



**“It's a great honor to violate  
homosexuals' rights”**

**Official hate speech against LGBT people in Iran**

**Iranian lesbian & Transgender network (6Rang)**



**December 2017**

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## 1. Introduction

In the days leading up to Iran's presidential election on 19 May 2017, a global education agenda known as Education 2030 suddenly became the subject of an intense political controversy that brought the issue of homosexuality to the forefront of public discussion. The controversy and the reactions it sparked from rival political parties revealed, yet again, the deep-seated homophobia that exists within the country and that entices the authorities to regularly engage in hateful, violent speech towards gay and lesbian people.

Education 2030 provides guidance for the implementation of the Sustainable Development Goal on education, which commits states to "ensuring inclusive and equitable quality education and promoting lifelong learning opportunities for all". The 2030 guidance, which was adopted by 184 Member States during a high-level meeting at the United Nations Education, Social and Cultural Organization (UNESCO) in 2015, sets out a series of targets that emphasize, among other things, gender equality, human rights, promotion of a culture of peace and non-violence and appreciation of diversity.<sup>1</sup>

Hassan Rouhani's government had decided in 2016 to adopt Education 2030 and integrate its guidelines into the country's education system. At the time, the decision had not attracted much attention. However, less than two weeks before the Election Day, on May 7, Iran's Supreme Leader Ali Khamenei denounced President Rouhani's government for quietly adopting Education 2030 and said:

"It is the Islamic Republic here! Here Islam is the benchmark! The Quran is the benchmark! It is not a place where the deficient, destructive and corrupt Western lifestyle can infiltrate! ... The UNESCO 2030 education agenda and the like are not agendas that the Islamic Republic of Iran should ever surrender and submit to."<sup>2</sup>

The Supreme Leader's harsh reproach was quickly followed by a chorus of conservative voices, which attacked Rouhani's government for adopting a UN document that they claimed corrupted society and promoted homosexuality.

Assembly of Experts member Mohsen Heidary said: "This document [Education 2030] provides that those from vulnerable groups shall be protected but ... by vulnerable groups it actually means homosexuals." As such, he warned, "this document will ensure that in 13 years from now, the children of Iran and other

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<sup>1</sup> *Education 2030: Incheon Declaration and Framework for Action for the Implementation of Sustainable Development Goal 4*, online: <http://unesdoc.unesco.org/images/0024/002456/245656E.pdf> (accessed 3 December 2017).

<sup>2</sup> Zahra Alipour, "Teaching of gender equality sparks infighting in Iran", Al-Monitor, 7 June 2017, online: <https://www.al-monitor.com/pulse/sites/almonitor/contents/articles/originals/2017/06/iran-unesco-2030-education-plan-rouhani-criticism.html> (accessed 3 December 2017).

Muslim countries will be driven away from Quran and spirituality, and become wholly occupied with *hamjensbazi* [faggotry] and sexual teachings.”<sup>3</sup>

Another Assembly of Experts member Ahmad Alamolhoda objected to the emphasis of Education 2030 on the term inclusiveness. He said, “this document provides that the education systems of states parties must be inclusive ... particularly for minorities ... However, the term minorities encompasses not only religious, political and intellectual minorities but also sexual minorities.”<sup>4</sup>

The prominent Shia cleric also took issue with the expressed goal to provide safe, non-violent and inclusive environments for all students. He claimed, “by forbidding [the authorities] from using violence to confront students [who engage] in *hamjensbazi* [faggotry] ... and masturbation, Education 2030 facilitates the promotion of *hamjensbazi* [faggotry].”<sup>5</sup>

In their condemnatory commentaries during this period, conservative officials largely focused on homosexuality in an apparent effort to capitalize on homophobic sentiments in society and, therefore, score some political points off their rival, President Rouhani.

In response, Rouhani and his team ramped up their own appeals to homophobia to maintain their base. In a campaigning event in Kashan, Esfahan Province, Iran’s Oil Minister Bijan Namdar Zanganeh said, “associating [the government] with the teaching of *hamjensbazi* [faggotry] in schools is a big lie and no teacher would ever agree to teaching this.”<sup>6</sup>

Rouhani described the claims that Education 2030 would trample upon morality in schools as “poisonous” libel and insult, and called on his critics to “stop insulting our teachers and students.”<sup>7</sup>

On 18 May 2017, Foreign Ministry spokesman Bahram Qassemi stated that Iran has officially notified UNESCO that any part of Education 2030 that goes against the country’s cultural, religious, social and moral beliefs will not be enforceable. He stressed that this is Iran’s “unchangeable stance” on the subject.<sup>8</sup>

The barrage of homophobic remarks from Iranian officials in the days leading up to Iran’s 2017 presidential election was nothing new. Nor was the level of enthusiasm and endorsement with which such remarks were covered and

<sup>3</sup> See <http://polsefeed.com/?p=28673> (accessed 3 December 2017).

<sup>4</sup> “Ayatollah Alamolhoda: 2030 Document will return the country to the era before Islamic Revolution”, Fars News Agency, 2 June 2017, online: <http://www.farsnews.com/newstext.php?nn=13960312000682> (accessed 3 December 2017).

<sup>5</sup> See above.

<sup>6</sup> The video of the statement is available online at the following link: (accessed 3 December 2017)

<sup>7</sup> The video of the statement is available online at the following link: <https://goo.gl/uZDhqt>.

<https://www.aparat.com/v/6bho0/> صحیفه‌های جنجالی روحانی در روایتی تجلیل از فعالان تجلیل در روحانی جنجالی صحیفه‌های (accessed 3 December 2017).

<sup>8</sup> “Iran won't accept UN docs that go against its values, beliefs: Qassemi”, Press TV, 17 May 2017, online: <http://www.presstv.com/Detail/2017/05/17/522287/iran-unicco-qassemi-2030> (accessed 3 December 2017).

distributed on state-sanctioned media outlets. The Iranian authorities regularly engage in forms of hate speech that degrade and dehumanize gay and lesbian people and incite hostility, discrimination and violence against them.

Homosexual persons are regularly depicted in official statements and state media outlets as “unnatural”, “deviant”, “immoral”, or “diseased”. They are also accused of collusion in Western-orchestrated conspiracies aimed at undermining the Islamic Revolution or corrupting the Muslim population.

As was the case with the controversy around 2030 Education, such hateful attitudes towards homosexual people are often advocated and promoted by high-level state officials, including the Supreme Leader. They are also propagated by individuals who must, in theory, promote and protect human rights, and ensure that the country’s public education, health care and social welfare systems are inclusive and equitable. Among these, for example, are the head of Iran’s High Council for Human Rights Mohammad Javad Larijani, his Deputy Secretary General on International Affairs Kazem Gharib Abadi, the UNAIDS Country Director Fardad Daroudi and the head of the Association for Supporting Patients with Gender Identity Disorder Mehdi Saberi.

This briefing gives a general overview of the different types of hostile or hateful remarks that Iranian state officials have made between 2011 and 2017 to perpetuate the toxic notion that homosexual people are less human than others. Their remarks generally vilify homosexual people as:

- “Immoral” and “corrupt”;
- “Animalistic” and “subhuman”;
- “Sick” and “diseased”;
- “Western” and “Imperialistic”;
- “Counter-Revolutionary” and “Zionist”.

These homophobic expressions constitute incitement to hostility, discrimination and violence, and violate Iran’s human rights obligations under international law. They strip away the humanity of an entire group of people based on their sexual orientation and gender identity, and fan the flames of homophobic violence against them. This risk is particularly heightened in a context like Iran where gay, lesbian, bisexual and transgender (LGBT) people face widespread discrimination and violence in law and practice; consensual same-sex sexual relations are criminalized with harsh punishments ranging from flogging to the death penalty; and affirmative and accurate materials on sexual diversity and the human rights of people with diverse sexual orientations, gender identities and gender expressions are banned.

The Iranian Lesbian & Transgender Network (6Rang) calls on the Iranian authorities to refrain from any advocacy of hatred that constitutes incitement to discrimination, hostility, or violence on grounds of sexual orientation, gender identity and gender expression. Instead, the authorities should decriminalize consensual same-sex sexual relations and end discrimination and violence on the basis of sexual orientation, gender identity and gender expression.

This requires, among other things, that members of the public are granted access to comprehensive, affirmative and accurate materials on sexual diversity and the human rights of people with diverse sexual orientations, gender identities, and gender expressions, and public officials receive sensitivity training on issues relating to sexual orientation, gender identity and gender expression.

6Rang urges the UN human rights mechanisms, including the Special Rapporteur on the situation of human rights in Iran and the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, as well as the European Union and other influential states, to raise the concerns and recommendations discussed in this briefing with the Iranian authorities, and call on them to respect and promote the human rights of LGBT persons, in accordance with Iran's human rights obligations under international law.

Independent Persian-language media outlets, educational institutions, medical professionals and civil society groups in Iran and elsewhere are similarly urged to take up the concerns raised in this report, and mobilize their resources to address stigma, discrimination and stereotypes based on sexual orientation and gender identity and combat attitudes and statements by Iranian public officials that perpetuate violence, discrimination and hostility toward LGBT people

6Rang believes that these entities can play an essential role in promoting human rights and eliminating prejudices on grounds of sexual orientation, gender identity and gender expression, including by developing and supporting education and public information programmes that address the root causes of discrimination, and organizing public events and activities which commemorate the suffering of victims of violations on the basis of sexual orientation, gender identity and gender expression.

## 2. Methodology

This briefing gives a general overview of the Iranian authorities' hate speech on homosexuality between 2011 and 2017 and the shocking extremes to which they have been prepared to go to incite hostility, discrimination and violence against people based on their sexual orientation and gender identity.

The media outlets which were regularly monitored for this briefing included: Fars News Agency, Mehr News Agency, the Islamic Republic News Agency (IRNA), the Iranian Students' News Agency (ISNA), Raja News, Tabnak News Agency, Tasnim News Agency, Aftab News, the Empire of Lies, Mashregh News, Jahan News, Serat News, Alef news website, and Yalsarat Al-Hussein newspaper. 6Rang also reviewed the official statements and other relevant materials available on government websites.

The official statements included in the briefing as examples are just the tip of the iceberg; state-controlled media outlets are replete with homophobic articles and commentaries which incite hostility and discrimination towards homosexual people.

The briefing begins with briefly outlining international human rights law and standards concerning the advocacy of hatred that constitutes incitement to hostility, discrimination or violence and their application to LGBT people. It then provides a brief summary of Iran's legal framework in relation to sexual orientation, gender identity and gender expression. The remainder of the briefing discusses some of the different ways in which the Iranian authorities have demeaned and dehumanized homosexual people in their statements. The briefing ends with a list of recommendations to the Iranian authorities and international and regional bodies.

### 3. International human rights law and standards

Article 20(2) of the International Covenant on Civil and Political Rights (ICCPR), to which Iran is a state party, imposes an obligation on states to prohibit by law “any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence.”

Article 20(2) of the ICCPR only lists three characteristics which states are required to protect from incitement – nationality, race, and religion. However, international human rights experts consider the list to be inclusive of sexual orientation or gender identity.<sup>9</sup> This is owing to the developments in international human rights law since the adoption of the ICCPR in 1977 and the states’ prevailing understanding of the non-discrimination provisions in articles 2(1) and 26 of the ICCPR.

In 1994, the UN Human Rights Committee, which monitors the implementation of the ICCPR held in the case of *Toonen v. Australia* that States Parties are obligated to protect individuals from discrimination on the basis of sexual orientation.<sup>10</sup> This decision was confirmed in the later views and concluding observations of the UN Human Rights Committee,<sup>11</sup> which have urged States Parties to “guarantee equal rights to all individuals, as established in the Covenant, regardless of sexual orientation”<sup>12</sup> and adopt legislation that prohibits discrimination on grounds of sexual orientation and gender identity.<sup>13</sup>

The decisions of the UN Human Rights Committee have found support in the general comments, concluding observations and views of other UN human rights treaty bodies.<sup>14</sup>

In its general comment on discrimination, the UN Committee on Economic, Social and Cultural Rights, which monitors the implementation of the International Covenant on Economic, Social and Cultural Rights, has recognized sexual orientation and gender identity as among the prohibited grounds of discrimination.<sup>15</sup> In addition, the Committee has affirmed the principle of non-discrimination on grounds of sexual orientation and gender identity in its general

<sup>9</sup> See Article 19, Responding to Hate Speech against LGBTI people, October 2013, online: [http://www.ilga-europe.org/sites/default/files/responding\\_to\\_hate\\_speech\\_against\\_lgbti\\_people.pdf](http://www.ilga-europe.org/sites/default/files/responding_to_hate_speech_against_lgbti_people.pdf) (accessed 9 Mar 2017).

<sup>10</sup> *Toonen v. Australia*, communication No. 488/1992 (CCPR/C/50/D/488/1992).

<sup>11</sup> See, for example, *Young v. Australia*, communication No. 941/2000 (CCPR/C/78/D/941/2000), para.10.4; *X v. Colombia*, communication no. 1361/2005 (CCPR/C/89/D/1361/2005), para. 9; and concluding observations on Mexico (CCPR/C/MEX/CO/5), para. 21, and Uzbekistan (CCPR/C/UZB/CO/3), para. 22.

<sup>12</sup> See the Committee’s concluding observations on Chile (CCPR/C/CHL/CO/5), para. 16. See also its concluding observations on San Marino (CCPR/C/SMR/CO/2), para. 7, and Austria (CCPR/C/AUT/CO/4), para. 8.

<sup>13</sup> See for example the concluding observations of the Human Rights Committee on El Salvador (CCPR/C/SLV/CO/6), para. 3 (c); Greece (CCPR/CO /83/GRC), para. 5; Finland (CCPR/CO/82/FIN), para. 3 (a); Slovakia (CCPR/CO/78/SVK), para. 4.

<sup>14</sup> See Committee on Economic, Social and Cultural Rights, General Comment No. 20 (E/C.12/GC/20), para. 32; Committee on the Rights of the Child, General Comment No. 13 (CRC/C/GC/13), paras. 60 and 72(g); Committee against Torture, General Comment No. 2 (CAT/C/GC/2), para. 21; and Committee on the Elimination of Discrimination against Women, General Recommendation No. 28 (CEDAW/C/GC/28), para. 18.

<sup>15</sup> Committee on Economic, Social and Cultural Rights, General Comment No. 20, Non-Discrimination in Economic, Social and Cultural Rights (art. 2, para. 2) (E/C.12/GC/20), para. 32.

comments on the rights to work, education, social security and the highest attainable standard of health.<sup>16</sup>

In their general comments and concluding observations, the UN Committee on the Rights of the Child and the UN Committee against Torture, which monitor, respectively, the Convention on the Rights of the Child and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, have also included recommendations on countering discrimination based on sexual orientation and gender identity.<sup>17</sup>

The Yogyakarta Principles on the application of international human rights law in relation to sexual orientation and gender Identity, adopted in 2006 and updated in 2017, highlight the obligation of states to take appropriate and effective measures to eradicate all forms of violence, discrimination and other harm, including any advocacy of hatred that constitutes incitement to discrimination, hostility, or violence on grounds of sexual orientation, gender identity, gender expression or sex characteristics, whether by public or private actors (Principle 30).<sup>18</sup>

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<sup>16</sup> See General Comment No. 18 (E/C.12/GC/18) (right to work), para. 12 (b) (i); No. 15 (E/C.12/2002/11) (right to water), para. 13; No. 19 (E/C.12/GC/19) (right to social security), para. 29; and No. 14 (E/C.12/2000/4) (right to the highest attainable standard of health), para. 18.

<sup>17</sup> See, for example, Committee on the Rights of the Child, General Comment No. 13 (CRC/C/GC/13), paras. 60 and 72(g); and Committee against Torture, General Comment No. 2 (CAT/C/GC/2), para. 21.

<sup>18</sup> See [http://www.yogyakartaprinciples.org/wp/wp-content/uploads/2017/11/A5\\_yogyakartaWEB-2.pdf](http://www.yogyakartaprinciples.org/wp/wp-content/uploads/2017/11/A5_yogyakartaWEB-2.pdf)

## 4. Legal framework and context in Iran

***“It is a great honor for the Islamic Republic to violate homosexuals’ rights.”***

Mehrdad Bazrpash, former Member of Parliament and former Deputy President,  
19 March 2017

### 4.1 Same-sex Sexual orientation

Iran’s Islamic Penal Code criminalizes same-sex sexual conducts with penalties ranging from flogging to the death penalty (Articles 233-240). These penalties also apply to children under the age of 18 as the age of criminal responsibility in Iran is nine lunar years for girls and 15 lunar years for boys (Article 147).

Under the 2013 Islamic Penal Code, male individuals who engage in same-sex anal intercourse (*lavat*) face different punishments depending on whether they are the “active” or “passive” partners and whether their conduct is characterized as consensual or non-consensual (Article 234).

If the conduct is deemed consensual, the “passive” partner of same-sex anal conduct shall be sentenced to the death penalty. The “active” partner, however, is sentenced to death only if he is married, or if he is not a Muslim and the “passive” partner is a Muslim. If the intercourse is deemed non-consensual (*lavat be onf*), the “active” partner receives the death penalty but the “passive” partner is exempted from punishment and treated as a victim. This legal framework risks creating a situation where willing “recipients” of anal intercourse may feel compelled, when targeted by the authorities, to characterize their consensual sexual activity as rape in order to avoid the death penalty.<sup>19</sup>

Conviction for the fourth time for “same-sex sexual conduct between men without penetration” (*tafkhez* – Articles 236 and 136)<sup>20</sup> and conviction for the fourth time for “same-sex sexual conduct between women” (*mosaheqeh* - Articles 238 and 136)<sup>21</sup> are also punishable by the death penalty. The punishment is 100 lashes for the first three convictions.

The Iranian authorities have consistently rejected the recommendations of international human rights organizations and the UN calling on them to abolish the use of the death penalty for consensual same-sex sexual relations and to end human rights abuses against LGBT people. Ali Larijani, the Speaker of the Parliament, has justified the use of the death penalty for consensual same-sex

<sup>19</sup> This risk has been highlighted by Amnesty International. See Amnesty International, “Iran: Hanging of teenager shows authorities’ brazen disregard for international law”, 2 August 2016, <https://www.amnesty.org/en/latest/news/2016/08/iran-hanging-of-teenager-shows-brazen-disregard-for-international-law/> (accessed 2 December 2017)

<sup>20</sup> According to Article 235 of the 2013 Islamic Penal Code, tafkhez is committed when “a man places his sexual organ between the thighs or buttocks of another man”.

<sup>21</sup> According to Article 238 of the 2013 Islamic Penal Code, mosaheqeh is committed when “a woman places her sexual organ on another woman’s sexual organ”.

sexual conducts, and stated that this punishment “is effective in keeping society safe from perversion.”<sup>22</sup>

Mehرداد Bazrpash, a former Member of Parliament and a former deputy to President Mahmoud Ahmadinejad, said in March 2012, “it is a great honour for the Islamic Republic to violate the rights of homosexuals.”<sup>23</sup>

In addition to criminalizing homosexuality, the Iranian authorities also take various measures to prevent access to materials that provide affirmative and accurate materials on homosexuality. Article 14 of Iran’s Computer Crimes Law states, “Whoever uses computer systems, telecommunications systems or data carriers to publish or distribute immoral content, or produces or store them with the intention of corrupting the society, will be sentenced to imprisonment for between 91 days to 2 years or will be fined ... or both.”

In August 2016, the Head of the Judiciary's Center for Statistics and Information Technology, Hamid Shahriari, warned about “the use of online social media platforms by bad and malignant people and even *hamjensbazan* [faggots] to engage in destructive behavior and spread negative messages.” He emphasized that “this threat must be taken seriously” as social media platforms are “the principal battleground for the cold war of the future.”<sup>24</sup>

#### 4.2 Diverse gender identities and gender expressions

People of diverse sexual orientations and gender identities in Iran also face widespread discrimination and violence based on their gender identity and gender expressions including their dress, hairstyles, accessories, cosmetics and mannerisms.<sup>25</sup>

This stems predominantly from laws and regulations that enforce strict Islamic dress codes for both men and women and compulsory veiling (*hijab*) particularly for women. These laws allow police, paramilitary *basij* forces and other public officials to routinely intimidate, harass, assault and arbitrarily detain individuals whose gender expressions including physical appearance are deemed “religiously offensive or inappropriate”.

<sup>22</sup> “Larijani: The sphere of culture does not lipsticks”, Aftab News, 5 January 2011, online: <http://aftabnews.ir/vdcaean6a49n6u1.k5k4.html> (accessed 9 May 2017).

<sup>23</sup> “Nosrati and Rezaiee will file a complaint against Ahmad Shaheed”, Fars News Agency, 13 March 2012, online: <http://www.farsnews.com/printable.php?nn=13901222001363> (accessed 9 May 2017).

<sup>24</sup> “Implementing the electronic database of the judiciary will save 30 billion toman”, Mehr News Agency, 10 September 2016, online: <http://bit.ly/2kwIWCI> (accessed 9 May 2017).

<sup>25</sup> The Yogyakarta Principles on the application of international human rights law in relation to sexual orientation and gender identity understand “gender expression” as “each person’s expression of their gender identity, including dress, hairstyles, accessories, cosmetics – and mannerisms, speech, behavioural patterns, names and personal references” and note that “gender expression may or may not conform to a person’s personal human rights”. See [http://www.yogyakartaprinciples.org/wp/wp-content/uploads/2017/11/A5\\_yogyakartaWEB-2.pdf](http://www.yogyakartaprinciples.org/wp/wp-content/uploads/2017/11/A5_yogyakartaWEB-2.pdf)

Article 638 of the Islamic Penal Code punishes teenage girls and women who fail to cover their head and wear loose fitting outfits in public spaces, with a cash fine or imprisonment.

While discriminatory toward all girls and women, this provision has a particularly severe impact on lesbian women and other female-bodied individuals who do not conform to stereotypical models of femininity, and wish to present their gender through physical appearance - including dress, hairstyles, accessories, cosmetics - and mannerisms stereotypically associated with men. Such individuals may be sentenced to cash fines and imprisonment. They may also be accused of “cross-dressing” and sentenced to flogging under provisions in the Islamic Penal Code that prohibit conducts deemed “religiously forbidden” (*haram*) or otherwise “offensive to public morals” (Article 638).

Male-bodied individuals who display gender expressions stereotypically regarded as “feminine” are similarly at risk of being targeted for arbitrary arrest and detention, torture and other ill-treatment, including sexual violence and rape.

The Iranian authorities do not allow individuals to freely define and express their gender identity. Individuals must obtain a diagnosis of “Gender Identity Disorder” and undergo invasive and irreversible medical procedures including hormone therapy and sterilization before they may present their gender through dress, hairstyles and mannerisms that are stereotypically associated with their opposite sex.<sup>26</sup>

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<sup>26</sup> See Justice for Iran and the Iranian Lesbian & Transgender Network, *Diagnosing-Identities, Wounding Bodies: Human Rights Violations against Lesbian, Gay and Transgender People in Iran*, 24 June 2014, online: <http://justice4iran.org/j4iran-activities/pathologizing-identities-paralyzing-bodies/>

## 5. Hateful representations of homosexual people

### 5.1 Immoral and corrupt

Since the establishment of the Islamic Republic in 1979, state officials in Iran have consistently portrayed homosexuality as a “deviant” sexual proclivity that has a corrupting effect on society. This troubling pattern has persisted over the years, with authorities using numerous derogatory adjectives to degrade and dehumanize homosexual persons.

In a speech in November 2012, Iran’s Supreme Leader Seyed Ali Khamenei lumped homosexuality and incest into the same category and warned:

“If we were to presume that human desires legitimize *hamjensbazi* [faggotry] then someone could also have the desire to commit incest and they should face no impediment. In principle, all impediments would then have to be removed.”<sup>27</sup>

Khamenei said this danger shows “how extremely bad, bitter, ugly and often loathful the realities of the Western society have become.”

In another speech in March 2014, Khamenei said, “the promotion of same-sex marriage is a blatant example of the failure of the Western civilization in the area of ethics.”<sup>28</sup>

The head of Iran’s High Council for Human Rights Mohammad Javad Larijani has similarly denounced homosexuality as a “lethal corruption”.<sup>29</sup>

Seyed Ebrahim Raisee, the former deputy of the head of the judiciary and 2017 presidential candidate, and former president Mahmoud Ahmadi Nejad, are among other state officials who have said that homosexuality is “nothing but savagery”<sup>30</sup> and a “grossly heinous” act.<sup>31</sup>

In 2013, Iran’s Minister of Justice Mostafa Pourmohammadi welcomed the passage of the Anti-Homosexuality Act in Uganda, which increased the punishment of homosexuality in that country to life-sentences and widened the

<sup>27</sup> The Supreme Leader’s lecture in the 4th session on the strategic thinking, 12 November 2011, online: <http://farsi.khamenei.ir/speech-content?id=21471> (accessed 17 December 2017).

<sup>28</sup> “12 responsibilities of officials in current critical conditions/ my concerns in the area of culture/ the central focus must be on enhancing the side of the believer/ appreciation from officials for taking firm positions against enemies”, Fars News Agency, 6 March 2014, online: <http://farsnews.com/newstext.php?nn=13921215000568> (accessed 9 May 2017).

<sup>29</sup> “The Head of High Council for Human Rights: Up until two decades ago, the West itself banned homosexuality/ Unlike England, we do not place surveillance cameras in people’s private space”, Fars News Agency, 15 March 2013, online: <http://www.farsnews.com/newstext.php?nn=13911225000460> (accessed 9 May 2017).

<sup>30</sup> “The First Deputy of the Judiciary: Free-spirited individuals showed their free spirit in their fight against Global Arrogance”, IRNA, 18 August 2014, online: <http://bit.ly/2llylLf> (accessed 9 May 2017).

<sup>31</sup> “Ahmadinejad’s response to CNN about hamjensbazan”, Tabnak News Site, 26 September 2012, online: <http://bit.ly/2ljh6e3> (accessed 9 May 2017).

remit of arrest to cover “promotion” of homosexuality. During a meeting with the Ugandan officials in May 2014, Mostafa Pourmohammadi said:

“We are thrilled with the position that the Ugandan government and its Ministry of Justice have taken to counter immorality... including through banning *hamjensbazi* [faggotry]. We support their position because it shows that the Ugandan government is protective of morality and human values; this climate helps with the growth of moral virtues.”<sup>32</sup>

In April 2014, the European Parliament issued a resolution about the situation of human rights in Iran, which raised concern, among other things, about the persistence of “repression and discrimination on the basis of ... gender or sexual orientation”.<sup>33</sup> The resolution’s reference to sexual orientation sparked angry reactions from the Iranian authorities, including the Secretary of the Guardian Council Ahmad Janati. He called members of the European Parliament “a bunch of morons” who “trample all over human values” and “grant legitimacy to the illegitimate relationships of *hamjensbazan* [faggots].”<sup>34</sup>

Hassan Firouzabadi, the former Chief of Staff of the Iranian Armed Forces, similarly stated:

“Adopting interventionist measures, making decisions for the great nation of Iran, colluding with the leaders of *fetneh* [sedition], and expressing support for *hamjensbazan* [faggots] are among the features of Europe’s dark face ... The heinous act of *hamjensbazan* [faggots] is against humans’ natural rights and violates the teachings of grand prophets and the holy religion of Islam.”<sup>35</sup>

During the course of this research, 6Rang found articles in state media outlets, which also associated homosexuality with infections wrecking moral havoc and even natural disasters. For example, in an editorial on 5 November 2012, Mohammad Kazem Anbarlouyi, editor-in-chief of the conservative daily Resalat and a leading member of the Islamic Coalition Party (known in Persian as *Hezb-e mo’talefa-ye eslami*), wrote:

The West particularly the United States are afflicted with some shocking diseases in the area of culture ... The recognition of *hamjensbazi* [faggotry] through legislation, the dismantling of the foundation of family, and the insistence to recognize [sexual orientation] rights in the system of international law has emitted a stench so filthy that it is even bothering

<sup>32</sup> “Minister of Justice: We are pleased with the position of the Ugandan government on countering anti-values/ emphasis on expanding cooperation”, Khabar Online, 24 May 2014, online: <http://www.khabaronline.ir/detail/356714/World/diplomacy> (accessed 9 May 2017).

<sup>33</sup> *European Parliament resolution of 3 April 2014 on the EU strategy towards Iran*, 3 April 2014, online: <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P7-TA-2014-0339&language=EN> (accessed 9 May 2017).

<sup>34</sup> “Ayatollah Janati: The resolution of the European Parliament against Iran lacks legitimacy and is legally worthless”, Bashgah Khabarnegaran Javan, 6 April 2014, online: <http://bit.ly/2mZwj6j> (accessed 9 May 2017).

<sup>35</sup> “The reaction of General Firouzabadi to the European Parliament resolution”, Jamejam, 4 April 2014, online: <http://www.jamejamonline.ir/newspreview/1443797990968553244> (accessed 9 May 2017).

their own people ... Sometimes, I think giant windstorms like hurricane Katrina and hurricane Sandy occur in the United States just to wash away such infections ... These [natural disasters] are divine warnings to unsanitary societies wherein human relationships have not formed based on divine principles.<sup>36</sup>

## 5.2 Animalistic and subhuman

As part of their hateful discourse toward homosexual people, the Iranian authorities also frequently exclaim with outrage that same-sex relations drag humans down to a subhuman level, making them behave like animals.

In April 2014, Iranian parliamentarian Ali Motahari said, “we must criticize them [the European]... asking why the West is moving toward animalism, and promoting affairs such as homosexuality that go against the human nature?”<sup>37</sup>

Similarly, Assembly of Experts member Ayatollah Hassan Mamdouhi said, “the support that Westerners repeatedly express for *hamjensbazan* [faggots] reveals their filthiness, and how they speak like animals.”<sup>38</sup>

The Iranian authorities made similar statements equating homosexuality with animalism after the UN Special Rapporteur on the Situation of Human Rights in Iran raised concerns about the human rights abuses suffered by LGBT people in his March 2015 report to the UN Human Rights Council.

Seyed Bagher Hosseini, a member of parliament’s National Security and Foreign Policy Commission, said:

“The action taken by Ahmad Shaheed is not aimed at advancing human rights. Rather, it is for animals’ rights ... Instead of addressing the right to *hamjensbazi* [faggotry], they better address the situation of humans who are losing their lives due to poverty and hunger or because of the crimes committed by the United States and Zionism. These are the real human rights not *hamjensbazi* [faggotry].”<sup>39</sup>

The Speaker of Parliament Ali Larijani similarly denounced the report, saying homosexuality amounts to “adopting an animalistic approach and exiting humanity.” He then asked rhetorically, “Do you really expect us to legalize the savagery of today's modern Western societies – that is *jamjensbazi* [faggotry]?”<sup>40</sup>

<sup>36</sup> “The imperialist authority of the US falls by 30 degrees”, Resalat News, 5 November 2012, online: <http://www.resalat-news.com/fa/?code=121395> (accessed 9 May 2017).

<sup>37</sup> “Motahari: The European Parliament resolution has some positive points too/ some of the criticisms of the West about the situation of human rights in Iran are valid”, Asr Iran, 13 April 2014, online: <http://bit.ly/2kIf48J> (accessed 9 May 2017).

<sup>38</sup> “The support of *hamjensbazan* by the West displays their filthiness”, Fars News Agency, 7 April 2014, online: <http://www.farsnews.com/newstext.php?nn=13930118000386> (accessed 9 May 2017).

<sup>39</sup> “A member of National Security Commission: Ahmad Shaheed’ report about the rights of *hamjensbazha* is not even useful for animals”, Basij, 14 March 2015, online: <http://bit.ly/2miQAiF> (accessed 9 May 2017).

<sup>40</sup> “Larijani’s eight solutions for a resistant economy”, Yalsarat, 22 October 2012, online: <http://www.yalsarat.com/vdcgtq9t.ak9qu4prra.html> (accessed 9 May 2017).

Occasionally, the Iranian authorities have argued, somewhat contradictorily, that even the lowest animals do not engage in homosexuality. For example, Abdollah Javadi-Amoli, the representative of the Supreme Leader and a Friday prayer leader in the city of Qom, claimed in a sermon in March 2012 that homosexuality does not even exist in the animal kingdom:

“Neither birds nor beasts do it. No dog or pig exhibits this behaviour. Based on the rulings of the holy Quran, those who sanction this act in their parliaments are even viler than animals.”<sup>41</sup>

In April 2014, Mohammad-Reza Naghdi, the commander of Iran’s *Basij* militia, said that by grating freedom to homosexuals, the Europeans have sunk lower than animals: “They impose on us the condition to permit *hamjensbazi* [faggotry] when even animals won’t do it if they were let free.”<sup>42</sup>

Similarly, Ayatollah Abdolali Namazi, the representative of the Supreme Leader and the Friday prayer leader of Kashan Province, stated in his speech during Friday prayers, “Europeans are infected with immorality and homosexuality; this corruption and sexual perversion does not even exist amongst the animals.”<sup>43</sup>

### 5.3 Sick and diseased

In addition to characterizing homosexuality as a major moral failing, in recent years, some Iranian officials have also described it as a “disease” or “disorder” in need of “cure”. High-ranking public officials who manage the country’s health care and social welfare systems have often been at the forefront of promoting this view.

For example, at a public speaking event in December 2014, the UNAIDS Country Director Fardad Daroudi lumped in homosexuality with “pedophilia and necrophilia” as “sexual tendencies that were perverse” and said, “individuals having such problems should be treated with psychotherapy.”<sup>44</sup>

Another public health official Mehdi Saberi, the head of the Association for Supporting Patients with Gender Identity Disorder, referred to homosexuality as a “sexual perversion” that homosexuals adopt “consciously”; he then distinguished this from transsexuality which he said was “a mental and psychological problem ... leading transsexuals to feel dissatisfied with their sex.”<sup>45</sup>

The pathologization of homosexuality has also appeared in the statements of the

<sup>41</sup> “Ayatollah Javadi-Amoli: Homosexual acts endorsed by legislatures are not even committed by dogs and pigs”, Fars News Agency, 17 April 2012, online: <http://www.farsnews.com/newstext.php?nn=13910129000079> (accessed 9 May 2017).

<sup>42</sup> “The European Union should not dare to open an office in Iran”, Yalsarat, 4 April 2014, online: <http://www.yalsarat.com/vdcaina.49nuo15kk4.html> (accessed 9 May 2017).

<sup>43</sup> “Kashan Friday Prayer Leader: The nation of Iran has no regard for the European Union”, IRNA, 11 April 2014, online: <http://bit.ly/2kIdPXg> (accessed 9 May 2017).

<sup>44</sup> “UNAIDS Country Director: 42 percent of AIDS patients were infected through sexual relationships”, IRNA, 3 December 2016, online: <http://www.irna.ir/fa/News/82330207/> (accessed 9 May 2017).

<sup>45</sup> “Trans are not criminals. They are ill”, Jahan News, 19 May 2014, online: <http://www.jahannews.com/analysis/360987/بیمار-ند-نیستند-مجرم-ها-تر-نس> (accessed 9 May 2017).

head of Iran's High Council for Human Rights Mohammad Javad Larijani. In a March 2013 interview with Channel 2 of the Islamic Republic of Iran Broadcasting, he said:

“Homosexuality is an illness, a very bad illness... [Homosexuals] are sick people who should receive treatment. They have to be put under psychiatric care and sometime even biological and physical care. We need to adopt a clinical and medical approach toward this issue. However, the West intends to introduce it [homosexuality] as a normal social behavior and we are completely against this notion.”<sup>46</sup>

The Iranian authorities continue to use terms such as “disorder” and “illness” to refer to homosexuality even though this sexual orientation was removed from the Diagnostic and Statistical Manual of Mental Disorders (DSM-II) more than four decades ago in 1973.

Distressingly, the authorities do not allow this information or other affirmative material on sexual, biological, physical and psychological diversity to be included in medical curricula and continuing professional development programmes.

On the contrary, they have facilitated the proliferation of pseudo-medical research projects and textbooks, which advocate various pseudo-medical and potentially harmful interventions for “curing” homosexuality.<sup>47</sup> As a result, many health professionals in Iran remain unaware that reputable scientific bodies have consistently stated that homosexuality is a normal and positive variation of human sexuality and is not a disorder.<sup>48</sup>

State-affiliated professionals leading on pseudo-medical projects aimed at “curing homosexuality” often diagnose individuals with mental disorder simply based on same-sex attractions and non-conformity to gender stereotypes; give a false or deceptive impression about the clinical or scientific basis of psychiatric treatments intended to change people's sexual orientation or gender identity; and misrepresent the efficacy and the potential for harm of such treatments.

Grang has documented the cases of many lesbian, gay and transgender individuals, including teenagers, in Iran who have been subjected to pseudo-medical interventions including psychiatric treatments, hormone therapy, unnecessary

<sup>46</sup> The interview is available online at the following link:

<https://www.youtube.com/watch?v=8Wh0snjDCX0> (accessed 9 May 2017).

<sup>47</sup> See Justice for Iran and the Iranian Lesbian & Transgender Network, *Diagnosing-Identities, Wounding Bodies: Human Rights Violations against Lesbian, Gay and Transgender People in Iran*, 24 June 2014, online: <http://justice4iran.org/j4iran-activities/pathologizing-identities-paralyzing-bodies/>

<sup>48</sup> See, for example, American Psychological Association Resolution (APA) on Appropriate Affirmative Responses to Sexual Orientation Distress and Change Efforts (2009), online: <http://www.apa.org/about/policy/sexual-orientation.aspx>; APA Policy Statements on Lesbian, Gay, Bisexual and Transgender Concerns (2011), online: <http://www.apa.org/about/policy/booklet.pdf> (accessed 3 May 2014); Therapies to Change Sexual Orientation Lack Medical Justification and Threaten Health” (PAHO/WHO, 2012), online: [http://www.paho.org/hq/index.php?option=com\\_content&view=article&id=6803%3A%5C%22therapies%5C%22-to-change-sexual-orientation-lack-medical-justification-and-threaten-health-&catid=740%3Anews-press-releases&Itemid=1926&lang=en](http://www.paho.org/hq/index.php?option=com_content&view=article&id=6803%3A%5C%22therapies%5C%22-to-change-sexual-orientation-lack-medical-justification-and-threaten-health-&catid=740%3Anews-press-releases&Itemid=1926&lang=en) (accessed 3 May 2014).

medication and electroshock therapies, in order to suppress their sexual arousal patterns or modify gender expressions.<sup>49</sup>

The individuals 6Rang has talked to have consistently said that such interventions caused them mental impairment, physical pain, depression, loss of interest or pleasure, feelings of guilt or low self-worth, disturbed sleep or appetite, low energy and poor concentration. They overwhelmingly said that doctors failed to disclose the risks and harms associated with such interventions or offer alternative, affirmative treatments aiding self-awareness and self-acceptance. 6Rang, has, therefore, expressed concern that medical procedures aimed at “curing homosexuality” in Iran are often carried out without informed consent.

The Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment has raised concern about reports from around the world that LGBT persons are “subjected to forced treatment on grounds of their sexual orientation or gender identity, including electroshock therapy and other “aversion therapies”, reportedly causing psychological and physical harm.”<sup>50</sup>

In 2013, the Special Rapporteur reiterated his concerns about “homophobic ill-treatment on the part of health-care professionals”<sup>51</sup> and called on states to repeal any law allowing intrusive and irreversible treatments, including forced genital-normalizing surgery, involuntary sterilization, “reparative therapies” or “conversion therapies”, when enforced or administered without the free and informed consent of the person concerned.

#### 5.4 Western and imperialistic

In their speeches, the Iranian authorities also consistently characterize homosexuality as “a vile Western phenomenon” that the Europeans and Americans seek to impose on the rest of the world.

According to the Supreme Leader Seyed Ali Khamenei, homosexuality is one of “the morally heinous policies of imperialism... a feature of the Western civilisation and a blatant example of its moral failure.”<sup>52</sup> The head of the judiciary Sadeq Amoli Larijani has stated:

“The West wants to impose its understanding of [what it means to be] human on non-Western societies including Islamic countries and it interprets human dignity in a manner that gives rise to a license to engage

<sup>49</sup> See Justice for Iran and the Iranian Lesbian & Transgender Network, *Diagnosing-Identities-Wounding-Bodies: Human Rights Violations against Lesbian, Gay and Transgender People in Iran*, 24 June 2014, online: <http://justice4iran.org/j4iran-activities/pathologizing-identities-paralyzing-bodies/>.

<sup>50</sup> *Report of the Special Rapporteur on the question of torture and other cruel, inhuman or degrading treatment or punishment*, A/56/156, 3 July 2001, para. 24.

<sup>51</sup> *Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment*, A/HRC/22/53, 11 February 2013, para. 76.

<sup>52</sup> “How come there is no respect for freedom of expression when it comes to the Holocaust and hamjensbazi but insulting Islamic sanctities is allowed?” Raja News, 17 September 2012, online: <http://rajanews.com/detail.asp?id=137945> (accessed 9 May 2017).

in homosexuality. However, there is no congruity between this Western understanding and the Islamic view of the human being.”<sup>53</sup>

Invoking the same notion that homosexuality is an imported Western perversion, the Deputy Secretary General of Iran’s High Council for Human Rights on International Affairs, Kazem Gharib Abadi, said in a media interview in December 2016, “the rights of *hamjensbazan* [faggots] and the Western life-style are among those practices that Westerns try to impose on the world in the name of universality.”<sup>54</sup>

During the course of this research, 6Rang also came across official statements that construed homosexuality as a Western-orchestrated project that seeks to dominate other nations and destroy Islam.

For example, Mohammad-Reza Naghdi, the commander of Iran’s *Basij* militia, said in a February 2013 speech, “the central goal of the governments in the US and Europe is to promote *hamjensbazi* with a view to making humans weak-willed, and therefore bringing them under their domination, and reducing them to the status of animals.”<sup>55</sup>

In November 2016, the Assembly of Experts member Mohammad-Taghi Mesbah-Yazdi accused “American politicians of pursuing a policy of cultural infiltration toward Islamic countries especially the Islamic Republic of Iran.”<sup>56</sup>

Speaking in the same conspiratorial tone, the commander of the Islamic Revolution Guards Corps Aerospace Division warned, in August 2015, that “the global arrogance [imperialist powers] are expending a lot of resources to advance their cultural objectives [which includes] promoting the anti-virtue of homosexuality.”<sup>57</sup>

## 5.5 Counter-Revolutionary and Zionist

On a number of occasions, the Iranian authorities have also claimed that homosexual people are plotting a conspiracy against the Islamic Republic and have ascribed Zionist ideology to them. For example, in September 2012, the Supreme Leader Ali Khamenei decried “the restrictions faced by those who want to write against *hamjensbazi* in the United States” and claimed that this originates from “the horrendous policies of Zionism”.<sup>58</sup>

<sup>53</sup> “The nuclear negotiation team will not bow down to illogical interpretations of the Geneva agreements”, 18 December 2-13, online: <http://www.irna.ir/fa/NewsPrint.aspx?ID=80958175> (accessed 9 May 2017).

<sup>54</sup> “Deputy of Iran’s High Council for Human Rights: The slogan of Westerners about universalism is baseless”, 10 December 2016, online: <http://www.irna.ir/fa/News/82340470/> (accessed 9 May 2017).

<sup>55</sup> “The problem of the enemy and Imperialist powers is with the rule of the Supreme Leader”, Yalsarat, 17 February 2013, online: <http://www.yalasarat.com/vdcae6nm.49nuw15kk4.html> (accessed 9 May 2017).

<sup>56</sup> Ayatollah Mesbah Yazdi: No country has dignity and power as ours IRNA, 30 October 2016, online: <http://www.irna.ir/fa/News/82286554> (accessed 3 December 2017)

<sup>57</sup> “If the enemy makes any move, we will bombard their countries from the sky”, Basij, 24 July 2015, online: <http://bit.ly/2lixQCa> (accessed 9 May 2017).

<sup>58</sup> “Statements in the Imam Khomeini Naval University of Noshahr”, Office of the Supreme Leader, 17 September 2012, online: <http://bit.ly/2miP404> (accessed 9 May 2017).

In a similar vein, Yadollah Javani, the Supreme Leader's representative to the Revolutionary Guards and the former head of the political bureau of the Revolutionary Guards, claimed in May 2012 that the support shown by some government for [homosexual] behaviors is due to the influence of the Israeli regime.”<sup>59</sup>

Statements linking homosexuality with Zionism also appeared extensively in state media outlets in 2012 after a Pride Parade was held in the neighboring country of Azerbaijan. The Iranian authorities warned that the organization of the parade signaled the “infiltration” (*nofooz*) of Israel into Azerbaijan and accused Azerbaijani politicians of “cooperating with the international Zionist network.”<sup>60</sup>

Mohsen Mojtahed Shabestari, the representative of the Supreme Leader and a Friday prayer leader in the city of Tabriz, East Azerbaijan province, said that by permitting this event, Azerbaijani officials had effectively become “an instrument in the hands of Zionist extorters.”<sup>61</sup>

Since the political unrest that erupted following the contested 2009 presidential election, the Iranian authorities have also frequently linked peaceful political dissidents to homosexuals, in an effort to capitalize on homophobic sentiments and tarnish the dissidents’ reputation.

In a statement from December 2013, which illustrates the authorities’ overly-convoluted reasoning, Hossein Fadaei, the Secretary General of the ultra-conservative Society of Devotees of the Islamic Revolution, said: “Even *hamjensbazan* [faggots] supported the current of sedition<sup>62</sup> and [opposition leaders] were not prepared to reject their support. Accordingly, our people realized that the Zionist regime supports seditionists.”<sup>63</sup>

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<sup>59</sup> “Behind the scenes of hamjensbazan’s parade in Baku”, Tabnak News Site, 12 May 2012, online: <http://bit.ly/2m4WcB3> (accessed 9 May 2017).

<sup>60</sup> See, for example, “Elahian: The parade of *hamjensbazan* displays Azerbaijan’s cooperation with Zionism”, the Official Website of Zohreh Elahian, 23 May 2012, online: <http://elahian.com/index.aspx?fkeyid=&siteid=1&pageid=125&newsview=591> (accessed 9 May 2017).

<sup>61</sup> “Warning to Baku’s Government: Tabriz Friday Prayer Leader calls for the cancellation of jamjensbazan’s parade”, Fars News Agency, 18 May 2012, online: <http://www.farsnews.com/printable.php?nn=13910229000503> (accessed 9 May 2017).

<sup>62</sup> Sedition or *Fetneh* in Persian is a term that the Iranian authorities use to refer to the post-2009 presidential election protests.

<sup>63</sup> “9 Dey symbolizes national resistance to the counter-revolutionary current”, Yalsarat, 29 December 2013, online: <http://www.yalsarat.com/vdcbf5bz.rhb0apiuur.html> (accessed 9 May 2017).

## 6. Conclusion and recommendations

Under international human rights law, everyone, regardless of sexual orientation, gender identity or gender expression, has the right to State protection from violence, discrimination and other harm, whether by government officials or by any individual or group.

In Iran, LGBT people are denied this fundamental human right. They are frequently subjected to harassment, discrimination, arbitrary arrests and detention, torture and other ill-treatment, based on their gender expressions which are deemed to violate mandatory veiling, strict Islamic dress codes and stereotypical notions of femininity and masculinity. If they are convicted of engaging in consensual same-sex sexual conducts, they may also face penalties ranging from flogging to the death penalty.

As part of their catalogue of human rights abuses based on sexual orientation and gender identity, the Iranian authorities consistently make hateful statements that demean and dehumanize people based on their sexual orientation. Homosexual people are regularly described in official statements and state media outlets as “immoral”, “corrupt”, “Animalistic”, “subhuman”, “sick” and “diseased”. They are also accused of collusion in Western-orchestrated Zionist conspiracies aimed at undermining the Islamic Revolution or corrupting the Muslim population.

6Rang is concerned that these official statements reinforce attitudes, beliefs and practices that perpetuate violence, discrimination and other harm on grounds of sexual orientation, gender identity, gender expression and constitute advocacy of hatred. In the context of Iran, this risk is particularly heightened considering that members of the public are not allowed to access and learn about affirmative materials on homosexuality and the human rights of persons belonging to diverse sexual orientations and gender identities.

**Accordingly, 6Rang calls on the Iranian authorities to implement the following recommendations:**

### ***De-Criminalization***

- Abolish the death penalty for consensual same-sex sexual conducts and repeal all laws that criminalize or impose punitive sanctions on consensual same-sex sexual conducts;
- Repeal mandatory *hijab* laws and other strict gendered dress codes, which criminalize and impose punitive sanctions on LGBT individuals based on their sexual orientation, gender identity and gender expression including physical appearance, dress, hairstyles, accessories, cosmetics and mannerisms;
- Repeal or amend, with a view to bringing into conformity with international law, vaguely worded provisions in the Islamic Penal Code and other laws that criminalize and impose sanctions on individuals who

produce, store or disseminate affirmative information on sexual diversity and the human rights of persons with diverse sexual orientations, gender identities and gender expressions;

- Repeal or amend, with a view to bringing into conformity with international law, vaguely worded provisions in the Islamic Penal Code and other laws that criminalize and impose punitive sanctions on individuals who form associations for the purpose of promoting the rights of all persons, including on the basis of sexual orientation, gender identity, gender expression.

### ***Protection from hostility, discrimination and violence***

- Refrain from making public statements that may reasonably be understood as legitimizing or inciting hatred, violence and discrimination against persons on the basis of sexual orientation, gender identity or gender expression;
- Adopt and implement, in consultation with members of the LGBT community and civil society organizations, a coherent legal framework for prohibiting any advocacy of hatred that constitutes incitement to discrimination, hostility, or violence on grounds of sexual orientation, gender identity or gender expression, whether by public or private actors;
- Exercise due diligence to prevent, investigate, prosecute, punish and provide remedies for discrimination, violence and other harm, whether committed by State or non-State actors;
- Take appropriate and effective measures to eradicate all forms of discrimination, in law and practice, against LGBT individuals, including with respect to access to employment, housing, education and health care;
- Develop, implement and support education and public information programmes, in consultation with members of the LGBT community and civil society organizations, to eradicate attitudes, beliefs, customs and practices that perpetuate violence, discrimination and other harm on grounds of sexual orientation, gender identity, gender expression and sex characteristics;
- Establish support services for victims of rape, sexual assault and harassment, and other forms of violence and harm on grounds of sexual orientation, gender identity, gender expression, and sex characteristics;
- Ensure sensitivity training of judicial and law enforcement officers and other public officials on issues relating to sexual orientation, gender identity, gender expression and sex characteristics;
- Ensure that human rights violations are impartially and comprehensively investigated and, where evidence is found, those responsible are

prosecuted and, if convicted, punished as appropriate;

- Translate into Persian and relevant minority languages and widely disseminate the 2006 Yogyakarta Principles on the Application of International Human Rights Law in Relation to Sexual Orientation and Gender Identity and the 2017 Additional Principles and State Obligations on the Application of International Human Rights Law in Relation to Sexual Orientation, Gender Identity, Gender Expression and Sex Characteristics to Complement the Yogyakarta Principles;
- Establish an independent human rights institution, with proper financial support, with mandates to develop data collection mechanisms and to compile statistics and research on the extent, causes and effects of violence, discrimination and other harm on grounds of sexual orientation, gender identity and gender expression.

### ***Legal Recognition and bodily and mental integrity***

- Ensure that no eligibility criteria, such as surgical, medical or psychological interventions, a psycho-medical diagnosis, or any other third party opinion, shall be a prerequisite to change one's name and legal sex or to obtain identification documents matching one's self-defined gender identity;
- Ban all forms of forced, coercive or otherwise involuntary psychological, medical and surgical procedures designed to change people's sexual orientation, gender identity, gender expressions or sex characteristics without their free, prior and informed consent;
- Ensure that lesbian, gay, bisexual and transgender people receive quality health care, and access the treatments they wish on the basis of informed consent and free from discrimination;
- Ensure that health-care professionals meet appropriate standards of education, skill and ethical codes of conduct, when caring for LGBT people, and do not assign a diagnosis of mental disorder or prescribe modifications to sex characteristics based on stereotypical notions of masculinity and femininity, stigma and discrimination.

6Rang urges the UN human rights mechanisms, including the Special Rapporteur on the situation of human rights in Iran and the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, as well as the European Union and other influential states, to raise the concerns and recommendations discussed in this briefing with the Iranian authorities, and call on them to respect and promote the human rights of LGBT persons, in accordance with Iran's human rights obligations under international law.

Independent Persian-language media outlets, educational institutions, medical professionals and civil society groups in Iran and elsewhere are similarly urged to take up the concerns raised in this report, and mobilize their resources to address stigma, discrimination and stereotypes based on sexual orientation and gender identity and combat attitudes and statements by government officials that promote violence, discrimination and hostility toward LGBT people.

As noted in the introduction, 6Rang believes that these entities can play an essential role in promoting human rights and eliminating prejudices on grounds of sexual orientation, gender identity and gender expression, including by developing and supporting education and public information programmes that address the root causes of discrimination, and organizing public events and activities which commemorate the suffering of victims of violations on the basis of sexual orientation, gender identity and gender expression.