

Sexual Orientation / Gender Identity References¹

U.S. Department of State

Human Rights Reports for 2010

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[2010 Country Reports on Human Rights Practices](#)

Introduction

A third trend [in 2010], and one that points in a negative direction, was the continuing escalation of violence, persecution, and official and societal discrimination of members of vulnerable groups, often racial, religious, or ethnic minorities or disempowered majorities. In many countries this pattern of discrimination extended to women; children; persons with disabilities; indigenous; lesbian, gay, bisexual, and transgender (LGBT) persons; and members of other vulnerable groups who lacked the political power to defend their own interests. Often members of these groups were denied economic opportunity or the ability to abide by their social or cultural traditions or practices or were restricted in their ability to speak freely, to assemble peacefully, or to form associations or organizations.

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Persons around the world continue to experience discrimination and intimidation based on their sexual orientation or gender identity. Honduras saw an upsurge in killings of members of the LGBT community by unknown perpetrators. Meanwhile, in many African, Middle Eastern, and Caribbean nations, same-sex relations remain a criminal offense, and through such laws and other measures the state reinforces and encourages societal discrimination and intolerance. In Uganda, for example, intimidation and harassment of LGBT individuals worsened during the year, and some government and religious leaders threatened LGBT individuals.

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2010 marks the 35th year that the State Department has produced the annual *Country Reports on Human Rights Practices*. This year's report covers human rights conditions in 194 countries. What began as the response to a Congressional mandate to report on the human rights situation in those countries that were receiving U.S. assistance in the mid 1970s has blossomed into a detailed analysis of human rights conditions in all countries that are members of the

¹Note that HIV/AIDS-related excerpts from the Human Rights Reports can be found at www.glaa.org.

United Nations. The country reports provide an overview of the human rights situation around the world as a means to raise awareness of human rights conditions, in particular as these conditions affect the well-being of women, children, racial and religious minorities, trafficking victims, members of indigenous groups and ethnic communities, persons with disabilities, sexual minorities, refugees, and members of other vulnerable groups.

Near East and North Africa

Algeria

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

The penal code criminalizes public homosexual behavior for males and females, and there is no specific legal protection for lesbians, gays, bisexuals, and transgender (LGBT) persons. The law stipulates penalties that include imprisonment of two months to two years and fines of 500 to 2,000 dinars (approximately \$7 to \$27). If a minor is involved, the adult may face up to three years' imprisonment and a fine of 10,000 dinars (approximately \$135).

There was societal discrimination against homosexual conduct. While some LGBT persons lived openly, the vast majority did not, and most feared reprisal from their families or harassment from authorities

Bahrain

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

The law does not criminalize homosexual relationships between consenting adults at least 21 years of age; however, lesbian, gay, bisexual, and transgender activities were not socially accepted, and discrimination was common.

Egypt

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

Although the law does not explicitly criminalize homosexual acts, the law allows police to arrest gays on charges of debauchery. In January 2009 police arrested 10 men in Cairo on charges of debauchery. Authorities forced the men to undergo HIV tests and anal examinations in detention. Following a court order, police released the men in May 2009. Gays and lesbians

faced significant social stigma in society and in the workplace.

Iran

Violence and legal and societal discrimination against women, children, ethnic and religious minorities, and lesbian, gay, bisexual, and transgender persons were extant.

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Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

The government censored all materials relating to lesbian, gay, bisexual, and transgender (LGBT) issues. In 2008 President Ahmadi-Nejad called homosexual activity an "unlikable and foreign act" that "shakes the foundations of society." The Special Protection Division, a volunteer unit of the judiciary, monitored and reported "moral crimes." The law prohibits and punishes homosexual conduct; sodomy between consenting adults is a capital crime. According to a December HRW report, security forces used discriminatory laws to harass, arrest, and detain individuals they suspected of being gay. In some cases security forces raided houses and monitored Internet sites for information on LGBT individuals. Those accused of sodomy often faced summary trials, and evidentiary standards were not always met. The punishment of a non-Muslim gay man or lesbian was harsher if the gay man or lesbian's partner was Muslim. Punishment for homosexual behavior between men was more severe than for such behavior between women.

The law defines transgender persons as mentally ill, encouraging them to seek medical help in the form of gender-reassignment surgery. The government provided grants of as much as 4.5 million toman (\$4,500) and loans of as much as 5.5 million toman (\$5,500) for transgender persons willing to undergo gender reassignment surgery. Human rights activists and NGOs reported that some members of the gay and bisexual community were pressured to undergo gender reassignment surgery to avoid legal and social persecutions in the country.

The size of the LGBT community was unknown, as many individuals feared identifying themselves. There were active LGBT NGOs in the country, but most activities to support the LGBT community took place outside the country.

On April 25, according to press reports, police found a 24-year-old transgender woman known as Mahsa strangled in her apartment. Mahsa had previously undergone male to female sex-change operations. Her two brothers confessed to killing her on moral grounds. Although the brothers were sentenced to prison time of eight years and three years, respectively, the sentences included suspended jail time, which reduced their actual sentence in prison to three

years and one year, respectively.

In July according to HRW, a Tabriz court issued an execution order for Ebrahim Hamidi, who was originally charged at age 16 with raping a minor. After the victim retracted his accusation, the court acquitted three other defendants but convicted Hamidi of sodomy based on elm-e ghazi. According to his lawyer, Mohammed Mostafaei, officials tortured Hamidi into signing his confession. HRW reported four other men in the country were in danger of execution for sodomy.

According to the HRW report, family members threatened and abused many young gay men, who also faced harassment from religious scholars, schools, and community elders. Some LGBT persons were expelled from university for allegations of homosexual activities. The HRW report also alleged that Basij forces attempted to entrap for arrest persons engaged in homosexual behavior.

On July 10, officers raided a private party in Shirza and arrested 17 gay men. According to a local NGO the charges against the men were eventually dropped.

Iraq

During the year the following significant human rights problems were reported: arbitrary or unlawful deprivation of life; extremist and terrorist bombings and executions; disappearances; torture and other cruel, inhuman, or degrading treatment or punishment; poor conditions in pretrial detention and prison facilities; arbitrary arrest and detention; impunity; denial of fair public trials; delays in resolving property restitution claims; insufficient judicial institutional capacity; arbitrary interference with privacy and home; limits on freedoms of speech, press, and assembly and extremist threats and violence; limits on religious freedom due to extremist threats and violence; restrictions on freedom of movement; large numbers of internally displaced persons (IDPs) and refugees; lack of transparency and significant, widespread corruption at all levels of government; constraints on international organizations and nongovernmental organizations' (NGOs) investigations of alleged violations of human rights; discrimination against and societal abuses of women and ethnic, religious, and racial minorities; human trafficking; societal discrimination and violence against individuals based on sexual orientation; and limited exercise of labor rights.

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Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

There was no law specifically prohibiting homosexual relationships, although the penal code prohibits the act of "buggery," or sodomy, irrespective of gender. The law calls for imprisonment only if the "victim" is under the age of 18. There was no data on how often, if ever, persons

were prosecuted for sodomy. Due to social conventions and retribution against both victim and perpetrator of nonconsensual homosexual acts and persecution against participants in consensual homosexual relations, this activity was unreported.

In light of the law, the authorities rely on public indecency charges or confessions of monetary exchange, (i.e., prostitution, which is illegal) to prosecute homosexual acts. Homosexual persons often faced persecution and violence from family and nongovernmental actors. The procedures used to arrest such persons were also used to arrest indiscreet heterosexuals who may be in sexual relations with persons other than their spouses.

Due to social conventions and potential persecution, including violent attacks, lesbian, gay, bisexual, and transgender (LGBT) organizations did not operate openly, nor were gay pride marches or gay rights advocacy events held. Societal discrimination based on sexual orientation and gender identity in employment, occupation, and housing was common. Information was not available regarding discrimination in access to education or health care due to sexual orientation or gender identity. There were no government efforts to address this discrimination.

While there were fewer reports of discrimination and violence against gay men and lesbians than in 2009, discrimination and violence against such persons continued. On June 23, the London newspaper the Guardian reported that police in Karbala attacked and detained six persons, of whom two were gay men, one lesbian, and two transgender persons. The article reported that one of the men went to a hospital two days later with a throat wound and allegations of police torture. On June 29, the newspaper Al-Bayyna Al-Jadidah reported the arrest of college-age, gay men who allegedly confessed to committing "unethical" acts. The article, which highlighted the legal steps taken to secure a judicial order prior to the search and arrest, ended with "greetings to those awake eyes (security/informant forces) that pursue all homosexuals." As of year's end, authorities had not announced any arrests or prosecutions of any persons for abusing, killing, torturing, or detaining any LGBT individuals.

Israel

Societal Abuses, Discrimination, Acts of Violence Based on Sexual Orientation and Gender Identity

The law prohibits discrimination based on sexual orientation, and the government generally enforced these laws.

Gay pride rallies occurred peacefully in Tel Aviv on June 11 and in Jerusalem on July 29. An estimated 2,000 persons participated in the Jerusalem rally. There were police authorization and protection for the participants. Three separate antigay rallies were held in conjunction with the Jerusalem rally, including one in Independence Park where protesters held up signs reading: "Sick perverts, get out of Jerusalem," according to media reports. There was also a demonstration against the march in the ultra-Orthodox Jerusalem neighborhood of Mea

Shearim.

There were no reports of violence against the lesbian, gay, bisexual, and transgender (LGBT) community during the year; however, in August 2009 a masked gunman killed Nir Katz, 26, and Liz Trobishi, 16, and wounded 15 others in the offices of the NGO GLBT Israel in Tel Aviv. At year's end, a police investigation continued, but the perpetrator had not been found. High-level politicians, including the president and prime minister, condemned the attacks.

Authorities arrested settler Yaakov Teitel (see sections 1.a. and the annex) in October 2009 after he posted signs praising the attack, but police did not charge him with the killings. On August 30, in commemoration of the 2009 attack, the Tel Aviv municipality launched an educational program for Tel Aviv schools focusing on LGBT issues, including the prevention of discrimination.

There were cases of official and societal discrimination against the LGBT community during the year. On September 14, the Supreme Court ruled that the Jerusalem municipality discriminated against a LGBT community center by not providing similar funding that had been provided to similar community centers.

An article in Yediot Achronot on September 19 stated that Jerusalem Family Court Judge Phillip Marcus called on the government to investigate whether LGBT petitioners are "pedophiles or serial killers."

Jordan

Legal and societal discrimination and harassment remained a problem for women, religious minorities, converts from Islam, members of the lesbian, gay, bisexual, and transgender (LGBT) community, and some persons of Palestinian origin.

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Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

Homosexuality is not illegal in Jordan; however, societal discrimination against LGBT persons existed. A number of citizens reported sporadic police mistreatment of suspected LGBT persons. There were reports of individuals who left the country due to fear their families would punish them for their sexual orientation.

In March 2009 the municipality of Amman reportedly denied an application to establish a gay rights organization.

In 2008 security forces arrested four gays in a park in West Amman for "lewd acts" following a targeted operation by the police. The individuals were placed in solitary confinement in Jweidah

Prison until they promised that they would not carry out any such acts in the future.

Kuwait

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

Homosexuality and cross-dressing are illegal. The law punishes homosexual behavior between men older than 21 with imprisonment of up to seven years; those engaging in homosexual activity with men younger than 21 may be imprisoned for as long as 10 years. The law imposes a fine of 1,059 dinars (approximately \$3,700) and imprisonment for one to three years for those imitating the appearance of the opposite sex in public. No laws criminalize sexual behavior between women.

During the year there were more than a dozen reports of police arresting transgender persons at malls and markets, beating them in custody and shaving their heads, and then generally releasing them without charges. The government did not condone abuse by officials of transgender persons, but it also did not punish the abusers. For example, on December 31, police arrested two women for allegedly dressing and acting like men, according to the local press; the women were released the next day. In March 2009 Criminal Investigations Division officers raided a cafe, arresting five men for cross-dressing. By year's end there were no updates in this case.

There were no official NGOs focused on lesbian, gay, bisexual, or transgender matters, though unofficial ones existed. Societal discrimination based on sexual orientation was common; officials practiced to a lesser extent a de facto discrimination reflecting societal values and laws. There was no government response to either.

Lebanon

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

Discrimination against homosexual activity persisted during the year. The law prohibits "unnatural sexual intercourse," an offense punishable by up to one year in prison. The law was sometimes applied to men engaging in homosexual activity; it was rarely applied to women, although the domestic NGO Helem (from the Arabic acronym for Lebanese Protection for Lesbians, Gays, Bisexuals, and Transgender (LGBT) Persons) reported that police used the law to blackmail women. In December 2009 Helem reported that a judge in the Batroun District rendered the first decision determining that "unnatural sexual intercourse" does not apply to homosexual activity, which he ruled a part of nature. At year's end no updates were available for this case.

Meem, the first NGO in the country exclusively for nonheterosexual women, and Helem hosted regular meetings in a safe house, provided counseling services, and carried out advocacy projects for the LGBT community. On August 21, the health outreach unit of Helem organized a fundraising party to raise awareness on sexual and reproductive health for the LGBT community.

In February 2009 Helem organized a demonstration in Beirut to protest an attack by security forces against two gays (see section 1.c.) and against homophobic provisions of the law. In May 2009 Helem, Meem, and the Gay-Straight Alliance organized gay rights demonstrations. The government permitted these demonstrations, and there was no violence from any source reported against the demonstrators.

Libya

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

There was societal and official abuse based on sexual orientation and sexual identity. Citizens tended to hold negative views of homosexual activity, and homosexuality is socially stigmatized. Homosexual acts are a criminal offense punishable by three to five years in prison. The law provides for punishment of both parties. In November a girl who announced on the Internet that she was gay sought asylum in France after she was allegedly arrested, raped, and nearly forced into a marriage.

No public information was available on societal discrimination on the basis of sexual orientation or identity. There were no reports of legal discrimination based on sexual orientation in employment, housing, or access to education or health care.

Morocco

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

The penal code criminalizes homosexual activity, but these provisions were infrequently enforced. Homosexual conduct was addressed in the media and in public with more openness than in previous years.

Consequent to the illegality of homosexual activity, there were no reports of societal discrimination, physical violence, or harassment based on sexual orientation, nor were there reports of official discrimination based on sexual orientation in employment, housing, statelessness, or access to education or health care. Sexual orientation occasionally constituted the basis for societal

Oman

The law prohibits discrimination against citizens on the basis of gender, ethnic origin, race, language, religion, place of residence, and social class. The government generally enforced prohibitions on discrimination effectively, although gays faced discrimination under the law and in practice; there were reports of prosecution for homosexual conduct, although information was limited. Social norms also enforced actual discrimination against lesbian, bisexual, and transgender persons.

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Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

The penal code criminalizes homosexuality with a jail term of six months to three years. There were no reports of prosecutions for homosexual conduct during the year. Nine prosecutions for sodomy occurred in 2009.

The discussion of sexual orientation in any context remained a social taboo, and authorities took steps to block lesbian, gay, bisexual or transgender (LGBT)- related Internet content. There was no official or overt societal discrimination based on sexual orientation in employment, housing, or access to education or health care.

Qatar

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

The law prohibits same-sex relations between men but is silent concerning same- sex relations between women. Under the criminal law, a man convicted of having sexual relations with another man or boy younger than 16 years old is subject to a sentence of life in prison. A man convicted of having sexual relations with another man older than 16 years old is subject to a sentence of seven years in prison under section 285 of the criminal law. There were an unknown number of cases before the courts during the year. There were no lesbian, gay, bisexual, or transgender (LGBT) organizations in the country. During the year no violence was reported against LGBT persons, but there was an underlying pattern of discrimination towards LGBT persons based on conservative cultural and religious values prevalent in the society.

Saudi Arabia

In 2009 local human rights watchers reported that prisoners had been sexually abused in the Buraida Prison in Qassim but did not alert prison authorities due to the stigma and penalties associated with homosexual activities.

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Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

Under Sharia as interpreted in the country, sexual activity between two persons of the same gender is punishable by death or flogging. It is illegal for men "to behave like women" or to wear women's clothes and vice versa. Consequent to the illegality and severe punishment applicable, there were few reports of societal discrimination, physical violence, or harassment based on sexual orientation, and there was no official discrimination based on sexual orientation in employment, housing, statelessness, or access to education or health care. Sexual orientation could constitute the basis for harassment, blackmail, or other actions. No such cases were reported.

On June 2, a Philippine news Web site reported that the government banned the recruitment of gay and lesbian workers. According to the report, the Saudi Arabian embassy in the Philippines had issued a memorandum to recruitment agencies to screen applicants "so that those belonging to the third sex are excluded."

On July 29, the daily newspaper Al-Riyadh reported the arrest of a man dressed in women's clothing near Qatif. He was sentenced to five months' imprisonment and 60 lashes for "imitating women."

On November 8, Okaz reported that a Jeddah court sentenced a man, already imprisoned, to 500 lashes, five additional years in jail, and a fine of 50,000 riyals (\$13,000) for "committing homosexual acts," imitating women, possessing pornographic video clips of himself, and publishing obscene photos of himself on the Internet.

In June 2009 Riyadh police arrested and later released 67 men from the Philippines for drinking alcohol and dressing in women's clothing at a private party. Charges pressed were not publicized.

Syria

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

The law criminalizing homosexual conduct states that each sexual act "contrary to nature" is punishable by as long as three years in prison. Because homosexual conduct was both unlawful and considered shameful, the law made gays, lesbians, and transgendered individuals vulnerable to honor crime retaliation. Penal code Article 192 permits judges to reduce legal penalties in cases when an individual's motive for murder is a sense of honor.

There were no reports of prosecutions under laws criminalizing homosexual conduct during the

year nor evidence of honor crimes against gays and lesbians; however, reports indicated that dozens of gays and lesbians have been imprisoned over the past several years after being arrested on vague charges such as abusing social values, selling, buying or consuming illegal drugs, and organizing and promoting "obscene" parties. There were no reports of punishment for female homosexual behavior.

The size of the lesbian, gay, bisexual, and transgender (LGBT) community was unclear, as many individuals feared identifying themselves as such or forming LGBT associations due to societal discrimination and the potential for criminal charges. There were no NGOs focused on LGBT matters. There were several online networking communities, including Facebook pages, that served the local LGBT community. However, increasing Internet connectivity in the country, albeit under the government's watchful eye, helped network the community.

Human rights activists believed there was overt societal discrimination based on sexual orientation in all aspects of society. There are no official discriminatory laws based on sexual orientation in employment, as homosexuality is a crime in the country. There were no reports during the year of specific employment or government service discrimination based on sexual orientation.

Tunisia

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

Homosexuality is illegal and the penal code (article 230) criminalizes homosexuality with sentences up to three years in prison. There was anecdotal evidence that gays faced discrimination, including allegations that police officers sometimes brutalized openly gay persons and accused them of being the source of AIDS. There were no reports of persons arrested for homosexual activity.

United Arab Emirates

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

Both civil law and Sharia criminalize homosexual activity. Under Sharia the death penalty is the punishment for individuals who engage in consensual homosexual activity. There were no prosecutions for homosexual activity during the year. In 2009 there were reports that the government deported and sentenced individuals to prison for openly homosexual activity.

Under the law, cross-dressing is a punishable offense. The government deported cross-dressing foreign residents and referred citizens to public prosecutors. At times the government subjected persons to psychological treatment and counseling for homosexual activity.

Western Sahara

No mention

Yemen

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

Homosexual activity is a crime punishable by death under the country's interpretation of Islamic law. Due to the illegality and severe punishment applicable, there were no lesbian, gay, bisexual, or transgender (LGBT) persons' organizations. There were no reports of official or societal discrimination, physical violence, or harassment based on sexual orientation, and there was no official discrimination based on sexual orientation in employment, housing, statelessness, or access to education or health care, largely because, since the activity was illegal, LGBT issues were not considered relevant. Few if any LGBT residents were open about their orientation or identity because of strong, hostile societal pressure.