



“I NEED TO BE FREE”

What It Means to be a Queer Woman in Today's Iraq



OUTRIGHT
ACTION INTERNATIONAL
Human Rights for LGBTIQ People Everywhere

IRAQUEER
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OutRight Action International works at global, regional and national levels to eradicate the persecution, inequality and violence faced by lesbian, gay, bisexual, transgender, intersex, and queer (LGBTIQ) people around the world. With staff in over 10 countries and headquarters in New York, OutRight builds capacity of LGBTIQ movements, documents human rights violations, advocates for inclusion and equality, and holds leaders accountable for protecting the rights of LGBTIQ people everywhere. OutRight was founded in 1990 and has recognized consultative status at the United Nations.

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IRAQUEER
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IraQueer is Iraq's first national LGBT+ organization. It was founded in March 2015. IraQueer is dedicated to advancing LGBT+ rights in Iraq through knowledge production, advocacy, and providing direct services.

Our Vision: An Iraq where the LGBT+ individuals are recognized, protected, and have equal rights to every other citizen in the country. **Our Mission:** To empower Iraqi LGBT+ individuals through raising the awareness level amongst and about LGBT+ persons in the Iraqi society, and to advocate for LGBT+ rights in Iraq. **Our Values:** IraQueer is an intersectional human rights organization that recognizes the complexity of human identities. We stand for equality for all regardless of their sexual orientation, gender identity, economic situation, religious beliefs, political views, and others, and we recognize that these identities often coexist within the same individuals, and that our approach to human rights should take that into consideration.

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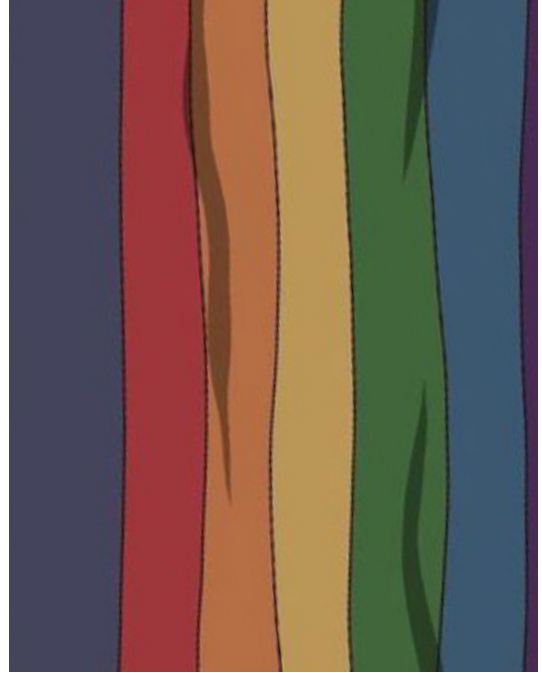


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March 2022



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Above: “My body, my choice.” Illustration by GALA

Previous page: “If you don’t fight for all women you don’t fight for any women.” Illustration by GALA



Acknowledgements

This report was written by Amie Bishop and edited by Nazeeha Saeed, Neela Ghoshal, IraQueer, Daina Ruduša, and Paul Jansen.

The publication was designed by Kathy Mills (kamil.graphics).

The interviews on which this report is based were conducted by Nazeeha Saeed and IraQueer.

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Illustrations were provided by GALA
(<https://www.facebook.com/GalaIraq>).
About GALA:

“A platform for advocacy LGBTQIA+ community dedicated to understanding more about our bodies, history and the basis of violence directed against us.”

هو مصطلح باللغة السومرية يطلق على الكهنة الغير محددين لهويتهم الجنسية، حيث كانوا يعتقدون ان هؤلاء الافراد ليس لديهم هويات ذكرية او انثوية، يقوم الغالا بمزاولة مهنتهم في المعابد والقصور ومختلف اماكن الحياة العامة حيث يشكلون عددًا كبيرًا من الكهنة.

Gala is a term in the Sumerian language given to priests whose sexual identity wasn't identified, as it was believed that these individuals had no female or male identities. The Gala practiced their profession in temples and palaces and various places of public life where they formed a large number of priests.



Illustration by Abstract on stock.adobe.com

Introduction

Discrimination and violence based on sexual orientation, gender identity, and gender expression are widespread in Iraq, with little space for public support for lesbian, gay, bisexual, transgender, and queer (LGBTQ) people.

LGBTQ people are forced to remain invisible or risk persecution in both public and private spheres. Women who are lesbian, bisexual, or queer are especially hidden, due to multiple intersecting factors that include patriarchal norms; prevalent gender-based violence and harmful practices, such as child marriage and honor killings; weak state institutions; and weak legal protections for women and girls, with no legal protections whatsoever to address abuses on the grounds of sexual orientation or gender identity (SOGI). Transgender women are at particular risk. Violations are often perpetrated with impunity, with no recourse available to survivors.



Purpose

Very little documentation exists to date on the lives of LGBTQ women in Iraq.

IraqQueer and OutRight Action International sought to partially fill this gap by providing a snapshot of the lived realities of these women. Given the challenges we faced in identifying LGBTQ women who were willing to speak out, even with the protection of anonymity, however, we cannot draw broad conclusions about the prevalence of human rights violations and other issues affecting LGBTQ Iraqi women. Rather, our principal objectives were to:

- Identify some of the current concerns, risks, and needs of LGBTQ women in Iraq.
- Assess the extent to which LGBTQ women and their needs are represented within Iraq's women's rights movement, the public sphere, and policymaking.
- Describe how COVID-19 may be exacerbating conditions for LGBTQ Iraqi women.
- Assess the extent to which humanitarian and development efforts are meeting the needs of LGBTQ women during the current post-conflict, post-Islamic State (ISIS) period in the country.
- Identify gaps and opportunities in Iraq's legal framework for ensuring protection of LGBTQ Iraqi women.
- Solicit recommendations from LGBTQ Iraqi women aimed at United Nations (UN) entities, international non-governmental organizations (iNGOs), other multilateral or bilateral actors, international queer NGOs, and the Government of Iraq (GoI) on how to improve their circumstances and advance their human rights.

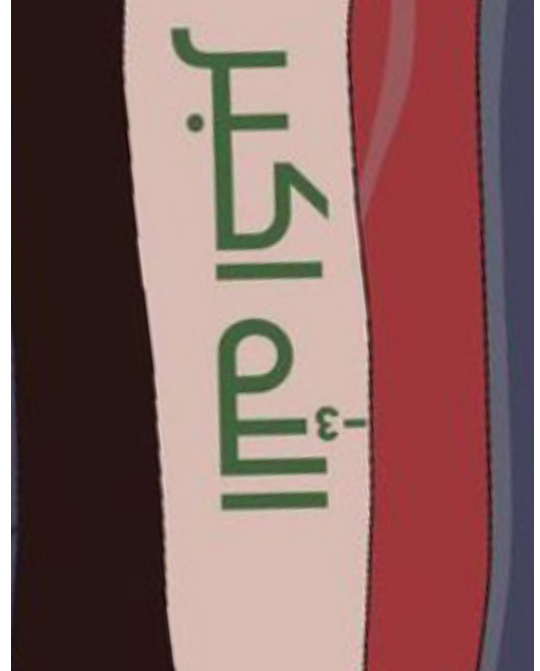


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Background

Brief Overview of LGBTQ Women's Rights in Iraq

The Status of Women in Iraq

To understand the status of LGBTQ women in Iraq, it is first important to appreciate the difficult conditions under which most Iraqi women live. While all Iraqis have suffered greatly due to armed conflicts, economic sanctions, and the failure of the state to meet basic needs over the last several decades, women and all LGBTQ people have been further marginalized by strongly conservative elements within the country's diverse religious and ethnic cultures.¹

Before the 1991 Gulf War, women were seen as vital to achieving much-needed economic growth in the face of a shrinking labor pool.² Women attained the right to vote in 1980, and the government mandated that all children should attend school through the primary level. The government also passed labor and employment laws favorable to women to encourage their participation in political and economic development.³ Rapid urbanization further accelerated social change. After the 1991 Gulf War, however, many of these advances were reversed due to Saddam Hussein's efforts to gain tribal loyalties to advance his political power. Consequently, tribal traditions and justice, including forced marriage and honor killing, gained strength, subjugating and endangering women.⁴

¹ About 95% of Iraq's 39 million people are Muslim. Of these, about 60% are Shi'a and 40% are Sunni. The population also comprises several ethnic and religious minorities, including Christians, Kurds, Turkmens, Assyrians, and Yazidis.

² Human Rights Watch. *Briefing Paper: Background on Women's Status in Iraq Prior to the Fall of the Saddam Hussein Government*, November 2003. <https://www.hrw.org/legacy/backgrounder/wrd/iraq-women.htm>, accessed December 15, 2021.

³ Ibid, footnote 12: "Articles 80-89 of the Unified Labor Code (originally Law 151/1970, replaced by Law 81/1987) established 'protections of working women.' Article 4 established the right to equal pay. Under the Maternal Law of 1971, women received six months' paid maternity leave and could take six additional months of unpaid leave."

⁴ See, for example, Fazel Hawramy. 'Buried Alive by her Family, Iraqi Woman Fears for her Life as Murders Go Unpunished.' *Thomas Reuters Foundation*, July 12, 2017. <https://www.reuters.com/article/us-iraq-women-murder/buried-alive-by-her-family-iraqi-woman-fears-for-her-life-as-murders-go-unpunished-idUSKBN19X2MN>, accessed December 15, 2021; and 'In Iraq, Tribal Traditions Rob Women, Girls of Rights,' *France24.com*. April 18, 2019. <https://www.france24.com/en/20190418-iraq-tribal-traditions-rob-women-girls-rights>, accessed December 15, 2021.

Further, the economic consequences of the United Nations (UN) sanctions imposed on the country following Iraq's invasion of Kuwait in 1990 disproportionately affected women,⁵ with the subsequent wars and conflicts exacerbating suffering for all citizens.⁶

Currently, the government's inability to meet basic needs, along with infrastructure damage, corruption, high unemployment, and disjointed humanitarian efforts, have encumbered efficient reconstruction and recovery. Women generally lack educational and economic opportunities and are subjected to patriarchal family, tribal, and societal structures, as well as social and religious norms that profoundly curb their independence and freedom.⁷ According to the 2019 UN Gender Inequality Index, Iraq ranks an extremely poor 146 out of 162 countries.⁸

Although Iraq is a signatory to various major human rights treaties, such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the International Covenant on Civil and Political Rights (ICCPR), Iraq has maintained reservations regarding certain CEDAW provisions, such as Articles 2(f) and (g), which call on states to modify or abolish

existing laws and penal codes that discriminate against women, among others.⁹

Further, it has yet to ratify the Optional Protocol to CEDAW, which enables individuals from the country to file complaints for assessment with the Committee on the Elimination of Discrimination against Women.¹⁰ Many Iraqi laws still do not comply with CEDAW.¹¹



"Family is supposed to be a safe place, not the first source of danger." Illustration by GALA

5 Valerie Vilardo and Sara Bittar. *Gender Profile- Iraq. A Situation Analysis on Gender Equality and Women's Empowerment in Iraq*. UN Women and Oxfam, funded by Japanese Government. December 2018 p. 5, p. 59. <https://oxfamlibrary.openrepository.com/bitstream/handle/10546/620602/rr-gender-profile-iraq-131218-en.pdf>, accessed December 15, 2021.

6 Joy Gordon. 'The Enduring Lessons of the Iraqi Sanctions.' *Middle East Report* 294, Spring 2020. <https://merip.org/2020/06/the-enduring-lessons-of-the-iraq-sanctions/>, accessed December 15, 2021.

7 Vilardo and Bittar, 2018, p. 5, p. 54, p. 55.

8 United Nations Development Programme. Human Development Reports. *Gender Inequality Index (GII)*, 2019. <http://hdr.undp.org/en/content/gender-inequality-index-gii>, accessed December 15, 2021.

9 Vilardo and Bittar, 2018, p. 9.

10 Per UN Women: "By ratifying the Optional Protocol, a State recognizes the competence of the Committee on the Elimination of Discrimination against Women – the body that monitors States parties' compliance with the Convention – to receive and consider complaints from individuals or groups within its jurisdiction" <https://www.un.org/womenwatch/daw/cedaw/protocol/>, accessed December 15, 21.

11 For example, per the Global Justice Center, "Iraq's current criminal legal system denies women equal protection of the law by failing to reflect the full scope of sexual and gender-based violence experienced by women in general and specifically by survivors of Daesh's atrocities. The criminal legal system also places patriarchal and discriminatory procedural obstacles on women's full equal protection of the law." Global Justice Center. Submission to the UN Committee on the Elimination of Discrimination against Women, 74th Session, 21 October–8 November, 2019, p. 2. https://www.globaljusticecenter.net/files/GJC_Iraq_CEDAW_Submission_Final.pdf, accessed December 15, 2021.

Meanwhile, signatories of the ICCPR are obligated to protect and preserve rights such as the rights to self-determination and to liberty and security of person, and are compelled to take action to preserve those rights. Iraq, which ratified the Covenant in 1971, has fallen far short of these obligations.

As is the case in most countries around the world, women in Iraq lack parity in political representation, holding just 25.5% of parliamentary seats in 2020—just slightly above the 25% quota required by the federal constitution.¹² Despite significant engagement of women in the 2019 anti-government street protests to demand an end to corruption and to improve living standards, Iraqi women remain hindered in meaningfully participating in political decision-making processes and policy development. Indeed, the October 2019 protests suggested that women are eager to participate in political processes and to contribute to rebuilding Iraq so that all citizens may achieve full economic and social justice, but viable avenues to formally do so are limited.¹³

Iraqi Legal Context – Women’s Rights

The current Iraqi Constitution was ratified in 2005 and calls for equality among all citizens, prohibiting discrimination based on “gender, race, ethnicity, nationality, origin, color, religion, sect, belief or opinion, or economic or social status.”¹⁴ Further, Iraq’s Personal Status Code penalizes child and forced marriages, restricts polygamy, and gives equal rights to women and men in divorce and inheritance, although some

12 Iraq Foundation, ESCWA, and UNAMI. *Promoting Women’s Political Participation in Iraq*, 2020. <http://www.iraqfoundation.org/wp-content/uploads/2021/03/Promoting-Womens-Political-Participation-in-Iraq-Policy-Brief.pdf>, p. 2, p. 6, accessed December 15, 2021.

13 Iraq Foundation et al, 2020. pp. 3-7.

14 See Article 14 of Iraq’s Constitution of 2005: https://www.constituteproject.org/constitution/Iraq_2005.pdf?lang=en, accessed December 15, 2021.

representatives of the government have repeatedly attempted to amend the Code to grant more authority to religious leaders in implementing rulings to curtail women’s rights.¹⁵

IRAQ AND THE AUTONOMOUS REGION OF KURDISTAN

Iraq is a federal parliamentary republic made up of governates and regions. Currently, Iraqi Kurdistan is the only autonomous region within the country. Its autonomous status was established in Iraq’s 2005 Constitution following many decades of conflict between the Iraqi government and its Kurdish minority (comprising about 20% of Iraq’s population and part of a larger Kurdish population that spans Iraq, Iran, Syria, and Turkey). Iraqi Kurdistan is governed by the Kurdistan Regional Government (KRG) and encompasses the northern governates of Duhok, Erbil, Halabja, and Sulaymaniyah.* Iraq’s laws apply in Iraqi Kurdistan; yet, the KRG also has its own executive, legislative, and judicial powers and can develop its own laws that apply only within the Autonomous Kurdistan region.**

*Council on Foreign Relations. *The Kurds Quest for Independence, 1920-2021*. <https://www.cfr.org/timeline/kurds-quest-independence>, accessed December 21, 2021.

**UNDP, UN Women, and ESCWA. *Iraq: Gender Justice and the Law*, Geneva: 2018, p. 10. https://arabstates.unfpa.org/sites/default/files/pub-pdf/Iraq%20Country%20Assessment%20-%20English_0.pdf, accessed December 15, 2021.

In addition, discrepancies and contradictions between the constitution and national laws hinder women’s ability to access justice in cases of spousal and family abuse, human trafficking, and other forms of sexual and gender-based violence. For example, Article 398 exempts a perpetrator of sexual assault from punishment

15 Taif Alkhudary. *Iraqi Women are Engaged in a Struggle for their Rights*. London School of Economics blog, June 15, 2020. <https://blogs.lse.ac.uk/mec/2020/06/15/iraqi-women-are-engaged-in-a-struggle-for-their-rights/>, accessed December 15, 2021.

if the offender marries the victim.¹⁶ As such, the penal code leaves survivors with little recourse except, perhaps, to address gender-based violence cases through alternative mechanisms based on tribal and religious norms that prioritize minimizing family shame.¹⁷

Meanwhile, a draft federal law that criminalizes domestic violence remains stalled. The autonomous Kurdistan Regional Government (KRG) adopted a domestic violence law (No. 8) in 2011, which prohibits any domestic violence within the family. Critics have argued, however, that the law does not adequately address common forms of economic violence, that it provides for short sentences that may not match the severity of some crimes, that it does not adequately serve cases occurring in rural areas, and that it favors reconciliation over justice.¹⁸

In addition, territories that the Islamic State (ISIS) once controlled remain fragile and still in ruins. This is the case with Sinjar, where the majority of the Yazidi ethnic minority live. ISIS terrorized and murdered Yazidis en masse, and the region remains unsettled, with residents lacking infrastructure for basic services and humanitarian aid. Over 210,000 remain displaced.¹⁹ At the peak of ISIS terror

against the Yazidis, thousands of women and girls were abducted and transported to prisons, military training camps, and the homes of ISIS fighters, where they were enslaved and, in many cases, raped, beaten, or sold.²⁰

LGBTQ Human Rights in Iraq

The existence of laws that directly or indirectly criminalize sexual behaviors based on a particular construction of morality, combined with social and religious norms that render gender and sexual diversity socially unacceptable, may contribute to violence and discrimination against LGBTQ people. Iraq does not directly criminalize same-sex sexual relations or gender non-conformity, but Article 394 of the penal code makes extramarital relations illegal. Since same-sex marriage is not permitted, the law therefore effectively prohibits all same-sex relations.²¹

The lack of protective laws within the penal code, and the vagueness of others, contribute to an environment in which discrimination and violence against LGBTQ people occur with impunity. Article 401 (prohibiting any “immodest act” in public), Article 403 (“any person possessing material damaging the public honor will be punished by a fine”), and Articles 430 and 431, which provide for imprisonment up to seven years for “any person who threatens others by doing things that damage the public honor,” may be used against LGBTQ people, or may be interpreted by the general public as criminalizing LGBTQ people, because the meanings of “immodest act” and “public honor” are not clear.²²

Between 2015 and 2018, the civil society organization IraQueer documented cases in Iraq

16 Alkhudary, 2020.

17 Alkhudary, 2020.

18 Noor Omer. *Legal Aspects of the Law Against Domestic Violence in Kurdistan*. *International Studies and Law*, May 2020, p. 12. <https://wola-ngo.org/Mobile/en/News.aspx?id=218&MapID=6>, p. 8, p. 10, accessed December 15, 2021. UN Women has defined economic violence as “making or attempting to make a person financially dependent by maintaining total control over financial resources, withholding access to money, and/or forbidding attendance at school or employment. [UN Women. *Frequently Asked Questions: Types of Violence Against Women and Girls*. <https://www.unwomen.org/en/what-we-do/ending-violence-against-women/faqs/types-of-violence>, accessed December 6, 2021; Al-Mesalla Organization for Human Development. ‘Monitoring Report on the Implementation of Domestic Violence Law in Kurdistan Region.’ *Human Rights Monitoring Project*, December 2013. Pp. 11-12; pp. 25-26. <https://ar.iraqicivilsociety.org/wp-content/uploads/2014/01/Law-8-English-Final.pdf>, accessed December 15, 2021.

19 Lizzie Porter. *Despite Government Promises, Lives in Sinjar Remain on Hold*. *The New Humanitarian*, March 30, 2021. <https://www.thenewhumanitarian.org/news-feature/2021/3/30/>

[despite-government-promises-lives-in-sinjar-remain-on-hold](https://www.thenewhumanitarian.org/news-feature/2021/3/30/), accessed December 15, 2021.

20 Cathy Otten. *Slaves of ISIS: The Long Walk of the Yazidi Women*. *The Guardian*. July 25, 2017. <https://www.theguardian.com/world/2017/jul/25/slaves-of-isis-the-long-walk-of-the-yazidi-women>, accessed December 15, 2021.

21 Vilardo and Bittar, 2018.

22 IraQueer. *Know Your Rights*. (No date). https://www.iraqueer.org/uploads/1/2/4/0/124034920/legal_guide_-_english.pdf, accessed December 15, 2021.

in which gay men, in particular, were subjected to violence by police, the military, armed groups, their own families, and others.²³ Militias, including Asa'ib Ahl Al-Haq (the League of the Righteous) and ISIS, targeted gay men, transgender women, and gender non-conforming people assigned male at birth in a series of killing campaigns, with IraQueer estimating that up to more than 220 actual or perceived LGBTQ people were killed in 2017 alone.²⁴ In 2017, Asa'ib Ahl Al-Haq put more than 100 names of allegedly LGBTQ people on a list to be killed unless they changed.²⁵ The Islamic State infamously engaged in throwing people perceived to be gay men or transgender off rooftops or stoning them to death. While most documented cases of anti-LGBTQ violence by ISIS involved men, ISIS is also known to have decapitated three women whom the group accused of being lesbians in August 2015, and to have shot two others that same year.²⁶ ISIS also shot another two women, again accused of being lesbians, in 2016.²⁷ Although ISIS has largely been defeated, LGBTQ people still face violence throughout the country and must live in a constant state of vigilance.²⁸ The Iraqi Government and the

KRG have never prosecuted anyone for violence on the basis of sexual orientation or gender identity and, in fact, have been directly involved in violating the rights of LGBTQ people, through detention, harassment, and abuse, without access to legal representation.²⁹ In April 2021, Kurdish security forces in Sulaymaniyah arrested at least eight gay men, calling it first a crackdown on immorality, and then changing their rationale for detention, claiming the detainees were involved in sex work.³⁰ Police reportedly subjected them to ill-treatment during interrogation, including to extract information about their sexual or gender identities.³¹

In southern Iraq, especially in Karbala and Basra, IraQueer has documented cases in which tribal or clan leaders and extended family members perpetrated violence, rarely reported to authorities, against LGBTQ people, with the intent of protecting “family honor.”³² While some safe spaces exist for LGBTQ people, including women, particularly in Baghdad, Erbil, and Sulaymaniyah, the work of civil society organizations to expose rights violations,

23 IraQueer. *Fighting for the Right to Live: The State of LGBT+ Rights in Iraq*, 2018, p. 6. https://www.iraqueer.org/uploads/1/2/4/0/124034920/iraqueer___partner_baseline_study_2018.pdf, accessed December 15, 2021.

24 Ibid, p. 1.

25 Ibid, p. 6.

26 The Human Rights and Gender Justice (HRGJ) Clinic of the City University of New York (CUNY) School of Law; MADRE; and The Organization for Women's Freedom in Iraq. *Communication to the ICC Prosecutor Pursuant to Article 15 of the Rome Statute Requesting a Preliminary Examination into the Situation of: Gender-Based Persecution and Torture as Crimes Against Humanity and War Crimes Committed by the Islamic State of Iraq and the Levant (ISIL) in Iraq*. Submitted November 8, 2017, p. 25. <https://www.madre.org/sites/default/files/PDFs/CUNY%20MADRE%20OWFI%20Article%2015%20Communication%20Submission%20Gender%20Crimes%20in%20Iraq.pdf>, accessed December 15, 2021.

27 Ibid, p. 29.

28 MADRE, IraQueer, OutRight Action International, and The Organization for Women's Freedom in Iraq. *Violence and Discrimination Based on Sexual Orientation and Gender Identity in Iraq: A Report for the UN Committee on the Elimination of Discrimination Against Women*. September 2019, p. 3. <https://www.iraqueer.org/uploads/1/2/4/0/124034920/>

cedaw_shadow_report_sogie_74th_session_iraq_updated.pdf, accessed December 15, 2021.

29 MADRE, 2019, p. 6; IraQueer, OutRight Action International, MADRE, OWFI, *LGBT Human Rights Violations in Iraq, in Response to the Fifth Periodic Report of the Republic of Iraq*, 2015, p. 8. https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/IRQ/INT_CCPR_CSS_IRQ_21864_E.pdf, accessed December 15, 2021; and IraQueer, 2018, p. 7.

30 Dana Taib Menmy. 'Iraq: Arrests Among LGBTQ+ Community in Kurdish City Sparks Fierce Debate.' *Middle East Eye*, 7 April 2021. <https://www.middleeasteye.net/news/iraq-lgbtq-kurdish-city-arrests-spark-debate>, accessed December 15, 2021; and Majeed, Rebaz and Namu Abdulla. *LGBTQ Members Face Threats in Iraqi Kurdistan*. *Voice of America News*, April 9, 2021. <https://www.voanews.com/extremism-watch/lgbtq-members-face-threats-iraqi-kurdistan>, accessed December 15, 2021.

31 ILGA Asia. *Statement on Iraqi Kurdistan Region: Widespread Violence Against LGBTIQ+ Citizens by the Kurdistan Regional Government (KRG) Must be Condemned*. April 6, 2021. <https://www.ilgaasia.org/news/2021/4/6/ilga-asia-statement-iraqi-kurdistan-region-widespread-violence-against-lgbtqi-citizens-by-the-kurdistan-regional-government-kr-g-must-be-condemned>, accessed December 15, 2021.

32 IraQueer, 2018, p. 8.

advocate for change, and create avenues of support for LGBTQ Iraqis remains dangerous.³³

Addressing Humanitarian Needs

According to Iraq's UN Office for the Coordination of Humanitarian Affairs (OCHA), about 1.2 million people are internally displaced within Iraq, with more than half being displaced for more than four years. Further, OCHA estimates that about 4.1 million people need humanitarian assistance, and, of these, 2.4 million are in acute need. This number has increased since 2020 and can be largely attributed to the economic impacts of COVID-19.³⁴

Preliminary research by OutRight Action International suggests that many humanitarian and development organizations working in Iraq are unaware of the particular needs of LGBTQ people and tend to provide services and respond to beneficiaries using language that suggests they assume those they are assisting are – or should be – heterosexual and cisgender.³⁵

These organizations also may be constrained by the conservative operating environment, which upholds the norm that LGBTQ people are legally, religiously, and socially unacceptable. In this context, few organizations undergo any analysis to determine whether and how LGBTQ people are disproportionately affected by the country's persistent economic and humanitarian crises.³⁶

33 See, for example: MADRE. 'Baseline Assessment: A Scan of Documentation of Threats and Violence Against At-Risk and Marginalized Groups in Iraq', December 2020, p. 9; *Sanar Hasan*. 'LGBTQ Activists in Iraq will "Not Hesitate" to Keep on Protesting Despite Threats. Middle East Eye, October 2020. <https://www.middleeasteye.net/news/iraq-protests-lgbt-threats>, accessed December 15, 2021.

34 United Nations Office for the Coordination of Humanitarian Affairs in Iraq. OCHA website, accessed September 3, 2021. <https://www.unocha.org/iraq>, accessed December 15, 2021.

35 Preliminary research conducted by Azza Sultan, MENA Coordinator, OutRight Action International, shared with the authors of this report in a communication on July 27, 2021.

36 Ibid.

The United Nations Inter-Agency Humanitarian Evaluation on Gender Quality and the Empowerment of Women and Girls in Iraq, published in 2020, noted that the UN Humanitarian Response Plans (HRPs) for Iraq since 2017 have called for "gender- and diversity-differentiated" approaches, and sex- and age-disaggregated data are collected; yet, there is only brief mention in the HRPs of addressing the needs of the elderly, people with disabilities, and LGBTQ people.³⁷



While there are examples of some international NGOs working with local groups to address the health, food security, and protection needs of LGBTQ people, engagement is "conducted on a less formal basis due to existing sensitivities."³⁸ It is important to note that the failure to meet the needs of LGBTQ people is occurring within the context of broader under-performance of the humanitarian sector. According to a 2021

37 IAHE Steering Group. *Inter-Agency Humanitarian Evaluation on Gender Quality and the Empowerment of Women and Girls in Iraq. Iraq. Case Study: Iraq*, October 2020, pp. 4-6. https://www.unfpa.org/sites/default/files/admin-resource/6._IAHE_GEEWG_Iraq_Case_Study.pdf, accessed December 15, 2021.

38 Ibid, p. 11.

report, Iraq's current HRP targets only 1.5 million people for assistance, and, as of June 2021, it had only reached 600,000.³⁹

Being LBTQ in Iraq

LBTQ women in Iraq face significant risks of discrimination, violence, torture, and even death, and therefore tend to remain invisible.⁴⁰

IraQueer has documented several cases of LBQ women forced into marriage and controlled by their husbands and families without the possibility of freely expressing their sexuality.⁴¹ They may be threatened with honor killing, and LBQ survivors of violence rarely report their abusers as recourse is unlikely.⁴²

Transgender women suffer comparatively higher levels of discrimination, abuse, and violence, including sexual violence perpetrated by law enforcement, families, neighbors, and strangers.⁴³ In one case, activists in Basra reported that a trans woman's extended family killed her after finding her hormone replacement therapy medication, in a so-called "honor killing."⁴⁴

IraQueer reports that it is impossible for transgender people to obtain gender affirmation surgery or hormone replacement therapy legally in Iraq. Transgender people, including those accessing surgery or hormonal treatment outside the country such as in Iran, face



"Love is not a sin to be forgiven, and the flesh cannot be made an abomination to be changed." Illustration by GALA

39 Abby Stoddard et al. *Humanitarian Access SCORE Report: Iraq. Survey on the Coverage, Operational Reach, and Effectiveness of Humanitarian Aid, Humanitarian Outcomes*, July 2021, p. 1, pp. 6-7. https://www.humanitarianoutcomes.org/SCORE_Iraq_2021, accessed December 15, 2021.

40 See, for example, Lisa Davis, *Reimagining Justice for Gender-Based Crimes at the Margins: New Legal Strategies for Prosecuting ISIS Crimes Against Women and LGBTIQ Persons*, 24 *William & Mary Journal of Women and the Law*, 24(3): 2018, pp. 513-516; pp. 527-528. <https://scholarship.law.wm.edu/cgi/viewcontent.cgi?article=1478&context=wmjowl>, accessed December 15, 2021.

41 IraQueer, 2018, p. 5.

42 See, for example: IraQueer. *Living on the Margins: LGBT+ Stories from Iraq*. https://www.iraqueer.org/uploads/1/2/4/0/124034920/living_on_the_margins.pdf, accessed January 3, 2022.

43 Ibid, p. 5.

44 MADRE, IraQueer, OutRight Action International, and The Organization for Women's Freedom in Iraq. *Violence and Discrimination Based on Sexual Orientation and Gender*

barriers in obtaining legal documents that reflect their gender identity.⁴⁵ Inability to obtain identification documents that match their gender identity and expression puts transgender people at risk of violence, prevents their access to crucial services, and may intensify mental health challenges.

Identity in Iraq: A Report for the UN Committee on the Elimination of Discrimination Against Women. September 2019, p.6. https://outrightinternational.org/sites/default/files/CEDAWShadowReport_SOGIE_74th%20Session_Iraq_UPDATED.pdf, accessed December 15, 2021.

45 Ibid, p. 4.



Methods

Between January and March 2021, OutRight and IraQueer conducted 16 semi-structured interviews via secure electronic methods such as email or Zoom.

No one was interviewed in person. Of the 16 interviews, OutRight conducted 12, and IraQueer conducted four. We sought to interview women who represented diverse geographies, ages, identities, ethnicities, and religious and social backgrounds in Iraq. We identified interviewees through confidential communication with IraQueer and through word-of-mouth recommendations from our first round of interviewees. Interviews were conducted in Arabic, English, or Kurdish by either an interviewer from OutRight or IraQueer, who also transcribed and translated the interviews into English. Each interview was conducted with verbal consent and began with an overview of the project's purpose and how the data would be used. Interviewees were told they could stop the interview at any time and decline to answer any question. If permission was granted, interviews were audio- or video-recorded. All names cited in the findings are pseudonyms. After the completion of all interviews, a second person entered the interview data into a spreadsheet for thematic coding and analysis. The interviewers then reviewed and validated the interview data.

Limitations

This was a rapid qualitative assessment using known networks to identify interviewees. The sample was not representative of LBTQ Iraqi women; in particular, it is missing voices from some of the hardest-to-reach LBTQ Iraqis. We did not interview any LBTQ Yazidis or any intersex individuals, despite efforts to include them. Further, our sample is small and skews towards younger age groups, with all interviewees being between age 20 and 34 years old. We did not interview any women who were married, and only one reported being internally displaced due to conflict. The majority of interviewees were Kurdish, and their experiences may differ from those of LBTQ women from Iraq's majority Arab population. All of the interviewees lived in major cities. Additional research is recommended to further corroborate and expand on our findings.



Illustration by GALA

Findings

As depicted in Table 1, the majority (13/16) interviewees were between the ages of 20 and 29 years old. Eight identified as lesbian and five identified as bisexual.

Two identified as transgender women and one as non-binary and transgender. Nine of the interviewees were Kurdish, six were Arab, and one was half-Arab, half-Kurdish. A significant majority (12/16) lived at home with family, and one person lived with a sister. Four lived either alone or with non-family roommates. None were married to men.

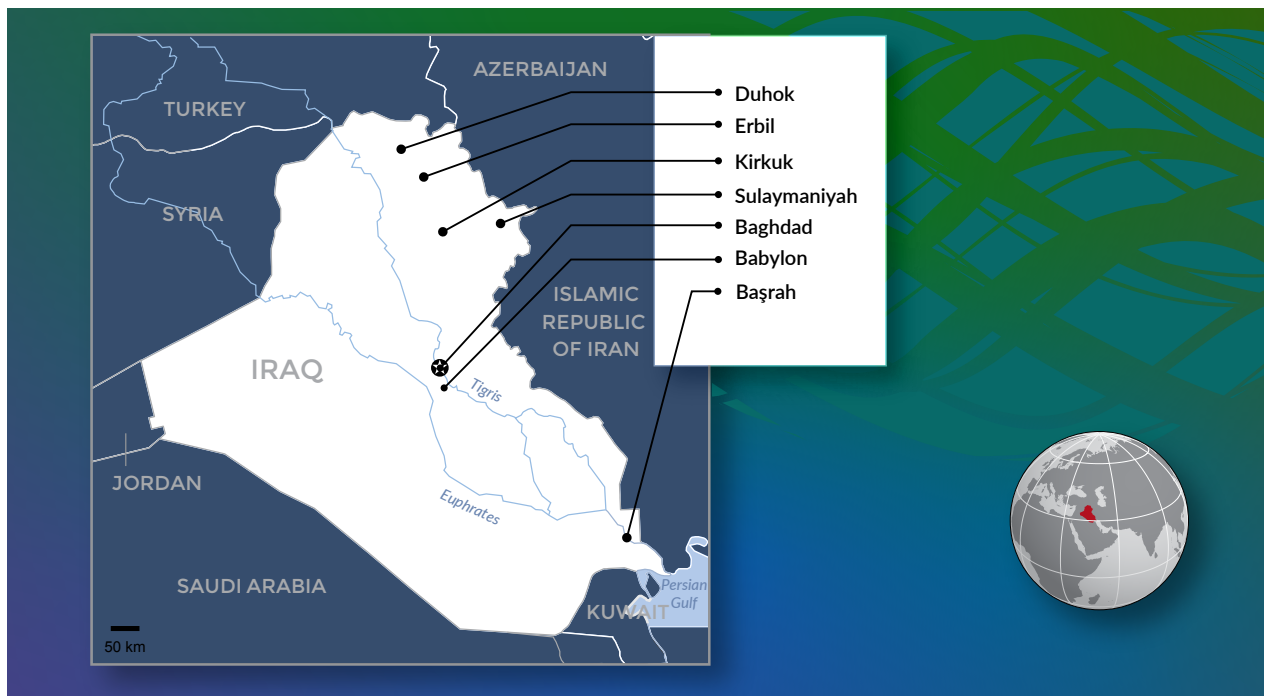
Table 1: Interviewee Demographics

| AGE | | LOCATION | | ETHNICITY | | GENDER IDENTITY | |
|-------|---|--------------|---|-----------|---|----------------------|----|
| 20-24 | 4 | Baghdad | 3 | Arab | 6 | Transwoman | 2 |
| 25-29 | 9 | Babylon | 1 | Kurdish | 9 | Transman | 0 |
| 30-34 | 3 | Basra | 1 | Mixed | 1 | Non-binary (& trans) | 1 |
| 35+ | 0 | Duhok | 1 | | | Cisgender | 13 |
| | | Erbil | 5 | | | | |
| | | Kirkuk | 1 | | | | |
| | | Sulaymaniyah | 4 | | | | |

| SEXUAL ORIENTATION | | EMPLOYMENT | | LIVING SITUATION | |
|--------------------|---|------------|---|----------------------|----|
| Lesbian | 8 | Employed | 7 | With family | 12 |
| Bisexual | 5 | Unemployed | 6 | With others or alone | 4 |

The map in Figure 1 highlights the cities where the interviewees live. One lives part-time in the United Kingdom.

Figure 1: Cities in Iraq Where Interviewees Live



Interview Themes

Seven themes were identified through the analysis of these interviews, as follows:

- Fear is constant and pervasive, and safe spaces are few.
- Women, in general, are marginalized, and LGBTQ women are invisible.
- Humanitarian organizations do not address the specific needs of LGBTQ women, or LGBTQ people more broadly.
- Socioeconomic status affects safety and political participation.
- All interviewees have a common desire for basic safety, security, and love.
- Challenges for transgender women are magnified.
- Conflict has slowed progress for all women, including LGBTQ women, and has added to their psychological struggles.

1. Fear is Constant and Pervasive, and Safe Spaces are Few

The interviewees were asked to describe their main concerns, both currently and when they first realized that they were lesbian, bisexual, transgender, or queer. All expressed concern about their physical safety, although only two stated that they had personally experienced physical violence. Others described emotional abuse. Some spoke of the psychological anguish that they must endure by not being able to live openly—by essentially having to live double lives.

While few of the interviewees said that they had experienced violence, the many documented cases of violence against gay men and gender non-conforming people in Iraq in recent years gives credence to their fears, which may be amplified by the unknown: anecdotal evidence suggests that so few LGBTQ women in Iraq have revealed their sexual orientation or gender identity beyond a narrow, trusted circle that assuming the worst is understandable.

Safe spaces are virtually non-existent, made worse by the COVID-19 pandemic. Two organizations—IraqQueer and Rasan—focus on gender equality and the human rights of LGBTIQ people, and another, the Organization for Women’s Freedom in Iraq (OWFI), extends sheltering support to women and LGBTQ people fleeing domestic and other forms of violence. Despite the existence of these organizations, support is limited due to the inherent risks in the work.

Interviewees reported that defying social and religious norms is typically met with derision and exclusion and that revealing their sexual orientation or gender identity would present the risk of harm. As one interviewee put it: “I will be looked at as something repulsive. I will be looked at as someone who does not deserve to live.” (Nadera, a lesbian from Duhok.)⁴⁶ For some, the fear they experience centers on being found out by families. Some interviewees believed that coming out would likely lead to violence against them, or even death, including through honor killing. In total, seven interviewees expressed fear that if people learned of their sexual orientation or transgender identity, they would be killed, either by family members, friends or acquaintances, or militias.

Interviewees also noted that recourse for violence against women was essentially non-existent. Nadera, who lives between

Duhok and Erbil, said: “The crimes that have been committed against women [generally] have been taken very lightly. There is no punishment, or even if there is a punishment, it is very weak. So, it is like encouraging more people to do harm to women. Women are afraid to speak up because there is always going to be victim-blaming.”⁴⁷ Ramla, a lesbian from Duhok, said: “It is the same as gaps for all straight women. Our life is worthless. If a man rapes a woman, he can marry her, and everything is ok... The laws in Iraq don’t protect us women.”⁴⁸

NADERA

Nadera is 28, identifies as a gay woman and splits her time between Duhok, where she stays with her family, and Erbil, where she stays with friends. She works for a humanitarian organization. She said: “When I first realized that this is my sexuality, I knew- after reading and researching- about how difficult it is, even for people abroad, let alone in a conservative society like this. I knew that I would have a challenge with my family- that they will not accept me. But I think I am slowly coming to the realization that I don’t need that from them- I don’t care anymore.” Yet, she still fears for herself, as she worries that she will never be able to be with one that she loves. She fears that if she meets someone, a relationship will be difficult: a potential partner might be in another country, or from a conservative family, or not independent. Nadera is determined to strive for self-sufficiency: “I have to work hard to reach a point where I can take care of myself, where I can be independent and do something with my life without letting anyone control me...[the fear of being controlled] pushes me to work hard... my needs are to live a life without fear that this person might be watching me or that person my harm me some way.”

46 OutRight interview with Nadera (pseudonym) via zoom, December 22, 2020.

47 Ibid.

48 IraqQueer interview with Ramla (pseudonym), December 28, 2020.

The real or perceived risk of harm upon outing oneself or being outed means that many of the LGBTQ women we interviewed suppress or deny their identities and feelings. Shatha, a 28-year-old bisexual woman from Erbil, said: “I have to control my feelings and only be ok when I like a man. I cannot let myself like a girl this way. I will die. I cannot be with other women because if I do that, I will be killed.”⁴⁹ Rand, a 33-year-old lesbian, also from Erbil, said: “I want to live my life [openly] as a normal person. But it is impossible. So, I always hide it, so I don’t get killed by the militias.”⁵⁰

Zahraa, a 30-year-old lesbian woman in Baghdad, noted: “I knew of my homosexuality since the age of 15, but I didn’t tell anyone because if I told anyone in my family, my father and mother will know, and they will kill me. My biggest concern is how to hide my desire for women.”⁵¹ A lesbian from Baghdad, Reem, stated: “I was so afraid of anyone knowing about me. I will get killed for sure.”⁵² For these women, the constant sense of fear and anxiety about being found out cannot be overstated.

Six of the interviewees described being subjected to frequent verbal or physical abuse by their families because their families found out or suspected that they were lesbian, bisexual, transgender or queer. Leila, a Kurdish trans-woman living with her family in Kirkuk noted: “I am afraid because maybe they will kill me one day, and no one can protect me. They hit me every day, they insult me, and threaten that they will kill me. I live in fear every single day.”⁵³

49 IraQueer interview with Shatha (pseudonym), December 21, 2020.

50 OutRight interview with Rand (pseudonym) via zoom, October 30, 2020.

51 OutRight interview with Zahraa (pseudonym) via zoom, February 5, 2021.

52 OutRight interview with Reem (pseudonym) via email, February 1, 2021, and via zoom, February 2, 2021.

53 IraQueer interview with Leila (pseudonym), December 21, 2020.

Even if one’s family is supportive, the risks remain. As Dura, a bisexual student from Sulaymaniyah, described: “I grew up with supportive family...but you have to be really careful of what you say. You have to become as normal as possible. And if you don’t, then there will be a lot of criticism [from the general public]. If someone is openly gay, and even though they live within a community that is understanding, they still get online death threats and rape threats.”⁵⁴

For others, being found out has led - or could lead - to expulsion from home, forced marriage, or involuntary confinement as punishment. At least one interviewee was expelled from her family home, while another was confined at home, cut off from communicating as her parents had confiscated her phone and computer. (See case study on Lamya.⁵⁵) Others feared losing their friends or their jobs. Four women talked about being pressured to marry and having to actively reject prospective husbands. Maria, a 27-year-old lesbian in Basra, said: “I am afraid of being forced into marriage. Mum and Dad keep pressuring me to agree to marry one of the candidates who is proposing to me.... The biggest difficulties are my ability to express my identity, and the constant fear is an integral part of my daily life. It is difficult to live with my family, because, despite my love for them, I always hide a large part of my identity and humanity.”⁵⁶

Nayra, who is 29 years old and from Babylon, revealed that: “Every time my family asked me to marry, it became difficult to find excuses for rejection as I got older. If I tell my family that I am gay, they will treat me like a freak, and against religion, and they will force me to marry- and so will my friends.”⁵⁷

54 OutRight interview with Dura (pseudonym) via zoom, December 22, 2020.

55 OutRight interview with Lamya (pseudonym) via zoom, November 6, 2020.

56 OutRight interview with Maria (pseudonym) via email, November 8, 2020.

57 OutRight interview with Nayra (pseudonym) via zoom, February 8, 2020.

The constant pressure and fear of being found out takes its toll on romantic relationships. Ramla, a 21-year-old lesbian in Duhok, expressed this concern: “I am always afraid that people will know, and our life will be in danger... they will not accept us. When we are together, the fear is there, too, and it is hard for us to simply enjoy being together alone...We cannot live a normal life, and we can’t simply hold hands

LAMYA

Lamya is a 25-year-old bisexual student from Erbil. She is of mixed Arab and Kurdish background and currently lives with her parents, although she previously lived outside of the country. When she first realized she was queer, at 15, her main challenge was to imagine a future for herself. She said: “As I grew older and became surer of my identity, I started realizing that more and more people were trying to oppress those not-so-heteronormative traits of my personality... and with that came fear- I might lose a lot of privileges just because I don’t fit in.” She started self-harming at 16, which she believed was the result of generalized anxiety due to the pressure and discomfort she felt from being around people whom she knew would not accept her. She was also attending a conservative school at the time. This period coincided with her first relationship with a woman. When her parents discovered her relationship, their reaction was “severe.” She recalls: “They took away my phone and laptop, stopped me from going to school, and I was basically locked inside my bedroom for an entire two months. I endured lots of mental abuse and violence in general. I had internal bleeding from beatings and was not allowed to access medical care. They made me go to a psychiatrist, but I was lucky, He was decent and educated me on how to self-protect.” She sought to work on self-acceptance—to rid herself of internalized homophobia. She also sought to create friendships where she could be herself. This meant that she had to lose many friends, which was extremely difficult.

and be together without fear that others will know about us and maybe hurt us. I have to always hide who I am and hide that this girl is not my friend, she is my love. She is the one I always want to be with.”⁵⁸

Others also expressed the need for queer people to be allowed to live safely, in part so that they can meaningfully contribute to rebuilding the country. Sameera, a Kurdish lesbian living in Baghdad, noted that, if queer people could feel safe enough to exist within the Iraqi community, “then they can go and find good education opportunities, good work opportunities, and be the best that they can be... they [can be] productive instead of being passive.”⁵⁹

The COVID-19 pandemic has added to the pressure and stress that many LGBTQ women experience. Whereas before the pandemic, LGBTQ women might have felt less isolated if they were employed or could attend university even if they could not safely be out at work or school, interviewees reported that they now feel more confined and increasingly unsafe at home out of fear of being found out. According to Sameera, a lesbian from Baghdad, some women are “stuck at home with their abusers,”⁶⁰ due to COVID-19. Those who were working on LGBTQ issues also could not easily shift their work to home. As Maria noted: “My family’s continuous presence at home reduces my privacy, so I find myself trying to work in the middle of the night or early morning because I want to continue supporting [IraQueer’s] work.”⁶¹ She added: “By virtue of my work, I have met many queer women who are facing increased violence at home, whether by the father, brother, husband, or others. Many of the women I spoke to reported that they had suffered from depression and some even

58 Ramla interview.

59 OutRight interview with Sameera (pseudonym) via zoom, November 5, 2020.

60 Sameera interview.

61 Maria interview.

considered suicide”⁶² Lamees, a bisexual woman from Sulimaniyah, noted: “I believe queer people used to get a chance to hang out with their friends and maybe just be themselves. With COVID forcing everyone to stay home, they are not able to show some parts of their personalities and themselves anymore... For me, I am not able to express myself fully around my family. I face more anxiety and depression now, and the level of family conflicts is just higher than ever.”⁶³

2. Women, in General, are Marginalized, and LBQ Women are Invisible

We asked the interviewees specifically whether they saw representation of women in official circles, decision-making, and civil society in Iraq; how they viewed queer activism in the country; and how well the women’s rights movement represented the interests of LBQ women and transgender people. Most respondents said that, as it is, women do not have sufficient rights, and that most women’s rights activists do not advocate for queer women. Women in leadership positions face tremendous challenges in advocating for gender equality, whether they are within government or part of civil society. There are no openly queer women in public view.

Several interviewees noted that Arab and Kurdish women, generally, are subjected to patriarchal social norms, discriminatory laws, and lack of protection from domestic and other forms of violence. In this context, the vulnerabilities of and threats to LBQ women are further heightened, and achieving recognition, protection, and equality is extremely challenging. Interviewees talked of being disadvantaged as women, and invisible as queer women. Their ability to escape their circumstances by, for example, moving away

⁶² Maria interview.

⁶³ OutRight interview with Lamees (pseudonym) via zoom, December 11, 2020.

from their families, is not a realistic possibility for many, given that very few Iraqi women live on their own, without either parents, extended family or a husband.⁶⁴

In terms of political representation, progress towards improved gender equality through legal and social reform is slow. Interviewees noted that, although women hold some parliamentary seats, their voices in decision-making are marginalized, they tend to be older and more conservative, and do not represent the interests of all women—and certainly not LBQ women, who are left off the gender equality agenda completely. Women who are outspoken within the government or as leaders in civil society may be targeted with attacks on their reputation.

“In official circles, in parliament, the women have power, arms, wealth, but they are always underestimated, and they will always be exposed to rumors about their honor and about their personal lives and families. The most dangerous place for women is civil society in Iraq. All women are targeted.”

—Interview with Reem

Reem, a lesbian from Baghdad, believes that: “In official circles, in parliament, the women have power, arms, wealth, but they are always underestimated, and they will

⁶⁴ Finnish Immigration Service. *Overview of the Status of Women Living without a Safety Net in Iraq*. 22 May 2018, p.1, pp. 39–41. https://migri.fi/documents/5202425/5914056/Report_Women_Iraq_Migri_CIS.pdf/ab7712ba-bad7-4a1f-8c1f-f3f4013428a7/Report_Women_Iraq_Migri_CIS.pdf, accessed December 16, 2021.

always be exposed to rumors about their honor and about their personal lives and families. The most dangerous place for women is civil society in Iraq. All women are targeted.”⁶⁵

Almost all interviewees felt that until women, overall, achieved economic and social justice, queer women’s rights will not be recognized or protected. As Maria, a lesbian from Basra, noted: “Women in Iraq are marginalized... Queer women are legally disappeared. We don’t exist... There are many laws that negatively affect women in general.”⁶⁶ Lamya, a 25-year-old bisexual woman from Erbil, shared a similar perspective: “The points I want to draw attention to are not only going to be from the lens of my queer identity, but also from my position as a woman. Because whatever form of sexuality you practice as a woman in the MENA [Middle East and North Africa], it’s going to affect the quality of your life negatively.”⁶⁷ She added that when she was younger, she was bullied for being Kurdish and felt a sense of being excluded for the first time. Then, at age 15, she realized that she was queer. She said: “I could sense from a very, very early stage that this was going to create even further exclusion in my life.”⁶⁸

Civil society activists try to raise public and political awareness of violence and discrimination against LGBTQ people, but they work primarily online via social media platforms. Some Iraqi queer women are unaware of the work of the few organizations that do promote the rights of LGBTQ people in Iraq. Nayra from Babylon said: “Queer organizations in Iraq are almost non-existent, and even if they [exist],

they are hidden. No one can reach them.”⁶⁹ As a result, many of the women we interviewed felt isolated and alone in their struggles. (See case study on Yasmin.⁷⁰)

YASMIN

Yasmin is 29, identifies as non-binary and transgender, and lives alone in Sulaymaniyah. They feel quite isolated. They noted: “I can’t have friends who know me as who I really am...I can’t even go to a therapist because I don’t know what kind of doctor I will encounter... Once you can’t be yourself, you can’t do much.” They would like to see more queer activism that, at least, shows that queer people exist in Iraq. Right now, they feel that activism exists primarily on social media. Yasmin said: “It needs to be much more powerful, much bigger. We need to have discussions, petitions, projects outside in the real world, so that people will talk about [our rights], think about it. The groups we need to talk to are the mature people, the older people because they run the politics, they are in government... we can’t just sit and talk to ourselves...the [people in power] pretend that we don’t exist. That’s a big problem... I don’t expect a lot to change in the next 20 years if we don’t present ourselves, but we can’t go forward without back-up. I can’t just go protest and get killed. It has no impact, and no one cares... but when there is a movement, it works...We need to be in contact with all movements- all together, so it can be something big.”

Although some LGBTQ women participate in civil society organizations aimed at advancing LGBTQ equality and women’s rights, for other women, openly engaging in activism is not possible. Sameera, a 30-year-old Kurdish lesbian in Baghdad, asserted: “Being a queer woman

65 Reem interview; and see, for example: Charlotte Bruneau. ‘Braving Intimidation, Hundreds of Iraqi Women Run for Parliament’. *Reuters*, September 16, 2021. <https://www.reuters.com/world/middle-east/braving-intimidation-hundreds-iraqi-women-run-parliament-2021-09-16/>, accessed December 15, 2021.

66 Maria interview.

67 Lamya interview.

68 Lamya interview.

69 Nayra interview.

70 OutRight interview with Yasmin (pseudonym) via zoom, November 20, 2021.

activist – that would actually end your future in the country and your relationships with your family and friends and everything – even if you had supportive friends and family. This society would not leave you be.... there is no law related to honor killing, and the family protection law [that criminalizes domestic violence] hasn't made progress. It passed in parliament, but it is still not approved by the Prime Minister, so it is just a political move, I guess. [There is no] law or policy that can provide protection for women, whether they are queer or not."⁷¹

Ramla, a Kurdish lesbian from Duhok, said: "I have never heard a women's organization talk about queer women. Ever."⁷² Lamees, a bisexual Kurdish woman from Sulaymaniyah, said: "Never have I heard of any women's rights organizations or movements taking care or being interested in queer women."⁷³ Basma, a bisexual in Erbil, said: "Even women's organizations don't want to admit the existence of queer people... And there is no woman activist or feminist that would speak about the rights of a trans woman at all."⁷⁴ In fact, some women's organizations are working with queer women, but their work is on a small scale and often not public.⁷⁵

Nabeela, a trans woman from Sulaymaniyah, stated: "The women's rights movement almost never speaks about queer women. They only speak about domestic violence and gender-based violence [against cisgender, straight women]. They never include queer women."⁷⁶

3. Humanitarian Organizations Do Not Address the Needs of LGBTQ People in General, and Queer Women in Particular

Since 2003, Iraq has been the focus of hundreds of governmental and non-governmental organizations (NGO), particularly international humanitarian assistance and development organizations. As of September 2020, Iraq's Federal NGO Directorate reported that 3200 NGOs are registered in Southern Iraq (all parts of Iraq excluding Kurdistan). In the autonomous region of Kurdistan, an additional 3,800 are registered.⁷⁷ We asked interviewees whether and how they saw humanitarian and development organizations addressing the needs of LGBTQ women in Iraq, and, additionally, what such organizations should be doing.

The resounding response was that these organizations have completely overlooked the needs of queer women. Based on the interviews, these specific needs include access to mental health support; access to inclusive women's health care services; improved safety and security; equal economic opportunity (as women, and as queer women); strengthened and inclusive gender-based violence prevention and response; access to shelter, especially if forced to leave home; and improved food security for those unemployed. Several interviewees noted that a few organizations are trying to address the needs of women escaping violence and provide sheltering and other services, and they are not opposed to assisting LGBTQ people- but it is not the norm. Political leadership on queer women's rights, and on LGBTQ issues more broadly, does not exist.

Rand, a lesbian in Erbil who works in the humanitarian sector, said: "There are some

71 Sameera interview.

72 Ramla interview.

73 Lamees interview.

74 OutRight interview with Basma (pseudonym) via zoom, November 5, 2020.

75 Communication with IraQueer, December 22, 2021.

76 IraQueer interview with Nabeela (pseudonym), December 28, 2020.

77 International Center for Not-for-Profit Law. *Civic Freedom Monitor: Iraq, "At a Glance."* Last updated April 26, 2021. <https://www.icnl.org/resources/civic-freedom-monitor/iraq>, accessed December 15, 2021.

organizations doing confidential work, and they do care about women in general, and they have shelters in Baghdad. ... When we have ladies that need shelter, we coordinate with those people. They don't care about sexual orientation. They only care that a woman needs a safe space."⁷⁸

According to Maria, from Basra, however: "Support [from humanitarian and development organizations] for the LGBTQ cause in general, and queer women, in particular, is non-existent. I don't know if they are doing anything behind the scenes, but there is no support from these organizations."⁷⁹ Ramla, from Duhok, said: "I have not heard of any of them actually helping people like me. If we do not know about it, how do they help people? I have no trust in them."⁸⁰

Some of the respondents noted that when it comes to international organizations, the lack of inclusion of LGBTQ people generally, and queer women specifically, may reflect the limitations imposed by the Iraqi government. Lamya, in Erbil, commented: "I think they are doing the best in terms of the spaces and capacities they have. Is it good enough? Absolutely not... Unfortunately, under the Iraqi law, and under the Iraqi rules and regulations for the existence of the international community in Iraq, they have to operate completely under the flag of your countries. So, work reflects government positions and priorities. And we know very clearly where queer people stand in the eye of the government - how

78 Rand interview.

79 Maria interview.

80 Ramla interview.



"Feminism and Queerness." Illustration by GALA

they are prioritized. They are not prioritized at all."⁸¹

Political leadership on queer women's rights, and on LGBTQ issues more broadly, does not exist. Sameera, from Baghdad, remarked that despite donors and the government talking about "gender mainstreaming," they do not consider queer women as among the "beneficiaries."⁸²

Some interviewees felt that, at the very least, humanitarian organizations should publicize the circumstances and threats faced by LGBTQ people and try to influence the government regarding its treatment of LGBTQ people. This is a view held by Nadera, also in Erbil: "Organizations such as the UN maybe can influence the government to make it illegal to discriminate against LGBT people - they

81 Lamya interview.

82 Sameera interview.

can have that influence on them. But I don't know if they are working towards that or not. They should also address the crimes happening against gay people, like showing to the government – to the people – that this is wrong. This is the disgusting part about it – that people will be happy that if one more LGBTQ person dies or is killed. They will not feel sorry for LGBTQ people, which is a very repulsive idea.”⁸³ She went on to say: “Maybe international organizations can raise awareness that [LGBTQ people] are being killed just because of their sexuality, which is not doing harm to anyone. I am sure there will be backlash- there will be attacks from the countryside – but that is how change happens. You have to do something that makes people angry. If not, then you are not doing anything.”⁸⁴

While interviewees do not believe that humanitarian assistance organizations have any strategic commitment to meet the needs of LGBTQ people generally, let alone LBTQ women, some cited examples of individuals within the aid sector who have tried to provide support. Rand, the lesbian from Erbil who works in the humanitarian sector, described her experience engaging with a UN agency in which the willingness of the agency to take up LGBTQ-inclusive programming seemed to fluctuate depending on staffing and leadership.⁸⁵

Overall, the picture painted by the interviewees is that the humanitarian sector ignores LGBTQ people, generally, and that for queer women, specifically, no dedicated services or support exist, unless, marginally, in the context of broader support to women fleeing gender-based violence.

4. Socioeconomic Status/Class Affects Safety and Political Participation

Pervasive gender inequality and harmful gender norms can imperil women's financial

security. Women suffer disproportionately from poverty and food insecurity because of low overall income levels, and are significantly disadvantaged in accessing education, employment, and adequate shelter.⁸⁶ Several interviewees expressed the importance of being financially independent as a means of achieving safety and security. This could mean being able to live separately from families, or, if necessary, leaving the country. They acknowledged that most women, however, do not have the education or resources to contemplate living independently.

Maria noted: “If I want to be with a girl, I obviously can't do it in my hometown. I would have to go abroad to a country where that's ok...Not many people can do that. They don't have the resources to do that to get away from their family to be with the person they love, which will just end up with them either being alone, not getting what they want out of life, or marrying somebody that they have no interest in.”⁸⁷ Nadera, made a similar point: “Being financially independent is the best thing that can happen to a woman in this country. My needs are to live a life where I can be safe, where I can go about my life without fear that this person might be watching, or this person might harm me in some way, or they will look at me in a different way.”⁸⁸

The desire for financial independence as a means of escaping to safety has served for some as a motivation to pursue their education. Sameera explained that is essential to have a job and be financially independent, “so that, with whatever happens, you can just have the financial means to basically save yourself and be somewhere else where it is safer for you. I tell my friends that empowering yourself to be financially independent is something that is very essential to your safety and security and

83 Nadera interview

84 Ibid.

85 Rand interview.

86 Vilaro and Bittar, 2018, p. 25.

87 Maria interview.

88 Nadera interview.

to get the best education that you can to be able to get the better jobs and to be able to face those challenges.”⁸⁹ Leila, a transgender woman, commented: “I need to continue my education and get a job so I can escape and live somewhere else [outside the country] – to escape from my family that threatens me every day of my life. If I don’t escape, I will die.”⁹⁰

LEILA

Leila is a 26-year-old Kurdish transgender woman from Kirkuk. She lives with her parents and other family members. She recounted that her family will never accept her as she is, and that her family berates and insults her daily. Sometimes she is beaten. She says that she has thought of killing herself “many times” and that she tried once, with pills, but survived. Her education was cut short due to her trans identity. She said: “Being trans was used against me to stop me from continuing school and having a decent life. I have no life. I cannot love anyone. My only life is online. Everything else is a nightmare.” She wants to continue her education so that she can “escape” and live somewhere else, outside of Iraq.

Reem, an unemployed lesbian in Baghdad, points out, however, that her family exerts considerable control over what she can study and what job would be acceptable. As a young girl and now a woman, her family forbade her from playing sports in high school or studying in a sports college. Currently, she is unable to find work that meets the approval of her family. She said: “I need to be free to study whatever I want, or go out with my friends, or go for a walk alone when I need. I need to be independent and able work where I want. I need a quiet life and a warm home with the one I love.”⁹¹

89 Sameera interview.

90 Leila interview.

91 Reem interview.

5. Common Desire for Basic Safety, Security, and Love

When asked about their demands and needs, most interviewees spoke, first, about safety and security, and second, about the right to live freely with a partner of their choosing. Ramla, from Duhok, captured the sentiments of several women whom we interviewed. She stated: “I need to feel safe and not be afraid all the time. I need to be happy with my girlfriend without always hiding our love and our feelings. I don’t want a lot in life; I only want to be with her freely.” Similarly, Maria, from Basra, commented: “I want to wake up in the morning without feeling afraid or anxious about my future. Can my dreams come true? I want to have a source of income without fear that my identity will be revealed. I want to live my life. I do not want anything else.”

Some noted the importance of dismantling damaging myths and beliefs about LGBTQ people, and demanding, from the government, the adoption of anti-discrimination laws and other protections. Some also explicitly addressed the need for basic justice and recourse when their rights are violated. Lamya, from Erbil, said that she was not expecting stigma against LGBTQ people to end anytime soon – that this would take years – but that queer people should at least have “the right to exist and live.”⁹² As Shatha, from Erbil, said: “I have so many needs. Where to begin? I think we need to be equal to men. We need to have a voice to be able to work and live without being controlled by men – not only queer women, but all women. I think we need to punish killers when they attack and kill women.”⁹³ Yasmin, a 29-year-old non-binary trans person, and Maria, from Basra, both captured the sentiment of several interviewees. Yasmin said: “I want politicians and those who have impacts on politicians to try to legalize our existence, our needs, our protection. Let us be who we are.

92 Lamya interview.

93 Shatha interview.

And I want them to let us take part in economic activities just like other people. We should be part of building this society, not being taken apart.”⁹⁴ Maria said: “I want to be recognized as a person of value who is able to build a society and live normally.”⁹⁵

Some also spoke about the need for mental health support to cope with depression, rejection, and anxiety related to living in a constant state of fear. Shatha, who lives with her father and siblings and remains closeted, said: “I need to be free. I need to have a job to be independent. I need to live without fear, without being like a maid at home. I need mental health support because I feel so depressed.”⁹⁶

Finally, some interviewees talked about wanting to be valued in society and to have their voices heard. Yasmin demanded that people simply accept them as human beings. They added: “We are not against people. We don’t want to harm people. We are simply how we are and who we want to be. Acceptance and protection and security are the main things, and then comes having women’s voices heard and being able to address the economic needs, education needs, work needs and all... I really feel like [civil society and the government] need to work together to actually advance those things and to be able to achieve something on the ground.”

6. Challenges for Transgender Women are Magnified

Considering the reality that gender affirmation surgery and other affirmative care is not legal in Iraq, and that transgender lives are viewed with contempt, it is not surprising that the three transgender interviewees expressed significant fear, anxiety, and even desperation about their current circumstances. Indeed, in recent years, several murders of transgender and

gender-diverse people have been documented.⁹⁷

Two of the three transgender interviewees live in Sulaymaniyah in the Kurdistan Autonomous Region (one of whom identified as Kurdish), while one, also Kurdish, lives in Kirkuk, a city under Iraqi federal government control but that has been disputed and at one time was claimed by Kurdistan. Interviewees talked about having to cope with ongoing gender dysphoria. Nabeela, a 23-year-old transwoman from Sulaymaniyah, said: “I am scared that I will live the rest of my life in a body that isn’t mine and that I will never live my true self. ... Having to respect my family and their reputation, I am unable to live my life. I want to transition and be a woman and live my life like any other woman in the society – get a job, love someone, get married and have a family. But I do not know if these things will ever be possible for me.”⁹⁸ She went on to say that her family was an obstacle, but even if they became more accepting, it would be difficult for her to transition because gender affirmation surgery is not legal in Iraq and she cannot get new documents that correlate with her gender identity. She stated: “I need to transition and get my documents so I can live my life as a woman. We need... to push Iraqi and Kurdistan governments to protect us. We want the right to have documents and transition surgery. I am not a full human because I am in a body that I hate.”⁹⁹

According to Yasmin, also from Sulaymaniyah who identifies as transgender and non-binary, they cannot get the health care they need: “It is not easy to get the health care I need, for example, my pills or having access to surgeries that are very important. And it is causing lots of

94 Yasmin interview.

95 Maria interview.

96 Shatha interview.

97 See, for example: Sara Al Shurafa. ‘Iraqi Teenager Brutally Killed Because of his Looks.’ *Gulf News*. October 11, 2018. <https://gulfnews.com/world/mena/iraqi-teenager-brutally-killed-because-of-his-looks-1.2288828>, accessed December 15, 2021; and Dilan Sirwan. ‘Mother Fears Trans Son was Killed by Family Members.’ RUDAW.net, January 1, 2021. <https://www.rudaw.net/english/kurdistan/010720212>, accessed December 15, 2021.

98 Nabeela interview.

99 Ibid.

dysphoria... The most important thing for me is to have legal support- first of all because when I can be who I am legally, then things will get easier. And next, to have access to health care, especially for surgeries. I think every person like me needs this. It is not only very hard to get, it is literally impossible to have.”¹⁰⁰

“We want the right to have documents and transition surgery. I am not a full human because I am in a body that I hate.”

–Interview with Nabeela

Several interviewees expressed pessimism about the prospects of Iraqi society becoming more accepting of transgender people. Leila, from Kirkuk, noted that: “Society, family, and everyone around me will never let me be who I am...They will never treat me like a human.”¹⁰¹ (See case study on Leila.¹⁰²) Lamya, a bisexual woman from Erbil, said: “Many people within the working-class queer community are unable to access much. Trans people are the most harmed... just like everywhere else...We are basically banning the right for them to exist – basically asking them to starve to death and just vanish.”¹⁰³

7. Conflict has Slowed Progress for Women, including Queer Women, and Added to their Psychological Struggles

Iraq’s long history of war and religious and ethnic conflicts has affected people differently depending on where they live, their religion,

their ethnicity, and their gender. Yet many interviewees spoke of how living in a country in conflict has meant that advocacy for the human rights of LGBTQ people remains de-prioritized and even small gains are fragile. As Sameera noted: “As long as conflict exists, no matter what kind of progress is happening towards accepting the queer community in Iraq, it is going to be destroyed in two seconds, honestly. And the same time, people don’t see preserving those rights of the queer community as a priority... They say, even heterosexual people are not finding their rights, why would we care about the queer community?”¹⁰⁴

Further, the stress of war and conflict has exacerbated mental health and well-being challenges of queer women, who are already struggling due to persecution, isolation, and discrimination. Nayra, a lesbian from Babylon, said: “The wars added to the psychological crisis that I was exposed to from my family, and, currently, I suffer from chronic depression, chronic tension, and anxiety.”¹⁰⁵ Maria, from Basra, echoes this sentiment: “I was young when Iraq was invaded, but religious and ethnic conflicts have a great impact on my life, as many of my rights were taken away... My mental health is negatively affected by conflict, fear, and intimidation. I do not know if the situation would be different if Saddam was in power, but I know that [political uncertainty] generates a state of despair.”¹⁰⁶ Finally, the perpetual state of conflict has meant that it is difficult to have long-term goals when you don’t know what is going to happen tomorrow. The COVID-19 pandemic reinforces this sense of precarity and unpredictability, according to several interviewees.

100 Yasmin interview.

101 Leila interview.

102 Ibid.

103 Lamya interview.

104 Sameera Interview.

105 Nayra interview.

106 Maria interview.



IraQueer and OutRight Recommendations

When asked what the interviewees would recommend to the government, civil society, humanitarian agencies, and other development actors in Iraq and Kurdistan, their responses focused primarily on helping to ensure access to safety, security, justice, and dignity for LBQT women. The following are the specific recommendations to governments, the humanitarian and international aid sectors, and civil society based on our interviews.

To the Governments of Iraq and the Kurdistan Autonomous Region

- The Iraqi and Kurdistan governments must officially guarantee and enforce the right of life and protection from all kinds of violence for all the members of the LGBTQ community, with special attention given to LBQT women and gender-diverse persons. Actions should include official, high-level condemnation of anti-LGBTIQ violence, including honor killings and other forms of family violence targeting women, by political party leaders, government officials, and

“Issue a law that protects not just queer women but the entire LGBTQ community, to actually save them from getting killed. And...establish that there will be punishment for this. Openly admit that we exist here.”

–Dura, 23, bisexual, Sulaymaniyah

“My recommendation is to protect women in general because we face a lot of violence– beating, murder, and the types of crimes that are neglected by the government. They must protect all citizens.”

–Maria, 27, lesbian, Basra

“We wish to be acknowledged, accepted, and protected...so that you just don’t kill us. Simply protect us. We are humans just like others. Why are we always forgotten?”

–Ramla, 21, lesbian, Duhok

tribal authorities. An inclusive Family Protection Law must be passed, so that viable paths for recourse are created for all women, regardless of sexual orientation, gender identity or expression.

- The Iraqi and Kurdistan governments, as well as all non-governmental actors involved in humanitarian or development assistance should ensure that basic humanitarian needs such as shelter, food, hygiene, and sanitation are available to all LGBTQ community members in need.
- The Iraqi and Kurdistan governments must change shelter laws so that NGOs can legally provide shelter and support to women, LGBTQ people, and other vulnerable groups fleeing violence or otherwise experiencing displacement.
- Governmental and non-governmental entities should strengthen awareness and education on gender and sexuality through accessible channels aimed at LGBTQ communities and the public.
- The Ministry of Education should develop age-appropriate, non-judgmental comprehensive sexuality education.
- The government, including through the Ministry of Communication, should support campaigns and other content relating to queer women's rights and ensure that they are not censored.
- Political party leaders and government decision-makers must ensure that women, including LGBTQ women, are meaningfully included in political and economic life, beyond meeting basic quotas of representation, so that their voices and positions are respected and taken into account in policymaking.
- Legal gender recognition laws should be passed, and access to gender-affirming treatment made available for trans people.

“Put it in the education system, just teaching about sexualities_– not to say this is right or wrong, not impose anything on those you are teaching, but just so they could have knowledge in an educational way. Let people form their own opinions based on the data that are presented to them.”

–Dura, 23, bisexual, Sulaymaniyah

“Stop criminalizing us, and stop excluding us from this community that we relate to and we exist in. We practice our position as citizens way more than you will ever understand. What we are currently asking for is the right to live and exist. We are not going to take over the community, we are not going to be the majority of the country...It is the state's job to provide a sense of safety and community. These are basic rights.”

–Lamya, 25, bisexual, Erbil

“Push Iraqi and Kurdistan governments to protect us. We want the right to have documents and transition surgery. I am not a full human because I am in a body that I hate.”

–Nabeela, 23, transwoman, Sulaymaniyah

“They have to protect and make us equal like every human. We are human beings, and we have rights. We are not just machines to help men and have no life.”

–Shatha, 28, bisexual, Erbil

To Non-Governmental Actors: Civil Society, Religious Leaders, and International Partners and Donors

- Donor and technical support to LGBTQ human rights defenders, organizations, and individuals should be sustained and increased to socially, psychologically, economically, and politically empower LGBTQ people to advocate for progress. LGBTQ women, especially, should be supported.
- Non-governmental organizations, including Iraqi and international human rights and women's rights organizations, should organize campaigns to educate the public about the existence of LGBTQ people, and in particular queer women, and to normalize discussion around gender and sexuality. This may be done through radio programs, film screenings, community forums, and other events.
- Donors should ensure that programs aimed at Iraqi women and/or with strong gender components are inclusive of all LGBTQ women.
- Donors should ensure that LGBTQ women are at the table in donor-organized forums and activities related to human rights, women's rights, and development.
- LGBTQ women activists should further develop partnerships with local, national and international NGOs, UN agencies, and others to ensure that the services that these entities provide are sensitive to and inclusive of LGBTQ needs and preferences.

“Create programs that spread awareness about LGBTQ people. It sounds like a lot of people are against it. But the reality is that a lot of people don't know... And thinking about giving awareness to people, specifically families that have young children, families that have LGBTQ children. Also, case management [such as counseling] is really, really important because we have a lot of young people who just want someone to speak to – nothing else.”

–Basma, 27, bisexual, Erbil

“I ask civic organizations to provide psychological and financial support and work for lesbians so that they can rely on themselves and live their lives with dignity.”

–Nayra, 29, gay, Babylon

“To international organizations, please be helpful, be our voice, we need you to be more effective.”

–Reem, 28, lesbian, Baghdad

Normalize talking about gender and sexuality. We need to talk about it, acknowledge the issue, try to make it right to solve the issue – not by erasing us, not by silencing us and censoring us, but by providing us with our needs and simply being out – to have discussions on TV, on newspapers, on social media.

–Yasmin, 29, non-binary, transgender, Sulaymaniyah



"Trans women are women." Illustration by GALA

Conclusion

As these interviews suggest, LGBTQ women in Iraq, both during and following conflict, remain highly vulnerable and marginalized.

Although they face oppression, violence, and isolation, their lives are invisible to most people, and they are often forced to struggle in silence. To speak out or become visible could mean persecution, expulsion from the family, or even death.

As efforts to rebuild Iraq continue after decades of conflict, it is imperative that the rights of all citizens are upheld, including queer women, in line with the international rights treaties to which Iraq is a signatory. The international community must put pressure on the Iraqi and Kurdistan governments to end discrimination and violence based on sexual orientation and gender identity and expression (SOGIE) in all spheres of life. Organizations working specifically to uplift human rights and gender equality in Iraq must explicitly defend and uphold the rights of LGBTQ women as part of their mandate, while local LGBTQ and women's rights groups and human rights defenders working within Iraq including Kurdistan, should be supported financially and technically, as needed, to end SOGIE-based discrimination. Finally, ongoing documentation of the specific challenges that LGBTQ women face is vital for continued advocacy. While those we interviewed demonstrate tremendous strength in coping with their circumstances, such circumstances should not have to be endured. Queer women deserve the ability to enjoy their full human rights, as do all Iraqi citizens.

The recommendations that the interviewees offered clearly highlight the critical need for accurate information and education about diverse sexual orientations and gender identities, for young people, families, religious leaders, teachers, health providers, and many others. Negative societal perceptions and conservative religious ideologies about queer people perpetuate discrimination and exclusion. While legal protections are essential, social and religious attitudes and understandings must also change so that queer women can live freely and affirmatively.

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