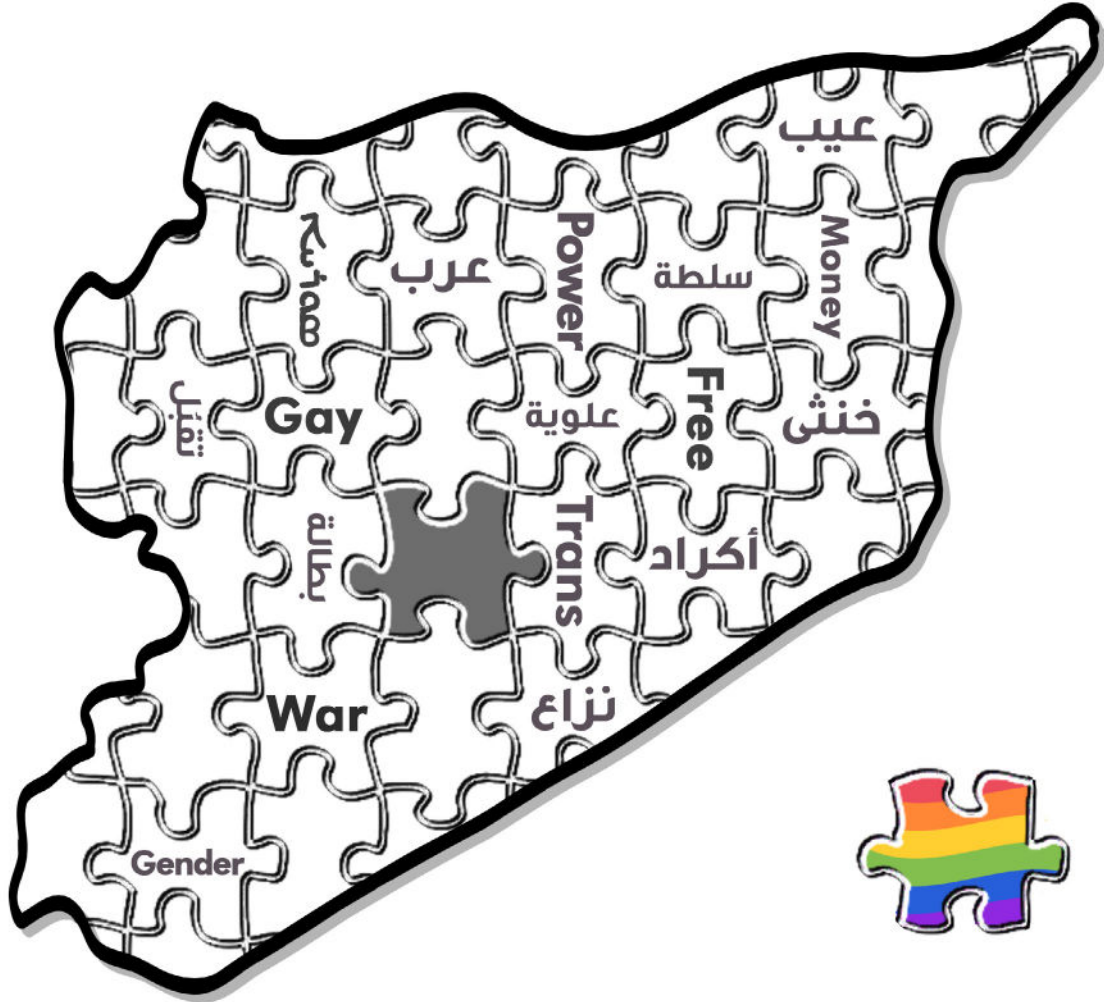




حركة حراس المساواة  
Guardians of Equality Movement



// WE'RE HERE, WE'RE SYRIANS,  
WE'RE QUEER, GET USED TO IT. //

The Syrian LGBTQIA+ People in Conflict and Displacement, and Their Contribution to Peace and Accountability Efforts.

## ABOUT GEM

Guardians of Equality Movement (GEM) from the first Syrian LGBTQIA+ organization in the history of Syria. GEM is founded and led by Syrian LGBTQIA+ Human Rights Defenders, Activists, and Survivors/Victims/Refugees who strive to prevent a repeat of and protect others from the suffering and violations that occurred against them.

GEM is dedicated to improving the lives of Syrian LGBTQIA+ people who experience discrimination/abuse regularly due to their sexual orientation and gender identity in Syria and throughout the global Syrian diaspora. GEM works towards the protection and advocacy of human rights at social and diplomatic levels for all vulnerable Syrian LGBTQIA+ regardless of political affiliations, religion, or ethnic background.

# ACKNOWLEDGMENT

**GEM** would like to express its sincere gratitude to the individuals and communities who generously provided valuable insights during this study endeavor, often at considerable personal risk. We thank all members of the GEM staff, including our internal reviewers, for their valuable contributions. Additionally, we extend our appreciation to our external reviewers for their supportive and invaluable feedback.

This study was generously made possible by a grant from EMHRF.



Euro-Mediterranean Foundation of Support to **Human Rights Defender**  
المؤسسة الأورو-متوسطية لدعم المدافعين عن **حقوق الإنسان**  
Fondation euro-méditerranéenne de soutien aux défenseurs des **droits de l'Ho**

The opinions expressed in this report are solely those of GEM and do not necessarily reflect the views or policies of our donors.

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# TABLE OF CONTENTS

• <b>Abbreviations</b>	6
• <b>Key terminologies</b>	7
• <b>Executive Summary</b>	8
• <b>Introduction</b>	11
• <b>Chapter 1: The Conflict-Related Violence Against LGBTQIA+ Individuals and Groups In Different Control Areas in Syria</b>	13
1.1. Legal framework analysis	14
1.2. Conflict-related sexual, physical, and psychological violence against LGBTQIA+ individuals and groups committed by different conflict parties in Syria:	17
Violence committed by the government's forces	17
Violence committed by ISIS	18
Violence committed by Hay'et Tahrir al-Sham (HTS)	19
1.3. Social norms and social exclusion	20
1.4. Economic discrimination, poverty, and lack of access to social services and healthcare	22
• <b>Chapter 2: Violence Against Syrian Displaced and LGBTQIA+ Individuals and Groups</b>	24
2.1. Intersectionality of vulnerability and marginalization	26
2.2. The continued discrimination and marginalization	28
2.3. Cisgender and heteronormative aid and integration systems in host countries	30
2.4. Lack of Data and Information	32
• <b>Chapter 3: The Role of Syrian LGBTQIA+ In Peace and Accountability Efforts</b>	35
3.1. What are the barriers to meaningful political participation of Syrian gender and sexual minorities?	36
3.2. Rethinking accountability and the peace process: What are the benefits of Syrian LGBTQIA+ political participation?	37
3.3. How can the participation of Syrian gender and sexual minorities be supported within Syrian civil society?	38
• <b>Conclusion</b>	40
• <b>Recommendations</b>	40

# ABBREVIATIONS

**AIDS:** Acquired immunodeficiency syndrome.

**EU:** the European Union.

**HIV:** human immunodeficiency virus.

**HRW:** Human Rights Watch.

**HTS:** Hay'et Tahrir al-Sham.

**INGOs:** International non-governmental organizations.

**ILGA:** International Lesbian, Gay, Bisexual, Trans and Intersex Association.

**ISIL:** the Islamic State of Iraq and the Levant.

**ISIS:** Islamic State of Iraq and Syria.

**LGBTQIA+:** An acronym used to signify Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, and Asexual people, as well as all other identities not encompassed in the short acronym more collectively.

**NGO:** Non-governmental organization.

**SGM:** Sexual and gender minority.

**SOGI:** Sexual Orientation and Gender Identity.

**SOGIESC:** sexual orientation, gender identity, gender expression, and sex characteristics.

**UAE:** United Arab Emirates.

**UN:** The United Nations.

**UNHCR:** The United Nations High Commissioner for Refugees.

**USA:** the United States of America.

# KEY TERMINOLOGIES

- **Cisgender:** Denoting or relating to a person whose gender identity corresponds with the sex registered for them at birth.
- **Exiled:** Refers to a person who has been expelled and barred from one's native country, typically for political or punitive reasons.
- **Gender identity:** Refers to an individual's internal perception and understanding of their gender, which may or may not align with the sex they were assigned at birth.
- **Gender:** refers to the socially constructed characteristics of women, men, girls, and boys. This includes norms, behaviors, and roles associated with being a woman, man, girl, or boy, as well as relationships with each other.
- **Heteronormativity:** Refers to a set of beliefs, practices, attitudes, and behaviors that establish specific forms of heterosexuality as the sole acceptable sexual orientation and the exclusive standard for normalcy. Heteronormativity, in its broader sense, encompasses cultural and social customs that stigmatize behaviors and identities that are perceived as deviating from traditional gender norms. Customs include instances where men or women aren't presenting or living a lifestyle that corresponds to a binary or "normative" sense, as well as the marginalization of homosexuality, same-sex relationships, transgender individuals, non-binary identities, and alternative lifestyles, all of which are regarded as abnormal or deviant.
- **Homophobia:** Refers to an irrational aversion, animosity, or bias directed towards individuals who self-identify as lesbian, gay, bisexual, or transgender (LGBTQIA+).
- **Intersectionality:** The interconnected nature of social categorizations such as race, class, and gender as they apply to a given individual or group, regarded as creating overlapping and interdependent systems of discrimination or disadvantage.
- **Misogyny:** The dislike of, contempt for, or ingrained prejudice against women.
- **Refugee:** Refugees are people who have fled war, violence, conflict, or persecution and have crossed an international border to find safety in another country.
- **Sexual orientation:** A person's sexual identity; an enduring pattern of romantic or sexual attraction to a person from a given sex and gender.
- **Transgender:** Relating to a person whose gender identity differs from the sex assigned they were registered for at birth.
- **Xenophobia:** The dislike of or prejudice against people from other countries.

# EXECUTIVE SUMMARY

This study aims to investigate the intricate social and political dynamics surrounding LGBTQIA+ individuals within Syria from 2011 to the present, tries to examine the consequences of the Syrian conflict on this group, and seeks to examine the nature of the violence experienced by Syrian LGBTQIA+ individuals who have been displaced or forced into exile, as well as the obstacles they encounter in their pursuit of safety and protection.

Furthermore, it analyzes the intersectionality of oppression and discrimination faced by this community within Syria and in their new countries of residence and the extent of their involvement in peacebuilding, conflict resolution, and accountability initiatives and endeavors led by Syrian civil society actors and organizations.

Prior to delving into the findings, it is critical to acknowledge the contentious matter of terminology associated with LGBTQIA+ identities, specifying that variations such as LGBTQ, LGBT, and LGBTIQ are frequently used in various contexts. In contrast, GEM employs the acronym LGBTQIA+ to refer to individuals who identify as Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, and Asexual while also recognizing additional identities that are not encompassed in the short acronym more collectively.

The methodology included qualitative and quantitative data collection methods. It encompasses a survey completed by 74 Syrian LGBTQIA+ individuals based inside or outside Syria. The purpose of the survey was to learn about the challenges this community is facing in different control areas inside Syria and in Syrian refugee-hosting countries, as well as delve into the role this group is playing in peacebuilding and accountability efforts.

The survey collected responses on various aspects, including forms of SGBV during conflict and displacement, social and economic discrimination, the intersectionality of vulnerability, their contribution to Syrian civil society's efforts in peacebuilding and accountability, and suggestions for local and international organizations.

The study encompasses four chapters. The first one explores the challenges faced by LGBTQIA+ members in various areas under different forms of control, including the control of the Syrian Government, opposition factions like HTS and ISIS, and the Autonomous Administration in the Kurdish region. The study underscores that before the onset of the 2011 uprising and subsequent conflict, the situation for LGBTQIA+



individuals in Syria was challenging but relatively more accepting. However, during the conflict, LGBTQIA+ individuals became targets of discrimination and violence from both state and non-state actors. Campaigns against the LGBTQIA+ community in different controlled areas intensified after 2011, leading to arrests, detentions, and widespread persecution.

The second chapter of the study sheds light on the pervasive violence faced by Syrian-displaced LGBTQIA+ individuals and groups, exacerbated by the ongoing conflict that began in 2011. As a result of displacement caused by the conflict, LGBTQIA+ Syrians confront numerous challenges, including heightened vulnerability to violence, discrimination, and mistreatment. Syrian LGBTQIA+ living in refugee camps and other displacement settings often experience elevated levels of violence and face barriers in accessing essential services such as housing and healthcare, primarily due to discriminatory attitudes prevalent among fellow displaced individuals and government authorities. Despite legal safeguards in some destination countries, Syrian LGBTQIA+ individuals continue to encounter instances of discrimination and abuse, compounding their challenges in seeking safety and integration. Moreover, the lack of support and resources available to displaced LGBTQIA+ Syrians further exacerbates their plight, with limited organizational assistance and a scarcity of tailored initiatives addressing their unique needs. The chapter highlights the intersectionality of vulnerability and marginalization faced by LGBTQIA+ individuals in displacement, underscoring the urgent need for inclusive and responsive humanitarian interventions to address their distinct challenges and promote their rights and well-being.

The third chapter of the study delves into the pivotal role of Syrian LGBTQIA+ individuals in accountability and peacebuilding endeavors. It begins by identifying the barriers to meaningful political participation faced by Syrian gender and sexual minorities, highlighting the systemic invisibility of these groups in peacebuilding efforts. In contrast, this chapter also explores the potential benefits of LGBTQIA+ political participation in accountability and peacebuilding processes. It draws parallels with historical LGBTQIA+ activism, emphasizing the importance of creating inclusive spaces for marginalized communities to assert their rights and contribute to social change, and outlines strategies to support the participation of Syrian gender and sexual minorities within civil society.

The study concludes with recommendations to local and international organizations working with Syrian LGBTQIA+ individuals, aiming to address their specific needs and challenges better and engage them in peacebuilding and accountability efforts. For the LGBTQIA+ community inside Syria and neighboring countries, it is suggested that local and international organizations allocate additional resources to support LGBTQIA+

individuals and organizations in Syria, enhance the capacity of personnel to engage effectively with local LGBTQIA+ communities and establish a UN Syrian LGBTQIA+ cluster, to coordinate efforts. Furthermore, consistent assistance and solidarity from the special envoy to Syria, alongside promoting international recognition and support for the LGBTQIA+ movement, are essential. Moreover, it is proposed that Syrian NGOs adhere to gender and LGBTQIA+-sensitive policies to receive funds from international donors. Concerning exiled and displaced Syrian LGBTQIA+ communities, it is recommended to incorporate them into planning and decision-making processes, raise awareness about the violence they face, enhance the responsiveness of security forces and government officials, and advocate for the protection of LGBTQIA+ human rights defenders. Finally, to integrate Syrian LGBTQIA+ groups into peacebuilding and accountability efforts, measures should be taken to include them in the constitution editing process and facilitate their participation in the Universal Periodic Review on Syria.

# INTRODUCTION

In recent years, there has been significant attention given to the impact of armed conflict on individuals who identify as LGBTQIA+. Civil society, human rights organizations, and the media have been steadily documenting these consequences across a range of international conflicts. When the popular uprisings started in 2011, some activists raised their voices, saying that LGBTIQ rights must also be part of the revolution's demands. Many members of the LGBTIQ community were themselves part of the uprisings, so it was only natural for them to make such demands:<sup>1</sup>.

Before the onset of the 2011 uprising and subsequent armed conflict, which inflicted significant damage upon the country and resulted in its fragmentation throughout the preceding decade, the situation for LGBTQIA+ individuals in Syria had always been challenging. Nevertheless, social and cultural establishments existed where LGBTQIA+ individuals could convene discreetly and establish communities that provided a secure environment for expressing their identities. Arguably, the overall atmosphere towards LGBTQIA+ individuals was relatively more accepting before the conflict.

In 2010, however, Syrian authorities started a campaign against gay people by raiding parks, Hammams (public steam baths), and private parties and detaining many for weeks and sometimes months. Authorities raided more than four different private gay parties over five weeks between March and April 2010, arresting more than 25 men on their last raid. Indictments have been officially submitted against them; most were charged with 'having a homosexual act.'<sup>2</sup>

Throughout the conflict in Syria, individuals belonging to the LGBTQIA+ community were subject to targeting by both state and non-state actors, thereby experiencing various forms of discrimination. During the time of the conflict, homosexuality was considered a criminal offense across the country.

A report from 2018 elaborated on how widespread sexual violence is within Syria; state actors use it as a form of torture. While non-state armed actors revert to these practices less systemically, sexual violence is motivated in these groups "by *exploitation, religious*

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<sup>1</sup> Ayman Menem, "Voices breaking the silence: Fighting for personal freedoms and LGBTIQ rights in Syria," Syria Untold (2020): <https://syriauntold.com/2020/11/03/voices-breaking-the-silence/>.

<sup>2</sup> Syrian Arab republic LGBTI resources (no date) AMERA International. Available at: <https://www.amerainternational.org/syria-lgbti-resources/>.

affiliation, and revenge”<sup>3</sup>. LGBTQIA+ individuals who were frequently targeted for their perceived “immoral” behavior have been subjected to a sharp increase in instances of violence and persecution as a direct result of the rise of extremist groups such as ISIS and other jihadist organizations. Human rights organizations have compiled evidence to support claims that members of the LGBTQIA+ community have been subjected to torture, detained, and even put to death at the hands of these groups.

*“To be queer in the revolution means that you have to remain silent as if you, yourself, were responsible for all the massacres, shelling, and displacement, while no one seems to notice or want to acknowledge that you, too, are oppressed and suffering from these same injustices and violence.”<sup>4</sup>*

However, the Syrian government has also played a remarkable role in the oppression and mistreatment of individuals identifying as LGBTQIA+ during the conflict. The state has frequently employed homosexuality as a justification for arrests and imprisonment, and there have been documented cases of individuals within the LGBTQIA+ community experiencing physical assault and torture while in state detention facilities. Moreover, the Syrian government has demonstrated apathy towards the plight of individuals identifying as LGBTQIA+ and has, on the whole, exhibited a lack of regard for the rights of this marginalized community.

However, many Syrian LGBTQIA+ individuals have persevered in their resistance and advocacy for change despite the challenges they faced and are still facing. Many Syrian organizations, informal groups, and human rights defenders have attempted to advocate for the rights of LGBTQIA+ persons in Syria and raise awareness about their situation.

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<sup>3</sup> Syrian Arab republic LGBTI resources (no date) AMERA International. Available at: <https://www.amerainternational.org/syria-lgbti-resources/>.

<sup>4</sup> Leel Youssef, “Strategies for rebellion: A queer reading of the Syrian revolution”, Syria Untold (2020), <https://syriauntold.com/2020/10/06/strategies-for-rebellion-a-queer-reading-of-the-syrian-revolution/>.

# Chapter 1

## The Conflict-Related Violence Against LGBTQIA+ Individuals and Groups in Different Control Areas in Syria



## 1.1. Legal framework analysis

Syria has an undeniably terrible history on gay and women's rights. Although Syria is not specifically a theocracy, Islamist law prevails. It is among the most repressive nations in the world regarding women and gay rights. It is illegal to be gay or lesbian in Syria, so many gay men and lesbians are imprisoned for being queer. Laws prohibit the organization of any LGBTQIA+ rights movement and stipulate that homosexuality is a crime, even when between consenting adults. It also gives the Syrian Secret Service broad discretionary powers to detain and harass anyone deemed to be a threat to public order, morals, or national security. Since the current conflict began, such detentions have become common, and with them, rapes. However, the problems for LGBTQIA+ people are not new. In 2005, the deputy minister of religious endowments publicly stated HIV and AIDS were divine punishment for people who engaged in fornication and homosexuality.<sup>5</sup>

In government control, same-sex sexual activity is prohibited under the Penal Code 1949 Article 520, which considers any homosexual intercourse illegal and contrary to nature and punishable by imprisonment of up to three years. Both men and women are criminalized under this law<sup>6</sup>.

Article 507<sup>7</sup> of the Penal Code states that *“Every man who disguises himself in a woman's attire and enters a place reserved for women or to which entry is prohibited at the time of the act for other than women, shall be punished with imprisonment not exceeding one and a half years.”*

Article 517<sup>8</sup> of the Penal Code targets and criminalizes any public expression of non-conformity and difference as *“corruption of public morality.”* The law does not grant any protections against discrimination based on sexual orientation or gender identity. Moreover, it does not feature any measures that allow transgender people to change their gender markers on documents legally. Instead, the law only acknowledges two genders or sexes: male and female. This exposes transgender and gender non-conforming people to the constant danger of verbal and physical violence whenever they present their ID<sup>9</sup>.

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<sup>5</sup> S. Punla, C., C. Farro, R., & Bataan, Peninsula State University Dinalupihan, Bataan, Philippines. (2022). Are we there yet? An analysis of the competencies of BEED graduates of BPSU-DC. *International Multidisciplinary Research Journal*, 4(3), 50–59

<sup>6</sup> Syrian Penal Code 1949, Article 520

<sup>7</sup> Syrian Penal Code 1949, Article 507

<sup>8</sup> Syrian Penal Code 1949, Article 517

<sup>9</sup> Ayman Menem, “Voices breaking the silence: Fighting for personal freedoms and LGBTIQ rights in

According to a Syrian queer activist and attorney, the law in Syria is susceptible to manipulation, and irrelevant penal codes may be used to criminalize relationships between queer individuals. Arrested transgender sex workers are charged with prostitution, violation of public decorum, and sodomy. He added that LGBTQIA+ persons are frequently denied access to counsel when they are arrested. As for those who are permitted to engage an attorney, it is often difficult due to high costs or the dread of revealing their identity to their families and society. *“As a lawyer, I have received numerous requests for legal advice from queer people who are being blackmailed, and I have advised them that if the material used against them is photos and videos, it is best not to resort to the law because they will be criminalized based on their sexual orientation,”* he said.

In terms of gender transition, Syrian law grants individuals the right to undergo sexual transformation procedures based on a judicial decision, which permits sexual transformation procedures in the case of so-called hermaphroditism, which can be defined as the individual’s gender at birth being unclear or having mixed sexual organs. This law only applies to Intersex individuals whose condition is to be noted in a medical report. However, even those who have a court order allowing them to change their gender from male to female can be prosecuted according to the military law (Article 147 of the Military Penal Code)<sup>10</sup> for attempting to evade military service by changing their gender.

Additionally, it is essential to note that within regions under government control, the LGBTQIA+ community, along with all individuals, is deprived of the fundamental rights to freedom of peaceful assembly and association. This denial is justified under the Associations Law of 1958<sup>11</sup>, which deems such activities a violation. Moreover, organizing peaceful demonstrations necessitates obtaining prior consent from the Ministry of Interior, a process typically met with refusal. Furthermore, the recently enacted anti-cybercrime legislation notably implements stringent Internet censorship policies within regions under government control. This legislation renders any online content about homosexuality as criminal.

In Idlib, under the control of the opposition, the circumstances are notably exacerbated by the presence of two governing bodies. The first is the interim government affiliated with the opposition Syrian National Coalition. It adopts the Unified Arab Law of 1965, which is stricter than the Syrian Penal Code because it punishes even gender identity, not just sexual practice, allows murder, and considers any non-stereotypical identity a crime.

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Syria,” Syria Untold (2020): <https://syriauntold.com/2020/11/03/voices-breaking-the-silence/>.

<sup>10</sup> Syrian Military Penal Code, Article 147

<sup>11</sup> The 1958 Law on Associations and Private Societies (Law No. 93)

The second opposition government in Idlib is the Syrian Salvation Government, backed by Hayat Tahrir al-Sham, a coalition of Islamist factions that imposes the Islamic Sharia's Hiraabah law<sup>12</sup>. This law calls for severe retribution for lawbreakers. It has been implementing a form of Islamic Sharia punishment that calls for criminals to be executed, exiled, or have their hands cut off. The Salvation Government does not adopt a law. Instead, it allows the Sharia Judge to approve the ruling according to Islamic Sharia, which means that flogging or execution are possible rulings.

The Autonomous Administration of North and East Syria (AANES), also known as Rojava, refrained from criminalizing homosexuality in its social contract, likely as a strategic move to project an image of being democratic and progressive and is the region of the country that is ostensibly most open to the recognition of LGBTQ+ rights, although in reality these are often truncated<sup>13</sup>. In theory, the Autonomous Administration's Charter of the Social Contract, the functional equivalent of a constitution, offers a rights-based model that promotes political participation, women's rights, and civil marriage<sup>14</sup>. While the Syrian Penal Code is frequently referenced in this control area, the legislation in question does not explicitly address the penalties associated with homosexuality. Instead, it grants discretionary power to judges to determine appropriate judgments in such cases. Although the Autonomous Administration has adopted human rights charters and de-criminalized homosexuality, homosexual acts continue to be treated as an offense. Homosexuals have, at times, been arrested on the pretext of alleged public interest (i.e., on the basis of social customs and traditions)<sup>15</sup>.

Within this framework, all participants in this study, who live within Syria, advocated for a reassessment of existing legislation to foster inclusivity and tolerance towards LGBTQIA+ individuals. They have also expressed a pessimistic perspective regarding their capacity to seek legal recourse in cases of assault, persecution, prejudice, or suppression based on their sexual orientation or gender identity across all areas of control.

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<sup>12</sup> Khasan, Moh. (2021). From Textuality to Universality: The Evolution of Hiraabah Crimes in Islamic Jurisprudence. *Al-Jami'ah Journal of Islamic Studies*. 59. 1-32. 10.14421/ajis.2021.591.1-32.

<sup>13</sup> Hawwash, A. (2021, July 5). LGBTQ+ Syria: Experiences, challenges, and priorities for the aid sector. COAR. <https://coar-global.org/2021/06/22/lgbtq-syria-experiences-challenges-and-priorities-for-the-aid-sector/>

<sup>14</sup> PYD Rojava, Contract of the Social Charter: <https://bit.ly/34RVgEx>.

<sup>15</sup> Hawwash, A. (2021, July 5). LGBTQ+ Syria: Experiences, challenges, and priorities for the aid sector. COAR. <https://coar-global.org/2021/06/22/lgbtq-syria-experiences-challenges-and-priorities-for-the-aid-sector/>



## 1.2. Conflict-related sexual, physical, and psychological violence against LGBTQIA+ individuals and groups committed by different conflict parties in Syria:

*Rape, sexual harassment, threats of rape, bullying, blackmailing, electrical shocks, burning of the genital area, and execution, are all forms of CRSV against LGBTQIA+ people that have been reported during the Syrian conflict, and committed by both state and non-state actors.*

### Violence committed by the government's forces

A report in April 2014<sup>16</sup> documented several incidents of abuse against LGBTQIA+ individuals in Syria. In one case, a gay couple was allegedly forced to have sex with each other in front of army interrogators, and many individuals reported receiving death threats. According to a study by the US Department of State in 2020, it was observed that while there were no documented instances of police enforcement during the year, prior years had witnessed legal actions being initiated against individuals identifying as LGBTQIA+. According to reports from human rights organizations, the government has arrested several individuals belonging to the LGBTQIA+ community since 2011 on various grounds. In recent years, there have been reports of various militant groups engaging in the detention, torture, and murder of individuals who identify as LGBTQIA+. According to this study, human rights advocates have seen the presence of explicit social bias rooted in sexual orientation and gender identity throughout several domains of society. Additionally, there were accounts of extreme organizations engaging in extortion and harassment towards LGBTQIA+ individuals.

The sexual assault experienced by homosexual and bisexual men and transgender women throughout the conflict was recorded in a report issued by Human Rights Watch (HRW) in 2020. The research documented a rise in an escalation of violence, encompassing acts such as rape, sexual harassment, genital violence, the explicit threat of rape, and forced nudity.

In one of the reports reviewed during this study, it was mentioned that intelligence officers would rape detainees by penetrating their rectums, often with sticks or sharp objects. Evidence gathered by researchers shows that security forces used rape against all

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<sup>16</sup> The double threat for gay men in Syria. Human Rights Watch. (2020, October 28). Retrieved January 4, 2023, from <https://www.hrw.org/news/2014/04/28/double-threat-gay-men-syria>.

detainees, regardless of their actual or perceived gender or sexual orientation. In another report, Yousef, a 28-year-old gay Syrian male survivor of sexual violence, witnessed officials in the Al-Khattib Branch, a detention facility run by the General Intelligence, targeting women, girls, men, and boys with sexual violence, using it on “*anyone who is against them.*” He said that although the intelligence agency did not target him because he was gay, once they learned about his sexual orientation by checking his phone, violence during interrogations increased drastically. He explained that after intelligence officers detained him for joining the protests, they beat him severely until he confessed to acts that he did not commit. Once they discovered his sexual orientation, the violence intensified<sup>17</sup>.”

*“I was being beaten, and I was going to die. Ultimately, you want them to stop, so you start saying yes to things you have never committed.”*

Based on the information gathered during this study, within the government-controlled area, there is a form of homeopathic therapy referred to as electroplating, which is purported to have significant adverse effects on both the physical and psychological well-being of individuals. This treatment involves the application of electrical stimulation to the genital region during states of arousal to establish an association between sexual activity and intense pain in the individual’s memory. This association is intended to deter the individual from engaging in sexual intercourse with individuals of the same sex.

## **Violence committed by ISIS**

A report from 2017<sup>18</sup> indicated that pictures had been released of a man suspected of being gay being thrown from the roof of a building by members of ISIS. In 2018, a report<sup>19</sup> by the UN Human Rights Council documented the sexual and gender-based violence committed in Syria during the conflict that followed the 2011 Revolution. The report indicated that during the height of its control over parts of Syria, ISIL regularly executed people accused of same-sex sexual activity. This included an incident in which a teenage boy was thrown off a building, having been charged with ‘sodomy.’ The

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<sup>17</sup> The double threat for gay men in Syria. Human Rights Watch. (2020, October 28). Retrieved January 4, 2023, from <https://www.hrw.org/news/2014/04/28/double-threat-gay-men-syria>.

<sup>18</sup> The double threat for gay men in Syria. Human Rights Watch. (2020, October 28). Retrieved January 4, 2023, from <https://www.hrw.org/news/2014/04/28/double-threat-gay-men-syria>.

<sup>19</sup> “I lost my dignity”: Sexual and gender-based violence in the Syrian Arab. Available at: <https://www.ohchr.org/sites/default/files/Documents/HRBodies/HRCouncil/ColSyria/A-HRC-37-CRP-3.pdf>.

report concluded that this treatment constituted a crime against humanity.

Of the many events over the last ten years, and in addition to the news of horrific crimes committed by extremist factions against gay men, the piece of news about Syrian LGBTQIA+ people that stood out the most on a global scale was the formation of an LGBTQIA+ unit to fight alongside US-backed forces in Raqqa against the Islamic State, in the summer of 2017. It mostly looked like another American propaganda tool in the US war on terror, reproducing the binary of the progressive West vs. the regressive Middle East<sup>20</sup>.

### **Violence committed by Hay'et Tahrir al-Sham (HTS)**

A key informant who took part in this study indicated that he was arrested by Hay'et Tahrir al-Sham (HTS), the dominant anti-government armed group in Idlib. *"I received a prison sentence of 9 months, during which I endured 45 days in solitary confinement and was subjected to 2,000 lashes without any leniency,"* he said. The legal case was formally titled *"Forbidden Conversations on the Internet."* Regarding the techniques employed for inflicting torment, there existed a diverse array, encompassing physical assault and flagellation through the utilization of an electric cable. *"During the process of interrogation, I was subjected to a method involving my fixation on a wooden plank affixed with screws, and I endured this state for multiple consecutive nights. The crucifixion was characterized by significant pain and arduousness,"*

As per the testimony of an eyewitness, instances of torture were reported in the HTS control area, wherein individuals have been subjected to severe corporal punishment, such as receiving 15,000 lashes for engaging in penetrative sexual activities while being under the age of 18 and 2000 lashes for engaging in other forms of sexual acts. In instances where individuals engage in sexual intercourse below the age of 18 and ejaculation occurs within the partner, the individual responsible for the ejaculation would face capital punishment. At the same time, the other participant, commonly referred to as the "bottom," would be subjected to corporal punishment in the form of approximately 1,000 lashes. In the event that one of the parties involved is married, prompt execution would ensue.

In this context, the participants in this study who resided in Syria expressed feelings of insecurity, as indicated by safety scores below 4 out of 10. In response to our inquiry

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<sup>20</sup> Ayman Menem, "Voices breaking the silence: Fighting for personal freedoms and LGBTIQ rights in Syria," Syria Untold (2020): <https://syriauntold.com/2020/11/03/voices-breaking-the-silence/>.

regarding the extent to which individuals perceive a sense of threat and insecurity within their locality due to their personal identity or sexual orientation, a significant majority of 95% of participants provided an affirmative response.

### 1.3. Social norms and social exclusion

Belonging to the LGBTQIA+ community may result in persecution, injury, or even murder under religiously motivated legislation (“Same-Sex Sexuality”). Thus, the situation of LGBTQIA+ individuals in Syria is one of contrast, characterized by a limited degree of acceptance despite the possibility of peril posed by the powerful forces that oppose the LGBTQIA+ community. Since 2011, the LGBTQIA+ community in Syria has encountered significantly divergent circumstances in comparison to their counterparts residing in other countries. The rights of individuals have experienced a notable decline as a result of the deliberate mistreatment the Syrian Regime and other parties to the conflict have subjected them to. Mistreatment experienced by the LGBTQIA+ community has led to a decline in their opportunities for social interaction and participation, thereby restricting their ability to freely express themselves and access fundamental rights that are often guaranteed in other contexts. In light of the ongoing conflict and the absence of a foreseeable resolution, the prospects for the LGBTQIA+ community in Syria remain uncertain. This study’s findings indicated the presence of social discrimination against individuals identifying as LGBTQIA+ in Syria.

Prior to the uprisings, the Syrian LGBTQIA+ community did not have a clear political identity or an organized structure. This is hardly surprising in an authoritarian and heteronormative society, where all aspects of life are strongly controlled and shaped by the regime, and different forms of violence are exercised. LGBTQIA+ Syrians faced varying degrees of violence and discrimination depending on their class, which city or region they came from, their appearance, and to what extent they conformed to the dominant moral and gender norms or passed society’s masculinity and femininity tests<sup>21</sup>.

*“Imagine being a man in a “woman’s” body: you behave, speak, think, and dress like a man, but with a “woman’s” face. In an environment governed by strictly defined roles and gender expressions for men and women, you stand out. You are not like the rest. That automatically makes you a threat to the integrity of the herd mentality. Because you*

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<sup>21</sup> Ayman Menem, “Voices breaking the silence: Fighting for personal freedoms and LGBTIQ rights in Syria,” Syria Untold (2020): <https://syriauntold.com/2020/11/03/voices-breaking-the-silence/>.

*are an individual, you must be eradicated. Your mere, natural existence poses a threat to society because you signify freedom and diversity.*<sup>22</sup> //

Besides the criminalization of homosexuality, LGBTQIA+ people in Syria face religious and social homophobia. Sami Hamwi (pseudonym), the Syrian editor of GayMiddleEast.com, states, *"I know gay men who have been shot and tortured, while humiliation includes being tied down to be urinated on by family members. I can't ever come out, not because of my fear of my family, but because of my fear of them. I come from a conservative city; the society might cut off my family for having a gay son."* Being forced to marry is a fear of many homosexuals should they reveal their identity<sup>23</sup>

Hostility on the part of families, faith communities, professional networks, and other pillars of social support is a source of precarity for LGBTQIA+ Syrians<sup>24</sup>. According to one Syrian LGBTQIA+ activist, Syrian families typically do not even talk about LGBTQIA+ issues, even if they are ostensibly accepting of LGBTQIA+ identity: *"They will say, 'Don't talk about it, you are fine. Just don't talk about it.'"*<sup>25</sup>

In response to the inquiry regarding their perception of safety and acceptance within their familial environments, most survey respondents in this study's context expressed a negative sentiment. Additionally, a significant majority reported experiencing instances of familial torture—the reported incidents involved captivity, psychological torture, resource deprivation, and bullying. Furthermore, media reports documented instances in which the families of LGBTQIA+ individuals have been ostracized, threatened, and treated with "hatred" and "revulsion" by their communities when their relatives have expressed LGBTQIA+ identity openly when living abroad.<sup>26</sup>

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<sup>22</sup> Ward Zaraq, "In the shadow of that flag", Syria Untold (2020): <https://syriauntold.com/2020/10/13/in-the-shadow-of-that-flag/>

<sup>23</sup> Syrian arab republic LGBTI resources (no date) AMERA International. Available at: <https://www.amerainternational.org/syria-lgbti-resources/>.

<sup>24</sup> Hawwash, A. (2021, July 5). LGBTQ+ Syria: Experiences, challenges, and priorities for the aid sector. COAR. Retrieved January 4, 2023, from <https://coar-global.org/2021/06/22/lgbtq-syria-experiences-challenges-and-priorities-for-the-aid-sector/>

<sup>25</sup> Ammar Cheikh Omar and Yuliya Talmazan, "LGBTQ Syrian refugees forced to choose between their families and identity," NBC News (2019): <https://www.nbcnews.com/news/world/lgbtq-syrian-refugees-forced-chose-between-their-families-identity-n1062446>

<sup>26</sup> Ammar Cheikh Omar and Yuliya Talmazan, "LGBTQ Syrian refugees forced to choose between their families and identity," NBC News (2019): <https://www.nbcnews.com/news/world/lgbtq-syrian-refugees-forced-chose-between-their-families-identity-n1062446>; Charbel Maydaa, Caroline Chayya, Henri Myrntinen, "Impacts of the Syrian civil war and displacement on SOGIESC populations" (2020): <https://bit.ly/3x7qLGF>.

On another note, the binary logic in Syria permeates everyday language, reproducing and enforcing stereotypes whose sole purpose is demeaning LGBTQIA+ people. This can best be described as the archetype of the “passive” gay man, who is continuously associated with political or social defeat and is used as a means of insulting others. Similarly, the language used in the media or medicine, for example, continues to represent LGBTQIA+ issues by employing a vocabulary of deviance, illness, or mental disturbance to describe homosexuality, which has been removed from the list of mental illnesses for decades now<sup>27</sup>.

Nevertheless, since the Syrian uprising began in 2011, there have been continuous attempts to archive, document, and analyze this pivotal event and its repercussions. The narratives varied, and each faction claimed that theirs was the only authoritative and accurate one.

// Is there room for at least one queer voice within these competing narratives? In other words, is there room for a queer reading of the Syrian revolution that transcends the binary oppositions, on the one hand, and that imagines different, less normative discourses, on the other?<sup>28</sup>. //

## 1.4. Economic discrimination, poverty, and lack of access to social services and healthcare

Since the year 2011, the LGBTQIA+ community in Syria has encountered escalating challenges and a dearth of rights. The Syrian regime has engendered a significant escalation in violence and repression within the community, employing punitive measures and imposing restrictions as a means of retribution against individuals who have been deemed to have transgressed the law. For instance, a significant number of individuals who identify as LGBTQIA+ experience a lack of access to employment opportunities, thereby being denied their fundamental right to work. Based on the findings of our study, a significant proportion of participants assert that individuals identifying as LGBTQIA+ in Syria encounter a lack of equitable employment prospects in comparison to their heterosexual counterparts. A mere number of respondents who provided affirmative responses to this inquiry indicated that concealing one’s identity could potentially facilitate employment opportunities.

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<sup>27</sup> Ayman Menem, “Voices breaking the silence: Fighting for personal freedoms and LGBTIQ rights in Syria,” Syria Untold (2020): <https://syriauntold.com/2020/11/03/voices-breaking-the-silence/>.

<sup>28</sup> Leel Youssef, “Strategies for rebellion: A queer reading of the Syrian revolution”, Syria Untold (2020), <https://syriauntold.com/2020/10/06/strategies-for-rebellion-a-queer-reading-of-the-syrian-revolution/>

Simultaneously, the absence of healthcare support has been observed alongside the implementation of other protective measures. The persistent conflicts in Syria have resulted in limited advancements in the promotion of LGBTQIA+ rights, thereby subjecting this community to a continued state of apprehension and unpredictability.

In areas under regime control, there are medical centers where HIV testing can be done, and HIV/AIDS awareness is being integrated into secondary school curricula. However, the fear of being exposed and arrested prevents many gay men from seeking or obtaining information on safer sex practices. The August 2005 comments of the Syrian Deputy Minister of Religious Endowments, Muhammad Abd AlSatter al-Sayyid, on the subject of AIDS are indicative of the authorities' official view of gay men: 'If only we had stoned everyone who had committed this abomination – wouldn't it have been better than letting these diseases infect others, spreading to millions around the world?'<sup>29</sup>.

In response to our inquiry, the majority of participants in this study affirmed that their gender identity poses obstacles to their ability to obtain medical and psychological services and care within their present location of residence in Syria. However, half of them expressed the belief that the possibility of concealing their sexual identities in order to access necessary medical care exists, although with considerable difficulty. Similarly, a significant majority of respondents who live in Syria indicated the absence of a centralized facility offering medical services, care, and diagnostic tests for individuals residing in their locality who are affected by sexually transmitted diseases.

In the same sense, as per the testimony of a gay man based in Idlib, LGBTQIA+ in that region have no access to health services because of their identity: "If the identity of one of us is revealed, hospitals in Idlib will not agree to receive them." He said. In addition, a significant majority of individuals residing within Syria reported a lack of access to psychological care and support specifically tailored for the LGBTQIA+ community.

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<sup>29</sup> Syrian Arab Republic LGBTI resources (no date) AMERA International. Available at: <https://www.amerainternational.org/syria-lgbti-resources/>.

## Chapter 2

### Violence Against Syrian Displaced and LGBTQIA+ Individuals and Groups





The Syrian conflict has further intensified a grave and enduring issue about the perpetration of violence against LGBTQIA+ refugees and exiles from Syria. The ongoing Syrian civil conflict has resulted in the displacement of a significant number of Syrians, leading to a substantial influx of migrants into neighboring countries. The challenges associated with displacement pose significant hardships for individuals identifying as LGBTQIA+ within the Syrian population. Refugees residing in camps and other locations of displacement encounter an elevated susceptibility to instances of violence and mistreatment, alongside encountering discriminatory barriers when attempting to secure housing, healthcare, and other vital services. This phenomenon can be attributed, at least in part, to the fact that individuals who identify as LGBTQIA+ face a higher risk of being targeted by other displaced individuals who hold negative attitudes towards sexual and gender minorities. Moreover, government personnel such as security forces and other factions who perceive these individuals as challenging established societal norms may subject them to scrutiny or persecution.

In this context, the participants in this study residing in Turkey, Egypt, Erbil, and the UAE indicated a sense of insecurity, as reflected by safety scores below 5 out of 10. Conversely, participants from Europe, the USA, and Canada reported feeling secure, as indicated by safety scores exceeding 7 out of 10. However, the majority of participants residing outside Syria indicated they believe that the laws and policies in the countries where they live should strive for greater inclusivity and LGBTQIA+ friendliness. Moreover, many of them have stated that these countries fail to implement an appropriate and empathetic strategy towards the predicament faced by LGBTQIA+ individuals from Syria who have migrated since 2011.

Despite the presence of legal safeguards for LGBTQIA+ individuals in certain destination countries, such as Canada, Syrian LGBTQIA+ individuals may encounter instances of discrimination and abuse. This is due to the perception of their distinctiveness compared to other refugee populations, rendering them more susceptible to victimization by individuals from their community or extremist organizations. In relation to this matter, most of the participants in this study believe that social discrimination against individuals identifying as Syrian LGBTQIA+ exists within the countries where they currently reside. The reported incidents primarily encompassed exclusion, bullying, intolerance, threats, physical assaults, sexual assaults, incitement campaigns, hate speech, xenophobia, sexual harassment, intimidation, adherence to social traditions and legacies, religious beliefs, and apprehensions of legal repercussions. Nevertheless, many expressed their continued ability to seek legal recourse in the event of being subjected to attack, persecution, discrimination, or repression based on their identity.

One of the significant challenges encountered by Syrian LGBTQIA+ individuals who have been displaced or exiled is the absence of support and resources accessible to them. There is a scarcity of organizations dedicated to providing support for Syrian LGBTQIA+ individuals, and these organizations frequently encounter resource limitations that hinder their ability to deliver effective assistance.

This phenomenon can be attributed, at least partially, to the relatively low prioritization of LGBTQIA+ issues by governments and international organizations, whose primary focus lies in delivering assistance to the broader populace. Hence, many displaced Syrian LGBTQIA+ individuals experience unease when attempting to access assistance from these organizations, primarily stemming from concerns surrounding potential exposure of their sexual orientation or gender identity, which could subsequently result in targeted discrimination.

## 2.1. Intersectionality of vulnerability and marginalization

The precise statistics regarding the number of forcibly displaced Syrian LGBTQIA+ individuals remain elusive. Nevertheless, a significant portion of this population has sought refuge in countries that either lack robust safeguards for human rights or actively engage in discriminatory practices based on SOGI. Notable examples include Turkey, Jordan, and Lebanon.

The structural vulnerabilities that LGBTQIA+ persons face are intensified by their situation as migrants, asylum seekers, refugees, or internally displaced persons. They may be fleeing persecution explicitly linked to their SOGI or other additional factors, such as their ethnicity, nationality, political opinions, faith, or these combined. These intersectional forms of social stigma and institutionalized exclusion leave LGBTQIA+ persons without adequate access to protection and justice from the patterns of violence that compelled them to seek safety in the first place and that are often reproduced in displacement settings.

<sup>30</sup> The degree of vulnerability and forms of discrimination and violence can differ from one context to the other, shifting the degree of danger in which trans persons, gay men, lesbian women, intersex people, bisexual people, or other gender identities find

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<sup>30</sup> Forcibly displaced LGBT persons face exacerbated challenges in search of safe haven: Statement by human rights experts on the International Day against Homophobia, Transphobia and Biphobia (to be held on 17 May 2022), Geneva / Washington D.C.

themselves<sup>31</sup>.

In conclusion, many factors intersect with the displacement, making it more difficult and dangerous for Syrian people from different SOGIESC. These factors include but are not limited to:

- **Age:** Relationships of dependence linked to age may be a risk factor for family violence. Young people of diverse SOGIESC are at heightened risk of family violence while still living with their natal family or other caregivers who provide economic support, including access to shelter, food, and payment of fees for education or training opportunities. Young people may face strict enforcement of SOGIESC social norms and have limited capacity for negotiation. Children and youth who have been excluded from their families and communities, who may lack education and training, may face violence from people who exploit their emotional and economic vulnerability. Many young queer people, and especially trans women, are forced into selling sex as the only means of survival<sup>32</sup>.
- **Religion:** A family religious belief system and/or the religiosity of a specific context links to how LGBTQIA+ people experience violence and discrimination. Religious leaders may, for example, blame LGBTQIA+ people or other marginalized groups for conflict and natural disasters. These leaders may even incite violence and repudiation for this perceived reason, or they may suggest detrimental “therapies” such as conversion therapy, rape, etc.<sup>33</sup>.
- **Socio-economic Status:** Access to education and employment—and with it, social standing—also appears to be a key mediator of violence victimization for people of diverse SOGIESC. Key informants perceived people who come from middle or high-income families to experience less violence.<sup>34</sup>
- **Urban vs. Rural Setting:** The density of a population and how rural or urban an environment is may also impact how LGBTQIA+ experience violence in humanitarian settings<sup>35</sup>.

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<sup>31</sup> International Alert (2017), When merely existing is a risk: Sexual and gender minorities in conflict, displacement, and peacebuilding, <https://www.international-alert.org/publications/when-merely-existing-is-a-risk/>

<sup>32</sup> International Rescue Committee. Available at: <https://www.rescue.org/sites/default/files/document/5961/irccyclesofdisplacementfinaljune2021.pdf>.

<sup>33</sup> *ibid*

<sup>34</sup> *ibid*

<sup>35</sup> *ibid*

## 2.2. The continued discrimination and marginalization

Many LGBTQIA+ persons in forced displacement who do cross an international border arrive in countries where they encounter similar or higher risks of violence, as well as xenophobia, racism, misogyny, ageism, socioeconomic marginalization, and isolation from traditional support networks. At all stages of their journey, they may be at particular risk of violence, abuse, and exploitation from numerous actors, including but not limited to immigration and security authorities, traffickers, and smugglers<sup>36</sup>.

Conflict and displacement bring added layers of risk to the experience of SGM persons who are already facing pre-existing social discrimination and vulnerability. However, the intensity of these circumstances often depends on the access of SGM people to financial and social capital (e.g., access to support networks, educational level), class, caste, ethno-religious background, age, disability, or urban and rural location. Another particular factor for SGM persons is their 'visibility' to others as such, as opposed to being able to 'pass' as 'straight,' with many of our respondents remarking on how increased visibility led to increased targeting. When not experiencing violence directly, people of diverse SOGIESC face a myriad of other challenges affecting their survival and well-being in humanitarian settings. Humanitarian settings amplify the power structures that exist in typical conditions and may even bring new vigor to gender inequitable, homophobic, and transphobic belief systems. As these dynamics play out in contexts of increased stress and reduced resources, they also interact with other elements of exclusion based on race, religion, gender, ethnicity, and so on, further amplifying discriminatory attitudes and behaviors<sup>37</sup>.

One of the primary challenges encountered by Syrian LGBTQIA+ refugees in their new countries of residence is the limited availability of suitable housing and healthcare services. In the context of the United States, for example, it is observed that numerous individuals of these groups might find themselves situated in collective environments, such as group homes or shelters, wherein they may experience a lack of security and comfort stemming from discriminatory or harassing behaviors exhibited by fellow residents. The lack of secure housing in host countries leaves individuals who identify as LGBTQIA+ vulnerable to violence and exploitation. Moreover, a considerable number of Syrian-displaced LGBTQIA+ individuals may encounter barriers in obtaining adequate healthcare due to their reluctance to seek medical assistance within conventional settings, stemming

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<sup>36</sup> Forcibly displaced LGBT persons face exacerbated challenges in search of safe haven: Statement by human rights experts on the International Day against Homophobia, Transphobia and Biphobia (to be held on 17 May 2022), Geneva / Washington D.C.

<sup>37</sup> *ibid*

from concerns about their safety and well-being. Numerous organizations and agencies involved in refugee assistance exhibit a lack of tailored initiatives or provisions targeting LGBTQIA+ individuals. Moreover, these organizations may encounter limitations in terms of resources or proficiency in effectively addressing the distinctive requirements of Syrian LGBTQIA+ individuals.

In relation to this matter, it was found that almost half of the participants in this study expressed that the availability of psychological care and support for LGBTQIA+ individuals are unattainable in their new countries of residence. The primary factors contributing to this situation were identified as language and cultural barriers, the increased expenses associated with psychological treatment, and the presence of a discriminatory environment. Furthermore, many individuals who have access to psychological care have indicated that the strategies employed by governments in host countries do not adequately address the unique circumstances faced by LGBTQIA+ individuals originating from conflict-ridden, war-torn, and persecution-affected countries and that their access to medical and psychological services and care in their current countries of residence is impeded by their gender identities.

Furthermore, displaced Syrian LGBTQIA+ individuals face instances of prejudice and physical harm perpetrated by fellow refugees and members of the local populace. Cases of violence and discrimination targeting Syrian LGBTQIA+ individuals by fellow refugees and members of host communities have been documented by human rights organizations. The presence of discrimination and violence poses challenges for LGBTQIA+ Syrians in terms of accessing crucial services, thereby engendering feelings of isolation and lack of support. Additionally, there exists a divergence in both legal frameworks and societal attitudes toward individuals identifying as LGBTQIA+ within these countries. While laws and safeguards have been established to protect LGBTQIA+ individuals in countries like the United States, Canada, and many European countries, instances of discrimination and hate crimes persist within, and this can pose significant obstacles for Syrian LGBTQIA+ in their pursuit of safety and social integration.

In contrast, neighboring countries often exhibit discriminatory and unfavorable laws and societal attitudes toward LGBTQIA+ individuals. In Lebanon, engaging in homosexuality is considered illegal and is subject to punitive measures, including imprisonment<sup>38</sup>. While homosexuality remains decriminalized in Jordan, there is a notable absence of legislation safeguarding LGBTQIA+ individuals against discriminatory practices or acts of violence. Despite the decriminalization of homosexuality in Turkey, the government

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<sup>38</sup> Lebanese Penal Code, Article 534

has increasingly curtailed the rights of LGBTQIA+ individuals, leading to a pervasive prevalence of discrimination against this community<sup>39</sup>. In Erbil, Iraq, Syrian LGBTQIA+ who fled the conflict to seek refuge are facing another form of risk. According to a witness, it was reported that a male individual who identifies as homosexual was subjected to deportation to Syria subsequent to the authorities' discovery of his HIV-positive status. In conclusion, the prevailing legal and social perspectives in neighboring countries to Syria pose significant obstacles for Syrian LGBTQIA+ individuals and groups in their pursuit of safety and acceptance within these countries.

### 2.3. Cisgender and heteronormative aid and integration systems in host countries

The aid response to Syrian refugees in Europe has been criticized for being cisgender and heteronormative<sup>40</sup>. This indicates that the focus aid programs are primarily on individuals who identify as cisgender, meaning their gender identity aligns with the sex they were assigned at birth and heterosexual, thereby not considering the specific requirements of individuals who identify as transgender or queer.

Reports reviewed in the context of this study highlighted a concern that has been raised about the lack of gender-segregated sanitary facilities for transgender people. In humanitarian spaces such as refugee camps, restrooms, and shower facilities are typically segregated based on binary gender categories, namely "men" and "women." However, this arrangement poses challenges for transgender individuals who do not conform to or identify with the traditional gender binary. This phenomenon can potentially elicit emotions of unease and fear alongside concerns regarding one's physical well-being.

An additional concern pertains to the insensitivity and limited understanding exhibited by aid workers and volunteers. A considerable number of individuals may possess limited expertise in working with transgender or LGBTQIA+ individuals, thereby impeding their ability to offer the appropriate support and assistance. This disparity can lead to a differential allocation of attention and assistance towards transgender and LGBTQIA+ refugees in comparison to cisgender and heterosexual refugees. Furthermore, a considerable number of European countries have imposed restrictions

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<sup>39</sup> McEvoy, O. (2024, February 5). Turkey: Rainbow Europe LGBTI rating 2023. Statista. <https://www.statista.com/statistics/1384366/lgbtq-europe-legal-human-political-rights-turkey/>

<sup>40</sup> Ilaria Michelis, Later Is a Cis-Hetero Patriarchal Time Zone: Narratives of Resistance to LGBTQI+ Inclusion amongst Humanitarian Practitioners, *Journal of Refugee Studies*, 2023

on the legal recognition of transgender individuals, thereby creating significant barriers for transgender refugees in their efforts to obtain healthcare, accommodation, and other vital services.

A study<sup>41</sup> published in 2021 has shown that the spaces in which LGBTQIA+ people experienced heightened discrimination, according to critical informants, include:

- **Accessing food distributions:** LGBTQIA+ individuals may face multiple challenges accessing food distributions, including not having identification or a name that aligns with their gender presentation; being forced out of lines because others perceive them as not meriting aid; being deprioritized for food aid when living without dependents; not being able to register as a household because of cisgender, heteronormative conceptions of households; as well as fear that in accessing humanitarian aid, their visibility as LGBTQIA+ people may bring subsequent violence to themselves or their families<sup>42</sup>.
- **Accessing shelter:** In camps, gender-expansive individuals may struggle to find shelter when spaces are set up as women's and men's spaces and governed by the gender binary. When gender-expansive individuals are able to access these spaces, they face being ridiculed and ostracized or subject to violence. For those seeking shelter in urban settings, landlords actively discriminate against LGBTQIA+ people if they perceive them to be gay or trans<sup>43</sup>.
- **Accessing health services:** When accessing health services, LGBTQIA+ people within and outside of humanitarian settings risk ridicule and denial of services by providers who are supposed to save lives. Key informants reported that they may face negative attitudes from service providers, such as beliefs that LGBTQIA+ people are "disease-spreading" agents. These discriminatory attitudes often prevent LGBTQIA+ people from accessing much-needed lifesaving and sustaining support<sup>44</sup>.
- **Protection structures, including protective social networks and when accessing protection services:** with limited livelihood opportunities, LGBTQIA+

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<sup>41</sup> Roth, D., Blackwell, A., Canavera, M., Falb, K. (2021). Cycles of displacement: Understanding violence, discrimination, and exclusion of LGBTQI people in humanitarian contexts. New York: International Rescue Committee.

<sup>42</sup> Ibid

<sup>43</sup> Ibid

<sup>44</sup> Ibid

people may be forced to engage in commercial sexual exploitation for survival, where they are often further abused, facing high levels of violence, with subsequent effects on their physical and mental health and limited access to protective structures, such as supportive family or community members, or life-saving services such as essential health services. Displaced LGBTQIA+ people who are involved in commercial sexual exploitation may also face threats from LGBTQIA+ who are commercially sexually exploited in the local host community and who feel their income is undercut because clients can pay displaced people - and especially refugees - less<sup>45</sup>.

- **Livelihood opportunities in both the formal and informal economic sectors:** in humanitarian settings such as camps, a parallel economy may exist separately from the local or national economy. However, LGBTQIA+ people may lack access to both the formal economy and the parallel economy due to discrimination from other displaced community members or may be relegated to specific types of employment associated with their identities, such as hair stylists or cultural performers. Furthermore, the types of jobs available to displaced persons in the local economy may be minimal, such as physical labor or service-based jobs where non-LGBTQIA+ people may harass or bully LGBTQIA+ people or refuse to purchase goods from them. Regarding this matter, a majority of participants in this study expressed that individuals from the Syrian LGBTQIA+ community who have been displaced face unequal employment opportunities compared to their heterosexual counterparts<sup>46</sup>.

## 2.4. Lack of Data and information

At the end of June 2023, 110 million people worldwide were forcibly displaced from their homes due to persecution, conflict, violence, human rights violations, and events seriously disturbing public order. This represents an increase of more than 1.6 million people or 1 percent compared to the end of 2022 (108.5\* million). More than 1 in 73 people worldwide are forcibly displaced as a result, with the majority – almost 9 in 10 – living in low- and middle-income countries<sup>47</sup>.

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<sup>45</sup> Ibid

<sup>46</sup> Ibid

<sup>47</sup> Mid-year trends. UNHCR.2023. (n.d.). <https://www.unhcr.org/mid-year-trends>



However, the precise number who identify as lesbian, gay, bisexual, transgender, queer, or intersex (LGBTQI+) is unknown. Likewise, there is rigorous data on the number of persons seeking asylum due to persecution based on their sexual orientation or gender identity (SOGI). Only 37 countries formally grant asylum to individuals due to a well-founded fear of persecution on the basis of sexual orientation or gender identity (UNHCR 2019), and few countries, to our knowledge, regularly and systematically collect demographic data that are inclusive of SOGI measures. As a result, there is limited generalizable research on the characteristics and experiences of LGBTQIA+ refugees and asylum seekers<sup>48</sup>.

As of March 2024, more than 14 million Syrians have been forced to flee their homes in search of safety. More than 7.2 million Syrians remain internally displaced in their own country, where 70 percent of the population needs humanitarian assistance, and 90 percent live below the poverty line. Approximately 5.5 million Syrian refugees live in the five countries neighboring Syria—Türkiye, Lebanon, Jordan, Iraq and Egypt. Germany is the largest non-neighboring host country, with more than 850,000 Syrian refugees<sup>49</sup>. However, data on the specific number of Syrian LGBTQIA+ refugees in these countries is not readily available.

Nevertheless, there is a lack of readily accessible data on the specific number of Syrian LGBTQIA+ refugees residing in these countries. The primary reason for this situation is the absence of comprehensive data collection by organizations and agencies dedicated to serving refugees. Many of these organizations and agencies fail to gather data on sexual orientation and gender identity, thereby posing challenges in comprehending the distinct needs and experiences of Syrian LGBTQIA+ persons. Additionally, a significant number of Syrian LGBTQIA+ individuals may choose not to reveal their sexual orientation or gender identity due to concerns about facing discrimination or persecution. This factor adds a layer of complexity to the process of gathering accurate data on this population.

Moreover, with regard to the accessibility of information about supporting organizations and service providers for Syrian LGBTQIA+ individuals who are new to a particular community, it is worth noting that numerous service providers and organizations might lack awareness regarding the distinct requirements of Syrian LGBTQIA+ newcomers. Consequently, they may need more support regarding their capacity or expertise to effectively cater to these specific needs. According to this study's findings, the majority

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<sup>48</sup> thisisloyal.com, L. | . (2022, July 6). LGBTQI+ refugees and asylum seekers. Williams Institute. <https://williamsinstitute.law.ucla.edu/publications/lgbtqi-refugees-asylum-seekers/>

<sup>49</sup> Syria refugee crisis explained. USA for UNHCR. The Un Refugee Agency. (n.d.). <https://www.unrefugees.org/news/syria-refugee-crisis-explained/>

of participants face challenges in obtaining information pertaining to services, care, and administrative processes associated with obtaining official documents upon their arrival in their present countries of residence.

Many Syrian LGBTQIA+ individuals who have recently arrived in host countries face supplementary obstacles when attempting to access services and organizations. These barriers include linguistic challenges, insufficient documentation, and restricted availability of technological resources. These obstacles can pose challenges for individuals in accessing information regarding the availability of services and organizations, thereby impeding service providers and organizations in their efforts to reach out to them.



## Chapter 3

### The Role of Syrian LGBTQIA+ in Peace and Accountability Efforts

### 3.1. What are the barriers to meaningful political participation of Syrian gender and sexual minorities?

A society cannot be considered peaceful when certain groups within it experience targeted and ongoing forms of violence and discrimination. Despite this recognized importance of inclusivity, gender and sexual minorities (GSM) remain largely invisible in peacebuilding. Even in the international Women, Peace and Security (WPS) agenda, which has become a significant entry point for addressing gender dynamics in peacebuilding, GSM rights, protection, and participation are also inadequately addressed. The absence of established norms for and approaches to GSM inclusion means that it is incumbent on peacebuilders to think more intentionally about why and how GSM can be included<sup>50</sup>.

*“The queer people have been and are still a part of the Syrian political movement but due to the continuous attacks on them, their visibility is limited, as well as their activism. The attacks against LGBTQIA+ in Syria have social, patriarchal, and sexist roots, and the Syrian civil society is anything but inclusive for LGBTQIA+ people”<sup>51</sup>*

Based on the testimony of a Syrian LGBTQIA+ activist who took part in this study, it can be asserted that before 2011, the responsibility for perpetrating acts of violence against various groups, including the LGBTQIA+ community, primarily rested with the government. Subsequently, social violence emerged as a contributing factor, alongside a general lack of understanding and awareness regarding gender and sexual identities. “The Syrian civil society does not provide a secure environment for individuals like us. Despite the fact that some of us are collaborating with them, we still face significant barriers in openly expressing our sexual identities to our peers and colleagues,” they said. They also added that conservative cultural, religious, and political gender norms limit and oppose the possibility of Syrian LGBTQIA+ individuals and groups inclusion in peace and justice processes.

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<sup>50</sup> Why Gender and Sexual Minority Inclusion in Peacebuilding Matters.” Why Gender and Sexual Minority Inclusion in Peacebuilding Matters | United States Institute of Peace, [www.usip.org/publications/2021/06/why-gender-and-sexual-minority-inclusion-peacebuilding-matters](http://www.usip.org/publications/2021/06/why-gender-and-sexual-minority-inclusion-peacebuilding-matters).

<sup>51</sup> Francois Zankih, GEM founder and CEO

### 3.2. Rethinking accountability and the peace process: What are the benefits of Syrian LGBTQIA+ political participation?

// We're here. We're queer. Get used to it. //

"We're here. We're queer. Get used to it" was often chanted at LGBTQIA+ festivals, events, and rallies in the 1980s and 1990s, not only as a message to heterosexual and cisgender populations but also as a message to SGD individuals to reaffirm their rights to be themselves, form communities, and take up space. In this context, space can be described as the means through which marginalized communities, particularly SGD populations, reimagine and remap spatial landscapes, domains, and "*spheres that are livable under often unlivable conditions*" (Bailey and Shabazz, 2014, p. 450). Space can be created both physically—through the construction of brick-and-mortar buildings and designated areas—and socially through the mechanisms of social production. Space is a site of engagement, community formation, and mobilization (Shabazz, 2014). An individual's engagement in multiple communities not only contributes significantly to social change but also helps foster feelings of belonging and connectedness. Such feelings of belonging are essential for marginalized groups, particularly those facing multiple forms of marginalization (Harris, Battle, and Pastrana, 2018)<sup>52</sup>.

A Syrian LGBTQIA+ activist and expert who took part in this study asserted that the inclusion of the LGBTQIA+ community within the Syrian political movement is imperative in the pursuit of fostering peace. "*The Syrian LGBTQIA+ community is unique in its ability to transcend sectarian, regional, and political divisions, fostering open channels of dialogue among its members, irrespective of their diverse backgrounds. Hence, this particular group can be regarded as the central entity in the realm of peacebuilding,*" he said.

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<sup>52</sup> Committee on Committee on Division of & National Academies of Sciences E. (2020). Understanding the well-being of lgbtqi populations. (J. Charlotte S. Martín-José & W. Jordyn Eds.). National Academies Press.

### 3.3. How can the participation of Syrian gender and sexual minorities be supported within Syrian civil society?

In line with the Declaration of Montreal, “LGBTQIA+ human rights must be mainstreamed into global debates about social and political issues”<sup>53</sup>. Integrating SGM perspectives into peacebuilding work gets to the heart of one of the paradoxes of the field: changing exclusionary societal norms and power dynamics that perpetuate violent conflict will lead to conflict with those who have vested interests in these norms and dynamics and may indeed lead to violence. Gender identities and norms, in particular, are highly sensitive, as they are central to who we are as individuals and how our societies are structured. Working on SGM issues, therefore, needs to, as all peacebuilding should, start from a ‘do no harm’ perspective, which is based on the needs and wishes of those who are the intended beneficiaries of this work. Integrating SGM perspectives across the work of peacebuilding organizations needs to start with an in-depth context and conflict analysis as well as a risk assessment, ideally drawing on the local expertise of SGM individuals and rights organizations<sup>54</sup>.

When considering project design, some practical guidelines for organizations working on peace and accountability in Syria include the following:

1. Examining the roles, needs, and positions of different men, women, and other gender identities in the situation in which one is intervening.
2. Understanding what role gender and gendered dynamics play.
3. Defining the intervention’s goals and aims and how gender and gendered dynamics might impact them, using these insights to design the intervention, as well as to develop indicators and M&E mechanisms<sup>55</sup>.

Regarding evaluation methods and tools that measure gender relations in peacebuilding projects, mainstreaming gender and accounting for it in DME frameworks has become a standard requirement. Although there is no single way of measuring this, internationally recognized standards on including a gender perspective developed by the UN Evaluation

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<sup>53</sup> Declaration of Montreal (2016), See: <http://www.declarationofmontreal.org/>

<sup>54</sup> Why Gender and Sexual Minority Inclusion in Peacebuilding Matters.” Why Gender and Sexual Minority Inclusion in Peacebuilding Matters | United States Institute of Peace, [www.usip.org/publications/2021/06/why-gender-and-sexual-minority-inclusion-peacebuilding-matters](http://www.usip.org/publications/2021/06/why-gender-and-sexual-minority-inclusion-peacebuilding-matters).

<sup>55</sup> H. Myrtilinen, L. Khattab and N. Popovic, ‘Measuring gender’ in peacebuilding: Evaluating peacebuilding efforts from a gender-relational perspective, London: International Alert, 2016.

Group are available to help guide these processes<sup>56</sup>.

In recent years, staff members of several organizations working in the development and peacebuilding fields have set up internal discussions and support networks around gender and sexuality, including on SGM issues. Increasingly, networks are active across the sector, allowing SGM staff members to exchange experiences and support organizations seeking to increase their sensitivity to these issues and inclusivity<sup>57</sup>. Organizations working on SGM rights and HIV/AIDS have developed guidance notes that can be of use to the peacebuilding sector as well and which are already being implemented by some public and private sector actors<sup>58</sup>.

Regarding internal policies and ways of working, peacebuilding organizations should ensure that human resources and other internal policies are non-discriminatory and proactively consider SGM perspectives in staff, partner, and beneficiary security planning. Sensitization and training on SGM issues and non-discrimination are recommended for all staff members but of particular importance to frontline staff (including receptionists, drivers, and security guards) who directly interact with beneficiaries to avoid discriminatory or stigmatizing behavior or putting staff and beneficiaries at risk. Similarly, advocacy and outreach material must be designed from a 'do no harm' perspective. Several international NGOs have set up internal staff support networks on SOGI issues or have diversity focal points. To function correctly requires sufficient resourcing and institutional buy-in<sup>59</sup>.

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<sup>56</sup> UNEG, Integrating human rights and gender equality in evaluation: Towards UNEG guidance, Guidance Document, UNEG, 2011

<sup>57</sup> H. Myrntinen, L. Khattab and N. Popovic, 'Measuring gender' in peacebuilding: Evaluating peacebuilding efforts from a gender-relational perspective, London: International Alert, 2016.

<sup>58</sup> Ibid

<sup>59</sup> Ibid

# CONCLUSION

In conclusion, this study provides a comprehensive analysis of the challenges faced by LGBTQIA+ individuals within Syria and in displacement settings, as well as their contributions to peacebuilding and accountability efforts. Through qualitative and quantitative methods, the study highlights the pervasive violence, discrimination, and marginalization experienced by Syrian LGBTQIA+ communities, exacerbated by the ongoing conflict. It underscores the urgent need for inclusive humanitarian interventions to address their unique needs and promote their rights and well-being. Moreover, the study emphasizes the pivotal role of LGBTQIA+ individuals in accountability and peacebuilding endeavors, advocating for their meaningful participation in civil society and political processes. The recommendations outlined in the study aim to support Syrian LGBTQIA+ individuals and organizations better, enhance their inclusion in humanitarian and peacebuilding efforts, and promote their rights and well-being in Syria and neighboring countries. By implementing these recommendations, local and international stakeholders can contribute to creating more inclusive and equitable societies for LGBTQIA+ individuals in conflict-affected contexts.

# RECOMMENDATIONS

Our analysis of the needs and vulnerabilities of Syrian LGBTQIA+ communities in conflict and displacement, as well as their role in peacebuilding and accountability efforts, led us to make the following suggestions for the hosting countries, donor agencies, civil society, and peacebuilding sector:

## **1. On the LGBTQIA+ community inside Syria and neighboring countries, local and international organizations are recommended to:**

1. Enhance financial allocations and allocate additional resources to bolster the capacity of organizations dedicated to providing assistance to LGBTQIA+ individuals in Syria. This may encompass allocating economic resources towards programs and services that cater specifically to the LGBTQIA+ community, with a particular emphasis on supporting local Syrian LGBTQIA+ organizations.



2. Offer comprehensive training programs to personnel and volunteers affiliated with international organizations operating in Syria, specifically focusing on enhancing their capacity to engage effectively with local LGBTQIA+ communities.
3. Offer a comprehensive analysis of the experiences and challenges the Syrian LGBTQIA+ community faces across various societal and institutional contexts.
4. Establish a United Nations (UN) Syrian LGBTQIA+ cluster in response to the growing organization and activism within the LGBTQIA+ community in Syria.
5. The special envoy to Syria ought to provide consistent assistance and demonstrate unwavering solidarity while actively promoting the international recognition and support of the LGBTQIA+ movement in Syria.
6. In order to ensure that Syrian non-governmental organizations (NGOs) and civil society, particularly those focused on human rights, adhere to gender and LGBTQIA+-sensitive and inclusive policies, it is proposed that the receipt of funds from international donors be contingent upon meeting these requirements.

**2. On the exiled and displaced Syrian LGBTQIA+ communities and individuals, aid organizations and the governments of host countries are recommended to:**

1. To provide urgent protection for Syrian refugees from the LGBTQIA+ community residing in neighboring countries. These individuals face significant risks, including prosecution, execution, and torture, which necessitate immediate intervention to safeguard their safety.
2. Incorporate displaced and exiled Syrian LGBTQIA+ individuals into the planning and decision-making procedures pertaining to their displacement and exile. One potential approach is establishing advisory committees or focus groups comprised of LGBTQIA+ Syrians to solicit their perspectives and insights on policies and programs.
3. Raise awareness about the violence perpetrated against Syrian LGBTQIA+ individuals who have been displaced or forced into exile. This may encompass the dissemination of knowledge to the broader populace regarding the difficulties encountered by LGBTQIA+ individuals in Syria, alongside the

exertion of pressure on governmental bodies and international entities to undertake measures in response.

4. Enhance the comprehension and responsiveness of security forces, government officials, and other relevant entities operating in displacement and exile sites towards the requirements of LGBTQIA+ individuals through the provision of training and resources.
5. Advocate for the protection of LGBTQIA+ human rights defenders who have been forced into exile and facilitate their skill development and capacity strengthening to bolster the long-term viability of their advocacy efforts and the sustainability of their transnational activism.
6. Collaboratively strive towards establishing a response to the Syrian refugee crisis characterized by inclusivity and equity. Potential strategies to address the needs of transgender and queer individuals may encompass the establishment of gender-segregated sanitation facilities, the provision of comprehensive training for aid workers and volunteers to assist this population effectively, and active advocacy for legal recognition and protection of transgender individuals.
7. Remember that the Syrian refugee crisis is a humanitarian crisis, necessitating the provision of dignified and respectful treatment to all individuals, regardless of their gender identity or sexual orientation. In conclusion, the implementation of an aid response that is both inclusive and equitable is imperative not only from an ethical standpoint but also to guarantee the accessibility of necessary support and resources for all Syrian refugees seeking to reconstruct their lives particularly the European Union.
8. Proactively acknowledge and cater to the specific requirements of Syrian LGBTQIA+ individuals and groups, thereby facilitating their secure and dignified reestablishment of livelihoods. Moreover, it is imperative for governments and societies in these nations to effectively tackle the challenges of discrimination encountered by LGBTQIA+ individuals and strive towards the establishment of a society that is more inclusive and accepting.

### **3. To enhance the role of Syrian LGBTQIA+ groups and individuals in peace and accountability efforts, local and international organizations are recommended to:**

1. To guarantee the incorporation of the Syrian LGBTQIA+ movement within the political framework, as well as in peace and accountability initiatives spearheaded by Syrian civil society and the international community. The proposal entails the inclusion of the LGBTQIA+ community in the constitution committee through the process of editing or rewriting. This would require raising awareness about the rights of LGBTQIA+ among the constitution committee members and removing any articles that perpetuate discrimination.
2. To facilitate the participation of Syrian LGBTQIA+ organizations in the Universal Periodic Review (UPR) on Syria and to ensure comprehensive coverage of gender identity issues and the specific challenges encountered by the most marginalized groups, such as the LGBTQIA+ community.
3. The international community, especially countries that have adopted the mainstreaming of equality and gender in their foreign policies, must actually include the LGBTQIA+ community as part of their Work attitude in missions to Syria. According to GEM's experience, many countries that have already adopted a policy of mainstreaming and protecting the LGBTQIA+ community have shown a negative or neutral attitude in their missions to Syria dealing with the issue of the LGBTQIA+ community.
4. To build the professional capacities of activists from the Syrian LGBTQIA+ community, with the aim of improving their potential to have leading roles in Syrian public policy and international relations.



**2024**



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