, Raha was arrested again during a raid to her home and by IRGC [Islamic Revolutionary Guard Corps] forces. All her electronic devices were confiscated, her mother was intimidated not to break the news to media outlets outside the country, and she was taken to Branch 8 of Shahr-e Ray Prosecution Office where charges were brought against her.

“The accusations included insulting Islamic sanctities, engaging in propaganda against the system, calling for people to wage war and commit murder to disrupt national security, and allegedly collaborating with adversarial governments. Then they asked for an explanation, and I said, ‘I didn’t incite anyone to war or murder.’ They showed me a video related to Mahsa Amini that had been published by me. I asked, ‘Where do you see in this video that I’m inciting violence and murder?’ They replied, ‘Just the fact that you’re calling for nationwide protests is enough for that purpose.’ At that point, they told me, ‘You’re not a woman; why is your hair so long?’ Then they sent a female police officer who pulled my hair to see if it was real or fake.”

After 31 days of detention, she was released on a heavy bail of 20 billion Iranian Rials (approximately 473,000 USD). During 26 days of her detention, she was kept in solitary confinement in a clandestine detention centre where other detainees and the guards were all men.

A day later, she was summoned again to the Prosecution Office to be informed about a travel ban issued against her.

Branch 29 of the Tehran Revolutionary Court tried her on 24 June 2023, and sentenced her to a total of two year and six months imprisonment; “I had to appear in court dressed and perceived as a man.”

The verdict also mentioned the defendant’s sensitive circumstances, which referred to her gender. The authorities felt it was inappropriate for her to be sent to the men’s prison because her gender expression was that of a woman; it was also inappropriate for her to go to a woman’s prison because she was legally a man. Therefore, her sentence was converted into a fine of 740 million Iranian Rials (approximately 17,500 USD) which she is unable to pay. She is not only under financial hardship but constant pressure [...]. [...]

116 <https://www.facebook.com/watch/?v=838481037407989>.

117 6Rang Interview with Raha Ajoudani, August 2023.<sup>153</sup>

The UN Human Rights Committee’s November 2023 concluding observations on the fourth periodic report of the Islamic Republic of Iran and its implementation of the ICCPR stated that it is “concerned by the prosecution of human rights defenders who advocate on behalf of sexual or gender minorities, and that some defenders, such as Zahra (Sareh) Sedighi Hamadani and Elham Chobdar, had been sentenced to death”.<sup>154</sup>

ILGA World, in their November 2023 report on the enforcement of laws criminalising consensual same-sex acts and diverse gender expressions, gave the following additional examples:

<sup>153</sup> 6Rang (Iranian Lesbian & Transgender Network), [War on Bodies and Minds: Gender Persecution of LGBTIQ+ Protestors in the Context of the 2022-23 Iran Uprising](#), September 2023, pp. 31-32

<sup>154</sup> UN International Convention on Civil and Political Rights, Human Rights Committee, [Concluding observations on the fourth periodic report of the Islamic Republic of Iran](#), 23 November 2023, p. 3

In October 2019 a British-Iranian anthropologist studying child marriage and female genital mutilation in the country was arrested, with reports in November 2020 indicating that he had been sentenced by Iran's Revolutionary Court to nine years' imprisonment and a fine of USD 700,000 for "promoting homosexuality", as well as "visiting Israel [...], cooperation and communication with foreign and hostile media, infiltration aimed at changing the law, and sending false reports about the country to the UN's Special Rapporteur on Human Rights in Iran".<sup>282</sup> [...]

On 27 October 2021, activist Zahra Sedighi-Hamadani was arrested by the IRGC again after attempting to leave Iran. She was accused of "illegally leaving the country" and "collaborating with hostile media" because of an interview she did with the BBC. Zahra was forcibly disappeared for 53 days after her arrest, and was subject to extreme abuse in a detention centre in Urumieh from October to December 2021.<sup>287</sup> According to 6Rang, a criminal court ordered her to pay a fine of 5,300,000 tomans (approx. USD 128) for the charge of illegal border crossing. She was found not guilty of the other charges, which included "encouraging prostitution and moral corruption". In August 2022, 6Rang reported that a branch of the Urumieh Criminal Court had acquitted her on the charges of encouraging people to commit morally corrupt acts. An appeals court upheld this verdict, though the charges relating to her online activities were referred to the Revolutionary Court.<sup>288</sup>

It was reported on 13 November 2021 that two men who had engaged in same-sex sexual activity were sentenced to death for "adultery". The wife of one of the men requested clemency from the court, but her father allegedly demanded the execution of his son-in-law for his behaviour. The court ruled in the father's favour, though the date set for the men to be hanged, and whether any actions for an appeal might be open to them, were not clear at the time of publication.<sup>289</sup>

On 3 February 2022 two men who had been on death row for six years in Maragheh Central Prison were executed. They had been convicted of "forcible sodomy", and as such are not tallied in the enforcement count above, though Iranian activists have claimed that the State regularly uses accusations of rape to justify the execution of homosexuals. [...]

The Norway-based NGO, Iran Human Rights (IHRNGO) found evidence that on 29 June 2022, 10 men convicted of various charges had their punishments meted out in a mass execution at the Rajai-Shahr prison in Karaj. One of them was convicted on a charge of "sodomy".<sup>291</sup>

In July 2022, the Iranian intelligence organisation of the IRGC reportedly arrested Zahra Sedighi-Hamadani again, accusing her of "trafficking Iranian women into Iraq, promoting homosexuality, gambling, fraud, and promoting illicit sexual relations and publishing them on the Internet".<sup>292</sup> Iranian State media later reported that another activist was also charged and convicted as part of the same case. Judicial authorities notified the two accused on 1 September 2022 that they been convicted and sentenced to death by the Islamic Revolutionary Court of Urumieh. They were convicted on charges of "corruption on Earth" and "trafficking" LGBT+ persons to safety out of Iran, according to a press release by the Office of the United Nations High Commissioner for Human Rights (OHCHR).<sup>293</sup> The sentences were appealed at the Supreme Court of Iran and in December 2022 the verdicts appear to have been overturned. The death sentence against Zahra was formally revoked on 9 January 2023, according to 6Rang. The other activist was released on 13 March 2023 after bail of Rial 1,000,000,000 (USD 23,640) was paid. On 18 March Zahra was also freed, on a bail of USD 45,000.<sup>294</sup> [...]

<sup>282</sup> This entry has been redacted for the safety of those involved. For more information, please contact ILGA World. [...]

<sup>287</sup> "Iran: UN experts demand stay of execution for two women, including LGBT activist", OHCHR, 28 September 2022.



288 “Sareh, an Iranian LGBTI activist, is facing a possible criminal conviction”, 6Rang, 6 August 2022; OHCHR, UA IRN 21/2022, 20 Sep 2022.

289 “Ιράν: Γκέι ζευγάρι καταδικάστηκε σε θάνατο μετά από απαίτηση της οικογένειας” [Iran: Gay couple sentenced to death at family request], Antivirus Magazine, 13 November 2021. [...]

291 “Rights Watchdog Says Iran Secretly Executed 10 Prisoners On June 29”, Big News Network, 1 July 2022.

292 This source contains personal names or images and has thus been redacted to protect the safety of those involved. If you require access to this source for corroboration or for COI Research purposes, please reach out to [research@ilga.org](mailto:research@ilga.org).

293 OHCHR, UA IRN 21/2022, 20 September 2022; “Iran: UN experts demand stay of execution for two women, including LGBT activist”, OHCHR, 28 September 2022.

294 “Todesurteile gegen LGBTIQ-Aktivist\*innen offenbar aufgehoben” [Death sentences against LGBTIQ activists apparently overturned], Mannschaft Magazin, 31 December 2022; “Elham Choubdar has been released from Urmia prison on bail”, 6Rang, 13 March 2023; “LGBTQ+ activist facing death penalty in Iran walks free after sentence overturned”, PinkNews, 15 March 2023; “Sareh will be spending Nowruz alongside her family and children”, 6Rang, 18 March 2023.<sup>155</sup>

### III. Treatment by State Actors

#### a. Public statements by government officials

Following the UN Human Rights Council’s third periodic review of human rights in Iran in 2019, Iran rejected the majority of recommendations related to LGBT rights, except two recommendations relating to ending discrimination on the basis of sexual orientation which it “partially supported”. In its replies in February 2020, Iran stated, referring to anti-discrimination:

Although this specific right is not stipulated in the international human rights instruments, which Iran has accepted, it should be noted that under Iran’s laws, all individuals are equal before the law and are entitled to equal rights. Regarding the transgender people, a special support-oriented approach has been adopted by the government which tries to offer counseling, financial and insurance services to them through relevant laws, competent authorities and social institutes. According to the law, transgender people can apply for gender identity redetermination surgery through competent courts.<sup>156</sup>

In May 2020, Pink News reported that:

On May 15 Shahindokht Molaverdi [former aide for women’s and family affairs in Iran] shared a poster to mark the International Day of Families on her Telegram account. Produced by the UN, the simple illustration depicted several families, including two same-sex couples with children.

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<sup>155</sup> ILGA (International Lesbian, Gay, Bisexual, Trans and Intersex Association) World, [Our Identities Under Arrest: A global review on the enforcement of laws criminalising consensual same-sex acts and diverse gender expressions](#), 30 November 2023, pp. 175-176

<sup>156</sup> UN General Assembly, [Report of the Working Group on the Universal Periodic Review: Islamic Republic of Iran, Addendum: Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review](#), 20 February 2020, p. 4



Beneath it the caption read: “The structure of family has changed in the past few decades, but the United Nations still considers it as the main division of society”, adding that it is important to “support vulnerable families at times of crisis.”

The sentiment sparked outrage in the strictly conservative Muslim nation, which punishes homosexuality with the death penalty. [...]

Conservative lawmaker Alireza Zakani demanded that President Hassan Rouhani condemn “this collapse of morality or lack of a minimum understanding of the notion of the family”.<sup>157</sup>

In May 2020, Erasing 76 Crimes commented that:

In Iraq and Iran, politicians stirred up homophobic disputes focusing on the May 17 celebration of the International Day Against Homophobia, Biphobia, Intersexism and Transphobia (Idahobit) and the May 15 celebration of the U.N.’s International Day of Families. [...]

In Iran, politicians and social media expressed outrage, while the conservative Mashreq News suggested that a government aide could be imprisoned for 10 years for sharing an online poster that included same-sex couples in a promotion for the International Day of Families.<sup>158</sup>

DW published an article in February 2021 on the difficulties of being gay in Iran, writing that: “According to the latest report by Ahmed Shaheed, the United Nations Special Rapporteur on the human rights situation in Iran, there is great reason for concern. Iran’s gay, lesbian, bi- and transgender communities face both widespread discrimination and ongoing human rights violations, the report said. “High-ranking officials” said Shaheed, “use hateful rhetoric when talking about gays, referring to them as sub-human or just plain sick.””<sup>159</sup>

In June 2022, HRANA posted an article about increased state-sponsored discrimination against Iranian LGBTQI+ communities, remarking that:

The Islamic Republic has long criminalized homosexuality in its domestic legal systems while also actively fueling propaganda campaigns in both media and educational institutions including through discriminatory public media content, textbooks, and campaigns aimed at so-called “Conversion Therapy”. According to HRANA, the news agency of Human Rights Activists, as the number of LGBTQI+ activists in the country continue to grow, Iranian politicians, cultural public figures and celebrities have made public statements aimed at inciting public discrimination, hostility, and violence against the LGBTQI+ community inside of Iran.

Officials representing the government have gone on record with their discriminatory positions. [...] Our initial research points to the unrestricted and inappropriate use of the internet as the major cause of the issue. In an interview with a foreign news agency, Minoo Mohraz, the head of the Iranian Research Center for HIV/AIDS (IRCHA) said, “for the sake of public health protection, sex workers, addicted people, and

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<sup>157</sup> Pink News, [Top Iranian aide apologises for ‘homosexual propaganda’ after sharing cartoon of loving lesbian and gay parents](#), 19 May 2020

<sup>158</sup> Erasing 76 Crimes, [Iraq, Iran outraged by rainbow flags, LGBT-tolerant poster](#), 27 May 2020

<sup>159</sup> Deutsche Welle (DW), [The difficulties of being gay in Iran](#), 26 February 2021

homosexuals have to be identified and treated.” Mohraz added, “[...] we have to treat them before they pollute the rest of society”.<sup>160</sup>

ARTICLE19 spoke in September 2022 of “increasing anti-LGBTQI sentiments and statements made by the country’s president, in which he has demonised and dehumanised individuals for their sexual orientation”<sup>161</sup>, writing further that:

In a public speech on 1 September, President Ebrahim Raisi – against whom there is evidence of involvement in crimes against humanity – propagated hate against the LGBTQI community and called homosexuality the ‘ugliest of behaviours’, ‘ugliness and filth’, and a ‘wretched’ act. [...] In March 2022, Iran’s Supreme Leader Ali Khamenei also doubled down on his long-standing rhetoric against the LGBTQI community and called homosexuality ‘shameful’ and examples of ‘moral vulgarity and moral chaos’ and ‘sexual chaos’.<sup>162</sup>

While reporting on the sentencing to death of two lesbian women in Iran, BBC News noted in September 2022 that: “Only a few days ago, the country’s hardline president Ebrahim Raisi referred to homosexuals using the highly offensive word and described homosexuality as “dirty behaviour” and “modern barbarism”. In March, Supreme Leader Ali Khamenei described homosexuality as part of the “moral depravity” widespread in Western civilisation”.<sup>163</sup>

In March 2023, 6Rang released a report on official hate speech used against LGBT people in Iran as a tool of oppression. In the context of the nationwide protests from October 2022, the report wrote that:

One of the largest minority groups that made themselves visible during the protests was the LGBTQ+ community. As such, issues related to individuals in this minority group have come to light in the face of the Iranian general public. We have witnessed immense support, for example graffiti on university campuses signposting it as a safe space for LGBTQ+ people. [...]

As this report outlines, the official hate speech towards LGBTQ+ community has been a response to increasing visibility. [...]

Although strides have been made in terms of visibility for LGBTQ+ people in the recent protests, hate speech is still rampant, especially amongst state officials who use it publicly to vilify LGBTQ+ people further. State media presents LGBTQ+ individuals as ‘immoral and corrupt’, ‘animalistic and subhuman’ and ‘sick and diseased’; apart from being presented as inferior, LGBTQ+ people are often accused of working with Western imperialists or being anti-revolutionary.

These sentiments were seen repeatedly during the period of September 2022 to February 2023. [...] It can be deduced that hate speech made by officials against this minority increased or intensified in the reporting period.

Hateful representations of LGBTQ+ individuals by state officials, paramilitary groups and media [...]

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<sup>160</sup> Human Rights Activists News Agency (HRANA), [State-Sponsored Discrimination against Iranian LGBTQI+ Communities Ramps up amidst a Growing and More Vocal Activist Community](#), 22 June 2022

<sup>161</sup> ARTICLE19, [Iran: Death sentences for LGBTQI activists must be immediately overturned](#), 8 September 2022

<sup>162</sup> ARTICLE19, [Iran: Death sentences for LGBTQI activists must be immediately overturned](#), 8 September 2022

<sup>163</sup> BBC News, [‘I want to see the rainbow flag raised in Iran’](#), 11 September 2022

These acts were not only limited to visibility on social media and the public, but also wider protests against the current treatment of LGBTQ+ people, internationally. In October 2022, a representative from 6Rang stood in front of over 100,000 people at the largest opposition protest, in Berlin, stating that democracy cannot be achieved in Iran without the realisation of LGBTQ+ rights<sup>15</sup>. In November 2022, 6Rang's director, gave a statement at the emergency session of the UN Human Rights Council about this issue.<sup>16</sup> The voices of the LGBTQ+ community being heard internationally and publicly, outside the control of the Islamic Republic, has precipitated an onslaught of hateful propaganda.

Although the official hate speech targeting LGBTQ+ community has a history as long as the Islamic Republic, it was only during these protests that the state forces recognised their role in revolutionary mobilisations and acted quickly to discredit it by associating it with a foreign government.

Same sex acts have long been represented as immoral and anti-Islamic by the Islamic Republic regime. The highest-ranking officials often take part in vilifying LGBTQ+ individuals publicly and without regard. One of the ways in which officials have instigated hate against this minority group is by using Islam and religion. In December 2022, Supreme Leader Ali Khamenei gave a public speech in which he said:

"Banning *hamjensbazi* [faggotry] is not only a concern of Islam, but it is forbidden in all religions."<sup>17</sup>

Iranian officials have continued to show homosexuality as a moral failure and an agenda by the West. In February 2023, President Ebrahim Raisi spoke about the 'promotion of homosexuality' in a speech:

"On the matter of family, we are the accusers and you [the West] are the accused. You are promoting the lowliest form of obscenity – homosexuality."<sup>18</sup>

Raisi has likened homosexuality to the, "...ugliest morality that is accepted by the modern world."<sup>19</sup>

On a similar note, Mostafa Mahdavi, the Deputy Commander of the Islamic Revolutionary Guard Corps (IRGC) in Lorestan Province said, "when homosexuality is made legal in the West, it shows that their morality has fallen."<sup>20</sup> [...]

Officials of the Islamic Republic have often used derogatory language that likens homosexuality to animalistic behaviour and deviancy. Again, hate speech here has been directed at the protests and uses homophobia to instil fear. [...]

Much of the fearmongering about same-sex relationships mandated by state officials and state media lies in the concept of interrupted or broken traditional families. Heteronormative familial relationships are the pinnacle of moral goodness in the Islamic Republic framework. As such, LGBTQ+ individuals are shown to be an interruption to normal family dynamics. [...]

Furthermore, officials have used the existing societal hatred and ignorance against the LGBTQ+ community to invalidate the protests. [...]

15 <https://6rang.org/73353/>

16 <https://6rang.org/73518/>

17 <https://www.ghatreh.com/news/nn66296913/> ره موضوعا-ممنوعیت از قلاب-ی. اسلام-مرد و

18 <https://www.khabaronline.ir/news/1730115/> تقا دان ییسی-از-رؤ ییسی-دان

19 <https://www.youtube.com/watch?v=BrCVrCyFVvo>

20 <https://lorestan.iqna.ir/fa/news/4120129/> زن-در-فتمان-گفتمان-از-قلاب-گ

In July 2023, Erasing 76 Crimes reported on the Iranian President praising anti-LGBTQ+ sentiments in Uganda, stating that:

<sup>164</sup> 6Rang (Iranian Lesbian & Transgender Network), [Silencing protests: Official hate speech against LGBT people as a tool of suppression](#), March 2023, pp. 3 and 5-10

During his recent state visit to Uganda, Iranian President Ebrahim Raisi didn't hide his homophobia as he lauded his Ugandan counterpart, Yoweri Museveni, for assenting to the country's new Anti-Homosexuality Law.

That action by Museveni was like signing a death warrant for members of the LGBTQI+ community suspected engaging in what the new law describes as aggravated homosexuality, including repeated convictions for homosexual activity or having sex while HIV-positive.

On a mission to further strengthen ties with the Uganda, Raisi was well aware that homosexuals are a favorite target of Museveni and a subject worth raising in a joint press conference with him.

He praised Museveni for signing the bill into law after ignoring calls from local and international human rights defenders asking him to veto it.

Like Museveni, Raisi also claimed that homosexuality in part of the so called "Western imperialist agenda", which he said is part of a Western plan to put an end to human reproduction — what Raisi called "the generation of human beings".

"Western countries are putting pressure on independent countries by attacking the family foundation, promoting the ugly phenomenon of homosexuality, the spread of extremism and terrorism, and the use of human rights as a tool ..." Raisi said. "The Western countries try to identify homosexuality as an index of civilization, while this is one of the dirtiest issues."

He told Museveni that only development of cultural interactions and cultural cooperation between Iran and Uganda will be effective in confronting what he described as plots devised by the enemies of the two nations.<sup>165</sup>

In September 2023, 6Rang commented on Ebrahim Raisi's speech at the UN General Assembly, stating that:

In his speech at the United Nations General Assembly, Ebrahim Raisi defined the family as consisting of one woman and one man based on Quranic teachings and referring to protecting family privacy and marriage. He considered the union of one woman and one man a universal reality.

Devoting the main topic of his speech to promoting Quranic teachings, he defined other forms of family formation as unnatural and "fake narratives of marriage and sexuality". He considered it an example of a crime against humanity and the cause of the end of the human race.

Hate speech against sexual and gender minorities from the authorities of the Islamic Republic in Iran and outside Iran has intensified significantly in the past year. Another example is Raisi's speech during his African trip to Uganda. He called homosexuality a "phenomenon." He called it "disgusting" and criticised Western countries for "attacking the family".

Raisi's homophobic statements were made last week in the side meeting of the UN Human Rights Council.<sup>166</sup>

6Rang's September 2023 report on the gender persecution of LGBTIQ+ protestors in the context of the 2022-23 Iran uprising wrote that:

6Rang's previous research<sup>29</sup> over the statements made by officials confirm that hate speech and propaganda against the LGBTIQ+ community intensified during the uprising. The report suggests that the

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<sup>165</sup> Erasing 76 Crimes, [Iranian President praises anti-LGBTQI+ sentiments in Uganda](#), 31 July 2023

<sup>166</sup> 6Rang (Iranian Lesbian & Transgender Network), [Ebrahim Raisi's hate speech at the UN General Assembly against the LGBTQ+ community](#), 20 September 2023

rise in hate speech is a reactionary act against the increased visibility of LGBTIQ+ persons and LGBTIQ+ issues in the protests.<sup>30</sup> Official hate speech in Iran has a long history and is becoming more prevalent. LGBTIQ+ persons are often said to be immoral, animalistic, and a constant threat to Islamic family values. Hate speech is used by all levels of government, including the president and the Supreme Leader.<sup>31</sup>

In January 2023, Hojjatollah Masoud Ali, teacher at a seminary (*hawza*), said:

“Reducing and making hijab optional, allowing relationships between boys and girls, accepting homosexuality and ultimately destroying families are the goals of our enemies.”<sup>32</sup> In the same speech, he conflated this ‘immorality’ with the protests, saying, “in the past 100 days, the rioters have shown what they want!”

More explicitly, in December 2022, Khorramabad’s Friday prayer leader, Ahmadreza Shahrokhi, said, “the dispute is not over a few strands of hair ... those behind the scenes want to force homosexuality and marriage with animals on Muslims.”<sup>33</sup>

Islamic Republic’s high-ranking officials used pre-existing gender social prejudices to spread the fear of homosexuality being forced upon Iran if the Islamic Republic were to go by using hate speech to instigate a link between the protests and ‘immorality’. By doing that, they imposed their “accepted” forms of gender expression and created a hostile environment against the LGBTIQ+ community and their participation in protests. Such imposition was not only prevalent among security, judicial, and prison authorities but also, at least to some extent, among opposition forces. [...]

As part of their catalogue of human rights abuses based on sexual orientation and gender identity, the Iranian authorities consistently make hateful statements that demean and dehumanize people based on their sexual orientation. Homosexual people are regularly described in official statements and state media outlets as “immoral”, “corrupt”, “animalistic”, “subhuman”, “sick”, and “diseased”. They are also accused of collusion with Western-orchestrated Zionist conspiracies aimed at undermining the Islamic Revolution or corrupting the Muslim population.

These official statements reproduce misogynistic, homophobic, and transphobic values. They reinforce attitudes, beliefs, and practices that perpetuate violence, discrimination, and other harm on grounds of sexual orientation, gender identity, gender expression and constitute advocacy of hatred. In the context of Iran, this risk is particularly heightened considering that members of the public are not allowed to access and learn about affirmative materials on homosexuality and the human rights of persons belonging to diverse sexual orientations and gender identities. [...]

<sup>29</sup> <https://6rang.org/english/2331/>.

<sup>30</sup> <https://6rang.org/english/3511/>

<sup>31</sup> <https://shorturl.at/kJPW7>.

<sup>32</sup> <https://shorturl.at/ikrZ5>.

<sup>33</sup> Ibid.<sup>167</sup>

The UN Human Rights Committee’s concluding observations on the fourth periodic report of the Islamic Republic of Iran and its implementation of the ICCPR stated that: “It is particularly concerned by multiple reports of hate speech by public officials, instigating prejudice against lesbian, gay, bisexual and transgender persons (arts. 2, 20, 26 and 27)”<sup>168</sup>

<sup>167</sup> 6Rang (Iranian Lesbian & Transgender Network), [War on Bodies and Minds: Gender Persecution of LGBTIQ+ Protestors in the Context of the 2022-23 Iran Uprising](#), September 2023, pp. 10 and 18

<sup>168</sup> UN International Convention on Civil and Political Rights, Human Rights Committee, [Concluding observations on the fourth periodic report of the Islamic Republic of Iran](#), 23 November 2023, p. 3

- b. Homophobia and transphobia in government institutions (incl. state-owned media, within the police, in the prison service, in the judiciary, in the public health service, in the military, in the education system/schools)

*For further relevant information consult also section II., b., [Implementation](#), section III., a. [Public statements by government officials](#), and section III., d. [Discrimination](#).*

In March 2020, the *Iranian Studies* journal published a piece on gender transitions in Islamic law, theatre, and film in Iran. It wrote that:

Despite official legal and religious recognition, trans activists are still fighting for their full needs to be met, specifically better access to health care,<sup>8</sup> improvement in the quality of surgery provided, and greater public and medical education about transsexuality. [...]

Though a number of Iranian religious jurists today support SRS [sexual reassignment surgery], the general public is generally not as tolerant or supportive of transgender and transsexual individuals; furthermore, more recent fatwas have tried to place limits on the permissibility of transsexuality with regard to surgery. [...]

For decades, the Iranian government has extended financial assistance to those seeking hormonal and surgical interventions through charity foundations and insurance companies. While the Imam Khomeini Charity Foundation has long offered loans to help pay for SRS, the economics of transitioning are not that simple and some transgendered Iranians have expressed concern regarding the quality of surgery available. [...]

There are, of course, other legal and bureaucratic hurdles which make transitioning difficult even though it is legally and religiously sanctioned.

While identity cards and birth certificates can be legally changed, the slow bureaucracy of doing so can create other related problems. [...]

<sup>8</sup> Trans people are eligible for “special groups” insurance coverage (according to the law of Universal Health Services in 1995) for basic medical insurance coverage.<sup>169</sup>

In May 2020, the UN Independent Expert on Protection against Violence and Discrimination based on Sexual Orientation and Gender Identity (IESOGI) produced a paper on conversion therapy, writing that “In the Islamic Republic of Iran, individuals who inevitably fail at “converting” their sexual orientation will often be pressured to undergo gender-affirming surgery, in the belief that it will neutralize their orientation”.<sup>170</sup>

The following month, Erasing 76 Crimes reported on a television exposé from Iran targeting LGBTQ safe houses in Iraq. It wrote that:

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<sup>169</sup> Emily O’Dell, [“Performing Trans in Post-Revolutionary Iran: Gender Transitions in Islamic Law, Theatre, and Film”](#), *Iranian Studies*, Volume 53, Issue no. 1-2, March 2020, pp. 131 and 133-135

<sup>170</sup> UN Independent Expert on Protection against Violence and Discrimination based on Sexual Orientation and Gender Identity (IESOGI), [Report on Conversion Therapy](#), 1 May 2020, p. 2

An Arabic-language “documentary” aired on Iran’s state-run news channel Al-Alam last week, targeting LGBTQ Iraqis and the LGBTQ advocacy group IraQueer. The 22-minute program, titled “The Dark Room: Queer COVID,” condemns LGBTQ activism as an American effort to subvert the Arab and Islamic identity of Iraq.

Opening with dramatic music and flashing images of military operations in Iraq circa 2003, when the United States invaded and overthrew Saddam Hussein, the program discusses IraQueer and its financial backers, HIVOS and USAID. [...]

The proposition of the Iranian conspiracy-based exposé, which links the policy of former President George W. Bush during the Iraq War to that of President Barack Obama, Secretary of State Hillary Clinton, and current President Donald Trump, is that the United States is conducting a “cultural crusade” in Iraq: though the formal combat in Iraq has ended, *Al-Alam* claims the United States is continuing to corrupt and subvert the morality of Arab nations by funding LGBTQ organizations like IraQueer. [...]

The program also analyzes IraQueer’s safe houses, where LGBTQ Iraqis in unsafe environments can find shelter, food, and support. The television program suggests that IraQueer’s network of safe houses is responsible for the spread of COVID-19 in Iraq. Fear-mongering to civilians worried about the pandemic, *Al-Alam* presents graphic videos of doctors and sick people alongside generic stock images of Western LGBTQ+ Pride events. It also links the LGBTQ movement in Iraq to the spread of the fatal respiratory disease. There is no evidence to corroborate Al-Alam’s claims.

The program comes at a time of increasing cultural tension among Iran, Iraq, and the United States.<sup>171</sup>

FIDH commented in a report in June 2020 on Iran’s state media that “sexual minorities are labelled as hedonists, immoral, and promiscuous agents of foreign powers with a mission to corrupt the Islamic society”.<sup>172</sup>

In October 2020, IranWire reported on the arrest of three transgender Iranians because of Instagram posts, writing that:

Although it’s risky for transgender people to be overtly “out” in Iranian society, particularly given the rife levels of discrimination against the LGBTQ community in general, over the last few years, groups and individuals have become more outspoken on social media, especially Instagram. [...]

The dangers of these activities are of course much debated and discussed, since Iranian authorities monitor platforms regularly. [...]

In recent years, as groups of people have expanded their networks and activities online, Iranian authorities have expanded their operations too, setting out plans to further monitor, target and restrict particular individuals and groups, including activists and influencers. As people encounter new ways to communicate and share information online, they also face greater pressure. Certain platforms and apps have come under particularly fierce fire, and some authorities have repeatedly called for Instagram to be blocked or filtered.<sup>173</sup>

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<sup>171</sup> Erasing 76 Crimes, [TV exposé from Iran targets LGBTQ safe houses in Iraq](#), 18 June 2020

<sup>172</sup> International Federation for Human Rights (FIDH), [Orwellian State: Islamic Republic of Iran's state media as a weapon of mass suppression](#), June 2020

<sup>173</sup> IranWire, [Three Transgender Iranians Arrested Because of Instagram Posts](#), 20 October 2020



In their report on the state-sanctioned killing of sexual minorities in February 2021, Mai Sato and Christopher Alexander wrote that:

One of the interviewees noted that, in Iran, the 2013 Penal Code criminalises same-sex sexual acts, rather than same-sex *love* or *relationships* [...]. Same-sex attraction, on the other hand, is pathologised, and dealt with in the medical space:

The situation for lesbian, gay, and bisexual people in Iran is characterized by a fundamental dichotomy between concepts of perversion and deviation (*enheraf*) on the one hand and pathology and disorder (*ekhtelal*) on the other. This dichotomy is instituted by a legal framework in which homosexual acts are treated as crimes, whereas homosexual desires are taken as symptoms of a gender identity disorder in need of cure. (Bahreini and Nayyeri, 2021) [...]

Medicalisation of same-sex attraction manifests in the form of various conversion practices, founded upon the misguided premise that such interventions may bring gay people into line with the strict binary model of human sexuality espoused by the clerics. One particularly heinous method embraced by the state is coerced sex-reassignment surgeries [...].<sup>174</sup>

The same report commented on homophobia within the judiciary, adding that:

When prosecuted for same-sex sexual conduct, defendants often struggle to find a lawyer:

One of our biggest challenges in Iran is to find a legal representative . . . No one would like to do it. We had just a couple of lawyers who take LGBT case several years ago, and they had to escape Iran and claim asylum . . . And the reason is that homosexuality is punishable by death in Iran according to Islamic punishment code. If anyone wants to challenge that rule, [they are deemed to be] against this rule, therefore you are against Islamic rule, therefore you are against Islam, and therefore you are against God. That person [the lawyer] can be executed or killed for being immoral or infidel . . . A lot of lawyers are reluctant to take those cases because they don't want to lose their license, they don't want to be accused that they're supporting LGBT causes. [...] 34

Judges have the power to sentence defendants accused of same-sex sexual acts to death with little evidence. The evidentiary requirements for proving *livat* (penetrative sex between men) are varied, and may include the confession of the offender, the testimony of four male witnesses who claim to have witnessed the sexual act, or the 'knowledge of the judge' (Jafari, 2015:22). The latter is particularly concerning, insofar as it 'enables judges to rely on vague circumstantial evidence to determine whether a crime has occurred even in the absence of other evidence or in the presence of exculpatory evidence' (Ibid.) Our interviewees explained how this provision operates in practice:

A lot of time, that Article [knowledge of the judge] is being used, because there are [otherwise] a lot of conditions [to prove the same-sex sexual acts... But if none of them exist, and the judge thinks, 'okay, you look gay, and it's obvious for me that you are not a macho, patriotic man, I am comfortable to sentence you.' [...]

The 'knowledge of the judge' [may] be proved with some small, small evidence, [like] the atmosphere and environment of the case... [...] Even if the accused stays silent and did not confess, the judge may write something [like] 'he had behaviour like a woman. Behaviour like an LGBT.' [...]

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<sup>174</sup> Mai Sato and Christopher Alexander, [State-Sanctioned Killing of Sexual Minorities: Looking Beyond the Death Penalty](#), February 2021, p. 39



Because this [the prosecution of same-sex sexual acts] is so reliant on individual judges' perception of a case, it is very arbitrary to find out where the sentence is coming from. There are some constituencies and entities within the government that are pretty supportive of LGBT issues, even though privately, [so] when it comes to individual judges and a lack of legal precedents for these cases, you know, we see that the attack is arbitrary... [...]

34 A human rights lawyer who used to practice in Iran spoke about how the Iranian authorities were not happy with him defending death penalty cases including sexual minorities, children, and women, which led to his eventual departure from Iran [...].<sup>175</sup>

IranWire published an article in March 2021 on government loans for gender reassignment surgery in Iran. It wrote that:

*It might appear at first glance that transgender people in Iran enjoy legal protection, because they can apply for a permit to undergo gender reassignment surgery. But despite the growth of social networks and greater media attention to trans and LGBT rights, the very difficult situation of trans Iranians within their families, society, and the legal system remains: especially so in a country in which securing one's most basic human rights is not an easy task. [...]*

Last year, the Iranian government had also promised to open a center for trans people. "The problem of trans people is serious," said Ali Rabiei at the time, "and we should not brand a group who want to change their gender with a label and stigma. Some of these people have a disease, and we have to deal with them through the eyes of a sick person. Our plan is to treat these people, and we have tried so far to pay part of the cost of surgery and their gender reassignment."

This sounds hopeful at first glance – until we remember that trans people all experience their gender identity differently and not all will want to undergo corrective surgery. But in Iran, in order for their legal documents to match their gender identity, trans people first have to obtain permits from the court and legal authorities for hormone therapy and surgery to change the outward appearance of their genitals to female or male, which they must then undergo.

The use of the terms "treatment" and "patient" by the government spokesperson reflects the system's sickness-oriented view of transgender identity, which is leading to forced surgeries: so-called "unification". [...]

As long as the system's view of the LGBT community remains either criminal or morbid, and until the correct information on sexual and gender issues is provided by the media and the education system, these individuals will find no path toward acceptance in Iran. Financial aid is only a small part of the problem, and cannot cure their pain.<sup>176</sup>

IHR wrote in a May 2021 article that:

A two-year military service is compulsory for all men in Iran unless they are exempted on one of the sanctioned grounds. Gay men may be exempted after going through a long and arduous process. According to the army's 2020 Medical Exemption Regulations, "Article 33, Paragraph 8" will be written in the exemption section of their military cards. Article 33 Psychological exemptions are covered by Article

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<sup>175</sup> Mai Sato and Christopher Alexander, [State-Sanctioned Killing of Sexual Minorities: Looking Beyond the Death Penalty](#), February 2021, pp. 39-40

<sup>176</sup> IranWire, [Government Loans for Gender Reassignment Surgery Betray Lack of Understanding](#), 4 March 2021

33, and Paragraph 8 refers to “behavioural disorders (neural and mental imbalances) and deviancies contrary to military etiquette, as well moral and sexual deviancies such as transsexualism.”

Speaking to IHR, a gay man who recently went through the long process of obtaining a military exemption card said: “The hardest parts were the personal questions about the details of my sex life and that as part of the long examination process, we were asked to bring a family member with us to a military examination centre. Most families are unaware of their children’s situation due to societal conditions and this makes things so difficult that many are forced to forgo their exemptions and choose the harsh and degrading conditions in the military.”

As homosexuality is also punishable by death under Iranian law, gay men who do pursue obtaining an exemption also have to worry about the legal consequences of having confessed to being gay.<sup>177</sup>

On the International Day Against Homophobia, Transphobia, and Biphobia in May 2021, HRANA wrote an article on the ongoing discrimination and violence against the Iranian LGBTQ+ community, stating that:

In June 2020, HRANA reported the summons and interrogation of several LGBTQ+ community members by the security organs after showing up on a highly visited Instagram. Several homosexual and transgender persons have faced persecution from the government because of their public presence in cyberspace where they talked about their sexual identity or orientation.

Based on HRANA’s sources, two individuals (identities protected by HRANA) in the northwestern provinces of Iran, were summoned and threatened by security organs after showing up on Instagram. “Maryam”, a transgender woman living in Iran, has spoken to HRANA about being summoned by the Morality Police of her city and being pressured to spy on her transgender friends and acquaintances to reveal information about their gatherings.<sup>178</sup>

The same article further identified “individuals and institutions profiled in Spreading Justice complicit in violating the rights of the LGBTQ+ community,”<sup>179</sup> stating the following:

As the Executive Deputy of Evin Prison, Javad Momeni has been directly involved in gross violations of and persecution of LGBTQ+ in this prison. According to published reports, he personally harassed and insulted transgender prisoners in Ward 240, known as the Transgender Ward, which holds transgender prisoners. According to an eyewitness, “the prison guards were constantly insulting us. They said you are a disgrace or corrupt. In addition, they put a lot of psychological pressure on us. “For example, one day a prison guard showed me a piece of paper to harass me and claimed that I was going to be executed.” [...]

The Revolutionary Guards’ intelligence service has been suppressing, detaining, harassing, and violating the rights of LGBTQ+ community and their rights activists, and Hussein Tayeb, as the organization’s commander, is responsible for these actions. [...]

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<sup>177</sup> Iran Human Rights, [Iran: The Islamic Penal Code Promotes Violence Against the LGBT Community](#), 15 May 2021

<sup>178</sup> Human Rights Activists News Agency (HRANA), [On the International Day Against Homophobia, Transphobia, and Biphobia HRA highlights the ongoing discrimination and violence against the Iranian LGBTQ+ community](#), 16 May 2021

<sup>179</sup> Human Rights Activists News Agency (HRANA), [On the International Day Against Homophobia, Transphobia, and Biphobia HRA highlights the ongoing discrimination and violence against the Iranian LGBTQ+ community](#), 16 May 2021

as one of the most notorious judges [sic] who has been within the judiciary of Iran [sic] for more than 40 years in various roles, Ebrahim Raisi has played a role in the violation of the rights of LGBTQ+ community. [...]

Hossein Amiri was appointed as the Deputy Chief of FATA Police on June 26, 2019, by the Commander in Chief of the Police Force of the Islamic Republic of Iran. Since then, he, along with FATA Police Chief Vahid Majid, has been responsible for all human rights violations committed by this organ, including the restriction of expression of sexual identity and LGBTQ+ literature. [sic]

Vahid Majid as the Commander in Chief of the Iranian Cyber Police, or FATA Police, is responsible for restricting the freedom of expression in cyberspace, including the restriction of expression of sexual identity and LGBTQ+ literature. [sic]

As the judge of Branch 28 of the Revolutionary Court of Tehran, [Mahammad] Moghiseh is responsible for widespread rights violations related to sexual minorities. [...]

Mousa Ghazanfar-Abadi, as the then head of the Tehran Revolutionary Courts, is responsible for violating the rights of LGBTQ+ people and prosecuting their rights activists. [...]

As commander of the Islamic Revolutionary Guards Corp (IRGC), [Mahammad-Ali] Jafari has been directly involved in widespread human rights violations by the Revolutionary Guards, including violations of the rights of sexual and religious minorities, torture of opponents of the Islamic Republic, violations of women's rights, violations of the right to life, and the severe suppression of social freedoms in Iran. [...]

The Halal-zadeha Popular Movement is responsible for discrimination and violence against the LGBTQ+ community – including forming gatherings against sexual minorities. In one of the gatherings of this group they march over the rainbow flag and pass over it by their motorcycles to show their hatred. [...]

Ferghe News actively publishes discriminatory articles targeting LGBTQ+ individuals.<sup>180</sup>

In May 2021, DW released a piece on transgender people in Iran, writing that:

Despite Iran's rigid attitudes toward sexuality, its capital, Tehran, has been dubbed one of the world's hubs for sex-reassignment surgery. Transgender individuals live and work with no legal barriers in the country. The government even helps with the costs of hormone medicine and gender reassignment surgery for those who want it. [...]

In addition to gay sex being punishable by death, the government classifies men who want to have sex with other men as mentally ill and therefore incapable of serving in the military and ineligible for a wide range of public service jobs.

Advocating for the rights of homosexuals in the media is off-limits. At the same time, Iran's official media outlets do every now and then tell stories highlighting the grievances of transgender people, reports that often denounce transphobia and call for more substantial support from the government. [...]

Iran's 'solution' causes more problems

The state's authorization of sex-reassignment surgery and intolerance of homosexuality are not unrelated. "They would rather have people go under a surgeon's knife than accepting the non-binary nature of gender," Arastoo [Saman Arastoo, trans Iranian man and theatre director] says. "You must either be a man or woman in your ID papers, nothing in between is recognized."

Zara Saiedzadeh, a senior lecturer in gender studies at Sweden's Orebro University, with a focus on transgender life in Iran. "Just because gender confirmation operation is possible, it does not mean that

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<sup>180</sup> Human Rights Activists News Agency (HRANA), [On the International Day Against Homophobia, Transphobia, and Biphobia HRA highlights the ongoing discrimination and violence against the Iranian LGBTQ+ community](#), 16 May 2021

the government particularly accepts trans people," she says. "And it certainly does not mean that their needs and their rights are met."

Iran is one of the countries that still considers trans people as having a mental disorder – the World Health Organization stopped classifying them as such in 2019. That approach has too many adverse byproducts, including patients being misdiagnosed and facing intimidation from medical staff when discussing gender identity.

Before surgery, patients must receive counseling to ensure that they have gender dysphoria and are prepared for the procedure. Arastoo believes that the process is often not properly observed. "A psychotherapist can be incompetent, even transphobic," he says. "The counseling sessions echo the feeling of shame and self-hate that the heteronormative society imposes on transgender people."

"Even after surgery no one can expect a beautiful, heavenly life," says Saeidzadeh. "Until a trans person is recognized by the law and families and friends and the community they have problems, and they encounter so many different difficulties in managing their everyday life."<sup>181</sup>

In May 2021, Amnesty International wrote on the murder of Alireza Fazeli Monfared by his male relatives and the discrimination inherent in disclosing sexual orientation on military exemption cards:

Amnesty International understands that two days before his murder, on 2 May 2021, Alireza Fazeli Monfared had received a military exemption card, exempting him from compulsory military service on the basis of a provision in Iran's military regulations which stipulates that individuals with "perversions that are contrary to social and military values (including sexual perversions and homosexuality) can be exempted from military service for six months or, if proven by a medical facility, permanently."

This exemption clause for gay, transgender and gender non-conforming individuals is listed under section 5 (7) of the military regulations, under the category of "mental illnesses". Alireza Fazeli Monfared's exemption card references clause 5 (7) as the reason for the exemption, revealing to anyone who views the card and is aware of the relevant provisions in Iran's military regulations that the individual has been exempted on the basis of their gender identity or sexual orientation. Such non-consensual disclosure of sexual orientation and gender identity is a breach of the right to privacy and puts gay, transgender and gender non-conforming individuals in Iran at risk of violence and discrimination.

While this provision is discriminatory and degrading towards gay, transgender and other gender non-conforming persons, and treats homosexuality as a form of mental illness or psychopathology in spite of clear statements to the contrary from various psychiatry bodies across the world and the World Health Organization,<sup>5</sup> it is commonly used by gay, transgender and gender non-conforming persons in Iran to seek an exemption from compulsory military service to protect themselves from homophobic and transphobic abuses prevalent in military settings.

According to informed sources, Alireza Fazeli Monfared had served several weeks of military service when he turned 18 before applying for an exemption card because of the abuse he received from the other conscripts in connection with his gender expression. The organization understands that he had made complaints to officials in the army but had received no support.

Alireza Fazeli Monfared's partner, Khalil Abiat (Aghil) who is an Iranian asylum seeker based in Turkey and had been expecting his arrival later in May 2021, told Amnesty International that two days before his murder, Alireza Fazeli Monfared had expressed concern that the envelope containing his exemption card may have been viewed by others:

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<sup>181</sup> Deutsche Welle (DW), [How transgender people navigate Iran](#), 16 May 2021

“On Sunday [2 May 2021] Alireza called me. He was very happy and said that his exemption card had finally arrived. But he said: ‘I think the envelope has been opened. When I was opening it, I felt that it had been opened [before me] and resealed.’ He said that he had many dreams. He wanted to live a free life, wear the clothes and make-up that he wanted. He wanted to do modelling and become a make-up artist.” Given that several male relatives had in the past threatened to kill Alireza Fazeli Monfared and attempted to physically assault him because of his gender expression, some Iranian LGBTI human rights activists suspect that the indication on his exemption card pointing to his sexual orientation may have come to the attention of his relatives and triggered or aggravated the risks that led to his murder.

According to information received from Iranian gay men and reports by human rights groups,<sup>6</sup> in seeking exemption from military service on the basis of their sexual orientation or gender identity, gay, transgender and gender non-conforming individuals are generally forced to undergo humiliating and degrading physical and psychological tests, including anal examinations, which amount to torture, as well as interrogations by officials during which they are forced to answer intimate questions about their gender and sexuality such as their preferences for sexual positions. [...]

5 The American Psychiatric Association removed homosexuality as a disorder from the “Sexual Deviancy” section of the Diagnostic and Statistical Manual of Mental Disorders in 1973 (2nd edition). In 1992, the World Health Organization replaced its categorization of homosexuality as a mental illness. Several states then followed suit.

6 Human Rights Watch, “We Are a Buried Generation”: Discrimination and Violence against Sexual Minorities in Iran, December 2010, <https://www.hrw.org/report/2010/12/15/we-are-buried-generation/discrimination-and-violence-against-sexual-minorities>; 6Rang, Confessing to having same-sex relations is the new norm for military service exemptions in Iran, <https://6rang.org/english/2261/><sup>182</sup>

The same statement wrote that:

Further serious concerns related to the human rights situation of LGBTI people in Iran include the practices of “conversion therapy” aimed at eliminating homosexuality and gender non-conformity. These have involved, among other abusive practices, the administration of electric shocks, hormones and strong psychoactive medications, including against children experiencing gender non-conformity and same-sex attraction.<sup>11</sup> Official bans on comprehensive, accurate and age-appropriate information regarding human sexuality, coupled with the promotion of hate speech from public officials,<sup>12</sup> has resulted in a lack of knowledge about issues related to sexual orientation and gender identity, including among health-care professionals, and the prevalence of “conversion therapies” in medical and counselling settings in Iran. [...]

11 UN Human Rights Council, Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Statement by the Special Rapporteur at the forty-sixth session of the Human Rights Council - Item 4, March 2021, <https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=26869&LangID=E12>

12 UN Office of the High Commissioner for Human Rights, Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Statement by the Special Rapporteur at the forty-sixth session of the Human Rights Council - Item 4, March 2021, <https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=26869&LangID=E>; 6Rang, “It’s a great honor to violate homosexuals’ rights”: Official hate speech against LGBT people in Iran, December

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<sup>182</sup> Amnesty International, [Iran: Murder of 20-year-old gay man highlights urgent need to protect LGBTI rights](#), 17 May 2021, p. 3

2017, <https://6rang.org/english/wp-content/uploads/2017/12/Official-Hate-Speech-against-LGBT-People-in-Iran.pdf><sup>183</sup>

The OONI, OutRight Action International, and the Citizen Lab's August 2021 research report on LGBTIQ website censorship in six countries, including Iran, stated that:

- Pervasive censorship has harmed the ability of LGBTIQ people to organize and advocate for human rights, as well as access critical information about health and well-being. Iran's move towards creating a national Internet, called the National Information Network, is projected to further restrict online freedom.
- LGBTIQ individuals are targeted online with surveillance and harassment. This is especially the case since the passing of Law No. 71063 on Computer Crimes of 2009, which significantly expands state surveillance and censorship powers.<sup>345</sup> Entrapment through dating apps is also a persistent concern.
- Seventy-five unique LGBTIQ-related URLs were found blocked in Iran. Blocked URLs in Iran include many human rights, cultural, and news sites covering LGBTIQ-related topics. Many blogging platforms are also blocked; therefore, blogs discussing LGBTIQ topics hosted on these platforms are inaccessible as well.
- Iranian Internet Service Providers (ISPs) alternate between blocking and unblocking access to LGBTIQ URLs over time.
- VPNs are commonly used to access banned Internet content. However, some Iranian-hosted VPNs are suspected to be monitored or managed by the government to collect the Internet usage information of its citizens.<sup>346</sup> [...]

The absence of education about gender and sexuality in Iran results in a gap in people's knowledge regarding sexual orientation, and gender identity and expression. [...] families often do not have sufficient information or resources to support their LGBTIQ loved ones, which can lead to bullying and violence, while healthcare professionals may also be misinformed or misleading on how to appropriately care for LGBTIQ people.<sup>365</sup> [...]

Shadi Amin [an Iranian writer, activist, and director of 6rang], explained that LGBTIQ-related censorship is often justified on the grounds of safeguarding morality.<sup>391</sup> This pervasive censorship of local and international websites has particularly damaged the ability of LGBTIQ people in Iran to organize domestic and transnational advocacy initiatives.<sup>392</sup> [...]

In this study, we observed the blocking of URLs such as `www.gay.com`, `www.bisexual.org`, `www.planetromeo.com`, `www.grindr.com`, and `www.ifge.org`, in addition to the blocking of several other Iranian and internationally relevant LGBTIQ URLs. [...]

<sup>345</sup> James Marchant et al., *Breaking the Silence: Digital Media and the Struggle for LGBTQ Rights in Iran* (Small Media, 2018): 92, [https://smallmedia.org.uk/media/projects/files/BreakingTheSilence\\_2018.pdf](https://smallmedia.org.uk/media/projects/files/BreakingTheSilence_2018.pdf).

<sup>346</sup> Email correspondence between OutRight and Kevin Schumacher, December 5, 2020. [...]

<sup>365</sup> Ibid [Amin, interview]. [...]

<sup>391</sup> Amin, interview.

<sup>392</sup> Ibid.<sup>184</sup>

See the report for a fuller list of relevant websites found to be blocked in Iran.<sup>185</sup>

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<sup>183</sup> Amnesty International, [Iran: Murder of 20-year-old gay man highlights urgent need to protect LGBTI rights](#), 17 May 2021, p. 5

<sup>184</sup> Open Observatory of Network Interference (OOONI), OutRight Action International, and The Citizen Lab, [No Access: LGBTIQ Website Censorship in Six Countries](#), 8 August 2021, pp. 82, 84, 87, and 91

HRANA noted in their 2021 annual report, published in December 2021, that: “Trans citizens face legal problems in addition to cultural issues in the process of changing their identity documents or seeking exemption from conscription. In another report, a citizen living in Tehran, after obtaining a military exemption due to his gender identity, lost his employment and was unable to renew his license as an expert of the Food and Drug Administration”.<sup>185</sup>

In early January 2022, an anonymous Iranian activist writing for ReportOUT reported on escalating crackdowns on LGBTQ+ people in Iran:

A new phenomenon that has recently arisen in order to extend the hate is putting the rainbow flag on the ground of the streets during special events like the anniversary of the Revolution. The aim is to firstly raise awareness that this is the flag of “Sodomians” and putting gay men and women in potential dangers of getting reported if they are in anyway using this sign for social purposes (In Iran a large number of gay people use the flag sign in order to find each other and socialize). Secondly, for people that participate in these events to trample on the flag is seen as a sign of disrespect. An organisation named ‘Halalzadeha’ is behind this new movement.

Halalzadeha is supported by the state and has the authority to carry out these events. The organisation has stated their main goal as the reconstruction of the real family values (Halalzadeha, 2017). The first time that this organisation took action on this was on February 12th 2020, the Revolution anniversary day, and was reported by 6Rang, a non-governmental organization of lesbians and transgenders of Iran (6Rang, 2020), stating “The rainbow flag has also been added to the list of the state’s enemies.” The Islamic Republic of Iran has a history of burning, and trampling, on the the [sic] flags of opposing countries such as USA’s flag and Israel’s flag to provoke hate and aggression in people towards these countries. Now the rainbow flag is being targeted.

The most recent activity took place on October 16th 2021. Halalzadeha had made an official announcement of this event taking place both on their official website and social media pages including twitter and Telegram (Halalzadeha, 2021). It was specifically organized on the death anniversary of prophet Lut (The story of Lut is mentioned in Quran as the prophet who fought against the act of sodomy). This time, the families including children have participated in this event and were holding signs such as “Two people of the same sex do not make a couple”, “We are the defenders of prophet Lut” and “homosexuality, the modern barbarism”, as well as trampling the flag (Halalzadeha, 2021). [...]

Some quotes from Iranian LGBT people on the new flag phenomenon shows a mix of fear yet resilience:

*“I remember the first time they did it (putting the flag on floor). It happened in Mosalla street where Khamenei (The supreme leader) was making a speech... They know the meaning of the word they’re using on the flag and they do it on purpose (The word " همجنس باز " has been used on the flag which is the equivalent to the word faggot in levels of offensiveness). I feel sorry for these people. They’re uneducated and naïve. From the very young age, they’ve only been taught to hate and see the world as black and white. The fact is, many people in Iran are still uneducated about different sexualities and identities and before they get a chance at learning, these people come and introduce us as the enemy. The picture that*

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<sup>185</sup> Open Observatory of Network Interference (OONI), OutRight Action International, and The Citizen Lab, [No Access: LGBTIQ Website Censorship in Six Countries](#), 8 August 2021, pp. 91-97

<sup>186</sup> Human Rights Activists News Agency (HRANA), [Annual Report 2021: Annual Statistical Report of Human Rights Conditions in Iran](#), December 2021, p. 54



*shows a young boy with his parents hurts me deeply. They're bringing this kid up with the wrong information. Maybe this kid grows up to be a part of the LGBT himself and he's going to suffer from the internalized homophobia. Another picture shows teenagers participating in this event. They learn that their LGBT classmates are their enemies and these teenagers are going to suffer even more than they already are in schools."*

"They are going to consciously spread the hate in schools. Using the term "pervert" by this organization indicates that gay people are just all about sex and lust and they actively compare us with paedophiles! The government knows exactly what they're doing. If you go ten years back in time, they tended to deny the existence of us. Like when Ahmadinejad (former president) said "We don't have homosexuals in Iran" at Columbia University when asked about the LGBT rights in Iran. But today, they feel threatened by the courageous LGBT youth who try to educate people and now they are purposefully targeting us." [...]

"I'm terrified to my core. They're encouraging people to hate us" [...]

*"The LGBT flag is the new American flag to the Islamic Republic. They have announced a war against us. I don't live in Iran but I still want to be able to see and visit my family back in Iran and I feel like with the situation that is going on at the moment, I might not be able to go back ever again. At least until the current government is still ruling. Sometimes the uncertainty of the situation drives me mad. I don't want to think negative but this is the truth, if say for example there would be a family emergency, I would not be able to go back to Iran and this is absolutely heart breaking"*<sup>187</sup>

In January 2022, 6Rang reported on conditions for trans prisoners in Iran, stating that: "Even though Iranian law does not criminalise trans individuals, there is still social stigma against these individuals that allows subhuman conditions like this to persist. The prevalent harassment of trans prisoners by prison authorities exacerbates an already vulnerable group of people".<sup>188</sup>

Amnesty International wrote in January 2022 that: "Gender non-conforming individuals who cannot or do not wish to change their sex assigned at birth or choose between the binary gender categories of man and woman experience discrimination in access to education, employment, health care and public services because the Islamic Republic system heavily enforces gender segregation across public spaces and imposes strict dress codes".<sup>189</sup>

Amnesty International stated in their 2022 annual report, on human rights in 2021, that, in Iran: "The military continued to characterize homosexuality as a "perversion". Military exemption cards issued to gay and transgender individuals indirectly disclosed their sexual orientation or gender identity without their consent, putting them at risk of violence".<sup>190</sup>

Sayeh Isfahani's April 2022 Atlantic Council blog post on the potential impact of a new Iranian Internet 'Protection Bill' on the LGBTQI community stated that:

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<sup>187</sup> ReportOUT, [A New Crackdown? What is Currently Happening in Iran to LGBTQ+ People?](#), 4 January 2022

<sup>188</sup> 6Rang (Iranian Lesbian & Transgender Network), [Suicide and neglect: Trans prisoners treated worse than animals in Iran's most notorious prison](#), 10 January 2022

<sup>189</sup> Amnesty International, [Ill-Treated Iranian LGBTI Defender At Risk](#), 25 January 2022

<sup>190</sup> Amnesty International, [Amnesty International Report 2021/22: The state of the world's human rights](#), 29 March 2022, p. 199



[...] users in Iran live in a climate where state actors are on the watch to spot the smallest “blunder” in order to identify users and mount charges against them. [...]

Many Iranians, including the queer community, rely on online anonymity to evade persecution at the hands of state actors. The institutions responsible for this persecution include Iran’s Cyber Police as well as the numerous cyber divisions of the IRGC [Islamic Revolutionary Guard Corps] and its militia arm, the Basij. Benefiting from hefty budgets, these state actors monitor social media platforms and often orchestrate “raids” leading to the arrest of people criticizing the clerical establishment and security agencies or those “flouting morals and religious values.”<sup>191</sup>

In April 2022, *The Lancet Psychiatry*, a peer-reviewed scientific journal, published a piece on conversion therapy of Iranian gay men, stating on Iran that: “Religious institutions are opposed to homosexuality, leading to the rejection of gay men by families and society, the promotion of internalised stigma, and the development of pseudoscientific therapies by health professionals. Under the control of religious institutions, the Ministry of Health and Medical Education, the Ministry of Science, Research, and Technology, and the Psychology and Counseling Organization of Iran have condemned homosexuality”.<sup>192</sup>

In June 2022, HRANA’s article on increased state-sponsored discrimination against Iranian LGBTQI+ communities set out that:

The Islamic Republic has long criminalized homosexuality in its domestic legal systems while also actively fueling propaganda campaigns in both media and educational institutions including through discriminatory public media content, textbooks, and campaigns aimed at so-called “Conversion Therapy”. According to HRANA, the news agency of Human Rights Activists, as the number of LGBTQI+ activists in the country continue to grow, Iranian politicians, cultural public figures and celebrities have made public statements aimed at inciting public discrimination, hostility, and violence against the LGBTQI+ community inside of Iran.

Officials representing the government have gone on record with their discriminatory positions. [...] Our initial research points to the unrestricted and inappropriate use of the internet as the major cause of the issue. In an interview with a foreign news agency, Minoo Mohraz, the head of the Iranian Research Center for HIV/AIDS (IRCHA) said, “for the sake of public health protection, sex workers, addicted people, and homosexuals have to be identified and treated.” Mohraz added, “[...] we have to treat them before they pollute the rest of society.” [...]

An apparent grassroots group known as ‘Halal-zadeha’ has been circulating content on social media inciting discriminatory language against sexual and gender minorities. The group is also known to hold gatherings in Tehran aimed at condemning same-sex marriage in other countries. During the last 22 Bahman March (Anniversary of the 1979 Revolution), they stepped and marched on rainbow flags incitement hostility against members of the LGBTQI+ community. The lack of attempt by police or security forces to interfere in the gatherings, which is a routine activity in the case of similar gatherings, indicates that such groups are potentially supported by the regime. [...]

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<sup>191</sup> Atlantic Council, [‘The Internet ‘Protection Bill’ will hurt all Iranians, but the queer community will have the most to lose](#), 12 April 2022

<sup>192</sup> Amir Kabir and Irwin Nazareth, [“Conversion therapy: a violation of human rights in Iranian gay men”](#), *The Lancet Psychiatry*, Volume 9, Issue 4, April 2022

At odds with the body of knowledge in their respective field, several psychiatrists and psychologists employ unscientific treatment methods to change the gender identity of transgender people. Under pressure from their family, many transgender youths give in to unscientific treatment methods. Nonetheless, the Medical Council of the Islamic Republic of Iran has remained in a conspiracy of silence toward these unsubstantiated methods. The silent complicity in such methods is in stark contrast to the regime's obligations under international law.

Social media has become a major channel of promotion for such treatments. In an article entitled, "Eight Guiding Methods to Cure Homosexuality", which was widely disseminated online, a purported specialist in psychology and hypnosis, Davood Najafi Tavana, claimed that his methods could "change an LGBT person into a straight person."

Tavana claimed that: "to cure homosexuality, one must see a psychiatrist as soon as possible to ensure the normal functioning of the endocrine glands." He continued, "One can do this by running some tests. In this phase of treatment, with the help of medicine, your homosexuality will be cured." He also stated that one must also, "Purify your mind also by appealing to God and holy Imams. In this way, you can overcome your diabolic thoughts and temptations."

Mehr News Agency, which is affiliated with Islamic Development Organization, published an article criticizing a psychiatrist who had described homosexuality as a natural disposition. The report claimed "so far, no accredited laboratory has proven that homosexuality is a natural disposition. They asked, "How can a psychiatrist who is supposed to comply with scientific principles, expose his patients to damages of homosexual intercourse by saying that this is natural?" The report repeated Tavana's claim that homosexuality can be cured with drugs, "In Iran, many physicians have the successful treatment of homosexual patients in their career. Therefore, the wrong assertion that homosexuality is incurable has to be debunked as a trick of political advocates of homosexuality." [...]

The regime continues incorporating gender stereotypes in educational materials particularly at lower-secondary level (middle school). Such stereotypes indirectly intensify violence against LGBTQI+ people. By enclosing the gender spectrum into a gender binary, these textbooks adversely impact a children's perception of gender minorities and as such incite discrimination and hostility towards those minorities within their own society.

A textbook titled 'Family Management and Lifestyles', which is taught exclusively to girls in the 12th grade, the text advised girls, "If a man, from the outset of the marriage life, expects his wife to contribute to breadwinning, you better reconsider marrying this man, because, in such marriage life, you have to take over both men's and women's roles." The underlying patriarchal structure of traditional culture as well as Iran's domestic legal system puts all efforts to reinforce such strict gender roles and eliminate all gender-equal living patterns. For this purpose, the official education system plays a key role in the reproduction of gender discrimination and the upbringing of children in accordance with Islamic views on gender rather than gender equality. [...]

The regime vigorously censors any content about LGBTQI+ rights to cut the access of families of an LGBTQ member to these contents. None of the educational platforms, dating websites or computer games are immune to this type of censorship.

Recently, a Mobile game app called 'Apex Legends' was removed from the app store Kafe-Bazar by the order of the regime's monitoring working group. Soon after, this application was taken down from the Myket App store as well. Activists believe that gay and lesbian characters in this game were the reason for this censorship.<sup>193</sup>

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<sup>193</sup> Human Rights Activists News Agency (HRANA), [State-Sponsored Discrimination against Iranian LGBTQI+ Communities Ramps up amidst a Growing and More Vocal Activist Community](#), 22 June 2022

In July 2022, IranWire reported on Zahra Sedighi-Hamedani (Sareh), the detained LGBT+ rights activist being framed as a “trafficker” in Iran. It wrote that:

In a video report aired by the hardline Tasnim News Agency on behalf of the IRGC-IO [Intelligence Organization of the Islamic Revolutionary Guard Corps] on Monday, Sareh – whose name was there given as Zahra Mansouri-Hamedani – was accused of running “one of the largest prostitution networks in Erbil”. The report claimed she was aided by two other individuals reportedly also now in custody, Alireza Farjadi-Kia and a friend known only as “Kati”.

Described as an “obscene gang”, the three detainees were said to have smuggled “more than a thousand Iranian girls” for sale in the capital of Iraqi Kurdistan. The report featured as “evidence” some blurred footage of nightclub interiors, in which the subjects were not named or identifiable. [...]

In the same period, Sareh’s friends were arrested and made to give forced confessions against her, some of which then aired on state TV. Shesh-rang reports that these individuals had been promised the footage would not be broadcast.<sup>194</sup>

In its July 2022 country update for religious freedom in Iran, USCIRF stated that:

The government [...] uses religion to repress members of the lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) community and actively executes gay men on religious grounds.

In March, Ayatollah Ali Khamenei spoke against “severe moral deprivation in the world today such as homosexuality” in a televised speech. Government sponsored media portray lesbians in Iran as criminals, and officials have forced women accused of being lesbian to attend “reorientation courses” where they are subjected to physical torture and verbal abuse.<sup>195</sup>

Reporting on the sentencing to death of Zahra Sediqi Hamedani (Sareh) in September 2022, Hengaw Organization for Human Rights wrote that “the security agents threatened her with her execution and deprivation of custody of her two children besides verbal harassment and insults to her identity and appearance”.<sup>196</sup>

In September 2022, 6Rang published a fact sheet on the sentencing to death of Zahra Sadighi Hamedani (Sareh) and Elham Choubdar, writing that:

On 27 October 2021, she [Sareh] was arrested by the Islamic Revolutionary Guard Corps (IRGC) forces in the province of West Azerbaijan. Following her arrest, she was forcibly disappeared for 53 days. It subsequently transpired that the Revolutionary Guards held her in solitary confinement in a detention centre in Urumieh. [...] The interrogators used torture and ill-treatment to force Sareh to confess that she was involved in trafficking Iranian women to Iraqi Kurdistan for prostitution. Despite enormous pressure, she refused to provide them with false confessions.

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<sup>194</sup> IranWire, [Detained LGBT+ Rights Activist Framed as "Trafficker" in Iran](#), 20 July 2022

<sup>195</sup> US Commission on International Religious Freedom (USCIRF), [Country Update: Iran - Religious Freedom in Iran in 2022](#), July 2022, pp. 1 and 4

<sup>196</sup> Hengaw Organization for Human Rights, [Zahra Sediqi Hamadani, an LGBT community activist, was sentenced to death by the Revolutionary Court of Urmia](#), 4 September 2022

On 30 December 2021, the Intelligence Organization of the Revolutionary Guards took over Sareh's Telegram channel, which had about 1,200 followers. They changed the profile picture to the logo of the intelligence organization and posted a message, which stated, "Protecting family values is the red line of the unknown soldiers of Imam Zaman [the title used for Mahdi, the 12th Shia Imam] for the Intelligence Organization of the Revolutionary Guards." [...]

In early July 2022, Tasnim, an IRGC news agency published a video accusing Sareh of [sic] taking part in sex trafficking. The video showed the interviews of two individuals who said that Sareh was involved in seducing Iranian women and girls and trafficking them to Iraqi Kurdistan to exploit them. 6Rang research confirms that those interviews were taken from detainees under duress and in exchange for the authorities promises to free them.<sup>197</sup>

A query response on Iran's armed forces by the Immigration and Refugee Board of Canada, published in December 2022, referring to information from an interview the previous month with an adjunct research professor in law and legal studies at Carleton University (with over twenty years of experience practising criminal and human rights law in Shiraz, Iran), stated that "to be exempt from military service, gay and transgender people have to prove they are "'sick'" through medical examination by a military, forensic and family doctor".<sup>198</sup>

A 2022 article in the journal *Health Care for Women International* on discrimination, violence, and suicide among transgender women in Iran wrote that: "In Iran, transgender women are not allowed to wear women's clothing until they have undergone gender reassignment surgery, and therefore are targeted by law enforcement".<sup>199</sup>

6Rang's March 2023 report on official hate speech used against LGBT people in Iran as a tool of oppression wrote that:

One of the largest minority groups that made themselves visible during the protests was the LGBTQ+ community. As such, issues related to individuals in this minority group have come to light in the face of the Iranian general public. We have witnessed immense support, for example graffiti on university campuses signposting it as a safe space for LGBTQ+ people. [...]

Although strides have been made in terms of visibility for LGBTQ+ people in the recent protests, hate speech is still rampant, especially amongst state officials who use it publicly to vilify LGBTQ+ people further. State media presents LGBTQ+ individuals as 'immoral and corrupt', 'animalistic and subhuman' and 'sick and diseased'; apart from being presented as inferior, LGBTQ+ people are often accused of working with Western imperialists or being anti-revolutionary.

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<sup>197</sup> 6Rang (Iranian Lesbian & Transgender Network), [Fact sheet on Zahra Sadighi Hamedani \(Sareh\) and Elham Choubdar](#), September 2022

<sup>198</sup> Immigration and Refugee Board of Canada, [Query response on Iran: Armed forces, including Islamic Revolution Guards Corps \(IRGC\) and Basij \(2019 - December 2022\)](#), 19 December 2022

<sup>199</sup> Azar Nematollahi, Farnaz Farnam, Safoora Gharibzadeh, and Parisa Khoda-Khah ["Discrimination, violence, and suicide in transgender women in Iran"](#), *Health Care for Women International*, Volume 43, Issue 7, 2022

These sentiments were seen repeatedly during the period of September 2022 to February 2023. [...] It can be deduced that hate speech made by officials against this minority increased or intensified in the reporting period.

Hateful representations of LGBTQ+ individuals by state officials, paramilitary groups and media

Amidst the peak of the protests in November 2022, a group of Basijis (a paramilitary group belonged to the Iranian Revolutionary Guard Corps (IRGC)) set rainbow flags on fire in front of the British Embassy in Tehran<sup>12</sup>. This was in direct protest of LGBTQ+ people being welcomed by protestors and being visible in protests. Disgusted by the role of the LGBTQ+ community in the protests, this horrifying and hateful state-sanctioned act was a reactionary outcry and attempt at instigating fear.<sup>13 14</sup> [...]

Although the official hate speech targeting LGBTQ+ community has a history as long as the Islamic Republic, it was only during these protests that the state forces recognised their role in revolutionary mobilisations and acted quickly to discredit it by associating it with a foreign government.

Same sex acts have long been represented as immoral and anti-Islamic by the Islamic Republic regime. The highest-ranking officials often take part in vilifying LGBTQ+ individuals publicly and without regard. One of the ways in which officials have instigated hate against this minority group is by using Islam and religion. In December 2022, Supreme Leader Ali Khamenei gave a public speech in which he said:

“Banning *hamjensbazi* [faggotry] is not only a concern of Islam, but it is forbidden in all religions.”<sup>17</sup>

Iranian officials have continued to show homosexuality as a moral failure and an agenda by the West. In February 2023, President Ebrahim Raisi spoke about the ‘promotion of homosexuality’ in a speech:

“On the matter of family, we are the accusers and you [the West] are the accused. You are promoting the lowliest form of obscenity – homosexuality.”<sup>18</sup>

Raisi has likened homosexuality to the, “...ugliest morality that is accepted by the modern world.”<sup>19</sup>

On a similar note, Mostafa Mahdavi, the Deputy Commander of the Islamic Revolutionary Guard Corps (IRGC) in Lorestan Province said, “when homosexuality is made legal in the West, it shows that their morality has fallen.”<sup>20</sup> [...]

Officials of the Islamic Republic have often used derogatory language that likens homosexuality to animalistic behaviour and deviancy. Again, hate speech here has been directed at the protests and uses homophobia to instil fear.

State-affiliated medial and journalists have had a hand in spreading hate against the LGBTQ+ community. The language often resonates with what is said by state officials. Derogatory language is also prevalent in articles about LGBTQ+ people.

In November 2022, Hosein Shariatmandari, a fundamentalist journalist, said:

“One of the main goals of this riot is to break apart and break our country into pieces... One of the hopes of this situation is to legalise and spread *hamjensbazi* (faggotry) in a future without the Islamic Republic.”<sup>22</sup>

Much of the fearmongering about same-sex relationships mandated by state officials and state media lies in the concept of interrupted or broken traditional families. Heteronormative familial relationships are the pinnacle of moral goodness in the Islamic Republic framework. As such, LGBTQ+ individuals are shown to be an interruption to normal family dynamics.

In an article by Fars News, Hasan Kouhestani wrote, “if we look back to the sexual revolution in the West when men and women were freer in their relationships, we can see that men were no longer interested in marriage.” [...]

Furthermore, officials have used the existing societal hatred and ignorance against the LGBTQ+ community to invalidate the protests. [...]



"Are you a degenerate," asked the security officer interrogating a young bisexual woman arrested during the recent anti-government protests in Iran.

The interrogator had searched the woman's phone and come across her intimate conversations with her girlfriend. [...]

"What the hell are these chats? Are you a degenerate?" repeated the interrogator, his voice laced with disgust and using an offensive and derogatory Persian word which describes any form of same-sex attraction.

Now out of prison on bail, the woman, who is in her 20s, tells the BBC that she dodged the question by describing the conversation as "jokes that are common between girls".

She says that the officer appeared to be focused on pressing charges related to the protests and therefore did not pursue the allegations of homosexuality. [...]

"But he kept pounding me with that question: 'Are you a degenerate?' He also mentioned my girlfriend's name here and there, asking questions about her sexuality," she says.

She had planned to make a rainbow-coloured LGBTQ Pride flag and take it to protests. "But I got arrested and a lot has happened since," she says. [...]

A trans non-binary activist in Iran in their early 20s, who say they are defying pressure from the "guardians of cis-heteronormativity", describe the increased visibility of the LGBTQ community as the "rainbow wave".

They also note that in response, top officials of the Islamic Republic are intensifying their homophobic rhetoric.

In a speech in Tehran on the anniversary of the revolution on 11 February, President Ebrahim Raisi accused the West of "exploiting women" under the pretext of human rights.

He said those countries were in no place to "set norms for the world, since they are pushing humanity towards the brink of extinction by promoting immoral behaviour like homosexuality".<sup>206</sup>

In May 2023, 6Rang published a report on reparative therapy and systematic medical abuse of Iran's LGBTI+ people, based largely on a survey disseminated on 6Rang's social media in May 2022, reaching 240 respondents. The report stated that:

Many Iranian clinicians view non-hetero and cis-normative identities as pathological, whether due to lack of education or existing prejudice. Reparative therapy has become normalised in society due to lack of up-to-date teaching at universities, lack of independent media, governmental pressure, existing societal prejudice, the misperception of queer people being diseased. These factors have led to families sending their queer children to conversion therapy facilities. [...]

Many respondents reported being pressured to uptake reparative therapy by multiple sources and/or institutions. The most prominent influence was that of family (57 instances), followed by health institutions and services (51 instances), friends and acquaintances (37 instances), educational institutions (18 instances), religious institutions (15 instances), romantic or sexual partners (11 instances), judicial or military institutions (10 instances), and employers or colleagues (7 instances). [...]

6Rang's previous research has found that some medical practices assign other psychiatric diagnoses to patients who deviate from heterosexual and cisgender norms, and often misdiagnose these patients. For example, homosexuality is often diagnosed as a mood disorder and treated with anti-psychotics; homosexuality has also been diagnosed as obsessive-compulsive disorder (OCD) and treated with

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<sup>206</sup> BBC News, [Iran protests: LGBTQ community rises up](#), 19 April 2023

medication and behavioural therapy. These practices see transgender patients as experiencing delusions that force them to believe they belong in the wrong body, and they are often treated with electroconvulsive therapy or anti-psychotic drugs.

Some medical practices in Iran specialise in conversion therapy. They believe that homosexuality is due to a lack of positive experiences with the opposite sex and low self-esteem. They encourage their patients to form relationships with people of the opposite sex as a way to convert their sexuality. These practices enforce control over sex and sexual desires, and tell their patients that they failed to respond to treatment due to a lack of discipline and willingness. Treatments at these facilities include electric shock to the hands and genitals, ingestion of emetic drugs while watching pornographic material depicting same sex intercourse, masturbation while watching pornographic material depicting heterosexual intercourse, and other inhumane treatments.

Another school of thought adopted by some practitioners in Iran sees homosexuality as a fault in the subconscious due to early childhood trauma. This is often treated through hypnosis and psychoanalysis to find the root of the trauma by exploring interactions with important figures, such as parents. These techniques often result in high time and financial strain, and only serve to confuse patients about their feelings.

Other facilities use the patients' displeasure with themselves against them. They frequently use their religious beliefs and guilt, while stirring fear of the consequences for their families should they not choose a 'desirable' sexual orientation. These types of treatment include emphasis on prayer and a return from satanic influence. [...]

The most common suggestions given to participants who underwent reparative therapy were having relationships with their undesirable gender (i.e., homosexual participants were encouraged to have relationships with people of the opposite sex), changing their way of dress, and changing their behaviours in society. They were also encouraged to cease relationships with desired partners, marriage to people of opposite sex, and to distance themselves from friends. [...]

Nearly 90% of the respondents who underwent reparative therapy reported experiencing verbal and psychological abuse during treatment, and more than 60% of them (22 people) were subjected to coercion and control. Over a third of participants also experienced violence and physical abuse. Other violations included disclosing clients' sexual identity, sexual abuse, and deprivation of education. [...]

Over 21% of those who underwent reparative therapy were forced or pressured to do so by influential institutions, from family to health services and educational, judicial and social institutions. A fifth of this study's participants were pathologized due to their 'abnormal' sexual orientations or gender identities, and were subjected to abuse, harassment, humiliation and violence at the hands of medical professionals.<sup>207</sup>

BBC News reported in July 2023 on a sex tape in Iran leading to the suspension of an official in charge of promoting Islamic values, stating that:

A video posted online allegedly shows the head of culture and Islamic guidance in Gilan province, Reza Tsaghati, having sex with another man.

Their identities and the video's authenticity have not been verified.

Mr Tsaghati has been removed from his post while authorities investigate. [...]

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<sup>207</sup> 6Rang (Iranian Lesbian & Transgender Network), [Straitjacketed Identities: Reparative Therapy in Systematic Medical Abuse of Iran's LGBTI+ People](#), May 2023, pp. 4, 6-8, and 10



The video - which has been widely shared on social media - has caused furore online. Mr Tsaghati is the founder of a cultural centre focused on piety and the hijab.

On Saturday, Iran's culture minister Mohammad Mehdi Esmaili said no negative reports relating to Mr Tsaghati had existed prior to the video's publication.

Some have said the removal of Mr Tsaghati from his post highlighted the difference in how Iranian officials are treated when accused of a crime compared to the LGBT+ community, or women who do not adhere to Islamic rules. [...]

Iranian officials had initially stayed silent following the sex tape's appearance on social media.

But the cultural and Islamic guidance department of Gilan eventually issued a statement on 22 July, in which it referred to the "suspected misstep of the director of Islamic guidance in Gilan".

It said the case had been "referred for careful consideration to the judicial authorities" and warned against using the video to "weaken the honourable cultural front of the Islamic Revolution".<sup>208</sup>

6Rang's September 2023 report on the gender persecution of LGBTIQ+ protestors in the context of the 2022-23 Iran uprising gathered the following information:

6Rang's previous research<sup>29</sup> over the statements made by officials confirm that hate speech and propaganda against the LGBTIQ+ community intensified during the uprising. The report suggests that the rise in hate speech is a reactionary act against the increased visibility of LGBTIQ+ persons and LGBTIQ+ issues in the protests.<sup>30</sup> Official hate speech in Iran has a long history and is becoming more prevalent. LGBTIQ+ persons are often said to be immoral, animalistic, and a constant threat to Islamic family values. Hate speech is used by all levels of government, including the president and the Supreme Leader.<sup>31</sup>

In January 2023, Hojjatollah Masoud Ali, teacher at a seminary (*hawza*), said:

"Reducing and making hijab optional, allowing relationships between boys and girls, accepting homosexuality and ultimately destroying families are the goals of our enemies."<sup>32</sup> In the same speech, he conflated this 'immorality' with the protests, saying, "in the past 100 days, the rioters have shown what they want!"

More explicitly, in December 2022, Khorramabad's Friday prayer leader, Ahmadreza Shahrokhi, said, "the dispute is not over a few strands of hair ... those behind the scenes want to force homosexuality and marriage with animals on Muslims."<sup>33</sup>

Islamic Republic's high-ranking officials used pre-existing gender social prejudices to spread the fear of homosexuality being forced upon Iran if the Islamic Republic were to go by using hate speech to instigate a link between the protests and 'immorality'. By doing that, they imposed their "accepted" forms of gender expression and created a hostile environment against the LGBTIQ+ community and their participation in protests. Such imposition was not only prevalent among security, judicial, and prison authorities but also, at least to some extent, among opposition forces. [...]

Iranian authorities do not allow individuals to freely define and express their gender identity. Individuals must obtain a diagnosis of 'gender identity disorder' and undergo invasive and irreversible medical procedures, including hormone replacement therapy and sterilization before they are able to present their gender through dress, hairstyles, and mannerisms to match those that are stereotypically associated with their opposite sex. [...]

As part of their catalogue of human rights abuses based on sexual orientation and gender identity, the Iranian authorities consistently make hateful statements that demean and dehumanize people based on their sexual orientation. Homosexual people are regularly described in official statements and state media

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<sup>208</sup> BBC News, [Iran sex tape scandal: Government says no prior knowledge of alleged behaviour](#), 29 July 2023

outlets as “immoral”, “corrupt”, “animalistic”, “subhuman”, “sick”, and “diseased”. They are also accused of collusion with Western-orchestrated Zionist conspiracies aimed at undermining the Islamic Revolution or corrupting the Muslim population.

These official statements reproduce misogynistic, homophobic, and transphobic values. They reinforce attitudes, beliefs, and practices that perpetuate violence, discrimination, and other harm on grounds of sexual orientation, gender identity, gender expression and constitute advocacy of hatred. In the context of Iran, this risk is particularly heightened considering that members of the public are not allowed to access and learn about affirmative materials on homosexuality and the human rights of persons belonging to diverse sexual orientations and gender identities. [...]

Leni is a 16-year-old gay man and a high school student in Isfahan. [...]

Leni took part in a protest in Isfahan where he was identified and taken by plainclothes officers who beat him with batons until he fell. He was asked whether he was a boy or a girl. One of the officers attempted to ascertain his sex by touching his genitals. Because he resisted, an officer kicked him from behind, causing him to hit his head on the ground. He experienced temporary changes to his vision.<sup>59</sup> [...]

Mahan’s story shows how the authorities make an issue out of gender identity. He is a gay man from a religious city:

*It was a few days after Mahsa Amini’s death. We were angry and angry and could not sit on our hands and do nothing. Two of my friends and I decided to graffiti walls. We wrote Mahsa Amini’s name on walls all over the city; even on the walls of mosques.<sup>64</sup>*

One night, when they finished work and were almost home, they were arrested by a few plainclothes officers who attacked, handcuffed, and blindfolded them and forced them in a van with tasers and threats.<sup>65</sup>

Although they were arrested over expressing their dissident in the form of graffities, they were questioned about their gender due to their appearances while being handcuffed and blindfolded:

*Even though I don’t appear out-of-the-ordinary, I could hear the officers say ‘these are girls. Why have you brought them here?’ They meant me and my other friend who was a girl. One of the officers came to me and asked if I was a girl or a boy. I answered, ‘isn’t it clear that I’m a boy?’ This made him use derogatory terms to speak to me. They insulted and cursed me, and if I responded to their insults, they would shock me with tasers. Amid humiliation and insults, they even told us to take off our pants to see if we are girls or boys!<sup>66</sup> [...]*

On 16th of July 2023, Mohammad Sadeghi, a young actor, was arrested during a raid on his apartment in Tehran by the Intelligence Organisation of the Police. He had posted a video on his Instagram account radically criticising the policies of the government in reinstating the morality police ten months after the death of Jina Mahsa Amini, referring to a video of a woman being brutally arrested.<sup>68</sup>

Sadeghi used to post photos of himself on Instagram that challenged gender norms and binaries. He also supported LGBTIQ+ persons who posed and took photos with the Rainbow flags in streets. [...]

News agencies affiliated with the IRGC [Islamic Revolutionary Guard Corps] confirmed the news of his arrest and called him an actor who sought attention by wearing women’s make-up, showed ‘abnormal behaviours’, and advocated for homosexuality.<sup>69</sup> [...]

Trans or non-binary individuals are more likely to be targeted in the midst of a street protest because of their deviation from social norms of gendered appearance.

Sabri, a trans woman said, “in [ ]83 November, I joined the crowd in Vali-Asr Street<sup>84</sup> to express my protests, and for freedom of expression and thoughts, not even the LGBTIQ+ rights which we are far away from. While I had not set foot outside for four years due to health problems but [with killing Jina Mahsa Amini, they did something that I could not be silent about].”<sup>85</sup>

Over seven security forces assaulted and arrested her:

*They beat me even harder when they realised that I'm trans and that's the reason for my hair being long. They insulted me, insulted my mother. They used a lighter to burn my hair. They touched me inappropriately. After that, I was put inside a van and taken to somewhere like a police station. We were blindfolded and didn't know where we were being taken. They kept kicking us while our hands were tied. Our eyes were closed, and we didn't know where we were going. They kept kicking us with our eyes and hands tied. They didn't know which detention centre to take me to, men's or women's. Finally, they saw that I'm registered as male on my ID.*<sup>86</sup>

Leni was also sexually assaulted by the security forces during the protests.

He was at a protest in Isfahan in December 2022. He was noticed by the police and plainclothes officers because of his voice. They started a physical altercation with him. He was beaten with batons and fell to the ground due to pain. They dragged him to a car to harass him. An officer asked him if he is a girl or a boy. Leni answered that he is a boy. One of the officers said, "It's one of those tranny prostitutes. It's probably a girl." The officers attempted to ascertain his sex by touching his genitals. He tried to resist being touched. Another officer kicked him from the back. Leni hit his head on the ground, which caused his vision to blur.<sup>87</sup>

Kamran, a gay man was arrested in a protest in a southern city. The moment the security forces noticed his earrings, they began beating him, hitting him multiple times on his head and the back of his neck while calling him a paedophile. [...]

All participants of this research who were arrested while exercising their rights to freedom of expression or freedom of assembly experienced torture and ill-treatment, often aggravated by gender-based violence and sexual abuse. These included the use of derogatory and insulting words referring to their gender, being threatened with rape, physical torture, and physical sexual assault. [...]

Dana, a 41-year-old trans woman who was arrested at night with about 50 other protestors in the city of Karaj said that she was treated differently by the guards and other security forces in the detention centre. While everyone was severely beaten, they also used vulgar terms against her such as *bacheh kouni* (batty boy) that referred to her gender.<sup>96</sup>

Mahan, a gay man was arrested because of spray-painting 'Woman, Life, Freedom' on walls. He was blindfolded and taken to several places, presumably detention centres, where he was interrogated repeatedly for hours. He says that as soon as interrogators became privy to his sexual orientation due to his appearance, they neglected the reason for his arrest.<sup>97</sup> He was kept for questioning on the basis of his identity:

*It was as if the reason for my arrest had been forgotten. The questions were only about my sexual orientation, sex, appearance, and behaviour. They were trying to file a case against me. They kept asking if I'm a prostitute. They asked whether this is how I got the cash that was in my wallet. This went on for hours. Finally, they put papers in front of me and forced me to sign. It was written in the papers that I confirm that I am transgender and have a mental and sexual illness. They said that my family must approve this and sign the papers, otherwise they wouldn't let me go. They kept us all night. In the morning, they called my family, and told them to sign for me and take me.*<sup>98</sup>

He believes that interrogators target LGBTIQ+ protestors: "They constantly threatened us with the possibility of being raped in prison because of our appearance and identities. They would tell us that we had been caught by good people and we were safe, since they hadn't raped us. It was as if they themselves openly admitted that they do these things with detainees and protestors."<sup>99</sup>

Sabri, a trans woman was arrested during a protest in Tehran and also had the same experience of being subjected to sexual insulting words and rape threats. [...]

Erfan, a 35-year-old gay man, was raped repeatedly in detention. He was arrested after being identified, together with his two other friends who were also LGBTIQ+ persons, by the authorities for his involvement in a Telegram group that was used to organise street protests in their cities. The admin of the Telegram group was arrested and information about the group members including Erfan and his two other friends got into the hands of the IRGC. From searching his phone, they also learned that he sent videos of protests to Vahid Online, a Telegram Channel and Twitter account that was one of the main sources of news about the protests.<sup>102</sup>

After the 7-day interrogation process, they were transferred from the IRGC detention centre where they were held in cells with only one inmate to a ward in the city general prison holding criminals with heavy charges. He and his friends were raped or otherwise sexually assaulted two to three times a day by the other prisoners for 20 days before being released. He believes that although those who identified and arrested him never mentioned anything about his sexual orientation, they knew about it and the guards used it to humiliate and abuse him.<sup>103</sup>

For instance, they searched him and touched his chest and genitals every time he was being returned to his cell after interrogation - an unusual process for a detainee returning from an interrogation room in the same building while blindfolded.<sup>104</sup> He also said the fact that they put him and his friend in that particular ward implied they knew about their sexual orientation and wanted to punish them for it.<sup>105</sup> [...]

Raha Ajoudani, trans influencer, blogger, and civil activist was 19 years old when she was arrested by agents from the Ministry of Intelligence on 26th of October 2022 in Tehran, at the location where she was supposed to meet someone she was in love with. A few days earlier, she posted a video on her Instagram page in which she said: "Each and every one of us knows this very well. As long as this government holds power, it's a sword hanging over each of us. Any of us could have been Mahsa Amini. It could have been any of us who were killed instead of Mahsa Amini."<sup>116</sup> [...]

On 26th of October 2022, 15 agents from the Ministry surrounded her, took her phone violently, and threw her on the ground: "When I told them why are you arresting me so brutally, they said, 'Don't pretend to be a girl here, this isn't the place to stir our emotions with a feminine tone'. I said, 'Why did there have to be 15 people to arrest me? Am I a terrorist?' They replied, 'You're worse than a terrorist. Why would someone who has connections with adversarial governments like the US and Israel is at least not worse than a terrorist or an ISIS member?'

Their reference was to an open letter that I and a group of civil activists inside Iran had written to the United Nations Security Council [about the protests in Iran]." They took her to a Ministry of Intelligence office in Baradaran Mozaffari Street and interrogated her for hours. They questioned her about the involvement of the LGBTIQ+ community in the uprising.

They conditioned her release on her making a commitment both in writing and in front of a camera that she did what she did under the influence of foreign spies, and that she was wrong and would not engage in any media activity and remain silent about her arrest. They prepared the text for her and made her wear her headscarf while on camera. They told her that she should wait a few days until they summoned her again, and then released her.

On 17th of December 2022, Raha was arrested again during a raid to her home and by IRGC forces. All her electronic devices were confiscated, her mother was intimidated not to break the news to media outlets outside the country, and she was taken to Branch 8 of Shahr-e Ray Prosecution Office where charges were brought against her. [...]

They showed me a video related to Mahsa Amini that had been published by me. I asked, 'Where do you see in this video that I'm inciting violence and murder?' They replied, 'Just the fact that you're calling for nationwide protests is enough for that purpose.' At that point, they told me, 'You're not a woman; why is

your hair so long?’ Then they sent a female police officer who pulled my hair to see if it was real or fake.” [...]

Branch 29 of the Tehran Revolutionary Court tried her on 24 June 2023, and sentenced her to a total of two year and six months imprisonment; “I had to appear in court dressed and perceived as a man.” [...]

29 <https://6rang.org/english/2331/>.

30 <https://6rang.org/english/3511/>

31 <https://shorturl.at/kJPW7>.

32 <https://shorturl.at/ikrZ5>.

33 Ibid. [...]

59 Interview with Leni, April 2023 (his real identity is withheld for security reasons). [...]

64 Interview with Mahan, July 2023 (his real identity is withheld for security reasons).

65 Ibid.

66 Ibid.

67 Ibid

68 Sadeghi was released on bail on 21st of August. At the time of writing, he is awaiting his trial: <https://www.hra-news.org/2023/hranews/a-43026>. [...]

69 See this: <https://shorturl.at/iBQT2>, this: <https://shorturl.at/qtBV9>, and this: <https://shorturl.at/nrEFT>. [...]

85 6Rang Interview with Sabri, July 2023 (her real identity is withheld for security reasons).

86 Ibid.

87 6Rang Interview with Leni, April 2023 (his real identity is withheld for security reasons) [...]

96 6Rang Interview with Dana, July 2023 (her real identity is withheld for security reasons).

97 6Rang Interview with Mahan, July 2023 (his real identity is withheld for security reasons).

98 Ibid.

99 Ibid.

100 Inhaling smoke is a way to ease the impact of tear gas. Therefore, protestors set trash cans on fire. It was also used to prevent security forces from getting to protestors. [...]

102 6Rang Interview with Erfan, August 2023 (his real identity is withheld for security reasons).

103 Erfan

104 After the first interrogation, Erfan was taken to a doctor in the detention center to be generally examined while he was blindfolded: “I remember when someone took my hand and led me to the doctor down the hallway. On the way back, they turned to me and said, ‘You’re not very dainty.’ I didn’t say anything. When they took me to the doctor, they said, ‘Yes, Doctor, this one is also quite dainty. Be careful with this one.’ The doctor performed a physical examination. As they were taking me to the cell, they said, ‘Gosh, you’re not very dainty at all.’ I turned and said, ‘Goodness, you’re not very decent either.’”

105 Ibid. [...]

116 <https://www.facebook.com/watch/?v=838481037407989>.<sup>209</sup>

All Human Rights for All in Iran and eight other civil society organisations stated the following in their report to the UN Human Rights Committee ahead of its 139th session and periodic review of Iran: “Students are reportedly physically and mentally abused by teachers and school administrators because of their sexual orientation and/or gender identity, pushing them in some cases to drop out from school”.<sup>210</sup>

<sup>209</sup> 6Rang (Iranian Lesbian & Transgender Network), [War on Bodies and Minds: Gender Persecution of LGBTIQ+ Protestors in the Context of the 2022-23 Iran Uprising](#), September 2023, pp. 10, 17-22, 25, 27-29, and 31-32

<sup>210</sup> All Human Rights for All in Iran, Association for Human Rights in Kurdistan – Geneva (KMMK-G), Association for the Human Rights Of The Azerbaijani People In Iran (AHRAZ), Balochistan Human Rights Group, Iran Human Rights Documentation Center (IHRDC), Impact Iran, Kurdpa, Rasank, and Siamak Pourzand Foundation, [Alternative report](#)

With regards to legal barriers in the media (non-explicit), the ILGA Database page for Iran reported that “In October 2022, it was reported that a Malayalam-language film from India entitled "Monster" has been banned in Iran due to alleged “LGBTQ content”. The producers have since re-applied for screening in the country after making the necessary changes to pass censorship formalities”.<sup>211</sup>

The ILGA Database page for Iran writes that “gender-diverse persons in Iran still face widespread social stigma and government targeting, especially if they have not attained legal gender recognition or do not conform to traditional gender expressions”.<sup>212</sup>

### c. Harassment and violence

*For further relevant information consult also section II., b., iii. [Treatment in detention facilities](#), section II., b., iv. [Prosecutions and convictions under laws that are deployed against the LGBTQI+ community](#), and section III., c. [Homophobia and transphobia in government institutions](#).*

In June 2020, Human Rights Activists in Iran and thirty-eight other NGOs called on the UN Human Rights Council to renew the mandate of the UN Special Rapporteur on human rights in Iran, stating in their letter that: “Members of Iran’s LGBT community continue to live under the threat of a penal code criminalizing same-sex sexual relations between consenting individuals with punishments ranging from flogging to death, and of a stigmatizing public discourse that make them vulnerable to police harassment, discrimination and violence”.<sup>213</sup>

An article posted by OutNews Global in September 2020 stated:

LGBTQ activist and journalist at Iran International TV, Aram Bolandpaz said: “Generally, police in Iran attack anyone whose behaviour, mannerisms, interests, appearance, or expression is slightly different to the majority.”

“LGBTQIA people naturally fall under the group which comes with different social expressions whether it is the way they dress, talk, walk, or even look. To be more precise, police like to pick on people who are softer; police like to bully men who are not as tough; they somehow find comfort by tormenting those people who do not fit the perfect picture of a powerful man or a needy woman.”

She added: “Everyday LGBTQIA Iranians live in daily fear of punishment simply for being who they are. In Iran, I was not given a choice about my own identity. Instead I felt the need to conform to a lifestyle which I did not feel connected to.”<sup>214</sup>

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[to the Human Rights Committee. For the periodic review of the Islamic Republic of Iran: Discrimination and violence based on religion or belief, ethnicity and language, sexual orientation and gender identity, Human Rights Committee, 139th session \(Geneva\), 9 October – 3 November 2023](#), September 2023, p. 19

<sup>211</sup> ILGA (International Lesbian, Gay, Bisexual, Trans and Intersex Association) Database, [Jurisdiction: Iran](#), undated

<sup>212</sup> ILGA (International Lesbian, Gay, Bisexual, Trans and Intersex Association) Database, [Jurisdiction: Iran](#), undated

<sup>213</sup> Human Rights Activists News Agency (HRANA), [39 Human Rights Organizations called on the UNHRC to renew the mandate of the Special Rapporteur on human rights in Iran](#), 20 June 2020

<sup>214</sup> OutNews Global, [Iran: shocking persecution of LGBTQ+ people continues](#), 18 September 2020

6Rang's September 2020 research report on structural and social violence against LGBTI people in Iran, based on a qualitative and quantitative online survey questionnaire shared on social media, found that:

The laws of Islamic Republic of Iran are a major source of violence against LGBTI people. 19.6 percent of participants reported violence committed by officials in the police and security forces as well as the judiciary i.e. judges and prosecutors. They consistently reported humiliating conduct or physical violence by the ordinary police, security forces, and patrol police (moral police) for reasons such as different gender expression, breaching binary dress-code norms, insufficient hijab (Islamic veil) or participating in house parties. [...] 30 participants (17.3%) also gave accounts of the police or judges asking for sexual favors as a bribe or hush money. A considerable number of participants experience physical and/or sexual violence in the legal system. [...]

Narratives and personal testimonies of participants show that the real number of those who have experienced violence in a legal setting is probably more than what has been reported. Several participants stated they are afraid of answering this question.<sup>215</sup>

DW's February 2021 article on the difficulties of being gay in Iran, referring to a report by Ahmed Shaheed, the previous UN Special Rapporteur on the human rights situation in Iran, stated that "The UN official said that by criminalizing consensual sex, the authorities in the Islamic Republic have legitimized violence against gays by both public officials and private citizens. He said such violence includes "torture, blows to the body, and even rape carried out by law enforcement agencies and vigilante groups."<sup>216</sup>

In May 2021, Amnesty International wrote:

According to information received from Iranian gay men and reports by human rights groups,<sup>6</sup> in seeking exemption from military service on the basis of their sexual orientation or gender identity, gay, transgender and gender non-conforming individuals are generally forced to undergo humiliating and degrading physical and psychological tests, including anal examinations, which amount to torture, as well as interrogations by officials during which they are forced to answer intimate questions about their gender and sexuality such as their preferences for sexual positions. [...]

6 Human Rights Watch, "We Are a Buried Generation": Discrimination and Violence against Sexual Minorities in Iran, December 2010, <https://www.hrw.org/report/2010/12/15/we-are-buried-generation/discrimination-and-violence-against-sexual-minorities>; 6Rang, Confessing to having same-sex relations is the new norm for military service exemptions in Iran, <https://6rang.org/english/2261/><sup>217</sup>

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<sup>215</sup> 6Rang (Iranian Lesbian & Transgender Network), [Hidden Wounds: A Research Report on Violence Against LGBTI in Iran](#), September 2020, p. 10

<sup>216</sup> Deutsche Welle (DW), [The difficulties of being gay in Iran](#), 26 February 2021

<sup>217</sup> Amnesty International, [Iran: Murder of 20-year-old gay man highlights urgent need to protect LGBTI rights](#), 17 May 2021, p. 3

In January 2022, 6Rang reported on conditions for trans prisoners in Iran, stating that: “The prevalent harassment of trans prisoners by prison authorities exacerbates an already vulnerable group of people”.<sup>218</sup>

In its July 2022 country update for religious freedom in Iran, USCIRF wrote that “officials have forced women accused of being lesbian to attend “reorientation courses” where they are subjected to physical torture and verbal abuse”.<sup>219</sup>

A February 2023 Washington Blade article on LGBTQ voices among Iran’s protests wrote that: “Veyssi, a queer and nonbinary “child of the diaspora” who grew up in the U.S., said they have “countless friends who live in secrecy in Iran,” people who in some cases “have to spend every weekend in a jail” or were forced to flee the country, often with help from groups like the International Railroad for Queer Refugees (formerly known as the Iranian Railroad for Queer Refugees.)”<sup>220</sup>

The USDOS 2022 report on human rights practices in Iran, published in March 2023, stated that: “Security forces harassed, arrested, and detained individuals they suspected or perceived as being LGBTIQ+. In some cases, security forces raided houses and monitored internet sites for information on LGBTIQ+ persons”.<sup>221</sup> A similar statement was also found in the 2021 report, published in April 2022.<sup>222</sup>

6Rang’s September 2023 report on the gender persecution of LGBTIQ+ protestors in the context of the 2022-23 Iran uprising reported on the following cases of state harassment and violence:

The case of Nika Shakarami is a profound example of how existing social constructs and criteria used to define sexual orientation and gender identity can further isolate and marginalise LGBTIQ+ persons even in the context of uprisings for human rights and democracy.

Nika Shakarami was 16 years old at the time of her death. She had been partaking in a protest in Tehran when she was targeted by security forces and killed. The investigation by CNN that took place following her death confirmed that Nika had been fleeing security forces just before her death. Video and photo evidence show her making a phone call and then hiding behind cars.<sup>34</sup>

According to eyewitnesses, Nika was forcibly taken into a van. She was forcibly disappeared for 10 days before her family was asked to identify the body. Her family say that Nika’s nose had been obviously broken, and that she suffered trauma to the head.

The authorities buried Nika away from the intended burial site in secret. They did not allow the family to hold a funeral. Although her death certificate confirms that her cause of death was blunt force trauma to the head, the authorities are adamant that Nika fell off a building.

After her death, it was found that Nika had been active on social media, known as a queer person to her followers and had a relationship with a 16-year-old girl in Germany, Nele. On 17th of November 2022, the

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<sup>218</sup> 6Rang (Iranian Lesbian & Transgender Network), [Suicide and neglect: Trans prisoners treated worse than animals in Iran’s most notorious prison](#), 10 January 2022

<sup>219</sup> US Commission on International Religious Freedom (USCIRF), [Country Update: Iran - Religious Freedom in Iran in 2022](#), July 2022, p. 4

<sup>220</sup> Washington Blade, [Minority, LGBTQ voices must be centered amid Iran protests, activists say](#), 17 February 2023

<sup>221</sup> US Department of State (USDOS), [2022 Country Reports on Human Rights Practices: Iran](#), 20 March 2023

<sup>222</sup> US Department of State (USDOS), [2021 Country Reports on Human Rights Practices: Iran](#), 12 April 2022



German *Zeit* Magazine published a detailed story about their relationship.<sup>35</sup> It featured screenshots of their video calls and chats, the photos they exchanged, and full details of the last days of Nika's life and her involvement in the protests. [...]

Leni is a 16-year-old gay man and a high school student in Isfahan. [...]

Leni took part in a protest in Isfahan where he was identified and taken by plainclothes officers who beat him with batons until he fell. He was asked whether he was a boy or a girl. One of the officers attempted to ascertain his sex by touching his genitals. Because he resisted, an officer kicked him from behind, causing him to hit his head on the ground. He experienced temporary changes to his vision.<sup>59</sup> [...]

Mahan's story shows how the authorities make an issue out of gender identity. He is a gay man from a religious city:

*It was a few days after Mahsa Amini's death. We were angry and angry and could not sit on our hands and do nothing. Two of my friends and I decided to graffiti walls. We wrote Mahsa Amini's name on walls all over the city; even on the walls of mosques.<sup>64</sup>*

One night, when they finished work and were almost home, they were arrested by a few plainclothes officers who attacked, handcuffed, and blindfolded them and forced them in a van with tasers and threats.<sup>65</sup>

Although they were arrested over expressing their dissident in the form of graffities, they were questioned about their gender due to their appearances while being handcuffed and blindfolded:

*Even though I don't appear out-of-the-ordinary, I could hear the officers say 'these are girls. Why have you brought them here?' They meant me and my other friend who was a girl. One of the officers came to me and asked if I was a girl or a boy. I answered, 'isn't it clear that I'm a boy?' This made him use derogatory terms to speak to me. They insulted and cursed me, and if I responded to their insults, they would shock me with tasers. Amid humiliation and insults, they even told us to take off our pants to see if we are girls or boys!<sup>66</sup> [...]*

Participants of this research witnessed the brutal crackdown on protests in different cities which violated the right to freedom of assembly of countless protestors. All of those taking part in protests or even passing by a protest experienced security forces violence in multiple ways.

For instance, Ashkan, a 19-year-old gay man, was beaten heavily with a baton by an officer. This resulted in heavy bruising on his back. He also lost mobility in his back for several days after the beating. He was not involved in a protest when this happened – he was merely passing by a protest in the city of Isfahan.<sup>81</sup>

Ali, a young gay man who took part in protests in Gorganpars Square in the city of Gorgan on 22nd of September was sexually assaulted by a plainclothes agent who wore a black mask, dark clothes, and had a baton in hand:

*A 14 or 15-year-old boy was being tortured by these people in the square. To the extent that one of them had fallen on him and his elbow was on the boy's back... I protested because of that painful scene. That person first started by saying sexual obscenities to me. Then his colleague attacked me, threatened me with rape, and put his finger inside me and said, 'this is nothing, if you don't leave, I'll fuck you in the ass with soda bottles'... I fled.<sup>82</sup>*

Trans or non-binary individuals are more likely to be targeted in the midst of a street protest because of their deviation from social norms of gendered appearance.

Sabri, a trans woman said, "in [ ]<sup>83</sup> November, I joined the crowd in Vali-Asr Street<sup>84</sup> to express my protests, and for freedom of expression and thoughts, not even the LGBTIQ+ rights which we are far away from. While I had not set foot outside for four years due to health problems but [with killing Jina Mahsa Amini, they did something that I could not be silent about]."<sup>85</sup>

Over seven security forces assaulted and arrested her:

*They beat me even harder when they realised that I'm trans and that's the reason for my hair being long. They insulted me, insulted my mother. They used a lighter to burn my hair. They touched me inappropriately. After that, I was put inside a van and taken to somewhere like a police station. We were blindfolded and didn't know where we were being taken. They kept kicking us while our hands were tied. Our eyes were closed, and we didn't know where we were going. They kept kicking us with our eyes and hands tied. They didn't know which detention centre to take me to, men's or women's. Finally, they saw that I'm registered as male on my ID.*<sup>86</sup>

Leni was also sexually assaulted by the security forces during the protests.

He was at a protest in Isfahan in December 2022. He was noticed by the police and plainclothes officers because of his voice. They started a physical altercation with him. He was beaten with batons and fell to the ground due to pain. They dragged him to a car to harass him. An officer asked him if he is a girl or a boy. Leni answered that he is a boy. One of the officers said, "It's one of those tranny prostitutes. It's probably a girl." The officers attempted to ascertain his sex by touching his genitals. He tried to resist being touched. Another officer kicked him from the back. Leni hit his head on the ground, which caused his vision to blur.<sup>87</sup>

Kamran, a gay man was arrested in a protest in a southern city. The moment the security forces noticed his earrings, they began beating him, hitting him multiple times on his head and the back of his neck while calling him a paedophile. [...]

All participants of this research who were arrested while exercising their rights to freedom of expression or freedom of assembly experienced torture and ill-treatment, often aggravated by gender-based violence and sexual abuse. These included the use of derogatory and insulting words referring to their gender, being threatened with rape, physical torture, and physical sexual assault.

Kamran, a gay man who was arrested at a protest in a southern city described the condition as follows:

*When we were in detention, they didn't give us any food for almost 24 hours. We were so frightened that we didn't even dare to ask for water. Until morning, they were kicking the metal door, there were 24 of us in a small detention centre where we couldn't even stretch our legs, and they constantly demanded that we stand up.*

*After that, they transferred us from our hometown to the prison in Bushehr which was about a 3-hour drive away (300 kilometres), we were in a van with metal walls and no windows in the southern heat. They didn't even open a ventilation duct.*

*Our hands were bound with plastic handcuffs, and they insulted us. The space was so small and they intentionally wafted unpleasant smells from the handcuffs towards our faces, just to make us lose our balance. (I can say that for the first two days in prison, my leg was so injured that I couldn't feel it.)*<sup>95</sup>

Dana, a 41-year-old trans woman who was arrested at night with about 50 other protestors in the city of Karaj said that she was treated differently by the guards and other security forces in the detention centre. While everyone was severely beaten, they also used vulgar terms against her such as *bacheh kouni* (batty boy) that referred to her gender.<sup>96</sup>

Mahan, a gay man was arrested because of spray-painting 'Woman, Life, Freedom' on walls. He was blindfolded and taken to several places, presumably detention centres, where he was interrogated repeatedly for hours. He says that as soon as interrogators became privy to his sexual orientation due to his appearance, they neglected the reason for his arrest.<sup>97</sup> He was kept for questioning on the basis of his identity:

*It was as if the reason for my arrest had been forgotten. The questions were only about my sexual orientation, sex, appearance, and behaviour. They were trying to file a case against me. They kept asking if I'm a prostitute. They asked whether this is how I got the cash that was in my wallet.*

*This went on for hours. Finally, they put papers in front of me and forced me to sign. It was written in the papers that I confirm that I am transgender and have a mental and sexual illness. They said that my family must approve this and sign the papers, otherwise they wouldn't let me go. They kept us all night. In the morning, they called my family, and told them to sign for me and take me.*<sup>98</sup>

He believes that interrogators target LGBTQ+ protestors: "They constantly threatened us with the possibility of being raped in prison because of our appearance and identities. They would tell us that we had been caught by good people and we were safe, since they hadn't raped us. It was as if they themselves openly admitted that they do these things with detainees and protestors."<sup>99</sup>

Sabri, a trans woman was arrested during a protest in Tehran and also had the same experience of being subjected to sexual insulting words and rape threats. She was placed under pressure and death threats to falsely confess in front of the interrogators' camera that she had set fire to trashcans.<sup>100</sup> She was asked who she had been collaborating with, where she had graffitied, etc. She and a few others refused to answer. Consequently, they were transferred from an unknown detention centre to another location that they called a prison. She was taken to a square in Tehran and released a few hours later after the head of the prison realised that she was trans: "I don't know if he felt sorry for me, or he did not want a LGBT person in his prison".<sup>101</sup>

Erfan, a 35-year-old gay man, was raped repeatedly in detention. He was arrested after being identified, together with his two other friends who were also LGBTQ+ persons, by the authorities for his involvement in a Telegram group that was used to organise street protests in their cities. The admin of the Telegram group was arrested and information about the group members including Erfan and his two other friends got into the hands of the IRGC [Islamic Revolutionary Guard Corps]. From searching his phone, they also learned that he sent videos of protests to Vahid Online, a Telegram Channel and Twitter account that was one of the main sources of news about the protests.<sup>102</sup>

After the 7-day interrogation process, they were transferred from the IRGC detention centre where they were held in cells with only one inmate to a ward in the city general prison holding criminals with heavy charges. He and his friends were raped or otherwise sexually assaulted two to three times a day by the other prisoners for 20 days before being released. He believes that although those who identified and arrested him never mentioned anything about his sexual orientation, they knew about it and the guards used it to humiliate and abuse him.<sup>103</sup>

For instance, they searched him and touched his chest and genitals every time he was being returned to his cell after interrogation - an unusual process for a detainee returning from an interrogation room in the same building while blindfolded.<sup>104</sup> He also said the fact that they put him and his friend in that particular ward implied they knew about their sexual orientation and wanted to punish them for it.<sup>105</sup>

The impact of sexual abuse and gendered psychological abuse on LGBTQ+ protestors after being released is devastating. Erfan almost committed suicide twice. He said, "I attempted suicide twice after I was released. I don't know why but I had a lot of suicidal thoughts to the point where I was too scared to sleep. One of my friends who is a doctor told me to take a drug test, so I did. The test came back positive for methamphetamine, amphetamine, and morphine. This was very interesting. My friend said this was probably why I was feeling suicidal."<sup>106</sup> He said it might've been in the tea or the food they gave us every day. We had to drink the tea and eat the food. Whether it was in the food or the tea, I can say I had withdrawal symptoms."<sup>107</sup> [...]

Although they were released on bail or under the Supreme Leader's Amesty's [sic] order,<sup>111</sup> or a combination of both, their activities are still being monitored and the harassment and intimidation still continues in one way or another. They are under constant agony and distress. [...]

Some participants in this research were faced with violations of the right to life during peaceful protests. For instance, Ashkan, a 19-year-old gay student was subjected to heavy violence in the protests. He said he made a near escape from the police forces that were aiming to shoot at him specifically. He had a panic attack and was hospitalised for five days as a result of the shock of being nearly shot to death.<sup>115</sup> The views 6Rang collected from some of the members of the LGBTIQ+ community is that some of the most prominent victims (martyrs) of the protests belonged to the queer community. They back these claims with social media posts or interviews from partners of the victims (such as Nika Shakarami), homo-erotic photos and videos with their same-sex friends (such as Mehrshad Shahidi), or rainbow flags and other signs of their belonging to the community in their blogs (such as Sarina Esmailzadeh). [...]

Raha Ajoudani, trans influencer, blogger, and civil activist was 19 years old when she was arrested by agents from the Ministry of Intelligence on 26th of October 2022 in Tehran, at the location where she was supposed to meet someone she was in love with. [...]

On 26th of October 2022, 15 agents from the Ministry surrounded her, took her phone violently, and threw her on the ground: "When I told them why are you arresting me so brutally, they said, 'Don't pretend to be a girl here, this isn't the place to stir our emotions with a feminine tone'. I said, 'Why did there have to be 15 people to arrest me? Am I a terrorist?' [...]

They took her to a Ministry of Intelligence office in Baradaran Mozaffari Street and interrogated her for hours. They questioned her about the involvement of the LGBTIQ+ community in the uprising. [...]

On 17th of December 2022, Raha was arrested again during a raid to her home and by IRGC forces. [...]

They showed me a video related to Mahsa Amini that had been published by me. I asked, 'Where do you see in this video that I'm inciting violence and murder?' They replied, 'Just the fact that you're calling for nationwide protests is enough for that purpose.' At that point, they told me, 'You're not a woman; why is your hair so long?' Then they sent a female police officer who pulled my hair to see if it was real or fake." [...]

34 <https://edition.cnn.com/2022/10/27/middleeast/iran-nika-shahkarami-investigation-intl-cmd/index.html>.

35 [https://www.zeit.de/zeit-magazin/leben/2022-11/nika-schakarami-nele-iran-protest-love-english?utm\\_referrer=https%3A%2F%2Ft.co%2F](https://www.zeit.de/zeit-magazin/leben/2022-11/nika-schakarami-nele-iran-protest-love-english?utm_referrer=https%3A%2F%2Ft.co%2F). [...]

59 Interview with Leni, April 2023 (his real identity is withheld for security reasons). [...]

64 Interview with Mahan, July 2023 (his real identity is withheld for security reasons).

65 Ibid.

66 Ibid. [...]

81 6Rang Interview with Ashkan, June 2023 (his real identity is withheld for security reasons).

82 6Rang Interview with Navid, June 2023 (his real identity is withheld for security reasons).

83 The exact date is withheld by 6Rang due to security reasons.

84 This is the name of a street in the centre of Tehran.

85 6Rang Interview with Sabri, July 2023 (her real identity is withheld for security reasons).

86 Ibid.

87 6Rang Interview with Leni, April 2023 (his real identity is withheld for security reasons). [...]

93 <https://www.npr.org/2023/02/05/1154584532/iran-acknowledges-it-has-detained-tens-of-thousands-in-recent-protests>. [...]

96 6Rang Interview with Dana, July 2023 (her real identity is withheld for security reasons).

97 6Rang Interview with Mahan, July 2023 (his real identity is withheld for security reasons).

98 Ibid.

99 Ibid.

100 Inhaling smoke is a way to ease the impact of tear gas. Therefore, protestors set trash cans on fire. It was also used to prevent security forces from getting to protestors.

101 6Rang Interview with Sabri, July 2023 (her real identity is withheld for security reasons).

102 6Rang Interview with Erfan, August 2023 (his real identity is withheld for security reasons).

103 Erfan

104 After the first interrogation, Erfan was taken to a doctor in the detention center to be generally examined while he was blindfolded: "I remember when someone took my hand and led me to the doctor down the hallway. On the way back, they turned to me and said, 'You're not very dainty.' I didn't say anything. When they took me to the doctor, they said, 'Yes, Doctor, this one is also quite dainty. Be careful with this one.' The doctor performed a physical examination. As they were taking me to the cell, they said, 'Gosh, you're not very dainty at all.' I turned and said, 'Goodness, you're not very decent either.'"

105 Ibid.

106 Ibid.

107 Ibid. [...]

111 <https://apnews.com/article/iran-protests-and-demonstrations-government-ali-khamenei-8560e45570321ad08ef75f1f743f9b80> [...]

115 6Rang Interview with Ashkan, June 2023 (his real identity is withheld for security reasons).<sup>223</sup>

The UN Human Rights Committee's November 2023 concluding observations on the fourth periodic report of Iran and its implementation of the ICCPR stated that it is "concerned that State actors frequently harass and detain lesbian, gay, bisexual and transgender individuals on the basis of public decency laws and subject such persons to torture and ill-treatment while they are in detention".<sup>224</sup>

#### d. Discrimination

##### i. Access to state-owned housing

*No information was found amongst the sources consulted on the LGBTIQ+ community's access to state-owned housing.*

##### ii. Access to and treatment in public health services

6Rang's September 2020 research report on structural and social violence against LGBTI people in Iran, based on a qualitative and quantitative online survey questionnaire shared on social media, found the following on violence within the healthcare system:

The LGBTI community in Iran experience discrimination in healthcare system because of staff unawareness and insensitivity, homophobia and transphobia, heteronormative discourse, stigmatization, negative comments, harassment, refusal of treatment, and verbal or sexual assault. Reparative or conversion therapy is a common practice among mental health professionals in Iran, which has also been supported systematically by the Islamic Republic's education system. In such conditions, widespread mistreatment threatens the health and wellbeing of LGBTI people. [...] In the current survey, 18.7 percent of participants reported having experienced violence committed by the healthcare professionals. 66

<sup>223</sup> 6Rang (Iranian Lesbian & Transgender Network), [War on Bodies and Minds: Gender Persecution of LGBTIQ+ Protestors in the Context of the 2022-23 Iran Uprising](#), September 2023, pp. 11, 19-21, 24, and 26-32

<sup>224</sup> UN International Convention on Civil and Political Rights, Human Rights Committee, [Concluding observations on the fourth periodic report of the Islamic Republic of Iran](#), 23 November 2023, p. 3

percent of the participants reported they never or rarely seek help from mental health professionals in case of being subjected to violence.<sup>225</sup>

The January 2021 report of the UN Special Rapporteur on the situation of human rights in Iran highlighted that: “Substantial barriers are placed on lesbians and gays in accessing the health-care system. [...] The Government claimed that there were no restrictions on medical services and that any treatment was administered with consent”.<sup>226</sup>

The OONI, OutRight Action International, and the Citizen Lab’s August 2021 research report on LGBTIQ website censorship in six countries, stated on Iran that “healthcare professionals may also be misinformed or misleading on how to appropriately care for LGBTIQ people.<sup>365</sup>”.

[...] 365 Ibid [Amin, interview].<sup>227</sup>

Amnesty International wrote in January 2022 that: “Gender non-conforming individuals who cannot or do not wish to change their sex assigned at birth or choose between the binary gender categories of man and woman experience discrimination in access to education, employment, health care and public services because the Islamic Republic system heavily enforces gender segregation across public spaces and imposes strict dress codes”.<sup>228</sup>

In April 2022, HRANA reported on the following:

In an open letter addressing the medical community of Iran, a number of LGBTQIA activists asked for ending discrimination against gender minorities for having access to medical care.

According to HRANA, the news agency of Human Rights Activists, a number of Iran’s independent LGBTQIA activists protested against discrimination and lack of access to medical care for gender minorities.

In this letter, they asserted that everyone should be entitled to access to medical records regardless of sexual orientation, gender identity and gender expression. Nonetheless, for LGBTIA+ community, the experience is not favorable. In the letter, twelve examples of harassment and discrimination including harassment of male homosexuals in forensic centers were counted. The stigmatization of female homosexuals/ bisexuals by obstetricians and gynecologists, and the harassment of transgender individuals by forensic centers for receiving sex reassignment certificates were also noted.<sup>229</sup>

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<sup>225</sup> 6Rang (Iranian Lesbian & Transgender Network), [Hidden Wounds: A Research Report on Violence Against LGBTI in Iran](#), September 2020, p. 14

<sup>226</sup> UN General Assembly, [Situation of human rights in the Islamic Republic of Iran: Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Javād Reḥmān](#), 11 January 2021, p. 10

<sup>227</sup> Open Observatory of Network Interference (OONI), OutRight Action International, and The Citizen Lab, [No Access: LGBTIQ Website Censorship in Six Countries](#), 8 August 2021, p. 84

<sup>228</sup> Amnesty International, [Ill-Treated Iranian LGBTI Defender At Risk](#), 25 January 2022

<sup>229</sup> Human Rights Activists News Agency (HRANA), [Iranian LGBTQIA Activists Asked for Ending Discrimination against Gender Minorities in Medical Centers](#), 1 April 2022

In July 2022, a letter by Amir Kabir published in the *Australian & New Zealand Journal of Psychiatry* on medical professional bias against sexual minorities in Iran stated that “the country’s political authorities generally deny the existence of a sexual minority” and that “because of this denial and neglect, very little health-related research has been done on sexual minority. Therefore, health care providers know little about sexual minorities and sometimes look at them in a degrading way, which can lead to discrimination in receiving medical services”.<sup>230</sup>

The USDOS 2022 report on human rights practices in Iran, published in March 2023, wrote that: “Although the government does not collect official data on discrimination against LGBTQI+ individuals, NGOs report members of the LGBTQI+ community experience widespread discrimination in [...] healthcare”.<sup>231</sup>

All Human Rights for All in Iran and eight other civil society organisations observed the following in their report to the UN Human Rights Committee ahead of its 139th session and periodic review of Iran: “LGBTIQ+ individuals face barriers in accessing healthcare. Access to information about STDs/STIs and their appropriate targeted treatment, as well as general safe-sex advice is very limited in Iran, restricting significantly the access to sexual health for the heterosexual cisgender population, and almost entirely for the LGBT community”.<sup>232</sup>

### Gender affirming surgery, reparative/conversion therapy, and legal gender change

For further relevant information consult also section II., a., iii. [Other relevant legislation affecting LGBTQI+ persons.](#)

In February 2020, 6Rang noted in a response to a 2019 official report by the Dutch government on the situation of Iranian LGBT persons that:

[...] 6Rang’s research shows that the criminalisation of LGB and transgender persons on the basis of sexual orientation and gender identity is increasingly accompanied by a range of legal and medical practices intended to *coerce* LGB and transgender people into reparative or conversion therapies, hormone treatments and sex reassignment and sterilisation surgeries.

In these cases, a free and informed consent of the individual is missing. The Iranian legal framework does not make being a trans person a crime. However, being transsexual is recognised as a medical condition known as Gender Identity Disorder (GID) that is curable through sex reassignment surgeries (SRS). As a

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<sup>230</sup> Amir Kabir, [“Medical profession bias against sexual minorities threatens the health of Iranian sexual minorities during the COVID-19 pandemic”](#), *Australian & New Zealand Journal of Psychiatry*, Volume 56, Issue 7, July 2022

<sup>231</sup> US Department of State (USDOS), [2022 Country Reports on Human Rights Practices: Iran](#), 20 March 2023

<sup>232</sup> All Human Rights for All in Iran, Association for Human Rights in Kurdistan – Geneva (KMMK-G), Association for the Human Rights Of The Azerbaijani People In Iran (AHRAZ), Balochistan Human Rights Group, Iran Human Rights Documentation Center (IHRDC), Impact Iran, Kurdpa, Rasank, and Siamak Pourzand Foundation, [Alternative report to the Human Rights Committee. For the periodic review of the Islamic Republic of Iran: Discrimination and violence based on religion or belief, ethnicity and language, sexual orientation and gender identity, Human Rights Committee, 139th session \(Geneva\), 9 October – 3 November 2023](#), September 2023, p. 19

result, LGBT individuals have two choices: first, to risk criminal prosecution, (state) harassment, and arbitrary arrest and detention; or second, to seek a diagnosis of GID with a view to undergo sex reassignment surgeries, sterilisation and hormone therapies. This means that LGB people cannot choose to be as they are and can only go through sex change in order express their identity and choose partners of the same sex. For trans persons this means that they cannot choose whether or not to undergo medical procedures. Additionally, medical professionals give the diagnosis of GID to LGBT individuals merely on the account of their same-sex desires and gender non-conformity and to individuals who do not conform to culturally approved models of femininity and masculinity. Thus, LGBT individuals are coerced to either receive reparative therapies aimed at “curing” them of homosexuality or undergo sterilisation and SRS aimed at turning them into “normally gendered” men or women.

This situation is further complicated by the complete disregard for ethical, medical, clinical and educational standards in the administration of these irreversible procedures. [...]

Additionally, contrary to the statement in the report, IRI does not reimburse the cost of sex reassignment surgery. The welfare-based medical insurance only available to few can be used to covers only a third to half of the cost required for undergoing SRS when this is done at a public, government-run hospital. This is because the cost at these hospitals are cheaper than private hospitals. However, these hospitals, as detailed above, fall drastically short of all standards of clinical practice, proficiency, expertise and ethical conduct. Most cases result in bleeding, serious infections, and permanent and irreparable physical damage and long-lasting health complications. As such, most patients prefer to use private medical services that may be better in quality, but the amount of reimbursed provided by the welfare-based insurance is so little that it covers close to nothing when it comes to private care. Moreover, no additional medical procedure such as various plastic and other reparative surgeries needed by trans person after the main operation are not covered at all.

Moreover, these individuals often take such irreversible decisions without having been given the opportunity to have a real-life experience of one or two years in their desired gender [...].<sup>233</sup>

LGBTQ Nation reported in March 2020 on forced gender-affirming surgeries in Iran, writing that:

Iranian LGBTQ activist Shadi Amin has accused Iranian authorities of forcing thousands of gay men every year to undergo gender-affirming surgeries to switch their gender in an attempt to turn them into heterosexuals.

After receiving these surgeries under duress, the newly transitioned men and women are often rejected by their families and subject to social discrimination and violence.

Although Iranian law views homosexuality as an illness punishable by imprisonment, flogging, and death, it has permitted gender-affirming surgeries since the 1980s so that transgender people can enter heterosexual relationships. The country now conducts at least 4,000 such surgeries each year, possibly far more.

While the exact numbers are forced surgeries for gay and lesbian Iranians remains unclear, Amin says authorities force people to have these surgeries, subsidized by the government, under the threat of arrest, imprisonment, and possible death.

“The government believes that if you are a gay man your soul is that of a woman and you should change your body,” she said. “We think this is a way to fight the existence of homosexual people because you change their body and you solve the problem.”

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<sup>233</sup> 6Rang (Iranian Lesbian & Transgender Network), [6Rang letter to Dutch government regarding its asylum policy for Iranian LGBTQI](#), 11 February 2020



She added that the country is trying to “cleanse” itself of homosexuals, stating, “[The government] would rather carry out mass surgeries than executions because they know the world is watching them.”

After completing the surgeries, Amin claims that the government offers no further social support for living as a newly transitioned person. As a result, such people are often rejected by their families, Amin says. Lacking familial and social support, many go into sex work and experience physical and sexual violence. This violence can go unpunished; Iran also has no hate crime laws punishing assault against queer individuals.<sup>234</sup>

The *Iranian Studies* journal’s March 2020 piece on gender transitions in Islamic law, theatre, and film in Iran wrote that:

Despite official legal and religious recognition, trans activists are still fighting for their full needs to be met, specifically better access to health care,<sup>8</sup> improvement in the quality of surgery provided, and greater public and medical education about transsexuality. [...]

[...] Shi’a jurisprudence in Iran does not view sexual reassignment surgery (SRS) as a manipulation of the work of God. [...] Ayatollah Khomeini and other jurists in Iran have supported transsexual surgery on the grounds that it is not explicitly banned in the Qur’an and re-gendering the body does not change the soul or transgress the work and authority of the Creator. [...]

Due to his judicial acceptance of transsexuality and SRS, transsexuality is openly discussed in seminaries in Qom, the center of jurisprudential study and fatwa production in Iran. [...]

Though a number of Iranian religious jurists today support SRS, the general public is generally not as tolerant or supportive of transgender and transsexual individuals; furthermore, more recent fatwas have tried to place limits on the permissibility of transsexuality with regard to surgery. [...]

For decades, the Iranian government has extended financial assistance to those seeking hormonal and surgical interventions through charity foundations and insurance companies. While the Imam Khomeini Charity Foundation has long offered loans to help pay for SRS, the economics of transitioning are not that simple and some transgendered Iranians have expressed concern regarding the quality of surgery available. [...]

There are, of course, other legal and bureaucratic hurdles which make transitioning difficult even though it is legally and religiously sanctioned.

While identity cards and birth certificates can be legally changed, the slow bureaucracy of doing so can create other related problems. [...]

8 Trans people are eligible for “special groups” insurance coverage (according to the law of Universal Health Services in 1995) for basic medical insurance coverage.<sup>235</sup>

In April 2020, DW released a piece on Iran's anti-LGBT policies putting transgender people at risk, writing that:

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<sup>234</sup> LGBTQ Nation, [Iran is forcing gay men to have gender transition surgeries to “make them straight”](#), 3 March 2020

<sup>235</sup> Emily O’Dell, [“Performing Trans in Post-Revolutionary Iran: Gender Transitions in Islamic Law, Theatre, and Film”](#), *Iranian Studies*, Volume 53, Issue no. 1-2, March 2020, pp. 131 and 133-135

Despite repressive anti-LGBT laws, gender reassignment surgery remains legal in Iran. However, the path to getting legal approval to transition is fraught with humiliating procedures, including virginity tests, court trials, extensive questioning and mandatory counseling.

Even after people get through the surgery and are legally able to change their sex on their identity cards, many are left without families, homes and work, while others face lasting physical damage from the procedure itself. [...]

"Your rights will be violated before, during and after the surgery," says Shadi Amin, the director of 6rang, an organization that helps LGBT people in Iran. Approval often takes around one to two years, but can take much longer than that in some cases. [...]

Others, says Amin, are subjected to virginity tests, which are, "for a lot of them, a painful procedure."

"If you are not a virgin anymore and you are not married, it will be a problem." [...]

As sex change surgeries are often conducted by unqualified doctors, the end results can leave patients not just with scars, but also with lifelong injuries. "They have damages because most of the doctors are not specialists on transsexual issues. Most of the doctors are beauty surgeons," says Amin. [...]

"In some cases, they do the entire surgery in one day." Afterwards, many people do not have enough money to pay to stay and recover in the hospital, and many do not have homes to go back to.

"That is the reason for two deaths that we could report," says Amin. "The person is there in a hostel and is dead because of the bleeding after the operation."

In addition to living with the results of botched surgeries, some people face difficulties as a result of a misuse of hormone therapy. While some patients administer their own hormones without the supervision of a doctor, many of the surgeons are also not well versed in how to administer the therapy, according to Amin.

"A lot of people who want to do the hormone therapy, they buy it from the black market, and they use it in overdoses because they want to have a faster change," says Amin. "A lot of them have high blood pressure, heart problems, kidney problems, and when you see them, you can really immediately know that this person is not healthy anymore." [...]

The visual results of the surgery are also often far different from what the person may have envisioned. [...]

"The sex change process is also a way of cleansing homosexuality in Iran," says Amin. "You have to change your sex or you have to change your sexual orientation."

Although there is no direct method of forcing homosexual people to apply for transitions, Amin says that social and familial pressure, combined with a fear of death, are enough to push people to transition.

"They medicalize the transsexuality issue. They say that transsexuality can be cured by sex change operations, but the homosexuals, they are immoral and unhuman," she says.

For many, going through the transition is the only way that they can legally live with their partner without fearing for their lives.

"That's why when they know that they have no rights as a homosexual, and they want to live with their partner, the only way they have to do this is by undergoing sex change surgery."<sup>236</sup>

In May 2020, the UN IESOGI produced a paper on conversion therapy, writing that: "In the Islamic Republic of Iran, individuals who inevitably fail at "converting" their sexual orientation will often be pressured to undergo gender-affirming surgery, in the belief that it will neutralize their orientation".<sup>237</sup>

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<sup>236</sup> Deutsche Welle (DW), [How Iran's anti-LGBT policies put transgender people at risk](#), 28 April 2020

<sup>237</sup> UN Independent Expert on Protection against Violence and Discrimination based on Sexual Orientation and Gender Identity (IESOGI), [Report on Conversion Therapy](#), 1 May 2020, p. 2

Kayhan Life, an independent media outlet focusing on Iran, reported in June 2020 on sex reassignment surgery in Iran, writing that:

The number of female-to-male sex reassignment surgeries (SRS) has increased in Iran, according to Dr. Abbas Masjedi Arani, the director of the Iranian Legal Medicine Organization.

In comments reported by the Iranian Students News Agency (ISNA) on June 20, Dr. Arani said: “We reviewed 580 gender dysphoria (GD) cases last year, of which 400 were women who had filed for sex reassignment surgery. We approved 103 of those applications. We also approved 56 applications of the remaining 180 filed by men. Gender reassignment surgery (GRS) has increased among women.”

After Thailand, Iran carries out more sex change operations than any other country in the world. While the Islamic Republic does not recognize homosexuality, it has allowed transgender persons to undergo GRS since the mid-1980s. [...]

By condoning and supporting sex change operations in Iran, the regime aims to deflect that criticism. It would not have to pass any legislation to protect the LGBT community because people who undergo a GRS will be male or female and, therefore, do not require special considerations under the law.<sup>238</sup>

An article posted by OutNews Global in September 2020 observed that: “Despite repressive anti-LGBT laws, gender reassignment surgery remains legal in Iran. However, the path to getting legal approval to transition is fraught with humiliating procedures, including virginity tests, court trials, extensive questioning and mandatory counselling”.<sup>239</sup>

In their report on the state-sanctioned killing of sexual minorities in February 2021, Mai Sato and Christopher Alexander wrote that:

One of the interviewees noted that, in Iran, the 2013 Penal Code criminalises same-sex sexual acts, rather than same-sex *love* or *relationships* [...]. Same-sex attraction, on the other hand, is pathologised, and dealt with in the medical space:

The situation for lesbian, gay, and bisexual people in Iran is characterized by a fundamental dichotomy between concepts of perversion and deviation (*enheraf*) on the one hand and pathology and disorder (*ekhtelal*) on the other. This dichotomy is instituted by a legal framework in which homosexual acts are treated as crimes, whereas homosexual desires are taken as symptoms of a gender identity disorder in need of cure. (Bahreini and Nayyeri, 2021) [...]

Medicalisation of same-sex attraction manifests in the form of various conversion practices, founded upon the misguided premise that such interventions may bring gay people into line with the strict binary model of human sexuality espoused by the clerics. One particularly heinous method embraced by the state is coerced sex-reassignment surgeries [...].<sup>240</sup>

DW’s article in February 2021 on the difficulties of being gay in Iran stated that: “He [Patrick Dörr, a coordinator with the Queer Refugees Project in Germany] said there have often been cases of lesbian

<sup>238</sup> Kayhan Life, [More and More Iranian Women Undergo Sex Reassignment Surgery, Official Says](#), 27 June 2020

<sup>239</sup> OutNews Global, [Iran: shocking persecution of LGBTQ+ people continues](#), 18 September 2020

<sup>240</sup> Mai Sato and Christopher Alexander, [State-Sanctioned Killing of Sexual Minorities: Looking Beyond the Death Penalty](#), February 2021, p. 39

woman and gay men being forced to have gender reassignment surgery. Gay men have also suffered though procedures tantamount to gender mutilation under the mistaken assumption that they were actually women. As one can imagine, the psychological consequences of these interventions are devastating for those affected," says Dörr".<sup>241</sup>

IranWire published an article in March 2021 on government loans for gender reassignment surgery in Iran. It wrote that:

*It might appear at first glance that transgender people in Iran enjoy legal protection, because they can apply for a permit to undergo gender reassignment surgery. But despite the growth of social networks and greater media attention to trans and LGBT rights, the very difficult situation of trans Iranians within their families, society, and the legal system remains: especially so in a country in which securing one's most basic human rights is not an easy task.*

Government spokesperson Ali Rabiei has declared that transgender people who hold the necessary permits for surgery from the legal authorities and the court will be given a 10 million toman (US\$400), low-interest loan to subsidize their treatment.

During the negotiations over this loan, the Tolou bi-Neshanha (Rise of the Anonymous) Society, which campaign on behalf of the socially disadvantaged and the homeless in Iran, also managed to secure employment permits to help trans Iranians who had been evicted from their homes and were sleeping rough. The Society says it creates job opportunities in tailoring, mask production and other trades for at least 50 socially disadvantaged trans people.

Last year, the Iranian government had also promised to open a center for trans people. "The problem of trans people is serious," said Ali Rabiei at the time, "and we should not brand a group who want to change their gender with a label and stigma. Some of these people have a disease, and we have to deal with them through the eyes of a sick person. Our plan is to treat these people, and we have tried so far to pay part of the cost of surgery and their gender reassignment."

This sounds hopeful at first glance – until we remember that trans people all experience their gender identity differently and not all will want to undergo corrective surgery. But in Iran, in order for their legal documents to match their gender identity, trans people first have to obtain permits from the court and legal authorities for hormone therapy and surgery to change the outward appearance of their genitals to female or male, which they must then undergo.

The use of the terms "treatment" and "patient" by the government spokesperson reflects the system's sickness-oriented view of transgender identity, which is leading to forced surgeries: so-called "unification". [...]

Obtaining a permit is itself a very long and unpredictable process that has become more so in recent years, partly due to the caprices of judges, physicians, and medical psychiatrists. Even if a trans person is able to overcome barriers such as family opposition, community stigma and the legal labyrinth in order to do this, the next challenge is to find a specialist physician and meet the high cost of surgery.

In addition to the generally low quality of these surgeries in Iran, the high costs, which vary from city to city and doctor to doctor, also fluctuate greatly depending on whether they are performed in a private or public hospital. Many trans people are not financially supported by their families, and it is often impossible for them to find work. They are therefore often unable to pay for counseling sessions, let alone the court fees, hormone therapy or surgery they need.

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<sup>241</sup> Deutsche Welle (DW), [The difficulties of being gay in Iran](#), 26 February 2021

The Welfare Organization's Center for Social Crisis Intervention is officially responsible for overseeing the situation of trans Iranians. Depending on the amount of funding it receives per year, the Organization can cover some of their procedures. But there is not enough money to go around, and trans Iranians' experiences of services and grants from the Welfare Organization differs from province to province.

As long as the system's view of the LGBT community remains either criminal or morbid, and until the correct information on sexual and gender issues is provided by the media and the education system, these individuals will find no path toward acceptance in Iran. Financial aid is only a small part of the problem, and cannot cure their pain.<sup>242</sup>

The UN Special Rapporteur for Iran expressed in March 2021 that: "I am troubled that so-called "reparative" therapies are imposed on members of the LGBT community, especially reports of administration of electric shocks, hormones and strong psychoactive medications for children experiencing gender nonconformity and same-sex attraction".<sup>243</sup>

The USDOS 2020 report on human rights practices in Iran, published in March 2021, further stated that:

NGOs reported authorities pressured LGBTI persons to undergo gender reassignment surgery. According to a July report by 6Rang, the number of private and semigovernmental psychological and psychiatric clinics allegedly engaging in "corrective treatment" or reparative therapies of LGBTI persons continued to grow. The NGO 6Rang reported the increased use at such clinics of electric shock therapy to the hands and genitals of LGBTI persons, prescription of psychoactive medication, hypnosis, and coercive masturbation to pictures of the opposite sex. According to 6Rang, one such institution is called The Anonymous Sex Addicts Association of Iran, with branches in 18 provinces.<sup>244</sup>

A London School of Economics (LSE) blog post in April 2021 explored state-funded subsidies for trans people in Iran, writing that:

The disparity between gay rights, or lack thereof, and the unique policies supporting state-funded subsidies for trans people, is [...], not an accident. This article will explore how the Iranian government has masked their political regulation of trans bodies and gatekeeping to basic rights and freedoms as a façade of rights and financial support, which does nothing but give themselves easier control in this system of suppression. [...]

The process of getting GCS is a long, humiliating and onerous, and those who undergo surgery do not have the same protection and social support that is accessible to cis-gendered citizens. The required presence and authorization of a governmental party acting as gatekeepers at each step of the process, politicizes the trans body in a journey that should otherwise be navigated by the person independently. [...]

With regards to financial subsidies, the State Welfare Organization claims to provide 5 million *Toomans* for those seeking transition-related medical care. However, this figure has not been

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<sup>242</sup> IranWire, [Government Loans for Gender Reassignment Surgery Betray Lack of Understanding](#), 4 March 2021

<sup>243</sup> UN Human Rights Office of the High Commission (OHCHR), [Statement by Javaid Rehman, Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, at the forty-sixth session of the Human Rights Council - Item 4](#), 9 March 2021

<sup>244</sup> US Department of State (USDOS), [2020 Country Reports on Human Rights Practices: Iran](#), 30 March 2021

corroborated by the corresponding patients, and this funding has been completely suspended in some parts of the country due to an alleged lack of government funds since 2012. [...]

[...] the 1985 decree by the supreme leader contributes to a system where heteronormativity is perpetuated as the ideal which pressures trans individuals and gay persons to undergo surgical measures in order to attain basic human rights and legal recognition.<sup>245</sup>

In April 2021, the *BMC Psychiatry* journal published the results of a clinical trial in Iran on the effect of cognitive-behavioural therapy on domestic violence and its consequences in transgender youth. The article explained the steps for obtaining allowance for gender reassignment surgery for transgender people in Iran as such:

Request to Family Court; refer the person to the Legal Medicine Organization (LMO) by the court; evaluate hormonal and karyotype tests and at least 12 counseling sessions with an expert psychiatrist in LMO; approve gender dysphoria diagnosis by a psychiatrist; reapproved the diagnosis in LMO commission with attendance of an expert group, and refer the approved request in LMO commission to the court for the final decision. Only after court approval the transgender youth can change their identity card, have the desired sex clothes, and undergo gender reassignment surgery (although many transgender people have started hormone therapy many years sooner by a private physician or my [sic] own).<sup>246</sup>

In DW's May 2021 piece on transgender people in Iran, it was written that:

Despite Iran's rigid attitudes toward sexuality, its capital, Tehran, has been dubbed one of the world's hubs for sex-reassignment surgery. Transgender individuals live and work with no legal barriers in the country. The government even helps with the costs of hormone medicine and gender reassignment surgery for those who want it.

The procedure became legal following a transgender woman's campaign in the mid-1980s. [...]

Iran's 'solution' causes more problems

The state's authorization of sex-reassignment surgery and intolerance of homosexuality are not unrelated. "They would rather have people go under a surgeon's knife than accepting the non-binary nature of gender," Arastoo says. "You must either be a man or woman in your ID papers, nothing in between is recognized."

Zara Saiedzadeh, a senior lecturer in gender studies at Sweden's Orebro University, with a focus on transgender life in Iran. "Just because gender confirmation operation is possible, it does not mean that the government particularly accepts trans people," she says. "And it certainly does not mean that their needs and their rights are met."

Iran is one of the countries that still considers trans people as having a mental disorder – the World Health Organization stopped classifying them as such in 2019. That approach has too many adverse byproducts, including patients being misdiagnosed and facing intimidation from medical staff when discussing gender identity.

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<sup>245</sup> London School of Economics (LSE), [How Iran Persecutes Some LGBTQ+ Members While Subsidizing Others](#), 12 April 2021

<sup>246</sup> Mahdieh Damanpak-Rizi, Farnaz Farnam, and Parisa Khodakhah, ["Effect of cognitive-behavioral therapy on domestic violence and its consequences in transgender youth: a randomized clinical trial"](#), *BMC (BioMed Central) Psychiatry*, Volume 21, April 2021, p. 2

Before surgery, patients must receive counseling to ensure that they have gender dysphoria and are prepared for the procedure. Arastoo believes that the process is often not properly observed. "A psychotherapist can be incompetent, even transphobic," he says. "The counseling sessions echo the feeling of shame and self-hate that the heteronormative society imposes on transgender people."

"Even after surgery no one can expect a beautiful, heavenly life," says Saeidzadeh. "Until a trans person is recognized by the law and families and friends and the community they have problems, and they encounter so many different difficulties in managing their everyday life."<sup>247</sup>

The same month, Amnesty International said that:

Further serious concerns related to the human rights situation of LGBTI people in Iran include the practices of "conversion therapy" aimed at eliminating homosexuality and gender non-conformity. These have involved, among other abusive practices, the administration of electric shocks, hormones and strong psychoactive medications, including against children experiencing gender non-conformity and same-sex attraction.<sup>11</sup> Official bans on comprehensive, accurate and age-appropriate information regarding human sexuality, coupled with the promotion of hate speech from public officials,<sup>12</sup> has resulted in a lack of knowledge about issues related to sexual orientation and gender identity, including among health-care professionals, and the prevalence of "conversion therapies" in medical and counselling settings in Iran. [...]

<sup>11</sup> UN Human Rights Council, Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Statement by the Special Rapporteur at the forty-sixth session of the Human Rights Council - Item 4, March 2021, <https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=26869&LangID=E12>

<sup>12</sup> UN Office of the High Commissioner for Human Rights, Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Statement by the Special Rapporteur at the forty-sixth session of the Human Rights Council - Item 4, March 2021, <https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=26869&LangID=E;6Rang>, "It's a great honor to violate homosexuals' rights": Official hate speech against LGBT people in Iran, December 2017, <https://6rang.org/english/wp-content/uploads/2017/12/Official-Hate-Speech-against-LGBT-People-in-Iran.pdf><sup>248</sup>

Amnesty International again remarked in May 2021 that: "Any gender presentation outside of what is expected from an individual's biological sex at birth must be accompanied by a legal sex change, or else be considered a criminal offence. This mandates gender reassignment surgery, sterilisation, and a complex documentation process for all gender non-conforming individuals, and threatens all who do not comply with criminal prosecution".<sup>249</sup>

An article in April 2022 in *The Lancet Psychiatry* on conversion therapy of Iranian gay men, authored by Amir Kabir and Irwin Nazaret, wrote that:

Religious institutions are opposed to homosexuality, leading to the rejection of gay men by families and society, the promotion of internalised stigma, and the development of pseudoscientific therapies by

<sup>247</sup> Deutsche Welle (DW), [How transgender people navigate Iran](#), 16 May 2021

<sup>248</sup> Amnesty International, [Iran: Murder of 20-year-old gay man highlights urgent need to protect LGBTI rights](#), 17 May 2021, p. 5

<sup>249</sup> Amnesty International, [Iran: Why Was Alireza Fazeli Monfared Murdered?](#), 21 May 2021



health professionals. Under the control of religious institutions, the Ministry of Health and Medical Education, the Ministry of Science, Research, and Technology, and the Psychology and Counseling Organization of Iran have condemned homosexuality. The attitude of Iranian health professionals poses a threat to the health of sexual minorities.<sup>2</sup> Based on AK's [Amir Kabir] clinical experiences, the coordinated activities of therapists, physicians, religious institutions, and parents have commonly promoted conversion therapy to change the sexual orientation of gay men. This situation is more common in adolescents, who cannot make legal decisions independently. [...]

[...] in Iran, therapists and religious institutions continue to believe that attraction towards the same sex is harmful and should be changed. The prevalence of the practice of conversion therapy in Iran is unknown. AK's clinical observations suggest that this type of therapy has reinforced the belief that sexual orientation is changeable; therefore, gay men refusing treatment pose a threat to their own lives by resisting cure. Additionally, AK has observed that this belief is one of the main reasons why family members kill their own gay relatives. [...]

2 Kabir A. Medical profession bias against sexual minorities threatens the health of Iranian sexual minorities during the COVID-19 pandemic. *Aust N Z J Psychiatry* 2021; published online Nov 9.  
<https://doi.org/10.1177/00048674211057072>.<sup>250</sup>

In June 2022, HRANA posted an article about increased state-sponsored discrimination against Iranian LGBTQI+ communities, writing that:

Our initial research points to the unrestricted and inappropriate use of the internet as the major cause of the issue. In an interview with a foreign news agency, Minoo Mohraz, the head of the Iranian Research Center for HIV/AIDS (IRCHA) said, "for the sake of public health protection, sex workers, addicted people, and homosexuals have to be identified and treated." Mohraz added, "[...] we have to treat them before they pollute the rest of society." [...]

At odds with the body of knowledge in their respective field, several psychiatrists and psychologists employ unscientific treatment methods to change the gender identity of transgender people. Under pressure from their family, many transgender youths give in to unscientific treatment methods. Nonetheless, the Medical Council of the Islamic Republic of Iran has remained in a conspiracy of silence toward these unsubstantiated methods. The silent complicity in such methods is in stark contrast to the regime's obligations under international law.

Social media has become a major channel of promotion for such treatments. In an article entitled, "Eight Guiding Methods to Cure Homosexuality", which was widely disseminated online, a purported specialist in psychology and hypnosis, Davood Najafi Tavana, claimed that his methods could "change an LGBT person into a straight person."

Tavana claimed that: "to cure homosexuality, one must see a psychiatrist as soon as possible to ensure the normal functioning of the endocrine glands." He continued, "One can do this by running some tests. In this phase of treatment, with the help of medicine, your homosexuality will be cured." He also stated that one must also, "Purify your mind also by appealing to God and holy Imams. In this way, you can overcome your diabolic thoughts and temptations."

Mehr News Agency, which is affiliated with Islamic Development Organization, published an article criticizing a psychiatrist who had described homosexuality as a natural disposition. The report claimed "so

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<sup>250</sup> Amir Kabir and Irwin Nazareth, "[Conversion therapy: a violation of human rights in Iranian gay men](#)", *The Lancet Psychiatry*, Volume 9, Issue 4, April 2022



far, no accredited laboratory has proven that homosexuality is a natural disposition. They asked, “How can a psychiatrist who is supposed to comply with scientific principles, expose his patients to damages of homosexual intercourse by saying that this is natural?” The report repeated Tavana’s claim that homosexuality can be cured with drugs, “In Iran, many physicians have the successful treatment of homosexual patients in their career. Therefore, the wrong assertion that homosexuality is incurable has to be debunked as a trick of political advocates of homosexuality.”<sup>251</sup>

Human Rights Watch noted in its 2023 annual report on Iran, covering events of 2022, that: “Although Iran permits and subsidizes sex reassignment surgery for transgender people, no law prohibits discrimination against them”.<sup>252</sup> This is also noted in the previous annual reports for events of 2021<sup>253</sup> and 2020.<sup>254</sup>

Amnesty International also wrote in their annual report on events in 2022, published in March 2023, that, in Iran, “Hormone therapy and surgical procedures including sterilization were mandatory for legal gender changes”.<sup>255</sup>

The USDOS 2022 report on human rights practices in Iran, published in March 2023, stated that: “Some clerics believe that LGBTQI+ persons were trapped in a body of the wrong sex, and NGOs reported that authorities sometimes pressured LGBTQI+ persons to undergo gender reassignment surgery. Reports indicated these procedures disregarded psychological and physical health and that some persons recommended for surgery did not identify as transgender but were forced to comply to avoid punishment for their LGBTQI+ identity”.<sup>256</sup> Similar statements can also be found in the USDOS 2021 report on human rights practices in Iran, published in April 2022.<sup>257</sup>

6Rang’s May 2023 research on reparative therapy and the systematic medical abuse of Iran’s LGBTQI+ people produced the following findings:

Many Iranian clinicians view non-hetero and cis-normative identities as pathological, whether due to lack of education or existing prejudice. Reparative therapy has become normalised in society due to lack of up-to-date teaching at universities, lack of independent media, governmental pressure, existing societal prejudice, the misperception of queer people being diseased. These factors have led to families sending their queer children to conversion therapy facilities. [...]

105 participants, or 50%, were found to have undergone reparative therapy or were offered reparative therapy. 39% of them were under the age of 18 at the time. [...]

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<sup>251</sup> Human Rights Activists News Agency (HRANA), [State-Sponsored Discrimination against Iranian LGBTQI+ Communities Ramps up amidst a Growing and More Vocal Activist Community](#), 22 June 2022

<sup>252</sup> Human Rights Watch, [World Report 2023: Events of 2022](#), 12 January 2023, pp. 311-312

<sup>253</sup> Human Rights Watch, [World Report 2022: Events of 2021](#), 13 January 2022, pp. 340-341

<sup>254</sup> Human Rights Watch, [World Report 2021: Events of 2020](#), 13 January 2021, p. 342

<sup>255</sup> Amnesty International, [Amnesty International Report 2022/23: The state of the world’s human rights](#), 27 March 2023, p. 199

<sup>256</sup> US Department of State (USDOS), [2022 Country Reports on Human Rights Practices: Iran](#), 20 March 2023

<sup>257</sup> US Department of State (USDOS), [2021 Country Reports on Human Rights Practices: Iran](#), 12 April 2022

43% (45) of those who were offered reparative therapy agreed or were forced to agree, 33% of whom were under 18. 60 participants were able to refuse reparative therapy. In fact, 61% of those who underwent reparative therapy claimed they had no choice in the matter.

It can be deduced that reparative therapies, which are inhumane and amount to medical torture, are being used in a systematic way against LGBTI+ people in Iran. It also seems that adolescents are in the greatest danger of being subjected to it. The survey results suggest that reparative therapy is suggested to LGBTI+ people most often in their youth.

It must be noted that due to the lack of financial, social and emotional independence from parents, young people are more susceptible to suggestions of reparative therapy. Furthermore, the effects of such treatments are often more pronounced and harmful on younger people and adolescents. This shows that families have a big influence on whether or not their children receive reparative therapy.

Many respondents reported being pressured to uptake reparative therapy by multiple sources and/or institutions. The most prominent influence was that of family (57 instances), followed by health institutions and services (51 instances), friends and acquaintances (37 instances), educational institutions (18 instances), religious institutions (15 instances), romantic or sexual partners (11 instances), judicial or military institutions (10 instances), and employers or colleagues (7 instances).

The goals of these institutions in suggesting or offering reparative therapy have been to 'convert' LGBTI+ people into fitting the hetero and cis-normative Iranian society.

According to survey results, 59% of gay men were offered or suggested reparative therapy, and 35% underwent one or more treatment (58% of those who were offered). Similarly, 59% of lesbian women surveyed were offered or suggested reparative therapy, however, only 15% underwent reparative therapy (26% of those who were offered). In comparison, 31% of bisexual respondents reported having been offered or suggested reparative therapy, and less than 1% (4 instances) underwent at least one type of treatment.

Out of 16 trans and non-binary respondents, 7 people (44%) were offered or suggested reparative treatments, and 25% of trans respondents underwent at least one type of treatment.

Evidently, homosexual people (gay and lesbian) are more likely to be pressured into receiving reparative therapy for their sexual orientation than trans people for their gender identity. [...] Furthermore, gay men are more likely to undergo treatment than lesbian women, even though they are offered reparative treatment at the same rate.

6Rang's previous research has found that some medical practices assign other psychiatric diagnoses to patients who deviate from heterosexual and cisgender norms, and often misdiagnose these patients. For example, homosexuality is often diagnosed as a mood disorder and treated with anti-psychotics; homosexuality has also been diagnosed as obsessive-compulsive disorder (OCD) and treated with medication and behavioural therapy. These practices see transgender patients as experiencing delusions that force them to believe they belong in the wrong body, and they are often treated with electroconvulsive therapy or anti-psychotic drugs.

Some medical practices in Iran specialise in conversion therapy. They believe that homosexuality is due to a lack of positive experiences with the opposite sex and low self-esteem. They encourage their patients to form relationships with people of the opposite sex as a way to convert their sexuality. These practices enforce control over sex and sexual desires, and tell their patients that they failed to respond to treatment due to a lack of discipline and willingness. Treatments at these facilities include electric shock to the hands and genitals, ingestion of emetic drugs while watching pornographic material depicting same sex intercourse, masturbation while watching pornographic material depicting heterosexual intercourse, and other inhumane treatments.

Another school of thought adopted by some practitioners in Iran sees homosexuality as a fault in the subconscious due to early childhood trauma. This is often treated through hypnosis and psychoanalysis to find the root of the trauma by exploring interactions with important figures, such as parents. These techniques often result in high time and financial strain, and only serve to confuse patients about their feelings.

Other facilities use the patients' displeasure with themselves against them. They frequently use their religious beliefs and guilt, while stirring fear of the consequences for their families should they not choose a 'desirable' sexual orientation. These types of treatment include emphasis on prayer and a return from satanic influence. [...]

Talk therapy, behavioural therapy and pharmaceutical therapy were the most frequently reported methods. 20% of respondents were subjected to electroconvulsive therapy, whilst the Islamic Republic of Iran has condemned the use of electroconvulsive therapy or electric shock against homosexual people, internationally.

The most common suggestions given to participants who underwent reparative therapy were having relationships with their undesirable gender (i.e., homosexual participants were encouraged to have relationships with people of the opposite sex), changing their way of dress, and changing their behaviours in society. They were also encouraged to cease relationships with desired partners, marriage to people of opposite sex, and to distance themselves from friends.

Advising patients to distance themselves from friends, to step back from their preferences, such as music, and to consume pornographic material, are methods unfound in evidence-based practice. [...]

Due to the goal of reparative therapy being changing sexual orientation and gender identity, it is often a tool of abuse and repression used against LGBTI+ people.

Nearly 90% of the respondents who underwent reparative therapy reported experiencing verbal and psychological abuse during treatment, and more than 60% of them (22 people) were subjected to coercion and control. Over a third of participants also experienced violence and physical abuse. Other violations included disclosing clients' sexual identity, sexual abuse, and deprivation of education.

Depression was the most commonly experienced side-effect of these treatments (82%). The other reported adverse reactions included lethargy (62%), sleep disorders (60%), memory loss, disordered eating, muscle weakness, and verbal stutters. One participant reported having attempted suicide as a result of reparative therapies.

Of the 210 participants, 64% agreed that reparative and conversion therapies should be prohibited. Of the 45 participants who underwent these treatments, 84% agreed to prohibition. [...]

In Iran, reparative therapy is performed with the approval and support of the government in public health centres, while it is banned and condemned around the world. [...]

Over 21% of those who underwent reparative therapy were forced or pressured to do so by influential institutions, from family to health services and educational, judicial and social institutions. A fifth of this study's participants were pathologized due to their 'abnormal' sexual orientations or gender identities, and were subjected to abuse, harassment, humiliation and violence at the hands of medical professionals.<sup>258</sup>

In June 2023, HRANA wrote that: "Recognition of transgender identity in Iran is solely contingent upon undergoing state-supported sex reassignment surgery. Additionally, there are instances where

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<sup>258</sup> 6Rang (Iranian Lesbian & Transgender Network), [Straitjacketed Identities: Reparative Therapy in Systematic Medical Abuse of Iran's LGBTI+ People](#), May 2023, pp. 4 and 6-10

homosexual individuals are coerced into undergoing such surgeries to alleviate legal and social pressures”.<sup>259</sup>

In DFAT’s most recent country information report for Iran, published in July 2023, it was written that:

Gay men may be pressured to undergo sex-reassignment surgery to avoid legal and social discrimination. [...]

Transgender, intersex and gender diverse people are considered to be mentally ill by the government. Transgender people may be able to receive subsidised gender reassignment surgery and lesbian, gay or bisexual people who are not transgender or intersex may be required to undergo sex reassignment surgery. Activists claim the process to be approved for surgery is invasive and does not respect the privacy of the individual. It may take several years of public court hearings, virginity tests and mandatory counselling in which attempts may be made to ‘convert’ the patient. According to Grang, an LGBTI rights organisation who spoke to DW, the German state broadcaster, the procedure is often undertaken by underqualified doctors and the surgery is sometimes botched.<sup>260</sup>

All Human Rights for All in Iran and eight other civil society organisations stated the following in their report to the UN Human Rights Committee ahead of its 139th session and periodic review of Iran:

In 1986, then Supreme Leader Ayatollah Khomeini, issued a fatwa (a ruling or a religious decree on a point of Islamic law given by a recognized authority) permitting the acceptance of sex reassignment surgery for transgender people. Sex reassignment surgery is now codified in Article 4 of the Family Law (2013), which stipulates that those seeking medical intervention should obtain prior judicial and medical approval officially stating that they have been diagnosed with Gender Identity Disorder. The Ministry of Health has overall responsibility for implementation of this law, by ensuring the provision of medical care to recognized transgender people. The State Welfare Office provides social and psychological support and a number of state institutions, such as the Ministry of Labor, are involved in supporting transgender individuals who pursue or have been through sex reassignment procedures. Although State recognition and support have given transgender individuals a certain level of legal legitimization, it also has reinforced the societal stigma due to the pathologisation of transgender identities: that trans persons suffer from a medical condition which requires treatment. Additionally, medical assessment in the Islamic Republic of Iran conflates a variety of sexual and gender identities with transidentity, resulting in those for whom surgery is neither appropriate nor necessary being ‘treated’ in line with the prevailing medical opinion: that any divergence from cisgendered heterosexuality can only be due to a person’s gender dysphoria and transidentity. Further, among these individuals, only those who are officially diagnosed with Gender Identity Disorder and who obtained a permit to undergo sex reassignment surgery can have their gender legally recognized by the government. Others cannot benefit from the State Welfare’s services including sex change procedures or counselling and as a result cannot receive a state-issued identity card which legally affirms their gender. As a result, individuals of varying sexual and gender identities who cannot or

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<sup>259</sup> Human Rights Activists News Agency (HRANA), [Five Transgender Individuals Arrested and Coerced into Confession](#), 26 June 2023

<sup>260</sup> Australian Department for Foreign Affairs and Trade (DFAT), [DFAT Country Information Report: Iran](#), 24 July 2023, pp. 30-31

will not pursue medical transition are not protected from abuses, including arrest, detention and prosecution.<sup>261</sup>

Amnesty International's September 2023 submission to the UN Human Rights Committee 139th session also confirmed that: "State-endorsed "conversion therapies" amounting to torture or other ill-treatment remain prevalent, including against children".<sup>262</sup>

The UN Human Rights Committee's November 2023 concluding observations on the fourth periodic report of Iran and its implementation of the ICCPR stated that it is "concerned about reports of gay and lesbian Iranians being pressured into undergoing gender reassignment surgery without their free consent (arts. 2, 6, 7, 9 and 26)".<sup>263</sup>

An article published in the *Journal of Gay & Lesbian Mental Health* in 2023 on Iranian trans men and their experiences and identity development wrote that: "Due to Ayatollah Khomeini's fatwa in the 80s, gender-affirming surgery (GAS) is allowed and practiced, and from Iran's legislative perspective, being transgender is tolerated. However, trans people do not benefit from social or psychological support before or after surgery. All supports are focused on obtaining a GAS approval and change of identity cards and other certifications after surgery".<sup>264</sup>

The ILGA Database page for Iran state that, to the best of ILGA World's knowledge, "laws in force in Iran do not regulate or restrict sexual orientation, gender identity or gender expression change efforts (SOGIECE), regularly known as "conversion therapies"" and that "laws in force in Iran do not restrict medically unnecessary interventions aimed to modify the sex characteristics of intersex minors without their free, prior and full informed consent".<sup>265</sup>

### iii. Access to state employment (e.g. civil service, the military)

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<sup>261</sup> All Human Rights for All in Iran, Association for Human Rights in Kurdistan – Geneva (KMMK-G), Association for the Human Rights Of The Azerbaijani People In Iran (AHRAZ), Balochistan Human Rights Group, Iran Human Rights Documentation Center (IHRDC), Impact Iran, Kurdpa, Rasank, and Sigay Pourzand Foundation, [Alternative report to the Human Rights Committee. For the periodic review of the Islamic Republic of Iran: Discrimination and violence based on religion or belief, ethnicity and language, sexual orientation and gender identity, Human Rights Committee, 139th session \(Geneva\), 9 October – 3 November 2023](#), September 2023, pp. 17-18

<sup>262</sup> Amnesty International, [Iran: Submission to the UN Human Rights Committee 139th Session, 9 October – 3 November 2023](#), 11 September 2023

<sup>263</sup> UN International Convention on Civil and Political Rights, Human Rights Committee, [Concluding observations on the fourth periodic report of the Islamic Republic of Iran](#), 23 November 2023, p. 3

<sup>264</sup> Mahsa Yaghoubirad, Parviz Azadfallah, Catherine Ann Cameron, and Hojjatollah Farahani, ["Talking with Iranian trans men: Their experiences and identity development"](#), *Journal of Gay & Lesbian Mental Health*, Volume 27, 1, 2023, pp. 86-87

<sup>265</sup> ILGA (International Lesbian, Gay, Bisexual, Trans and Intersex Association) Database, [Jurisdiction: Iran](#), undated

DW commented in a May 2021 article on Iran that: “In addition to gay sex being punishable by death, the government classifies men who want to have sex with other men as mentally ill and therefore incapable of serving in the military and ineligible for a wide range of public service jobs”.<sup>266</sup>

On the International Day Against Homophobia, Transphobia, and Biphobia in May 2021, HRANA wrote an article on the ongoing discrimination and violence against the Iranian LGBTQ+ community, giving the following example:

In February 2020, HRANA reported on a transgender Iranian citizen deprived of employment due to the common Iranian perception that considers transgender persons “sick”. An example of such action involves a woman living in Tehran, “Delbar Ameri-Far”, who was prevented from continuing her work and renewing her license as an expert with the Iran Food and Drugs Administration (FDA). Ameri-Far was told that she could try again to get her license if she could provide sufficient documentation on her “continued treatment”. The letter from the Iranian FDA stated, “Your license renewal request will only be processed upon provision of medical documents certifying ongoing treatment and proof of your full health.”<sup>267</sup>

HRANA also noted in their 2021 annual report, published in December 2021, that: “Trans citizens face legal problems in addition to cultural issues in the process of changing their identity documents or seeking exemption from conscription. In another report, a citizen living in Tehran, after obtaining a military exemption due to his gender identity, lost his employment and was unable to renew his license as an expert of the Food and Drug Administration”.<sup>268</sup>

#### iv. Access to and treatment in public education

6Rang’s September 2020 research report on structural and social violence against LGBTI people in Iran, based on a qualitative and quantitative online survey questionnaire shared on social media, found the following on violence in the education system in Iran:

According to the survey results, 107 of 230 participants reported having experienced violence in their educational environments. This means that almost half of them faced violence at school, or university. 18 percent of the participants reported having been constantly insulted and humiliated by the school administration.

Violence in a school or university is one of the most visible types of violence against the LGBTI community. This type of violence can take many forms ranging from physical violence to verbal, psychological, or even, sexual violence. It is often expressed through acts of bullying, intimidation, and repression by classmates, trainers, or other school staff. [...]

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<sup>266</sup> Deutsche Welle (DW), [How transgender people navigate Iran](#), 16 May 2021

<sup>267</sup> Human Rights Activists News Agency (HRANA), [On the International Day Against Homophobia, Transphobia, and Biphobia HRA highlights the ongoing discrimination and violence against the Iranian LGBTQ+ community](#), 16 May 2021

<sup>268</sup> Human Rights Activists News Agency (HRANA), [Annual Report 2021: Annual Statistical Report of Human Rights Conditions in Iran](#), December 2021, p. 54

At school, LGBTI children and adolescents experience homophobic and transphobic motivated bullying, which directly impacts their ability and right to access education. Such discrimination is perpetrated by other students, teachers, and administrators and often continues at home because it makes them unable to achieve higher marks or other things in education. While many of them may not even be able to finish high school, those who find a chance at higher education, still experience harassment, discrimination, and constant fear of disclosure and its legal consequences at the university and workplace.

For many LGBTI youth, particularly those who are gender non-conforming, the lack of successful education combined with societal discrimination leads to difficulties in finding and keeping employment.<sup>269</sup>

In April 2021, IranWire quoted Iranian LGBTQ activist Melika Zar in an article, stating that: “Incidentally, because of censorship and a lack of proper education, LGBTQ people are excluded from family and society, which results in their homelessness and turning to unsafe and high-risk jobs, as well as dropping out of school”.<sup>270</sup>

Amnesty International wrote in January 2022 that: “Gender non-conforming individuals who cannot or do not wish to change their sex assigned at birth or choose between the binary gender categories of man and woman experience discrimination in access to education, employment, health care and public services because the Islamic Republic system heavily enforces gender segregation across public spaces and imposes strict dress codes”.<sup>271</sup>

The February 2022 UK Parliament research briefing on LGBT+ rights and issues in the Middle East stated that in Iran: “Discrimination and bullying within education and in the workplace is widespread and blackmail is common”.<sup>272</sup>

The USDOS 2022 report on human rights practices in Iran, published in March 2023, wrote that: “Although the government does not collect official data on discrimination against LGBTQI+ individuals, NGOs report members of the LGBTQI+ community experience widespread discrimination in education”.<sup>273</sup>

Amnesty International commented in their annual report on events in 2022, published in March 2023, that, in Iran: “Gender non-conforming individuals risked [...] denial of access to education and employment”.<sup>274</sup>

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<sup>269</sup> 6Rang (Iranian Lesbian & Transgender Network), [Hidden Wounds: A Research Report on Violence Against LGBTI in Iran](#), September 2020, pp. 13 and 21

<sup>270</sup> IranWire, [Iranian LGBTQ Community Lashes Out Against Prominent Director’s Homophobia](#), 7 April 2021

<sup>271</sup> Amnesty International, [Ill-Treated Iranian LGBTI Defender At Risk](#), 25 January 2022

<sup>272</sup> UK Parliament, [Research Briefing: LGBT+ rights and issues in the Middle East](#), 9 February 2022, p. 10

<sup>273</sup> US Department of State (USDOS), [2022 Country Reports on Human Rights Practices: Iran](#), 20 March 2023

<sup>274</sup> Amnesty International, [Amnesty International Report 2022/23: The state of the world’s human rights](#), 27 March 2023, p. 199

6Rang's September 2023 report on the gender persecution of LGBTIQ+ protestors in the context of the 2022-23 Iran uprising reported on the following cases:

The story of Leni is a perfect example of how for LGBTIQ+ persons, deprivation of human rights in protests is a continuation of what they experience in the course of their ordinary life, and the similarities of the patterns of violations in both contexts.<sup>57</sup>

Leni is a 16-year-old gay man and a high school student in Isfahan. He described having been harassed and humiliated by his classmates and his teachers. He said the school principal referred to him using derogatory terms, and he was not able to report incidents of harassment to the school because of it. He talked about an incident where he was humiliated by students belonging to the Basij, as well as sexually harassed.<sup>58</sup> [...]

Selya is a 21-year-old non-binary university student in a city at central Iran. When the protests erupted in their university, they joined them. They were joining their classmates by not attending classes and not wearing hijab. They were sent to the university disciplinary committee by the intelligence department and were suspended for four weeks. The committee obtained a commitment letter from them that if they repeated the offence, they would be expelled. However, intimidation and harassment continued: "The head of Herasat<sup>89</sup> at the university once said to me because of my clothing and short hair: "You made yourself look like a man, but you can't be a man. You wear binders to hide your breasts, and what is between your legs but you will have to eventually suffocate while a man is on top of you!"<sup>90</sup> [...]

<sup>57</sup> Interview with Leni, April 2023 (his real identity is withheld for security reasons).

<sup>58</sup> Ibid. [...]

<sup>89</sup> See footnote 28. [The Intelligence Ministry has set up Herasat divisions within all civil institutions and universities across the nation, assigning them the responsibility of pinpointing potential security risks. Allegedly, Herasat representatives engage in monitoring staff (such as overseeing their communications), serve as sources of information, and exert control over recruitment and termination procedures. See:

<https://www.washingtoninstitute.org/policy-analysis/irans-coercive-apparatus-capacity-and-desire>.]

<sup>90</sup> 6Rang Interview with Selya, August 2023 (their real identity is withheld for security reasons).<sup>275</sup>

All Human Rights for All in Iran and eight other civil society organisations stated the following in their report to the UN Human Rights Committee ahead of its 139th session and periodic review of Iran: "Students are reportedly physically and mentally abused by teachers and school administrators because of their sexual orientation and/or gender identity, pushing them in some cases to drop out from school".<sup>276</sup>

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<sup>275</sup> 6Rang (Iranian Lesbian & Transgender Network), [War on Bodies and Minds: Gender Persecution of LGBTIQ+ Protestors in the Context of the 2022-23 Iran Uprising](#), September 2023, pp. 19 and 26

<sup>276</sup> All Human Rights for All in Iran, Association for Human Rights in Kurdistan – Geneva (KMMK-G), Association for the Human Rights Of The Azerbaijani People In Iran (AHRAZ), Balochistan Human Rights Group, Iran Human Rights Documentation Center (IHRDC), Impact Iran, Kurdpa, Rasank, and Siamak Pourzand Foundation, [Alternative report to the Human Rights Committee. For the periodic review of the Islamic Republic of Iran: Discrimination and violence based on religion or belief, ethnicity and language, sexual orientation and gender identity, Human Rights Committee, 139th session \(Geneva\), 9 October – 3 November 2023](#), September 2023, p. 19



#### IV. Societal Attitudes Towards LGBTQI+ Individuals

*For further relevant information also consult section V., a. [Harassment and violence](#) and section V., b. [Discrimination](#).*

LGBTQ Nation reported in March 2020 on forced gender transition surgeries in Iran, writing that:

Iranian LGBTQ activist Shadi Amin has accused Iranian authorities of forcing thousands of gay men every year to undergo gender-affirming surgeries to switch their gender in an attempt to turn them into heterosexuals.

After receiving these surgeries under duress, the newly transitioned men and women are often rejected by their families and subject to social discrimination and violence. [...]

After completing the surgeries, Amin claims that the government offers no further social support for living as a newly transitioned person. As a result, such people are often rejected by their families, Amin says. Lacking familial and social support, many go into sex work and experience physical and sexual violence. This violence can go unpunished; Iran also has no hate crime laws punishing assault against queer individuals.<sup>277</sup>

DW's February 2021 article on the difficulties of being gay in Iran quoted Sahand, a gay Iranian man: "'I too went into therapy after a sister gave me the name of a female therapist. And I was lucky. After three, four appointments she told me that I had homosexual tendencies and that I would only be happy if I accepted that I'm gay. And that's what I did. But it's difficult. I haven't spoken with my father since our fight. I'm still in contact with both of my sisters and through them I have loose contact with my mom.'"<sup>278</sup>

In April 2021, IranWire reported on societal responses against the homophobic remarks of a prominent director in Iran, stating that:

An Iranian academic and prominent theater professional has provoked a backlash after he said people from the LGBTQ community "did not observe the cultural sanctity" of an Iranian theater in the capital and called for it to be cordoned off.

Activists and artists soon rallied, releasing a joint statement on [Petition](#) condemning artist Ghotboddin Sadegh's insults, accusing him of hate speech, and urging the public to join their campaign. Seventy activists and artists joined the initial statement, and the petition has so far been signed by 650 people.

Sadegh made the comments as part of an interview with [Online Art](#) published on March 8. He described the area around Tehran City Theater as "very shameful" and said it had "turned into a place for thugs, offenders, and homosexuals who do not observe the cultural sanctity of this place." He added: "the

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<sup>277</sup> LGBTQ Nation, [Iran is forcing gay men to have gender transition surgeries to "make them straight"](#), 3 March 2020

<sup>278</sup> Deutsche Welle (DW), [The difficulties of being gay in Iran](#), 26 February 2021

private area of the City Theater complex must be defined; shameful things are happening around this building."

The activists' statement read: "Ghotboddin Sadeghi's stance is a continuation of a policy that criminalizes the life of homosexuals, treats the bisexual society as sick and targets trans people with a call to stigmatize, marginalize and even eliminate this group from society."

It went on to describe how the perpetuation of taboos and supposed scandals "link every issue and problem, from coronavirus to the vaccine and the insecure urban environment" to the LGBTQ community. The 70 activists said the stigma was routinely used by people hostile to the community "whenever they hit a deadlock" and said that "shouting and complaining in line with the government's policies implicates the LGBTQ community as the main cause or at least one of the causes of social problems."

The group outlined the dangers of people in academia and the arts speaking out against the LGBTQ community, saying that these people had influence and could shape other people's perspectives and attitudes in turn. [...]

The campaign and accompanying petition were launched by Melika Zar, an LGBTQ activist and one of the people behind the Sheshrang [Six Colors] campaign group, painter and activist Alireza Shojaeian, social analyst and feminist Mina Khani and researcher and artist Yasmin Fahbod.

In an interview with IranWire, Melika Zar described the aim of the statement and the need to protest against hateful remarks. "The purpose of preparing the statement," Zar said, "and inviting activists from different fields, including artists, experts, and other members of society to sign, is to stand against hate in an environment in which the Islamic Republic systematically suppresses and oppresses people from the LGBTQ community."

"We have to choose whether we want to join the government in this repression or not. Ghotboddin Sadeghi, as a university lecturer and theater director, identifies a problem, not accounting for the corrupt system that is incapable of managing the different issues the country faces, and blames the LGBTQ community as the cause."

"Incidentally, because of censorship and a lack of proper education, LGBTQ people are excluded from family and society, which results in their homelessness and turning to unsafe and high-risk jobs, as well as dropping out of school."

"With this statement, we highlight the system and the oppression that is being inflicted on LGBTQ people, and we urge the public to take a position against hatred and hate speech against people of the Jubaibiyah (queer) community. It is necessary and important to take such actions and make a collective call and unite against the violation of rights and dehumanization of a group of society. At this juncture, we must clarify our stance against the violation of human rights; in this statement we protest against the humiliation of social groups, including the less privileged social classes." [...]

The activists' joint statement also pointed out that the "anti-human stance" Sadeghi took had a long history, and that groups that had faced discrimination and marginalization would "not forget these conspiracies and silences."

Painter and activist Alireza Shojaeian has accused people who blame LGBTQ people for societal ills of trying to distract and confuse the public from the real factors at play. "This is one of the most widely-used approaches to avoid the problem," he said.

"Artists and intellectuals aligning with the government is not a new phenomenon. What is unfortunate is the uncertainty that it creates in the minds of the oppressed community about the role of the intellectuals and artists who also stand as teachers in society."

Shojaeian also highlighted the importance of collective responses to these attitudes. He believes these public campaigns serve as a warning to individuals who want to maintain their reputations as intellectuals.<sup>279</sup>

Writing on the murder of Alireza Fazeli Monfared, Radio Free Europe/Radio Liberty stated in May 2021 that: “Members of Iran's gay community are forced to hide their sexual orientation, often leading double lives due to fear of persecution by the state, which criminalizes homosexual acts, while society views homosexuality as a disease. Many in the lesbian, gay, bisexual, and transgender (LGBT) community are shunned by their families who view them as a stain on the family's honor”.<sup>280</sup>

The OONI, OutRight Action International, and The Citizen Lab’s August 2021 research report on LGBTIQ website censorship in six countries, including Iran, stated that:

The absence of education about gender and sexuality in Iran results in a gap in people’s knowledge regarding sexual orientation, and gender identity and expression. According to one interviewee, the lack of credible sources for researching LGBTIQ issues and the circulation of misinformation have led some people to think that they are transgender when they are likely to be gay.<sup>364</sup> Additionally, families often do not have sufficient information or resources to support their LGBTIQ loved ones, which can lead to bullying and violence, while healthcare professionals may also be misinformed or misleading on how to appropriately care for LGBTIQ people.<sup>365</sup> [...]

364 Amin, interview.

365 Ibid.<sup>281</sup>

The February 2022 UK Parliament research briefing on LGBT+ rights and issues in the Middle East stated that in Iran: “Social acceptance of homosexuality is generally low and the attitude towards LGBT+ individuals is one of “don’t ask, don’t tell””.<sup>282</sup>

Sayeh Isfahani’s April 2022 blog post in the Atlantic Council on the potential impact of a new Iranian Internet ‘Protection Bill’ on the LGBTQI community stated that:

Deprived of public spaces by the state and rampant queerphobia in society, Iran’s LGBTQI persons have found solace in fragile pockets of expression online. [...]

The Internet has provided the Iranian LGBTQI community with a safer space to seek human connections vital for support and survival. The community has also utilized social media to educate itself and wider society about queer issues. Most importantly, online spaces have become vital for processing and healing trauma rooted in misogyny and queerphobia. [...]

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<sup>279</sup> IranWire, [Iranian LGBTQ Community Lashes Out Against Prominent Director’s Homophobia](#), 7 April 2021

<sup>280</sup> Radio Free Europe/Radio Liberty, [Horrific Killing Of Young Gay Man Puts Plight Of Iran's LGBT Community In Spotlight](#), 11 May 2021

<sup>281</sup> Open Observatory of Network Interference (OOONI), OutRight Action International, and The Citizen Lab, [No Access: LGBTIQ Website Censorship in Six Countries](#), 8 August 2021, p. 84

<sup>282</sup> UK Parliament, [Research Briefing: LGBT+ rights and issues in the Middle East](#), 9 February 2022, p. 10

Beyond the state, queer individuals in Iran rely on online anonymity to evade hate crime, which in many cases, although sanctioned by the state, is perpetrated by their relatives.

A case in point is the horrendous murder of twenty-year-old Alireza Fazeli Monfared in May 2021. A queer member of Iran's Arab ethnic minority, Alireza was decapitated and murdered by their relatives over their queer identity. This heinous crime was first revealed during a conversation on Twitter and later verified by activists. If it wasn't for the Internet, the crime would have gone unreported or at least underreported. [...]

Iran is a society where people not conforming to heteronormative social constructs are shunned and systematically deprived of basic human rights, including the right to work.<sup>283</sup>

BBC News noted in September 2022 that "Over the past few years, a vibrant underground LGBT movement has taken shape inside Iran, but this appears to have increased the authority's hostility. Rainbow flags have been set on fire alongside the US and Israeli flags".<sup>284</sup>

In an article on a neighbourhood in Tehran where gay men meet, LGBTQ Nation wrote in November 2020 that:

Muhammad often tells his conservative parents he's going out to smoke and take a walk. While they are not happy about his smoking habits, they are much more accepting of their son inhaling nicotine than what he really does.

If they discovered his secret, "they would kill me by their own hands," Muhammad told *LGBTQ Nation*. Among his family members, Muhammad is mostly afraid of his father, a judge at an Islamic court.

"My father was responsible for the deaths of many who were probably gay, bisexual, or of any LGBTQ family members. I do not wish to find out what would happen to me if he knew I was gay."

Muhammad's "smoke break" story is an excuse many men in Tehran use to meet up with their same-sex partners at night. He usually goes to Al-Mahdi Park to meet up with someone he has met online. [...]

After installing Badoo (a widely used app among Iran's gay community), a new world opened up to Muhammad. It turned out that Tarasht, a backward, conservative town full of homophobes, was also filled with gay men craving sex.

Muhammad has numerous stories of meeting up with the most unlikely people in town. "Almost every old conservative man in Tarasht is gay," he laughed, but only half in jest.

These men, from a very young age, were forced to marry a "good girl" with a "good family" (as Iranian families put it). "They suppressed their sexual identities for years, and now they were seeking the courtship of a young soldier who was also exploring his desires," Muhammad said.

The notion of honor plays a massive role among Iranians. A disgrace can forever ruin one's life. As amoral as it may be, considering they're cheating on their wives, it takes an unimaginable amount of courage for these men to risk their honor to stay in touch with their sexuality. The complicated morality of the situation is interconnected with the persecution of LGBTQ people in Iran and the complexity of the often-oversimplified modern culture. [...]

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<sup>283</sup> Atlantic Council, [The Internet 'Protection Bill' will hurt all Iranians, but the queer community will have the most to lose](#), 12 April 2022

<sup>284</sup> BBC News, [I want to see the rainbow flag raised in Iran](#), 11 September 2022

“Pahlavi Park [now known as Daneshjoo Park] has historically been the most well-known gay area of Tehran, but as far as I know, the police raided there once. Tarasht isn’t even on their radar.” [Musa, an older gay man living in Tarasht]

It’s hard to get legitimate information on the park since most reports are from the conservatives who claim that Daneshjoo Park is the source of chaos and insecurity in the area because of LGBTQ people. Even the more seemingly progressive generation makes reaction videos to certain clips from Daneshjoo Park in which gay people and trans people are having fun. They get views by showing how “immoral” Iran has become. [...]

He [Musa] continued to say that with the widespread usage of the internet, young people find each other using appropriate apps and are no longer even aware of the hideouts that were famously used in the past. These days, only older men are choosing the traditional method, and if you are interested in meeting someone a bit younger, you have to get used to your mobile phone.

Tarasht’s mystery as a gay neighborhood stayed concealed for years because it was hiding in plain sight, much like Superman and his secret identity as Clark Kent. Even if someone suspected something, they would brush it off because they would never believe a respectful religious neighborhood could be a haven for gay sex. [...]

Unlike Daneshjoo Park, which has been the target of shame and reaction from the people for years, Tarasht’s secret was never revealed. The neighborhood was so good at hiding its secret that it could have gone forever without anyone noticing.

Over the past few weeks, LGBTQ people and many others have been fighting against the Islamic Republic both in Tarasht and Daneshjoo Park for their rights, hoping to make places like Tarasht unnecessary and the whole country a haven for gay people.

A new tactic of combating the regime’s anti-LGBTQ+ laws is that young gay, lesbian, and bisexual Iranians take pictures of themselves kissing in the public.<sup>285</sup>

6Rang’s March 2023 report on official hate speech used against LGBT people in Iran as a tool of oppression wrote that:

One of the largest minority groups that made themselves visible during the protests was the LGBTQ+ community. As such, issues related to individuals in this minority group have come to light in the face of the Iranian general public. We have witnessed immense support, for example graffiti on university campuses signposting it as a safe space for LGBTQ+ people. [...]

The courage of the community making themselves visible has led to many speaking openly about their identities in case their families attempted to erase them.<sup>2</sup> There have been instances of LGBTQ+ people holding rainbow flags, kissing each other in public and graffitiing pro-LGBTQ+ sentiments. This courage and acts of visibility could not remain unnoticed by the Islamic Republic authorities. As this report outlines, the official hate speech towards LGBTQ+ community has been a response to increasing visibility. [...]

Although strides have been made in terms of visibility for LGBTQ+ people in the recent protests, hate speech is still rampant, especially amongst state officials who use it publicly to vilify LGBTQ+ people further. [...]

An increase in hate speech has a direct, knock-on effect on the mental and physical wellbeing of LGBTQ+ people in Iran. The ostracised community experiences an exacerbation in domestic and social violence, harassment, prejudice from family members and immediate community, and abuse. [...]

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<sup>285</sup> LGBTQ Nation, [The secret gay neighborhood inside Tehran](#), 30 November 2022

These acts were not only limited to visibility on social media and the public, but also wider protests against the current treatment of LGBTQ+ people, internationally. In October 2022, a representative from 6Rang stood in front of over 100,000 people at the largest opposition protest, in Berlin, stating that democracy cannot be achieved in Iran without the realisation of LGBTQ+ rights<sup>15</sup>. In November 2022, 6Rang's director, gave a statement at the emergency session of the UN Human Rights Council about this issue.<sup>16</sup> The voices of the LGBTQ+ community being heard internationally and publicly, outside the control of the Islamic Republic, has precipitated an onslaught of hateful propaganda.

Officials of the Islamic Republic have often used derogatory language that likens homosexuality to animalistic behaviour and deviancy. Again, hate speech here has been directed at the protests and uses homophobia to instil fear. [...]

Furthermore, officials have used the existing societal hatred and ignorance against the LGBTQ+ community to invalidate the protests. [...]

2 This increased after the death of Nika Shakarami, whose family attempted to erase her identity as a queer woman. This came after Shadi Amin, a prominent LGBTQ+ activist, dedicated the Lesbian Visibility Award to her. An onslaught of online hate against her and anybody who claimed that Nika was queer followed, claiming that her name was being 'dirtied'. <https://www.washingtonblade.com/2022/11/30/even-in-death-we-fight-to-be-visible/> [...]

15 <https://6rang.org/73353/>

16 <https://6rang.org/73518/><sup>286</sup>

BBC News's April 2023 article on the LGBT community rising up in Iran during the protests wrote that:

During the protest movement, young LGBTQ people have defied the regime's bans on public shows of affection and same-sex intimacy by removing their hijab and kissing each other in public.

Others have taken to streets with placards in the colours of the Pride and trans flags, reading "Woman, Life, Freedom" - the de facto slogan of the protest movement - as well as "Queer, Life, Freedom".

Queer is an offensive word to some, but for others it is the preferred term to describe their sexual orientation or gender identity. [...]

Photos have shown activists spray-painting pro-LGBTQ slogans on walls at universities and in parks, including: "Queer, Trans, Freedom", "The LGBTQ community rises", and "This is the voice of the LGBTQ community: liberation or setting the night on fire".

Others have handed out flyers to people on the streets that are hand-painted in the colours of the Pride flag and read: "The Iranian LGBTQ family stands by you."

Many Iranians on social media have warmly welcomed the increased visibility of the LGBTQ community. Yet the move has triggered a backlash from others.

In addition to the outright homophobic reactions, an old question has resurfaced: "Is it the 'right time' to speak of LGBTQ rights in Iran?" [...]

Recently, dozens helped a gay beauty blogger make a video collage in which each of them repeated a single sentence: "We are countless."<sup>287</sup>

6Rang's May 2023 report on "reparative" therapy and the systematic medical abuse of Iran's LGBTI+ people stated that:

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<sup>286</sup> 6Rang (Iranian Lesbian & Transgender Network), [Silencing protests: Official hate speech against LGBT people as a tool of suppression](#), March 2023, pp. 3, 5-6, and 8-10

<sup>287</sup> BBC News, [Iran protests: LGBTQ community rises up](#), 19 April 2023

Many Iranian clinicians view non-hetero and cis-normative identities as pathological, whether due to lack of education or existing prejudice. Reparative therapy has become normalised in society due to lack of up-to-date teaching at universities, lack of independent media, governmental pressure, existing societal prejudice, the misperception of queer people being diseased. These factors have led to families sending their queer children to conversion therapy facilities. [...]

It must be noted that due to the lack of financial, social and emotional independence from parents, young people are more susceptible to suggestions of reparative therapy. Furthermore, the effects of such treatments are often more pronounced and harmful on younger people and adolescents. This shows that families have a big influence on whether or not their children receive reparative therapy. [...]

The goals of these institutions in suggesting or offering reparative therapy have been to 'convert' LGBTI+ people into fitting the hetero and cis-normative Iranian society. [...]

Evidently, homosexual people (gay and lesbian) are more likely to be pressured into receiving reparative therapy for their sexual orientation than trans people for their gender identity. [...]

Other facilities use the patients' displeasure with themselves against them. They frequently use their religious beliefs and guilt, while stirring fear of the consequences for their families should they not choose a 'desirable' sexual orientation. These types of treatment include emphasis on prayer and a return from satanic influence. [...]

[...] social stigmatisation and associating homosexuality and differing gender identities with pathology and deviance in Iran leads to the self-stigmatisation of teenagers and young adults. In the absence of progressive and supportive discourse, they develop their identities by exploring their surroundings and referring to accessible sources, such as teachers, doctors, psychologists and clergy. [...]

Over 21% of those who underwent reparative therapy were forced or pressured to do so by influential institutions, from family to health services and educational, judicial and social institutions. A fifth of this study's participants were pathologized due to their 'abnormal' sexual orientations or gender identities, and were subjected to abuse, harassment, humiliation and violence at the hands of medical professionals.<sup>288</sup>

#### a. Transgender individuals

*For further relevant information consult also section III., d., ii., [Gender affirming surgery, reparative/conversion therapy, and legal gender change](#), section V., a. [Harassment and violence](#), and section V., b. [Discrimination](#).*

The *Iranian Studies* journal March 2020 piece on gender transitions in Islamic law, theatre, and film in Iran wrote that:

While certified transsexuals are legally and religiously legible and legitimate in Iran, societal ignorance and intolerance remain a barrier to acceptance and understanding. [...]

Despite official legal and religious recognition, trans activists are still fighting for their full needs to be met, specifically better access to health care,<sup>8</sup> improvement in the quality of surgery provided, and greater public and medical education about transsexuality. [...]

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<sup>288</sup> 6Rang (Iranian Lesbian & Transgender Network), [Straitjacketed Identities: Reparative Therapy in Systematic Medical Abuse of Iran's LGBTI+ People](#), May 2023, pp. 4, 6-7, and 9-10

However, to be legally recognized as transgender, one must change their birth certificate and passport. Though a number of Iranian religious jurists today support SRS [sexual reassignment surgery], the general public is generally not as tolerant or supportive of transgender and transsexual individuals; furthermore, more recent fatwas have tried to place limits on the permissibility of transsexuality with regard to surgery. [...]

While transsexuals are supported by state laws and religious legal discourse, such acceptance and tolerance are not generally found in society at large.

The challenges faced by trans people come primarily from social and cultural norms. Many Iranians are ignorant of these permissive laws and fatwas, and equate transsexuality with homosexuality and bisexuality. [...]

8 Trans people are eligible for "special groups" insurance coverage (according to the law of Universal Health Services in 1995) for basic medical insurance coverage.<sup>289</sup>

DW's April 2020 piece on Iran's anti-LGBT policies putting transgender people at risk wrote that:

"The sex change process is also a way of cleansing homosexuality in Iran," says Amin [Shadi Amin, director of 6rang]. "You have to change your sex or you have to change your sexual orientation."

Although there is no direct method of forcing homosexual people to apply for transitions, Amin says that social and familial pressure, combined with a fear of death, are enough to push people to transition.

"They medicalize the transsexuality issue. They say that transsexuality can be cured by sex change operations, but the homosexuals, they are immoral and unhuman," she says.

For many, going through the transition is the only way that they can legally live with their partner without fearing for their lives.

"That's why when they know that they have no rights as a homosexual, and they want to live with their partner, the only way they have to do this is by undergoing sex change surgery." [...]

Once the transition is made, many are forced to break ties with their families, friends, and all of the people who they knew before. Many move to other cities to start new lives, and are often faced with homelessness and forced into sex work to support themselves.

Additionally, adopting the norms of their legal gender can be another major adjustment in Iran, where men and women are separated in almost every aspect of life, including public transportation and classrooms.

"You should imagine that [after] you change your sex, you go to another society which is totally foreign for you, totally new for you, and you have to deal with that," says Amin. "You have lived as a woman all of your life, and now you are a man and you have to do all the things that a man did before."

"Even after the surgery, you must act as if you are not transgender," says Amin.<sup>290</sup>

An article in IranWire in August 2020 wrote on honour killings of LGBTQ citizens in Iran. The article reported that:

Fariman Kashani [a feminist queer activist] says trans women tend to face greater levels of violence from their families than trans men do. However, trans men tend to keep silent about their ordeals. "You see,

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<sup>289</sup> Emily O'Dell, ["Performing Trans in Post-Revolutionary Iran: Gender Transitions in Islamic Law, Theatre, and Film"](#), *Iranian Studies*, Volume 53, Issue no. 1-2, March 2020, pp. 130-131, 133, and 135

<sup>290</sup> Deutsche Welle (DW), [How Iran's anti-LGBT policies put transgender people at risk](#), 28 April 2020



[the damage of] patriarchy is sometimes not obvious. Many families involuntarily prefer having sons. The fact that their son wants to have surgery and become a girl makes them angry. Transgender men are more silent, just like men who may be subjected to domestic violence but feel they can't talk about it because they are men. Then there are trans people who are married to men, which is often a very painful situation for them. The same goes for homosexual people. There is a lot of psychological harassment too. It is about being judged. And people feel they can ask them questions about the most private matters of their lives." [...]

Like Fariman Kashani, Shaya Goldoust says LGBTQ people live with a double violence: violence enforced by the law and violence emanating from society itself.<sup>291</sup>

The April 2021 *BMC Psychiatry* article with the results of a clinical trial in Iran on the effect of cognitive-behavioural therapy on domestic violence and its consequences in transgender youth explained that: "despite the legality of gender reassignment, transgender youth are still not sufficiently accepted in society due to cultural and religious pressures; and society, family, friends, school, and co-workers perpetrate violence against transgender people".<sup>292</sup>

In May 2021, DW's article on transgender people in Iran detailed that:

Despite Iran's rigid attitudes toward sexuality, its capital, Tehran, has been dubbed one of the world's hubs for sex-reassignment surgery. Transgender individuals live and work with no legal barriers in the country. The government even helps with the costs of hormone medicine and gender reassignment surgery for those who want it. [...]

When it comes to other forms of non-heterosexual identity, the state is not so lenient: Under certain circumstances, gay men and lesbians face the possibility of draconian penalties. The closest thing to recognition that gay men enjoy is an exemption from compulsory military service. In addition to gay sex being punishable by death, the government classifies men who want to have sex with other men as mentally ill and therefore incapable of serving in the military and ineligible for a wide range of public service jobs. [...]

The state's authorization of sex-reassignment surgery and intolerance of homosexuality are not unrelated. "They would rather have people go under a surgeon's knife than accepting the non-binary nature of gender," Arastoo says. "You must either be a man or woman in your ID papers, nothing in between is recognized."

Zara Saiedzadeh, a senior lecturer in gender studies at Sweden's Orebro University, with a focus on transgender life in Iran. "Just because gender confirmation operation is possible, it does not mean that the government particularly accepts trans people," she says. "And it certainly does not mean that their needs and their rights are met."

Iran is one of the countries that still considers trans people as having a mental disorder – the World Health Organization stopped classifying them as such in 2019. That approach has too many adverse byproducts, including patients being misdiagnosed and facing intimidation from medical staff when discussing gender identity.

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<sup>291</sup> IranWire, [A Dark History: Honor Killings of Iran's LGBTQ Citizens](#), 2 August 2020

<sup>292</sup> Mahdieh Damanpak-Rizi, Farnaz Farnam, and Parisa Khodakhah, ["Effect of cognitive-behavioral therapy on domestic violence and its consequences in transgender youth: a randomized clinical trial"](#), *BMC (BioMed Central) Psychiatry*, Volume 21, April 2021, p. 2

Before surgery, patients must receive counseling to ensure that they have gender dysphoria and are prepared for the procedure. Arastoo believes that the process is often not properly observed. "A psychotherapist can be incompetent, even transphobic," he says. "The counseling sessions echo the feeling of shame and self-hate that the heteronormative society imposes on transgender people."

"Even after surgery no one can expect a beautiful, heavenly life," says Saeidzadeh. "Until a trans person is recognized by the law and families and friends and the community they have problems, and they encounter so many different difficulties in managing their everyday life."

Iranian law does not protect trans people against stigmatization, hate crimes or domestic violence, and the government has no concrete plan for normalizing and demarginalizing trans people. For teenagers who come out in conservative settings, being disowned by family and struggling to find a place to live is a common experience. [...]

"It's not that [trans people] are oppressed and miserable people who have no lives," says Saeidzahde. "Despite all the difficulties, due to their own capabilities and initiatives, trans people have made their lives livable in Iran." Throughout her research, Saiedzadeh says she has interviewed people who have learned how to swiftly switch between identities and roles while creating and claiming their own social spaces. "They created communities to support and protect each other," she says. Online activism, she notes, has played a big role in raising awareness and building communities, with countless websites and social media content mushrooming on the internet. Authorities monitor and block them, but ways around the bans are always found.<sup>293</sup>

Reporting on the murder in May 2021 of Alireza Fazeli Monfared by his male relatives, Amnesty International stated that:

According to informed sources interviewed by Amnesty International, Alireza Fazeli Monfared, who self-identified as a non-binary gay man, had been subjected to repeated homophobic and transphobic harassment and death threats by several of his male relatives, including his half-brothers and uncle, because he did not conform to the binary socio-cultural gender stereotypes and "norms" in Iran and socially constructed expectations of "masculinity". [...]

Alireza Fazeli Monfared's partner and a close friend of his separately told the organization that, on at least one occasion, in August 2020, the authorities had arbitrarily arrested and detained him for several days in connection with his Instagram account on which he had posted videos of himself dancing, amongst other things. Following his release, according to these informed sources, he was attacked in his home by a male relative who pulled out a gun and threatened to kill him because he said that Alireza Fazeli Monfared's arrest, and the reason for his arrest, was a source of "shame" to the family and damaged their "honour".

Alireza Fazeli Monfared's partner and friend told Amnesty International that in recent years, several male relatives had attempted to physically assault him and, on at least one occasion, around two years ago, they forcibly entered his home, but he was able to escape with the help of his mother.

Amnesty International understands from the sources interviewed that several male relatives in Alireza Fazeli Monfared's family often complained to his father about the way he expressed himself through his clothes, make-up, speech and manner, including in the videos and pictures he posted on his Instagram account.

Amnesty International has listened to several voice messages that Alireza Fazeli Monfared had sent to his partner outside Iran in March 2021 in which he had said that he felt under pressure because he did not have the freedom to freely express himself in Iranian society and that he was making plans to leave the

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<sup>293</sup> Deutsche Welle (DW), [How transgender people navigate Iran](#), 16 May 2021

country. The organization understands that he had been due to leave the country a few days after the date he was murdered.

According to the individuals Amnesty International interviewed, including consultant psychotherapist, Dr Morris Setudegan, whom Alireza Fazeli Monfared had consulted on LGBTI rights in European countries, including gay marriage, he had been making plans to leave Iran as he felt constricted in the country because he could not freely express his gender identity and sexual orientation, had faced threats from relatives, and was forced to live a double life, all of which caused him distress and anguish.<sup>294</sup>

The same report also noted the prior experiences of Alireza Fazeli Monfared within the military: “According to informed sources, Alireza Fazeli Monfared had served several weeks of military service when he turned 18 before applying for an exemption card because of the abuse he received from the other conscripts in connection with his gender expression. The organization understands that he had made complaints to officials in the army but had received no support”.<sup>295</sup>

In January 2022, 6Rang commented that: “Even though Iranian law does not criminalise trans individuals, there is still social stigma against these individuals that allows subhuman conditions like this to persist”.<sup>296</sup>

Amnesty International wrote in January 2022 that: “Gender non-conforming individuals who cannot or do not wish to change their sex assigned at birth or choose between the binary gender categories of man and woman experience discrimination in access to education, employment, health care and public services because the Islamic Republic system heavily enforces gender segregation across public spaces and imposes strict dress codes”.<sup>297</sup>

In February 2022, HRANA detailed the following incident:

On February 7, a transgender citizen and resident of Mariwan City died by suicide after taking pills. Reportedly, they committed suicide after a Sunni cleric disallowed their family to perform gender affirming surgery.

According to HRANA, the news agency of Human Rights Activists, 20 year old Ribwar Ebrahimi committed suicide and lost their life.

“His family asked a Sunni cleric about the religious authorization of a Sex Reassignment Surgery. Confronted with this disallowance, Ribwar got upset. He/she was also under pressure not to disclose his/her identity, which all led to committing suicide by pill,” told an informed source to HRANA.

Gender affirmation surgery has not been designated as legal or illegal under Iranian civil law. In 2013, however, Family Protection Bill set out some rules about the sex change process. In 1982, in a Fatwa, Ruhollah Khomeini, authorized religiously the sex-change surgery. Nonetheless, uncertainties in the law

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<sup>294</sup> Amnesty International, [Iran: Murder of 20-year-old gay man highlights urgent need to protect LGBTI rights](#), 17 May 2021, pp. 2-3

<sup>295</sup> Amnesty International, [Iran: Murder of 20-year-old gay man highlights urgent need to protect LGBTI rights](#), 17 May 2021, p. 3

<sup>296</sup> 6Rang (Iranian Lesbian & Transgender Network), [Suicide and neglect: Trans prisoners treated worse than animals in Iran's most notorious prison](#), 10 January 2022

<sup>297</sup> Amnesty International, [Ill-Treated Iranian LGBTI Defender At Risk](#), 25 January 2022

regarding this process and official acceptance of new identity have confused many transgender citizens who are afraid of being deprived of their rights by the erratic attitude of legal authorities.<sup>298</sup>

In June 2023, HRANA wrote that: “Recognition of transgender identity in Iran is solely contingent upon undergoing state-supported sex reassignment surgery”.<sup>299</sup>

6Rang’s September 2023 report on the gender persecution of LGBTIQ+ protestors in the context of the 2022-23 Iran uprising wrote on the story of Raha Ajoudani:

Raha Ajoudani, trans influencer, blogger, and civil activist was 19 years old when she was arrested by agents from the Ministry of Intelligence on 26th of October 2022 in Tehran, at the location where she was supposed to meet someone she was in love with. [...]

She is not only under financial hardship but constant pressure:

“A list of over twenty friends, who had been in contact with me during the 31 days of my detention by the Revolutionary Guards, were summoned and interrogated. Since the time I was released, several of my friends have told me that someone using a private number had contacted them and advised them against maintaining contact with me.

Later when I was summoned by the Revolutionary Guards again due to my presence on social media networks, I asked them about it. I said, ‘Is this your doing?’ They replied, ‘No, it’s possible you’re delusional.’ I told them, ‘No, I’ve heard from multiple people using shared terminology that it’s not our doing, it might be the work of the Ministry of Intelligence. It’s their habit to turn us against each other.’

Since I was released on bail, many of my close friends have severed ties with me. They justify this action by stating that they have cut off communication due to security pressures. They create a scenario where you’re out of prison, but they construct a larger prison for you out there. To the extent that a hundred thousand times a day, you wish they would imprison you again and return you to that solitary cell.

They pushed so much into my private life that my friends were forced to cut ties with me which consequently drove me further into seclusion in my personal life. They are constructing a larger prison for you here, to the point that you say, I wish they would imprison me again in that same cell.<sup>118</sup> [...]

<sup>116</sup> <https://www.facebook.com/watch/?v=838481037407989>.

<sup>117</sup> 6Rang Interview with Raha Ajoudani, August 2023.

<sup>118</sup> Ibid.<sup>300</sup>

The 2023 article in the *Journal of Gay & Lesbian Mental Health* on Iranian trans men and their experiences and identity development wrote that:

Iran’s unique social and cultural characteristics could impact Iranian trans individuals’ lives. This includes the dominance of patriarchy in a family structure and at different layers of society, the compulsory hijab for women, sex segregation both in public places and schools, as well as legislative and cultural

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<sup>298</sup> Human Rights Activists News Agency (HRANA), [Transgender Citizen Dies By Suicide After Disallowance of Gender Affirming Surgery](#), 8 February 2022

<sup>299</sup> Human Rights Activists News Agency (HRANA), [Five Transgender Individuals Arrested and Coerced into Confession](#), 26 June 2023

<sup>300</sup> 6Rang (Iranian Lesbian & Transgender Network), [War on Bodies and Minds: Gender Persecution of LGBTIQ+ Protestors in the Context of the 2022-23 Iran Uprising](#), September 2023, pp. 31-32

restrictions on establishing a relationship with people of the opposite sex before marriage or establishing romantic relationships, as well as the criminalization of same-sex relationships. [...]

In Iran, “social reputation” (*aberoo* in Persian) unequivocally matters to the families, and they encourage their children into accepted social norms; Hence wearing masculine clothes while traveling (when no one knows them) might be easier for some families to tolerate, as opposed to letting their assigned female at birth child breaking the norms in the home neighborhood.<sup>301</sup>

The ILGA Database page for Iran writes that “gender-diverse persons in Iran still face widespread social stigma and government targeting, especially if they have not attained legal gender recognition or do not conform to traditional gender expressions”.<sup>302</sup>

## b. Representation in media

In May 2020, Pink News reported that:

On May 15 Shahindokht Molaverdi [former aide for women’s and family affairs in Iran] shared a poster to mark the International Day of Families on her Telegram account. Produced by the UN, the simple illustration depicted several families, including two same-sex couples with children. [...]

The sentiment sparked outrage in the strictly conservative Muslim nation, which punishes homosexuality with the death penalty.

Pro-Iranian regime social users took to Twitter to slam Molaverdi, accusing her of promoting homosexuality by spreading “homosexual propaganda” on an official channel. [...]

And the hardline Iranian news outlet *Mashreq News* questioned the legality of Molaverdi’s post, pointing out that under the Islamic Penal Code any action that contributes to the spread of homosexuality is considered the same as encouragement to prostitution, and is punishable by up to ten years in prison.<sup>303</sup>

The New Arab reported in January 2021 on BBC Persian receiving complaints due to alleged homophobia, writing that:

The *BBC* said Friday it was investigating a complaint by a prominent human rights campaigner in Britain who accuses its Iranian service of homophobia.

Peter Tatchell said he had contacted the *BBC World Service* after its Persian unit ran a blog that used derogatory language in Farsi to describe the gay community. [...]

The blog on the *BBC Persian* website was updated to say that previously “a word was used to refer to homosexual relations in the historical context of Iran that is not among the terms that *BBC* uses to describe sexual orientations, and was therefore inappropriate”.

But in a letter to *BBC* bosses, Tatchell demanded a public apology and the dismissal of *BBC Persian* director Rozita Lotfi. [...]

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<sup>301</sup> Mahsa Yaghoubirad, Parviz Azadfallah, Catherine Ann Cameron, and Hojjatollah Farahani, “[Talking with Iranian trans men: Their experiences and identity development](#)”, *Journal of Gay & Lesbian Mental Health*, Volume 27, 1, 2023, pp. 87, 95

<sup>302</sup> ILGA (International Lesbian, Gay, Bisexual, Trans and Intersex Association) Database, [Jurisdiction: Iran](#), undated

<sup>303</sup> Pink News, [Top Iranian aide apologises for ‘homosexual propaganda’ after sharing cartoon of loving lesbian and gay parents](#), 19 May 2020

*BBC Persian* is banned in Iran and according to a report by UN experts last March, its expatriate staff have faced intimidation from the regime, including death threats against their Iranian-based relatives.<sup>304</sup>

Speaking on the same incident, *The Star Observer*, an Australian magazine for the LGBTI communities, added that:

The objectionable content appeared in a blog published on December 28, 2020. “*BBC Persian* published a post describing LGBT+ people as ‘*hamjensbaz*’, which I am told is the Persian language equivalent of the word ‘faggot’,” Tatchell said in his letter to the *BBC*.

According to Tatchell, it was only after protests from LGBTQI Iranians that *BBC* got the objectionable language removed.

*BBC* added an editorial note to the article: “In an earlier version of this article, a word was used to refer to homosexual relations in the historical context of Iran that is not among the terms that *BBC* uses to describe sexual orientations and was therefore inappropriate. It is now corrected.”

However, Tatchell said that the objectionable word was not the only problematic aspect of the blog.

“The post went on to compare LGBT+ people to opium addicts and people who have sex with their siblings. Again, only after protests was this deleted but it was replaced by the equally offensive insult ‘*ghabahat*’ – which apparently means abomination.”<sup>305</sup>

In June 2022, HRANA posted an article about increased state-sponsored discrimination against Iranian LGBTQI+ communities, set out that:

The Islamic Republic has long criminalized homosexuality in its domestic legal systems while also actively fueling propaganda campaigns in both media and educational institutions including through discriminatory public media content, textbooks, and campaigns aimed at so-called “Conversion Therapy”. Officials representing the government have gone on record with their discriminatory positions. [...] Our initial research points to the unrestricted and inappropriate use of the internet as the major cause of the issue. In an interview with a foreign news agency, Minoo Mohraz, the head of the Iranian Research Center for HIV/AIDS (IRCHA) said, “for the sake of public health protection, sex workers, addicted people, and homosexuals have to be identified and treated.” Mohraz added, “[...] we have to treat them before they pollute the rest of society.” [...]

Mehr News Agency, which is affiliated with Islamic Development Organization, published an article criticizing a psychiatrist who had described homosexuality as a natural disposition. The report claimed “so far, no accredited laboratory has proven that homosexuality is a natural disposition. They asked, “How can a psychiatrist who is supposed to comply with scientific principles, expose his patients to damages of homosexual intercourse by saying that this is natural?” The report repeated Tavana’s claim that homosexuality can be cured with drugs, “In Iran, many physicians have the successful treatment of homosexual patients in their career. Therefore, the wrong assertion that homosexuality is incurable has to be debunked as a trick of political advocates of homosexuality.” [...]

Director and screenwriter, Behrouz Afkhami has made several homophobic statements during a TV talk show. Answering an interview question about the conditions for awarding at Cannes Film Festival he asserted, “If a film about an LGBT person participates in this festival, they spare special points for such

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<sup>304</sup> The New Arab, [BBC Persian under fire for alleged homophobia](#), 8 January 2021

<sup>305</sup> The Star Observer, [BBC Persian Accused of Publishing Homophobic Blog](#), 15 January 2021

film to take precedence over others in the competition.” In response, the program host agreed and went on to identify homosexuality as a “sexual perversion.”<sup>306</sup>

In July 2022, IranWire reported on Zahra Sedighi-Hamadani (Sareh) being framed as a “trafficker” in Iran while detained. It wrote that:

In a video report aired by the hardline Tasnim News Agency on behalf of the IRGC-IO [Intelligence Organization of the Islamic Revolutionary Guard Corps] on Monday, Sareh – whose name was there given as Zahra Mansouri-Hamedani – was accused of running “one of the largest prostitution networks in Erbil”. The report claimed she was aided by two other individuals reportedly also now in custody, Alireza Farjadi-Kia and a friend known only as “Kati”.

Described as an “obscene gang”, the three detainees were said to have smuggled “more than a thousand Iranian girls” for sale in the capital of Iraqi Kurdistan. The report featured [sic] as “evidence” some blurred footage of nightclub interiors, in which the subjects were not named or identifiable. [...]

In the same period, Sareh’s friends were arrested and made to give forced confessions against her, some of which then aired on state TV. Shesh-rang reports that these individuals had been promised the footage would not be broadcast.<sup>307</sup>

In September 2022, 6Rang’s fact sheet on the sentencing to death of Zahra Sadighi Hamedani (Sareh) and Elham Choubdar added that:

On 30 December 2021, the Intelligence Organization of the Revolutionary Guards took over Sareh’s Telegram channel, which had about 1,200 followers. They changed the profile picture to the logo of the intelligence organization and posted a message, which stated, “Protecting family values is the red line of the unknown soldiers of Imam Zaman [the title used for Mahdi, the 12th Shia Imam] for the Intelligence Organization of the Revolutionary Guards.” [...]

In early July 2022, Tasnim, an IRGC news agency published a video accusing Sareh of [sic] taking part in sex trafficking. The video showed the interviews of two individuals who said that Sareh was involved in seducing Iranian women and girls and trafficking them to Iraqi Kurdistan to exploit them. 6Rang research confirms that those interviews were taken from detainees under duress and in exchange for the authorities promises to free them.<sup>308</sup>

With reference to Veyssi, a queer and non-binary Iranian “child of the diaspora” in the United States, a February 2023 Washington Blade article on LGBTQ voices among Iran’s protests wrote that: “Especially so since so many other LGBTQ activists who share content about or are otherwise engaged on social media with issues concerning the turmoil in Iran have experienced shadow-banning, Veyssi said, referring to the phenomenon by which a user’s posts are artificially depressed so they reach fewer followers than they otherwise would”.<sup>309</sup>

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<sup>306</sup> Human Rights Activists News Agency (HRANA), [State-Sponsored Discrimination against Iranian LGBTQI+ Communities Ramps up amidst a Growing and More Vocal Activist Community](#), 22 June 2022

<sup>307</sup> IranWire, [Detained LGBT+ Rights Activist Framed as "Trafficker" in Iran](#), 20 July 2022

<sup>308</sup> 6Rang (Iranian Lesbian & Transgender Network), [Fact sheet on Zahra Sadighi Hamedani \(Sareh\) and Elham Choubdar](#), September 2022

<sup>309</sup> Washington Blade, [Minority, LGBTQ voices must be centered amid Iran protests, activists say](#), 17 February 2023



6Rang's March 2023 report on official hate speech used against LGBT people in Iran as a tool of oppression observed the following:

State-affiliated media and journalists have had a hand in spreading hate against the LGBTQ+ community. The language often resonates with what is said by state officials. Derogatory language is also prevalent in articles about LGBTQ+ people.

In November 2022, Hosein Shariatmandari, a fundamentalist journalist, said:

“One of the main goals of this riot is to break apart and break our country into pieces... One of the hopes of this situation is to legalise and spread *hamjensbazi* (faggotry) in a future without the Islamic Republic.”<sup>22</sup>

Much of the fearmongering about same-sex relationships mandated by state officials and state media lies in the concept of interrupted or broken traditional families. Heteronormative familial relationships are the pinnacle of moral goodness in the Islamic Republic framework. As such, LGBTQ+ individuals are shown to be an interruption to normal family dynamics.

In an article by Fars News, Hasan Kouhestani wrote, “if we look back to the sexual revolution in the West when men and women were freer in their relationships, we can see that men were no longer interested in marriage.” [...]

22

<https://eslahatnews.com/> تفہیم سمیت اداران در ہمچندس بازی و تہا ست چہ ہمجا سلامی جمہوری از خبر سرفردای  
 م ی بیا بدش گ+ س<sup>310</sup>

c. Representation by influential cultural and religious figures

In March 2020, the *Iranian Studies* journal published a piece on gender transitions in Islamic law, theatre, and film in Iran. It wrote that:

While certified transsexuals are legally and religiously legible and legitimate in Iran, societal ignorance and intolerance remain a barrier to acceptance and understanding. [...]

Despite official legal and religious recognition, trans activists are still fighting for their full needs to be met, specifically better access to health care,<sup>8</sup> improvement in the quality of surgery provided, and greater public and medical education about transsexuality. [...]

[...] Shi'a jurisprudence in Iran does not view sexual reassignment surgery (SRS) as a manipulation of the work of God. [...] Ayatollah Khomeini and other jurists in Iran have supported transsexual surgery on the grounds that it is not explicitly banned in the Qur'an and re-gendering the body does not change the soul or transgress the work and authority of the Creator. [...]

Due to his judicial acceptance of transsexuality and SRS, transsexuality is openly discussed in seminars in Qom, the center of jurisprudential study and fatwa production in Iran. [...]

Centered on a distinct split between the physical body and the soul, trans discourse in Iran argues that most people experience harmony between the two, but transgendered individuals suffer from a correctable mismatch. Notably, one does not have to take hormones or have surgery to be certified and

<sup>310</sup> 6Rang (Iranian Lesbian & Transgender Network), [Silencing protests: Official hate speech against LGBT people as a tool of suppression](#), March 2023, pp. 9-10



accepted as a “transsexual” in religious and legal terms in Iran. Somatic changes do not determine one’s legal legibility or legitimacy. However, to be legally recognized as transgender, one must change their birth certificate and passport. Though a number of Iranian religious jurists today support SRS, the general public is generally not as tolerant or supportive of transgender and transsexual individuals; furthermore, more recent fatwas have tried to place limits on the permissibility of transsexuality with regard to surgery. [...]

8 Trans people are eligible for “special groups” insurance coverage (according to the law of Universal Health Services in 1995) for basic medical insurance coverage.<sup>311</sup>

The Jerusalem Post reported in February 2021 on the following incident:

An Iranian regime cleric in the holy city of Qom on Tuesday issued a homophobic rant against people vaccinated for COVID-19, claiming that they become gay after receiving the vaccine.

Ayatollah Abbas Tabrizian wrote on his Telegram social-media platform: “Don’t go near those who have had the COVID vaccine. They have become homosexuals.”

The radical Islamist has nearly 210,000 followers on his Telegram account. [...]

According to Peter Tatchell, a LGBTQ+ and human-rights campaigner, “Ayatollah Tabrizian combines scientific ignorance with a crude appeal to homophobia.” [...]

According to Peter Tatchell, a LGBTQ+ and human-rights campaigner, “Ayatollah Tabrizian combines scientific ignorance with a crude appeal to homophobia.”

“He’s demonizing both the vaccination program and LGBT+ people without a shred of evidence,” he told the Post. “By seeking to scare the public into not getting vaccinated against COVID-19, he is fueling the pandemic and putting lives at risk. Typical of many Iranian religious and political leaders, his bizarre, irrational claims scapegoat LGBTs and put theological prejudice before scientific knowledge.”<sup>312</sup>

In April 2021, IranWire reported that:

An Iranian academic and prominent theater professional has provoked a backlash after he said people from the LGBTQ community “did not observe the cultural sanctity” of an Iranian theater in the capital and called for it to be cordoned off.

Activists and artists soon rallied, releasing a joint statement on [Petition](#) condemning artist Ghotboddin Sadegh’s insults, accusing him of hate speech, and urging the public to join their campaign. Seventy activists and artists joined the initial statement, and the petition has so far been signed by 650 people.

Sadegh made the comments as part of an interview with [Online Art](#) published on March 8. He described the area around Tehran City Theater as “very shameful” and said it had “turned into a place for thugs, offenders, and homosexuals who do not observe the cultural sanctity of this place.” He added: “the private area of the City Theater complex must be defined; shameful things are happening around this building.”

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<sup>311</sup> Emily O’Dell, [“Performing Trans in Post-Revolutionary Iran: Gender Transitions in Islamic Law, Theatre, and Film”](#), *Iranian Studies*, Volume 53, Issue no. 1-2, March 2020, pp. 130-133

<sup>312</sup> The Jerusalem Post, [Iran cleric: People who are vaccinated for COVID have ‘become homosexuals’](#), 10 February 2021

The activists' statement read: "Ghotboddin Sadeghi's stance is a continuation of a policy that criminalizes the life of homosexuals, treats the bisexual society as sick and targets trans people with a call to stigmatize, marginalize and even eliminate this group from society." [...]

The group outlined the dangers of people in academia and the arts speaking out against the LGBTQ community, saying that these people had influence and could shape other people's perspectives and attitudes in turn.

The campaign and accompanying petition were launched by Melika Zar, an LGBTQ activist and one of the people behind the Sheshrang [Six Colors] campaign group, painter and activist Alireza Shojaeian, social analyst and feminist Mina Khani and researcher and artist Yasmin Fahbod.

In an interview with IranWire, Melika Zar described the aim of the statement and the need to protest against hateful remarks. [...]

"We have to choose whether we want to join the government in this repression or not. Ghotboddin Sadeghi, as a university lecturer and theater director, identifies a problem, not accounting for the corrupt system that is incapable of managing the different issues the country faces, and blames the LGBTQ community as the cause. [...]" [...]

Painter and activist Alireza Shojaeian has accused people who blame LGBTQ people for societal ills of trying to distract and confuse the public from the real factors at play. "This is one of the most widely-used approaches to avoid the problem," he said.

"Artists and intellectuals aligning with the government is not a new phenomenon. What is unfortunate is the uncertainty that it creates in the minds of the oppressed community about the role of the intellectuals and artists who also stand as teachers in society."<sup>313</sup>

The OONI, OutRight Action International, and the Citizen Lab's August 2021 research report on LGBTIQ website censorship explained that, in Iran: "A strict government-enforced system of social, religious, and legal norms that is defined by Shi'a jurisprudence has contributed to human rights violations against LGBTIQ individuals. Religious leaders in Iran have long demonized members of LGBTIQ communities".<sup>314</sup>

The April 2022 *Lancet Psychiatry* piece on conversion therapy of Iranian gay men stated that:

Religious institutions are opposed to homosexuality, leading to the rejection of gay men by families and society, the promotion of internalised stigma, and the development of pseudoscientific therapies by health professionals. Under the control of religious institutions, the Ministry of Health and Medical Education, the Ministry of Science, Research, and Technology, and the Psychology and Counseling Organization of Iran have condemned homosexuality. [...]

[...] in Iran, therapists and religious institutions continue to believe that attraction towards the same sex is harmful and should be changed.<sup>315</sup>

In June 2022, HRANA posted an article about increased state-sponsored discrimination against Iranian LGBTIQ+ communities, writing that:

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<sup>313</sup> IranWire, [Iranian LGBTQ Community Lashes Out Against Prominent Director's Homophobia](#), 7 April 2021

<sup>314</sup> Open Observatory of Network Interference (OONI), OutRight Action International, and The Citizen Lab, [No Access: LGBTIQ Website Censorship in Six Countries](#), 8 August 2021, p. 83

<sup>315</sup> Amir Kabir and Irwin Nazareth, ["Conversion therapy: a violation of human rights in Iranian gay men"](#), *The Lancet Psychiatry*, Volume 9, Issue 4, April 2022

An apparent grassroots group known as 'Halalzadeha' has been circulating content on social media inciting discriminatory language against sexual and gender minorities. The group is also known to hold gatherings in Tehran aimed at condemning same-sex marriage in other countries. During the last 22 Bahman March (Anniversary of the 1979 Revolution), they stepped and marched on rainbow flags incitement hostility against members of the LGBTQI+ community. The lack of attempt by police or security forces to interfere in the gatherings, which is a routine activity in the case of similar gatherings, indicates that such groups are potentially supported by the regime. [...]

Director and screenwriter, Behrouz Afkhami has made several homophobic statements during a TV talk show. Answering an interview question about the conditions for awarding at Cannes Film Festival he asserted, "If a film about an LGBT person participates in this festival, they spare special points for such film to take precedence over others in the competition." In response, the program host agreed and went on to identify homosexuality as a "sexual perversion."

Director and screenwriter, Ghotbeddin Sadeghi, in a speech defended the security fencing of Tehran City Theater premises and claimed, "Theatre premises have been occupied by thugs, criminals and queer people who do not observe the cultural sanctity of this place." In response to his homophobic statements, a group of artists and civil activists in the field of sexual and gender minorities published an open statement and condemned these statements as hate speech.<sup>316</sup>

6Rang's March 2023 report on official hate speech used against LGBT people in Iran as a tool of oppression wrote that:

Same sex acts have long been represented as immoral and anti-Islamic by the Islamic Republic regime. The highest-ranking officials often take part in vilifying LGBTQ+ individuals publicly and without regard. One of the ways in which officials have instigated hate against this minority group is by using Islam and religion. In December 2022, Supreme Leader Ali Khamenei gave a public speech in which he said:

"Banning *hamjensbazi* [faggotry] is not only a concern of Islam, but it is forbidden in all religions."17 [...]

In January 2023, Hojjatollah Masoud Ali, teacher at a seminary (*hawza*), said:

"Reducing and making hijab optional, allowing relationships between boys and girls, accepting homosexuality and ultimately destroying families are the goals of our enemies."21

In the same speech, he conflates this 'immorality' with the protests, saying, "in the past 100 days, the rioters have shown what they want!" [...]

More explicitly, In December 2022, Khorramabad's Friday prayer leader, Ahmadreza Shahrokhi, said, "the dispute is not over a few strands of hair ... those behind the scenes want to force homosexuality and marriage with animals on Muslims." [...]

17 <https://www.ghatreh.com/news/nn66296913/> ف-قط-ب-ازی-همجنس-م-ثل-ی-موضوع-م-نوع-یت-انقلاب-ی-ر ه [...] اسلام-م-رد-وط

21 <https://www.khabaronline.ir/news/> گان-آغوش-آزادی-از-اغ-تشا-ش-گران-م-منظور-م-یه-حوز-ه-د-ا-س-تا 317

<sup>316</sup> Human Rights Activists News Agency (HRANA), [State-Sponsored Discrimination against Iranian LGBTQI+ Communities Ramps up amidst a Growing and More Vocal Activist Community](#), 22 June 2022

<sup>317</sup> 6Rang (Iranian Lesbian & Transgender Network), [Silencing protests: Official hate speech against LGBT people as a tool of suppression](#), March 2023, pp. 8-9

6Rang's September 2023 report on the gender persecution of LGBTIQ+ protestors in the context of the 2022-23 Iran uprising wrote that:

The report suggests that the rise in hate speech is a reactionary act against the increased visibility of LGBTIQ+ persons and LGBTIQ+ issues in the protests.<sup>30</sup> Official hate speech in Iran has a long history and is becoming more prevalent. LGBTIQ+ persons are often said to be immoral, animalistic, and a constant threat to Islamic family values. Hate speech is used by all levels of government, including the president and the Supreme Leader.<sup>31</sup>

In January 2023, Hojjatollah Masoud Ali, teacher at a seminary (*hawza*), said:

"Reducing and making hijab optional, allowing relationships between boys and girls, accepting homosexuality and ultimately destroying families are the goals of our enemies."<sup>32</sup> In the same speech, he conflated this 'immorality' with the protests, saying, "in the past 100 days, the rioters have shown what they want!"

More explicitly, in December 2022, Khorramabad's Friday prayer leader, Ahmadreza Shahrokhi, said, "the dispute is not over a few strands of hair ... those behind the scenes want to force homosexuality and marriage with animals on Muslims."<sup>33</sup> [...]

<sup>30</sup> <https://6rang.org/english/3511/>.

<sup>31</sup> <https://shorturl.at/kJPW7>.

<sup>32</sup> <https://shorturl.at/ikrZ5>.

<sup>33</sup> Ibid.<sup>318</sup>

#### d. Impact of societal norms on state attitudes and vice versa

In their report on the state-sanctioned killing of sexual minorities in February 2021, Mai Sato and Christopher Alexander observed that: "Our interviewees indicated that the execution of sexual minorities is both 'politically costly' with regard to the international community [...] and is becoming increasingly unpopular among the Iranian public due to growing understanding and acceptance of homosexuality".<sup>319</sup>

6Rang's March 2023 report on official hate speech used against LGBT people in Iran as a tool of oppression described that:

The courage of the community making themselves visible has led to many speaking openly about their identities in case their families attempted to erase them.<sup>2</sup> There have been instances of LGBTQ+ people holding rainbow flags, kissing each other in public and graffitiing pro-LGBTQ+ sentiments. This courage and acts of visibility could not remain unnoticed by the Islamic Republic authorities. As this report outlines, the official hate speech towards LGBTQ+ community has been a response to increasing visibility. [...]

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<sup>318</sup> 6Rang (Iranian Lesbian & Transgender Network), [War on Bodies and Minds: Gender Persecution of LGBTIQ+ Protestors in the Context of the 2022-23 Iran Uprising](#), September 2023, p. 10

<sup>319</sup> Mai Sato and Christopher Alexander, [State-Sanctioned Killing of Sexual Minorities: Looking Beyond the Death Penalty](#), February 2021, p. 44

Although strides have been made in terms of visibility for LGBTQ+ people in the recent protests, hate speech is still rampant, especially amongst state officials who use it publicly to vilify LGBTQ+ people further. [...]

Amidst the peak of the protests in November 2022, a group of Basijis (a paramilitary group belonged to the Iranian Revolutionary Guard Corps (IRGC)) set rainbow flags on fire in front of the British Embassy in Tehran<sup>12</sup>. This was in direct protest of LGBTQ+ people being welcomed by protestors and being visible in protests. Disgusted by the role of the LGBTQ+ community in the protests, this horrifying and hateful state-sanctioned act was a reactionary outcry and attempt at instigating fear.<sup>13 14</sup> [...]

Officials have clearly been using existing societal homophobia to incite the fear of homosexuality spreading should the Islamic Republic fall. [...]

Furthermore, officials have used the existing societal hatred and ignorance against the LGBTQ+ community to invalidate the protests. [...]

2 This increased after the death of Nika Shakarami, whose family attempted to erase her identity as a queer woman. This came after Shadi Amin, a prominent LGBTQ+ activist, dedicated the Lesbian Visibility Award to her. An onslaught of online hate against her and anybody who claimed that Nika was queer followed, claiming that her name was being 'dirtied'. <https://www.washingtonblade.com/2022/11/30/even-in-death-we-fight-to-be-visible/> [...]

12 <https://www.instagram.com/p/CkOZ99BsvYM/?igshid=YmMyMTA2M2Y=>

13 <https://www.instagram.com/p/CkstEZ3MGER/?igshid=YmMyMTA2M2Y%3D>

14 <https://6rang.org/73692/><sup>320</sup>

6Rang's September 2023 report on the gender persecution of LGBTIQ+ protestors in the context of the 2022-23 Iran uprising wrote that:

During this period, members of the LGBTIQ+ community, particularly queer youth, were extremely visible in the protests. 6Rang's observation and communication with its network inside Iran confirmed that LGBTIQ+ individuals were one of the most involved groups, as they were aware that they would never gain rights or dignity under the current government. Many have not only actively participated in street protests but have also come forward with the struggles they have faced due to their identities. Some showed the rainbow flag on the streets or posted photos kissing their same-sex partners. The community witnessed unprecedented support - for example, graffiti on university campuses signposting it as a safe space for LGBTIQ+ persons. This did not go unnoticed by the authorities. On the contrary, it was used by them to pertain their narrative. [...]

Islamic Republic's high-ranking officials used pre-existing gender social prejudices to spread the fear of homosexuality being forced upon Iran if the Islamic Republic were to go by using hate speech to instigate a link between the protests and 'immorality'. By doing that, they imposed their "accepted" forms of gender expression and created a hostile environment against the LGBTIQ+ community and their participation in protests. Such imposition was not only prevalent among security, judicial, and prison authorities but also, at least to some extent, among opposition forces.<sup>321</sup>

<sup>320</sup> 6Rang (Iranian Lesbian & Transgender Network), [Silencing protests: Official hate speech against LGBT people as a tool of suppression](#), March 2023, pp. 5-10

<sup>321</sup> 6Rang (Iranian Lesbian & Transgender Network), [War on Bodies and Minds: Gender Persecution of LGBTIQ+ Protestors in the Context of the 2022-23 Iran Uprising](#), September 2023, pp. 9-10

The UN Human Rights Committee's November 2023 concluding observations on the fourth periodic report of the Islamic Republic of Iran and its implementation of the ICCPR stated that it is "concerned that the criminalization of consensual same-sex sexual relations between adults and of gender non-conformity fosters an environment for hate speech and hate crimes against lesbian, gay, bisexual and transgender individuals".<sup>322</sup>

## V. Treatment by Non-State Actors

### a. Harassment and violence

*For further relevant information consult also section IV. [Societal Attitudes Towards LGBTQI+ Individuals](#) and section V., b. [Discrimination](#).*

6Rang's September 2020 research report on structural and social violence against LGBTI people in Iran, based on a qualitative and quantitative online survey questionnaire shared on social media, found that:

Sexual minorities in Iran face constant threats, insults, harassments, blackmail and abuse in their daily life by non-state actors who feel emboldened to enact violence with impunity, due to discriminatory laws that criminalize same-sex conduct and transgender expression. For instance, one participant reported being surrendered to the police by her own family due to her non-binary gender expression. Also, a homosexual couple had to resign and leave their job because their relationship was "outed" or disclosed to their colleagues, which led to threats of them being handed over to the police by their employer. [...]

#### *Violence in education system*

According to the survey results, 107 of 230 participants reported having experienced violence in their educational environments. This means that almost half of them faced violence at school, or university. 18 percent of the participants reported having been constantly insulted and humiliated by the school administration.

Violence in a school or university is one of the most visible types of violence against the LGBTI community. This type of violence can take many forms ranging from physical violence to verbal, psychological, or even, sexual violence. It is often expressed through acts of bullying, intimidation, and repression by classmates, trainers, or other school staff. [...]

The current legal landscape of Iran that criminalizes same-sex conduct and gender-variant expression paired with the incitement to hate speech and hatred by top-ranking Iranian officials, not only provides the opportunity for, but also actively promotes abuse and violence against LGBTI people. This kind of abuse also takes the form of blackmail and extortion.

A great number of participants have also reported experiencing violence in their families cause of their sexual orientation and gender identity. Experiences of violence in the family involve beating, flogging, psychological abuse, forced isolation from friends and society, verbal abuse, and death threats. In case of lesbians and female-to-male transgender people, family abuse also elevated to threats to or actual coercion to arranged marriage. There have been reports of lesbians and trans individuals who were

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<sup>322</sup> UN International Convention on Civil and Political Rights, Human Rights Committee, [Concluding observations on the fourth periodic report of the Islamic Republic of Iran](#), 23 November 2023, p. 3

victims of honor-based violence. Families may kill, physically harm, or force their members into arranged marriages with the intent to protect or defend the honor or reputation of the family and/or the community. Iranian LGBTI people often have no recourse to justice for the violence and abuse they suffer in their families. Participants have given accounts of being beaten by their families until they abandoned their homes or were told to become “normal”. [...]

[...] over half of participants (62.2%) reported violence from a member of their nuclear family. [...]

Only a quarter of participants perceived their nuclear family as supportive when they were struggling with violent experiences, while 53 percent of them described their family as unsupportive. 26 percent of participants reported constant experience of violence during their childhood. Also, 24.34% of participants felt insecure about their family. Almost 26% of 6Rang survey participants reported forced marriage as a concern to different extents. [...]

LGBTI people persons also face violence from their intimate partners. 11.20 % of participants reported they are in a violent relationship. Examples of this type of abuse would be that an abusive partner may manipulate and convince the victim that no one will believe the abuse is real by using society’s heterosexist myths about aggression and violence. [...] Or similarly, an abusive partner may threaten to call the police, family, or friends and disclose the abused one’s sexuality. [...]

52.2% of participants reported experiencing violence in public spaces. Strangers in public accommodations, places of business, public transport, taxis, public toilets, and restaurants are another main source of violence against the LGBTI community in Iran. Additionally, 24.5% of participants reported having experienced cyber violence, which could be considered as a form of public space violence. [...]

These non-state actors also feel encouraged to engage in homophobic and transphobic acts because the absence of an adequate police response to incidents of sexual assault and rape allows them to do so with impunity. [...]

In the current study, 49.1 percent of participants experienced violence from their peer group including friends and classmates. Only 26% of them described their friend or peer group supportive.<sup>323</sup>

An article in IranWire in August 2020 wrote on honour killings of LGBTQ citizens in Iran. The article reported that:

Fariman Kashani [a feminist queer activist] says trans women tend to face greater levels of violence from their families than trans men do. However, trans men tend to keep silent about their ordeals. "You see, [the damage of] patriarchy is sometimes not obvious. Many families involuntarily prefer having sons. The fact that their son wants to have surgery and become a girl makes them angry. Transgender men are more silent, just like men who may be subjected to domestic violence but feel they can't talk about it because they are men. Then there are trans people who are married to men, which is often a very painful situation for them. The same goes for homosexual people. There is a lot of psychological harassment too. It is about being judged. And people feel they can ask them questions about the most private matters of their lives." [...]

"Gay people in Iran are in a much worse and more horrific situation than other people in the LGBTQ community," says Shaya Goldoust [a sexual minority rights activist]. "A gay man is not tolerated by either the family or society. Iran is one of the few countries in the world where homosexuals are at risk of being sentenced to death for having sex." [...]

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<sup>323</sup> 6Rang (Iranian Lesbian & Transgender Network), [Hidden Wounds: A Research Report on Violence Against LGBTI in Iran](#), September 2020, pp. 11, 13, and 16-21



Like Fariman Kashani, Shaya Goldoust says LGBTQ people live with a double violence: violence enforced by the law and violence emanating from society itself.<sup>324</sup>

6Rang's September 2020 research report on structural and social violence against LGBTI people in Iran stated that:

LGBTI individuals in Iran experience violence across all parts of their lives with instances combining and intersecting to create an existence in which LGBTI people are trapped in a life cycle of violence. Starting at home, their identity, gender expression, and sexuality is severely suppressed or rejected by family members. At school, LGBTI children and adolescents experience homophobic and transphobic motivated bullying, which directly impacts their ability and right to access education. Such discrimination is perpetrated by other students, teachers, and administrators and often continues at home because it makes them unable achieve higher marks or other things in education. While many of them may not even be able to finish high school, those who find a chance at higher education, still experience harassment, discrimination, and constant fear of disclosure and its legal consequences at the university and workplace. For many LGBTI youth, particularly those who are gender non-conforming, the lack of successful education combined with societal discrimination leads to difficulties in finding and keeping employment. Lack of a reliable job makes them financially dependent on their violent families. Financial needs also make them more susceptible to stay in abusive intimate relationships. For those who are lucky to find a stable job, hostile work environment and unwanted outing put them at the risk of unemployment.<sup>325</sup>

DW's February 2021 piece on the difficulties of being gay in Iran, referring to a report by the UN Special Rapporteur on the human rights situation in Iran, stated that: "The UN official said that by criminalizing consensual sex, the authorities in the Islamic Republic have legitimized violence against gays by both public officials and private citizens. He said such violence includes "torture, blows to the body, and even rape carried out by law enforcement agencies and vigilante groups."<sup>326</sup>

In their report on the state-sanctioned killing of sexual minorities in February 2021, Mai Sato and Christopher Alexander wrote that:

Even if one avoids contact with the Iranian criminal justice system, sexual (and gender) minorities often face persecution in their homes. Individuals report being subjected to various forms of abuse by their family members, including beatings and flogging, enforced seclusion and isolation from friends and society, neglect and abandonment, verbal insults and death threats (Iran Human Rights Documentation Center, 2013a). Whereas same-sex attracted men are more punitively treated in the Penal Code, women—and in particular lesbian and trans women—are disproportionately subjected to violence in the domestic sphere [...].<sup>327</sup>

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<sup>324</sup> IranWire, [A Dark History: Honor Killings of Iran's LGBTQ Citizens](#), 2 August 2020

<sup>325</sup> 6Rang (Iranian Lesbian & Transgender Network), [Hidden Wounds: A Research Report on Violence Against LGBTI in Iran](#), September 2020, p. 23

<sup>326</sup> Deutsche Welle (DW), [The difficulties of being gay in Iran](#), 26 February 2021

<sup>327</sup> Mai Sato and Christopher Alexander, [State-Sanctioned Killing of Sexual Minorities: Looking Beyond the Death Penalty](#), February 2021, p. 40



At the beginning of May 2021, 6Rang gave details on the murder Ali Fazeli Monfared, a twenty-year-old gay man in Iran, by his male relatives, publishing that:

Ali Fazeli Monfared, known to family and friends as Alireza, was a twenty-year-old gay man living in the neighborhood of Mahal Tasviye Shekar (Sugar Refining Path) in Ahvaz, Iran. Alireza was kidnapped by a group of men from his family, beheaded, and found the next day.

According to Aghil Bayat, an Arab LGBTQI activist who had been in touch with Alireza since late 2019, the murder took place following the revelation of Alireza's sexual orientation. This event took place when his half-brother opened an envelope containing Alireza's military exemption card.

These exemption cards are issued through the Islamic Revolutionary Guard Corps. Alireza received one by indicating that he was gay, which is permissible under Paragraph 5, Article 7 of the military exemption laws. Unfortunately, in Alireza's case, this selection cost him his life.

The men accused of Alireza's murder contacted his mother on Wednesday and informed her that she could find her son's dead body laying at the foot of a palm tree. [...]

Alireza's partner, who currently lives in Turkey, has informed 6rang that all three men associated with the murder have been arrested and charged with first degree murder.

The circumstances surrounding Alireza's murder reaffirm our concerns regarding the potential dangers of the sexual orientation exemption to young men in Iran. It highlights, once more, the necessity of proactive legislation in this area.<sup>328</sup>

Also writing on the murder of Alireza Fazeli Monfared in May 2021, Amnesty International's public statement detailed that:

According to informed sources interviewed by Amnesty International, Alireza Fazeli Monfared, who self-identified as a non-binary gay man, had been subjected to repeated homophobic and transphobic harassment and death threats by several of his male relatives, including his half-brothers and uncle, because he did not conform to the binary socio-cultural gender stereotypes and "norms" in Iran and socially constructed expectations of "masculinity". Amnesty International understands, from information provided by his friend and partner, that he had never reported such incidents to the police out of fear of being mocked or facing violence and prosecution at the hands of the authorities.

Alireza Fazeli Monfared's partner and a close friend of his separately told the organization that, on at least one occasion, in August 2020, the authorities had arbitrarily arrested and detained him for several days in connection with his Instagram account on which he had posted videos of himself dancing, amongst other things. Following his release, according to these informed sources, he was attacked in his home by a male relative who pulled out a gun and threatened to kill him because he said that Alireza Fazeli Monfared's arrest, and the reason for his arrest, was a source of "shame" to the family and damaged their "honour".

Alireza Fazeli Monfared's partner and friend told Amnesty International that in recent years, several male relatives had attempted to physically assault him and, on at least one occasion, around two years ago, they forcibly entered his home, but he was able to escape with the help of his mother.

Amnesty International understands from the sources interviewed that several male relatives in Alireza Fazeli Monfared's family often complained to his father about the way he expressed himself through his

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<sup>328</sup> 6Rang (Iranian Lesbian & Transgender Network), [Murder of a young Ahwazi gay man after the revelation of his sexual orientation through a military exemption card](#), 10 May 2021

clothes, make-up, speech and manner, including in the videos and pictures he posted on his Instagram account.

Amnesty International has listened to several voice messages that Alireza Fazeli Monfared had sent to his partner outside Iran in March 2021 in which he had said that he felt under pressure because he did not have the freedom to freely express himself in Iranian society and that he was making plans to leave the country. The organization understands that he had been due to leave the country a few days after the date he was murdered.

According to the individuals Amnesty International interviewed, including consultant psychotherapist, Dr Morris Setudegan, whom Alireza Fazeli Monfared had consulted on LGBTI rights in European countries, including gay marriage, he had been making plans to leave Iran as he felt constricted in the country because he could not freely express his gender identity and sexual orientation, had faced threats from relatives, and was forced to live a double life, all of which caused him distress and anguish.<sup>329</sup>

The same statement touched on laws and provisions within the Penal Code criminalizing same-sex sexual conduct between adults, writing that: “The laws [...] foster societal violence and discrimination against LGBTI people and create a climate of impunity for homophobic and transphobic hate crimes as well as harassment and intimidation by family members, colleagues, schoolmates, teachers, neighbours and members of the public”.<sup>330</sup>

In July 2021, the UN report on the situation of human rights in Iran wrote that “The Special Rapporteur continues to be seriously concerned at the extent of discrimination against lesbian, gay, bisexual and transgender individuals, especially at reports of the alleged killing of a young man by relatives due to his gender identity and sexual orientation,<sup>85</sup> and urges the Government to end discrimination against the lesbian, gay, bisexual and transgender community”.

[...] See [www.amnesty.org/download/Documents/MDE1341292021ENGLISH.PDF](http://www.amnesty.org/download/Documents/MDE1341292021ENGLISH.PDF).<sup>331</sup>

The OONI, OutRight Action International, and the Citizen Lab’s August 2021 research report on LGBTIQ website censorship explained that: “families often do not have sufficient information or resources to support their LGBTIQ loved ones, which can lead to bullying and violence”.<sup>332</sup>

In September 2021, IranWire published an article recounting the story of the rape of a gay Iranian man:

"I was taking driving lessons, and sometimes on the way home, I'd visited a café, sometimes with a friend. One morning I went into this café on my own, and no one was there except one member of staff. At first, I

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<sup>329</sup> Amnesty International, [Iran: Murder of 20-year-old gay man highlights urgent need to protect LGBTI rights](#), 17 May 2021, pp. 2-3

<sup>330</sup> Amnesty International, [Iran: Murder of 20-year-old gay man highlights urgent need to protect LGBTI rights](#), 17 May 2021, p. 5

<sup>331</sup> UN General Assembly, [Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Javaid Rehman](#), 16 July 2021, p. 14

<sup>332</sup> Open Observatory of Network Interference (OONI), OutRight Action International, and The Citizen Lab, [No Access: LGBTIQ Website Censorship in Six Countries](#), 8 August 2021, p. 84

liked him and we enjoyed a friendly chat. I saw him a few more times there. We became more intimate. We talked more and more... and I told him about my sexual orientation."

These are the words of Saeed, a 20-year-old gay man in Ahvaz, who has agreed to talk about the trauma of being raped in a culture where speaking out would make it all the worse. The experience, he says, has left him irreparably damaged; not just his body, but also his mind and soul. "I thought he liked me," he remembers. "I later found out that he had an intimate relationship with me just to get close to the girls I knew, the friends I usually went to the cafe with.

"A few weeks ago, it was almost midnight when I got a message from him on my phone saying that he wanted to see me late that night. Ever since, I have regretted looking at his message and messaging back. I wish I had never done it.

"He insisted I go to him, to his friend's house. I had never had sex with him. I did not trust him. It was late and I didn't want to leave the house. He kept insisting, and then he started threatening me. He knew my address and said if I didn't go to him, he would come to my house with my friends. I was scared and didn't know what to do. I didn't think he would come to the house, but if he did, I wouldn't know what to do in front of my family."

Saeed explains his family didn't know he was gay. He still hasn't really told them. In the past, people had suspected, and these situations had always cost him dear. Once, his mother checked his phone and read his personal messages. She warned him that he was playing with life and death and had to stop. She threatened to kick Saeed out of the house, saying he risked harm to her and to himself. His father does not live with them and is based outside Iran, but when his mother told him what she had discovered, he said he was going to return to Iran and kill his son with his bare hands — even if it meant he would spend the rest of his life in prison.

Talking to me today, Saeed seems to have trouble breathing. He stumbles over his words. "I had to go out, of fear and the disgrace he might cause. He attacked me; it didn't matter to him that I was a human being. It didn't matter to him that I was in pain. He was brutal. The worst part was when he whispered in my ear, cursing me, and my mother and my sister. I couldn't defend myself or resist."

[...] Asked why he didn't inform the police, Saeed simply says that if he had, he would have been prosecuted. And of course, his family would find out.

Saeed's rapist has since been in touch several times. Saeed does what he can to avoid him and to protect himself.<sup>333</sup>

The January 2022 ReportOUT piece on escalating crackdowns on LGBTQ+ people in Iran recorded the following:

A new phenomenon that has recently arisen in order to extend the hate is putting the rainbow flag on the ground of the streets during special events like the anniversary of the Revolution. The aim is to firstly raise awareness that this is the flag of "Sodomians" and putting gay men and women in potential dangers of getting reported if they are in anyway using this sign for social purposes (In Iran a large number of gay people use the flag sign in order to find each other and socialize). Secondly, for people that participate in these events to trample on the flag is seen as a sign of disrespect. An organisation named 'Halalzadeha' is behind this new movement.

Halalzadeha is supported by the state and has the authority to carry out these events. The organisation has stated their main goal as the reconstruction of the real family values (Halalzadeha, 2017). The first time that this organisation took action on this was on February 12th 2020, the Revolution anniversary

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<sup>333</sup> IranWire, [Iranian Gay Man: "I Couldn't Tell Police About My Rape"](#), 24 September 2021

day, and was reported by 6Rang, a non-governmental organization of lesbians and transgenders of Iran (6Rang, 2020), stating "The rainbow flag has also been added to the list of the state's enemies." The Islamic Republic of Iran has a history of burning, and trampling, on the the [sic] flags of opposing countries such as USA's flag and Israel's flag to provoke hate and aggression in people towards these countries. Now the rainbow flag is being targeted.

The most recent activity took place on October 16th 2021. Halalzadeha had made an official announcement of this event taking place both on their official website and social media pages including twitter and Telegram (Halalzadeha, 2021). It was specifically organized on the death anniversary of prophet Lut (The story of Lut is mentioned in Quran as the prophet who fought against the act of sodomy). This time, the families including children have participated in this event and were holding signs such as "Two people of the same sex do not make a couple", "We are the defenders of prophet Lut" and "homosexuality, the modern barbarism", as well as trampling the flag (Halalzadeha, 2021). [...]

Some quotes from Iranian LGBT people on the new flag phenomenon shows a mix of fear yet resilience:

*"I remember the first time they did it (putting the flag on floor). It happened in Mosalla street where Khamenei (The supreme leader) was making a speech... They know the meaning of the word they're using on the flag and they do it on purpose (The word "همجنس باز" has been used on the flag which is the equivalent to the word faggot in levels of offensiveness). I feel sorry for these people. They're uneducated and naïve. From the very young age, they've only been taught to hate and see the world as black and white. The fact is, many people in Iran are still uneducated about different sexualities and identities and before they get a chance at learning, these people come and introduce us as the enemy. The picture that shows a young boy with his parents hurts me deeply. They're bringing this kid up with the wrong information. Maybe this kid grows up to be a part of the LGBT himself and he's going to suffer from the internalized homophobia. Another picture shows teenagers participating in this event. They learn that their LGBT classmates are their enemies and these teenagers are going to suffer even more than they already are in schools."*

"They are going to consciously spread the hate in schools. Using the term "pervert" by this organization indicates that gay people are just all about sex and lust and they actively compare us with paedophiles! The government knows exactly what they're doing. If you go ten years back in time, they tended to deny the existence of us. Like when Ahmadinejad (former president) said "We don't have homosexuals in Iran" at Columbia University when asked about the LGBT rights in Iran. But today, they feel threatened by the courageous LGBT youth who try to educate people and now they are purposefully targeting us."

*"I'm so tired... we've been silenced for a long time... it just makes me hate this country and these people"*

*"I'm terrified to my core. They're encouraging people to hate us"*

*"The sorrow I felt seeing these photos is unreal! I have decided to come out just to show them we cannot be silenced"*

*"The LGBT flag is the new American flag to the Islamic Republic. They have announced a war against us. I don't live in Iran but I still want to be able to see and visit my family back in Iran and I feel like with the situation that is going on at the moment, I might not be able to go back ever again. At least until the current government is still ruling. Sometimes the uncertainty of the situation drives me mad. I don't want to think negative but this is the truth, if say for example there would be a family emergency, I would not be able to go back to Iran and this is absolutely heart breaking"*<sup>334</sup>

The February 2022 UK Parliament research briefing on LGBT+ rights and issues in the Middle East outlined that in Iran: "Social acceptance of homosexuality is generally low and the attitude towards

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<sup>334</sup> ReportOUT, [A New Crackdown? What is Currently Happening in Iran to LGBTQ+ People?](#), 4 January 2022

LGBT+ individuals is one of “don’t ask, don’t tell”. It frequently results in domestic abuse, families shunning those suspected of being LGBT+, or forcing them into arranged marriages or gender reassignment surgery”.<sup>335</sup>

Sayeh Isfahani’s April 2022 blog post in the Atlantic Council on the potential impact of a new Iranian Internet ‘Protection Bill’ on the LGBTQI community wrote that:

Beyond the state, queer individuals in Iran rely on online anonymity to evade hate crime, which in many cases, although sanctioned by the state, is perpetrated by their relatives.

A case in point is the horrendous murder of twenty-year-old Alireza Fazeli Monfared in May 2021. A queer member of Iran’s Arab ethnic minority, Alireza was decapitated and murdered by their relatives over their queer identity. This heinous crime was first revealed during a conversation on Twitter and later verified by activists. If it wasn’t for the Internet, the crime would have gone unreported or at least underreported.<sup>336</sup>

In June 2022, HRANA posted an article about increased state-sponsored discrimination against Iranian LGBTQI+ communities, writing that:

An apparent grassroots group known as ‘Halalzadeha’ has been circulating content on social media inciting discriminatory language against sexual and gender minorities. The group is also known to hold gatherings in Tehran aimed at condemning same-sex marriage in other countries. During the last 22 Bahman March (Anniversary of the 1979 Revolution), they stepped and marched on rainbow flags incitement hostility against members of the LGBTQI+ community. The lack of attempt by police or security forces to interfere in the gatherings, which is a routine activity in the case of similar gatherings, indicates that such groups are potentially supported by the regime.<sup>337</sup>

In its July 2022 country update for religious freedom in Iran, USCIRF commented that: “Iranian lesbians also have little legal recourse if forced by their families into heterosexual marriages where they are subjected to sexual relations with a man against their will”.<sup>338</sup>

Freedom House wrote in their annual 2023 Freedom in the World report for Iran, on events in 2022, that: “Members of the LGBT+ community face harassment and discrimination, though the problem is underreported due to the criminalized and hidden nature of these groups in Iran”.<sup>339</sup> The same statement was written in Freedom House’s 2022 report,<sup>340</sup> covering events in 2021, as well the 2021 report covering events in 2020.<sup>341</sup>

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<sup>335</sup> UK Parliament, [Research Briefing: LGBT+ rights and issues in the Middle East](#), 9 February 2022, p. 10

<sup>336</sup> Atlantic Council, [The Internet ‘Protection Bill’ will hurt all Iranians, but the queer community will have the most to lose](#), 12 April 2022

<sup>337</sup> Human Rights Activists News Agency (HRANA), [State-Sponsored Discrimination against Iranian LGBTQI+ Communities Ramps up amidst a Growing and More Vocal Activist Community](#), 22 June 2022

<sup>338</sup> US Commission on International Religious Freedom (USCIRF), [Country Update: Iran - Religious Freedom in Iran in 2022](#), July 2022, p. 4

<sup>339</sup> Freedom House, [Freedom in the World 2023: Iran Country Report](#), March 2023

<sup>340</sup> Freedom House, [Freedom in the World 2022: Iran Country Report](#), February 2022

<sup>341</sup> Freedom House, [Freedom in the World 2021: Iran Country Report](#), March 2021

The USDOS 2022 report on human rights practices in Iran, published in March 2023, remarked that: “Although the government does not collect official data on discrimination against LGBTQI+ individuals, NGOs report members of the LGBTQI+ community experience widespread discrimination in [...] personal safety, and within their own families”.<sup>342</sup>

6Rang’s March 2023 research on official hate speech used against LGBT people in Iran as a tool of oppression in the period of October 2022 to February 2023 found that: “An increase in hate speech has a direct, knock-on effect on the mental and physical wellbeing of LGBTQ+ people in Iran. The ostracised community experiences an exacerbation in domestic and social violence, harassment, prejudice from family members and immediate community, and abuse”.<sup>343</sup>

The USDOS 2023 trafficking in persons report for Iran, published in June 2023, wrote that: “Iranian and some foreign women and girls, as well as some men and LGBTQI+ persons, are highly vulnerable to sex trafficking in Iran”.<sup>344</sup>

Global Voices published an article in June 2023 sharing the story of Ashkan Shabani, a gay Iranian photographer now living in Turkey, who faced previous violence from within his family on account of his sexuality:

In 2020, as the world battled to survive the COVID-19 pandemic, Ashkan Shabani faced his own battle for survival.

For 13 years, he concealed his true identity as a gay man, living in secrecy, with his family in Iran. However, the delicate balance shattered when his father discovered him with his boyfriend of eight years. What followed was a nightmare, transforming his life from unfulfilled duplicity to a desperate fight for survival. He was faced with two options: a mental institution or death.

“I hadn’t seen my boyfriend in a long time due to the quarantine restrictions, and in a moment of misjudgment, I made a grave mistake. I invited him over, knowing that my parents were not at home.

My father returned home earlier, catching us both off guard. Shock and panic surged through me. I instinctively urged my boyfriend to run for his safety.

My father’s fury erupted, and he beat me mercilessly. At 26 years old, I felt powerless to stop him. Growing up with relentless beatings and constant humiliation made finding the courage to fight back incredibly challenging.

My father presented me with two choices: commit myself to a mental institution where I would be subjected to electroconvulsive therapy to “cure” my homosexuality, or face death.

I chose to flee.” [...]

Same-sex relationships are widely stigmatized, and official policies severely restrict the community’s ability to live normal lives. As a result, the LGBTQ+ community in Iran faces systemic suppression, discrimination, family rejection, and legal obstacles. [...]

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<sup>342</sup> US Department of State (USDOS), [2022 Country Reports on Human Rights Practices: Iran](#), 20 March 2023

<sup>343</sup> 6Rang (Iranian Lesbian & Transgender Network), [Silencing protests: Official hate speech against LGBT people as a tool of suppression](#), March 2023, p. 6

<sup>344</sup> US Department of State (USDOS), [2023 Trafficking in Persons Report: Iran](#), 15 June 2023

After fleeing from home at the age of 26, Shabani lived a nomadic existence, constantly on the move from one city to another. He resorted to sleeping in parks and public spaces, always trying to stay one step ahead. However, his well-connected father seemed to have an uncanny ability to track him down, sending him menacing threats of finding, raping, and killing him with the help of his uncles. It was a perpetual cycle of fear and desperation.<sup>345</sup>

6Rang's September 2023 report on the gender persecution of LGBTIQ+ protestors in the context of the 2022-23 Iran uprising recounted that:

Nika Shakarami was 16 years old at the time of her death. She had been partaking in a protest in Tehran when she was targeted by security forces and killed. [...]

After her death, it was found that Nika had been active on social media, known as a queer person to her followers and had a relationship with a 16-year-old girl in Germany, Nele. [...]

On 18th of November 2022, Shadi Amin, 6Rang Executive Director, dedicated her International Lesbian Visibility Award to LGBTI+ youth who lost their lives in the protests and named Nika Shakarami as one of these martyrs.<sup>36</sup>

She was heavily attacked on Twitter and Instagram for stating that Nika had been part of the LGBTIQ+ community, regardless of evidence that proved this.<sup>37</sup> The situation escalated to rape and death threats when Nika's aunt, under dubious circumstances, posted a conflicting statement on Instagram saying that Nika was certainly heterosexual. She also alleged that Shadi Amin received \$10,000 for dedicating the award to Nika, even though the award had not included a monetary prize. Thousands others attacked Amin for 'dirtying' their hero and making a fortune from her death. Amin has been placed under German police protection ever since.

In the wake of this smear campaign, not only was Nika's identity erased, but the focus on the news of the award was dampened. Moreover, it reflected the government's success in conflating homosexuality and immorality - the general public did not want to admit that one of the faces of the protests was queer.

The 2022-23 uprising was not an isolated event. It was only one event in the long history of the Iranian people's struggle for rights and dignity, especially that of women and marginalised groups, such as LGBTIQ+ persons. It, however, highlighted the institutionalised and systematic discrimination on the grounds of gender imposed by ideology, laws, and policies of the Islamic Republic. [...]

<sup>36</sup> <https://6rang.org/english/3410>.

<sup>37</sup> <https://www.washingtonblade.com/2022/11/30/even-in-death-we-fight-to-be-visible>.<sup>346</sup>

The same report also described the following accounts:

The story of Leni is a perfect example of how for LGBTIQ+ persons, deprivation of human rights in protests is a continuation of what they experience in the course of their ordinary life, and the similarities of the patterns of violations in both contexts.<sup>57</sup>

Leni is a 16-year-old gay man and a high school student in Isfahan. He described having been harassed and humiliated by his classmates and his teachers. He said the school principal referred to him using derogatory terms, and he was not able to report incidents of harassment to the school because of it. He

<sup>345</sup> Global Voices, [A gay Iranian photographer's journey of survival](#), 16 June 2023

<sup>346</sup> 6Rang (Iranian Lesbian & Transgender Network), [War on Bodies and Minds: Gender Persecution of LGBTIQ+ Protestors in the Context of the 2022-23 Iran Uprising](#), September 2023, pp. 11-12



talked about an incident where he was humiliated by students belonging to the Basij, as well as sexually harassed.<sup>58</sup> [...]

Selya is a 21-year-old non-binary university student in a city at central Iran. When the protests erupted in their university, they joined them. They were joining their classmates by not attending classes and not wearing hijab. They were sent to the university disciplinary committee by the intelligence department and were suspended for four weeks. The committee obtained a commitment letter from them that if they repeated the offence, they would be expelled. However, intimidation and harassment continued: "The head of *Herasat*<sup>89</sup> at the university once said to me because of my clothing and short hair: "You made yourself look like a man, but you can't be a man. You wear binders to hide your breasts, and what is between your legs but you will have to eventually suffocate while a man is on top of you!"<sup>90</sup> [...]

[...] Azarmitash, a 32-year-old non-binary trans participated in a protest in the city of Sari alongside a friend who was also trans.<sup>91</sup> They were chanting 'Woman, Life, Freedom' when they were verbally insulted by an old shopkeeper and when Azarmitash replied, the shopkeeper attempted to physically attack them. While other shopkeepers were trying to end the conflict, some agents of the municipality who were passing-by intervened and threatened them to leave immediately otherwise they would call the police and the police would detain them because of the way they dressed and their appearance.<sup>92</sup> [...]

57 Interview with Leni, April 2023 (his real identity is withheld for security reasons).

58 Ibid. [...]

89 See footnote 28. [The Intelligence Ministry has set up Herasat divisions within all civil institutions and universities across the nation, assigning them the responsibility of pinpointing potential security risks. Allegedly, Herasat representatives engage in monitoring staff (such as overseeing their communications), serve as sources of information, and exert control over recruitment and termination procedures. See:

[https://www.washingtoninstitute.org/policy-analysis/irans-coercive-apparatus-capacity-and-desire.](https://www.washingtoninstitute.org/policy-analysis/irans-coercive-apparatus-capacity-and-desire)]

90 6Rang Interview with Selya, August 2023 (their real identity is withheld for security reasons).

91 The exact name of the city and other details are withheld due to the security reasons.

92 6Rang Interview with Azarmitash, August 2023 (their real identity is withheld for security reasons).<sup>347</sup>

ILGA World, in their November 2023 report on the enforcement of laws criminalising consensual same-sex acts and diverse gender expressions, wrote on Iran that:

In August 2020 a self-described non-binary gay man by the name of Alireza Fazeli Monfared, from Khuzestan province, was arbitrarily arrested by police and detained for several days in connection to social media posts made by Monfared in which they were seen dancing and expressing themselves in a way likely not in line with a masculine gender expression. Upon release they were attacked by a male relative for bringing "shame" to the family". In 2021 Monfared was granted an exemption from military conscription because of their sexual orientation and gender expression. Iran's military regulations stipulate that individuals with "perversions that are contrary to social and military values" can receive a temporary or permanent deferral, and this is often used by queer individuals to escape the widely reported homophobic violence of the armed forces, even if it means formally submitting to the State's definition of their identities as "mental illness". However, it appears the exemption letter was seen by relatives, as on 4 May 2021 Alireza Fazeli Monfared's throat was slit in an apparent honour-killing. No suspects were arrested by Iranian authorities.<sup>285</sup> [...]

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<sup>347</sup> 6Rang (Iranian Lesbian & Transgender Network), [War on Bodies and Minds: Gender Persecution of LGBTIQ+ Protestors in the Context of the 2022-23 Iran Uprising](#), September 2023, pp. 19 and 26



285 “Iran: Murder of 20-year-old gay man highlights urgent need to protect LGBTI rights”, Amnesty International, 17 May 2021.<sup>348</sup>

## b. Discrimination

*For further relevant information consult also section V., a. [Harassment and violence](#).*

The January 2021 report of the UN Special Rapporteur on the situation of human rights in Iran stated that: “Ongoing discrimination against ethnic, religious and sexual minorities remains a serious concern” and that “The Special Rapporteur regrets that individuals who identify as lesbian, gay, bisexual and transgender experience human rights violations and widespread discrimination”.<sup>349</sup>

The USDOS 2020 report on human rights practices in Iran, published in March 2021, stated that: “Despite government programs to treat and provide financial and other assistance to persons with HIV/AIDS, international news sources and organizations reported that individuals known to be infected with HIV/AIDS faced widespread societal discrimination. Individuals with HIV or AIDS, for example, continued to be denied employment as teachers”.<sup>350</sup>

Amnesty International wrote in a public statement in May 2021 on laws and provisions within the Penal Code criminalizing same-sex sexual conduct between adults, stating that: “The laws [...] foster societal violence and discrimination against LGBTI people and create a climate of impunity for homophobic and transphobic hate crimes as well as harassment and intimidation by family members, colleagues, schoolmates, teachers, neighbours and members of the public”.<sup>351</sup>

Freedom House wrote in their annual Freedom in the World report for Iran, published March 2023 on events in 2022, that “Members of the LGBT+ community face harassment and discrimination, though the problem is underreported due to the criminalized and hidden nature of these groups in Iran”.<sup>352</sup> The same statement was written in Freedom House’s 2022 report,<sup>353</sup> covering events in 2021, as well the 2021 report covering events in 2020.<sup>354</sup>

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<sup>348</sup> ILGA (International Lesbian, Gay, Bisexual, Trans and Intersex Association) World, [Our Identities Under Arrest: A global review on the enforcement of laws criminalising consensual same-sex acts and diverse gender expressions](#), 30 November 2023, pp. 175-176

<sup>349</sup> UN General Assembly, [Situation of human rights in the Islamic Republic of Iran: Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Javād Rehmān](#), 11 January 2021, pp. 2 and 22

<sup>350</sup> US Department of State (USDOS), [2020 Country Reports on Human Rights Practices: Iran](#), 30 March 2021

<sup>351</sup> Amnesty International, [Iran: Murder of 20-year-old gay man highlights urgent need to protect LGBTI rights](#), 17 May 2021, p. 5

<sup>352</sup> Freedom House, [Freedom in the World 2023: Iran Country Report](#), March 2023

<sup>353</sup> Freedom House, [Freedom in the World 2022: Iran Country Report](#), February 2022

<sup>354</sup> Freedom House, [Freedom in the World 2021: Iran Country Report](#), March 2021

The USDOS 2022 report on human rights practices in Iran, published in March 2023, stated that “Although the government does not collect official data on discrimination against LGBTQI+ individuals, NGOs report members of the LGBTQI+ community experience widespread discrimination in education, employment, healthcare, personal safety, and within their own families”.<sup>355</sup>

#### i. Access to housing

DW’s April 2020 piece on Iran’s anti-LGBT policies putting transgender people at risk wrote that: “For many, going through the transition is the only way that they can legally live with their partner without fearing for their lives. “That’s why when they know that they have no rights as a homosexual, and they want to live with their partner, the only way they have to do this is by undergoing sex change surgery.” [Shadi Amin, the director of 6Rang]”.<sup>356</sup>

The following year, DW’s May 2021 article on transgender people in Iran also stated that: “For teenagers who come out in conservative settings, being disowned by family and struggling to find a place to live is a common experience”.<sup>357</sup>

#### ii. Access to and treatment in work

The *Iranian Studies* journal piece in March 2020 on gender transitions in Islamic law, theatre, and film in Iran outlined that: “when a man applies for a job in Iran, he has to show that he completed his mandatory military service or produce official documents proving an exemption; this requirement often creates problems for transmen”.<sup>358</sup>

6Rang’s September 2020 research report on structural and social violence against LGBTI people in Iran, based on a qualitative and quantitative online survey questionnaire shared on social media, found that:

[...] a homosexual couple had to resign and leave their job because their relationship was “outed” or disclosed to their colleagues, which led to threats of them being handed over to the police by their employer. [...]

LGBTI individuals in Iran experience violence across all parts of their lives with instances combining and intersecting to create an existence in which LGBTI people are trapped in a life cycle of violence. [...] While many of them may not even be able to finish high school, those who find a chance at higher education, still experience harassment, discrimination, and constant fear of disclosure and its legal consequences at the university and workplace.

For many LGBTI youth, particularly those who are gender non-conforming, the lack of successful education combined with societal discrimination leads to difficulties in finding and keeping employment.

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<sup>355</sup> US Department of State (USDOS), [2022 Country Reports on Human Rights Practices: Iran](#), 20 March 2023

<sup>356</sup> Deutsche Welle (DW), [How Iran's anti-LGBT policies put transgender people at risk](#), 28 April 2020

<sup>357</sup> Deutsche Welle (DW), [How transgender people navigate Iran](#), 16 May 2021

<sup>358</sup> Emily O’Dell, [“Performing Trans in Post-Revolutionary Iran: Gender Transitions in Islamic Law, Theatre, and Film”](#), *Iranian Studies*, Volume 53, Issue no. 1-2, March 2020, p. 135

Lack of a reliable job makes them financially dependent on their violent families. Financial needs also make them more susceptible to stay in abusive intimate relationships. For those who are lucky to find a stable job, hostile work environment and unwanted outing put them at the risk of unemployment.<sup>359</sup>

The USDOS 2020 report on human rights practices in Iran, published in March 2021, stated that: “Despite government programs to treat and provide financial and other assistance to persons with HIV/AIDS, international news sources and organizations reported that individuals known to be infected with HIV/AIDS faced widespread societal discrimination. Individuals with HIV or AIDS, for example, continued to be denied employment as teachers”.<sup>360</sup>

On the International Day Against Homophobia, Transphobia, and Biphobia in May 2021, HRANA published an article on the ongoing discrimination and violence against the Iranian LGBTQ+ community, writing that:

Although the National Statistics Center has never measured or published statistics on the unemployment of the transgender community, unemployment and job loss is a common concern among the transgender community living in Iran. Some transgender persons lose job opportunities because of their sexual identity and or refusal to undergo the suggested sex reassignment surgery. Several transgender persons try to hide their sexual identity from employers and colleagues even after sex reassignment surgery for job security.

In February 2020, HRANA reported on a transgender Iranian citizen deprived of employment due to the common Iranian perception that considers transgender persons “sick”. An example of such action involves a woman living in Tehran, “Delbar Ameri-Far”, who was prevented from continuing her work and renewing her license as an expert with the Iran Food and Drugs Administration (FDA). Ameri-Far was told that she could try again to get her license if she could provide sufficient documentation on her “continued treatment”. The letter from the Iranian FDA stated, “Your license renewal request will only be processed upon provision of medical documents certifying ongoing treatment and proof of your full health.”<sup>361</sup>

The February 2022 UK Parliament research briefing on LGBT+ rights and issues in the Middle East stated that in Iran: “Social acceptance of homosexuality is generally low and the attitude towards LGBT+ individuals is one of “don’t ask, don’t tell”. [...] Discrimination and bullying within education and in the workplace is widespread and blackmail is common”.<sup>362</sup>

Sayeh Isfahani’s April 2022 Atlantic Council blog post on the potential impact of a new Iranian Internet ‘Protection Bill’ on the LGBTQI community wrote that: “Iran is a society where people not conforming to

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<sup>359</sup> 6Rang (Iranian Lesbian & Transgender Network), [Hidden Wounds: A Research Report on Violence Against LGBTI in Iran](#), September 2020, pp. 11 and 23

<sup>360</sup> US Department of State (USDOS), [2020 Country Reports on Human Rights Practices: Iran](#), 30 March 2021

<sup>361</sup> Human Rights Activists News Agency (HRANA), [On the International Day Against Homophobia, Transphobia, and Biphobia HRA highlights the ongoing discrimination and violence against the Iranian LGBTQ+ community](#), 16 May 2021

<sup>362</sup> UK Parliament, [Research Briefing: LGBT+ rights and issues in the Middle East](#), 9 February 2022, p. 10

heteronormative social constructs are shunned and systematically deprived of basic human rights, including the right to work”.<sup>363</sup>

The USDOS 2022 report on human rights practices in Iran, published in March 2023, noted that: “Although the government does not collect official data on discrimination against LGBTQI+ individuals, NGOs report members of the LGBTQI+ community experience widespread discrimination in [...] employment”.<sup>364</sup>

Amnesty International wrote in their annual report on events in 2022, published in March 2023, that, in Iran: “Gender non-conforming individuals risked criminalization and denial of access to education and employment”.<sup>365</sup>

## VI. Treatment of LGBTQI+ Organizations and Human Rights Defenders

### a. Government recognition of LGBTQI+ NGOs

6Rang’s September 2020 research report on structural and social violence against LGBTI people in Iran stated that officials “continue to suppress any form of civil activism and defense of human rights that is concerned with gender identity and sexual orientation”.<sup>366</sup>

The USDOS 2020 report on human rights practices in Iran, published in March 2021, indicated that “There were active, unregistered LGBTI NGOs and activists in the country”,<sup>367</sup> similarly reported in the 2021 report, published in April 2022.<sup>368</sup>

Writing on the murder of Alireza Fazeli Monfared, Radio Free Europe/Radio Liberty stated in May 2021 that:

Both Kermanshahi [Berlin-based human rights activist Kaveh Kermanshahi] and Parsi [Arsham Parsi, a Toronto-based, Iranian gay-rights activist and head of the International Railroad for Queer Refugees] believe that a large number of killings in Iran due to someone's sexual orientation go unreported. “Queers who have been in contact with these people fear reporting or investigating the cases because they can be outed in the society therefore these cases often happen in silence,” Kermanshahi said.

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<sup>363</sup> Atlantic Council, [‘The Internet ‘Protection Bill’ will hurt all Iranians, but the queer community will have the most to lose](#), 12 April 2022

<sup>364</sup> US Department of State (USDOS), [2022 Country Reports on Human Rights Practices: Iran](#), 20 March 2023

<sup>365</sup> Amnesty International, [Amnesty International Report 2022/23: The state of the world’s human rights](#), 27 March 2023, p. 199

<sup>366</sup> 6Rang (Iranian Lesbian & Transgender Network), [Hidden Wounds: A Research Report on Violence Against LGBTI in Iran](#), September 2020, p. 12

<sup>367</sup> US Department of State (USDOS), [2020 Country Reports on Human Rights Practices: Iran](#), 30 March 2021

<sup>368</sup> US Department of State (USDOS), [2021 Country Reports on Human Rights Practices: Iran](#), 12 April 2022

"When it comes to uxoricide, we have women's rights activists who highlight these cases," he said. "But in Iran we don't have the possibility of queer activists working actively therefore it is possible that other cases -- like [Fazeli Monfared's] murder and [gay suicides] -- are not being reported."<sup>369</sup>

The OONI, OutRight Action International, and the Citizen Lab's August 2021 research report on LGBTIQ website censorship in six countries, including Iran, stated that: "Shadi Amin [an Iranian writer, activist, and director of 6Rang], explained that LGBTIQ-related censorship is often justified on the grounds of safeguarding morality.<sup>391</sup> This pervasive censorship of local and international websites has particularly damaged the ability of LGBTIQ people in Iran to organize domestic and transnational advocacy initiatives.<sup>392</sup>".

[...] <sup>391</sup> Amin, interview.

<sup>392</sup> Ibid.<sup>370</sup>

Freedom House noted in their annual Freedom in the World report for Iran, published in March 2023 and focusing on events in 2022, that: "Nongovernmental organizations (NGOs) that seek to address human rights violations are generally suppressed by the state".<sup>371</sup>

In Outright International's September 2023 report on the global state of LGBTIQ organising, Iran is categorised as one of the countries where "LGBTIQ CSOs [civil society organisations] exist, but registration as openly LGBTIQ is prohibited or generally impossible".<sup>372</sup>

The UN Human Rights Committee's November 2023 concluding observations on the fourth periodic report of Iran and its implementation of the ICCPR stated that:

The Committee remains concerned about acts that serve to restrict the freedom of association, such as preventing meetings from taking place and arbitrarily arresting members of civic associations and trade unions, including members of the Iranian Teachers Trade Association and the Free Union of Iranian Workers. The Committee remains concerned by the involuntary closing of Iman Ali's Popular Student Relief Society, the Imam Ali Charitable Society and Khaneh Khorshid. The committee is also concerned by the denials of registration of civil society organizations and the requirement to comply with the "principles of Islam" for the establishment of associations (art. 22)".<sup>373</sup>

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<sup>369</sup> Radio Free Europe/Radio Liberty, [Horrible Killing Of Young Gay Man Puts Plight Of Iran's LGBT Community In Spotlight](#), 11 May 2021

<sup>370</sup> Open Observatory of Network Interference (OONI), OutRight Action International, and The Citizen Lab, [No Access: LGBTIQ Website Censorship in Six Countries](#), 8 August 2021, p. 87

<sup>371</sup> Freedom House, [Freedom in the World 2023: Iran Country Report](#), March 2023

<sup>372</sup> Outright International, [The Global State of LGBTIQ Organizing: The Right to Register and the Freedom to Operate 2023](#), 14 September 2023, p. 74

<sup>373</sup> UN International Convention on Civil and Political Rights, Human Rights Committee, [Concluding observations on the fourth periodic report of the Islamic Republic of Iran](#), 23 November 2023, p. 12

b. State treatment of LGBTQI+ activists or those supporting their case or those perceived as such

*For further relevant information consult also section II., b., i. [Arrests](#) and section II., b., iv. [Prosecutions and convictions under laws that are deployed against the LGBTQI+ community](#).*

In December 2020, Radio Free Europe/Radio Liberty reported on the sentencing of British-Iranian anthropologist Kameel Ahmady: “Tasnim reported Ahmady was charged with cooperation with European embassies to promote homosexuality, visiting Israel, cooperation and communication with hostile media, and providing false reports to the UN’s special rapporteur on human rights in Iran”.<sup>374</sup>

In their report on the state-sanctioned killing of sexual minorities in February 2021, Mai Sato and Christopher Alexander wrote that:

When prosecuted for same-sex sexual conduct, defendants often struggle to find a lawyer:

One of our biggest challenges in Iran is to find a legal representative . . . No one would like to do it. We had just a couple of lawyers who take LGBT case several years ago, and they had to escape Iran and claim asylum . . . And the reason is that homosexuality is punishable by death in Iran according to Islamic punishment code. If anyone wants to challenge that rule, [they are deemed to be] against this rule, therefore you are against Islamic rule, therefore you are against Islam, and therefore you are against God. That person [the lawyer] can be executed or killed for being immoral or infidel . . . A lot of lawyers are reluctant to take those cases because they don’t want to lose their license, they don’t want to be accused that they’re supporting LGBT causes. [...]34 [...]

34 A human rights lawyer who used to practice in Iran spoke about how the Iranian authorities were not happy with him defending death penalty cases including sexual minorities, children, and women, which led to his eventual departure from Iran [...].<sup>375</sup>

In January 2022, 6Rang reported, referring to the imprisoned LGBTI rights activist Zahra Sedighi-Hamadani (Sareh), that:

IRGC [Islamic Revolutionary Guard Corps] intelligence agents recently hacked the Telegram account of an imprisoned Iranian LGBTI rights activist, replacing her profile picture with propaganda messages. The IRGC often hacks the social media accounts of LGBTI activists, in order to spread fear amongst the Iranian LGBTI community and limit activists’ ability to interact on social media. The fact that the IRGC agents gained access to Sareh’s account indicates that, if it wasn’t hacked, the agents may have obtained her Telegram login info from her via torture.<sup>376</sup>

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<sup>374</sup> Radio Free Europe/Radio Liberty, [Iran Sentences British-Iranian Academic To Eight Years In Prison](#), 14 December 2020

<sup>375</sup> Mai Sato and Christopher Alexander, [State-Sanctioned Killing of Sexual Minorities: Looking Beyond the Death Penalty](#), February 2021, pp. 39-40

<sup>376</sup> 6Rang (Iranian Lesbian & Transgender Network), [IRGC intelligence agents hack an LGBTI activist’s Telegram account](#), 12 January 2022

In July 2022, IranWire reported on Zahra Sedighi-Hamadani (Sareh), a detained LGBT+ rights activist, being framed as a “trafficker” in Iran. It stated that:

In a video report aired by the hardline Tasnim News Agency on behalf of the IRGC-IO [Intelligence Organization of the Islamic Revolutionary Guard Corps] on Monday, Sareh – whose name was there given as Zahra Mansouri-Hamedani – was accused of running “one of the largest prostitution networks in Erbil”. The report claimed she was aided by two other individuals reportedly also now in custody, Alireza Farjadi-Kia and a friend known only as “Kati”.

Described as an “obscene gang”, the three detainees were said to have smuggled “more than a thousand Iranian girls” for sale in the capital of Iraqi Kurdistan. The report featured as “evidence” some blurred footage of nightclub interiors, in which the subjects were not named or identifiable. [...]

In the same period, Sareh’s friends were arrested and made to give forced confessions against her, some of which then aired on state TV. Shesh-rang reports that these individuals had been promised the footage would not be broadcast.<sup>377</sup>

FIDH also reported in September 2022 on the death sentences given to Zahra Sedighi-Hamadani (Sareh) and Elham Choubdar for speaking in support of LGBTQI+ rights. It stated that:

On August 10, 2022, the Islamic Revolution Court of Urmia, West Azerbaijan Province, tried LGBTQI+ rights defender Ms. Zahra (aka Sareh) Sedighi Hamedani and Ms. Elham Chubdar, another woman active on LGBTQI+ matters online and associated with Ms. Sedighi Hamedani. The two were found guilty of “spreading corruption on earth” (Article 286 of the Islamic Penal Code) through “being members of gangs smuggling young women and girls, promoting homosexuality, proselytising Christianity, and contacts with opposition media”. They were sentenced to death, following a grossly unfair trial. While the date of their conviction is unknown, the two women learned of their sentences on September 1, 2022, in the women’s wing of Urmia jail, where they have been arbitrarily detained since late 2021. Their sentences have been appealed to the Supreme Court, which will examine their cases in the coming months.

Zahra Sedighi Hamedani is an Iranian LGBTQI+ activist. She operated a Telegram channel for LGBTQI+ people, was active on Instagram, and gave interviews on abuses against sexual minorities.

Ms. Sedighi Hamedani was arrested by the Iranian security forces on October 27, 2021, while she attempted to cross the Iran-Turkey border to seek asylum in Turkey. The charges against her stemmed from her public defence of the human rights of the LGBTQI+ community on social media and an appearance in a BBC documentary aired in May 2021 about the abuses that members of this community suffer in the Kurdistan Region of northern Iraq (KRG), where she had lived for some time. Ms. Sedighi Hamedani returned to Iran after she was arbitrarily detained in solitary confinement for 21 days and tortured by Iraqi Kurdistan’s security and intelligence agents in October 2021, because of her appearance in the above-mentioned BBC documentary. Following her arrest, Ms. Sedighi Hamedani was held in solitary confinement for 53 days, during which she was subjected to abusive interrogations, homophobic insults, threats of losing custody of her children and death threats made by the Revolution Guards. Ms. Elham Chubdar was arrested about a month after Ms. Sedighi Hamedani.<sup>378</sup>

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<sup>377</sup> IranWire, [Detained LGBT+ Rights Activist Framed as “Trafficker” in Iran](#), 20 July 2022

<sup>378</sup> International Federation for Human Rights (FIDH) and League for the Defense of Human Rights in Iran (LDDHI), [Iran: Death sentence against two women for speaking out in support of LGBTQI+ rights](#), 22 September 2022

A week later, UN experts called against the planned executions of the two women in Iran relation to their support for the human rights of LGBT people. The press release stated that:

Iranian judicial authorities prosecuted human rights defender Zahra Sedighi-Hamadani and Elham Choubdar in August 2022 and notified them on 1 September 2022 that they had been convicted and sentenced to death by the Islamic Revolution Court of Urumieh.

They were convicted on charges of “corruption on earth” and “trafficking”.

“We strongly condemn the sentencing of Ms. Sedighi-Hamadani and Ms. Choubdar to death and call on authorities to stay their executions and annul their sentences as soon as possible,” the experts said. “Authorities must ensure the health and well-being of both women, and promptly release them from detention.” [...]

While the judicial decision and sentencing order are not public, the experts were informed that the charges concerned speech and actions in support of the human rights of lesbian, gay, bisexual, and trans and other gender-diverse (LGBT) persons who face discrimination in Iran based on their sexual orientation and gender identity. The experts also received reports that the trafficking charges against the women were related to their efforts to assist persons at risk to leave Iranian territory.

The experts have expressed concerns to the Government of Iran that the two women may have been arbitrarily detained, ill-treated, and prosecuted on the discriminatory basis of sexual orientation or gender identity, including criminalisation of LGBT people whose human rights they were supporting through speech and peaceful action. To date, no response has been received.

Sedighi-Hamedani was arrested on 27 October 2021 by Islamic Revolutionary Guards near the Iranian border with Türkiye. Choubdar was arrested on an unknown date afterwards. Sedighi-Hamedani was reportedly forcibly disappeared for 53 days following her arrest and subjected to abuse and discriminatory insults in a detention centre in Urumieh, where she was held from October to December 2021.<sup>379</sup>

In September 2022, 6Rang’s fact sheet on Zahra Sadighi Hamedani (Sareh) and Elham Choubdar gave the following further information:

On 27 October 2021, she [Sareh] was arrested by the Islamic Revolutionary Guard Corps (IRGC) forces in the province of West Azerbaijan. Following her arrest, she was forcibly disappeared for 53 days. It subsequently transpired that the Revolutionary Guards held her in solitary confinement in a detention centre in Urumieh. During this period, she says a Revolutionary Guard agent subjected her to intense interrogations, accompanied by verbal abuse and insults directed at her identity and appearance, threatened to execute or otherwise harm her, and threatened to have her two children removed from her custody. These acts violate the absolute prohibition on torture and other ill-treatment. The interrogators used torture and ill-treatment to force Sareh to confess that she was involved in trafficking Iranian women to Iraqi Kurdistan for prostitution. Despite enormous pressure, she refused to provide them with false confessions.

On 30 December 2021, the Intelligence Organization of the Revolutionary Guards took over Sareh’s Telegram channel, which had about 1,200 followers. They changed the profile picture to the logo of the

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<sup>379</sup> UN Human Rights Office of the High Commissioner (OHCHR), [Iran: UN experts demand stay of execution for two women, including LGBT activist](#), 28 September 2022



intelligence organization and posted a message, which stated, “Protecting family values is the red line of the unknown soldiers of Imam Zaman [the title used for Mahdi, the 12th Shia Imam] for the Intelligence Organization of the Revolutionary Guards.”

On 16 January, 2022, Sareh was brought before the lead investigator of Branch 6 of the Office of the Revolutionary and Public Prosecutor in Urumieh, who informed her that she was accused of “Corruption on Earth” including through “promoting homosexuality”, “communication with anti-Islamic Republic media channels” and “promoting Christianity”. The first two accusations stem from her public defence of LGBTIQ rights, including on her social media platforms and in an appearance on a BBC documentary aired in May 2021 about the abuses that LGBTI people suffer in the Kurdistan Region of Iraq. [...] Her case has since been referred to the head of the Office of the Revolutionary and Public Prosecutor in Urumieh to issue a formal indictment.

In early July 2022, Tasnim, an IRGC news agency published a video accusing Sareh of [sic] taking part in sex trafficking. The video showed the interviews of two individuals who said that Sareh was involved in seducing Iranian women and girls and trafficking them to Iraqi Kurdistan to exploit them. 6Rang research confirms that those interviews were taken from detainees under duress and in exchange for the authorities promises to free them.

In July 2022, Branch 111 of the Urumieh Criminal Court made a decision on Sareh’s charges of illegal entry to Iran, encouraging corruption and prostitution. Elham Choubdar was also tried in the same case for encouraging corruption and prostitution. The judge fined Sareh 53,000,000 rials (\$200) for illegally crossing borders. As for the other charges of encouraging corruption and prostitution, of both Sareh and Elham, the judgement stated that the court will not assess these charges. This is because the case, with similar charges and evidence had been referred to the Revolutionary Court and the jurisdiction on assessing cases with *hოდud* charges (which Corruption on Earth falls under) lies exclusively with the Revolutionary Court. Under Islamic law, *hოდud* crimes (Apostasy, Corruption on Earth, Revolt against the Ruler, Theft, Highway Robbery, Adultery, Slander, and drinking alcohol) carry penalties that include the amputation of hands and feet, flogging, and death.

On 10 August 2022, the Urumieh Revolutionary Court held a session. Based on evidence, 6Rang believes that in addition to the content of Sareh’s online activities and interviews, the forced confessions of other detainees against her were used as evidence against her.

On 1 September 2022, Sareh received the news that the Urumieh Revolutionary Court that sentenced her to death for Corruption on Earth. Sareh and her lawyer can appeal the case within 20 days and a branch at Iran’s Supreme Court will review the case.<sup>380</sup>

Similarly, Freedom House wrote in their annual Freedom in the World report for Iran, published March 2023 on events in 2022, that “In September 2022, a rights group reported that two LGBT+ activists had been sentenced to death for supposedly promoting homosexuality. The judiciary confirmed the sentence but said the case was connected to human trafficking”.<sup>381</sup>

On 18 March 2023, 6Rang gave the following update:

6Rang is pleased to announce that Zahra Sedighi Hamedani, better known as Sareh, was released from Urmia Prison this morning.

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<sup>380</sup> 6Rang (Iranian Lesbian & Transgender Network), [Fact sheet on Zahra Sadighi Hamedani \(Sareh\) and Elham Choubdar](#), September 2022

<sup>381</sup> Freedom House, [Freedom in the World 2023: Iran Country Report](#), March 2023

Sareh, an LGBTQ+ rights activist, was arrested in the West Azerbaijan province on 27th of October 2021 by the IRGC. She was later sentenced to death. [...]

Zahra Sedighi Hamedani, also known as Sareh, was convicted of corruption on earth for promoting homosexuality. She was sentenced to death by the Islamic Revolutionary Court on September 1st, 2022. Her sentence was dropped on December 28th, 2022, and she was freed today after the payment of her bail.<sup>382</sup>

In September 2023, The Guardian reported on the Iran government “orchestrating a Europe-wide campaign of harassment, surveillance, kidnap plots and death threats targeting political activists who are protesting against the regime”.<sup>383</sup> It stated that:

Shadi Amin, an Iranian LGBTQ+ activist in Germany, was warned by the security services there that she was under threat from Iranian hackers and agents. The police came to her house to check the locks and bolts on the door, and spent weeks inspecting her digital devices, which she was later advised not to use due to the threat from Iran’s hackers. [...]

Despite efforts to protect her, Amin still feels unsafe. “I cannot trust anybody – the situation for me is the same as the 1980s in Iran. I cannot have friends over or give anybody my address. The German government is not in a position to give us the safety that we expected,” she said.

Another LGBTQ+ activist in Germany, Mina Khani, was provided with bodyguards by the state and warned by the German security services that her personal details were being circulated on Iranian hacker forums.<sup>384</sup>

In October 2023, Freedom House reported in its Freedom on the Net report for Iran that “A surge in online campaigning for LGBT+ rights was also seen.<sup>171</sup> These campaigns and online mobilization efforts often resulted in heavy-handed retaliation from authorities”.

[...] <sup>171</sup> Khosro Kalbasi Isfahani, “Iran protests: LGBTQ community rises up,” BBC News, April 19, 2023, <https://www.bbc.co.uk/news/world-middle-east-64864132><sup>385</sup>

The UN Human Rights Committee’s November 2023 concluding observations on the fourth periodic report of the Islamic Republic of Iran and its implementation of the ICCPR stated that it is “concerned by the prosecution of human rights defenders who advocate on behalf of sexual or gender minorities, and that some defenders, such as Zahra (Sareh) Sedighi Hamadani and Elham Chobdar, had been sentenced to death”.<sup>386</sup>

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<sup>382</sup> 6Rang (Iranian Lesbian & Transgender Network), [Zahra \(Sareh\) Sedighi Hamedani to be released from Urmia Prison after the payment of her \\$45,000 bail](#), 18 March 2023

<sup>383</sup> The Guardian, [Iranian activists across Europe are targets of threats and harassment](#), 22 September 2023

<sup>384</sup> The Guardian, [Iranian activists across Europe are targets of threats and harassment](#), 22 September 2023

<sup>385</sup> Freedom House, [Freedom on the Net 2023: Iran](#), 4 October 2023

<sup>386</sup> UN International Convention on Civil and Political Rights, Human Rights Committee, [Concluding observations on the fourth periodic report of the Islamic Republic of Iran](#), 23 November 2023, p. 3

## VII. Availability of State Protection

### a. Investigation and prosecution of crimes against LGBTQI+ individuals

*For further relevant information consult also section II., a., iii. [Other relevant legislation affecting LGBTQI+ persons](#).*

LGBTQ Nation wrote in March 2020 on forced gender transition surgeries in Iran, reporting on the Iranian LGBTQ activist Shadi Amin accusing the Iranian authorities of “forcing thousands of gay men every year to undergo gender-affirming surgeries to switch their gender in an attempt to turn them into heterosexuals”.<sup>387</sup> The article also wrote that, after transitioning, “Lacking familial and social support, many go into sex work and experience physical and sexual violence. This violence can go unpunished; Iran also has no hate crime laws punishing assault against queer individuals”.<sup>388</sup>

6Rang’s September 2020 research on structural and social violence against LGBTI people in Iran found that: “68 percent of the participants reported they never or rarely took legal action when they faced violence, which possibly reflects their distrust in, and the unreliability of, the judiciary system” and that “non-state actors also feel encouraged to engage in homophobic and transphobic acts because the absence of an adequate police response to incidents of sexual assault and rape allows them to do so with impunity”.<sup>389</sup> The report further revealed that “only 15 % of participants rely on legal support regularly”.<sup>390</sup>

In their report on the state-sanctioned killing of sexual minorities in February 2021, Mai Sato and Christopher Alexander explained that: “As same-sex intimacy is criminalised in Iran, the victims of same-sex rape, as well as persons blackmailed on the basis of their sexual orientation, have little means of recourse—whether to the police, the Pasdaran (the ‘Revolutionary Guards’, a branch of the Iranian Armed Forces), or the Basij, a paramilitary volunteer militia acting as a ‘morality police’”.<sup>391</sup>

In March 2021, the meeting summary for a UN Human Rights Council interactive dialogue with Javaid Rehman, Special Rapporteur on the situation of human rights in Iran, wrote that: “Multiple speakers brought up the mistreatment of the lesbian, gay, bisexual, transgender, queer and intersex community and the importance of protecting these individuals. [...] A culture of endemic impunity existed in Iran

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<sup>387</sup> LGBTQ Nation, [Iran is forcing gay men to have gender transition surgeries to “make them straight”](#), 3 March 2020

<sup>388</sup> LGBTQ Nation, [Iran is forcing gay men to have gender transition surgeries to “make them straight”](#), 3 March 2020

<sup>389</sup> 6Rang (Iranian Lesbian & Transgender Network), [Hidden Wounds: A Research Report on Violence Against LGBTI in Iran](#), September 2020, pp. 10 and 21

<sup>390</sup> 6Rang (Iranian Lesbian & Transgender Network), [Hidden Wounds: A Research Report on Violence Against LGBTI in Iran](#), September 2020, p. 24

<sup>391</sup> Mai Sato and Christopher Alexander, [State-Sanctioned Killing of Sexual Minorities: Looking Beyond the Death Penalty](#), February 2021, p. 39

with regards to State violence, including against women, human rights defenders, political protesters and lesbian, gay, bisexual, transgender and intersex children”.<sup>392</sup>

In reference to Iran’s laws criminalising forms of gender and sexual expression of the LGBTQI community, ARTICLE19 noted in May 2021 that: “Such laws along with pervasive impunity for police and other state actors for their abuse and discrimination against marginalised groups and dissenting voices, provide for a limited space for protection for the LGBTQI community, and perpetuates a culture of homophobia and transphobia and impunity for discrimination and abuse against LGBTQI people”.<sup>393</sup>

DW’s May 2021 article on transgender people in Iran wrote that: “Iranian law does not protect trans people against stigmatization, hate crimes or domestic violence, and the government has no concrete plan for normalizing and demarginalizing trans people”.<sup>394</sup>

The same month, Amnesty International wrote that it was:

[...] renewing its calls on the Iranian authorities to repeal laws which criminalize consensual same-sex relations in Iran, including through the application of the death penalty and flogging, and which ban clothing, hairstyles, and other forms of gender expression that do not conform to strict binary gender “norms” enforced by the establishment. Amnesty International reiterates its serious concerns that these laws legitimize and act as official incitement to or justification for systematic discrimination and violence against lesbian, gay, bisexual, transgender and intersex (LGBTI) individuals in Iran, including in state custody, on the street, at school and workplace or in the home. They also result in impunity for arbitrary arrest and detention, torture and other serious human rights violations by state actors on the basis of perceived or real sexual orientation and gender identity. Such laws further foster an environment where serious injury of LGBTI individuals at the hands of non-state actors are tolerated and carried out with impunity.<sup>395</sup>

Writing further on the murder of Alireza Fazeli Monfared, the same Amnesty International public statement noted that: “As of 17 May 2021, Amnesty International understands that the authorities had not yet arrested any of the perpetrators, even though the identities of those reasonably suspected of having carried out his abduction and murder are known to the authorities. Given the state sanctioned discrimination and violence against LGBTI people in Iran and the prevailing climate of impunity for such human rights violations, there are concerns that Alireza Fazeli Monfared’s murder may go unpunished”.<sup>396</sup>

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<sup>392</sup> UN Press Centre, [AFTERNOON - Special Rapporteur on Iran: Sanctions and the Government’s “Inadequate and Opaque” Response Have Exacerbated COVID-19’s Impact in Iran](#), 9 March 2021

<sup>393</sup> ARTICLE19, [Iran: Horrific killing of Alireza Fazeli-Monfared shines light on brutal repression of LGBTQ people](#), 12 May 2021

<sup>394</sup> Deutsche Welle (DW), [How transgender people navigate Iran](#), 16 May 2021

<sup>395</sup> Amnesty International, [Iran: Murder of 20-year-old gay man highlights urgent need to protect LGBTI rights](#), 17 May 2021, p. 1

<sup>396</sup> Amnesty International, [Iran: Murder of 20-year-old gay man highlights urgent need to protect LGBTI rights](#), 17 May 2021, p. 2

6Rang, however, did report the same month that: “Alireza’s partner, who currently lives in Turkey, has informed 6rang that all three men associated with the murder have been arrested and charged with first degree murder”.<sup>397</sup>

The aforementioned Amnesty International statement also noted the prior experiences of Alireza Fazeli Monfared within the military: “According to informed sources, Alireza Fazeli Monfared had served several weeks of military service when he turned 18 before applying for an exemption card because of the abuse he received from the other conscripts in connection with his gender expression. The organization understands that he had made complaints to officials in the army but had received no support”.<sup>398</sup>

The statement also indicated that laws and provisions within the Penal Code criminalizing same-sex sexual conduct between adults “foster societal violence and discrimination against LGBTI people and create a climate of impunity for homophobic and transphobic hate crimes as well as harassment and intimidation by family members, colleagues, schoolmates, teachers, neighbours and members of the public. LGBTI people are deprived of access to justice and reparations for such crimes and abuses because under Iran’s system offers them no protection and criminalizes them instead”.<sup>399</sup>

Mai Sato and Christopher Alexander’s June 2021 piece on state persecution of sexual minorities wrote the following:

In Iran, the criminal code distinguishes between murder and “honour” killings. This allows the offender to receive a lesser punishment compared to a punishment for murder conviction, or escape punishment completely. In these cases, the murder is committed by individuals, but the state is essentially sending the message to its citizens that it is acceptable to kill people based on their sexual orientation. The Iranian penal code provides that if the father carries out the honour killing, he can avoid punishment (*qisas*). Similarly, if the killing was a reaction to the victim committing a capital offence, the offender only needs to pay compensation (*divat*). [...]

As described by one person we interviewed, “The Iranian regime supports these causes and don’t give those people a hard time even if they kill their family member, as long as they say that the person did something wrong to us, for example, ‘she was homosexual’, or ‘I killed her in order to keep my name or save the name of Islam’.”<sup>400</sup>

The OONI, OutRight Action International, and the Citizen Lab’s August 2021 research report on LGBTIQ website censorship in six countries, including Iran, stated that: “For the moment, there is little recourse

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<sup>397</sup> 6Rang (Iranian Lesbian & Transgender Network), [Murder of a young Ahwazi gay man after the revelation of his sexual orientation through a military exemption card](#), 10 May 2021

<sup>398</sup> Amnesty International, [Iran: Murder of 20-year-old gay man highlights urgent need to protect LGBTI rights](#), 17 May 2021, p. 3

<sup>399</sup> Amnesty International, [Iran: Murder of 20-year-old gay man highlights urgent need to protect LGBTI rights](#), 17 May 2021, p. 5

<sup>400</sup> Mai Sato and Christopher Alexander, [When the State Kills: Persecution of Sexual Minorities](#), *Australian Outlook*, 17 June 2021

for LGBTIQ Iranians. There is no national law or institution protecting human rights and digital freedom in the country, nor is there a regional mechanism for the Middle East and North Africa to which those suffering from human rights violations can appeal.<sup>385</sup>

[...] <sup>385</sup> Interview with digital protection expert in the region, October 27, 2020.<sup>401</sup>

In its annual report covering 2021 and published in April 2022, USCIRF confirmed that: “The Iranian government also targets and fails to protect members of the lesbian, gay, bisexual, transexual, and intersex (LGBTI) community. [...] In May, authorities failed to fully prosecute the honor killing of a 20 year-old gay nonbinary person”.<sup>402</sup>

In June 2022, HRANA posted an article about increased state-sponsored discrimination against Iranian LGBTQI+ communities, writing that:

An apparent grassroots group known as ‘Halalzadeha’ has been circulating content on social media inciting discriminatory language against sexual and gender minorities. The group is also known to hold gatherings in Tehran aimed at condemning same-sex marriage in other countries. During the last 22 Bahman March (Anniversary of the 1979 Revolution), they stepped and marched on rainbow flags incitement hostility against members of the LGBTQI+ community. The lack of attempt by police or security forces to interfere in the gatherings, which is a routine activity in the case of similar gatherings, indicates that such groups are potentially supported by the regime.<sup>403</sup>

In August 2022, HRANA recounted the following incident:

According to HRANA, the news agency of Human Rights Activists, quoting BBC Persian, a transgender Individual who was assaulted by two was denied justice by the police.

A video published by BBC Persian showed a transgender being assaulted and scolded by a woman at a shopping mall in Tehran. Then, a man assaulted her and crashed her phone.

Despite abundant pieces of evidence, the police refused to file her complaint.

In Iran, transgender individuals are subject to daily discrimination, harassment and violations.<sup>404</sup>

Human Rights Watch wrote in its 2023 annual report on Iran, covering events of 2022, that: “Although Iran permits and subsidizes sex reassignment surgery for transgender people, no law prohibits discrimination against them”.<sup>405</sup> This is also noted in the previous annual reports for events of 2021<sup>406</sup> and 2020.<sup>407</sup>

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<sup>401</sup> Open Observatory of Network Interference (OONI), OutRight Action International, and The Citizen Lab, [No Access: LGBTIQ Website Censorship in Six Countries](#), 8 August 2021, p. 86

<sup>402</sup> US Commission on International Religious Freedom (USCIRF), [2022 Annual Report - Iran Chapter: Key Findings](#), April 2022, p. 23

<sup>403</sup> Human Rights Activists News Agency (HRANA), [State-Sponsored Discrimination against Iranian LGBTQI+ Communities Ramps up amidst a Growing and More Vocal Activist Community](#), 22 June 2022

<sup>404</sup> Human Rights Activists News Agency (HRANA), [Police Refuse to Record Transgender Individual’s Complaint](#), 31 August 2022

<sup>405</sup> Human Rights Watch, [World Report 2023: Events of 2022](#), 12 January 2023, pp. 311-312

The USDOS 2022 report on human rights practices in Iran, published in March 2023, remarked that: “Hate-crime laws or other criminal justice mechanisms do not exist to aid in the prosecution of bias-motivated crimes”.<sup>408</sup> The same statement can be found in the 2021 report, published in April 2022,<sup>409</sup> and the 2020 report, published in March 2021”.<sup>410</sup>

The Advocates for Human Rights, the World Coalition Against the Death Penalty, Iran Human Rights, Impact Iran, and ECPM stated in their joint September 2023 submission for the 139th session of the UN Human Rights Committee that: “Iranian authorities do not protect LGBTIQ+ individuals from violence or abuse, and domestic legislation fosters impunity for perpetrators. Further, there is an absence of remedies for victims of violence. Violence against LGBTIQ+ individuals is considered a *mahdoordam* offense (offenses in which the victim is “deserving of death”).<sup>21</sup> The Islamic Criminal Code also provides minor sentences for individuals who kill LGBTIQ+ people.”

[...] <sup>21</sup> Testimony on file with the author.<sup>411</sup>

The UN Human Rights Committee’s concluding observations on the fourth periodic report of the Islamic Republic of Iran and its implementation of the ICCPR stated that:

While in its Constitution the State party proclaims the enjoyment of equal rights and equal protection before the law, the Committee is concerned that the legal framework does not afford comprehensive and effective protection against discrimination on all the grounds covered by the Covenant, including gender, religion, political or other opinion, sexual orientation and gender identity. The Committee notes that the Charter of Citizenship Rights prohibits the spread of hatred; however, it is concerned by reports of a high prevalence of hate crimes and allegations that hate crimes are not investigated and perpetrators go unpunished.<sup>412</sup>

The ILGA Database page for Iran summarised that, to the best of their knowledge, “laws in force in Iran do not offer protection against discrimination based on “sexual orientation”, “gender identity”, “gender expression” or “sex characteristics”” in the provision of goods and services, in healthcare, in education, in employment, or in housing. The page also states that, to the best of ILGA World’s knowledge, “laws in force in Iran neither aggravate penalties for crimes committed on the basis of “sexual orientation”, “gender identity”, “gender expression” or “sex characteristics” nor do they explicitly consider such

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<sup>406</sup> Human Rights Watch, [World Report 2022: Events of 2021](#), 13 January 2022, pp. 340-341

<sup>407</sup> Human Rights Watch, [World Report 2021: Events of 2020](#), 13 January 2021, p. 342

<sup>408</sup> US Department of State (USDOS), [2022 Country Reports on Human Rights Practices: Iran](#), 20 March 2023

<sup>409</sup> US Department of State (USDOS), [2021 Country Reports on Human Rights Practices: Iran](#), 12 April 2022

<sup>410</sup> US Department of State (USDOS), [2020 Country Reports on Human Rights Practices: Iran](#), 30 March 2021

<sup>411</sup> The Advocates for Human Rights, the World Coalition Against the Death Penalty, Iran Human Rights, Impact Iran, and Together Against the Death Penalty (ECPM), [Islamic Republic of Iran’s Compliance with International Covenant on Civil and Political Rights Treaty, 139th Session of the Human Rights Committee, 9 October–3 November 2023](#), 12 September 2023, p. 5

<sup>412</sup> UN International Convention on Civil and Political Rights, Human Rights Committee, [Concluding observations on the fourth periodic report of the Islamic Republic of Iran](#), 23 November 2023, p. 3



crimes as “hate crimes””; and that “laws in force in Iran do not prohibit incitement to hatred, violence or discrimination on the basis of “sexual orientation”, “gender identity”, “gender expression” or “sex characteristics””.<sup>413</sup>

#### b. Fear of reporting to authorities

*For further relevant information consult also section II., a., ii. [Criminal code](#) and section II., a., iii. [Other relevant legislation affecting LGBTQI+ persons](#).*

The January 2021 report of the UN Special Rapporteur on the situation of human rights in Iran stated that forms of violence and discrimination against lesbian, gay, bisexual and transgender people “remain largely underreported due to the victims’ fear of persecution”.<sup>414</sup>

Writing on the murder of Alireza Fazeli Monfared, Radio Free Europe/Radio Liberty stated in May 2021 that:

Both Kermanshahi [Berlin-based human rights activist Kaveh Kermanshahi] and Parsi [Arsham Parsi, a Toronto-based, Iranian gay-rights activist and head of the International Railroad for Queer Refugees] believe that a large number of killings in Iran due to someone’s sexual orientation go unreported.

“Queers who have been in contact with these people fear reporting or investigating the cases because they can be outed in the society therefore these cases often happen in silence,” Kermanshahi said.

“When it comes to uxoricide, we have women’s rights activists who highlight these cases,” he said. “But in Iran we don’t have the possibility of queer activists working actively therefore it is possible that other cases -- like [Fazeli Monfared’s] murder and [gay suicides] -- are not being reported.”<sup>415</sup>

Also reporting on the murder of Alireza Fazeli Monfared in May 2021, Amnesty International stated that:

According to informed sources interviewed by Amnesty International, Alireza Fazeli Monfared, who self-identified as a non-binary gay man, had been subjected to repeated homophobic and transphobic harassment and death threats by several of his male relatives, including his half-brothers and uncle, because he did not conform to the binary socio-cultural gender stereotypes and “norms” in Iran and socially constructed expectations of “masculinity”. Amnesty International understands, from information provided by his friend and partner, that he had never reported such incidents to the police out of fear of being mocked or facing violence and prosecution at the hands of the authorities.<sup>416</sup>

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<sup>413</sup> ILGA (International Lesbian, Gay, Bisexual, Trans and Intersex Association) Database, [Jurisdiction: Iran](#), undated

<sup>414</sup> UN General Assembly, [Situation of human rights in the Islamic Republic of Iran: Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Javaid Rehman](#), 11 January 2021, p. 10

<sup>415</sup> Radio Free Europe/Radio Liberty, [Horrible Killing Of Young Gay Man Puts Plight Of Iran's LGBT Community In Spotlight](#), 11 May 2021

<sup>416</sup> Amnesty International, [Iran: Murder of 20-year-old gay man highlights urgent need to protect LGBTI rights](#), 17 May 2021, p. 2



An August 2021 fact sheet produced by the Center for Human Rights in Iran on LGBTQ rights in Iran observed that: "LGBTQ individuals cannot seek legal remedy for injuries or rights violations through the police or courts without often risking prosecution themselves".<sup>417</sup>

In September 2021, IranWire published an article on a gay Iranian man who had been raped but was afraid of reporting the crime to the police. The article wrote:

"I was taking driving lessons, and sometimes on the way home, I'd visited a café, sometimes with a friend. One morning I went into this café on my own, and no one was there except one member of staff. At first, I liked him and we enjoyed a friendly chat. I saw him a few more times there. We became more intimate. We talked more and more... and I told him about my sexual orientation."

These are the words of Saeed, a 20-year-old gay man in Ahvaz, who has agreed to talk about the trauma of being raped in a culture where speaking out would make it all the worse. [...]

"A few weeks ago, it was almost midnight when I got a message from him on my phone saying that he wanted to see me late that night. Ever since, I have regretted looking at his message and messaging back. I wish I had never done it.

"He insisted I go to him, to his friend's house. I had never had sex with him. I did not trust him. It was late and I didn't want to leave the house. He kept insisting, and then he started threatening me. He knew my address and said if I didn't go to him, he would come to my house with my friends. I was scared and didn't know what to do. I didn't think he would come to the house, but if he did, I wouldn't know what to do in front of my family."

Saeed explains his family didn't know he was gay. He still hasn't really told them. In the past, people had suspected, and these situations had always cost him dear. Once, his mother checked his phone and read his personal messages. She warned him that he was playing with life and death and had to stop. She threatened to kick Saeed out of the house, saying he risked harm to her and to himself. His father does not live with them and is based outside Iran, but when his mother told him what she had discovered, he said he was going to return to Iran and kill his son with his bare hands — even if it meant he would spend the rest of his life in prison.

Talking to me today, Saeed seems to have trouble breathing. He stumbles over his words. "I had to go out, of fear and the disgrace he might cause. He attacked me; it didn't matter to him that I was a human being. It didn't matter to him that I was in pain. He was brutal. The worst part was when he whispered in my ear, cursing me, and my mother and my sister. I couldn't defend myself or resist."

Numb with shock, Saeed went on Twitter, hoping to get support. He was lucky: his followers and people he turned to listened to him, helped him, and eased his pain somewhat. Asked why he didn't inform the police, Saeed simply says that if he had, he would have been prosecuted. And of course, his family would find out.

Saeed's rapist has since been in touch several times. Saeed does what he can to avoid him and to protect himself.<sup>418</sup>

The February 2022 UK Parliament research briefing on LGBT+ rights and issues in the Middle East stated that in Iran:

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<sup>417</sup> Center for Human Rights in Iran, [Fact Sheet: LGBTQ Rights in Iran](#), August 2021

<sup>418</sup> IranWire, [Iranian Gay Man: "I Couldn't Tell Police About My Rape"](#), 24 September 2021

Social acceptance of homosexuality is generally low and the attitude towards LGBT+ individuals is one of “don’t ask, don’t tell”. It frequently results in domestic abuse, families shunning those suspected of being LGBT+, or forcing them into arranged marriages or gender reassignment surgery. Discrimination and bullying within education and in the workplace is widespread and blackmail is common. [...] These acts are, however, considered to be massively underreported for fear of persecution by the authorities.<sup>419</sup>

Freedom House wrote in their annual Freedom in the World report for Iran, published in March 2023 on events in 2022, that: “Members of the LGBT+ community face harassment and discrimination, though the problem is underreported due to the criminalized and hidden nature of these groups in Iran”.<sup>420</sup> The same statement was written in Freedom House’s 2022 report,<sup>421</sup> covering events in 2021, as well the 2021 report covering events in 2020.<sup>422</sup>

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<sup>419</sup> UK Parliament, [Research Briefing: LGBT+ rights and issues in the Middle East](#), 9 February 2022, p. 10

<sup>420</sup> Freedom House, [Freedom in the World 2023: Iran Country Report](#), March 2023

<sup>421</sup> Freedom House, [Freedom in the World 2022: Iran Country Report](#), February 2022

<sup>422</sup> Freedom House, [Freedom in the World 2021: Iran Country Report](#), March 2021