# Flygtningenævnets baggrundsmateriale

| | |
|---|---|
| **Bilagsnr.:** | **1622** |
| Land: | Irak |
| Kilde: | UK Home Office |
| Titel: | Country Policy and Information Note. Iraq: Sexual orientation and gender identity and expression |
| Udgivet: | 23. juli 2025 |
| Optaget på baggrundsmaterialet: | 9. oktober 2025 |
| | |

Home Office

# Country Policy and Information Note
## Iraq: Sexual orientation and gender identity and expression

**Version 3.0**

**July 2025**

# Contents

**Executive summary** ..... **4**
**Assessment** ..... **5**
About the assessment ..... 5
1. Material facts, credibility and other checks/referrals ..... 5
1.1 Credibility ..... 5
1.2 Exclusion ..... 6
2. Convention reason(s) ..... 6
3. Risk ..... 7
3.1 Risk from state and hybrid actors ..... 7
3.2 Risk from non-state actors ..... 8
4. Protection ..... 9
5. Internal relocation ..... 10
6. Certification ..... 10
**Country information** ..... **11**
About the country information ..... 11
7. Legal context ..... 11
7.1 Constitution ..... 11
7.2 Penal code ..... 12
7.3 Anti-LGBTI amendments passed in April 2024 ..... 13
7.4 Proposed legislation in the Kurdistan Region of Iraq ..... 15
8. Treatment by state and hybrid actors ..... 15
8.1 Statements made by officials, politicians and religious leaders ..... 15
8.2 Treatment by state security forces ..... 18
8.3 Treatment by armed groups including the Popular Mobilisation Forces (PMF) ..... 21
8.4 Documentation for trans people ..... 23
8.5 Enforcement of April 2024 anti-LGBTI amendments ..... 23
9. Treatment by non-state actors ..... 23
9.1 Societal attitudes, discrimination and exclusion ..... 23
9.2 Access to healthcare and employment ..... 28
9.3 Physical violence and sexual assault ..... 30
9.4 Forced 'conversions', coercive psychological and medical practices, and 'corrective' rape ..... 33
9.5 Forced marriage ..... 34
10. Media and social media ..... 34
10.1 Regulations ..... 34

10.2 Digital targeting of LGBTI people ..... 35
11. Non-governmental and civil society organisations ..... 37
11.1 LGBTI-friendly organisations ..... 37
11.2 State treatment of LGBTI-friendly organisations ..... 38
12. Protection ..... 41
12.1 State protection and responses to anti-LGBTI violence ..... 41
12.2 NGO shelters ..... 44
**Research methodology ..... 45**
**Terms of Reference ..... 46**
**Bibliography ..... 48**
Sources cited ..... 48
Sources consulted but not cited ..... 51
**Version control and feedback ..... 53**
Feedback to the Home Office ..... 53
Independent Advisory Group on Country Information ..... 53

# Executive summary

Conservative and religious values are prevalent in Iraqi society, where there is very little understanding of or tolerance towards lesbian, gay, bisexual, trans and intersex (LGBTI) people. There are reports of serious violence and abuse against LGBTI people perpetrated by state security forces, armed groups including Popular Mobilisation Forces (PMF) militias, family members, and other members of society. Most LGBTI people in Iraq reportedly keep their identity secret for fear of harassment, discrimination and violence.

In April 2024, the federal Iraqi parliament passed amendments to an anti-prostitution law. The amendments criminalised homosexuality, 'biological sex change based on personal desire and inclination' and men who 'intentionally' act like women. The KRI's parliament, which has been suspended since May 2023, has not passed the law at the time of writing.

LGBTI people in both federal Iraq and the Kurdistan Region of Iraq (KRI) are likely to face persecution or serious harm from state and non-state actors.

LGBTI people in Iraq form a particular social group (PSG) within the meaning of the Refugee Convention.

In general, the state is not willing to offer effective protection to LGBTI people.

Where the person has a well-founded fear of persecution or serious harm from the state, they are unlikely to be able to relocate to escape that risk. Where the person has a well-founded fear of persecution from a non-state actor, internal relocation is unlikely to be reasonable because of widespread societal hostility towards LGBTI people.

Where a claim is refused, it is unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.

Back to Contents

# Assessment

Section updated: 3 July 2025

### About the assessment

This section considers the evidence relevant to this note – that is the country information, refugee/human rights laws and policies, and applicable caselaw – and provides an assessment of whether, **in general**:

- a person faces a real risk of persecution/serious harm by state and/or non-state actors because of the person's actual or perceived sexual orientation and/or gender identity or expression.
- the state (or quasi state bodies) can provide effective protection
- internal relocation is possible to avoid persecution/serious harm
- if a claim is refused, it is likely to be certified as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.

This CPIN provides an assessment of the situation for gay men, lesbians, bisexuals, trans and intersex (LGBTI) people, as well as those perceived as such. Sources often refer to LGBTI people collectively, but the experiences of each group may differ. Most sources cited in this CPIN refer to LGBTI people collectively. Therefore, the CPIN does not break down the treatment of individual groups into separate subsections.

Decision makers **must**, however, consider all claims on an individual basis, taking into account each case's specific facts.

#### Other points to note

The Kurdistan Region of Iraq (KRI) consists of Erbil, Sulaymaniyah, Duhok and Halabja governorates and is under the control of the Kurdistan Regional Government (KRG). Federal Iraq includes all other governorates and is under the control of the Government of Iraq (GoI).

For the purposes of this note, the Popular Mobilisation Forces (PMF) is considered a hybrid actor. While the PMF is officially part of the state apparatus, it has significant autonomy and is not necessarily accountable to state authorities.

Back to Contents

## 1. Material facts, credibility and other checks/referrals

### 1.1 Credibility

1.1.1 For information on assessing credibility, see the instruction on Assessing Credibility and Refugee Status and the Asylum Instruction on Sexual identity issues in the asylum claim and Gender identity issues in the asylum claim.

1.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants).

1.1.3 Decision makers must also consider making an international biometric data-sharing check (see Biometric data-sharing process (Migration 5 biometric

data-sharing process)).

1.1.4 In cases where there are doubts surrounding a person's claimed place of origin, decision makers should also consider language analysis testing, where available (see the Asylum Instruction on Language Analysis).

**Official – sensitive: Not for disclosure – Start of section**

The information on this page has been removed as it is restricted for internal Home Office use.

**Official – sensitive: Not for disclosure – End of section**

Back to Contents

### 1.2 Exclusion

1.2.1 Decision makers must consider whether there are serious reasons for considering whether one (or more) of the exclusion clauses is applicable. Each case must be considered on its individual facts.

1.2.2 If the person is excluded from the Refugee Convention, they will also be excluded from a grant of humanitarian protection (which has a wider range of exclusions than refugee status).

1.2.3 For guidance on exclusion and restricted leave, see the Asylum Instruction on Exclusion under Articles 1F and 33(2) of the Refugee Convention, Humanitarian Protection and the instruction on Restricted Leave.

**Official – sensitive: Not for disclosure – Start of section**

The information on this page has been removed as it is restricted for internal Home Office use.

**Official – sensitive: Not for disclosure – End of section**

Back to Contents

## 2. Convention reason(s)

2.1.1 Actual or imputed membership of a particular social group (PSG).

2.1.2 Establishing a convention reason is not sufficient to be recognised as a refugee. The question is whether the person has a well-founded fear of persecution on account of an actual or imputed Refugee Convention reason.

2.1.3 LGBTI people in Iraq form a PSG within the meaning of the Refugee Convention because they share an innate characteristic or a common background that cannot be changed, or share a characteristic or belief that is so fundamental to their identity or conscience that they should not be forced to renounce it, **and** have a distinct identity in Iraq which is perceived as different by the surrounding society.

2.1.4 Although LGBTI people in Iraq form a PSG, establishing such membership is not sufficient to be recognised as a refugee. The question to be addressed is whether the person has a well-founded fear of persecution on account of their membership of such a group.

2.1.5 For further guidance on the 5 Refugee Convention grounds, see the Asylum Instruction on Assessing Credibility and Refugee Status.

Back to Contents

## 3. Risk

### 3.1 Risk from state and hybrid actors

3.1.1 LGBTI people in Iraq are likely to face persecution or serious harm from the state. This is the case in both federal Iraq and the KRI.

3.1.2 In April 2024, the federal Iraqi parliament passed amendments to the 1988 'Law on Combating Prostitution'. The amendments changed the law's name to the 'Law on Combating Prostitution and Homosexuality' and criminalised same-sex relations, making them punishable by 10-15 years imprisonment. The amendments also ban the promotion of homosexuality with a minimum sentence of 7 years in prison. They also target transgender people and those who do not conform to gender norms, criminalising 'biological sex change based on personal inclination or desire' and men who 'intentionally' act like women, as well as doctors who perform transition surgeries. These actions are punishable by a maximum of 3 years imprisonment. The President of Iraq ratified the amendments in June 2024, but CPIT was unable to find information about their enforcement at the time of writing. As of June 2025 the law has not come into force in the KRI because the KRI's parliament has been suspended since May 2023 and a vote on the legislation has not yet taken place (see Anti-LGBTI amendments passed in April 2024 and Enforcement of April 2024 anti-LGBTI amendments).

3.1.3 Prior to the April 2024 amendments, state authorities in federal Iraq and the KRI reportedly used sections of the Constitution and the Penal Code against LGBTI people. The Constitution and Penal Code do not specifically mention sexual orientation and/or gender identity, but sources indicate that authorities have used several vague provisions to target LGBTI people. The Penal Code prohibits extramarital sexual relations and, as same-sex marriage is not legal, same-sex relations were effectively already criminalised before April 2024 (see Penal code, Constitution, Treatment by state security forces and Enforcement of April 2024 anti-LGBTI amendments).

3.1.4 Politicians and religious leaders have repeatedly spoken out against LGBTI people. For example, in 2022 highly influential Shia cleric and politician Muqtada Al-Sadr launched an anti-LGBTI campaign, prompting thousands of his supporters to sign a pledge to stand against the LGBTI community. Statements made by public figures including Al-Sadr have reportedly incited harassment and violence of LGBTI people (see Statements made by officials, politicians and religious leaders).

3.1.5 There is limited recent reporting on the treatment of LGBTI people by state security forces in federal Iraq and the KRI. A Human Rights Watch report,

published in March 2022 and based on interviews with 54 LGBT people across the country, documented cases of verbal and physical assault, arbitrary detention, torture, and rape, all of which took place between 2017 and 2021. In addition to state security forces, the Popular Mobilisation Forces (PMF) are also responsible for violence against LGBTI people, according to Human Rights Watch. Harassment and abuse (by state security forces and PMF militias) takes place at checkpoints, via targeted arrests, and through entrapment on social media. Sources indicate that the risk of abuse and harassment is higher for those whose appearance and/or behaviour do not conform to existing narrow and rigid social norms (see Treatment by state security forces and Treatment by armed groups including the PMF).

3.1.6 Available information indicates that there are no openly LGBTI-friendly organisations working in federal Iraq or the KRI. In May 2023, Kurdistan Regional Government (KRG) authorities ordered the closure of an organisation called Rasan due to its 'activities in the field of homosexuality' (see Non-governmental and civil society organisations).

3.1.7 If a person does not openly express their sexual orientation or gender identity, consideration must be given to the reasons why they do not. Each case must be considered on its facts with the onus on the person to demonstrate that they would be at real risk on return.

3.1.8 For further guidance on assessing risk, see the Asylum Instructions on Assessing Credibility and Refugee Status, Sexual identity issues in the asylum claim and Gender identity issues in the asylum claim.

Back to Contents

## 3.2 Risk from non-state actors

3.2.1 LGBTI people in Iraq are likely to face persecution or serious harm from non-state actors. This is the case in both federal Iraq and the KRI.

3.2.2 Across federal Iraq and the KRI, being LGBTI is considered contrary to human nature and religious values, and some see it as a form of mental illness. Sources indicate that most LGBTI people do not disclose their sexual orientation and/or gender identity for fear of harassment and violence from their families or wider society. Openly LGBTI people face difficulties accessing employment, healthcare, and basic services because of discrimination. Society in the KRI was previously considered slightly more tolerant of LGBTI people than in federal Iraq, but this tolerance has reportedly declined over recent years (see Societal attitudes, discrimination and exclusion and Access to healthcare and employment).

3.2.3 Sources have documented mistreatment of LGBTI people by their family members and other members of society. Human Rights Watch reported cases of abuse by family members which took place between 2017 and 2021, including people being locked in a room, being denied food and water, being beaten, being electrocuted, being raped, being forced to undergo conversion practices or gender-related hormone treatment, and being forced to marry. There have also been cases of LGBTI people being murdered. In January 2022, a 23-year-old Kurdish transgender woman and well-known makeup artist was reportedly murdered by her brother in Duhok in a so-

called ‘honour killing’. In September 2023, a TikTok star whose content defied accepted gender norms was shot dead in Baghdad, and in February 2024 unidentified assailants stabbed to death a transgender social media personality in Diwaniyah (see Sexual and physical violence, Forced ‘conversions’, coercive psychological and medical practices, and ‘corrective’ rape, and Forced marriage, as well as the CPIN Iraq: Blood feuds, honour crimes and tribal violence).

3.2.4 Sources suggest that anti-LGBTI rhetoric from politicians and religious leaders, as well as the April 2024 anti-LGBTI amendments, have helped to further legitimise societal mistreatment of LGBTI people. As a result, LGBTI people have become more afraid for their safety and have been taking additional steps to hide their identity, such as moderating their online presence (see Statements made by officials, politicians and religious leaders, Enforcement of April 2024 anti-LGBTI amendments, and Media and social media).

3.2.5 If a person does not openly express their sexual orientation or gender identity, consideration must be given to the reasons why they do not. Each case must be considered on its facts with the onus on the person to demonstrate that they would be at real risk on return.

3.2.6 For further guidance on assessing risk, see the Asylum Instructions on Assessing Credibility and Refugee Status, Sexual identity issues in the asylum claim and Gender identity issues in the asylum claim.

Back to Contents

## 4. Protection

4.1.1 A person who fears the state is unlikely to be able to obtain protection.

4.1.2 A person who fears rogue state actors, hybrid actors or non-state actors is unlikely to be able to obtain protection from the state.

4.1.3 This is because in general, the state is not willing to offer effective protection to LGBTI people. In federal Iraq, homosexuality, ‘biological sex change based on personal desire and inclination’, and men ‘intentionally’ acting like women are criminalised (see paragraph 3.1.2). Sources indicate that state authorities in federal Iraq and the KRI have consistently failed to hold to account those responsible for crimes against LGBTI people. For these reasons, it would be unreasonable to expect an LGBTI person to seek protection from the state.

4.1.4 CPIT was unable to find information about arrests or prosecutions for anti-LGBTI hate crimes in federal Iraq or the KRI. LGBTI people rarely report crimes committed against them because of anti-LGBTI sentiment in society and within the police services, and because of the lack of protective mechanisms (see State protection and responses to anti-LGBTI violence).

4.1.5 For further guidance on assessing state protection, see the Asylum Instructions on Assessing Credibility and Refugee Status, Sexual identity issues in the asylum claim and Gender identity issues in the asylum claim, as well as the CPIN Iraq: Actors of Protection.

Back to Contents

## 5. Internal relocation

5.1.1 Where the person has a well-founded fear of persecution or serious harm from the state, they are unlikely to be able to relocate to escape that risk.

5.1.2 Where the person has a well-founded fear of persecution from a non-state actor, internal relocation is unlikely to be reasonable due to widespread hostility towards and discrimination against LGBTI people throughout the country.

5.1.3 For further guidance on considering internal relocation and factors to be taken into account see the Asylum Instructions on Assessing Credibility and Refugee Status, Sexual identity issues in the asylum claim and Gender identity issues in the asylum claim, and the CPIN Iraq: Internal relocation, civil documentation and returns.

Back to Contents

## 6. Certification

6.1.1 Where a claim is refused, it is unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.

6.1.2 For further guidance on certification, see Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 (clearly unfounded claims).

Back to Contents

# Country information

## About the country information

This section contains publicly available or disclosable country of origin information (COI) which has been gathered, collated and analysed in line with the research methodology. It provides the evidence base for the assessment.

The structure and content follow a terms of reference which sets out the general and specific topics relevant to the scope of this note.

This document is intended to be comprehensive but not exhaustive. If a particular event, person or organisation is not mentioned this does not mean that the event did or did not take place or that the person or organisation does or does not exist.

The COI included was published or made publicly available on or before 3 July 2025. Any event taking place or report published after this date is not included.

Decision makers must use relevant COI as the evidential basis for decisions.

Back to Contents

## 7. Legal context

### 7.1 Constitution

7.1.1 The constitution does not explicitly mention sexual orientation or gender identity. However, it contains the following articles[1] which may be relevant:

| | |
|---|---|
| **Article 14** | Iraqis are equal before the law without discrimination based on gender, race, ethnicity, nationality, origin, color, religion, sect, belief or opinion, or economic or social status. |
| **Article 15** | Every individual has the right to enjoy life, security and liberty. Deprivation or restriction of these rights is prohibited except in accordance with the law and based on a decision issued by a competent judicial authority. |
| **Article 16** | Equal opportunities shall be guaranteed to all Iraqis, and the state shall ensure that the necessary measures to achieve this are taken. |
| **Article 17: First** | Every individual shall have the right to personal privacy so long as it does not contradict the rights of others and public morals. |
| **Article 29: First (A)** | The family is the foundation of society; the State shall preserve it and its religious, moral, and national values. |
| **Article 29: Fourth** | All forms of violence and abuse in the family, school, and society shall be prohibited. |
| **Article 31: First** | Every citizen has the right to health care. The State shall maintain public health and provide the means of prevention and treatment by building different types of hospitals and health institutions. |

[1] The Constitute Project, Iraq's Constitution of 2005, 28 December 2005

| | |
|---|---|
| **Article 37: First (A)** | The liberty and dignity of man shall be protected. |
| **Article 37: First (C)** | All forms of psychological and physical torture and inhumane treatment are prohibited. Any confession made under force, threat, or torture shall not be relied on, and the victim shall have the right to seek compensation for material and moral damages incurred in accordance with the law. |
| **Article 38: First** | The State shall guarantee in a way that does not violate public order and morality: Freedom of expression using all means. |
| **Article 38: Third** | The State shall guarantee in a way that does not violate public order and morality: Freedom of assembly and peaceful demonstration, and this shall be regulated by law. |
| **Article 39: First** | The freedom to form and join associations and political parties shall be guaranteed, and this shall be regulated by law. |
| **Article 41** | Iraqis are free in their commitment to their personal status according to their religions, sects, beliefs, or choices, and this shall be regulated by law. |
| **Article 42** | Each individual shall have the freedom of thought, conscience, and belief. |
| **Article 46** | Restricting or limiting the practice of any of the rights or liberties stipulated in this Constitution is prohibited, except by a law or on the basis of a law, and insofar as that limitation or restriction does not violate the essence of the right or freedom. |

Back to Contents

## 7.2 Penal code

7.2.1 In January 2023, the Australian Department of Foreign Affairs and Trade (DFAT) published a 'Country Information Report' on Iraq (January 2023 DFAT report) which stated: 'While the law does not criminalise consensual same-sex sexual conduct between adults, Article 394 of the Criminal Code prohibits sexual relations outside marriage, effectively criminalising all same-sex sexual activity [because same-sex marriage is prohibited]. Authorities have also used public indecency or prostitution charges to prosecute LGBTI [lesbian, gay, bisexual, trans and intersex] people.'[2] It should be noted that this report was published prior to passing of the amendments to the Anti-Prostitution Law No.8 of 1988 – see Anti-LGBTI amendments passed in April 2024 for more information.

7.2.2 In January 2024, the United Nations High Commissioner for Refugees (UNHCR) published a report entitled 'International Protection Considerations with Regard to People Fleeing the Republic of Iraq, Update I' (January 2024 UNHCR report). Referring to the situation in the KRI (Kurdistan Region of

[2] DFAT, Country Information Report Iraq (Section 3.121), 16 January 2023

Iraq), it stated, citing various sources: 'The Iraqi Penal Code is also applicable in the KR-I [Kurdistan Region of Iraq] and available information suggests that individuals with diverse SOGIESC [sexual orientations, gender identities, gender expressions and/or sex characteristics], including children, have been arrested and at times prosecuted on public indecency or prostitution charges.'[3]

7.2.3 The Iraqi Penal Code contains the following Articles[4] which may be relevant:

| | |
|---|---|
| **Article 394 (1)** | Any person who, outside of marriage, has sexual intercourse with a woman with her consent, or commits buggery with a person with their consent, is punishable by a period of imprisonment not exceeding 7 years if the victim is between the ages of 15 and 18. If the victim was under the age of 15, the offender is punishable by a period of imprisonment not exceeding 10 years. |
| **Article 401** | Any person who commits an immodest act in public is punishable by a period of detention not exceeding 6 months plus a fine not exceeding 50 dinars [0.03 GBP[5]] or by one of those penalties. |
| **Article 402 (1)** | The following persons are punishable by a period of detention not exceeding 3 months plus a fine not exceeding 30 dinars [0.02 GBP[6]] or by one of those penalties: (a) Any person who makes indecent advances to another man or woman. (b) Any person who assails a woman in a public place in an immodest manner with words, actions or signs. |
| **Article 404** | Any person who himself or through some mechanical means sings or broadcasts in a public place obscene or indecent songs or statements is punishable by a period of detention not exceeding 1 year or by a fine not exceeding 100 dinars [0.06 GBP[7]]. |

Back to Contents

## 7.3 Anti-LGBTI amendments passed in April 2024

7.3.1 In April 2024, the Iraqi Parliament voted to pass amendments to the 'Anti-Prostitution Law No.8 of 1988'[8]. The original text of the amendments can be found in Issue 4781 of the Official Gazette of Iraq. CPIT was unable to find an English translation of the amendments, but the main points relevant to the topic of this CPIN are covered in the following paragraphs. Although it is technically a series of amendments, sources often refer to it as a new law. There have been no further developments on the passage of this amendment as of June 2025.

[3] UNHCR, International Protection Considerations… (Page 178), 30 January 2024
[4] Iraq, Penal Code: Iraq, No.111 of 1969 (Pages 7 – 95), July 1969
[5] xe.com, 1 IQD to GBP – Convert Iraqi Dinars to British Pounds, accessed 11 October 2024
[6] xe.com, 1 IQD to GBP – Convert Iraqi Dinars to British Pounds, accessed 12 November 2024
[7] xe.com, 1 IQD to GBP – Convert Iraqi Dinars to British Pounds, accessed 12 November 2024
[8] Official Gazette of Iraq, Issue 4781, 1 July 2024

7.3.2 In April 2024, Al Jazeera published an article entitled 'Iraq criminalises same-sex relationships with maximum 15 years in prison' which stated:

'Iraq's parliament has passed a law criminalising same-sex relationships with a maximum 15-year prison sentence, in a move it said aimed to uphold religious values, but was condemned by rights advocates as the latest attack on the LGBTQ [lesbian, gay, bisexual, trans, queer] community in Iraq.

'The law adopted on Saturday [27 April 2024] aims to "protect Iraqi society from moral depravity and the calls for homosexuality that have overtaken the world," according to a copy of the law seen by the Reuters news agency.

'It was backed mainly by conservative Shia Muslim parties who form the largest coalition in Iraq's parliament.

'The Law on Combating Prostitution and Homosexuality bans same-sex relations with at least 10 years and a maximum of 15 years in prison, and mandates at least seven years in prison for anybody who promotes homosexuality or prostitution.

'The amended law makes "biological sex change based on personal desire and inclination" a crime and punishes transgender people and doctors who perform gender-affirming surgery with up to three years in prison.

'The bill had initially included the death penalty for same-sex acts but was amended before being passed after strong opposition from the United States and European nations.

'Until Saturday [27 April 2024], Iraq did not explicitly criminalise gay sex, though loosely defined morality clauses in its penal code had been used to target LGBTQ people …'[9]

7.3.3 In May 2024, Iraqi Kurdish 'independent media establishment'[10] Rudaw published an article which indicated that the amendments do not apply in the KRI and will not apply unless the KRI's parliament – which is currently suspended – votes in favour of them. The article stated:

'The Iraqi parliament's recent amendments to the country's anti-prostitution law criminalizing any practice of homosexuality and transsexuality will not apply to the Kurdistan Region until the Kurdish legislature votes to pass the amendments, an advisor to the body told Rudaw.

'"To implement the law [in the KRI], the amendments need to be activated by the Kurdistan parliament," Dana Dara, the Kurdish parliament's legal advisor told Rudaw's Hastyar Qadir.

'The Kurdistan Region has been without a parliament for nearly a year [since May 2023] ...'[11]

7.3.4 The Human Dignity Trust, 'an international organisation using the law to defend the human rights of LGBT people'[12], stated the following on its webpage about Iraq, updated in January 2025:

[9] Al Jazeera, Iraq criminalises same-sex relationships…, 27 April 2024
[10] Rudaw, 'About Us', undated
[11] Rudaw, Iraq's anti-LGBT+ law…, 7 May 2024
[12] Human Dignity Trust, Who We Are, undated

'Same-sex sexual activity is explicitly prohibited in Iraq, since the Iraqi Parliament passed an amendment to a 1988 anti-prostitution law in April 2024. Before this law was passed, certain offences in the Penal Code 1969, such as those criminalising "immodest acts" and "prostitution", as well as Sharia law, were used to criminalise LGBT people. Both men and women are criminalised under the new law. Transgender people are also explicitly criminalised.'[13]

7.3.5 For information on the impact of the law on the LGBTI community, see Enforcement of April 2024 anti-LGBTI amendments.

Back to Contents

### 7.4 Proposed legislation in the Kurdistan Region of Iraq

7.4.1 In July 2023, HRW published an article entitled 'Kurdistan Region of Iraq: LGBT Rights Group Shuttered' which stated:

'In September 2022, members of the Kurdistan Regional Parliament introduced the "Bill on the Prohibition of Promoting Homosexuality," which would punish any individual or group that advocates for the rights of LGBT people. Under the bill, the vague provision against "promoting homosexuality" would be a crime punishable by imprisonment for up to one year and a fine of up to five million dinars (US$3,430) [2,923 GBP[14]]. The bill would also suspend, for up to one month, the licenses of media companies and civil society organizations that "promote homosexuality."

'Momentum for adopting the bill appears to have stalled, but in the context of repeated targeting of LGBT people, local LGBT rights activists fear it could be quickly revived and passed at the whim of local authorities.'[15]

7.4.2 CPIT was unable to find further information on the bill in the sources consulted (see Bibliography).

Back to Contents

## 8. Treatment by state and hybrid actors

### 8.1 Statements made by officials, politicians and religious leaders

8.1.1 In March 2022, Human Rights Watch published a report entitled '"Everyone Wants Me Dead": Killings, Abductions, Torture, and Sexual Violence Against LGBT People by Armed Groups in Iraq' (March 2022 HRW report). For this report, HRW conducted interviews with 54 LGBT Iraqis between June and November 2021. The incidents described in the interviews took place between 2018 and 2021. The interviewees consisted of 27 gay men, 13 transgender women, 2 transgender girls, one transgender man, and 8 lesbian women.[16] Although the report's title specifically mentions 'armed groups', the report also includes a section on domestic abuse perpetrated by relatives of LGBTI people (see Treatment by non-state actors).

8.1.2 Commenting on the location of the interviewees within Iraq, the report stated: 'Of the fifty-four interviewees, twenty-nine reported abuses they faced in

[13] Human Dignity Trust, Iraq (Summary), last updated 21 January 2025
[14] Xe.com, 1 IQD to GBP – Convert Iraqi Dinars to British Pounds, accessed 10 October 2024
[15] HRW, Kurdistan Region of Iraq: LGBT Rights Group Shuttered, 6 July 2023
[16] HRW, "Everyone Wants Me Dead": Killings, Abductions, Torture… (Page 8), 23 March 2022

Baghdad, ten in the Kurdistan Region of Iraq, namely in Sulaymaniyah and Erbil, six in Najaf, five in Basra, two in Mosul, one in Karbala, and one in Kirkuk.'[17]

8.1.3 Despite its age, this report has been included due to a lack of more recent detailed first-hand accounts of the experiences of LGBTI people in Iraq. It should be noted that several other sources cited in this CPIN also draw on the report.

8.1.4 The report stated, citing various sources: 'Attacks against LGBT people in Iraq have long been a political tactic. While affirmative LGBT rights are mostly absent from formal political discourse, government officials and religious figures have made numerous anti-LGBT statements, which have served to undermine LGBT rights and fuel violence against LGBT Iraqis.'[18]

8.1.5 In December 2022, The Independent published an article entitled 'Influential Iraqi cleric launches anti-LGBTQ campaign' which stated:

'Shiite cleric Muqtada al-Sadr posted a statement on Twitter Wednesday [30 November 2022] calling for "believing men and women (to) unite all over the world to combat (the LGBTQ community)."

'He added that this should be done "not with violence, killing or threats, but with education and awareness, with logic and ethical methods."

'The religious leader's call has stoked fears in the LGBTQ community, particularly given that al-Sadr's followers have a history of violence. After the cleric announced his resignation from politics in August amid an impasse over government formation, hundreds of his angry loyalists stormed government buildings in the capital and set off clashes that left at least 30 dead.

'On Friday [2 December 2022] … thousands of al-Sadr's followers lined up outside of mosques around the country to sign a pledge to "stand against (homosexuality) or (LGBTQ) by ethical, peaceful and religious means".

'… Despite the campaign's nominal commitment to non-violence, LGBTQ people in Iraq fear that it will lead to more harassment and abuse in a country where their identity already puts them in danger.'[19]

8.1.6 In February 2023, HRW published a report entitled '"All This Terror Because of a Photo": Digital Targeting and its Offline Consequences for LGBT People in the Middle East and North Africa' (February 2023 HRW report). The report commented on the impact of Moqtada al-Sadr's anti-LGBT campaign: 'Despite calling for non-violence, al-Sadr's statement fueled online harassment against LGBT people, prompting an online hate speech campaign that gained traction across Iraq.'[20]

8.1.7 In March 2023, 'independent Iraqi news agency'[21] Al-Ghad Press reported: 'Communications minister Hiyam Al-Yasiri [said] that, in Iraq, atheism and

[17] HRW, "Everyone Wants Me Dead": Killings, Abductions, Torture… (Page 8), 23 March 2022
[18] HRW, "Everyone Wants Me Dead": Killings, Abductions, Torture… (Page 21), 23 March 2022
[19] The Independent, Influential Iraqi cleric launches anti-LGBTQ campaign, 2 December 2022
[20] HRW, "All This Terror Because of a Photo":… (Page 18), 21 February 2023
[21] Al-Ghad Press, Who we are (translated by Arabic speaker working in CPIT), undated

homosexuality websites need to be blocked in a similar way to pornography websites.'[22]

8.1.8 Freedom House's February 2024 'Freedom in the World' report (covering the year 2023) stated: 'Prominent politicians and clerics, including al-Sadr, have incited violence against LGBT+ people, contributing to their persecution by security services and militias.'[23]

8.1.9 Referring to the situation in the KRI, the January 2024 UNHCR report stated, citing various sources: 'Powerful politicians and persons in the KR-I have regularly and publicly claimed that having diverse SOGIE is un-Islamic, foreign, abnormal or a sickness. In early September 2022, a bill criminalizing "promoting homosexuality" by individuals, media organizations or civil society was proposed in the Kurdistan Regional Parliament and signed by 76 out of 111 members [but was not passed – see Proposed legislation].'[24]

8.1.10 In April 2024, Amnesty International published an article entitled 'Iraq: Authorities must urgently repeal new law criminalizing same-sex relations' which stated: 'In recent years political factions in Iraq, especially those linked to state-affiliated militias, have intensified their condemnation of LGBTI rights, often resorting to the act of burning rainbow flags and propagating outlandish allegations linking homosexuality to the spread of diseases.'[25]

8.1.11 In June 2024 CIVICUS, a 'global alliance of civil society organisations and activists dedicated to strengthening citizen action and civil society throughout the world'[26], published an interview with Sarah Sanbar (June 2024 CIVICUS interview), a researcher working for Human Rights Watch. In the interview Sarah Sanbar stated: 'The passing of this law follows years of steadily increasing hostile rhetoric against LGBTQI+ people. Prominent politicians and media personalities have consistently spread harmful stereotypes, tropes and disinformation. They often claim homosexuality is a western import that goes against traditional Iraqi values.'[27]

8.1.12 In April 2024, BBC News published an article entitled 'Iraq criminalises same-sex relationships in new law' which stated:

'MP Amir al-Maamouri told Shafaq News on Saturday that the new law was "a significant step in combating sexual deviancy given the infiltration of unique cases contradicting Islamic and societal values".

'Passing the bill had been postponed until after Prime Minister Mohamed Shia al-Sudani's visit to the US earlier this month, according to lawmaker Raed al-Maliki, who advanced the amendments.

'"We didn't want to impact the visit," Mr al-Maliki told the AFP news agency, adding that it was "an internal matter and we do not accept any interference in Iraqi affairs".'[28]

[22] Al-Ghad Press, Communications… (translated by Arabic speaker working in CPIT), 12 March 2023
[23] Freedom House, Freedom in the World 2024 – Iraq (Section B4), February 2024
[24] UNHCR, International Protection Considerations… (Page 178), 30 January 2024
[25] Amnesty International, Iraq: Authorities must…, 29 April 2024
[26] CIVICUS, Who We Are, undated
[27] CIVICUS, IRAQ: Tolerance for abuses against LGBTQI+ people has now…, 26 June 2024
[28] BBC News, Iraq criminalises same-sex relationships in new law, 28 April 2024

8.1.13 In April 2024, The Guardian published an article entitled 'Human rights groups and diplomats condemn Iraq's anti-LGBTQ+ law' which stated:

'Human rights groups and diplomats have criticised a law passed by the Iraqi parliament over the weekend that would impose heavy prison sentences on gay and transgender people… The law passed with little notice as an amendment to the country's existing anti-prostitution law… The acting Iraqi parliamentary speaker, Mohsen al-Mandalawi, said in a statement that the vote was "a necessary step to protect the value structure of society" and to "protect our children from calls for moral depravity and homosexuality".[29]

8.1.14 In May 2024, Middle East Eye published an article entitled 'Gay and trans Iraqis plagued by threats, violence – and now the law' (May 2024 MEE article) which stated: 'Ali, a director of [LGBTI rights organisation] Gala Iraq, told MEE: "The Iraqi government's decision [to pass the April 2024 amendments] marks the culmination of prolonged campaigns of hatred and demonisation targeting members of the LGBTQ+ community in Iraq over the past two years.[30]

Back to Contents

## 8.2 Treatment by state security forces

8.2.1 Most of the information in the March 2022 HRW report is about abuse of LGBT people by 'armed groups', but the report does not explicitly define the term 'armed group'. It includes examples where the perpetrators are from (or claim to be from) the police, the Asayish (intelligence agency in the KRI[31]), various Popular Mobilisation Forces (PMF) militias, and some other armed groups. In some cases, interviewees did not know the affiliation of the perpetrators, referring to them simply as 'armed men' or 'security officers'. CPIT has included information about official state security forces (mainly the police and the Asayish) in this sub-section, while information about PMF militias and other armed groups can be found in the following sub-section (Treatment by armed groups including the Popular Mobilisation Forces (PMF)). See the CPIN Iraq: Actors of Protection for information on the various security forces in federal Iraq and the KRI.

8.2.2 The March 2022 HRW report stated: 'LGBT people across Iraq face routine violence from security officials, who verbally and physically assault them, arbitrarily arrest, and detain them, often without a legal basis. Interviewees reported that any suspicion of gender non-conformity may lead to violence or harassment by security forces. Human Rights Watch documented 15 cases of arrest by security forces against 13 LGBT people in Iraq [which occurred between 2018 and 2021].'[32]

8.2.3 The same source also stated:

'LGBT people who were detained, similar to other Iraqis who experience detention, reported being forced to sign pledges stating that they were not subjected to abuse in detention and being denied access to a lawyer. The

[29] The Guardian, Human rights groups and diplomats condemn…, 28 April 2024
[30] Middle East Eye, Gay and trans Iraqis plagued by threats, violence…, 11 May 2024
[31] EUAA, Country Guidance: Iraq (Section 1.3), 29 June 2022
[32] HRW, "Everyone Wants Me Dead": Killings, Abductions, Torture… (Page 48), 23 March 2022

conditions of their detention included being denied food and water, the right to access family and legal representation, the right to obtain medical services, being sexually assaulted and physically abused. One 18-year-old man reported being subjected to a forced anal exam when he was 17 years old, and another 18-year-old man said police officers attempted to subject him to an anal exam when he was 17.'[33]

8.2.4 The same source provided detailed examples of abuse by security forces, including:

'Zoran, a 25-year-old gay man from Sulaymaniyah in the Kurdistan Region of Iraq (KRI), told Human Rights Watch he was sexually assaulted by two members of the Asayish on November 4, 2021, around 9 p.m., while he was on a date with a man he met on the same-sex dating application Grindr. He said:

'He [my date] insisted that he wanted to hug and kiss me. I told him I was afraid they [Asayish] would find us. We decided to go to a park. When we parked our car, he insisted we go to the bathroom and kiss there. I was afraid someone would see us, but I trusted him, so I obliged. The moment we entered the bathroom, and he began kissing me, two Asayish officers knocked on the bathroom door then broke it and entered. They began beating me with a baton, on my legs, my chest, my back, my face, all over my body. They cursed me and called me a "[homophobic slur]". One of them said, "You look like a man, not a gay, why do you do this?" They threatened us with arrest and calling our families. One officer said, "We will put you in prison for 15 years." I tried to explain myself, but one officer caught my hand and demanded I go to his car with him.

'In the police car, Zoran said the officer asked him to download Grindr on his phone, which he did. He then proceeded to sexually assault him.

'… Nasma, an 18-year-old transgender woman, said she had been stopped at checkpoints in Baghdad countless times, due to her gender expression. In 2020, when she was 17, Nasma was stopped at one of the checkpoints in al-Amil neighborhood in Baghdad. She said:

'They [police officers] began to sexually harass me, touching my body and pointing to my appearance to humiliate me. An officer asked for my number. I was forced to give him a number and I gave him an old one that was out of order.

'… Sami, a 23-year-old gay man from Najaf, said he was stopped at a checkpoint while he was visiting the Holy Shrine of Imam Ali:

'The shrine is next to my house, so I didn't take my ID with me. While I was leaving before dawn, I started hearing people shouting at me to stop, they [police officers] pushed me and asked, "What are you doing here?" "Where do you live?" They wanted to see my phone and bombarded me with questions: "Why are you so keen on keeping your phone with you?" "Give us your ID." "How about you spend the night in our caravan?" I told them that I come here every day and questioned why they would need my ID when I live very close by. After hours of sexual harassment and taunting, they let me go.

[33] HRW, "Everyone Wants Me Dead": Killings, Abductions, Torture… (Page 53), 23 March 2022

'… Karim, an 18-year-old gay man from Najaf, was 17 when he was arrested on October 2, 2020, at 3 p.m., at a checkpoint in Baghdad, while he was returning to Najaf. Karim said:

'They [police officers] stopped me because I had long hair. They…accused me of taking narcotic pills. They also accused me of doing sex work. They called intelligence services and told them they caught me on a motorcycle with drugs in my possession, which was false.

'Karim said that police officers took him to a caravan near the checkpoint, and one of the security personnel inside the caravan touched his crotch during the inspection, while the rest of the officers were laughing… The officers then took Karim to the police station near Dora in Baghdad… Karim said: I was with 14 police officers in a tiny space, and they bombarded me with slander, offensive language, verbal, sexual and physical harassment, and threats with rape and imprisonment. They took demeaning photos of me. They pushed me around. This happened while I waited for someone to come undress and examine me… Karim said he was transferred to a room containing a mattress, several medical tools, and arrest files, for a forced anal examination… He told Human Rights Watch: While I was trying to undress, there were several security personnel surrounding me. One of them sexually assaulted me by touching my private parts. According to Karim, before he was released on bail the next day, he was forced to sign a pledge that he had not been subjected to any verbal or physical abuse.'[34]

8.2.5 See pages 44 – 58 of HRW's report for further examples.

8.2.6 The January 2023 DFAT report stated: 'LGBTI people are vulnerable to harassment and violence by security forces, including state-sponsored militias, as well as non-state armed groups.'[35]

8.2.7 The February 2023 HRW report stated:

'LGBT people can be and often are arrested under a range of vague provisions in the 1969 Penal Code aimed at policing morals, "public indecency," and free expression … Paragraph 401 holds that any person who commits an "immodest act" in public can be imprisoned for up to six months, a vague provision that has been used to target sexual and gender minorities, including same-sex couples meeting in public places and LGBT rights activists.'[36]

8.2.8 In March 2023, the National Iraqi News Agency (NINA), an 'independent' news outlet covering 'political, security, economic, social, sports and artistic events'[37], reported: 'A security source from al-Najaf police announced the arrest of 4 young men in Al-Adala neighborhood, northeast of the governorate, who were adorned with women's adornments. The source indicated that those arrested were coming from one of the neighboring governorates, and they were seized with cosmetics (make-up).'[38]

[34] HRW, "Everyone Wants Me Dead": Killings, Abductions, Torture… (Pages 44 – 55), 23 March 2022
[35] DFAT, Country Information Report Iraq (Section 3.124), 16 January 2023
[36] HRW, "All This Terror Because of a Photo…" (Pages 96 – 99), 21 February 2023
[37] NINA, About NINA (translated by Arabic speaker working in CPIT), undated
[38] NINA, 4 young men dressed as women arrested in Najaf, 23 March 2023

8.2.9 Referring to the situation in federal Iraq, the January 2024 UNHCR report stated, citing various sources: 'Individuals with diverse SOGIE in detention have been tortured and ill-treated… Police are also reported to subject men and boys and transgender women accused of engaging in same-sex conduct to forced anal exams.'[39]

8.2.10 In April 2024, the United States State Department (USSD) published its annual report on human rights conditions in Iraq, covering events in 2023 (April 2024 USSD report). The report stated: 'In September [2023], the KRG Prosecutor General's Office ordered the arrest of two transgender makeup artists in Erbil after they posted images of themselves on Instagram wearing women's clothing and cosmetics. After being detained in jail for five days, they were released and ordered to undergo a medical exam to determine their gender.'[40]

Back to Contents

## 8.3 Treatment by armed groups including the Popular Mobilisation Forces (PMF)

8.3.1 The March 2022 HRW report stated, referring to 'armed groups' in general (including state security forces such as the police):

'Each of the LGBT people whom Human Rights Watch interviewed reported experiencing harassment in the streets, ranging from verbal insults to being attacked at gunpoint …

'All but one of the fifty-four LGBT people interviewed by Human Rights Watch said they practice extreme self-censorship to survive interactions with security forces and potential targeting by armed groups. The LGBT people who spoke to Human Rights Watch who could not or did not wish to conceal their identities described a form of self-imposed house arrest, by which they refrained from leaving their homes at all, due to fear of harassment and the possibility of being stopped at checkpoints or targeted by armed groups.

'… The targeting [by armed actors] is often accompanied by egregious sexual violence, an attempt to discipline, "feminize," and punish gender non-conforming bodies. The verbal abuse that accompanies this violence, such as calling gay men "farakh" [Arabic term for chick], expresses contempt for victims for offending masculinity, demoting them to the "feminine." The institutionalization of some armed groups asserts their legitimacy as "protectors of the nation" and "enforcers of the status quo."'[41]

8.3.2 The same source provided examples of abuse by PMF militias and other armed groups:

'In February 2021, Khadija [a 31-year-old transgender woman] was attacked by a group of men with razor blades and screwdrivers near her aunt's house in Palestine Flats, Baghdad ... The men … identified themselves as belonging to Asa'ib Ahl al-haqq, a PMF group that had previously threatened her …

[39] UNHCR, International Protection Considerations… (Page 175), 30 January 2024
[40] USSD, 2023 Country Reports on Human Rights Practices: Iraq (Section 6), 23 April 2024
[41] HRW, "Everyone Wants Me Dead": Killings, Abductions… (Pages 78 and 12), 23 March 2022

‘Laith said that in February 2020, he and his boyfriend received death threats online from two different accounts. According to Laith, one of the messages said, “Hi [homophobic slur]. We know where you work and where you live. We will [expletive] you and kill you.” Laith added:

‘I received seven messages from different accounts. They sent me Moqtada al-Sadr’s [influential Shia cleric who has made anti-LGBTI statements] picture, and said, “We have been cleaning the city from people like you for years.” I didn’t think anything would happen because everyone receives threats online and most of the time nothing happens. After receiving these threats, my boyfriend said he felt like someone was following him. A couple of months later, he was killed [by armed men in Baghdad].

‘Laith said that after his boyfriend was killed, he moved cities, changed his phone number, and deleted all social media accounts. He feared that he would be targeted next because he had heard many stories in 2020 of people who were threatened online then killed, he told Human Rights Watch and IraQueer.

‘… Mariam, a 21-year-old lesbian woman from Baghdad, said she had received recurring threats from armed groups, most notably Saraya al-Salam, who identified themselves. She told Human Rights Watch:

‘I have received cyber threats for being a lesbian. Unknown numbers have tried to call me over WhatsApp and Telegram. One of the most severe threats I received left me anxious for a week, it happened through continuous phone calls to my number from various unregistered numbers. In the calls they would tell me my full details, information about my family, my house, my age, my area. The second step would be threatening me with death to get more information out of me. But the minute they would utter these threats, I would block the number, because if I engaged it would incriminate me. They would say, “Be wary of where you go, how you dress, and what you post on social media.” They would also describe in detail what I would be wearing and my entourage. It’s terrifying.

‘… Masa, a 19-year-old transgender woman from Najaf, spoke about the threats she receives online from security officers and armed groups, mainly individuals who identified themselves as belonging to Saraya al-Salam. She said:

‘I used my real photos and real name online, using my profile as a personal journal. I have received threats on various social media platforms from armed groups and high-ranking official army men. They specifically target people like us, to hunt us down and kill us. When I refuse to engage with them, they would tell me that they have weapons they would use against me. This caused me to delete all my accounts. I now live in complete isolation. The threats I received are from people affiliated with Saraya al-Salam. I have heard of and knew a lot of people murdered by them.’[42]

8.3.3 See pages 27 – 68 of HRW’s report for further examples. For further information about online targeting of LGBTI people, see Media and social media.

[42] HRW, “Everyone Wants Me Dead”: Killings, Abductions… (Pages 27 – 65), 23 March 2022

8.3.4 The April 2024 USSD report stated: 'According to NGOs, targeted LGBTQI+ individuals lived in constant fear of harassment or being killed by armed groups and reported being forced to change their residence, delete social media accounts, and change their telephone numbers.'[43]

Back to Contents

### 8.4 Documentation for trans people

8.4.1 Referring to the situation in federal Iraq, the January 2024 UNHCR report stated, citing various sources: 'Transgender individuals are especially vulnerable and face added challenges, including because it is not legally possible to obtain gender-affirming surgery or hormone therapy, or to obtain identity documents with a gender marker that matches their gender identity.'[44]

8.4.2 The April 2024 USSD report stated: 'Transgender persons, including those accessing surgery or hormonal treatment outside the country, faced barriers in obtaining legal documents that reflected their gender identity.'[45]

Back to Contents

### 8.5 Enforcement of April 2024 anti-LGBTI amendments

8.5.1 CPIT could not find information about the enforcement of the amendments in the sources consulted (see Bibliography).

8.5.2 However, several news outlets reported on the reactions of LGBTI Iraqis to the news that parliament had passed the amendments. These reports indicate that the amendments have led to increased fear – including a fear of returning among LGBTI Iraqis living abroad – and an increased desire to migrate to more LGBTI-friendly countries[46] [47] [48]. In addition, LGBTI Iraqis have increasingly been moderating their online presence in response to the amendments – see Digital targeting of LGBTI people.

Back to Contents

## 9. Treatment by non-state actors

### 9.1 Societal attitudes, discrimination and exclusion

9.1.1 In February 2022, LGBTIQ rights organisation Outright International[49] and Iraqi LGBT+ rights organisation IraQueer[50] published a report entitled '"I Need to Be Free": What it Means to Be a Queer Woman in Iraq' (February 2022 Outright International/IraQueer report). The report was based on 16 interviews with LBTQ Iraqi women conducted between January and March 2021. The interviewees consisted of 8 lesbian women, 5 bisexual women, 2 transgender women, and one non-binary transgender person[51]. The report stated: 'LGBTQ people are forced to remain invisible or risk persecution in

[43] USSD, 2023 Country Reports on Human Rights Practices: Iraq (Section 6), 23 April 2024
[44] UNHCR, International Protection Considerations… (Page 176), 30 January 2024
[45] USSD, 2023 Country Reports on Human Rights Practices: Iraq (Section 6), 23 April 2024
[46] France 24, LGBT Iraqis fear dark days ahead…, 30 April 2024
[47] Rudaw, 'Everyone feels unsafe'…, 30 April 2024
[48] Middle East Eye, Gay and trans Iraqis plagued by threats, violence…, 11 May 2024
[49] Outright International, Our Story, undated
[50] IraQueer, Who are we?, undated
[51] Outright International/IraQueer, "I Need to Be Free"… (Pages 15 – 16), 23 February 2022

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 …'[52]

9.1.2 The same source also stated:

'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 LBTQ 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 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.'[53]

9.1.3 In December 2022, NINA published an article entitled 'A campaign in Maysan to prevent the importation of children's toys whose colours symbolize the "gay" flag' [i.e, the colours of the rainbow] which stated:

'A number of activists and volunteering teams in Maysan organized an awareness campaign to prevent the import of children's toys whose colours symbolize the "gay" flag, in partnership with the Relations and Media Department of the Maysan Governorate Police Command, the Community Police Division, and the Maysan Youth and Sports Directorate.

'A number of participants in the campaign said that it included a number of markets in the city of Amarah, and included an emphasis on shop owners being subjected to legal accountability in the event that they engage in trading and promoting the "gay" phenomenon, which has nothing to do with the culture of conservative society and all monotheistic religions.'[54]

9.1.4 In July 2023, NINA published a video entitled 'Followers of the Sadrist Movement in Najaf Burn the Flags of Homosexuality, US and Israel'. The accompanying text stated: 'A group of followers of the Sadrist movement in Najaf burned flags of homosexuality, America and Israel near the Holy Quran monument in the center of Najaf, in support of Muqtada al-Sadr, who, in his last tweet, attacked the United States of America and its ambassador in Baghdad.'[55] See Statements made by officials, politicians and religious leaders for further information on Muqtada al-Sadr's anti-LGBTI rhetoric.

9.1.5 The January 2023 DFAT report stated:

'Harassment, abuse and violence against lesbian, gay, bisexual, transgender and/or intersex (LGBTI) people, and people perceived as being LGBTI, are pervasive in Iraq… While the KRI previously had a reputation for greater tolerance, sources told DFAT the situation for LGBTI people had worsened

[52] Outright International/IraQueer, "I Need to Be Free"… (Page 6), 23 February 2022
[53] Outright International/IraQueer, "I Need to Be Free"… (Page 21), 23 February 2022
[54] NINA, A campaign in Maysan…, 2 December 2022
[55] NINA, Followers of the Sadrist Movement…, 24 July 2024

throughout Iraq in recent years, including in the KRI… Sources told DFAT that most Iraqis perceived having an LGBTI son or daughter as 'shameful'… LGBTI people also sometimes face denial of employment and services, including health care, and bullying or exclusion from education… Most LGBTI people in Iraq are extremely careful to hide their activities and relationships in order to avoid harassment and violence. While some use online dating apps and/or actively proclaim their sexual orientation or gender identity online, doing so is dangerous. There are numerous reports of LGBTI people being targeted on the basis of their online activity.'[56]

9.1.6 In November 2023, the Netherlands Ministry of Foreign Affairs published a report on Iraq (November 2023 Netherlands MFA report) which stated, citing various sources:

'In general, there is a perception in Iraq that LGBTIQ+ people are mentally ill, that they are at odds with human nature and religious values, and that their lifestyle is the product of Western influences. According to several sources, anti-LGBTIQ+ rhetoric and online hate speech increased during the reporting period [October 2021 – September 2023]. This was fuelled by politicians using the issue in bills and public utterances for their own political gain. It also capitalised on the conservative undercurrent in Iraqi society by presenting the concept of gender as being supportive of the LGBTIQ+ community and as having been imposed by the West. In December 2022, [influential Shia cleric] Muqtada al-Sadr – who had previously drawn links between homosexuality and the COVID-19 pandemic, monkey pox and other developments – launched an online campaign against the LGBTIQ+ community. Although al-Sadr called for non-violence against the LGBTIQ+ community, activists warned that such statements legitimised violence against the community, and LGBTIQ+ people faced the emergence of a new wave of homophobia.

'LGBTIQ+ people experienced increasing pressure from authorities and society [during the reporting period], while the space for community support became further restricted, and they were usually forced to lead double lives. Many were extremely cautious and hid their sexual orientation from their families and society at large to avoid arrest, harassment and violence. In the KRI, many LGBTIQ+ people were reportedly able to experience their gender and sexual identity together only in the homes of others in the community.

'… In Iraq's predominantly conservative society, anyone who does not conform to mainstream norms of gender expression can be at risk. Those who exceed the boundaries of what society defines as feminine or masculine in terms of observable characteristics (such as non-normative hairstyles or voice) are at risk of becoming targets of discrimination, (sexual) abuse, violence or murder. According to some sources, LGBTIQ+ people fear violence from armed groups, the authorities, their own families and the community, including intimidation and violence on the streets, at school or university or at work. Families usually regard having an LGBTIQ+ son or daughter as a disgrace and may respond to suspicions or disclosure of homosexuality or gender variation by locking up, marrying off, ostracising or killing the family member in question. Other sources confirmed the

[56] DFAT, Country Information Report Iraq (Sections 3.121 – 3.126), 16 January 2023

perception that, in some cases, violence was used against people who did not disclose their sexual orientation. Suspicion of belonging to the LGBTIQ+ community is reportedly enough to make a person a potential target.'[57]

9.1.7 Referring to the situation in federal Iraq, the January 2024 UNHCR report stated, citing various sources:

'Individuals with diverse SOGIESC further face multiple forms of discrimination, including in relation to access to employment, health care (including mental health support) and basic services … Discrimination coupled with a lack of family support and economic destitution may leave them no other option but to resort to the selling and exchanging of sex, which in turn exposes them to associated health risks, arrest on prostitution charges and sexual and physical violence. In addition, they are at particular risk of trafficking for the purposes of sexual exploitation… According to reports, individuals with diverse SOGIE are identified and targeted for harassment and threats via social media, including dating applications; harassment includes doxing ['finding or publishing private information about someone on the internet without their permission'[58]], sharing of private photos, and threats to expose their diverse SOGIE to family members.

'While limited information is available on the situation of intersex individuals in Iraq, they are reported to keep their identity secret for fear of stigmatization. Studies from the wider region, including Iraq, indicate that once diagnosed, "medical policies are designed to reflect the binary imposed by society and religion, and encourage intersex people to undergo surgery to make them fit, even when not necessary. Individuals who undergo surgery for intersex conditions in puberty or adulthood, which unlike gender-affirming surgery for transgender persons is permitted by law, may be subject to stigma and discrimination as society and media frequently conflate the two. In one reported case from 2017, an intersex individual, who was assigned male at birth but identifies as female, was reportedly held in captivity and physically abused by her family.'[59]

9.1.8 Also referring to the situation in federal Iraq, the same source stated, citing various sources:

'Family bonds serve as an important form of societal and economic protection in Iraq and individuals with diverse SOGIESC risk being rejected by their family members/tribe, which in turn means that such individuals are more vulnerable to attacks by others, should information concerning their sexual orientation and/or gender identity become public. Individuals with diverse SOGIESC are reportedly at risk of harassment, threats, intimidation, physical and sexual violence, and discrimination at the hands of their own families and tribes, including murder carried out in the name of defending or restoring "honour".'[60]

9.1.9 Referring to the situation in the KRI, the same source stated, citing various sources:

[57] Netherlands MFA, General country of origin… (Pages 73 – 74), November 2023
[58] Cambridge Dictionary, Doxing, undated
[59] UNHCR, International Protection Considerations… (Pages 175 – 177), 30 January 2024
[60] UNHCR, International Protection Considerations… (Page 175, Footnote 1269), 30 January 2024

'According to reports, Kurdish society remains largely dominated by conservative cultural, religious and tribal values and practices, including a strong attachment to notions of gender roles and family "honour", and there is limited tolerance for open same-sex relations and gender non-conformity.

'… Most individuals with diverse SOGIESC are reported to be under pressure to keep their sexual orientation and/or gender identity secret in order to avoid discrimination (e.g., in relation to access to employment, housing and medical care), harassment, threats, physical abuse and sexual violence at the hands of society, their families and the security forces, as well as "honour"-based violence by their families … Individuals with diverse SOGIESC are often rejected by their families and may lose access to family networks. The lack of a supportive family network coupled with the lack of safe shelter options and discrimination in relation to employment causes high levels of distress, and exposes persons of this profile to a high risk of trafficking for the purpose of sexual exploitation.'[61]

9.1.10 In April 2024, Rudaw published an article entitled '"Everyone feels unsafe": Iraq's LGBT+ community horrified by law passage' which stated: 'The LGBTQI+ community is often perceived as homogenous in Iraq with all non-cisgender individuals viewed as "homosexuals." Any law criminalizing homosexuality threatens all members of the queer community.'[62]

9.1.11 The same source also stated:

'Life has never been easy for 19-year-old Saleem who realized he was gay at a very young age and has been facing the intolerance and discrimination that come with reaching this realization in Iraq ever since. He said that the news has left him in a state of panic, leading to suicidal thoughts and lack of sleep.

'"There is no life for people like us in here, it's either you hide your identity completely and act like you're someone else all the time, or you'll have to face discrimination all the time," lamented Saleem, whose public acknowledgement of his sexual orientation has led to, in his words "near death experiences."

'… Muamal, a 23-year-old law graduate who has hidden his true identity for years, fearing a violent reaction from the public, claimed that most cases of discrimination in Iraq stem from "intolerance about accepting the concept of difference."

'"I believe that over the years of discovering myself, I have not lived a single day without feeling fear of what is coming and confusion about the unknown future... I see that our fears over the years have come true, unfortunately, and I also see how terrible the matter is from a legal standpoint as well …'[63]

9.1.12 In April 2024, France 24 published an article entitled 'LGBTQ Iraqis fear dark days ahead after anti-gay law' which stated:

[61] UNHCR, International Protection Considerations… (Pages 178-179), 30 January 2024
[62] Rudaw, 'Everyone feels unsafe'…, 30 April 2024
[63] Rudaw, 'Everyone feels unsafe'…, 30 April 2024

‘When Saif Ali fled Iraq last year to escape threats and abuse over his sexual orientation, he always dreamed of someday returning.

‘“After the law, it has become impossible for me to even visit (Iraq). This is what breaks my heart," said 26-year-old Ali.

‘Before he left Iraq, Ali's family forbade him from going out of the house for two years because of his “appearance” and for not being a “standard man”.

‘Amid increasing threats over his sexual orientation, he fled the country.

‘Members of the LGBTQ community are already “exposed to various types of violence, such as murder, rape, kidnapping, and extortion”, said Ali, founder of the Gala for LGBTQ group. “I believe the next period will be very dark,” he said.

‘… “Life in Iraq is not safe,” said one LGBTQ activist who requested anonymity out of concern for her safety.

‘She had for many years told stories of the LGBTQ community on her blog, but, after repeated threats, it was hacked and removed from the internet in late 2018.

‘Later, she launched a podcast project to continue her storytelling.

‘Then came the new bill, and now her friends have been telling her to remove her online posts and podcasts.

‘“I can't get myself to do it,” she said.

‘The 29-year-old said she doesn't want to leave Iraq “just because I am a queer”, but “I fear that I might be forced to.”

‘“Now we are being pushed more into the shadows.”’[64]

Back to Contents

## 9.2 Access to healthcare and employment

9.2.1 In April 2022, ‘independent digital media platform’[65] Daraj published an article entitled ‘More Stigma Against Transgender People in Iraq’ (April 2022 Daraj article) which stated:

‘During the [COVID-19] pandemic, the LGBTQIA+ community had been continually experiencing stigma and discrimination while seeking health services. Sama Adil, a 23-year-old transgender student…tells us about her experience trying to get health services from one of the care centers.

‘“When I was infected with the Coronavirus a few months ago, and went to the hospital, everyone disdainfully looked at me,” Sama said. “And one of them said, ‘it’s no wonder God punishes them, the men who try to imitate women.’”.

‘“I couldn’t do anything because I was afraid, then when I went to receive the treatment, the nurse asked me, ‘Are you a boy or a girl? Have we not gotten rid of those [trans people] yet? I thought the clerics and authorities prevented them from being out among us,’” Sama continued.

[64] France 24, LGBT Iraqis fear dark days ahead…, 30 April 2024
[65] Daraj, Who we are, undated

'… Maryam Mahmoud, a 22-year-old transgender woman from Basra, southern Iraq, said that her family forced her to see a psychiatrist who in turn pushed her to get testosterone shots to transform back into the man her family wanted her to be.

'She also said that her doctor would insult her in attempts to make her fear God's wrath and punishment. He would read her the Quran incessantly.

'… Ali, a 19-year-old transgender man from Baghdad, tells Daraj, "The mere perception of being part of the LGBT+ community is extremely dangerous in Iraq and living openly as a trans man is simply impossible. I face verbal harassment and abuse inside Iraqi hospitals every time I have to go to the doctor, because of my identity and my hair."

'… Safa Al-Bazi…, a trans dentist from Baghdad, said that she was threatened when she was a student at her university by the faculty staff, with one of the professors even refusing to have her in his classroom.

'In fact, she had to stop studying for two years before returning to the university. Safa also witnessed many cases of violence since she started work in Iraqi hospitals and said that health professionals often discriminate against trans-people. She relays one example of when doctors refused to provide treatment to a transgender person because she was wearing makeup and women's clothing.

'In another hospital in North Baghdad, Safa said that the team of doctors refused to diagnose a transgender patient's condition when she arrived at the hospital with severe chest pains. Instead, the health care professionals were insulting her and looking at her with disgust. One of the doctors said that he would have to check her whole body to confirm her sexual identity before treating her, which ended up making her flee the hospital quickly. "I don't know what happened to her, or if she was she able to receive treatment elsewhere," says Safa.

'In fact, many transgender people were afraid to even go to doctors because they were worried the doctor would end up being homophobic.'[66]

9.2.2 The November 2023 Netherlands MFA report stated, citing various sources:

'Suspicions of homosexuality or gender variance can also have an effect on socio-economic situations. Widespread intolerance and stigmatisation of the LGBTIQ+ community makes it difficult to obtain and keep a job. In addition, according to some sources, LGBTIQ+ people are exposed to discrimination, harassment and intimidation by classmates and fellow students, as well as by staff in the education and healthcare sectors. LGBTIQ+ people who had mental health problems due to their difficult situation also faced discrimination and referral for conversion therapy within the mental healthcare system. According to one source, in the KRI, it was difficult in practice for men – regardless of their gender expression – to obtain permission from local residents and the Asayish security service to rent housing together. In addition, if they were suspected of homosexuality, they were likely to face discrimination from brokers.'[67]

[66] Daraj, More Stigma Against Transgender People in Iraq, 4 February 2022
[67] Netherlands MFA, General country of origin… (Page 75), November 2023

Back to Contents

## 9.3 Physical violence and sexual assault

9.3.1 The February 2022 Outright International/IraQueer report stated:

'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."

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

'… Transgender women suffer comparatively higher levels of discrimination, abuse, and violence, including sexual violence perpetrated by law enforcement, families, neighbors, and strangers. 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".

'… 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.

'… [B]eing 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.'[68]

9.3.2 See the full report for further details, including personal testimonies from LBTQ Iraqi women.

9.3.3 In February 2022, Middle East Eye published an article entitled 'Iraq: Murder of trans Kurdish woman sparks anger among activists' which stated: 'The murder of a 23-year-old transgender woman in the Kurdish city of Duhok on Monday [31 January 2022] has reaffirmed fears among the LGBTQ+ community in Iraq… Doski Azad, a well-known make-up artist, was reportedly shot dead by her brother, who has since fled the country, in what authorities have described as a so-called "honour killing".'[69]

9.3.4 The March 2022 HRW report stated:

'Forty out of the fifty-four LGBT people interviewed by Human Rights Watch reported experiencing extreme violence by family members, almost always male, at least once for their sexual orientation or gender identity and expression, including being locked in a room for extended periods, being denied food and water, being burnt, beaten, raped, electrocuted, attacked at gunpoint, subjected to conversion practices and forced hormone therapy, subjected to forced marriages, and forced to work for long hours without compensation. In 21 cases documented in this report, individuals were placed under house arrest, prohibited from leaving their homes, by their parents.'[70]

[68] Outright International/IraQueer, "I Need to Be Free"… (Pages 13, 14, 19), 23 February 2022
[69] Middle East Eye, Iraq: Murder of trans Kurdish woman sparks anger, 4 February 2022
[70] HRW, "Everyone Wants Me Dead": Killings, Abductions… (Page 69), 23 March 2022

9.3.5 The same source also stated: 'A significant development in recent years is that families have become aware of the state-sponsored anti-LGBT discourse and are perpetuating violence against their children based on their gender expression. Most of the attacks start at home, with the intention, sanctioned by law, of punishing children suspected of being gay or gender non-conforming.'[71]

9.3.6 See pages 69 – 73 of HRW's report for detailed examples.

9.3.7 The same source also provided examples of harassment and abuse by other non-state actors:

'Salim, a 20-year-old gay man from Baghdad, said he was stabbed in the stomach by private individuals in the street in late 2019. He said:

'During the protests in 2019, I was walking alone next to Al Mathaq restaurant in Baghdad, and someone shouted, "Look at this [homophobic slur]," and I kept walking. He said it again and I got beaten up. I was beaten on my head and bled for almost six hours. They stabbed me in my stomach and left me in the street. I called my friend whom I was supposed to meet at the square that day and told him that I got stabbed, without telling him it was because I was gay. My friend came and took me to Shaikh Zayed Hospital. They did not accept to admit me at first, but eventually my friend convinced them.

'Ahsan, a 19-year-old gay man from Baghdad, said: In November 2020, I was in Zahra Park, and I was wearing a buttoned-down shirt and someone not in a uniform told me that I need to button up my shirt. I think he was the park's security officer. I told him, "Do you want to see my underwear too?" He took me to a caravan next to the check point [at the entrance of the park], closed the door behind him then verbally and sexually assaulted me. I started crying and he noticed it and let me out. He later asked for my number. This experience truly marked me. I started thinking about ways to change myself, to be more gender conforming, and I deleted my accounts on social media and retreated to a life of seclusion.'[72]

9.3.8 The January 2023 DFAT report stated:

'Individuals perceived to be LGBTI often face abuse and violence from their families and communities... Family responses to disclosure could range from home confinement, expulsion from home or forced marriage, to violence including assault or murder. In February 2022, a 23-year-old trans woman [Doski Azad] was shot dead by her brother in Duhok, after repeatedly receiving threats due to her gender identity. In July 2021, a young trans woman from Erbil was reported missing after receiving death threats from relatives due to her gender identity. Her mother told media she believed she had been murdered by her father and step-brothers. Trans women are especially vulnerable due to their visibility, but there are widespread reports of harassment and violence towards lesbians, gay men and non-gender conforming individuals in general.'[73]

[71] HRW, "Everyone Wants Me Dead": Killings, Abductions… (Page 13), 23 March 2022
[72] HRW, "Everyone Wants Me Dead": Killings, Abductions… (Page 80), 23 March 2022
[73] DFAT, Country Information Report Iraq (Section 3.123), 16 January 2023

9.3.9 In January 2024, LGBT+ news site Openly[74] published an article entitled 'Doski Azad: Murder of trans woman still haunts LGBTQ+ Iraqi Kurds' which stated:

'Doski Azad dared to live openly as a transgender woman in Iraqi Kurdistan, but her murder two years ago shattered the enclave's reputation as a relatively liberal haven in a hostile region.

'Today, her killer remains at large and LGBTQ+ people in the mountainous, semi-autonomous region of northern Iraq say the case highlights widespread impunity as attacks go unpunished and rights defenders are censured.

'"Every time something like this happens, it's a slap in the face. It brings you back to reality and it grounds you in this reality that is very hostile," one LGBTQ+ Iraqi Kurdish man told Openly …

'Members of the LGBTQ+ community in Iraqi Kurdistan said such incidents had added to growing concerns for their personal safety in the two years since Azad's murder.

'All of the LGBTQ+ people who spoke to Openly said they had experienced or feared violent attacks, and said they were afraid to report them to the police.'[75]

9.3.10 In February 2024, Pink News, 'the world's largest and most influential LGBTQ+ led media brand'[76], reported:

'A trans blogger, known as "Simsim", has been killed in the Al-Qadisiyah governorate of Iraq, a security source has said.

'The blogger was killed by unknown assailants, the source told Iraqi publication Shafaq News. The 28-year-old victim was stabbed several times…[in] the city of Diwaniyah.

'… Simsim's death follows a series of attacks on transgender individuals in the Middle Eastern country. Last year [in September 2023[77]], prominent Iraqi TikTok star Noor Alsaffar… was shot dead in the capital, Baghdad. He had faced repeated questions about his gender and sexuality, and his death was treated as a "criminal incident".

'In an interview…in 2020, Alsaffar, who worked as a makeup artist, spoke candidly about the threats he faced regularly because of his appearance. "I'm not transgender and I'm not gay. I don't have other tendencies, I'm only a cross-dresser and a model," he said.

'The incident followed Iraq clamping down on LGBTQ+ conduct and the rise of anti-queer violence across the country.'[78]

9.3.11 The April 2024 USSD report stated: 'LGBTQI+ individuals reported they could not live openly without fear of violence at the hands of family members, acquaintances, or strangers.'[79]

[74] Openly, About us, undated
[75] Openly, Doski Azad: Murder of trans woman still haunts LGBTQ+ Iraqi Kurds, 30 January 2024
[76] Pink News, Who Are We?, undated
[77] Pink News, Popular Iraqi TikTok star shot dead…, 28 September 2023
[78] Pink News, Trans blogger 'Simsim' killed in Iraq by knife-wielding assailants, 16 February 2024
[79] USSD, 2023 Country Reports on Human Rights Practices: Iraq (Section 6), 23 April 2024

9.3.12 In the June 2024 CIVICUS interview, Sarah Sanbar stated: 'The situation of LGBTQI+ people [in Iraq] is extremely unsafe. Threats to their physical safety, including harassment, assault, arbitrary detention, kidnappings and killings, come from society at large – including family and community members as well as strangers – and from armed groups and state personnel.'[80] Sarah Sanbar, who works for HRW, mentioned the March 2022 HRW report, but did not reference any other information to support her assessment of the situation as 'extremely unsafe'.

9.3.13 For further information on crimes committed by family members, see the CPIN Iraq: Blood feuds, honour crimes and tribal violence.

Back to Contents

## 9.4 Forced 'conversions', coercive psychological and medical practices, and 'corrective' rape

9.4.1 The March 2022 HRW report stated:

'Khadija, a 31-year-old transgender woman from Baghdad, said:

'My mother… tried to kill me several times. My sisters used to protect me. My mother thought I was mentally ill and took me to an asylum when I was a teenager, even though I wasn't mentally ill, and the doctors confirmed that. She took me to some doctors who gave me androgens to give me "male" characteristics and for my hair to grow and my voice to become hoarser. These doctors also used electric shock treatment on me and gave me medication that damaged my kidneys and turned my skin yellow. My mother hated me, she thought I was an aberration that brought them shame and dishonor.

'Dani, an 18-year-old transgender man from Najaf, said his parents have subjected him to conversion practices since 2017. "They took me to doctors to 'fix my boyish tendencies.' The 'treatment' did not work, but they never stopped trying."

'Salam, a 26-year-old gay man, said his parents took him to a Sheikh (religious figure) to cure him from his "gay possession."[81]

9.4.2 See pages 74 – 75 of HRW's report for additional examples.

9.4.3 In February 2023, 'independent Iraqi media platform'[82] Jummar published an article entitled 'Iraq's Queer Women: Survival under False Identities and Secret Lives' which stated: 'Society does not only stigmatise gay women's feelings as "deviant" but tries to "rectify" them. "I constantly get corrective rape offers by men who follow me on social media", Rawan said.

'… [In Erbil, Bevin's] mother took her to a psychiatrist because she believed her daughter's sexual orientation was a curable illness. Bevin told him she was a lesbian in the first session. After several sessions, the psychiatrist diagnosed her with severe schizophrenia and linked her lesbian sexual orientation to mental illness. He told her that it would go away with the prescribed medications. Bevin was forced into home-schooling due to the

[80] CIVICUS, IRAQ: Tolerance for abuses against LGBTQI+ people has now…, 26 June 2024
[81] HRW, "Everyone Wants Me Dead": Killings, Abductions… (Page 74), 23 March 2022
[82] Jummar, Who are we?, undated

excessive side effects of the medications that caused hypersomnia. After three years of treatment, she discovered that her medications where only anaphrodisiacs that reduced her sexual desires.

'… Psychologist, Wissam al-Dhanoun, confirms that being gay is still considered a mental disorder in Iraq, and that therapists are trained to treat it through psychotherapy sessions.'[83]

9.4.4 The January 2024 UNHCR report stated, citing various sources: 'Some medical professionals reportedly subject individuals with diverse SOGIE to practices of conversion therapy, including electrocution and forced medication, to "curb" their sexual orientation or gender identity.'[84]

Back to Contents

### 9.5 Forced marriage

9.5.1 The February 2022 Outright International/IraQueer report stated: '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. They may be threatened with honor killing, and LBQ survivors of violence rarely report their abusers as recourse is unlikely.'[85]

9.5.2 The March 2022 HRW report stated:

'Ahmed, a 26-year-old gay man from Basra, said when his parents suspected he was gay, when he was 15, they forced him to marry a girl, with whom he now has six children due to family pressure.

'Dani, an 18-year-old transgender man from Najaf, said his father forced him to get engaged three times to different men: "It never worked, I do not know why he [my father] kept trying."

'… Nadira, a 27-year-old lesbian from Hilla, said she is currently engaged against her will to a man. Her parents doubted her sexual orientation and forced her to marry.'[86]

9.5.3 See pages 76 – 77 of HRW's report for additional examples.

9.5.4 CPIT could not find any further information about forced marriage in the sources consulted (see Bibliography).

Back to Contents

## 10. Media and social media

### 10.1 Regulations

10.1.1 In August 2023, CNN published an article entitled 'Iraq bans media from using term "homosexuality," says they must use "sexual deviance"' which stated:

'Iraq's official media regulator on Tuesday [8 August 2023] ordered all media and social media companies operating in the Arab state not to use the term

[83] Jummar, Iraq's Queer Women…, 15 February 2023
[84] UNHCR, International Protection Considerations… (Page 175), 30 January 2024
[85] Outright International/IraQueer, "I Need to be Free"… (Page 14), 23 February 2022
[86] HRW, "Everyone Wants Me Dead": Killings, Abductions… (Pages 76 – 77), 23 March 2022

"homosexuality" and instead to say "sexual deviance," a government spokesperson said and a document from the regulator shows.

'The Iraqi Communications and Media Commission (CMC) document said the use of the term "gender" was also banned. It prohibited all phone and internet companies licensed by it from using the terms in any of their mobile applications.'[87]

10.1.2 The February 2023 HRW report stated:

'In the Kurdistan Region of Iraq, article 2 of the "Law to Prevent the Misuse of Telecommunications Equipment" imposes up to five years in prison for "'misusing' a cell phone or any other communication equipment, email, or internet by disseminating threats, slander, insult, or misinformation, disclosing private conversations, or sharing images contrary to public morals, or taking other action that might violate integrity or honor or incite a crime or an immoral act."'[88]

10.1.3 In October 2024, Freedom House published a report entitled 'Freedom on the Net 2024 – Iraq', which covers the period from 1 June 2023 to 31 May 2024. The report stated:

'Authorities continued their crackdown on LGBT+ content by issuing directives to social media companies, pressuring users to remove their posts, and imposing criminal penalties for the promotion or publication of such material.

'… The government has taken an increasingly repressive stance on LGBT+ content. In April 2024, amendments to an existing law banned the promotion or publication of LGBT+ content [see Anti-LGBTI amendments passed in April 2024]... Although the amendments do not specify whether promotion or publication of such content extends to the online space, rights groups concluded that the legislation's vague wording could be used to criminalize online content.

'… Online content related to LGBT+ issues is difficult to access. Because LGBT+ rights are not protected under Iraqi law, websites and blogs avoid publishing content on these issues for fear of retribution. Those who search for LGBT+ information often receive results meant to deter further searches through intimidation, and this has increased since the parliament introduced legislation that banned LGBT+ advertising and publishing.'[89]

Back to Contents

## 10.2 Digital targeting of LGBTI people

10.2.1 The March 2022 HRW report stated:

'Fares, a 23-year-old gay man from Basra, described threats he had received online in May 2020. He said:

'I met someone online who introduced himself as a man my age and said that he lived in the same province as me. He asked for my social media accounts, my address, and then sent me photos of myself and my mother

[87] CNN, Iraq bans media from using term 'homosexuality', 9 August 2024
[88] HRW, "All This Terror Because of a Photo":… (Page 100), 21 February 2023
[89] Freedom House, Freedom on the Net 2024 – Iraq, 16 October 2024

that he found on Instagram, along with messages and verses from the Quran. Then he threatened me with death. Another profile with a different photo threatened me by saying, “We have our eye on you, we know who you are, who your parents are and where you live – await your punishment.” I had to leave my house for about five months until I felt it was safe for me to return.

‘Human Rights Watch reviewed the messages, which accompanied pictures of Fares and his mother with a red “X” marked on their faces, along with pictures of slaughtered men in the street. One message said:

‘In the name of God. This is a warning. We are the Committee for the Promotion of Virtue and the Prevention of Vice. We warn anyone who spreads homosexuality, which God in his glory has mentioned by saying: ‘In the name of God the merciful, the compassionate, “the men who come with desire not for the women will suffer a painful torture,” God Almighty speaks the truth.’ We know you like men and have desire toward them. We will drag you to meet with them, and we will be obliged to kill you one after another.’[90]

10.2.2 See pages 62 – 68 of HRW’s report for additional examples.

10.2.3 In April 2024, Germany’s international broadcaster[91] Deutsche Welle (DW) published an article entitled ‘Iraqi LGBTQ+ community loses social media safe space’ which stated:

‘It was always double-edged, but in Iraq, social media was often a comparatively safe place where the local queer community could meet. New Iraqi laws are changing all that.

‘Social media has always been one of the only places where members of the LGBTQ+ community in Iraq could meet and be more open about their sexual identity.

‘“Before Instagram, members of the community created fake Facebook accounts and joined secret groups to get to know one another,” Khalid, a 22-year-old student in the central Iraqi province of Babylon, told DW. He couldn't give his full name, because doing so would expose him to danger. “Then with Instagram's ‘close friends’ story feature (launched in 2018), it became even easier for people to connect, and even to find love.”

‘… “Social media has been the main platform of expression of any kind here, especially for those who do not have their own spaces,” explained Ayaz Shalal Kado, executive director of the Iraqi human rights organization IraQueer. “That includes vulnerable groups, such as the LGBTQ+ community, disabled people and others. Social media was a way for these people to express themselves, connect and create communities.”

‘… Iraqi NGOs are still working out exactly how to respond [to the new laws]. One Iraqi rights organization, Gala for LGBTQ, posted advice on its Instagram page that included telling users to make their accounts private, unfollowing openly queer accounts and deleting digital material that could be seen as LGBTQ+-friendly.

[90] HRW, “Everyone Wants Me Dead”: Killings, Abductions… (Page 63), 23 March 2022
[91] DW, Unbiased information for free minds, undated

'… "If you are in Iraq, it is better not to talk or publish about the LGBTQ+ community and leave this to people who are outside Iraq," the organization suggested.

'… Kado does worry that the online presence of Iraq's LGBTQ+ community is about to be reduced or even disappear altogether, as locals realize the dangers of using social media. But, he added, there are even larger ramifications around freedom of expression in Iraq.'[92]

10.2.4 The April 2024 Rudaw article stated: "I was very frustrated, frightened. I was shocked by that extreme law against us just for being different and I absolutely felt danger coming around me," Nuwas, 20, told Rudaw English, adding that the passage of the law led to him deactivating his Instagram account and creating a new one where he will limit the content he posts.'[93]

10.2.5 The May 2024 MEE article stated:

'Karrar, a 23-year-old unemployed gay Iraqi living in Babylon, finds himself paralysed by fear.

'… Even before the new measures were enacted, violence and threats against LGBTQ+ people pervaded Iraq. Still, Karrar said he was still able to maintain some semblance of privacy, something he feels he can no longer do.

'"For my digital safety, I have adopted a low profile, avoiding dating apps and new acquaintances. I also adhere to social norms in my appearance and presentation," he said.

'… Hayden, a 22-year-old Najaf-based queer … said they have taken a number of precautions to protect themselves online. They monitor their followers online, have unfollowed queer people on social media and deleted any posts that hint at their sexual orientation.

'"This is to avoid being targeted by militias that have been killing us even before this law. However, this law now provides legal cover for further violence against us," Hayden said.'[94]

Back to Contents

## 11. Non-governmental and civil society organisations

### 11.1 LGBTI-friendly organisations

11.1.1 The November 2023 Netherlands MFA report indicated that, after May 2023 [when the KRG ordered the only LGBTI rights organisation to close – see State treatment of LGBTI-friendly organisations], there were no human rights organisations in the KRI 'willing to openly support the rights of the LGBTIQ+ community.'[95]

11.1.2 IraQueer describes itself as follows on its website: '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,

[92] DW, Iraqi LGBTQ+ community loses social media safe space, 5 April 2024
[93] Rudaw, 'Everyone feels unsafe'…, 30 April 2024
[94] Middle East Eye, Gay and trans Iraqis plagued by threats, violence…, 11 May 2024
[95] Netherlands MFA, General country of origin… (Page 76), November 2023

advocacy, and providing direct services.'[96] The website also states that they '… passionately defend and advocate for the LGBT+ community to make meaningful social and political change that enables LGBT+ citizens to live in an Iraq where everyone is recognized and protected.'[97] In order to achieve this the organisation states that they focus their efforts on advocacy and global engagement, protection and crisis response, education and awareness, research and knowledge sharing and community development and livelihood[98]. CPIT was unable to find any definitive information confirming whether the organisation is based in Iraq or abroad. See the organisation's website for further information.

11.1.3 The April 2024 France 24 and DW articles, as well as the May 2024 MEE article, mentioned an organisation called 'Gala for LGBTQ'[99] [100] [101]. CPIT was unable to find a website for this organisation. CPIT was also unable to find information confirming whether the organisation is based in Iraq or abroad. The May 2024 MEE article stated: 'Gala Iraq is an Iraqi intersectional platform dedicated to members of the LGBTQ+ community in the region in general and Iraq in particular. Following enacting of the [April 2024] law, it published safety measures that LGBTQ+ people can follow to protect themselves physically and legally, including erasing indications of queerness from phones and social media, and keeping emergency money at hand in case they needed to flee.'[102]

11.1.4 CPIT was unable to find further information about LGBTI-friendly organisations working in federal Iraq or the KRI in the sources consulted (see Bibliography).

Back to Contents

## 11.2 State treatment of LGBTI-friendly organisations

11.2.1 The February 2023 HRW report stated:

'In June 2021, police in the KRI issued arrest warrants against eleven LGBT rights activists, including three lawyers, two social workers, a driver, and five activists, who are either current or former employees at Rasan Organization, a Sulaymaniyah-based human rights group. The arrest warrants followed a lawsuit against Rasan by Barzan Akram Mantiq, the head of the Department of Non-Governmental Organizations in the KRI, a state body responsible for registering, organizing, and monitoring all nongovernmental organizations in the KRI.

'Activists implicated in the lawsuit told Human Rights Watch that when their lawyer visited the police station to inquire about the charges, police officers at the station referred to the written lawsuit, which indicated charges under article 401 of Iraq's Penal Code, which punishes "public indecency" with up

[96] IraQueer, Who are we?, undated
[97] IraQueer, Our Projects, undated
[98] IraQueer, Our Projects, undated
[99] France 24, LGBT Iraqis fear dark days ahead…, 30 April 2024
[100] DW, Iraqi LGBTQ+ community loses social media safe space, 5 April 2024
[101] Middle East Eye, Gay and trans Iraqis plagued by threats, violence…, 11 May 2024
[102] Middle East Eye, Gay and trans Iraqis plagued by threats, violence…, 11 May 2024

to 6-months' imprisonment, and/or a fine of up to 50 dinars (US$0.034) [0.03 GBP[103]].

'On June 28 [2021], two of the activists and the driver said they went to the Sarchnar police station in Sulaymaniyah for interrogation. Police officers at the station inquired about the organization's activities, namely their Facebook page, which contained pro-LGBT statements and images, the activists said. Officers also indicated that the organization's registration expired in 2018. Activists said police officers asked: "If you are registered as a women's rights organization, why do you have LGBT-related content on your website and Facebook page?" Before leaving the police station, police officers made them sign pledges that they would not publish similar content in the future, activists said.

'Activists told Human Rights Watch that they were forced to take down LGBT-related content from their public online pages. At time of writing, although none of the activists had been arrested, they were informed that the case was now with the court and was pending investigation.'[104]

11.2.2 The July 2023 HRW article stated:

'A court in the Kurdistan region of Iraq dealt independent civil society a blow on May 31, 2023, by ordering the closure of Rasan Organization over "its activities in the field of homosexuality," … Rasan is the only human rights organization willing to vocally support lesbian, gay, bisexual, and transgender (LGBT) rights in the Kurdistan Region of Iraq (KRI)…

'[The deputy Middle East director at HRW commented]: "By closing Rasan, the government has sent a clear message that it does not respect freedom of association."

'Tanya Kamal Darwish, CEO of Rasan Organization, told Human Rights Watch that the purported reason for closing the group down was not because of its activities, but because the judge took issue with its logo, which contains the colors of the rainbow. The court order states that "the expert committee confirmed that the logo of the organization is a complete expression of its activities in the field of homosexuality."

'Rasan has appealed but is unable to continue operating while the appeal is pending.

'The closure is the result of a lawsuit filed against Rasan in February 2021 by Omar Kolbi, a member of the Kurdistan Parliament, who accused Rasan of "promoting homosexuality," and "engaging in activities that defy social norms, traditions, and public morality." Kolbi also submitted a complaint to Barzan Akram Mantiq, the head of the Kurdistan Regional Government's Department of Non-Governmental Organizations, an official body responsible for registering, organizing, and monitoring all nongovernmental organizations in the region.

[103] xe.com, 1 IQD to GBP – Convert Iraqi Dinars to British Pounds, accessed 11 October 2024
[104] HRW, "Everyone Wants Me Dead": Killings, Abductions… (Pages 58 – 59), 23 March 2022

'After the suit was filed, local police issued arrest warrants for 11 LGBT rights activists who were either current or former employees at Rasan based on article 401 of the penal code, which criminalizes "public indecency."

'… Darwish said that the trial, which took place last year, focused on the activities of Rasan and never mentioned any issues with the group's logo. "They were asking about our activities, and we told them what we do," Darwish said. "We focus on human rights. Anyone who comes to us with a problem we help without any discrimination."

'Rasan found out about the issue with the logo only when the court decision was published. "We weren't expecting them to take any action against us, since we weren't doing anything illegal. They used the logo as an excuse because they couldn't find anything illegal in our activities," Darwish said.

'Rasan, which has operated in Sulaimaniya, a city in the Kurdistan region, for nearly two decades, has faced increasing threats and official retaliation for its activism and work. The group provides legal, psychological, and social support for women and LGBT clients, raises awareness of LGBT and women's rights, and collects and compiles data relevant to LGBT people and gender-based violence.'[105]

11.2.3 The November 2023 Netherlands MFA report stated: 'During the reporting period [October 2021 – September 2023], increasing control and repression of NGOs by the federal government and the KRG also eliminated opportunities for LGBTIQ+ people to find assistance. Organisations working with the queer community were at risk of persecution in both federal Iraq and the KRI, and they therefore increasingly closed down their activities.'[106]

11.2.4 Referring to the situation in federal Iraq, the January 2024 UNHCR report stated, citing various sources: 'Non-governmental organizations working on issues affecting individuals with diverse SOGIESC reportedly do not operate openly and activists working on the rights of individuals with diverse SOGIESC are frequently subjected to threats, harassment and physical assault by State and non-State actors.'[107]

11.2.5 The April 2024 USSD report stated:

'In July [2023], the Presidency of the Cassation Court in Erbil affirmed the Sulaymaniya Preliminary Court's May 31 judgment to dissolve Rasan Organization due to "its activities in the field of homosexuality." Rasan was one of the only human rights organizations involved in vocally supporting the rights of LGBTQI+ individuals in the IKR.

'… Women's rights NGOs in the IKR reported pressure from the KRG Directorate of NGOs during the license renewal process to certify they did not work on LGBTQI+ matters.'[108]

Back to Contents

[105] HRW, Kurdistan Region of Iraq: LGBT Rights Group Shuttered, 6 July 2023
[106] Netherlands MFA, General country of origin… (Page 76), November 2023
[107] UNHCR, International Protection Considerations… (Page 177), 30 January 2024
[108] USSD, 2023 Country Reports on Human Rights Practices: Iraq (Section 6), 23 April 2024

## 12. Protection

### 12.1 State protection and responses to anti-LGBTI violence

12.1.1 In February 2022, The Guardian published an article entitled 'Kurdish transgender woman shot by brother had been hiding from family' which stated:

'The Kurdish transgender woman Doski Azad shot dead by her brother last month had been living in hiding from her family after repeated death threats, friends have said…

'Police have issued an arrest warrant for her brother, who is believed to have travelled from his home in Germany to carry out the killing.

'Police were called to the village of Mangesh, 12 miles (20km) north of Duhok, according to Iraqi-Kurdish news site Rudaw, …'[109]

12.1.2 An article on the same topic published by Xtra, a 'non-profit online magazine and community platform covering LGBTQ2s+ culture, politics, relationships and health'[110], stated: 'Azad had reportedly attempted to notify the police and take legal action to stop the harassment but was repeatedly advised to leave the city for her safety.'[111]

12.1.3 The February 2022 Outright International/IraQueer report, which is about women and girls, stated:

'[There are] 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.

'… The Iraqi Government and the KRG have never prosecuted anyone for violence on the basis of sexual orientation or gender identity...'[112]

12.1.4 The March 2022 HRW report stated:

'The Iraqi government has failed to hold accountable members of various armed groups who in recent years have continued to abduct, rape, torture, and kill lesbian, gay, bisexual, and transgender (LGBT) people, with impunity. The cyclical nature of abuses against LGBT people, emanating from the family and stretching into every aspect of their public life, renders any "suspicion" of homosexuality or gender variance a cause for potential violence, which not only results in the death of LGBT people but makes their lives unlivable [sic].

'… Their lack of access to protective mechanisms, including legislation protecting against discrimination and reliable complaint systems, limits LGBT people's mobility to a debilitating extent, and deters them from seeking redress for abuses committed against them.

'… The combination of hypervulnerability, loosely defined "morality" clauses, and the absence of anti-discrimination legislation and reliable complaint

[109] The Guardian, Kurdish transgender woman shot by brother…, 21 February 2022
[110] Xtra, Our principles, undated
[111] Xtra, LGBTQ+ Kurds fear for their lives after trans woman murdered…, 11 February 2024
[112] Outright International/IraQueer, "I Need to be Free"… (Pages 6 and 12), 23 February 2022

systems, are formidable barriers that impede LGBT people's ability and willingness to report abuses they suffer to the police, or file complaints against law enforcement agents, creating an environment in which police and armed groups can abuse them with impunity.

'In addition, victims sometimes choose not to file complaints against law enforcement and armed groups due to threats, fear of retaliation, and fear of public exposure of their identities. Most individuals interviewed also lack faith in the criminal justice system to deliver justice, part of a broader problem of trust in public institutions in Iraq.

'Access to redress is particularly difficult for members of vulnerable groups. While there are mechanisms in place to file formal complaints, logistical, social, and structural obstacles render the system woefully inadequate to ensure accountability for wrongdoing, especially against LGBT people. All 54 LGBT people interviewed for this report said that they would not report a crime committed against them to the police, either because of previous failed attempts where the complaint was dismissed or no action was taken by police, or because they feel that the blame will be redirected at them due to their non-conforming sexual orientations, gender identities, and expressions.

'Khadija, a 31-year-old transgender woman from Baghdad, said: After my attempted killing, I did not resort to any police station or governmental office because I know friends who tried to do that and got raped in return by the guards and the officers and the head of the police station. What law is there in Iraq that could protect us?'[113]

12.1.5 In July 2022, London-based news outlet[114] The New Arab published an article entitled 'Living in fear: A new threat to Iraq's LGBTQ+ community' which stated: 'So-called "honour killings" of members of the [LGBTQ+] community are considered socially acceptable by many and the law rarely brings the perpetrators of such crimes to justice.'[115]

12.1.6 The November 2023 Netherlands MFA report stated, citing various sources:

'Reportedly, when she had previously sought protection, the police had advised her to leave the city of Duhok. Although the perpetrator was known, he managed to escape arrest and prosecution. The failure and lack of transparency of the authorities in the case highlighted the impunity afforded to perpetrators of anti-LGBTIQ+ violence. In some cases, it was said to be expedient for perpetrators of killings to cite 'honour' as a motive. According to the Iraqi Penal Code, this is a mitigating circumstance, which may reduce the sentence. As described by LGBTIQ+ NGOs, the killing of Doski Azad was part of an 'increase' in discrimination, hate crimes and honour killings against the community in the Kurdistan region.'[116]

12.1.7 The January 2024 Openly article stated:

'Today, her [Doski Azad's] killer remains at large and LGBTQ+ people in the mountainous, semi-autonomous [Kurdistan] region of northern Iraq say the

[113] HRW, "Everyone Wants Me Dead": Killings, Abductions… (Pages 1, 12, 59, 60), 23 March 2022
[114] The New Arab, About Us, undated
[115] The New Arab, Living in fear: A new threat…, 19 July 2022
[116] Netherlands MFA, General country of origin… (Page 76), November 2023

case highlights widespread impunity as attacks go unpunished and rights defenders are censured.

'… Kurdish authorities said Azad's brother, Chakdar Azad, had recently returned to Kurdistan from Europe and was the prime suspect in the case. Media said it was a so-called "honour killing", carried out to protect the family name.

'But Kurdish officials said Chakdar Azad had already fled the country by the time the body was discovered. The Kurdistan Regional Government (KRG) said it had appealed to Interpol, but he had not been found.

'The KRG's Coordinator for International Advocacy Dindar Zebari, who handles the government's human rights portfolio, said an investigation into the case was ongoing. A KRG Interior Ministry official declined to comment.'[117]

12.1.8 Referring to the situation in federal Iraq, the January 2024 UNHCR report stated, citing various sources:

'Concerns have been raised with regards to the authorities' willingness and ability to investigate, prosecute and punish human rights abuses committed against individuals with diverse SOGIESC and to provide them with protection. As a result, individuals with diverse SOGIESC are reported to refrain from reporting instances of discrimination, threats and violence to the police or other State authorities, for fear of their sexual orientation and/or gender identity being disclosed, legal prosecution on the basis of vague criminal provisions, and further harm at the hands of the authorities or others. Impunity is therefore reported to be widespread.'[118]

12.1.9 Referring to the situation in the KRI, the same source stated, citing various sources: 'Individuals with diverse SOGIESC are reported to refrain from reporting instances of discrimination, threats and violence to the police or other State authorities for fear of their sexual orientation and/or gender identity being disclosed, legal prosecution on the basis of vague criminal provisions, and further harm at the hands of the authorities or others.'[119]

12.1.10 Freedom House's February 2024 'Freedom in the World' report (covering the year 2023) stated: 'Police forces, militias, and the family members of LGBT+ people have murdered, kidnapped, tortured, raped, confined, and abused LGBT+ Iraqis in recent years. The state and nonstate perpetrators of such violence have enjoyed impunity, which has rendered reporting such abuse to the authorities futile or even dangerous.

'… The law…allows reduced sentences for those convicted of so-called honor killings, which are seldom punished in practice. These types of crimes typically involve a male relative targeting a woman (sister or wife) or an LGBT+ person.'[120]

12.1.11 The April 2024 USSD report stated:

[117] Openly, Doski Azad: Murder of trans woman still haunts LGBTQ+ Iraqi Kurds, 30 January 2024
[118] UNHCR, International Protection Considerations… (Page 177), 30 January 2024
[119] UNHCR, International Protection Considerations… (Page 179), 30 January 2024
[120] Freedom House, Freedom in the World 2024 – Iraq (Sections F4 and G3), February 2024

'Despite repeated threats, violence, and killings of LGBTQI+ individuals, the government failed to identify, arrest, or prosecute attackers or to protect targeted individuals. Some political parties sought to justify these attacks, and investigators often refused to follow proper investigation procedures, or even investigate at all.

'… According to NGOs, persons who experienced severe discrimination, torture, physical injury, and the threat of death based on real or perceived sexual orientation, gender identity and expression, and sex characteristics had no recourse to challenge those actions via courts or government institutions.'[121]

Back to Contents

## 12.2 NGO shelters

12.2.1 The November 2023 Netherlands MFA report stated: 'According to one source, the LGBTIQ+ community had few or no shelter options for those in need.'[122]

12.2.2 Referring to the situation in federal Iraq, the January 2024 UNHCR report stated, citing various sources:

'Some civil society organizations reportedly run temporary safe houses in secret locations for individuals fearing harm [not specifically for LGBTI people]. These safe houses are reported to operate at enormous risks for both the individuals as well as the organizations' staff. For security reasons, these safe houses are operated only for short periods of time, normally several months, before they are either closed or relocated. They can only accommodate a small number of individuals at any given time in order not to attract the attention of the authorities and other actors.'[123]

12.2.3 Referring to the situation in the KRI, the January 2024 UNHCR report stated, citing various sources:

'No specific shelters for individuals with diverse SOGIESC at risk of harm are available in the KR-I. Lesbians in principle have access to women's shelters in the KR-I; however, access to government-run shelters depends on a court order, which requires the victim to file a report with the police, while women shelters run by NGOs face financial deficits and security risks. Men with diverse SOGIE reportedly have had access in the past to a NGO-run shelter for survivors of trafficking in the KR-I; however, UNHCR was unable to verify whether this continued to be the case.'[124]

Back to Contents

[121] USSD, 2023 Country Reports on Human Rights Practices: Iraq (Section 6), 23 April 2024
[122] Netherlands MFA, General country of origin… (Page 76), November 2023
[123] UNHCR, International Protection Considerations… (Pages 177 – 178), 30 January 2024
[124] UNHCR, International Protection Considerations… (Page 179), 30 January 2024

# Research methodology

The country of origin information (COI) in this note has been carefully selected in accordance with the general principles of COI research as set out in the Common EU [European Union] Guidelines for Processing Country of Origin Information (COI), April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation's (ACCORD), Researching Country Origin Information – Training Manual, 2024. Namely, taking into account the COI's relevance, reliability, accuracy, balance, currency, transparency and traceability.

Sources and the information they provide are carefully considered before inclusion. Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information
- whether the COI is consistent with and/or corroborated by other sources

Commentary may be provided on source(s) and information to help readers understand the meaning and limits of the COI.

Wherever possible, multiple sourcing is used and the COI compared to ensure that it is accurate and balanced, and provides a comprehensive and up-to-date picture of the issues relevant to this note at the time of publication.

The inclusion of a source is not, however, an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a footnote.

Full details of all sources cited and consulted in compiling the note are listed alphabetically in the Bibliography.

Back to Contents

# Terms of Reference

The 'Terms of Reference' (ToR) provides a broad outline of the issues relevant to the scope of this note and forms the basis for the country information.

The following topics were identified prior to drafting as relevant and on which research was undertaken:

- Legal context – parts of the constitution and laws relevant to:
  - general anti-discrimination provisions (and inclusion or absence of reference to LGBTI persons)
  - (being) a LGBTI person
  - same-sex sexual behaviour
  - same-sex couples, including civil union and marriage
  - gender reassignment/transition, and recognition of gender identity of trans persons
  - LGBTI organisations
- State attitudes and treatment
  - statements made by government figures and public officials
  - discrimination and violence committed by security forces
  - government policies/programmes that assist or discriminate against LGBTI persons
  - how the law is applied (including discriminatory application of non-LGBTI specific laws). Numbers of: arrests and detentions, prosecutions, convictions, acquittals
  - restrictions on/enforcement of law against LGBTI organisations
  - access to public services
  - availability of state protection
  - geographic, socio-economic or other factors affecting variation in attitudes/treatment
- Societal attitudes and treatment
  - public opinion/views/surveys, including anti-LGBTI movements and public demonstrations
  - prevailing cultural and family attitudes to male/female relationships, family and non-conforming behaviour
  - discrimination and violence committed by non-state actors including family members and wider society
  - religious group attitudes, statements and actions
  - media representation, language and discourse
- LGBTI individuals, communities and groups

- presence of LGBTI organisations
- state and societal treatment of LGBTI organisations

Back to Contents

# Bibliography

## Sources cited


Al-Ghad Press,

Who we are (translated by Arabic speaker working in CPIT), undated. Accessed: 8 October 2024

Communications minister: atheism and homosexuality websites need to be blocked in the same way as pornography (translated by Arabic speaker working in CPIT), 12 March 2023. Accessed: 8 October 2024

Al Jazeera, Iraq criminalises same-sex relationships with maximum 15 years in prison, 27 April 2024. Accessed: 8 October 2024

Amnesty International, Iraq: Authorities must urgently repeal new law criminalizing same-sex relations, 29 April 2024. Accessed: 18 December 2024

Australian Department of Foreign Affairs and Trade, Country Information Report Iraq, 16 January 2023. Accessed: 08 October 2024

BBC News,

Iraq criminalises same-sex relationships in new law, 28 April 2024. Accessed: 8 October 2024

Cambridge Dictionary, Doxing, undated. Accessed: 8 October 2024

CIVICUS,

Who We Are, undated. Accessed: 8 October 2024

IRAQ: Tolerance for abuses against LGBTQI+ people has now been made explicit through legislation, 26 June 2024. Accessed: 8 October 2024

CNN, Iraq bans media from using term 'homosexuality', 9 August 2024. 8 October 2024

The Constitute Project, Iraq's Constitution of 2005, 28 December 2005. Accessed: 8 October 2024

Daraj,

More Stigma Against Transgender People in Iraq, 4 February 2022. Accessed: 8 October 2024

Who we are, undated. Accessed: 8 October 2024

Deutsche Welle,

Iraqi LGBTQ+ community loses social media safe space, 5 April 2024. Accessed: 8 October 2024

Unbiased information for free minds, undated. Accessed: 8 October 2024

European Union Agency for Asylum, Country Guidance: Iraq, 29 June 2022. Accessed: 9 October 2024

France 24, LGBT Iraqis fear dark days ahead after anti-gay law, 30 April 2024. Accessed: 8 October 2024

Freedom House,

Freedom in the World 2024 – Iraq, February 2024. Accessed: 8 October 2024

Freedom on the Net 2024 – Iraq, 16 October 2024. Accessed: 14 November 2024

The Guardian,

Human rights groups and diplomats condemn Iraq's anti-LGBTQ+ law, 28 April 2024. Accessed: 8 October 2024

Kurdish transgender woman shot by brother had been hiding from family, 21 February 2022. Accessed: 8 October 2024

Human Dignity Trust,

Iraq, last updated 21 January 2025. Accessed: 3 July 2025

Who We Are, undated. Accessed: 8 October 2024

Human Rights Watch,

"All This Terror Because of a Photo": Digital Targeting and its Offline Consequences for LGBT People in the Middle East and North Africa, 21 February 2023. Accessed: 8 October 2024

"Everyone Wants Me Dead": Killings, Abductions, Torture, and Sexual Violence Against LGBT People by Armed Groups in Iraq, 23 March 2022. Accessed: 8 October 2024

Middle East, North Africa: Digital Targeting of LGBT People: Arbitrary Arrests, Torture Follow Online Abuses, Illegal Phone Searches, 21 February 2024. Accessed: 08 October 2024

Kurdistan Region of Iraq: LGBT Rights Group Shuttered, 6 July 2023. Accessed: 8 October 2024

The Independent,

Influential Iraqi cleric launches anti-LGBTQ campaign, 2 December 2022. Accessed: 8 October 2024

Iraq's only openly gay activist on how he's fighting to make his country safer, 16 August 2016. Accessed: 18 November 2024

IraQueer,

In conversation with IraQueer's Amir Ashour – a call to global solidarity, 3 June 2024. Accessed: 18 November 2024

Our Projects, undated. Accessed: 3 July 2025

Who are we?, undated. Accessed: 8 October 2024

Jummar,

Iraq's Queer Women: Survival under False Identities and Secret Lives, 15 February 2023. Accessed: 8 October 2024

Who are we?, undated. Accessed: 8 October 2024

Middle East Eye,

About Middle East Eye, undated. Accessed: 8 October 2024

Gay and trans Iraqis plagued by threats, violence – and now the law, 11 May 2024. Accessed: 8 October 2024

Iraq: Murder of trans Kurdish woman sparks anger, 4 February 2022. Accessed: 8 October 2024

National Iraqi News Agency,

About NINA (translated by Arabic speaker working in CPIT), undated. Accessed: 18 November 2024

A campaign in Maysan to prevent the importation of children's toys whose colours symbolize the "gay flag, 2 December 2022. Accessed: 8 October 2024

Followers of the Sadrist Movement in Najaf Burn the Flags of Homosexuality, US and Israel, 24 July 2024. Accessed: 8 October 2024

4 young men dressed as women arrested in Najaf, 23 March 2023. Accessed: 8 October 2024

The New Arab,

About Us, undated. Accessed: 9 October 2024

Living in fear: A new threat to Iraq's LGBTQ+ community, 19 July 2022. Accessed: 8 October 2024

Netherlands Ministry of Foreign Affairs, General country of origin Information Report on Iraq, November 2023. Accessed: 8 October 2024

Official Gazette of Iraq, Issue 4781, 1 July 2024. Accessed: 18 November 2024

Openly,

About us, undated. Accessed: 8 October 2024. Accessed: 8 October 2024

Doski Azad: Murder of trans woman still haunts LGBTQ+ Iraqi Kurds, 30 January 2024. Accessed: 8 October 2024

Outright International, Our Story, undated. Accessed: 8 October 2024

Outright International/IraQueer, "I Need to Be Free": What it Means to Be a Queer Woman in Iraq, 23 February 2022. Accessed: 8 October 2024

Pink News,

Popular Iraqi TikTok star shot dead as country tightens anti-LGBTQ+ laws, 28 September 2023. Accessed: 8 October 2024

Trans blogger 'Simsim' killed in Iraq by knife-wielding assailants, 16 February 2024. Accessed: 8 October 2024

Who Are We?, undated. Accessed: 8 October 2024

Rudaw,

About Us, undated. Accessed: 8 October 2024

Iraq's anti-LGBT+ law…, 7 May 2024. Accessed: 8 October 2024

'Everyone feels unsafe': Iraq's LGBTQI+ community horrified by law passage, 30 April 2024. Accessed: 8 October 2024

United Nations High Commissioner for Refugees, International Protection Considerations with Regard to People Fleeing the Republic of Iraq, Update I, 30 January 2024. Accessed: 8 October 2024

United States State Department, 2023 Country Reports on Human Rights Practices: Iraq, 23 April 2024. Accessed: 8 October 2024

Iraq, Penal Code: Iraq, No.111 of 1969, July 1969. Accessed: 8 October 2024

Xe.com, 1 IQD to GBP – Convert Iraqi Dinars to British Pounds, accessed 10 October 2024

Xtra,

Our principles, undated. Accessed: 8 October 2024

LGBTQ+ Kurds fear for their lives after trans woman murdered in honour killing, 11 February 2024. Accessed: 8 October 2024

Back to Contents

### Sources consulted but not cited

ABC News, Iraq's LGBT community could face death penalty under proposed new law, 16 September 2023. Accessed: 9 October 2024

Advocate, Digital persecution of LGBTQ+ individuals in the MENA region, 11 June 2024. Accessed: 9 October 2024

Associated Press, Rights group: Mideast governments target LGBTQ people online, 21 February 2023. Accessed: 9 October 2024

BBC News, LGBT people in Iraq live in fear of lives – HRW, 24 March 2022. Accessed: 8 October 2024

CBS News, Iraq bans the words "homosexual" on all media platforms and offers an alternative, 10 August 2023. Accessed: 9 October 2024

Center for Strategic and International Studies, LGBTQ+ Advocacy in the Middle East Backfires, 16 December 2022. Accessed: 9 October 2024

European Union Agency for Asylum, Country of Origin Information Research Guide on LGBTIQ, 22 February 2023. Accessed: 8 October 2024

Front Line Defenders, Rasan Organisation was shut down by a judicial order over rainbow-coloured logo, 31 May 2023. Accessed: 9 October 2024

Gulf News, Iraqi teenager brutally killed because of his looks, 11 October 2018. Accessed: 9 October 2024

Human Rights Watch,

Human Rights Watch's Universal Periodic Review Submission on Iraq, 15 July 2024. Accessed: 8 October 2024

Questions and Answers: Facebook, Instagram, and Digital Targeting of LGBT People in MENA, 23 January 2024. Accessed: 9 October 2024

Inter Press Service, LGBTI in Iraq: Defending Identity in the Face of Harassment, Stigma and Death, 25 November 2022. Accessed: 8 October 2024

ILGA Asia, Commemorating The One-Year Anniversary of Doski Azad's Murder: A Call For Justice And An End to Queerphobic Violence In Iraq, 8 February 2023.

Accessed: 9 October 2024

IraQueer, Blog, undated. Accessed: 9 October 2024

National Romanian Council for Refugees, General Report Iraq: Human Rights Situation, July 2022. Accessed: 9 October 2024

The New Arab,

In Iraq, hair can set off violence, 29 March 2022. Accessed: 8 October 2024

Iraq Kurd makeup artists held for posts 'dressed as women', 7 September 2023. Accessed: 8 October 2024

Openly, Why is anti-LGBTQ+ rhetoric on the rise in the Middle East?, 15 September 2023

Outspoken Middle East, Iraqi singer arrested over lyrics suggestive of homosexuality, 16 August 2022. Accessed: 9 October 2024

Rudaw, Iraqi president ratifies controversial anti-LGBTQ+ law, 27 June 2024. Accessed: 9 October 2024.

Shafaq News,

International organisation calls on Iraq to withdraw its draft anti-homosexuality law (translated by Arabic speaker working in CPIT), 23 August 2023. Accessed: 9 October 2024

Muqtada al-Sadr Slams Comments Attributed to Biden on the US as a Homosexual State, 14 June 2023. Accessed: 9 October 2024

Parliament Member Accuses Women's Organization of Promoting Homosexuality, 22 June 2023. Accessed: 9 October 2024

The Tahrir Institute for Middle East Policy, Policies of Erasure: How the MENA's Region Intersex People Are Made Invisible, 20 April 2023. Accessed: 9 October 2024

United Nations Human Rights Committee, Concluding observations on the 6th periodic report of Iraq: Human Rights Committee, 16 August 2022. Accessed: 9 October 2024

United States State Department, 2023 Trafficking in Persons Report: Iraq, 15 June 2023. Accessed: 8 October 2024

Voice of America, Death of Transgender Woman Sparts Outcry in Iraq's Kurdistan, 3 February 2022

The Week, LGBTQ+ rights in Iraq: how morality laws ramped up, 29 April 2024. Accessed: 9 October 2024

Worldcrunch, The Many Enemies Of Iraqi Transgender: The State, Islamists – And Some Feminists, 6 May 2024. Accessed: 9 October 2024

Back to Contents

# Version control and feedback

## Clearance

Below is information on when this note was cleared:

- version **3.0**
- valid from **18 July 2025**

**Official – sensitive: Not for disclosure – Start of section**

The information on this page has been removed as it is restricted for internal Home Office use.

**Official – sensitive: Not for disclosure – End of section**

Back to Contents

## Changes from last version of this note

Updated COI and assessment.

Back to Contents

## Feedback to the Home Office

Our goal is to provide accurate, reliable and up-to-date COI and clear guidance. We welcome feedback on how to improve our products. If you would like to comment on this note, please email the Country Policy and Information Team.

Back to Contents

## Independent Advisory Group on Country Information

The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to support them in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. The IAGCI may be contacted at:

**Independent Advisory Group on Country Information**
Independent Chief Inspector of Borders and Immigration
1st Floor
Clive House
70 Petty France
London
SW1H 9EX
Email: chiefinspector@icibi.gov.uk

Information about the IAGCI's work and a list of the documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's pages of the gov.uk website.

Back to Contents