

Lesbian, gay, bisexual, transgender and queer (LGBTQ) people in Iran face severe legal and social discrimination in all walks of life. Same-sex relations are punishable by flogging and death, and legalized persecution incites widespread state and societal violence against the LGBTQ community. LGBTQ individuals cannot seek legal remedy for injuries or rights violations through the police or courts without often risking prosecution themselves.



FACT Sheet

LGBTQ RIGHTS IN IRAN

August
2021

LGBTQ in Iran— hidden but numerous

LGBTQ community forced to stay **underground** to avoid imprisonment, lashes or execution

17% of 142,000 students in a 2014 study by Iran's Parliamentary Research Center self-identified as gay

The Economist, 2014

Change—or die

Only six countries impose the death penalty for consensual same-sex relations:

Brunei Iran Mauritania Nigeria Saudi Arabia Yemen

ILGA Sexual Orientation Laws in the World, 2020 Map

And the Iranian **government** stands by its execution of homosexuals:



Then Foreign Minister **Javad Zarif**, when asked about executing homosexuals: "Our society has moral principles. And we live according to these principles. These are moral principles concerning the behaviour of people in general. And that means that the law is respected, and the law is obeyed."

Press conference, June 2019



Ali Larijani, then Speaker of Parliament, said in January 2011 the death penalty for same-sex sexual conduct is "effective in keeping society safe from perversion."

6Rang, Official Hate Speech against LGBT People, 2017

Hate speech: official state policy

Then speaker of parliament Ali Larijani in 2017: Homosexuality amounts to
“adopting an animalistic approach and exiting humanity”

6Rang, 2017

Then judiciary chief Seyed Ebrahim Raisi (now president) in 2014: homosexuality is
“nothing but savagery”

6Rang, 2017

Head of Iran’s High Council for Human Rights in 2013:
“homosexuality is a form of sickness”

State Sponsored Homophobia, ILGA 2020

Victims of violence ... with no recourse

In a survey of Iranian LGBTQ individuals,
77% reported violence, including:

- 62% from immediate family
- 52% in public spaces
- 49% from friends/classmates
- 46% in education system
- 38% from extended family
- 38% face pressure for forced marriage
- 30% sexual violence
- 24% at work
- 20% in legal system
- 19% in healthcare system

6Rang, 2020

“Abuses are perpetrated by the Iranian government, the judiciary system and by non-state actors such as schools, communities and families. No one is held accountable for these serious violations of basic rights.”

Outright International

Abusive and dangerous “therapies”

LGBTQ people
forced to undergo
“conversion therapy”

- Aims to **force change** in sexual/gender identity
- Psychologically and physically **dangerous**
(uses electric shock, psychoactive drugs, sterilization, shaming)
- UN: conversion therapy = **torture**
- If not “cured” then **pressured to undergo sex reassignment surgery**
(accounts for Iran’s high number of SRS)

Iran Human Rights Documentation Center, 2014

Right to change gender only
legal with sex reassignment
surgery (SRS)

- SRS subsidized by state but abusive pre-surgery process
- Surgeries typically performed by ill-trained surgeons
- Botched surgeries, poor follow-up = medical complications

*F. Jafari, Transsexuality under Surveillance in Iran, 2014
Equaldex, LGBT Rights in Iran*

Under Iran's 2013 Islamic Penal Code, **death** imposed for:

- Livat (sodomy); for active partner if married or non-Muslim with Muslim passive partner; for passive partner regardless of marital status or religion (Article 234)
- Tafkhiz (rubbing penis between thighs/buttocks), on fourth conviction
- Musaheqeh (lesbian sex), flogging (100 lashes) for each party (Article 239); death on fourth conviction
- Juvenile "offenders" can be put to death for homosexual acts

Iran's laws = deadly violence against **LGBTQ** community

Activists can be convicted on national security charges for LGBTQ advocacy

- Gender equality advocate Rezvaneh Mohammadi convicted in 2019 to five years in prison for "assembly and collusion against national security by seeking to normalize homosexual relations." Currently free on bail

Center for Human Rights in Iran, 2019

"Knowledge of the judge" allows judge to **bypass evidentiary requirements**; used to issue harsh sentences for LGBTQ defendants

Iran Human Rights Documentation Center, 2014

"Corruption on Earth"

charge (can carry death penalty) also used against LGBTQ people

Flogging for other "crimes"

- Sexual acts other than intercourse punishable by up to 100 lashes (Articles 236-7)
- Cross-dressing punishable by flogging (Article 638)

Denied Identity: Human Rights Abuses Against Iran's LGBT Community, State Sponsored Homophobia, ILGA 2020

State-sanctioned violence and persecution:

- Police harassment
- Arbitrary arrest and detention
- Ill-treatment/torture in state custody
- State raids on private gatherings, mass arrests
- No protections against violence in homes, schools, communities or workplaces
- Impunity for state and nonstate actors for violence and rights violations
- Honor killings by family members encouraged by lenient laws

State Sponsored Homophobia, ILGA 2020, Amnesty Public Statement, 2021

- Military exemptions for "perversions" encourage violence
 - Alireza Fazeli Monfared, 20, murdered in Khuzestan province by relatives in May 2021, 2 days after receiving military exemption card
- Discriminated in housing, education, employment, healthcare, social services, police/judicial system
- Peaceful advocacy of LGBTQ rights is illegal

Amnesty Public Statement, 2021

No access to health services

No access to medical, sexual or mental health services

State-affiliated doctors and psychotherapists **hostile** to LGBTQ identities

Breaking the Silence, Small Media, 2018



LGBTQ children face state and societal violence

Death penalty for same-sex relations **can and has been applied to juvenile offenders**

(age of criminal responsibility: 9 lunar years for girls, 15 lunar years for boys)

Penal Code (Article 638)

Fines or **prison** for girls who wear men's clothing

Flogging for boys for cross-dressing

Unprotected from frequent violence in homes, schools and communities

Given **false and dangerous information** on identity and surgery

Often **expelled** from home and school

Subjected to **forced marriage**

Forced to undergo conversion therapy to "cure their disorder" (electric shock, hormones, shaming, psychoactive drugs)

UN Committee on Rights of the Child, 2016, A/HRC/46/50, 2021, Situation of LGBT Children in Iran, 6Rang, 2015

Pressured to undergo sex reassignment **surgery** and **sterilization**

Online communities— last refuge under attack

State has cut off critical sources of online LGBTQ information and support

- Websites and social media sites blocked
- Admins of groups prosecuted

Computer Crimes Law criminalizes any online LGBTQ-related communication

- Article 14 and 15 criminalizes production, publication and storage of "immoral content," punishable by imprisonment or fine
- Used to arrest LGBTQ social media administrators
Six Telegram administrators arrested in 2017 for "promoting homosexuality"
Small Media, Breaking the Silence

Homosexual expressions online also punishable under immorality and indecency provisions (Articles 639 and 640 of IPC) by imprisonment, flogging and fines

Iran Human Rights Documentation Center, 2014

Press Law censors any "offensive" material

- Article 6: The Press is free, except for items that "undermine Islam's bases and commandments" and "violate public chastity"
- Used to shut down newspapers and websites and block content related to sexual orientation
International Gay and Lesbian Human Rights Commission, 2015

State monitors online activity to lure and entrap LGBTQ individuals for prosecution

Lesbian, Gay, Bisexual and Transgender Rights in Iran, 2015

