

**UNITED NATIONS  
INTERNATIONAL COVENANT ON ECONOMIC,  
SOCIAL AND CULTURAL RIGHTS (ICESCR)  
56<sup>th</sup> SESSION, GENEVA, SWITZERLAND  
21 SEPTEMBER – 9 OCTOBER 2015**

---

**DYING TO BE FREE:  
LGBT HUMAN RIGHTS VIOLATIONS IN IRAQ**

**IN RESPONSE TO**

**THE FOURTH PERIODIC REPORT OF  
THE REPUBLIC OF IRAQ**

---

**SUBMITTED BY:**

**The International Women's Human Rights (IWHR) Clinic at the City University of New  
York (CUNY) School of Law**

**MADRE**

August 31, 2015

International Covenant on Economic, Social and Cultural Rights  
Office of the United Nations High Commissioner for Human Rights  
Attention: The UN Committee on Economic, Social and Cultural Rights  
Via Email: Samar Khamis, skhamis@ohchr.org , cescr@ohchr.org

Re: Submission to the UN Committee on Economic, Social and Cultural Rights for its review of Iraq scheduled during the 56<sup>th</sup> Session to be held in September 2015.

Dear Committee Members,

This letter is submitted to you by MADRE, and the International Women's Human Rights (IWHR) Clinic at the City University of New York (CUNY) School of Law. The issues and information highlighted below were written in consultation with five additional Iraqi women's organizations who wish to remain anonymous for security reasons. The issues discussed in this letter are raised to supplement the information provided in the fourth periodic report submitted by Iraq to the Committee for its review of Iraq during the 56<sup>th</sup> Session to be held in September 2015.

Our organization wishes to further the work of the Committee on Economic, Social, and Cultural Rights by providing independent information concerning the rights protected by the International Covenant on Economic, Social and Cultural Rights (ICESCR).

We respectfully request that the Committee's review cover several areas of concern related to the status of the rights of LGBT persons in Iraq, including gender-based violence, the continuance of discriminatory legislation, and lack of redress mechanisms as discussed below.

## **List of Acronyms**

CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
ICCPR	International Covenant on Civil and Political Rights
LGBT	Lesbian, Gay, Bisexual, and Transgender

## Introduction

This report, which addresses urgent areas of concern related to the status of human rights of lesbian, gay, bisexual and transgender (LGBT) people in Iraq, is intended to supplement information the Government of Iraq provided in its fourth periodic report to the Committee on Economic, Social and Cultural Rights (the Committee) for its review of Iraq during its 56<sup>th</sup> Session, to be held in September 2015. The Committee monitors governments' compliance with the International Covenant on Economic, Social and Cultural Rights (ICESCR). The Iraqi Government's report to this Committee makes no mention of the rights of LGBT people, and instead voices support for its ongoing discrimination based on sexual orientation and gender identity. Violence and discrimination against LGBT individuals in Iraq continues to flourish, and victims are guaranteed virtually no protection or redress. The Government of Iraq has failed in its obligation under the ICESCR to take proper measures to give effect to the rights recognized therein, to ensure effective remedies in cases of violations, and to prevent systemic impunity.

Faced with the ever-present possibility of discrimination, extreme violence, torture, and murder, being perceived as LGBT in Iraq places one in immediate danger. The state-sanctioned culture of anti-LGBT discrimination permeates Iraq's institutions and society. Perpetrators of egregious anti-LGBT human rights violations include victims' family members, militia fighters and religious militants from various groups, as well as government officials. Members of the security forces and police are, at best, non-responsive to human rights violations committed on the basis of sexual orientation or gender identity, and at worst, active participants in them. People in Iraq can count on virtually no protection or recourse for anti-LGBT violence and discrimination.

Iraqi community service providers and human rights activists, including victims of anti-LGBT discrimination and violence, take great risks to record human rights violations committed on the basis of sexual orientation and gender identity. The shared hope of these individuals and their international allies is that these stories will spur immediate action on the part of the Iraqi government to ensure greater safety and protections for Iraqi LGBT people. Even in times of conflict, the Iraqi government is obligated to adhere to the ICESCR, and there are basic steps it can take now to help protect LGBT people from egregious human rights violations. The first would be for it to acknowledge that LGBT people, like all people, have human rights that must be respected. The recent reformation of the Government's only official agency to deal with LGBT issues, the LGBT Committee, is a positive step in remedying inadequate Government efforts to protect LGBT rights. The Committee, which ceased to function after ISIS's June and July 2014 territorial gains, had done little to deal with the clear protection gap facing LGBT and gender-nonconforming Iraqis. However, its reestablishment signals a renewed Government commitment to live up to international human rights obligations.

Information on human rights violations in this report was gathered through field interviews and documentation of personal testimonies in late 2014 and early 2015 by a local Iraqi women's organization<sup>1</sup> and the international non-governmental organizations. It is supplemented by reports from news agencies and human rights organizations. A set of specific recommendations for advancing the Iraqi Government's compliance with the ICESCR concludes this report.

---

<sup>1</sup> For safety and security reasons this organization has chosen not to be identified by name.

## I. ARTICLES 2, 12, 15: DISCRIMINATION, VIOLENCE, AND THE IRAQI GOVERNMENT'S FAILURE TO PROTECT THE ECONOMIC, SOCIAL AND CULTURAL RIGHTS OF LGBT PERSONS IN IRAQ

Articles 2 of the Covenant require States to undertake necessary steps by all appropriate means, including adoption and implementation of legislation to ensure individuals' full and equal enjoyment of economic, social and cultural rights. Article 2, paragraph 2 particularly demands that States implement measures to guarantee the rights enunciated under this Covenant are exercised without discrimination of any kind, including race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or "other status." In multiple of its General Comments, the Committee has asserted that "other status" encompasses sexual orientation.<sup>2</sup> The Committee further affirms that "States parties should ensure that a person's sexual orientation is not a barrier to realizing Covenant rights, for example, in accessing survivor's pension rights. In addition, gender identity is recognized as among the prohibited grounds of discrimination; for example, persons who are transgender, transsexual or intersex often face serious human rights violations, such as harassment in schools or in the workplace."<sup>3</sup>

States also have the obligation under Article 12 to guarantee the full realization of everyone's right to the highest attainable standard of physical and mental health, and to ensure access to medical services and attention in the event of illness. Article 15, paragraph 1 of the Covenant provides for the right of everyone to participate in cultural life and to "benefit from the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author."

Additionally, according to Article 14 of the Iraqi Constitution, "Iraqis are equal before the law without discrimination based on gender, race, ... economic or social status."<sup>4</sup> As observed by this Committee, "the elimination of discrimination is fundamental to the enjoyment of economic, social and cultural rights on the basis of equality."<sup>5</sup> Therefore, the government of Iraq is obligated to ensure the full and equal enjoyment of the rights protected under the Covenant by members of LGBT community and to meet its non-discrimination and equal protection obligations under the ICESCR. Accordingly, Iraq must protect, investigate, prosecute and punish

---

<sup>2</sup> See United Nations Committee on Economic, Social and Cultural Rights, *General Comment No.14: The Right to The Highest Attainable Standard of Health (Art.12 of the International Covenant on Economic, Social and Cultural Rights)*, 11 August 2000, U.N. Doc. E/C.12/2000/4, ¶18, See also United Nations Committee on Economic, Social and Cultural Rights, *General Comment No.15: The Right to Water (Arts.11 & 12 of the International Covenant on Economic, Social and Cultural Rights)*, 20 January 2003, U.N. Doc. E/C.12/2002/11, ¶13 available at [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=9&DocTypeID=11](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=9&DocTypeID=11)

<sup>3</sup> See also United Nations Committee on Economic, Social and Cultural Rights, *General Comment No.20: Non-Discrimination in Economic, Social and Cultural Rights (Art.2, Para.2 of the International Covenant on Economic, Social and Cultural Rights)*, 2 July 2009, U.N. Doc. E/C.12/GC/20, ¶32 available at [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=9&DocTypeID=11](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=9&DocTypeID=11)

<sup>4</sup> The Constitution of Iraq, Section II, *Rights and Liberties*, Article 14.

<sup>5</sup> United Nations Committee on Economic, Social and Cultural Rights, *General Comment No.16: The Equal Right of Men and Women to The Enjoyment of All Economic, Social, and Cultural Rights (Art.3 of the International Covenant on Economic, Social and Cultural Rights)*, 11 August 2005, U.N. Doc. E/C.12/2005/4, ¶3, available at [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=9&DocTypeID=11](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=9&DocTypeID=11)

human rights violations, including discrimination, no matter the sexual orientation or gender identity of the victim.

### **A. The Iraqi Government's Endorsement of Violence and Discrimination Against LGBT Persons**

The mere perception of being LGBT is extremely dangerous in Iraq and living openly as an LGBT person is nearly impossible. For victims of anti-LGBT discrimination, including violence, there is no viable recourse in the Iraqi State. State security forces not only fail to investigate acts of discrimination and violence against LGBT people; they stand by and allow murderous hate violence to occur, fully aware of what is happening. Furthermore, security forces and government officials themselves commit anti-LGBT discrimination and violence. The State's denial of access to justice for victims of these human rights violations encourages further discrimination and acts of violence, including those committed by health professionals and others who capitalize on LGBT peoples' vulnerable status.

To understand the extent of state-sanctioned anti-LGBT discrimination in Iraq, one can review the Government's report to the UN Human Rights Committee in 2013. The Government fails to mention the pervasive violence and discrimination based on real or perceived sexual orientation and gender identity in Iraq. While there is no law that explicitly criminalizes same sex intimacy, it openly states in its Report that it deems homosexual acts unlawful, and that it denies LGBT activists the right to free expression and association. It impermissibly relies on religious beliefs to justify these forms of discrimination, stating, "[protest] activities by homosexuals are prohibited since their sexual practices, being contrary to the teachings of the Islamic sharia, constitute a punishable offence under Iraqi law."<sup>6</sup>

This example serves to illustrate the State Party's discriminatory attitudes and practices, which encourage violence against people who are LGBT, or who are perceived to be so, at all levels of society. Through their unwillingness to investigate or pursue even the most open of perpetrators, Security Forces encourage anti-LGBT human rights violations including torture and killings. In addition, testimonies illustrate that the environment of impunity emboldens family members who feel "shamed" by the real or perceived LGBT status of their relatives to perform public executions.

For example, in June of 2012, in the Northern city of Samarra, the burning remains of two young men were left in the street of a busy public intersection for over two hours.<sup>7</sup> Countless people passing through the intersection saw the bodies and not a single person intervened. The family members of the men, who had killed them both, were still standing in the street holding pistols in their hands as they watched the men's bodies burn. The Security Forces of the Ministry of the Interior, who were informed of the incident beforehand,<sup>8</sup> witnessed the shooting and burning and were standing near the families who were holding the pistols. There were no repercussions for

---

6 Human Rights Committee, Consideration of reports submitted by State parties under article 40 of the Covenant, Initial reports of States Parties, Iraq, CCPR/C/IRQ/5, 12 December, 2013.

7 Interview, Friday, January 23, 2015 (on file with authors)

8 Iraqi-based human rights advocates report that official condoning of anti-LGBT "honor" killings is common practice, especially where tribal leaders hold greater influence than local government officials. Informing security forces ahead of time would ensure no officials would intervene with the killing.

the killings and no media coverage of the incident. Security Forces conducted no investigation and generated no report, despite being present at the scene. Human rights advocates who stopped at the intersection noted that the family appeared proud of their deed, openly talking about how they did it, and noting that such acts restored honor to their family. The local human rights monitor noted that as with other “honor” killings with victims perceived to be gay, the family members themselves were the perpetrators, would not go near the bodies, did not react the way normally distraught relatives behave, and did not claim the bodies afterwards for a proper funeral.

The Iraqi Government’s failure to exercise due diligence in amending discriminatory domestic laws, and holding perpetrators of crimes against LGBT persons accountable is a direct violation of Article 2 the Covenant, and severely hampers the ability of LGBT persons to fully and freely enjoy their economic, social, and cultural rights. Moreover, lack of gender-sensitive and appropriate healthcare services has a devastating, at time life-threatening, impact on the access of LGBT persons to these vital services, and compromises their right to the highest attainable standard of physical and mental health under Article 12 of the Covenant. Furthermore, the Iraqi government’s measures which restrict or prohibit social and cultural activities related to the LGBT community in Iraq are in breach of Article 15 of the Covenant. In addition, these restrictive measures serve to reinforce discriminatory societal norms towards the LGBT persons in Iraq, and perpetuate further violence against them.

### **B. The Iraqi Government's Failure to Prevent, Investigate, Punish and Provide Redress for Violence and Discrimination Against LGBT Persons**

According to human rights testimonials and interviews with Iraqi community-based human rights advocates, the most basic rights and fundamental freedoms of LGBT persons are regularly violated in Iraq with impunity. People who experience severe discrimination, even killed, injured or tortured on the basis of real or perceived sexual orientation or gender identity find no recourse in the institutions that should provide protection and support, such as state police and security forces, or medical facilities.<sup>9</sup> Multiple sectors of society are implicated in these human rights violations, including civilians, militia members, religious leaders, police and security forces, government officials, healthcare workers and others.

Faced with continued armed conflict, the rise of militias, and the weakening of government institutions since 2003, LGBT people in Iraq are especially vulnerable to violence from these various actors.<sup>10</sup> The risks for them are constant, and since 2003, Iraq has also experienced a number of organized, deadly campaigns targeting large numbers of people based on their real or perceived sexual orientation or gender identity. These flare-ups of violent persecution are instigated, inspired, carried out, or tolerated by state actors and militia. For example, in 2009, in Sadr City, a low-income area of Baghdad, dozens of men were killed under suspicion of being gay. Press suggested that a *fatwa* or other religious invectives by Moqtada al-Sadr or other clerics had spurred an organized, violent campaign, involving some militia elements as well as killings by

---

<sup>9</sup> Doctors at hospitals in Iraq regularly deny LGBT people healthcare, or charge them double or triple the rate for treatment.

Three of the many hospitals that have engaged in extortion and denial of treatment based on real or perceived sexual orientation or gender identity include Al Yarmouk Hospital, Al Kindi Hospital, and Al Samir Hospital. Interview, Saturday, January 24, 2015 (on file with authors); Email with Iraqi service provider and advocate, May 24, 2015 (on file with authors).

<sup>10</sup> INTERNATIONAL GAY AND LESBIAN HUMAN RIGHTS COMMISSION.

relatives of victims.<sup>11</sup> In the weeks leading up to the spate of killings, local police said they had started cracking down on LGBT people, stating that they were cleaning up the streets to “get the beggars and homosexuals off them.”<sup>12</sup>

In 2012, militia posted leaflets in the Sadr City neighborhood of Baghdad, listing names of young men identified as gay or “emo,” and calling for them to “change their ways” or risk death. According to a press release by the IGLHRC, Human Rights Watch, and Amnesty International, “[i]n English, ‘emo’ is short for ‘emotional,’ referring to self-identified teens and young adults who listen to alternative rock music, often dress in black, close-fitting clothes, and cut their hair in unconventional ways. People perceived to be gay, lesbian, transgender or effeminate are particularly vulnerable.”<sup>13</sup> According to media reports, on February 6, 2012, Colonel Mushtaq Taleb Muhammadawi, director of the community police of the Iraqi Interior Ministry, called for the eradication of emos, thus lending official support to the campaign of murder and intimidation.<sup>14</sup> The UN Assistance Mission for Iraq (UNAMI) reported findings by NGOs and media outlets that Al Mahdi (Mahdi Army) and Asa’ib Ahl Al-Haq were responsible for “up to 56 persons described as ‘emos’ ... reportedly killed in different parts of Iraq, especially in Baghdad and Babil.” UNAMI was able to verify twelve of the killings.<sup>15</sup> Al Mahdi Army has a long history of targeting LGBT individuals, including those who identify as Lesbians. For instance, in 2008, Al Madhi Army kidnapped an 18 year-old lesbian, in Baghdad.<sup>16</sup> They took her to a place that was covered in blood.<sup>17</sup> In that same place, there were some gay men and two other lesbians.<sup>18</sup> Al Mahdi Army militants tortured them, burned the woman’s left thigh, and killed a gay man.<sup>19</sup>

On May 15, 2014, the Brigades of Wrath (Saraya al-Ghadhab), the military arm of Asa’ib Ahl al-Haq, (the League of the Righteous), posted a list on signs around Baghdad with the names and neighborhoods of 24 “wanted” persons; 23 accused of the “crime” of homosexual acts and one man accused of the “crime” of having long hair. Over the following two months, at least two militia attacks took place in Baghdad against groups of persons because of their real or perceived sexual conduct or sexuality, including the beheading of two young men, and the murder of at least 34 people in a brothel.<sup>20</sup> In the recent fighting against the Islamic State, Iraqi government forces are coopting militias, including Asa’ib Ahl al Haq (League of the Righteous),<sup>21</sup> and

<sup>11</sup> Timothy Williams & Tareq Maher, “Iraq’s Newly Open Gays Face Scorn and Murder,” NEW YORK TIMES (April 7, 2009), <http://www.nytimes.com/2009/04/08/world/middleeast/08gay.html>; Nizar Latif, “Iraqi ‘executioner’ defends killing of gay men,” THE NATIONAL, (May 2, 2009), <http://www.thenational.ae/news/world/middle-east/iraqi-executioner-defends-killing-of-gay-men>.

<sup>12</sup> Timothy Williams & Tareq Maher, “Iraq’s Newly Open Gays Face Scorn and Murder,” NEW YORK TIMES (April 7, 2009), <http://www.nytimes.com/2009/04/08/world/middleeast/08gay.html>.

<sup>13</sup> “Iraq: Investigate ‘Emo’ Attacks,” 16 March 2012. Available online at: <http://www.iglhrc.org/cgi-bin/iowa/article/pressroom/pressrelease/1499.html>.

<sup>14</sup> BBC Arabic, *Iraq: Security Sources Say “EMO” Followers Face Kidnapping or Murder*, (Mar. 2012), available at [http://www.bbc.co.uk/arabic/middleeast/2012/03/120311\\_emo\\_iraq.shtml](http://www.bbc.co.uk/arabic/middleeast/2012/03/120311_emo_iraq.shtml).

<sup>15</sup> United Nations Assistance Mission for Iraq (UNAMI), *Report on Human Rights in Iraq, January to June 2012*,” 15-16 (October, 2012), available at <http://www.refworld.org/publisher,UNAMI,,54c1fe754,0.html>.

<sup>16</sup> INTERNATIONAL GAY AND LESBIAN HUMAN RIGHTS COMMISSION.

<sup>17</sup> ID.

<sup>18</sup> ID.

<sup>19</sup> ID.

<sup>20</sup> INTERNATIONAL GAY AND LESBIAN HUMAN RIGHTS COMMISSION.

<sup>21</sup> David D. Kirkpatrick, “Shiite Militias Pose Challenge for U.S. in Iraq,” New York Times, September 16, 2014,

evidence points to collusion between state forces and militia in revenge killings.<sup>22</sup> This cooperation between state forces and conservative religious militia implicated in anti-LGBT killings does not bode well for efforts aimed at preventing human rights violations and holding perpetrators accountable.

The discrimination and targeting of the LGBT community in Iraq also reaches transgender persons.<sup>23</sup> For example, a 27 year-old transgender person from Baghdad has been subjected to various forms of violence and threats of violence by the army, Government-affiliated militias, family members, and members of society.<sup>24</sup> The person also faces many difficulties trying to obtain government-issued identification documents that reflect her gender identity.<sup>25</sup> Therefore, the Government has not only failed to protect and provide basic services for transgender persons, but has actually taken part and participated in persecuting this particularly vulnerable segment of the society.

In addition to these organized episodes of anti-LGBT and anti-gender transgressing violence in Iraq, the torture and killing of people based on their real or perceived sexual orientation or gender identity occurs regularly and with impunity. The following examples, drawn from recent interviews, highlight some of the extreme forms of violence LGBT individuals endure and the lack of recourse available to them.

- ⤴ Around August or September of 2012, a man of approximately 30 years of age, went to a hospital in Samarra in response to a call by mosques for people to give blood after fighting between Al-Qaeda and government forces wounded many in the city. Once an orphan, the man, according to community members, had done sex work and also had sex with other men. A group of religious extremists saw him in the hospital, and accosted him. They escalated their abuse, ultimately beating him to death with metal pipes while still in the hospital. The group then burned his body in the middle of the hospital's courtyard. Approximately 20-30 people were standing around the body at the time it was burning. Both the police and tribal leaders arrived. Police did not write a report, however, and the perpetrators went completely unpunished.<sup>26</sup>
- ⤴ In 2012, a non-governmental organization rescued three men who were perceived to be homosexuals. One man, a university student in Tikrit, was almost beaten to death by an

---

[http://www.nytimes.com/2014/09/17/world/middleeast/shiite-militias-pose-challenge-for-usin-iraq.html?\\_r=0](http://www.nytimes.com/2014/09/17/world/middleeast/shiite-militias-pose-challenge-for-usin-iraq.html?_r=0) (accessed September 23, 2014)

<sup>22</sup> Amnesty International, "Iraq: Testimonies point to dozens of revenge killings of Sunni detainees," June 27, 2014, <http://www.amnesty.org/en/for-media/press-releases/iraq-testimonies-point-dozens-revengekillings-sunni-detainees-2014-06-27>. Human Rights Watch documented "the extrajudicial killings of hundreds of prisoners in June and July of this year by Iraqi army, police and special forces [and] a pattern of government-backed Shi'a militias kidnapping and killing Sunni men in Baghdad, Diyala and Babel provinces.... [T]he government has significantly increased its use of militias and sectarian volunteers in its fight against ISIS." Human Rights Watch, "Iraq: 22<sup>nd</sup> Special Session of the UN Human Rights Council," September 1, 2014, <http://www.hrw.org/news/2014/09/01/iraq-22nd-special-session-unhuman-rights-council>.

<sup>23</sup> INTERNATIONAL GAY AND LESBIAN HUMAN RIGHTS COMMISSION.

<sup>24</sup> *Id.* AT 5 (2014).

<sup>25</sup> *Id.*

<sup>26</sup> Interview, Saturday, January 24, 2015 (on file with authors).

armed crowd of thirty people who had surrounded his house. Through brave and strategic maneuvering, a team from the NGO succeeded in moving the man to safety with no incidence of violence. The young man asked them to retrieve another of his friends that he believed was at risk, so before they left for the organization's office, they picked up this friend. A third man called and then arrived at the organization's office, fearing for his life because he too was made aware of killings of people with "emo" hairstyles similar to his. All three, who had nearly identical hairstyles identified as "emo," were eventually smuggled out of central Iraq.<sup>27</sup> These men could not count on security forces to protect them from violence.

- ⤴ In early 2014, a young man in Baghdad had a sexually transmitted infection affecting his anus and needed urgent care. He searched for months for a hospital that would take care of him. Ultimately, however, he had to pay double for service. The doctors that he did see put tampons in his anus to prevent the bleeding. They refused to follow-up with him. It is common practice at hospitals in the area for medical professionals to deny healthcare to LGBT people, or to people perceived as such; or to force them to pay double or triple the regular cost for treatment.<sup>28</sup>
- ⤴ In November 2013, Asa'ib Ahl Al Haq (League of the Righteous) militia members brutally attacked a gay man, insulting him, beating him, and then gluing his anus closed. The man required surgery at a hospital as a result. According to local human rights advocates, this form of torture is commonly used against those who are LGBT or gender non-conforming. Attackers have also reportedly put kerosene into the blood of people they perceive as gay or transgender causing an extremely painful death.<sup>29</sup> Last year, the Iraqi government has reportedly coopted militias, including Asa'ib Ahl Al Haq, to fight alongside state armed forces in the ongoing conflict.<sup>30</sup>

Security forces not only fail to intervene to protect LGBT people from discrimination and violence, they also participate in abuses against LGBT individuals. After being beaten by his parents and kicked out of his home, a thirteen year-old gay boy was trafficked and sexually exploited for several years. When he managed to escape, he sought assistance from the security forces. Instead of helping him, the security forces physically and sexually abused him. They then drove him to a deserted area and left him, where he remained alone for 3 days.<sup>31</sup> In another instance, a gay man was told that he needed to sexually satisfy a checkpoint officer in Baghdad in order to pass.<sup>32</sup>

These are but a few examples of the many instances where LGBT people and people perceived to be LGBT in Iraq face violence, abuse and discrimination, with no recourse or access to justice.

---

27 Interview, Saturday, January 24, 2015 (on file with authors).

28 Interview with three service provider organization representatives located in Iraq and the Kurdistan region, Thursday, January 22 2015 (on file with authors).

29 Interview, Thursday, January 22 2015 (on file with authors).

<sup>30</sup> David D. Kirkpatrick, "Shiite Militias Pose Challenge for U.S. in Iraq," New York Times, September 16, 2014, <http://www.nytimes.com/2014/09/17/world/middleeast/shiite-militias-pose-challenge-for-us-in-iraq.html> (accessed September 23, 2014)

31 Interview, Thursday, January 22 2015 (on file with authors).

32 Interview, Thursday, January 22 2015 (on file with authors).

By failing to prevent, investigate, prosecute and provide redress for these forms of violence, Iraq has failed to meet its obligations under the ICESCR.

### **Recommendations to the Government of Iraq**

- ✧ The Government of Iraq should clearly and publicly state that it does not tolerate any form of violence or discrimination against persons because of their real or perceived sexual orientation or gender identity.
- ✧ The Government of Iraq should implement national policies to end the endorsement of and participation in violence or discrimination against anyone, including LGBT people, by the Security Forces of the Ministry of the Interior.
- ✧ The Government of Iraq should work with Iraqi rights-based organizations to provide human rights trainings and education to Security Forces in order to combat violence and discrimination based on real or perceived sexual orientation and gender identity.
- ✧ The Government of Iraq should work with Iraqi rights-based organizations to enact gender sensitivity and LGBT training and education programs for the Ministry of Health in order to prevent discrimination against LGBT people in healthcare.
- ✧ The Government of Iraq should institute public awareness and sensitivity campaigns directed at changing harmful attitudes towards LGBT individuals.