



Human Rights Report

Being Lesbian in Iran

Executive Summary

Lesbian community members in the Islamic Republic of Iran are subjected to a confluence of legal discrimination, social harassment, domestic abuse, and acts of violence, inflicted by both state officials and private citizens.

Although the Iranian legal ban on consensual same-sex relations is well documented in several high-profile reports,¹ so far no single-focused study has exclusively addressed the unique set of challenges and problems faced by Iranian lesbians. The situation of lesbian rights in Iran is particularly complex, since compared to gay men, Iranian lesbians face double discrimination—first as women and then as lesbians. Women’s rights are restricted in terms of their freedom of movement and expression, and the strictly patriarchal structure allows fathers, brothers, and husbands to assert direct control over women and girls. Traditional gender roles situate women as subordinate to men, and modesty is legally enforced through mandatory *hijab*. Discrimination against lesbian women is more extreme with the intersection of gender and sexuality, leaving Iranian lesbians highly vulnerable to exploitation and abuse.

This report sets out the research findings of OutRight Action International (OutRight) in relation to the human rights of lesbians in Iran, in law, policy, and practice. The report begins with a consideration of the legal-political environment relevant to lesbians in Iran; it then examines the human rights violations and abuses that lesbians face in many areas of their lives. The report concludes with a series of recommendations, to the Iranian authorities and the international community, to support the cause of lesbian rights in Iran.

While Iran has ratified many of the major international human rights treaties and conventions, and human rights protections are included in the Constitution, the political- legal environment

¹ For instance, see: “We Are a Buried Generation, Discrimination and Violence against Sexual Minorities in Iran,” Human Rights Watch, December 15, 2010, available at: <https://www.hrw.org/report/2010/12/15/we-are-buried-generation/discrimination-and-violence-against-sexual-minorities> [accessed May 31, 2016] and “Denied Identity: Human Rights Abuses Against Iran’s LGBT Community,” Iran Human Rights Documentation Center [November 7, 2013] available at: <http://www.iranhrdc.org/english/publications/reports/1000000398-denied-identity-human-rights-abuses-against-irans-lgbt-community.html> [accessed May 31, 2016].

for women is dire. The Iranian legal system discriminates against women and girls, and Iran has not ratified the International Convention on the Elimination of all forms of Discrimination Against Women. Iranian law requires a more restrictive Islamic dress code for women (*hijab*) than for men, impedes the rights of women in personal status matters such as marriage, divorce, inheritance, and child custody, and prohibits the full enjoyment of women in employment and matters of public affair.

Social expectations for women to marry, coupled with a lack of economic and legal independence (women account for only 16 per cent of the labor force),² mean that lesbians, as women, will often have decisions made for them by males in their family. Lesbians have little chance or ability to challenge or resist when the decision is made that they will marry a man. This can lead to situations where lesbians live their entire lives in marriages in which nonconsensual heterosexual sexual acts are continually and regularly forced upon them.³

In breaking traditional gender roles, Iranian lesbians directly challenge the expectations for them to be wives and mothers within traditional bonds of heterosexual marriage. Most of the lesbians who agreed to discuss their lives with OutRight spoke about the guilt they felt that somehow their sexual desires were abnormal, wrong, or sinful. They told OutRight about the devastating impact of this guilt on their lives: their internal struggles and the constant tension and conflict they experienced with others, including their intimate partners and family members. Some of those who had suffered sexual- or gender-based violence also spoke to OutRight about the psychosocial effects of this abuse on their lives. Across the board, interviewees described a life full of constant fear and angst at abuse.

In addition to the restrictions on their rights as women, lesbians in Iran face further restrictions due to the criminalization of same-sex conduct, along with widespread social intolerance. This double discrimination contributes significantly to the abuses they face.

Lesbians face arbitrary arrest and detention, and they suffer further human rights violations at the hand of police while in detention, ranging from homophobic assaults to physical torture.

In the health care system, lesbians face a level of ignorance that can put their lives at risk. Medical professionals try to treat lesbians with hypnotic drugs to “cure” them, and they suggest sex reassignment surgery as a solution to their “illness.” As this report shows, however, some medical professionals are agents for positive change, and provide valuable support and advice to lesbians and their families, despite the very difficult political- legal environment.

2 “Situation of human rights in the Islamic Republic of Iran: Report of the Secretary-General,” UN General Assembly, Human Rights Council, A/HRC/28/26, (February 20, 2015), page 7, available at: http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session28/Documents/A_HRC_28_26_ENG.doc.

3 “Human Rights Violations on the Basis of Sexual Orientation, Gender Identity, and Homosexuality in the Islamic Republic of Iran,” International Gay and Lesbian Human Rights Commission (IGLHRC) and Iranian Queer Organization (IRQO), Submission to the 103rd Session of the Human Rights Committee (October 17-November 4, 2011), page 4, available at: <http://www.iglhrc.org/sites/default/files/Iran%20Shadow%20Report%202011.pdf> [accessed May 23, 2016].