



## Iraq's LGBT community could face death penalty under proposed new law

By Tracey Shelton

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Human rights groups say the proposed law has already led to an escalation in anti-LGBT sentiment. (ABC News: Graphic by Tracey Shelton)

Ammar and his partner are ecstatic about the prospect of adopting their first child.

The same-sex couple have just begun the adoption process in Melbourne, where 36-year-old Ammar works as a dentist.

Back in Iraq, he hadn't even dared to dream about the possibility of a real relationship, let alone a family.

From the age of 12, Ammar grew up with confusion and fear of his own feelings, as he saw the LGBT community around him face harassment, assault and even murder.

Soon, Iraqi LGBT people could officially face the death penalty under a law that was proposed last month and is currently before parliament.

While the law is still under review, human rights groups say the proposal has already led to an escalation in anti-LGBT sentiment.

In recent protests, LGBT flags were burned, and images showed men signing pledges to stand against homosexuality outside mosques.



Last month, the Iraqi Communications and Media Commission ordered all media, including social media, to [replace the term "homosexuality" with "sexual deviance"](#). The word "gender" was also banned.

If the new bill is passed, Iraqi citizens will face death or life in prison for same-sex relations, a minimum seven years in prison for "promoting homosexuality" and up to three years for "imitating women".



Raad Al-Maliki, an independent member of parliament, introduced the bill, saying it was to "preserve the entity of the Iraqi society from deviation and calls for 'paraphilia' [abnormal sexual impulses] that have invaded the world".

Sharif Suleiman of the Kurdistan Democratic Party told state media Al-Sabah that the proposed legislation reflects "our moral and human values and our fights against abnormal social phenomena".

While existing laws do not overtly criminalise same-sex relationships, a law against "immodest acts" has often been used in the past to convict members of the LGBT community.

### **'Constant fear of being hunted down'**

If the new law is passed, activists and many Iraqis like Ammar fear the situation could deteriorate quickly.

"If they find someone, probably they will torture them, probably they will sexually assault them — I heard a lot of stories back home about the police — then they kill them and throw their bodies on the street," said Ammar, who, still in fear, asked to be referred to by first name only.

He said the proposed law would mean that killings that were previously carried out extrajudicially can soon be carried out by law.



While the ABC could not independently verify the accounts of police violence, a report released last year by Human Rights Watch (HRW) and Iraqi-based NGO IraQueer said: "Armed groups in Iraq abduct, rape, torture, and kill lesbian, gay, bisexual, and transgender people, with impunity ... the police arrest and also carry out violence against them."

Several activist groups and individuals have for decades reported similar violence in Iraq.

HRW is calling on the Iraqi government to "immediately withdraw" the proposed law.



During recent protests, people burned LGBTQ flags in the streets of Baghdad.

"Iraqi lawmakers are sending an appalling message to LGBT people, that their speech is criminal and their lives are expendable," said Rasha Younes, senior LGBT rights researcher at Human Rights Watch.

"[This] means that Iraqi individuals' lives and constant fear of being hunted down and killed by armed groups with impunity is now going to translate into the law itself."

The Iraqi ministries of Interior and Justice had not responded to requests for comment by the time of publication.

## 'Genocidal ideology aimed at eradicating LGBTQ people'

Maria Sjödin, executive director at advocacy NGO Outright International, said the Iraqi LGBTQ community are living with fear that they could be found out or killed, "even by their own families, by neighbours, or by these militias that have also existed throughout many years in Iraq".

Many are also subjected to forced marriages, particularly lesbian and bisexual women, she told the ABC.

The secrecy they are forced to live by makes it difficult to estimate how many LGBT people are subjected to violence, but she said the introduction of such a law would have an impact well beyond the law itself.



"One of the most dangerous things is that this does not only affect the people where the law is being implemented," she said.

"But this kind of law also sends a signal to society, that this is a group of people you can persecute."

She said in other countries where such laws were introduced, some people saw it as permission to carry out this violence themselves.

"In cases where it's about making LGBTIQ lives illegal, we consider this to be based on genocidal thinking, a genocidal ideology that's aimed at eradicating LGBTQ people."



## 'I felt like I was the only one having these kind of feelings'

For Ammar, the situation for LGBTQ people was not the only danger he faced growing up in Iraq.

He was born during the war with Iran, which was followed by war with the US and sanctions that crippled the country's economy.

The US invasion in 2003 unleashed sectarian violence, which still persists 20 years later.

He said his family often didn't have access to "the basics of life" and even food was hard to come by.

Then at the age of 12, Ammar said he started to feel "different".

"It was scary because I felt like I was the only one having these kind of feelings towards boys," he told the ABC.

"I didn't have any idea of what I was dealing with, because no-one told me about these kinds of things."





The only thing he had ever been told about homosexuality is that it was a sin and he would "go to hell for thinking like this".

He had no-one to talk to and no information he could safely access , so he dealt with his pain and confusion alone and in secret.

Ammar hoped that maybe it was because he had never been around girls before — secondary school and social life in Iraq was largely segregated between the sexes.

But by university, his parents began introducing him to potential brides.

"I tried to develop feelings for girls, but I felt like, I don't know, there's something wrong with me."

## **The rise of Islamic State**

All around him, Ammar said, were stories of men suspected of being gay, who were beaten, kidnapped or stoned to death by gangs, militia, police or their own families.

"I was so scared because I'd think, 'Oh my god, they're gonna chase me, they're gonna do, who knows what?'" he said.

As sectarian violence soared, Ammar said he would see bodies piled up near the morgue on his way to university.



Then Islamic State (IS) took large swathes of Iraq and began carrying out gruesome mass executions for "crimes" including alleged "sodomy", according to Outright International. Those found guilty could be shot, stoned or thrown from a high-rise building.

At the height of IS rule, the NGO documented 41 reports of such executions in Syria and Iraq, most of which were publicised by IS through graphic images or video footage.

### **'The best feeling I have ever felt'**

As IS took more territory and the Shia militia groups that controlled their neighbourhood increased their threats towards Ammar's Sunni Muslim family, they fled to Jordan and were eventually accepted by Australia



as refugees in 2018.

"When I came here [to] Australia, it was really the best feeling I have ever felt before. I felt free," Ammar said.

He soon met his partner, and almost five years later they are in the process of adopting their first child.

While Ammar still lives with the disapproval of his parents and the "homophobia" of his older brother, he said the life he has is more than he ever dreamed possible.

But he fears greatly for the LGBT community still living in Iraq.

Even now, he said those who commit these murders are never held accountable.

"It is sick, to be honest, that society accepts that people get killed because of their sexuality," Ammar said.

Outright International have urged governments to open the doors to more asylum seekers like Ammar.

"Some people just can't stay where they are, it's not safe, they can die. And there has to be safe passageways," Maria Sjödin said.

"It is important to not think that this is something that's isolated to Iraq ... we see this kind of push in many other countries as well."