



ASTRAEA LESBIAN FOUNDATION FOR JUSTICE

Regional Analysis of LGBTQI+ Organizing in Southwest Asia and North Africa

Nora Noralla and Lamyâ Achary

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For the safety of activists and organizations, all responses and quotations have been anonymized.

Table of Contents

1.	Introduction	2	4.2.	Morocco	50
2.	Methodology and Visualization of Data	4	4.2.1.	Legal Framing	50
2.1.	Focus Groups and Field Work	4	4.2.2.	Social, Religious, and Political Elements	53
2.2.	Survey and Data Collection	5	4.2.3.	LGBTQI+ Organizing	55
2.3.	Limitations and Considerations	5	4.3.	Lebanon	59
2.4.	Visualization of Data	6	4.3.1.	Legal Framing	59
3.	Regional Overview	16	4.3.2.	Social, Religious, and Political Elements	62
3.1.	Legal Overview	16	4.3.3.	LGBTQI+ Organizing	65
3.1.1.	Criminalization	16	4.4.	Kuwait	68
3.1.2.	Freedom of Speech and Organizing	18	4.4.1.	Legal Framing	68
3.1.3.	Healthcare for Transgender and Intersex People	19	4.4.2.	Social, Religious, and Political Elements	70
3.1.4.	Legal Gender Recognition and Updating Official Documents	20	4.4.3.	LGBTQI+ Organizing	74
3.2.	Socioreligious Overview	21	5.	Recommendations	75
3.3.	LGBTQI+ Organizing Overview	26			
3.3.1.	Intersectionality	26			
3.3.2.	Work Strategies of LBTQ+ Organizations	28			
3.3.3.	Gaps	32			
3.3.4.	Challenges to Organizing and Funding	34			
4.	Case studies	38			
4.1.	Egypt	38			
4.1.1.	Legal Framing	38			
4.1.2.	Social, Religious, and Political Elements	43			
4.1.3.	LGBTQI+ Organizing	47			

1. Introduction

The human rights of LGBTQI+ people have seen numerous advances globally in the past decades, with many countries across different regions adopting laws and policies that would extend fundamental human rights such as the right to privacy, marriage, non-discrimination, and health to LGBTQI+ people. International and regional human rights mechanisms have also published numerous opinions that aim to mobilize human rights treaties to benefit LGBTQI+ people globally.¹ However, one region that is still tough to crack is the SWANA region. Countries in the region still employ anti-LGBTQI+ legal and policy frameworks that actively limit the human rights of LGBTQI+ people and subject them to violence and criminalization. Furthermore, most countries in the region are members of an informal global anti-sexual orientation and gender identity (SOGI) bloc that works to undermine any attempts to extend fundamental human rights in international human rights bodies, such as the Human Rights Council.²

The region is generally known for its hostile anti-human rights environment, with authoritarian rule dominating. According to Freedom House's Freedom Index, no single country in the region qualifies to be "free," with only three countries labeled "partly free." In this atmosphere, human rights organizing is generally restricted and under tight surveillance of states that do not tolerate any organizing that challenges their authority.³ LGBTQI+ organizing faces multilayered restrictions, the typical human rights restriction originating from the state and moral restrictions originating from multiple actors, including religious, social, and political ones.

LGBTQI+ organizations must navigate a legal framework that outlaws their existence and activities, alongside growing anti-LGBTQI+ sentiments sweeping the region. First, the region's laws are designed to criminalize any acts or identities that may violate the social and religious binary; thus, moral laws are

mobilized to enforce de-facto criminalization even in countries with no laws explicitly criminalizing LGBTQI+ people. Those laws do not only criminalize same-sex activities but also extend to criminalize the gender expression of trans people. Authorities often use moral clauses in their civil society laws to deny the registration or the operations of any LGBTQI+ organizations. Meanwhile, acceptance of LGBTQI+ identities remains very low, with anti-LGBTQI+ hate speech widespread in traditional and online media. The patriarchs of such speech are diverse and include religious, political, and social leaders. This speech generally portrays LGBTQI+ people as immoral sexual deviants who are part of a greater "Western conspiracy" to corrupt the region's morality and people.

Thus, this mix of the anti-LGBTQI+ legal framework, together with low acceptance and increasing anti-LGBTQI+ hate speech, has increased the risk of discrimination and violence for LGBTQI+ people. Furthermore, due to this hostile environment, LGBTQI+ people generally face restrictions on accessing their fundamental human rights, such as the right to health, education, employment, housing, and equality before the law. However, one must be careful not to overgeneralize, as there are LGBTQI+ people who may still be able to bypass such discrimination and violence due to their socioeconomic status and if they are cis passing.

Despite this hostile environment, LGBTQI+ people have still managed to organize across the region in the past two decades. Currently, across the region, there are active LGBTQI+ organizations that work on the local, national, and regional levels. Those organizations manage to navigate their hostile context by establishing work strategies that are unique to them based on their understanding and analysis of the realities they work in. To avoid legal restrictions, most LGBTQI+ groups operate underground without

- 1 GATE (2023) The Impact of Regional and International Human Rights Mechanisms on Trans Rights: A Review. New York: GATE
- 2 Noralla, Nora. "The Forgotten Islamic Human Rights Document." OpenGlobalRights, September 1, 2021. <https://www.openglobalrights.org/the-forgotten-islamic-human-rights-document/>.
- 3 Freedom in The World 2023 <https://freedomhouse.org/explore-the-map?type=fiw&year=2023>.

official registration or with registration in a safe country outside the region. Thus, those groups often rely on secure networks they establish within the LGBTQI+ community to reach their target audience. The work portfolio of those groups is diverse and includes direct grassroots services, strategic litigations, research, and advocacy.

However, it is essential to note that not all countries in the region have an active LGBTQI+ movement, with countries in the Khaleej⁴ (Gulf), Libya, and Mauritania having little to no public LGBTQI+ organizing. Furthermore, in countries where LGBTQI+ movements do exist, their work naturally faces numerous challenges and limitations due to their context that does not allow full-scale nationwide operations due to security, legal, and social elements. In addition to security and legal restrictions, those groups face external and internal restrictions; externally represented in incidents of gatekeeping, lack of accountability mechanisms that may lead to incidents of harassment and corruption going unpunished, and lack of professional cadres, which impacts the sustainability of the work of LGBTQI+ groups. External restrictions are primarily represented in the absence of resources available to such groups, especially funding opportunities, and language barriers that limit access to such resources.

Thus, to better understand LGBTQI+ organizing in the region, this report investigates the conditions LGBTQI+ groups must operate in, exposes the gaps in extant LGBTQI+ organizing, analyzes the challenges and needs of LGBTQI+ groups, and outlines the external and internal issues groups face in the region. These methods are employed to reach workable recommendations to tackle the complex challenges, restrictions, and limitations LGBTQI+ groups face in the SWANA region.

4 Khaleej countries are Bahrain, Kuwait, Iraq, Oman, Qatar, Saudi Arabia, and the United Arab Emirates.

2. Methodology & Visualization of Data

This study aims to examine the legal situation, challenges, and opportunities for LGBTQI+ movements within the SWANA region. First, a comprehensive legal and literature analysis is necessary in order to gather relevant research and legal analysis pertaining to LGBTQI+ organizing and rights in the region. Scholarly articles, reports, and legal documents were examined to provide

a comprehensive understanding of the legal and social contexts that exist within the SWANA region. As this region comprises a wide geographical range and a variety of different cultural, social, and legal considerations, this study focuses on four specific countries or regions: Morocco, Egypt, Lebanon, and Kuwait.

2.1 Focus Groups and Field Work

The focus groups consisted of representatives from **36 different organizations** or collectives from **seven different countries** in the SWANA region. These representatives were from organizations or collectives in **Morocco, Algeria, Tunisia, Libya, Egypt, Lebanon, and Kuwait**. The engagement of local members of the LGBTQI+ movement within the focus region was necessary to have direct fieldwork and on-the-ground data. Likewise, it is crucial to have responses and engagement with local organizations that otherwise are difficult to reach for security and privacy reasons. Through a rigorous selection process, three research assistants were chosen

to support the study's objectives. The research assistants were then assigned to Morocco, Egypt, and Lebanon. These selected research assistants were tasked with organizing focus groups which included representatives from stakeholder organizations within each focal country. The focus groups aimed to gather insights, perspectives, and firsthand experiences of LGBTQI+ organizing, as well as the specific legal and social contexts within which they operate. Discussions focused on legal and social contexts, types of organizing, governance, funding, sustainability, and the overall health of LGBTQI+ movements.

2.2 Survey and Data Collection

Following these focus groups, a survey was developed to collect quantitative data on LGBTQI+ organizing in the broader SWANA region. The survey consisted of 72 questions, covering various aspects such as legal and social contexts, types of organizing, governance, funding, resources, and sustainability of LGBTQI+ movements. The survey questions themselves were organized into the following subsections: Demographic information; Violations (laws, policies,

violence against LGBTQIA+ persons); Organizing within their country; Funding and Resources.

The survey was designed in both English and Arabic to ensure inclusivity and accessibility. While the focus countries for this study were limited to four specific countries or regions, the survey was spread to a much wider audience. The survey was distributed through the SOGIEMENA mailing list, which targeted activists

and organizers within the SWANA region. It was disseminated via email and hosted on a secure online platform, LimeSurvey, to maintain anonymity and protect respondent information.

The survey received a total of 98 responses in Arabic and 85 responses in English, resulting in a total of 181 responses from participants across the SWANA region. The data collected provided quantitative insights into demographic information, violations, organizing efforts, funding and resources, and

other relevant aspects of LGBTQI+ organizing. The responses that were collected were composed of individuals representing the LGBTQI+ populations of Morocco, Algeria, Tunisia, Egypt, Turkey, Lebanon, Iraq, Sudan, Palestine, Syria, and Libya. The collected data underwent rigorous qualitative thematic analysis to identify key themes and findings. From these findings, the researchers formed a qualitative view of the state of LGBTQI+ organizing in the SWANA region; this then informs the basis of the findings in this study.

2.3 Limitations and Considerations

While this study aimed to provide a comprehensive analysis of LGBTQI+ organizing in the SWANA region, several limitations should be acknowledged. The survey contained a considerable number of questions, which may have led to respondent fatigue and decreased completion rates. Some participants may not have completed the entire survey, potentially affecting the comprehensiveness of the data.

Importantly, conducting research on LGBTQI+ organizing presents several security concerns. Likewise, it can be difficult to engage with individuals from these communities for fear of persecution or outing themselves within a social or legal context that could put them in danger. Despite repeated efforts to engage with certain LGBTQI+ organizations, some declined to respond or withdrew their involvement in the research. This limited engagement may have resulted in a potential bias in the data collected, as perspectives from certain organizations might not have been adequately represented. Research was

completed in September 2023 and may not reflect any subsequent legal, social, religious, and political developments in the region.

Another limitation in representing the SWANA region is the absence of a research assistant specifically assigned to the Khaleej countries, which limited the depth of data collection and analysis from this subregion. This gap may have resulted in a less comprehensive understanding of LGBTQI+ organizing in the Khaliji countries. As such, this study is limited to presenting an overview of Kuwait based on interviews, reports, legal analysis, and other data that can be collected as part of the literature review.

It is important to note that this study does not provide a global presentation of all the variety and differences within the SWANA region. The focus on specific countries and the absence of data from other countries within the region may limit the generalizability of the findings.

2.4 Visualization of Data

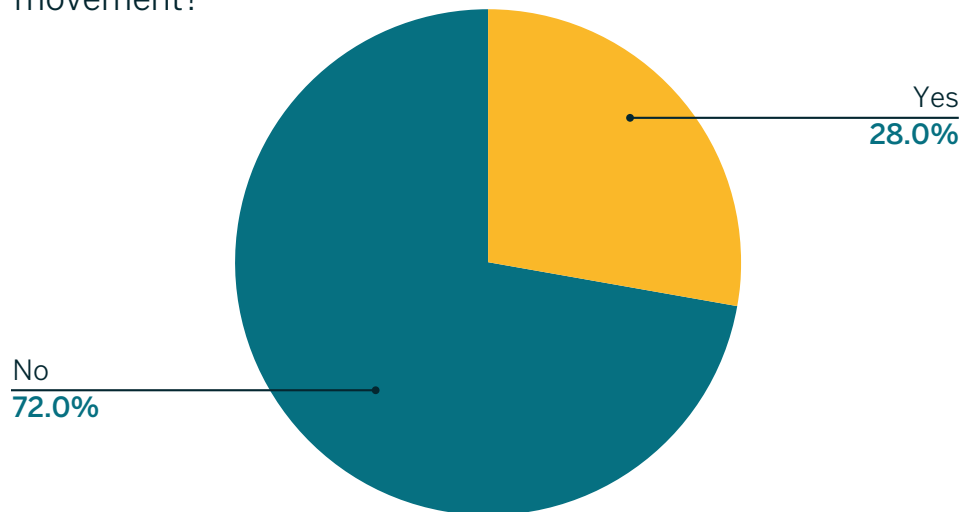
The survey was offered in both Arabic and English, with a total of 182 respondents across both versions. However, not all participants answered all questions, so the data presented here reflects the combined responses from both versions, with adjustments made for cases where no response was provided.

Satisfaction with the LGBTQI+ Movement in Participants' Countries:

The survey results indicate that only **28%** of respondents are happy with the progress made by the LGBTQI+ movement. This demonstrates that the

majority, **72%** of respondents, are unsatisfied. This is due to systemic issues identified through our focus groups, namely barriers to organizing and perceived gaps within the movement's representations, strategic approaches, services, and other areas. This also highlights the need for further examination and action in how to rectify the prevailing issues within the LGBTQI+ movement in the SWANA region.

Are you happy with the current status or progress of the movement?



Participants' Recommendations:

The respondents provided a list of recommendations to address the issues faced within the LGBTQI+ movement. Based on their suggestions, these recommendations can be summarized as follows:

- **Consolidate efforts and promote solidarity:** Foster stronger community building and create spaces for dialogue and collaboration within the LGBTQI+ movement. Encourage less harmful narratives, aggression, and combative dynamics within the movement to promote a more inclusive and supportive environment.
- **Focus on underrepresented groups:** Pay attention to the specific needs and representation of lesbian, bisexual, and/or queer-identifying women, trans, nonbinary, and intersex persons. Establish platforms and networks that

provide community, support, and advocacy for these marginalized groups.

- **Resource mobilization and sustainability:** Seek resources to support the establishment and sustainability of LGBTQI+ networks and organizations. Address the lack of resources that hinder the effectiveness and longevity of initiatives within the movement.
- **Strengthen accountability and conflict management:** Develop strategies for accountability and conflict management within the LGBTQI+ movement. Create spaces for reflection and exchange of experiences to address internal conflicts and promote transparency and honesty.

- **Prioritize community needs over funder agendas:**
Ensure that priorities within the movement are determined by the needs and lived experiences of LGBTQI+ communities rather than being influenced solely by funders' agendas. Challenge the hyperfocus on representation politics and visibility politics that may not benefit all members of the community equally.
- **Enhance coordination and long-term planning:**
Improve coordination and proactive planning within the LGBTQI+ movement. Develop medium to long-term strategies and goals to guide the movement's activities and maximize its impact.
- **Address immediate needs and crises:**
Allocate resources and efforts to address urgent needs such as livelihood, safety, aid, and housing, especially in times of crisis. Prioritize services and support systems for the well-being and protection of vulnerable LGBTQI+ community members.
- **Promote integration and challenge self-victimization:**
Encourage the integration of LGBTQI+ community members into society to challenge self-victimization and create a more inclusive environment. Emphasize the unity of needs and promote the understanding that sexual orientation and gender identity should not solely define individuals.
- **Focus on services for the LGBTQI+ community:**
Prioritize the development of comprehensive services targeting the diverse needs of the LGBTQI+ community, including case management, mental health support, educational programs, safe spaces, and shelters.

Representation and Inclusivity:

According to the survey, **72.4%** of respondents believe that cisgender men are the dominant group within the LGBTQI+ movement in the SWANA region. This perception suggests that there may be a power imbalance and a lack of representation and inclusion of other gender identities within the movement.

During the survey, when participants were asked about the inclusion of LBTQ-led organizations within

the broader LGBTQI+ movement, one individual stated the following:

“LBTQ-led organizations mostly come with feminist approaches and agendas. I think this makes their work many-layered and critical, thus transformative”

The respondent believes that the work of LBTQ-led organizations is multi-faceted and critical in nature. This suggests that they delve into the complexities of social issues and challenge existing norms and power structures. By engaging with various layers of oppression, they aim to effect substantial and lasting changes in society. The respondent's viewpoint emphasizes the importance of LBTQ-led organizations within the broader LGBTQI+ movement. Another respondent, focusing on the movement in Morocco, stated:

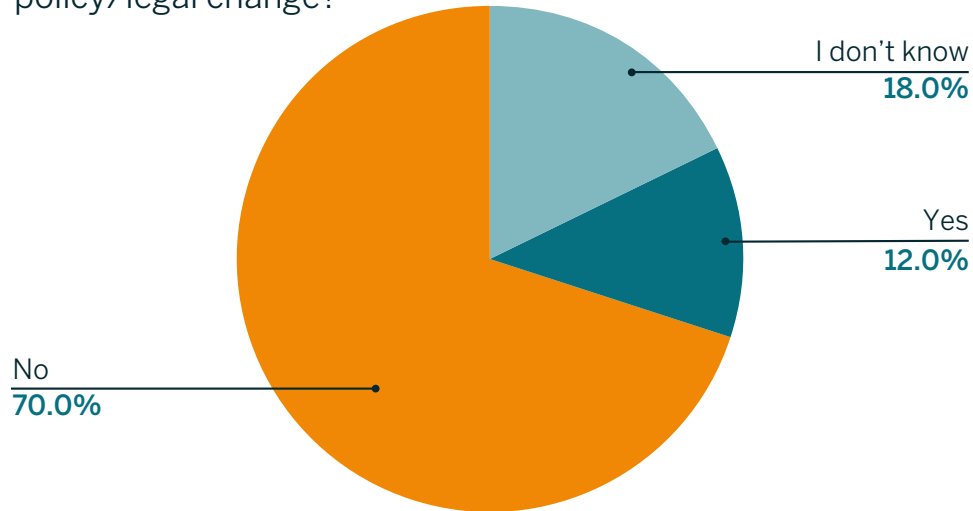
“Most of the organizations in Morocco are led by trans people, cis women, and non-binary people. From my own observation, they are the most present in collective organizing, [rather] than gay cis-men.”

Policy and Legal Successes of the LGBTQI+ Movement:

about recent policy or legal changes, the responses varied.

When participants were asked about the success of the LGBTQI+ movement in their country in bringing

Was the movement in your country successful in recent policy/legal change?



70% of the respondents indicated that they believed **the movement had not been successful** in achieving significant policy or legal changes. This suggests that there is a perceived lack of progress in terms of LGBTQI+ rights and protections in their respective countries. **18%** of the respondents **expressed uncertainty**, stating that they did not know whether the movement had been successful or not. This could indicate a lack of awareness or limited information about recent policy or legal developments.

On the other hand, **12%** of the respondents **expressed optimism**, stating that they believed the movement had been successful in bringing about positive changes in policies or laws. These individuals likely perceive some progress and advancements in LGBTQI+ rights within their countries.

The varied responses, while overwhelmingly negative, reflect different perspectives and experiences within the LGBTQI+ community regarding the impact and effectiveness of the movement's efforts to bring about policy or legal changes. It suggests that there are pervasive ongoing challenges and barriers that hinder progress in certain contexts, while others may have witnessed positive developments in their respective countries.

When asked what barriers or challenges within the movement are stopping the movement from achieving a legal policy change one respondent offered the following:

“There is no collective strategy and little planning that happens between organizations. The self-interest and lack of partnerships makes building feminism and LGBTIQ+ movements very hard.”

Further holding back the movement's ability to instrument policy or legal changes, another person said that there is a “[l]ack of allies in the legislative branch (Parliament)” which necessarily limits the ability to even petition legislators to make reforms.

Accountability Within LGBTQI+ Movement Organizations:

The decision to include a question about the presence of strong accountability mechanisms within the

LGBTQI+ movement in our survey is motivated by recent incidents within the SWANA region. Over the past five years, we have observed examples from at least four different countries in the SWANA region involving incidents of harassment, mismanagement, fund embezzlement, and gatekeeping within LGBTQI+ organizations. These real-life instances highlight the urgent need to assess the effectiveness of accountability mechanisms within the movement. By addressing this question, we aim to gather valuable data that can contribute to understanding and addressing challenges faced by LGBTQI+ organizations, fostering a more accountable and resilient movement in the region.

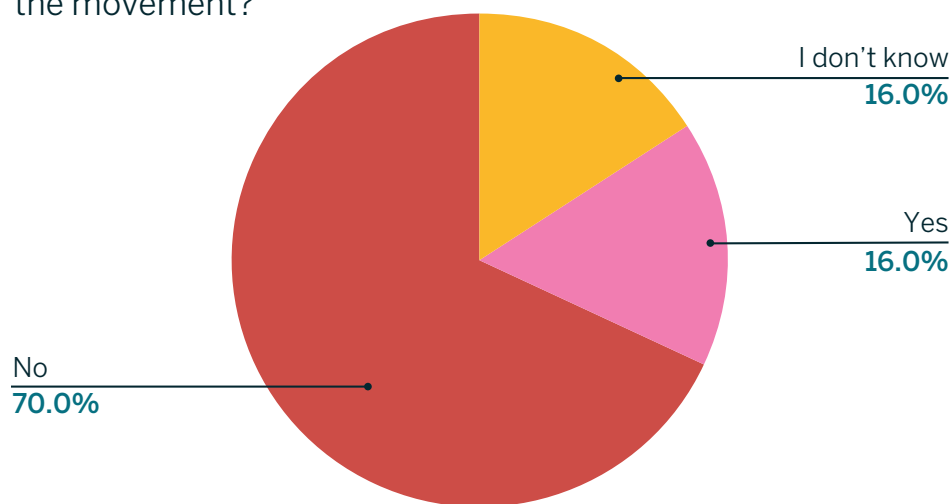
Within the SWANA region, concerns over accountability mechanisms within LGBTQI+ organizations come to the forefront through personal narratives that reflect the challenges faced by activists. One individual from Algeria vividly captures

the impact of gatekeeping within an organization, underscoring the difficulties in accessing information:

“The gatekeeping in Algeria by one organization, specifically one person, made it so hard to have access to information. For many years, I didn’t even know that there were other LGBTQI+ organizations in the MENA. I didn’t know that these kinds of networks, collaboration, and conferences existed. This organization created misinformation and fear for us young LGBTQI+ activists in Algeria to even try to participate or travel outside of Algeria.”

When participants were asked about the presence of strong accountability mechanisms within the LGBTQI+ movement, the majority of respondents expressed concerns regarding the lack of such mechanisms. Here is a breakdown of the responses:

Do you feel there are strong accountability mechanisms in the movement?



16% of the respondents stated that they believed there were strong accountability mechanisms in place. These individuals expressed confidence in the movement’s ability to address issues such as corruption, harassment, and other abusive practices. Meanwhile, the majority of respondents, **68%**, indicated that they did not perceive strong accountability mechanisms within the movement. This suggests a widespread perception that the movement lacks effective measures to address issues of corruption, harassment, and other abusive practices. This finding highlights the need for

improved accountability and safeguarding measures within the LGBTQI+ movement.

16% of the respondents stated that they were unsure about the existence of strong accountability mechanisms. This may indicate a lack of knowledge or awareness about the specific mechanisms in place or the effectiveness of those mechanisms. This could also demonstrate a lack of accountability within LGBTQI+ organizations, or at the very least a lack of visibility as to what mechanisms exist.

The overwhelming majority of respondents expressing a lack of confidence in the presence of strong accountability mechanisms indicates a critical concern within the LGBTQI+ movement. It underscores the importance of implementing robust policies and measures to address issues of corruption, harassment, and other abusive practices. Building trust, ensuring transparency, and fostering a culture of accountability are essential for the movement's effectiveness and the well-being of its members.

Challenges Within the LGBTQI+ Movement:

When participants were given the opportunity to provide specific examples regarding the issues and challenges within the LGBTQI+ movement, one respondent shared the following insights:

“INGOs and agencies have been using and taking advantage of LGBT organizers to bring in more grants to their organizations. Burnout for all the front liners especially with the ongoing economic crash and Beirut port explosion. Toxic leadership of rich or upper middle class cis gay men [...] caused a lot of hyper visibility of queer and trans people that caused a lot of harassment and crackdowns on queer organizers and [a] sense of danger among community members.”

These specific examples shed light on critical issues within the LGBTQI+ movement, revealing a complex interplay of internal and external challenges. On one hand, there's a concerning trend of international non-governmental organizations (INGOs) and agencies exploiting LGBTQI+ organizers to secure grants, raising questions about ethical engagement and potential burnout for frontline activists, particularly amid economic downturn and catastrophic events like the Beirut port explosion. On the other hand, toxic leadership dynamics, often involving affluent cis gay men, contribute to hyper-visibility of queer and trans individuals.

Moreover, the privilege disparities within the LGBTQI+ movement become more evident when considering the treatment of cis men from upper-middle-class and rich families in contexts like Lebanon. Their access to people in power, thanks to family influence and financial resources, often results in positions of power

and lack of accountability within the legal system. This impunity, coupled with a limited understanding of the realities faced by trans individuals, gender non-conforming individuals, and queer women, perpetuates a dangerous delusion about coming out in patriarchal and tradition-bound countries. It is crucial to underscore that discussions about safety are intricately connected to social class, as the disparities within the LGBTQI+ community are not only about gender identity and sexual orientation but also about the socio-economic privilege that shapes experiences and risks. Addressing these multifaceted challenges is essential for fostering a safer, sustainable, and genuinely inclusive environment for all members of the LGBTQI+ community.

Resources and Needs:

When asked about the type of resources needed the most to carry out their work, respondents highlighted several important areas:

Safeguarding mechanisms and whistleblowing:

There is a need for robust mechanisms to ensure the safety and protection of individuals within the LGBTQI+ movement. This includes establishing channels for reporting harassment, bullying, and corruption, as well as independent committees that can conduct objective and evidence-based investigations into such claims.

Core support and organizational strengthening:

Our respondents emphasized the importance of core support, which entails sustained funding and resources to strengthen and develop LGBTQI+ organizations. This support would enable them to build capacity, enhance their organizational structures, and improve their effectiveness in advancing the goals of the movement. Core funding was particularly highlighted as a necessity, as adequate and sustainable core funding is crucial for the stability and long-term sustainability of LGBTQI+ organizations. Core funding allows organizations to focus on their mission and strategic objectives, rather than constantly seeking project-based funding.

These resources are seen as essential for addressing the challenges within the movement, ensuring the safety and well-being of individuals, and facilitating the growth and effectiveness of LGBTQI+ organizations. By prioritizing these areas, the

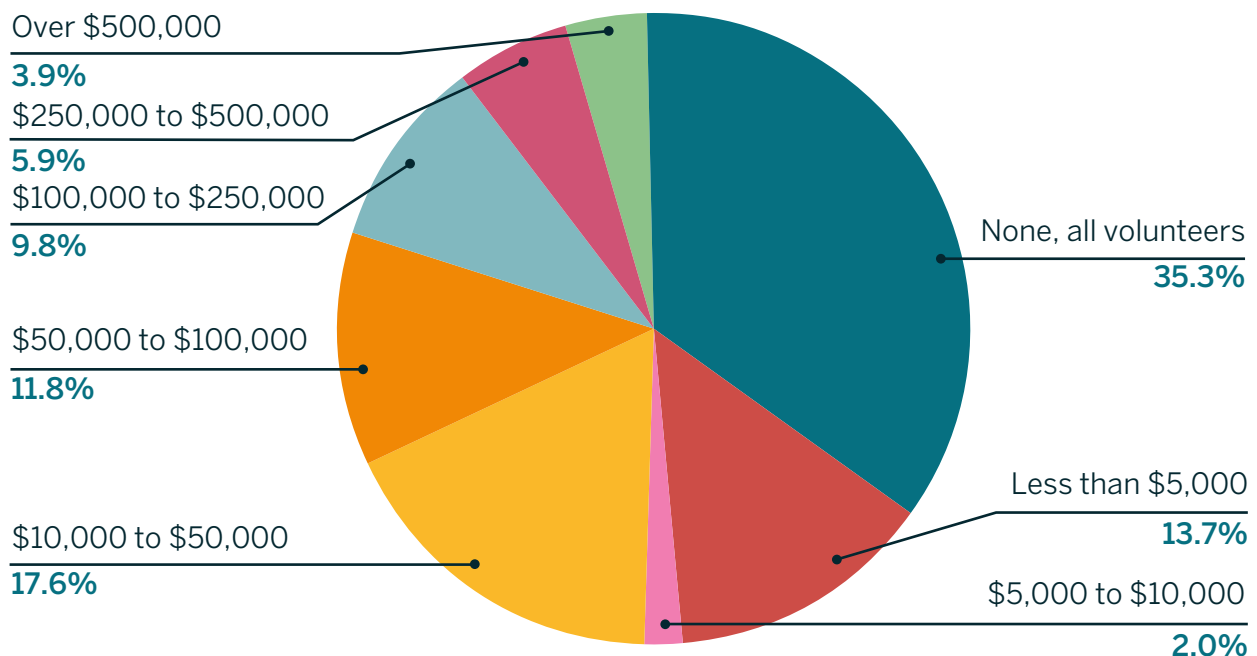
movement can work towards a stronger and more impactful collective effort.

Funding:

The data on funding provided by the respondents reveals some key insights about the financial situation of the organizations within the LGBTQI+ movement. Here is detailed analysis of the data:

The next largest group, 17.6% of our respondents, stated their organizations receive between \$10,000 and \$50,000 per year. This category represents organizations that have a moderate level of funding, which may have more resources available to support their initiatives and sustain their operations. However, they may still face limitations in undertaking larger-scale projects or expanding their reach. This group has some success in implementing small-scale projects and has better access to funding than the

How much funding does your organization receive?



The majority of respondents, **35.3%**, stated that their organization receives no funding and that all members are volunteers. This category represents organizations that rely entirely on volunteers and do not have any financial resources. These organizations may face challenges in implementing their initiatives due to limited funding for activities and resources. This gives insight as to the previous responses highlighting the need for more accessibility to funding, and it is the probable result of barriers to accessing funds including legal restrictions, as well as the inability of organizations to be able to find, apply for, or be able to receive funding.

third largest group of respondents—13.04%—which receive less than \$5,000 per year. This group consists of organizations with minimal funding, which may limit their ability to carry out extensive projects or sustain their operations in the long term. They might struggle with covering basic expenses and implementing their desired programs. This is similar to our smallest group totaling 2%, who receive only between \$5000 and \$10,000.

The remaining groups represent organizations that receive higher totals in terms of funds. **11.8% receive between \$50,000 and \$100,000**, at which level organizations in this funding range have a relatively higher financial capacity compared to the previous

categories. They may have more opportunities to implement impactful programs, engage in advocacy efforts, and support their staff or volunteers. However, they may still face constraints when it comes to scaling up their operations. **9.8% receive between \$100,000 and \$250,000**, enabling them to undertake more extensive projects, expand their reach, and potentially invest in organizational growth and development. They may have a greater ability to allocate resources for advocacy, capacity building, and providing essential services to the LGBTQI+ community. 5.9% receive **between \$250,000 and \$500,000 per year**, giving them the ability to implement long-term strategies and establish a stronger organizational infrastructure. This level of funding allows for greater stability and potential for impact. Finally, the groups with the greatest funding represent 3.9% of our respondents who receive **over \$500,000 per year**. They likely have substantial resources to support their programs, initiatives, and staff. Organizations in this range may have the ability to influence policies, drive systemic change,

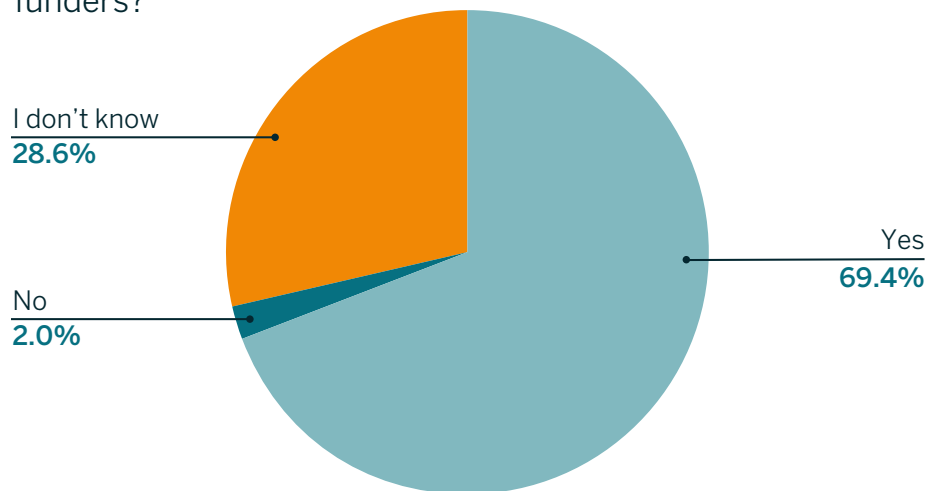
and allocate resources towards community support, advocacy, and capacity building.

These figures highlight that a significant portion of the organizations rely on volunteer efforts without any financial resources. Overall, the data shows a varied financial landscape within the LGBTQI+ movement, with organizations operating on different scales of funding. What is most evident is that there are potential disparities and resource gaps that exist within the movement. This matches what our respondents reported as well in the funding gaps within the movement itself, as the following section will outline.

Funding Gaps:

When asked if there are funding gaps that need to be identified and addressed by funders, the responses indicate a strong consensus among the respondents.

Are there funding gaps that need to be addressed by funders?



The majority of respondents (69.4%) believe that there are funding gaps within the LGBTQI+ movement that need to be addressed by funders. This suggests that organizations within the movement perceive a lack of sufficient financial resources to adequately address the needs and challenges they face. These funding gaps may hinder their ability to implement programs, provide essential services, engage in advocacy efforts, and sustain their operations effectively. Under a third of respondents (28.6%)

expressed uncertainty about whether there are funding gaps in the movement. This may indicate a lack of knowledge or awareness regarding the financial landscape and resource needs of organizations within the LGBTQI+ community. Only 2% of the respondents indicated that they do not perceive any funding gaps. This implies that there is a near-unanimous recognition among the respondents that funding gaps exist within the LGBTQI+ movement, highlighting the significance of this issue.

The overwhelming majority of respondents affirm the presence of funding gaps, indicating a shared perception that additional financial support is necessary to address the challenges and advance the goals of the LGBTQI+ movement. Identifying and addressing these funding gaps can play a crucial role in ensuring the sustainability, effectiveness, and impact of organizations working within the movement. It also highlights the importance of funders' active involvement in understanding the specific resource needs and priorities of LGBTQI+ organizations to foster a more equitable and supportive funding ecosystem.

During the survey, a participant from Morocco expressed the following viewpoint:

“Competition over funding and being guided by the agendas of funders influences the priorities set by certain organizations. Instead of setting the priorities based on the needs and lived experiences of LGBTQI+ communities, the priorities are often set based on the funder’s agenda. Lack of internal, community-based tools of accountability can lead to instances of violence, mismanagement, and corruption which further weakens the movements, and impacts the most vulnerable groups and individuals within the community. Some organizations’ central focus is to advocate within/to international organizations which alienates them from the local context. The hyperfocus on representation politics/visibility politics reproduces a western-based rights approach that does not necessarily benefit our communities. We need to ask ourselves clear questions about what representation means to us and who does it benefit and what risks does it entail for the safety and well-being of queer individuals.”

A participant from Lebanon said:

“LGBTIQ+ organizations exist without communicating or organizing with each other. There is a lack of trust between organizations because of the lack of funding they get. The feminist landscape in Lebanon is exclusionary, built on enhancing personal gain. Each organization works on its own project leading to multiple very similar projects; it is built

on the idea of claiming credit to secure new funding opportunities.”

The respondents identified various structural and other barriers/challenges that hinder their access to funding or resources. Here is a breakdown of their responses:

Unregistered organizations: Several respondents highlighted that not being registered as an NGO is a significant barrier to accessing funding and resources. This suggests that legal and administrative requirements for formal registration create obstacles for organizations in the LGBTQI+ movement to access financial support.

No bank account for LGBTQI+ organizations: Some organizations mentioned that the lack of a bank account specifically for LGBTQI+ organizations poses a barrier. This indicates that the absence of a dedicated financial infrastructure tailored to the needs of LGBTQI+ organizations make it challenging for them to receive and manage funds effectively. The process of establishing a bank account and completing registration requirements emerged as a specific challenge mentioned by respondents. These bureaucratic procedures can be time-consuming, complex, and burdensome for organizations, hampering their access to financial resources.

Limited networking: Some respondents mentioned that the lack of a strong network is a barrier to accessing funding and resources. This implies that limited connections and partnerships with other organizations and stakeholders restrict their ability to tap into funding opportunities and leverage collaborative efforts.

Lack of capacity: Some respondents expressed that their organizations face capacity-related challenges, indicating that they may lack the necessary skills, resources, or infrastructure to meet the requirements set by funders. This limitation can restrict their eligibility for funding opportunities.

Donor priorities: Respondents noted that donors may have other priorities or funding preferences that do not align with their organization’s focus or target populations. This suggests that the mismatch between donor priorities and organizational objectives or needs can hinder access to funding.

Political pressures: Some respondents mentioned political pressures as a barrier to accessing funding or resources. This suggests that political contexts or influences can create obstacles for organizations working in the LGBTQI+ movement, potentially limiting their access to financial support.

“My organization received threats from Internal Security forces that they will cancel an annual educational event (a workshop targeting healthcare providers to train them on inclusive SRHR). We were able to mitigate this threat by providing proof that we work in accordance and with the support of the Ministry of Public.” Survey respondent Lebanon

Core funding opportunities: The need for core funding opportunities was highlighted by respondents. Core funding provides organizations with flexible resources to sustain their operations and support their overall mission, but the limited availability of such funding sources can present a challenge.

These responses indicate that there are several structural and practical barriers that LGBTQI+ organizations face when accessing funding or resources. Addressing these challenges may require streamlining registration processes, providing capacity-building support, fostering networking opportunities, and aligning donor priorities with the specific needs of LGBTQI+ organizations. Additionally, exploring alternative funding models, such as core funding, can contribute to the long-term sustainability and effectiveness of these organizations.

3. Regional Overview

3.1 Legal Overview

Regionwide, some laws, and policies place multilayered restrictions on LGBTQI+ rights. The history of those laws and policies is complex, with some being the product of colonial rule and others being the product of post-colonial times. Whether colonial or not, these laws and policies continue to play a negative role in LGBTQI+ people's livelihoods. After thorough analysis, the laws and policies identified across the region can be classified into five main points: criminalization, freedom of speech, organizing, health care, and legal gender recognition.

3.1.1 Criminalization

In the SWANA region, there are three categories of criminalization of LGBTQI+ identities: explicit, where the laws criminalize both the same-sex relations and gender expression of transgender people; semi-explicit, where the term 'unnatural' is used to define same-sex relations; morality-based, found in countries which do not have any laws criminalizing either LGBTQI+ identities or the acts associated them, but the legal framework contains several morality-based laws that can be used to prosecute LGBTQI+ individuals.⁵

5 [موقف-القوانين-العربية-من-المتلثة-الجنسية-مقال-قانوني-2023-المحامة/](https://www.mohamah.net/law/-المتلثة-من-العربية-القوانين-العربية-من-المتلثة-الجنسية-مقال-قانوني-2023-المحامة/), May 24, 2023. <https://www.mohamah.net/law/-المتلثة-من-العربية-القوانين-العربية-من-المتلثة-الجنسية-مقال-قانوني-2023-المحامة/>

Country	Criminalization same sex relations	Criminalization gender expression	Censorship queer media	At least one openly LGBT+ organization register	At least one case of legal gender recognition for transgender people	Ban on gender-affirming health care	Intersex policy
Kuwait	Explicit: Article 193 (male)	Explicit: Article 198	Based on morality (press and publication law and cybercrime law)	No	No – cases were rejected	Yes – Medical liability law	Yes = Medical liability law
Bahrain	Decriminalized in 1993 – morality laws can be still used	Based on morality laws	Based on morality: press and publications law bans anti-Islamic content in the media	No	Yes - several cases since 2008	No	No
Qatar	Explicit: Articles 281, 285, 293(3), 298 (male)	Based on morality laws	Morality based	No	No	No	No
Saudi Arabia	Explicit: Saudi Arabia do not have codified penal code but generally speaking all sexual relations outside marriage are illegal. Death penalty can be a punishment for homosexuality but there are no recorded cases	Explicit	Morality based	No	No	Yes- Medical Policy	Yes- Allows legal change through an administrative process

United Arab Emirates	Explicit: all sexual relations outside marriage are illegal. Article 354 makes reference to male homosexuality. Death penalty is possible but no records of it ever used for homosexuality. State law: Dubai Article 177 . Abu Dabhi Article 80. Sharjah article 176 – unnatural acts-	Not explicit – based on morality	Morality based – Article 3(5), (4) of cyber-crime law and penal code 362, 360, and 358	No	No	Yes – medical liability law	Yes – medical liability law
Oman	Explicit: Articles 223, 261, 262. All sexual relations outside of marriage are punished	Explicit: Article 266	Morality based- Articles 25 and 28 of the Publications and Publishing Law (1984)	No	No	Yes	Yes
Yamen	Explicit for men and women – article 264, 268, possible death penalty no recorded cases	Not explicit-morality based	Morality based	No	No	No	No
Jordan	No – reports of morality based laws used	Not explicit – morality based	Morality based- Articles 25 and 28 of the Publications and Publishing Law (1984)	No	No	Yes	Yes
Iraq	No – reported of morality-based laws used. Reports of Sharia law used during ISIS control in some areas.	Not explicit-morality based	Morality based	No	No	No	No
Syria	Explicit – article 517 and 520 – unnatural sexual relations	Explicit, article 507 trans-women only	Morality based	No	Yes	No	No
Lebanon	Not explicit- unnatural sexual relations 534 penal code	Explicit-article 521	Morality based	Yes	Yes	No	No

Palestine	Not explicit- unnatural sexual relations – 152(2). In Gaza, Islamic law apply (male)	Not explicit-morality based	Morality based	No	No	No	No
Egypt	Not Explicit- sex work 10/1961 penal code 269bis cybercrime 25 (male)	Not explicit-morality based	Morality based- tele-communication and cybercrime laws	No	Yes	Yes	Yes
Sudan	Explicit- Article 148 (male)	Not Explicit-morality based	Morality based	No	No	No	No
Libya	Explicit- all sexual relations outside of marriage are illegal. Same sex relations illegal articles 407 and 408	Not Explicit-morality based	Morality based	No	No	No	No
Tunisia	Explicit- Articles 230, 226, 226 bis (male)	Not Explicit-morality based	Morality based	Yes	Yes	No	No
Algeria	Explicit- Articles 333 and 338	Not Explicit-morality based	Morality based	No	No	No	No
Morocco	Explicit – Articles 489	Not Explicit-morality based	Morality based	Yes?	No	No	Yes
Mauritania	Not explicit- Articles 308, 306 acts against Islam unnatural sexual relations	Not explicit-morality based	Morality based	No	No	No	No

First, one must understand the term “morality laws” to understand the prosecution of LGBTQI+ in the region. Morality laws are often criticized for being vague, ill-defined, and open for judicial interpretation, making it easier for authorities to prosecute LGBTQI+ people. Those laws are very arbitrary and easier for judicial authorities to prosecute than laws explicitly criminalizing same-sex relations. In all 19 jurisdictions, laws concerning morality, public order, and indecency have been actively mobilized against LGBTQI+ people. For example, in 2020, in Mauritania, eight men were arrested for homosexuality but not charged with it. Instead, they were prosecuted and convicted under “combining public indecency.”⁶ In 2019, In Jordan, a group of gay men was arrested under the notions of public disturbance and being sex workers.⁷ In 2023, In Iraq, a social media influencer was detained in a campaign to combat “indecent social media content” for “dancing and acting like a woman.”⁸ In 2021, in the Kurdistan region in Iraq, groups of LGBTQI+ people were arrested under the notion of “immorality.”⁹ It is important to note that authorities often target anyone who challenges binary heteronormativity. Thus, it is not always the person who is LGBTQI+, but their acts which are perceived as queer by the authorities, so they are prosecuted.

When examining the region’s same-sex criminalization, out of the 19 jurisdictions, only 11 explicitly criminalize same-sex relations, and out of those 11, only two (Yemen and Oman) explicitly mention lesbianism as a crime in separate legal articles than the ones for gay men. Other countries in the region have legal articles that can be interpreted to mean criminalization of lesbianism theoretically but are hardly applied in practice. Judicial customs in the region employ the term sodomy to criminalize only male same-sex relations; thus, if the law wishes to punish female same-sex relations, they must add another term to describe this. However, that does not mean that queer women do not face criminalization, as many jurisdictions in the region, including Libya and Saudi Arabia, generally criminalize all sexual relations outside of marriage. Furthermore, morality

and guardianship laws are actively used to control women’s livelihood, including that of queer women.

The second category in the region is semi-explicit or debated, such as Syria, Mauritania, the West Bank in Palestine, and Lebanon, which use terms such as “unnatural sexual acts” to criminalize male same-sex relations, the law can also apply to women, but judicial customs have kept the application of these laws to mostly people assigned male at birth. However, “unnatural sexual acts” does not entail explicit criminalization, as one can argue that defining what is natural and unnatural is hard. Such an argument was used by Lebanese activists, who managed to get favorable judgments in which continual same-sex relations were not considered “unnatural sexual acts.”

Third, we have countries like Egypt, Iraq, Jordan, and Bahrain. The four do not have any laws that criminalize same-sex relations, but morality laws can still be used to prosecute LGBTQI+ people. This is most clear in Egypt, where anti-sex work, morality, and public order laws are actively used to prosecute LGBTQI+ people. Meanwhile, in Iraq, public order and morality laws are actively used to punish those suspected of being LGBTQI+. Furthermore, when ISIS took vast parts of Iraq in 2014, they implemented strict Sharia law and several documented cases of LGBTQI+ people being punished with murder under this rule.

Although the UAE, Yemen, Mauritania, Saudi Arabi, and Qatar (Muslims only) legally acknowledge the death sentence as a punishment for same-sex relationships, there is no documented evidence of this practice being implemented. However, in countries like Saudi Arabia, instances of corporal punishment have been reported.

Generally, punishment for same-sex relations in these countries is often in the form imprisonment which ranges from a few months to up to seven and 10 years.

It is important to note that there is a general lack of data regarding the numbers of arrests

6 “موريتانيا-سجن ثمانية رجال لعامين بسبب المثلية الجنسية” DW: 10.02.2020.” DW.COM, February 10, 2020. <https://www.dw.com/ar/-موريتانيا-سجن-ثمانية-رجال-لعامين-بسبب-المثلية-الجنسية/a-52330155>.

7 “القبض على شواذ جنسيا داخل مزرعة مستأجرة.” صحافة العرب” <https://www.sahafah.net/story/5986512>.

8 News, Shafaq. “اعتقال محمد الكحلي” بسبب “افتعال حركات” بسبب “افتعال حركات”. “الداخلية لشفق نيوز: اعتقال محمد الكحلي” بسبب “افتعال حركات” بسبب “افتعال حركات” (فيديو). <https://shafaq.com/ar/الداخلية-لشفق-نيوز-اعتقال-محمد-الكحلي-بسبب-افتعال-حركات-نساء-فيديو>.

9 “Iraq.” Human Dignity Trust, December 8, 2022. <https://www.humandignitytrust.org/country-profile/iraq/>.

and prosecutions based on LGBTQI+ identities in the region, as authorities do not disclose such information, so it is still a possibility that the death sentence was imposed in some cases, but its records were not made public.

Finally, explicit criminalization of the gender expression of transgender people exists in four countries: Oman, Lebanon, Kuwait, and Saudi Arabia. Other countries criminalize transgender people using morality-based laws or laws criminalizing same-sex relations, as in many jurisdictions, transgender people, especially transgender women, are primarily viewed as effeminate gay men.

3.1.2 Freedom of Speech and Organizing

No legal framework in any country in the region explicitly bans LGBTQI+ speech or media. However, all countries in the region have laws related to telecommunication, cyberspace, and press and publication limiting speech on those platforms based on violating public morals, public order, Islamic values, and social tradition. As mentioned before, LGBTQI+ rights are considered a synonym for immorality.¹⁰ Thus, those laws effectively restrict speech and media that promote LGBTQI+ rights. Recently, Jordan joined an increasing number of countries in the region, such as Egypt, Saudi Arabia and others, who passed new cybersecurity laws containing vague legal articles that are expected to increase the restrictions on LGBTQI+ media and speech.¹¹ The Lebanese cabinet also submitted a new law that would have a similar impact as other laws in the region on LGBTQI+ people¹².

In 2022, for example, there has been a regional ban on many Western movies for depicting LGBTQI+ characters. Countries participating in this ban

included Iraq, Egypt, Lebanon, Syria, Algeria, Saudi Arabia, the UAE, Qatar, and others. This ban was legally allowed using the morality clauses in those countries' legal frameworks. In addition to the ban on LGBTQI+ films, several countries, including Kuwait, Saudi Arabia, Algeria, and others, announced a general prohibition on any rainbow-colored product, again based on immorality.¹³

Mainstream media may discuss LGBTQI+ issues but mostly to promote awareness against it, as, generally, positive speech on LGBTQI+ issues is not allowed. Instead, the speech often focuses on how unreligious, foreign, and Western LGBTQI+ identities are or on "health advice" for families to prevent their children from being LGBTQI+.¹⁴ However, there has been a rise of alternative liberal media in the region that openly and positively discusses LGBTQI+ issues from a human rights perspective.

Civil society organizing is generally restricted in the region. In most of the region's legal frameworks, arbitrary clauses shrink the civil space by not allowing anti-government or human rights groups to register officially. Of the 19 jurisdictions, only Lebanon, Tunisia, and Morocco had at least one registered NGO that publicly works on LGBTQI+ issues. However, this does not mean that in those three countries, LGBTQI+ NGOs operate freely and can register, but rather that there are isolated cases where one or two NGOs have managed to gain registration from the state; it is not the typical case, though.

3.1.3 Healthcare for Transgender and Intersex People

The legal frameworks in the region promote the cis social binary. Thus, it does not acknowledge transgender and intersex people outside of the

10 "Middle East - North Africa." Bienvenue sur le site de Reporters sans frontières, February 20, 2023. <https://rsf.org/en/region/middle-east-north-africa>.

11 Rasha Younes, Jordan's New Cybercrime Law is a Disaster for LGBT People »<https://www.hrw.org/news/2023/08/14/jordans-new-cybercrime-law-disaster-lgbt-people> August 14 2023

12 "Lebanon: Anti-LGBT Bills Threaten Press Freedom." RSF. Accessed December 2, 2023. <https://rsf.org/en/lebanon-anti-lgbt-bills-threaten-press-freedom>.

13 Noralla, Nora. "Anti- LGBTQI+ Extremism Isn't Limited to Just the United States. Here's How to Beat Them Worldwide." LGBTQ Nation, March 10, 2023. <https://www.lgbtqnation.com/2023/03/anti-lgbtq-extremism-isnt-limited-to-just-the-united-states-heres-how-to-beat-them-worldwide/>.

14 MacDonald, Alex. "Iraqi News Media 'promoting Hate Speech' against LGBTQI+ People." Middle East Eye, July 1, 2020. <https://www.middleeasteye.net/news/iraq-media-lgbt-coverage-hate-speech>.

possibility that they are “ill” and should be “cured” to fit within the binary.¹⁵ This is especially important because most of the region’s civil laws are based on Sharia and stipulate different gender rules for men and women in military service, divorce, marriage, inheritance, citizenship, and travel.

In six jurisdictions, Egypt, Kuwait, Jordan, Oman, Saudi Arabia, and the UAE, gender-affirming healthcare is banned for transgender people. Medical liability laws/policies place disciplinary punishment on any medical staff who provide such care to transgender people. The logic behind those laws/policies is found in Sharia. Some interpretations of Sharia view transgender people as mentally ill individuals who should undergo conversion therapy to return to their true cis-binary identity. Thus, gender-affirming health care should not be allowed. On the other hand, some interpretations view intersex people as biologically ill, so they should be allowed sex reassignment surgeries to reveal their true cis-binary identity. So, those laws are based on this logic, as they stipulate that doctor can perform “sex-altering operations” only on intersex people.¹⁶

Generally, apart from those six jurisdictions, there is little written policy or laws on intersex people. Still, it is primarily understood that surgeries are the only acceptable possibility for them to maintain the cis binary. Only Saudi Arabia has developed a comprehensive healthcare system for intersex people, and it is the only country with a specialized hospital devoted to providing comprehensive medical treatment to intersex individuals, who may need or wish to undergo such treatments. The lack of intersex healthcare in other countries has led to inefficient and inadequate care, where staff are neither trained nor equipped to care for intersex people and surgeries

performed are of low quality and cause negative impacts on the person’s health. Intersex genital mutilation (IGM) is widespread, and generally there are no serious legal or medical discussions around reforming the laws/policies that impact intersex people.¹⁷

3.1.4 Legal Gender Recognition and Updating Official Documents

There is a regionwide legislative vacuum on legal gender recognition for transgender people, as no country has adopted laws or policies that allow it. Instead, the issue is left entirely to the courts to decide on the matter in lengthy, complicated, and costly judicial processes. There are no sentencing guidelines or rules that judges are obliged to follow, so it is an issue examined on a case-by-case basis in a very arbitrary process. Only five countries in the region have had successful cases of legal gender recognition: Egypt, Tunisia, Lebanon, Syria, and Bahrain. This does not mean that transgender people are generally allowed legal gender recognition; instead, those individual cases were allowed to.¹⁸

As for updating official documents for intersex people, only two countries, Saudi Arabia and Morocco, have laws allowing intersex people to change their gender markers through a straightforward administrative process. Other countries in the region only allow updating official documents through the same judicial process that transgender people have to undergo.¹⁹

[insert map here on health care and legal recognition of intersex and transgender people]

15 Noralla, Nora. “Policies of Erasure: How the Mena’s Region Intersex People Are Made Invisible.” The Tahrir Institute for Middle East Policy, April 20, 2023. <https://timep.org/2023/04/20/policies-of-erasure-how-the-menas-region-intersex-people-are-made-invisible/>.

16 Noralla, Nora. “The Middle East Has an Anti-Transgender Bills Problem.” The New Arab, July 22, 2022. <https://www.newarab.com/features/middle-east-has-anti-transgender-bills-problem>.

17 Noralla, Nora. “Policies of Erasure: How the Mena’s Region Intersex People Are Made Invisible.” The Tahrir Institute for Middle East Policy, April 20, 2023. <https://timep.org/2023/04/20/policies-of-erasure-how-the-menas-region-intersex-people-are-made-invisible/>.

18 Noralla, Nora. “Confused Judiciary & Transgender Rights: Inside the MENA Region’s Case Law on Legal Gender Recognition.” Manara Magazine, October 21, 2022. <https://manaramagazine.org/2022/03/confused-judiciary-transgender-rights-inside-the-mena-regions-case-law-on-legal-gender-recognition/>.

19 Noralla, Nora. “Policies of Erasure: How the Mena’s Region Intersex People Are Made Invisible.” The Tahrir Institute for Middle East Policy, April 20, 2023. <https://timep.org/2023/04/20/policies-of-erasure-how-the-menas-region-intersex-people-are-made-invisible/>.

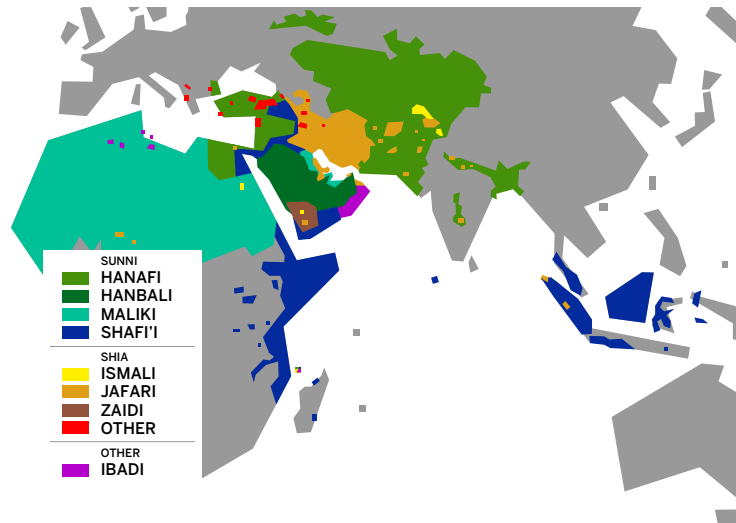
Gender -affirming healthcare banned: Kuwait, Jordan, Egypt, Saudi Arabia, Oman, UAE.

Legal gender recognition for intersex people: Morocco, Saudi Arabia

3.2 Socioreligious Overview

Islam is the biggest religion in the region, followed by Christianity, Judaism, and other minority religions. Religion is essential to the region's social structures, laws, and policies.²⁰ All countries in the region adopt one version of Islamic law or another as one of its law sources, with other sources being British or French laws, due to the colonial legacy of those two countries in the region. While most countries only apply Islamic law on family and civil matters, e.g., inheritance, divorce, citizenship, and marriage, other countries, primarily Saudi Arabia, Libya, Sudan, and Mauritania, also adopt some aspects of Islamic law in criminal matters.²¹ On the other hand, countries

with a significant Christian population, such as Egypt and Lebanon, allow Christian law in civil and family matters.²² As mentioned in the previous section, religious law generally only applies to transgender and intersex individuals, as gender-affirming health care and legal gender recognition are considered civil or family matters. Meanwhile, same-sex relations are punishable by death under Islamic law, which has not been applied even in countries where Islamic law is a source of criminal law. Meanwhile, articles punishing same-sex relations are mostly modeled after positive Western laws of the French and the British, as well as Sharia law.



Socially, considerable segments of society want Sharia to be the source of law, as outlined by Pew Research Center data collected from seven countries in the region in 2013²³:

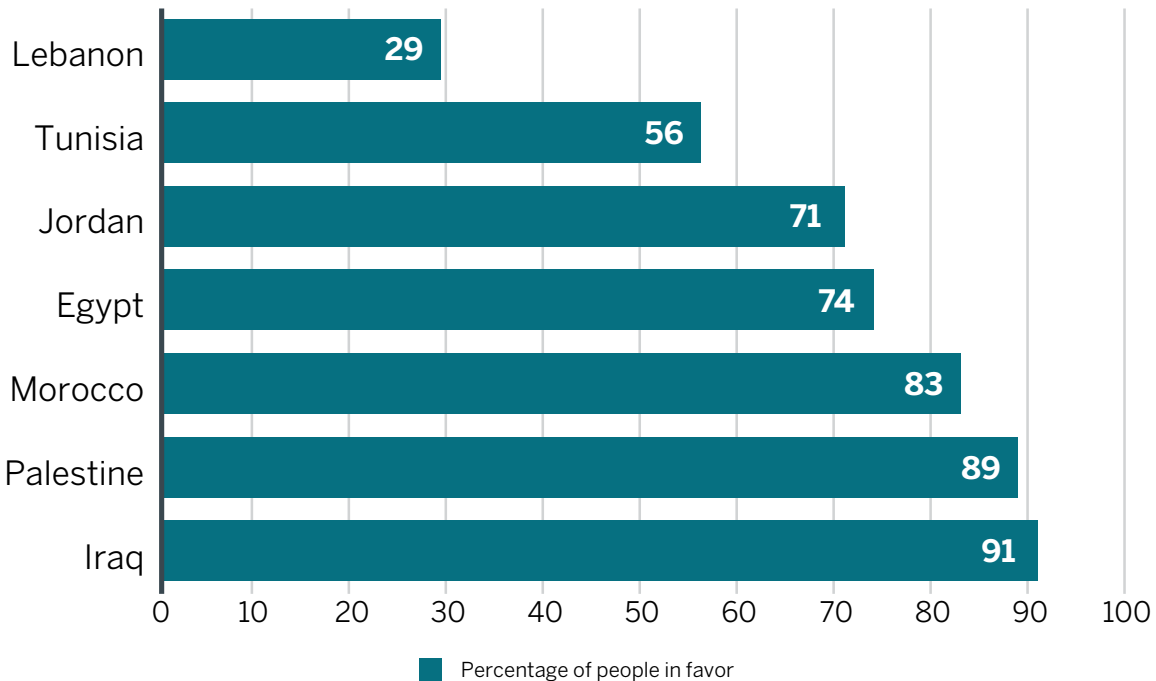
20 "Muslim Majority Countries 2023." Muslim majority countries 2023. Accessed June 26, 2023. <https://worldpopulationreview.com/country-rankings/muslim-majority-countries>.

21 "Sharia Law." Muslims for Progressive Values. Accessed June 26, 2023. <https://www.mpvusa.org/sharia-law>.

22 Wood, Cat. "Christians, Muslims and... Law." Centre for Muslim-Christian Studies, February 25, 2022. <https://www.cmc-soxford.org.uk/hikmah-blog/christians-muslims-and-law>.

23 Wormald, Benjamin. "Chapter 1: Beliefs about Sharia." Pew Research Center's Religion & Public Life Project, April 30, 2013. <https://www.pewresearch.org/religion/2013/04/30/the-worlds-muslims-religion-politics-society-beliefs-about-sharia>.

Sharia as the Official Law of the Land



Lebanon naturally is the least in favor of Sharia law, as almost half of its population is Christian, and the Muslim population is divided between the Shia and Sunni sects, each having their own interpretation of Islamic law.

Religious leaders play an impactful role in spreading anti-LGBTQI+ propaganda. In Egypt, for example, Al-Azhar's scholars, the country's highest religious institute, have often denounced "Western LGBTQI+ ideology." (See more information in Egypt's country chapter.) In Iraq, in 2022, the prominent Shia cleric, Muqtada al-Sadr, called for criminalizing LGBTQI+ identities and his supporters to unite against "Queer ideology."²⁴ "Islamic institutions across the region do coordinate their efforts to "combat the corrupt Western LGBTQI+ ideology." For example, in 2023, Kuwait hosted the Islamic Organization for Medical Sciences conference, which included

prominent Islamic Imams and discussed possible ways to "medically treat LGBTQI+ people." (See more information in Kuwait's country chapter). Anti-LGBTQI+ campaigning is not exclusive to Muslim leaders, though; in countries with significant Christian populations, like Egypt and Lebanon, Christian leaders have coordinated their efforts to distance themselves from the growing acceptance of LGBTQI+ people by other churches in the West. Church leaders often disregard this acceptance as Western corruption of the Christian faith, insisting that Christianity is incompatible with LGBTQI+ identities. (See Egypt and Lebanon's country chapters for some examples).

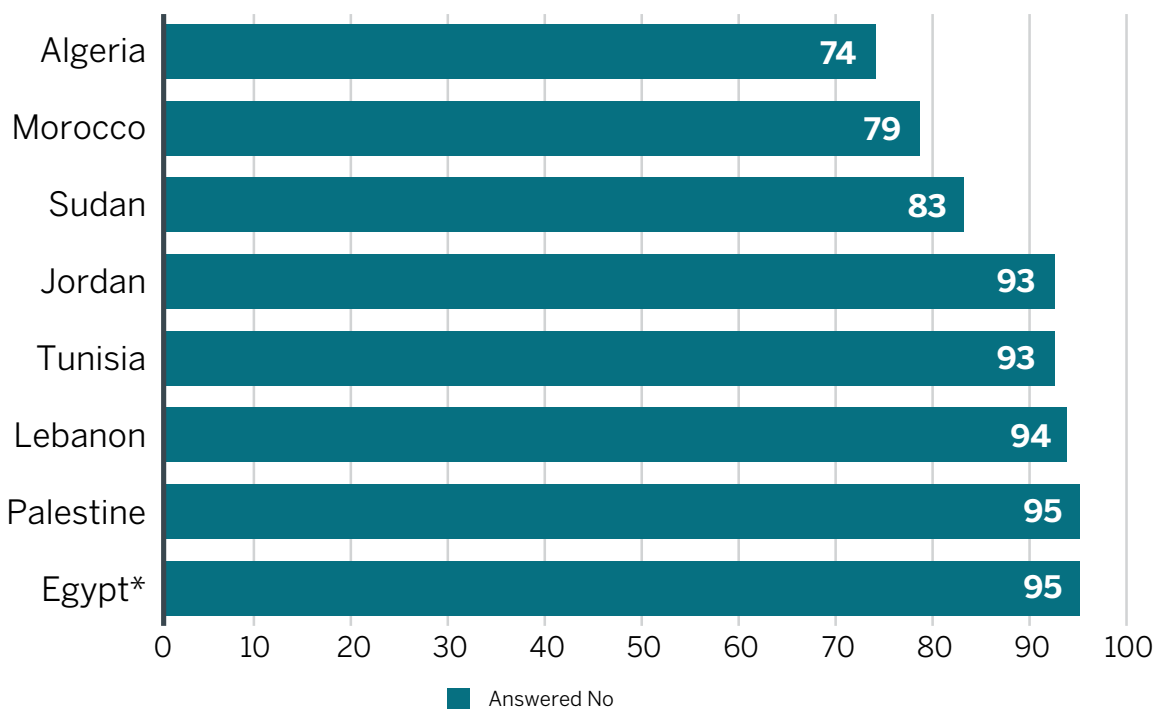
Generally, this religious attitude is synonymous with the social understanding of LGBTQI+ identities. The region's societies are conservative, emphasizing the cis social binary as their primary structure. Traditional gender roles are the norms, and LGBTQI+ identities

24 Noralla, Nora. "Anti- LGBTQI+ Extremism Isn't Limited to Just the United States. Here's How to Beat Them Worldwide." LGBTQ Nation, March 10, 2023. <https://www.lgbtqnation.com/2023/03/anti-lgbtq-extremism-isnt-limited-to-just-the-united-states-heres-how-to-beat-them-worldwide/>.

are primarily viewed as threatening those gender roles. For example, queers assigned male at birth are considered immoral because they have willingly abandoned their masculine role and accepted being effeminate, which makes them incapable of assuming their gender role of being the protector. While queers assigned female at birth are viewed as corrupted women who abandon their gender roles, most importantly, reproducing and establishing a family. Of course, those gender roles have been significantly

challenged by feminist, gender, and LGBTQI+ activists, but they are yet to be removed entirely from the general social structures in the region.²⁵ It is important to note that many social, political, and religious actors use the term “homosexuality” as a catch-all term in the region, which reflects the lack of knowledge about gender identities and sexual orientations, viewing all of them as immoral at the end of the day, under the label “homosexuals.” The following data maps social acceptance of “homosexuality” in the region²⁶:

Is homosexuality an acceptable practice?



*From Pew Research Center survey in 2013: <https://www.equaldex.com/surveys/pew-global-attitudes-on-homosexuality-2013>

Thus, it is harder to understand the social perception of identities that are not LGB, as data often only reflect social attitudes towards “homosexuality.” Furthermore, it is not clear if those surveys only cover gay people or also lesbians. Generally, since the term

“homosexuality” is primarily used as a synonym for LGBTQI+ identities in the region, it could be inferred that those surveys reflect the general public attitude towards LGBTQI+ people.

25 Thomas, Kathrin, and Isabella Kasselstrand. “A Long Way to Liberalization, or Is It? Public Perceptions of Women Empowerment in the Middle East and North Africa.” *Frontiers in Political Science* 4 (2022). <https://doi.org/10.3389/fpos.2022.984310>.

26 “Acceptance of Homosexuality (Arab Countries): Surveys: Equaldex.” *LGBTQI+ Rights by Country & Travel Guide*. Accessed June 26, 2023. <https://www.equaldex.com/surveys/acceptance-of-homosexuality-arab-barometer>.

There are two central myths around LGBTQI+ people in the region: First, LGBTQI+ identities are foreign and are a Western conspiracy to corrupt the youth and weaken the region's countries. Second, LGBTQI+ identities are mental disorders that should be treated with conversion therapy. The first camp refuses to acknowledge the documented existence of queer identities throughout the region's history, instead focusing on building conspiracy theories around LGBTQI+ people. During the World Cup in Qatar, this camp was very vocal; they attacked Western nations for not respecting local cultures and traditions by enforcing LGBTQI+ identities. The cultural framing of LGBTQI+ identities is critical to this camp, as detaching LGBTQI+ rights from human rights makes it debatable and changeable from one country to another. After all, human rights are universal, while culture is relative. This camp also focuses on the notion of "protecting children and youth" as a catalyst for its anti-LGBTQI+ stands by stretching the conspiracy theories that LGBTQI+ people are groomers and pedophiles that will "convert children into the LGBTQI+ ideology."²⁷ The social media campaign "Fetrah" is a prime example of this camp. The campaign was initiated by a group of Egyptian youth who called for "the return of the true human nature as stipulated by all religions" and "the combat of the corrupt LGBTQI+ Western ideology." The campaign claimed it does not call for violence against LGBTQI+ people but only for the region's nations to unite to preserve their cultures and traditions. The campaign reached millions of regional followers before Facebook eventually shut it down.²⁸ This paranoia around LGBTQI+ people "converting children" has also affected education policies recently. For example, in 2022, Egypt and the UAE passed policies requiring educational institutions to establish awareness workshops and lessons for students around the "danger of the LGBTQI+ ideology."²⁹

The second camp believes their message is more scientific and academic, as they rely on outdated and ill-informed "science" to frame LGBTQI+ identities as mental disorders. This camp imports pseudoscience developed by conservatives in the West and adapts it to local customs to create Frankenstein conversion therapy programs that primarily target the families of LGBTQI+ people. Having an LGBTQI+ child in the region is considered a great source of stress and shame, and while some families may choose to disown their children, others seek alternatives. Accepting their children is rare, so conversion therapy is a viable alternative for them. After all, those conversion therapy programs are developed by medical professionals who claim to have the latest scientific knowledge to treat their children.³⁰ A prime example of that camp is the case of Edan Knight, the Saudi trans woman who was forced into conversion therapy by her family after being tricked into returning to them from the U.S. Edan's family followed the medical procedures recommended by the Saudi Ministry of Health and doctors, thinking that they are providing the best treatment for their daughter. However, conversion therapy is a harmful practice and pseudoscience that leads to mental and physical damage to LGBTQI+ people. Edan committed suicide later as a direct result of this conversion therapy.³¹

Additionally, social actors may use violence against queer people with the state's blessing. Social actors often target the most visibly queer people, so effeminate men and trans women. For example, in recent years in Iraq, there have been several documented incidents of queer people being identified and brutally murdered by social actors without sufficient investigation or protection by the state.³² In Morocco, during the COVID-19 pandemic, queer and trans people were subjected to a massive outing campaign when an Instagram

27 Noralla, Nora. "This World Cup, the Biggest Loser Was LGBTQI+ People in the Middle East and North Africa." *cairo52*, January 19, 2023. <https://cairo52.com/2023/01/18/this-world-cup-the-biggest-loser-was-lgbtq-people-in-the-middle-east-and-north-africa/>.

28 Ibid

29 Noralla, Nora. "Anti- LGBTQI+ Extremism Isn't Limited to Just the United States. Here's How to Beat Them Worldwide." *LGBTQ Nation*, March 10, 2023. <https://www.lgbtqnation.com/2023/03/anti-lgbtq-extremism-isnt-limited-to-just-the-united-states-heres-how-to-beat-them-worldwide/>.

30 "Conversion Therapy: A Grave Danger on LGBTQI+ Community in the MENA Region." *Il Grande Colibri*, March 1, 2021. <https://www.ilgrandecolibri.com/en/conversion-therapy-a-grave-danger-on-lgbt-community-in-the-mena-region/>.

31 Noralla, Nora. "Eden Knight's Death Is an All-Too Familiar Story for Transgender Saudis." *DAWN*, June 1, 2023. <https://dawnmena.org/eden-knights-death-is-an-all-too-familiar-story-for-transgender-saudis/>.

32 "Middle East, North Africa: Digital Targeting of LGBTQI+ People." *Human Rights Watch*, February 21, 2023. <https://www.hrw.org/news/2023/02/21/middle-east-north-africa-digital-targeting-lgbt-people>.

model instructed her 600,000 followers on using apps like Grindr and Planet Romeo to find out if one of their family members is gay. This led to dozens of queer people being expelled from their homes, outed on social media, losing their jobs, and being attacked by family members. The state never investigated those attacks.³³ Thus, being queer effectively means being a second-class citizen in the region, with discrimination faced in all aspects of life and hardship in obtaining basics such as employment, education, health, and housing. Furthermore, due to the general anti-LGBTQI+ attitude within security agencies, queer people are also denied access to legal and constitutional protections as they are subject to violence by social actors who often never receive punishment for their actions, instead sometimes praise from society.³⁴

While queers assigned male at birth are the main subject of criminalization and social hostility, they often face silent violence. Generally, women's sexuality is not taken seriously by the region's societies, which is reflected in most laws only criminalizing male same-sex relations. Queers assigned female at birth face more social violence than state violence, as women are considered in many communities as a possible source of shame that should constantly be monitored and not be allowed any margin of freedom. If women commit shameful acts, they are subject to familial violence,

including honor killing, which is tolerated socially and legally in several parts the region. Disowning assigned female-at-birth queer family members is not an option for many due to the shame associated with women. Thus, alternatively, families may resort to conversion therapy, forced marriage, or corrective rape to "heal" queer assigned female at birth family of their queerness. However, regionally, there is a lack of data on violence against queers assigned female at birth, as data on violence against women is generally lagging in the region.

Capitalizing on social and religious anti-LGBTQI+ attitudes, politicians often take anti-LGBTQI+ stances to please the public and religious leaders. They emphasize family values and religious morals in their public speeches and political campaigning, enforcing anti-LGBTQI+ laws and policies while in office. Furthermore, government officials are keen to demonstrate their morality by instructing security forces and judicial authorities to arrest and prosecute LGBTQI+ people and publish these events as a sign of the government's morality. The region's governments also bring their anti-LGBTQI+ attitudes to international platforms such as the UN Human Rights Council (UNHRC), where they act as an anti-SOGI bloc with other Muslim and some African countries. The bloc's mission is to promote traditional family values and act as a challenger to any SOGI resolution being discussed in the Council.³⁵

3.3 LGBTQI+ Organizing Overview

3.3.1 Intersectionality

Intersectionality is a critical concept that has emerged from the lived experiences and struggles of marginalized communities, including the LGBTQI+ movement in the SWANA region. It goes beyond being merely a buzzword used for funding purposes;

instead, it represents a powerful framework that recognizes and addresses the interconnectedness of various forms of oppression and discrimination.

In the SWANA region, due to social and legal challenges, organizations often find it difficult to focus solely on LGBTQI+ individuals. This is generally

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- 33 Alami, Aida. "Dozens of Gay Men Are Outed in Morocco as Photos Are Spread Online." *The New York Times*, April 26, 2020. <https://www.nytimes.com/2020/04/26/world/middleeast/gay-morocco-outing.html>.
- 34 "Middle East, North Africa: Digital Targeting of LGBTQI+ People." *Human Rights Watch*, February 21, 2023. <https://www.hrw.org/news/2023/02/21/middle-east-north-africa-digital-targeting-lgbt-people>.
- 35 Noralla, Nora. "The Forgotten Islamic Human Rights Document." *OpenGlobalRights*, September 1, 2021. <https://www.openglobalrights.org/the-forgotten-islamic-human-rights-document/>.

because gay cisgender men still face persecution and stigma in the region, and as such are typically included within broader human rights centric organizations. There are few organizations that focus solely on LGBTQ+ peoples and their rights. It is crucial to acknowledge that cisgender gay men often occupy more prominent positions and receive greater funding in LGBTQI+ organizing, which can hinder the inclusion of other identities from the LGBTQI+ community. The LGBTQI+ movement, while diverse, still lacks representation of intersex people and sex workers in leadership positions, which limits the movement's ability to address the unique challenges faced by these communities. In the context of intersectionality, certain LGBTQI+ organizations have, at times, resorted to tokenism by highlighting transgender individuals and sex workers solely to fulfill the requirements of a particular funder. This form of tokenization, in this case, effectively uses transgender individuals and sex workers as symbolic representatives without genuinely addressing their needs or concerns. This act relegates transgender individuals and sex workers to the margins, while falsely claiming to represent their interests. While recognizing the challenges faced by LGBTQI+ organizations in securing funding, it is crucial to emphasize the importance of authentic representation and inclusivity. Instead of solely seeking to meet the criteria set by funders, organizations should strive to create a truly inclusive environment that genuinely supports and uplifts the voices of all members within the LGBTQI+ community. To do this effectively, transgender and intersex individuals, as well as sex workers, need to be included in the leadership of such organizations and hold decision making positions.

As evidenced by the data gathered, LGBTQI+ organizations in Lebanon, Egypt, Morocco, and Kuwait face unique challenges based on their specific socio-political contexts. In Lebanon, organizations prioritize community needs and participatory approaches, emphasizing the importance of engaging with community members and activists. However, they differ in their strategies, some focusing on service provision while others pursue rights-based advocacy. In Egypt, organizations engage in various activities, including advocacy, research, networking, and providing services to diverse LGBTQI+ groups. Meanwhile, Moroccan organizations rely on online advocacy, grassroots work, art, and support services. In Kuwait, the LGBTQI+ movement faces a particularly

hostile environment due to societal taboos, legal restrictions, and misrepresentation by Western NGOs and media. The success story of the strategic litigation case covered in the case study on Kuwait highlighted the importance of community organizing and collaboration in bringing about change, while also underlining the need for accurate and respectful representation of local efforts.

Intersectionality comes into play when analyzing these diverse experiences within the LGBTQI+ movement in the SWANA region. It recognizes that LGBTQI+ individuals face multiple forms of oppression, not only based on their sexual orientation or gender identity but also intersecting factors such as religion, ethnicity, disability, socioeconomic status, and gender expression. However, there is a lack of clarity regarding how these organizations in the SWANA region are implementing intersectional approaches within their strategies. While it is essential to include trans, intersex, and gender nonconforming individuals in the decision-making process, this seems to be the only form of intersection used within the movement. It is crucial to go beyond this and address other intersecting identities within the LGBTQI+ community. During the focus group discussions, few organizations mentioned working with sex workers, queer migrants, and asylum seekers, indicating some level of recognition of intersectionality. However, none of the organizations directly mentioned working with queer disabled individuals.

The absence of a comprehensive approach to intersectionality within certain organizations could be influenced by various factors, suggesting an opportunity for nuanced exploration. Potential reasons for this gap might include the possibility of limited awareness regarding the diverse needs of disabled members within the LGBTQI+ community, unintentional organizational structures that inadvertently prioritize certain identities, and potential resource constraints hindering the development of more inclusive protocols.

Recognizing and understanding these nuanced factors could be crucial for organizations to explore and address root causes, allowing for the fostering of a genuinely intersectional approach. This omission presents an opportunity for organizations to enhance their inclusivity and better address the needs of disabled members within the LGBTQI+ community. To further embrace intersectionality, consideration might

be given to developing clear protocols and strategies that encompass a wide range of intersecting identities, such as race, ethnicity, socioeconomic status, ability, and more. Strategies could gently involve increased education and awareness initiatives, internal policy reviews, and efforts to allocate resources more equitably, ensuring that the diverse needs of all community members are considered and addressed in a thoughtful manner.

LGBTQI+ individuals living with disabilities in the region may encounter unique challenges accessing support services or safe spaces due to physical and societal barriers. LGBTQI+ refugees may face specific vulnerabilities and complexities related to their legal status and migration experience. Intersectionality sheds light on the complex and overlapping nature of these challenges, calling for inclusive and comprehensive approaches to advocacy and support. Acknowledging intersectionality is not just about ticking boxes for funding proposals; rather, it is about centering the experiences and needs of marginalized communities in the development of strategies and policies. Moreover, embracing intersectionality fosters solidarity and coalition-building among various social justice movements. The struggles for LGBTQI+ rights intersect with broader movements for gender equity, racial justice, disability rights, and economic empowerment. There are organizations in the region who engage in certain intersections for exactly these reasons. For instance, in Tunisia, one group provides listening and guidance services for LGBTQI+ refugees and migrants. Recognizing and collaborating on these shared struggles can amplify voices and promote collective action, creating a stronger force for social change.

Intersectionality is a crucial and transformative concept that guides the LGBTQI+ movement in the SWANA region towards more inclusive and effective advocacy. By acknowledging the interconnectedness of various forms of oppression, organizations and activists can develop strategies that address the diverse needs and challenges faced by different LGBTQI+ individuals and communities. It is a tool for empowerment, solidarity, and social change, enabling the movement to work towards a more equitable and accepting society for all.

3.3.2 Work Strategies of LGBTQ+ Organizations

The SWANA region is home to a diverse range of LGBTQI+ organizations that work tirelessly to advocate for the rights and well-being of the LGBTQI+ community. This region comprises unique social, cultural, and political contexts. Understanding the work strategies employed by LGBTQI+ organizations in these countries is crucial to comprehending the challenges they face and the approaches they adopt to effect change.

Based on the data collected, it is evident that it is important to consider the integration of programming development within the realm of activism. Meaning, it is important to supplement the input of activists with a broader understanding from an in-depth understanding from local community representatives. In this context, decisions are frequently influenced by the viewpoints of individual activists rather than being informed by meaningful consultations with the communities being targeted. While the opinions of said activists are valid, they do not necessarily represent the community at large and limit the possibilities of a broader evidence-based approach. This incongruity gives rise to concerns regarding the efficacy and pertinence of the programming, as it may fail to accurately address the needs and aspirations of its intended beneficiaries. Although activists play a vital role in advocating for societal transformation, their perspectives alone may not encompass the full breadth of experiences and viewpoints presented by the targeted communities. Relying exclusively on activist opinions in programming carries the risk of disregarding significant nuances and overlooking invaluable insights that can only be obtained through direct engagement with communities.

“Some organizations’ central focus is to advocate within/to international organizations which alienates them from the local context.”- Respondent from Morocco

In Lebanon, some LGBTQI+ organizations are moving away from traditional hierarchies and top-down approaches, recognizing that the community and activists themselves possess valuable insights into the services and projects that should be prioritized. By fostering meaningful relationships with the community, these organizations ensure that their strategies are grounded in the lived experiences and

aspirations of LGBTQI+ individuals. This approach not only strengthens community engagement but also enables the development of services and initiatives that genuinely address their needs. While some organizations in Lebanon adopt a community-centric approach, others employ a rights-based approach. One such organization focuses on advocating for legislative changes, particularly labor laws and self-identification laws, aiming to achieve equality for the LGBTQI+ community. However, this approach has faced criticism from some participants who question its effectiveness in the current chaotic Lebanese political landscape. These participants argue that the sectarian system and government failures make targeting legislation a less productive strategy. As a result, these organizations prioritize service provision over advocacy work, ensuring that the immediate needs of the community are met.

In Egypt, LGBTQI+ organizations employ various strategies to overcome obstacles and promote LGBTQI+ rights. Many organizations engage in advocacy efforts, including writing policy papers, research papers, and articles. They actively network with stakeholders, including decision-makers, to influence policy changes. Furthermore, these organizations, like Rainbow Egypt, conduct training workshops, raise awareness through campaigns on social media, and create safe spaces for LGBTQI+ individuals to express themselves and engage in participatory activities. Moreover, some organizations provide essential services such as financial, psychological, and legal support, catering to the diverse needs of the LGBTQI+ community. They also extend their support to LGBTQI+ refugees and intervene in emergencies, including resettlement and rehousing. It is worth noting that within Egypt, some LGBTQI+ organizations not only target the broader LGBTQI+ community, but also focus on one specific group, such as transgender individuals, non-binary people, Muslim queers, sex workers, or individuals with disabilities. This targeted approach ensures that marginalized groups within the LGBTQI+ community receive tailored support and services that address their unique challenges and experiences.

In Tunisia, LGBTQI+ organizations like Mawjoudin and Damj adopt a multifaceted approach that combines advocacy, awareness-raising, and community empowerment. These organizations actively engage in lobbying efforts to influence legislation and policies, aiming to secure legal recognition and protection for

LGBTQI+ individuals. They also work on educating the general public and challenging societal stigma and prejudices through public campaigns, cultural events, and collaborations with local artists and influencers. Additionally, they provide support services such as counseling, healthcare referrals, and legal assistance to LGBTQI+ individuals who may face discrimination or violence.

In Morocco, LGBTQI+ organizations primarily rely on online advocacy tools to amplify their voices and raise awareness about LGBTQI+ issues. These organizations also engage in grassroots work, utilizing art as a powerful medium to spark conversations, foster dialogue, and promote understanding within. Through art exhibitions, performances, and other creative initiatives, they aim to challenge societal norms and promote acceptance and inclusivity. In addition to their advocacy efforts, these organizations prioritize capacity building within small groups, providing education, training, and support to empower LGBTQI+ individuals and communities. They recognize the importance of research and archiving, documenting the experiences and struggles of LGBTQI+ individuals in Morocco to shed light on their realities and advocate for. While in-person events are organized, when possible, caution is exercised due to the risk of legal repercussions. Organizations must plan and execute these events discreetly, taking necessary measures to ensure the safety and privacy of participants. Despite these challenges, these in-person gatherings play a crucial role in fostering a sense of community and solidarity among LGBTQI+ individuals. Moreover, some organizations go beyond advocacy and community building by providing essential services and support. These services range from financial assistance to help individuals meet basic needs to psychological aid, offering counseling and emotional support to those navigating the challenges associated with their sexual orientation or gender identity. Through their work within these limitations, LGBTQI+ organizations in Morocco aim to create safe spaces and establish networks of support for LGBTQI+ individuals. By offering a platform for self-expression, knowledge sharing, and empowerment, these organizations strive to enable individuals to navigate the societal barriers they encounter and promote greater acceptance and understanding within Moroccan society.

In Kuwait, the operations of civil organizations, including those advocating for LGBTQI+ rights, face

significant restrictions due to the country's laws. Officially, organizations promoting LGBTQI+ rights are banned. However, despite these challenges, the Kuwaiti LGBTQI+ community engages in underground organizing through two main approaches: diaspora organizing and communal organizing. Diaspora organizing involves Kuwaiti activists who operate from outside the country. These activists have become more vocal in recent years, utilizing social media platforms and online spaces to raise awareness, share resources, and support the local LGBTQI+ community. While they may face limitations in directly influencing the local context, their efforts contribute to the broader visibility and discourse surrounding LGBTQI+ issues in Kuwait. Communal organizing for the Kuwaiti LGBTQI+ community focuses on building connections and fostering communal relations within the Kuwaiti community. Events and activities are organized to create safe and supportive spaces for individuals to come together, share experiences, and form networks of support. These initiatives often prioritize community-building rather than direct activism, reflecting the need to create spaces where individuals can express themselves freely and find solidarity in a challenging environment.

The LGBTQI+ movement in the SWANA region faces a common challenge: a lack of visible strategies. While organizations and activists are working tirelessly to advocate for LGBTQI+ rights, the absence of specific short and long-term plans poses significant obstacles to sustained progress and systemic change. This lack of visible strategies hinders the ability of LGBTQI+ organizations to establish comprehensive plans for sustained advocacy, policy reform, and societal change. It becomes challenging to build momentum, secure resources, and mobilize support without clear goals and strategies. Moreover, the absence of strategic planning leaves the movement vulnerable to reactionary measures and limits its ability to effectively respond to changing circumstances and emerging challenges. To overcome these limitations, it is crucial for LGBTQI+ organizations in the SWANA region to prioritize the development of long-term strategies. This includes setting specific goals, identifying key stakeholders, defining targeted advocacy approaches, and establishing mechanisms for sustainability and growth.

LGBTQI+ organizations in the SWANA region necessarily employ diverse strategies tailored to the specific contexts in which they operate. From

community-centered approaches to advocacy, awareness-raising, service provision, grassroots work, and online advocacy, these organizations demonstrate resilience and creativity in their efforts to advocate for LGBTQI+ rights and well-being. Despite facing numerous challenges, they remain steadfast in their commitment to creating a more inclusive and equitable society for LGBTQI+ individuals in the SWANA region. While they are currently limited to short-term action, their dedication and perseverance in the face of harsh societal and legal challenges shows potential for the growth of the movement.

Despite the necessity of unique approaches to activism and advocacy, there still exists the pressure from outside funders and INGOs to conform to "Western" patterns of action and methodology. With this in mind, the impact of Western-based advocacy on the work strategies of LGBTQI+ organizations in the SWANA region cannot be overlooked. This influence has shaped the approaches and priorities of these organizations, often with unintended consequences. It is important to understand how this impact manifests in their work strategies. One significant effect is the pressure on LGBTQI+ organizations to conform to Western models of activism and advocacy. Western-based funding often comes with specific expectations and criteria, favoring approaches that align with Western understandings of LGBTQI+ rights and identities. As a result, SWANA-based organizations may feel compelled to adopt strategies that mimic Western counterparts, even if they do not resonate with the local cultural, social, and political contexts. This pressure to conform to Western methodologies and ideologies can lead to a disconnection between the priorities of Western funders and the needs of local LGBTQI+ communities. Likewise, this has the potential to bring further animosity towards LGBTQI+ advocates as perceived representatives of outside interference within the region. This ultimately leaves room for LGBTQI+ communities to be further marginalized as not coming from within the country or region where they live. Furthermore, the influence of Western-based advocacy can impact the sustainability of LGBTQI+ organizations in the region. Reliance on Western funding sources, which may be unpredictable or subject to changing priorities, can create instability for these organizations. Consequently, they may find themselves devoting substantial resources and energy to fulfilling the expectations and demands of Western funders, often

at the expense of building local support networks and sustainable structures. Additionally, the Theory of Change framework often employed by Western-based advocacy can be perceived as out of character for the SWANA region, with many activists and organizations finding it difficult to relate to. The Theory of Change is a strategic planning tool that outlines the causal pathways between activities, outcomes, and long-term impacts. While it has proven effective in certain contexts, its applicability to the unique sociocultural and political dynamics of the SWANA region may be limited. Partially, this is because the Theory of Change framework tends to rely on linear cause-and-effect relationships, emphasizing measurable outcomes and predefined indicators of success. This approach may overlook the complex and multifaceted nature of the challenges faced by LGBTQI+ individuals in the SWANA region, which are deeply rooted in cultural, religious, and socio-political contexts. There is also a great variety of cultural diversity that exists in the SWANA region that is not represented in the scope of the Theory of Change as it has been applied in the region. Activists often find it challenging to fit their strategies and goals into this predefined framework as they have found it does not adequately account for these nuances.

3.3.3 Gaps

Gaps within the LGBTQI+ movement in the SWANA region are evident in several areas, including limited access to activists, funding challenges, capacity-building needs, lack of accountability mechanisms, gatekeeping and insufficient organizational planning. These gaps hinder the progress of the movement and limit its effectiveness in advocating for the rights and well-being of LGBTQI+ individuals in the region.

An important factor to consider is the transition from activist-based initiatives to professional NGO-based approaches. While activists demonstrate immense passion for their cause, it is crucial to acknowledge that they may lack the necessary expertise and skills to effectively navigate the complexities of professional nonprofit organizations. There is need for a transitional phase wherein institutions, including existing INGOs, offer assistance and training in order to formalize the work of activists. This would serve to address the needs of activists in the skills that they lack, namely in the operation of formalized professional NGOs and their structures. In doing

this, there needs to be an emphasis on the provision of such training to specific marginalized peoples within the LGBTQI+ community, namely transgender individuals and sex workers. In doing this, specific attention needs to be paid to their needs and risks, as well as providing toolkits that would work for them within the contexts that they operate.

Activists are often driven by a deep commitment to creating social change and may excel in raising awareness, mobilizing communities, and advocating for their cause. However, the transition to a professional NGO framework requires a distinct set of skills, including strategic planning, financial management, project implementation, and stakeholder engagement.

One of the notable gaps is the lack of visibility and difficulty in accessing LGBTQI+ activists in certain countries, such as in the case in Kuwait. Due to security concerns, Kuwaiti activists often remain off the radar and do not interact with other regional activists or attend international conferences. This isolation creates a challenge for international and regional NGOs that seek to collaborate with local Kuwaiti activists on LGBTQI+ activities. The absence of Kuwaiti activists in LGBTQI+ spaces also leads to the erasure of discussions about the specific needs and challenges faced by LGBTQI+ individuals in Kuwait. However, this absence does not absolve external organizations from accurately reporting on Kuwaiti LGBTQI+ issues. Future reporting should prioritize conducting in-depth investigations using open sources or connecting with well-informed local activists to provide better coverage. This case can be broadly applied to all Khaleej countries with similarly difficult social, political, and legal contexts that prohibit the operation or even existence of LGBTQI+ peoples and organizations. Similar problems regarding visibility and accessibility also exist in countries where there are unstable or dangerous political situations, such as in Sudan, Yemen, Mauritania, and Libya. Social and political unrest make it difficult to connect with, identify, or even be aware of LGBTQI+ organizing or networks within these countries.

In addition to accessibility gaps, limited networking opportunities and access to collective knowledge pose another gap within the LGBTQI+ movement across the SWANA region. As mentioned, some organizations are unable to publicly seek partners

due to social and political risks. In addition to this, there are difficulties due to language barriers and a reluctance to expose their networks. As a result, they are limited to their local networks and struggle to collaborate beyond their immediate circles, lacking the ability to reach out to other regional organizations or networks. While security concerns often contribute to communication challenges, the issue is further compounded by linguistic differences stemming from the diverse regional dialects spoken across the SWANA region. International and regional organizations, often operating in foreign or non-native languages such as English, French, or Arabic, face difficulties in navigating the linguistic landscape of the region. This complexity extends beyond mere dialectal variations; it involves distinct languages with roots in different linguistic families. Contrary to the common misconception that Arabic serves as a universal language, the reality is that various languages, such as Amazigh with its variations in North Africa, the Teda language in Libya, and Kurdish in Iraq, are integral to daily communication. Literary Arabic, often perceived as a shared language, is rarely used in day-to-day interactions. These linguistic intricacies pose significant challenges to networking and knowledge-sharing efforts across the region, limiting information availability and accessibility both within and beyond the local context.

Crucially across the SWANA region, this study found that funding-related gaps contribute to the challenges faced by the LGBTQI+ movement. Participants in discussions highlighted gatekeeping practices by funders and the lack of policies to diversify the distribution of grants. Trans-led groups, in particular, are one of the most impacted but receive insufficient funding. Additionally, non-LGBTQI+ led groups, especially INGOs operating in Lebanon, often receive the majority of available funding for civil society without ensuring inclusive representation. In the case of Lebanon, there is a specific need for more grants to economically assist LGBTQI+ people affected by the economic crisis and the Beirut port explosion. Capacity-building programs are essential for strengthening the skills of activists.

Furthermore, accountability mechanisms within the LGBTQI+ movement require attention and improvement. This insight emerged prominently through focus groups, interviews, and surveys,

signaling a persistent and urgent concern for activists in the region.

“Everyone in international dev[elopment] needs a framework to properly follow-up on harassment and bullying claims. Because organizations don’t really know how to use them. We lack a framework and training on how to report and follow through these things.” - Interview participant from Lebanon.

Strengthening accountability should be a priority once funding issues are addressed, as it would create more space for discussions around anti-corruption measures and long-term financial stability. The Lebanese LGBTQI+ movement, for instance, experienced a scandal within its largest group that led to the cessation of its operations. This incident highlights the necessity for effective internal oversight policies and accountability mechanisms to prevent similar incidents in the future. The lack of internal policies on corruption and accountability within some organizations raises concerns among activists. Transparent salary structures are also lacking, which undermines trust within the team. Workers’ rights issues, including wage theft and underpayment, are commonly raised, especially when upper management does not share budgeting details with the rest of the staff.

The LGBTQI+ movement in the SWANA region requires comprehensive work strategies, clearer goals, and professional skills to implement effective advocacy plans. Many groups rely heavily on social media or storytelling activism, lacking in-depth evidence-based research and data collection to inform their advocacy strategies. Furthermore, sustainable grassroots services are essential, as most services are only available during funding cycles, making long-term planning challenging. To strengthen the LGBTQI+ movement, it is imperative to go beyond social media and storytelling activism. While these forms of activism have their merits, there is a need for in-depth evidence-based research and data collection. This research can serve as a solid foundation for informed advocacy strategies, policy recommendations, and community empowerment. Additionally, sustainability in grassroots services is crucial to ensure continuous support for LGBTQI+ individuals, even when funding cycles end. Concrete plans and strategies should be developed to ensure that essential services, such as mental health support, legal assistance, and

community outreach, are available and accessible on an ongoing basis.

3.3.4 Challenges to Organizing and Funding

Through comprehensive research involving focus groups, interviews, and surveys, it is evident that the issue of limited accessibility to funding remains a pressing concern for LGBTQI+ organizations in the SWANA region. This lack of accessibility can be attributed to several factors rooted in the legal and socioeconomic context of the region.

Firstly, one of the primary factors owing to the lack of available funding to LGBTQI+ organizations is due to their not being legally registered in their respective countries. This itself is a demonstration of the risks inherent in their operation as well as direct legal prohibition of LGBTQI+ activism, promotion, and organizing. Therefore, this impediment prevents LGBTQI+ organizations from accessing funds through conventional means as registered NGOs within their country. This limits their ability to work with international institutions that will only fund or collaborate with organizations that are legally registered NGOs, as well as hindering their visibility and ability to form broader funding networks. Although there are a few funders who are willing to provide funding to non-registered NGOs, the amounts offered are typically quite small. This limited financial support hampers the ability of these NGOs and LGBTQI+ organizations to fully achieve their goals. Consequently, these organizations are compelled to seek alternative avenues to secure funding.

One such strategy involves relying on third-party entities to receive and distribute funds on their behalf. These can be individuals or organizations outside of their country. However, this approach introduces inherent risks, as it necessitates a level of trust and dependency on external parties. Moreover, it exposes the organizations and activists to potential legal repercussions, as the receipt of foreign funds without proper explanation can be misconstrued as evidence of terrorism or unlawful activities. This compounds the potential for legal repercussions against individuals working to fund LGBTQI+ organizing, as they may not only be breaking laws surrounding LGBTQI+ identities and persons, but also be investigated for potential financial crimes, or, at the

most extreme end, be arrested under anti-terrorist legislation.

Alternatively, some organizations resort to receiving funding directly into personal bank accounts, bypassing official channels. Although this method may provide a temporary solution, it exposes individuals to personal liabilities, tax law, and further jeopardizes their safety and security. An effective and secure strategy to address this issue could be found through the utilization of anonymous prepaid bank cards provided by funders. These cards offer a range of benefits that contribute to enhanced safety and security.

Furthermore, access to funding is hindered due to language barriers, lack of access to information, and knowledge gaps in writing effective funding proposals. These challenges significantly impede organizations' ability to secure financial support. Many organizations, particularly those lacking resources or support, face difficulties in acquiring the necessary knowledge and skills to navigate the complex funding landscape. Language barriers pose a significant obstacle, as funders often require proposals and communication in specific languages (typically English or French). This requirement excludes organizations with limited proficiency in those languages, limiting their access to funding opportunities. Additionally, the limited availability of information and resources tailored to the unique needs of LGBTQI+ organizations in the SWANA region further exacerbates the problem. Organizations struggle to find relevant funding opportunities, understand the specific requirements, and effectively articulate their goals and impact to potential funders.

The current structures in place tend to favor larger, well-established groups, which unfortunately leaves smaller initiatives marginalized and exacerbates gatekeeping within the region. Over the past year, there have been two notable incidents, in Lebanon and Egypt, where only one group acted as a fiscal sponsor, leading to dependency issues. Additionally, there is a prevalent issue of funders not doing their due diligence in identifying new stakeholders in the region. This arises when a funder identifies one prominent organization and allocates all available funding to them, without considering diversification or alternative channels. This approach creates a dynamic of gatekeeping, preventing groups that may have

conflicts with the chosen organization from accessing funding.

Moreover, the centralization of funding can also contribute to corruption, as evidenced in the cases of Lebanon and Egypt, or at the very least, it has the potential to do so. The concentration of resources in a single entity or organization allows for the exploitation of power and the manipulation of funds. The monopolization of funding channels enables corruption to thrive, compromising the integrity of the movement. Furthermore, the reliance on a limited number of organizations and a lack of outreach contribute to the problem of gatekeeping. When all resources are channeled through one organization, it results in monopolization and restricts the entry of other groups or individuals into the space. This restriction, combined with the development of exclusive relationships between funders and specific individuals within NGOs, further hampers the ability of others to engage or access funding. Consequently, a sense of exclusion arises, and important voices and perspectives remain unheard. Another aspect to consider is the presence of a Western-based agenda. Activists often feel compelled to cater to a Western audience and funders in order to gain visibility and financial support. Consequently, their efforts become more geared towards pleasing funders rather than serving their own communities. This phenomenon of catering to external agendas not only hinders authentic progress but also perpetuates existing power dynamics between the West and the SWANA region.

- **Example: Algeria**

In Algeria, during a focus group session with activists, important issues regarding access to information and funding within the LGBTQI+ community were raised. Participants expressed their concerns about the lack of available information and networking opportunities, both locally and regionally. This limited access to information has created barriers for activists who are eager to connect with other LGBTQI+ organizations and expand their knowledge and resources.

In the case of Algeria, language barriers emerged as a significant challenge discussed by the activists. The majority of participants spoke Amazigh, French, or Algerian Darija, which further complicates communication and limits their ability to access information and resources available in other

languages. This language divide has hindered their ability to engage in meaningful exchanges with organizations and activists from different regions.

Further compounding the issue of accessibility, a prominent concern shared by the activists was the concentration of funding and visibility within one single organization in Algeria. This monopolistic control has instilled fear in the minds of young queer activists, as it restricts their opportunities to showcase their work and limits their access to external support. Consequently, this centralization of power creates a sense of isolation and dependence, hindering the growth and progress of the broader LGBTQI+ movement in Algeria. As this singular organization has established itself as the sole point of entry for LGBTQI+ activism, they disperse funds at their discretion. This limits the ability for smaller or newer organizations to access funds without having to work through this local NGO as an intermediary – without being able to petition for outside funds on their own. This results in the gatekeeping of funders from all organizations or collectives that are not directly associated with this single organization. This exemplifies the issue of gatekeeping within the LGBTQI+ movement itself. Established and larger organizations engage in gatekeeping practices, selectively providing funding and access to conferences primarily to themselves. This practice perpetuates a power imbalance within the movement and hinders the growth and development of smaller or emerging organizations. The limited funding and exclusion from important platforms for visibility impede the overall diversity and inclusivity of the movement.

- **Example: Lebanon**

In Lebanon, one significant issue highlighted by participants was gatekeeping perpetuated by funders, resulting in unequal access to funding opportunities. Participants emphasized the necessity of implementing policies that promote diversity in grant recipients. Specifically, they advocated for increased funding directed towards trans-led groups, highlighting that this marginalized segment of the community faces significant challenges – and yet receives inadequate financial support. By addressing this funding gap, there is a greater potential to uplift and empower trans-led organizations, enabling them to effectively advocate for the rights and well-being of transgender individuals.

Participants also highlighted gatekeeping practices carried out by non-LGBTQI+ led groups, particularly INGOs operating in Lebanon. These organizations often receive the majority of available funding for civil society initiatives without ensuring inclusive representation and participation of LGBTQI+ organizations. This exclusionary approach limits the resources available to grassroots LGBTQI+ groups and undermines their ability to address the specific needs and priorities of their communities.

- **Example: Egypt**

Our Egyptian participants, during discussions, highlighted a concerning issue within the LGBTQI+ movement and their experiences with LGBTQI+ activism. Similar to the issues outlined by our participants in Algeria, there exists a de facto monopoly resulting in gatekeeping and restrictive access to funding. Our participants highlighted two prominent organizations that control a significant portion of funding, estimated at approximately 80%. This concentration of power has created an unjust power dynamic, wherein smaller groups are compelled to conform to the conditions set by the larger organizations in order to access much-needed funding.

Challenges and Needs:

The LGBTQI+ movement in the SWANA region faces several challenges that hinder its progress and impact. These challenges include societal hostility, legal restrictions, limited access to funding and resources, lack of data and research, and the need for coalition-building and cross-border solidarity.

Societal Hostility: The movement grapples with deeply ingrained societal prejudice and discrimination. Addressing this challenge requires extensive public awareness campaigns, community outreach, and education to challenge misconceptions and promote acceptance and understanding of diverse sexual orientations and gender identities. This is evident across the SWANA region, with each representative country in this study having its specific social and societal restrictions to LGBTQI+ organizing. In general, LGBTQI+ peoples are ostracized from general society – such as in the case of Kuwait and the Khaleej, where a prevalent ideology positions LGBTQI+ issues as a “new Western phenomenon” that would destroy the fabric of their society. Similar rhetoric can be found throughout the SWANA region,

advocating for conversion therapy, incarceration, or other forms of punishment against LGBTQI+ peoples. This results in situations within society where families will encourage their members to hide their identity or sexuality for fear of their safety in broad society – or even, in extreme cases, expel them from their family homes. There is a combination of distrust, hatred, and fear surrounding LGBTQI+ peoples, resulting in pervasive social persecution.

This is particularly evident when LGBTQI+ organizations gain visibility – either by their own initiatives or by social pressure in the form of fear mongering campaigns. This hinders organizing for fear of not only legal action, but potentially violent social movements against LGBTQI+ peoples – as they are targeted as being either morally against social norms or even destabilizing foreign interference in the national social fabric.

Legal Restrictions: As noted in the legal contexts for each country in this study, many countries in the SWANA region have laws that criminalize same-sex relationships and activities. These range from imprisonment to heavy fines levied against persons for “advocating” for LGBTQI+ “lifestyles” as well as laws punishing any persons associated with LGBTQI+ persons or organizations. Lebanon, Morocco, and Kuwait specifically criminalize homosexual relations, using terms such as “sexual intercourse against nature,” or outright criminalizing consensual homosexual relations between men in the case of Kuwait. Egypt utilizes laws pertaining to public indecency, morality, and sex work in order to criminalize LGBTQI+ persons. The majority of countries in the SWANA region restrict the ability of LGBTQI+ organizations to legally register. These restrictions often stem from laws forbidden anything that goes against public morality, indecency, sex work, or homosexuality.

Limited Funding and Resources: LGBTQI+ organizations often struggle to access funding and resources due to legal and socioeconomic barriers. Restrictions also exist in the form of gatekeeping by established organizations, security concerns within the LGBTQI+ movements in the SWANA region, language barriers, legal and financial barriers to receiving funds from outside the country, as well as the inability to formally form NGOs and civil

society organizations. Establishing partnerships with international donors and organizations can provide alternative funding sources and support capacity-building initiatives for local organizations.

Lack of Data and Research: There is a massive gap in the available information on LGBTQI+ persons in SWANA, their movements, histories, and the avenues that exist for policy making to combat the legal barriers LGBTQI+ peoples face in the region. The scarcity of data on LGBTQI+ issues impedes evidence-based advocacy and policy development, making it difficult to assess the success of actions taken by LGBTQI+ organizations. In particular, there is little to no data from Libya, Yemen, and Mauritania, which have their own unique contexts and challenges. Collaboration and outreach need to be conducted between activists, researchers, and academics to generate reliable data, conduct research, and provide an evidence base to inform advocacy efforts and raise awareness of the challenges faced by these communities.

Gatekeeping in Grassroots Activism: Often, more well-established activists monopolize opportunities for capacity building, such as attending workshops and conferences. This phenomenon restricts the growth and potential of emerging activists, preventing them from developing their skills, knowledge, and potential networks. As a result, movements tend to become centered around the face of a single individual or a select few, as they actively block others from gaining visibility and accessibility. This monopolization of opportunities stifles the collective nature of movements, hindering the participation and contributions of diverse voices and perspectives.

Capacity Building Opportunities: There is a pressing need for capacity building within the LGBTQI+ movement in the region, particularly among queer youth activists. The data collected highlights a significant gap in skills and resources among this group. Capacity building initiatives targeted specifically at queer youth activists can provide them with the necessary knowledge, tools, and support to effectively advocate for LGBTQI+ rights and address the unique challenges they face. Notable areas where capacity building should be focused are strategic planning, report writing, grant writing, mechanisms for applying for funds, funds management, record keeping, and accounting.

Lack of Accountability Mechanisms: There is a need for accountability measures to be implemented within emerging LGBTQI+ organizations. The lack of visibility regarding funds allocation has in some cases resulted in corruption and mistrust within the movement and certain LGBTQI+ organizations. Transparent salary structures are also lacking, which undermines trust within organizations themselves. This is especially prevalent within monopolized NGO structures that do not have budgeting and salary details disclosed among staff, resulting in underpayment. Policies are also lacking regarding inappropriate workplace conduct, harassment, racist and ableist conduct or language, or violence in any form.

4. Case studies

4.1 Egypt

4.1.1 Legal Framing

Egypt has many laws and policies that actively discriminate against LGBTQI+ people and limit their fundamental human rights. Those laws and policies range from criminalizing LGBTQI+ identities, censorship, denial of accessing gender-affirming health care, and legal gender recognition to policies that actively promote discrimination against LGBTQI+ people in the workplace.³⁶

Egypt does not explicitly criminalize being LGBTQI+; instead, the Egyptian authorities tend to use a complex web of legal articles related to morality, sex work, and public decency to arrest, and prosecute LGBTQI+ people. The most notorious legal article is article 9(C) of the anti-sex work law 10/1961. The article stipulates that:

“Punishment by imprisonment for a period not less than three months and not exceeding three years and a fine not less than 25 LE and not exceeding 300 LE in the Egyptian administration and not less than 250 Lira and not exceeding 3000 Lira in the Syrian administration or one of these two punishments applies in the following cases: Whoever habitually engages in debauchery or prostitution.³⁷”

Habitually engaging in debauchery is a common charge against LGBTQI+ people. The legal meaning of the word is any male who engaged in sex work.

Apart from this charge, other common charges under the same law are “promotion of debauchery” and “facilitating debauchery.” Other legal articles are used as well, including article 269 bis of the Penal Code, which stipulates:

“Whoever is found on a public road or a traveled and frequented place inciting the passers with signals or words to commit adultery shall be punished with detention for a period not exceeding one month.³⁸”

The most recent addition to Egypt's anti-LGBTQI+ legal arsenal is Article 25 of the Cybercrime Law 175/2018, which stipulates:

“Posting content that ‘violates the family principles and values upheld by Egyptian society’ may be punished by a minimum of six months imprisonment and/or a fine of EGP50,000–100,000.³⁹”

The vagueness of these laws has led to their arbitrary use against members of the LGBTQI+ community who, even when not committing the crime as stipulated by the law, can still be targeted due to their perceived immorality.⁴⁰ According to the Egyptian Initiative for Personal Freedoms (EIPR), between 2013 to 2017, no less than 232 people were arrested due to their perceived sexual orientation or gender identity, 129 of whom were arrested through social media

36 “Egypt.” Database.ilga.org. Accessed June 12, 2023. <https://database.ilga.org/egypt-lgbti>.

37 Hamid, D. A. The Trap: Punishing Sexual Difference in Egypt. Al Qahirah: Egyptian Initiative for Personal Rights, 2017. https://www.ecoi.net/en/file/local/2020143/the_trap-en.pdf

38 Noralla, Nora. “A Litigation Guide on Crimes of Sex Working and Homosexuality (Prostitution and Debauchery).” cairo52, June 25, 2021. <https://cairo52.com/2021/06/24/a-litigation-guide-on-crimes-of-sex-working-and-homosexuality-prostitution-and-debauchery/>.

39 Noralla, Nora. “Sexually Guilty: Custom Morality and the Persecution of the LGBTQ Community in Egypt.” cairo52, June 7, 2023. <https://cairo52.com/2023/06/01/sexually-guilty-custom-morality-and-the-persecution-of-the-lgbtq-community-in-egypt/>.

40 Ibid

or dating apps. Those arrested faced prison terms ranging from six months to three years.⁴¹ In 2018, a massive crackdown occurred after some activists flew a rainbow flag during a rock concert by the Lebanese band Mashrouh Lalia. The crackdown resulted in the arrest of 85 individuals in under three months, making it the worst security crackdown against LGBTQI+ people in the country's history.⁴² In 2019 Local organizations documented 92 arrests; in 2022, the number was 43, according to the EIPR.⁴³

Torture in Egypt is regarded as endemic, and the authorities have failed to take adequate measures to investigate and prosecute torture incidents not only against LGBTQI+ people but also the general detainee populations. In detention, LGBTQI+ people are subject to ill-treatment, amounting to torture by state and non-state actors. LGBTQI+ people subject to verbal, physical, and mental abuse, including police officers telling other inmates to harass them, sexual violence by police and inmates, forced anal examination, and others.⁴⁴ Trans people, especially trans women, are forced into solitary confinement in prisons that do not match their gender identities, as well as forced genital examinations to determine which "sex" they belong to. In 2020, the Administrative Court refused petition 10399/74 JY regarding creating trans-only detention cells in police stations and prisons. The petition was filed by a trans woman who was arrested and placed in a men's prison in 2019.⁴⁵

Apart from criminalization, other laws restrict LGBTQI+ people's fundamental rights. Accessing gender-affirming health care and legal gender

recognition is generally governed by Islamic Sharia and its stronghold Al-Azhar.⁴⁶ Al-Azhar believes that transgender people are mentally ill and should be treated through conversion therapy and nothing else. Thus, Egypt's policies around transgender people reflect this attitude. In 2003, The Ministry of Health amended the Medical Syndicate code of ethics to ban doctors from providing gender-affirming health care for transgender people.⁴⁷ The amendment also stipulated the creation of a new "sex correction committee" responsible for reviewing applications of those who wish to receive any treatment that would alter their sex.⁴⁸ The review committee also was required to **have a representative of Dar Al-ifta, Egypt's Islamic oversight body**, to ensure all approved cases are compatible with their interpretation of Sharia. The review committee remains dysfunctional, as its members were all volunteers and often conflicted with Dar Al-ifta's representative over approving trans cases, as some doctors in the committee believed that gender identity disorder should be accepted as a reason to undergo treatment. However, in 2020, Dr. Osama Abdel-Hay, head of the medical syndicate's review committee, indicated that the committee only approved intersex cases for treatment.⁴⁹

Doctors who wish to provide gender-affirming health care outside the review committee system **can risk losing their license under the current code of ethics or being prosecuted** for "causing percent disability" to their patients under Article 244 of the Penal Code. In 2010, a hospital in upper Egypt was shut down, and several doctors were arrested for

41 Hamid, D. A. The Trap: Punishing Sexual Difference in Egypt. Al Qahirah: Egyptian Initiative for Personal Rights, 2017. https://www.ecoi.net/en/file/local/2020143/the_trap-en.pdf

42 Ghoshal, Neela. "More Arrests in Egypt's LGBTQI+ Crackdown, but No International Outcry." Human Rights Watch, October 28, 2020. <https://www.hrw.org/news/2018/01/22/more-arrests-egypts-lgbt-crackdown-no-international-outcry>.

43 ElShekh, Fathi. "محاومون: القبض على عشرات المثليين في مصر خلال ٣ أشهر.. و«جرايندر» يحذر مستخدميهم من مصيدة الشرطة." مدى مصر. <https://www.madamasr.com/2023/03/26/news/u/محاومون-القبض-على-عشرات-المثليين-في-مصر/>

44 "Egypt: Security Forces Abuse, Torture LGBTQI+ People." Human Rights Watch, September 28, 2020. <https://www.hrw.org/news/2020/10/01/egypt-security-forces-abuse-torture-lgbt-people>.

45 "درب ملك الكاشف تطعن على قرار القضاء الإداري برفض قضية إلزام الداخلية بتخصيص أماكن احتجاز للعابرين جنسيا." <https://daaarb.com/ملك-الكاشف-تطعن-على-قرار-القضاء-الإداري/>

46 Noralla, Nora. "A Discriminatory System Killed a Transgender Man in Egypt." Human Rights Watch, November 10, 2021. <https://www.hrw.org/news/2021/11/10/discriminatory-system-killed-transgender-man-egypt>.

47 Ibid

48 Noralla, Nora. "The Middle East Has an Anti-Transgender Bills Problem." The New Arab. The New Arab, July 22, 2022. <https://english.alaraby.co.uk/features/middle-east-has-anti-transgender-bills-problem>.

49 Michel, Maggie, and Mariam Fam. "In Egypt, Transgender Activist Fights Battle on Many Fronts." ABC News. ABC News Network, March 27, 2020. <https://abcnews.go.com/International/wireStory/egypt-transgender-activist-fights-battle-fronts-69829327>.

providing gender-affirming health care to a trans patient.⁵⁰ Thus, trans people who may wish to receive gender-affirming health care **are left with no option but to seek it from underground and unlicensed clinics**, which are often ill-equipped, expensive, and sometimes even deadly. Gender-affirming surgeries could cost anywhere from 10,000 to 40,000 EGP (330 – 1294 USD) in a country where 72.60% of people earn less than 5.50 USD daily. In 2021, **a 26 year old trans man bled to death** after he was prematurely discharged after suffering from a botched gender-affirming surgery in an underground clinic.⁵¹

Even those who may find themselves lucky or privileged enough to undergo gender-affirming health care still face structural barriers to accessing legal gender recognition. Egypt has no laws governing the matter, leading to an entirely arbitrary, lengthy, expensive, and complicated process.⁵² Transgender people who wish to change their legal documents have to apply for a committee in the civil registry, which can accept the documents, require further documents, or outright refuse the application. If the application is refused, transgender people must submit a judicial petition to the administrative courts, who then decide. In 2016, a court rejected a request by a trans man to change his papers after the forensic examination revealed he is transgender and not intersex. The court cited Al-Azhar's position and Sharia as grounds to reject his application.⁵³

Egyptian medical policies on intersex people are also vague and arbitrary. Generally, if an intersex infant is diagnosed at birth, they are subjected to Intersex Genital Mutilation (IGM). Most of the time, hospitals are not equipped to deal with intersex infants and

rely only on visual examination of the child without further internal and hormonal examination.⁵⁴ Parents also can decide arbitrarily on the child's sex, which often leads to choosing males over females, as male children are celebrated more in Egyptian culture. Recent studies noted that most intersex diagnoses only happen during puberty, but even for those who may wish to undergo surgeries to fit within the binary, hospitals and the medical staff are not acutely trained or equipped to deal with their cases, leading to lower quality medical services.⁵⁵

Every able-bodied individual assigned male at birth is required to complete military service in the country's armed forces. The Egyptian military labels homosexuality and transgenderism as severe mental disorders, and they are exemptions from doing military service.⁵⁶ In 2023, a disciplinary court issued a new judgment stating that being suspected of homosexuality alone was a valid reason for dismissal from government positions. The case was about the country's national broadcaster employee whose wife accused him of homosexuality and provided video evidence of him doing gay acts. This legal precedent means that "suspicious of homosexuality" can be ground for firing, even if the person is not gay.⁵⁷

LGBTQI+ media is generally illegal in Egypt, with Telecommunication Law 10/2003 and Cybercrime Law 175/2018 containing articles related to morality that are used to justify limiting LGBTQI+ content and prosecuting those who publish it both on traditional and online media. In 2017, the Supreme Council for Media Regulation (SCMR) issued a general ban on all forms of support for the LGBTQI+ community in media outlets.⁵⁸ In 2019, a TV anchor was found guilty

50 Noralla, Nora. "A Discriminatory System Killed a Transgender Man in Egypt." Human Rights Watch, November 10, 2021. <https://www.hrw.org/news/2021/11/10/discriminatory-system-killed-transgender-man-egypt>.

51 Noralla, Nora. "Tough Territory for Transgender People in the Middle East and North Africa." Human Rights Watch, April 8, 2022. <https://www.hrw.org/news/2022/04/08/tough-territory-transgender-people-middle-east-and-north-africa>.

52 Noralla, Nora. "Confused Judiciary & Transgender Rights: Inside the MENA Region's Case Law on Legal Gender Recognition." Manara Magazine, August 21, 2022. <https://manaramagazine.org/2022/03/confused-judiciary-transgender-rights-inside-the-mena-regions-case-law-on-legal-gender-recognition/>.

53 Ibid

54 Noralla, Nora. "Policies of Erasure: How the Mena's Region Intersex People Are Made Invisible." The Tahrir Institute for Middle East Policy, April 20, 2023. <https://timep.org/2023/04/20/policies-of-erasure-how-the-menas-region-intersex-people-are-made-invisible/>.

55 Ibid

56 Noralla, Nora. "Queer Not in the Army." Cairo 52 Legal Research Institute, August 16, 2022. <https://cairo52.com/2022/08/16/queer-not-in-the-army/>.

57 "حكم قضائي بعزل موظف في التلفزيون لاتهامه ب«المثلية الجنسية»". المنصة, June 1, 2023. <https://manassa.news/node/11470>.

58 Unofficial Translation Of Statement By Egypt's Supreme Council For Media Regulation". 2017. Human Rights Watch.

of promoting debauchery after hosting an LGBTQI+ person, despite the anchor being very anti-LGBTQI+ in his show.⁵⁹ In 2019, the Public Prosecutor established the Communication, Guidance, and Social Media Department (CGSMD), an affiliate of the Public Prosecution. Since then, the Monitoring and Analysis Unit (MAU) of the newly created department has filed several lawsuits against users of social networking sites.⁶⁰ This means that the Public Prosecution has been officially monitoring internet users under the pretext of protecting national security, national social security, and the values of the Egyptian family. In 2020, the National Center for Translation (NCT) issued new guidelines that banned some topics from being translated into Arabic, including books that discuss LGBTQI+ issues.⁶¹

In 2022, Egypt joined several countries in the region in banning Western movies depicting LGBTQI+ characters, such as Disney's Buzzlight. The same year, the Ministry of Education issued a general directive to "combat the promotion of homosexuality and its ideas in different media outlets," instructing officials to implement anti-LGBTQI+ awareness campaigns in schools to protect the children and youth from this Western agenda.⁶² LGBTQI+ foreigners are also subject to deportation and denial of entry. In 2015, a court gave the Ministry of Interior broader power to deport those suspected of homosexuality.⁶³ In 2021, Egypt denied entry to two trans men because of their identities.⁶⁴

4.1.2 Social, Religious, and Political Elements

Most Egyptian society is religious and conservative. The country is 90% Sunni Islam and 10% Christian. Religion plays an essential role for both citizens and the state. Egyptian law is a mix of Islamic Law and French Civil Law.⁶⁵ Sharia is usually the source of law for civil matters, such as marriage, inheritance, and divorce. Article 2 of the Constitution also stipulates that:

"Islam is the religion of the state, and Arabic is its official language. The principles of Islamic Sharia are the principal source of legislation."⁶⁶

At the same time, Christians and Jews can use their own religious code for their civil matters as stipulated in Article 3:

"The principles of the laws of Egyptian Christians and Jews are the main source of laws regulating their personal status, religious affairs, and selection of spiritual leaders."⁶⁷

The two biggest religious entities in Egypt, the Coptic Orthodox Church (COC) and Al-Azhar have expressed their hatred against LGBTQI+ people on multiple occasions. In 2017, the COC organized an anti-LGBTQI+ conference to teach parents how to deal with their LGBTQI+ kids and combat the spread

<https://www.hrw.org/news/2017/10/06/unofficial-translation-statement-egypts-supreme-council-media-regulation>.

59 Ali, Randa. "Egyptian TV Anchor Sentenced to Hard Labor over Interview with Gay Man." ABC News, January 21, 2019. <https://abcnews.go.com/International/egyptian-tv-anchor-sentenced-hard-labor-interview-gay/story?id=60523651>.

60 Public Prosecution And Digital Transformation: An Introduction To Mass Surveillance Of The Internet - Association Of Freedom Of Thought And Expression". 2021. *Association Of Freedom Of Thought And Expression*. <https://afteegypt.org/en/research-en/policy-papers-en/2021/08/08/24363-afteegypt.html>.

61 مؤسسة حرية الفكر والتعبير. 1202. «مؤسسة حرية الفكر والتعبير». <https://afteegypt.org/research/policy-papers/2021/11/16/25981-afteegypt.html>.

62 Noralla, Nora. "Anti- LGBTQI+ Extremism Isn't Limited to Just the United States. Here's How to Beat Them Worldwide." LGBTQ Nation, March 10, 2023. <https://www.lgbtqnation.com/2023/03/anti-lgbtq-extremism-isnt-limited-to-just-the-united-states-heres-how-to-beat-them-worldwide/>.

63 Nader, Emir. "Net Tightens on Gays in Egypt as Foreigners Approved for Deportation." Dailynewsegypt, April 15, 2015. <https://www.dailynewsegypt.com/2015/04/15/net-tightens-on-gays-in-egypt-as-foreigners-approved-for-deportation/>.

64 Kelleher, Patrick. "Trans Men Denied Entry to Egypt by Border Guards Because They 'Do Not Look Female.'" PinkNews, May 8, 2021. <https://www.thepinknews.com/2021/05/08/or-mizan-titi-katan-israel-egypt-transgender-lgbt/>.

65 Egypt, U.S. Mission. "2022 Report on International Religious Freedom: Egypt." U.S. Embassy in Egypt, May 17, 2023. <https://eg.usembassy.gov/2022-report-on-international-religious-freedom-egypt/>.

66 "Egypt 2014 Constitution." Constitute. Accessed June 12, 2023. https://www.constituteproject.org/constitution/Egypt_2014?lang=en.

67 Ibid

of homosexuality in society.⁶⁸ In 2021, the COC organized several courses to train therapist and social workers on psychology in conversion therapy. In 2023, Pope Tawadros II, head of the COC, stated that the Church has initiated anti-LGBTQI+ programs in its kindergarten to “protect the children.” The pope added that such programs also commenced within the Coptic diaspora community abroad, indicting the Church’s transnational power over its followers.⁶⁹

Simultaneously, Al-Azhar has been very active in spreading anti-LGBTQI+ speech. In 2022, Ahmed Al-Tayeb announced that Al-Azhar and all religious entities in Egypt refuse to accept such a foreign ideology to Egyptian society, and they will coordinate efforts to combat the Western LGBTQI+ ideology.⁷⁰ His statement reaffirmed previous statements made in the past decade, often labeling LGBTQI+ identities as a Western conspiracy that aims to protect the youth in Egypt. In 2021, two days after the Transgender Day of Remembrance, Al-Azhar Grand Imam Ahmed Al-Tayeb issued a statement attacking what he saw as the spreading the immoral transgender identities in Egypt: “Today we are seeing an obsession with unwarranted sex change, which not only goes against fundamental human nature but is unanimously rejected by all revealed religions.”⁷¹

Given these statements from the two most prominent religious entities in Egypt, it should not be surprising that most of society is pretty queerphobic. In 2013, a study by Pew Research Center found that 95% of Egyptian society does not accept homosexuality.⁷² The most tolerant segment of Egyptian society may view LGBTQI+ as a mental disorder that can be cured by conversion therapy. Conversion therapy is a big

business in Egypt supported by Al-Azhar and the COC. Ironically, while conservative actors claim that LGBTQI+ identities are a Western invention, doctors usually boast about learning conversion therapy from their Western counterparts, especially American Evangelicals and other traditional entities in the US who have their own big conversion therapy business. Ads for conversion therapy are freely posted on social media, with little to no action against them by social media companies.⁷³

In 2022, a group of Egyptian youth started an anti-LGBTQI+ initiative named “Fetrah” after Disney announced increasing queer representation in its movies. The founders of the campaigns claimed they don’t promote violence or hatred against LGBTQI+ people. Instead, they state they only work to preserve the identity of Egyptian society from an ever-growing Western cultural invasion. The campaign gained millions of followers regionally before Facebook shut it down.⁷⁴ Traditional Egyptian media is also queerphobic, hosting a wide range of religious, social, and political figures who often promote conversion therapy or punishment for LGBTQI+ people. In 2023, Mohamed Sobhi, a famous Egyptian actor, fed into conspiracy theories around LGBTQI+ people when he stated, “Homosexuality is part of a big world plan to decrease the world population.”⁷⁵ In 2022, the National Council for Childhood & Motherhood announced it would partner with media outlets and other entities to initiate “safe message” initiatives to produce “safe cultural and social messages to protect the kids from bad Western influence.”⁷⁶ In 2023, the Al-Noor party, an ultra-conservative Islamic party, announced that “homosexuality is one of the biggest threats to the Muslim identity,” vowing to introduce new policies and

68 Kårtveit, Bård. “The Anti-Gay Agenda of Egypt’s Coptic Orthodox Church.” The New Arab, October 2, 2017. <https://www.newarab.com/opinion/anti-gay-agenda-egypts-coptic-orthodox-church>.

69 “مصر اوي.كوم” البابا تواضروس: المثلية الجنسية ضد إرادة الله والكتاب المقدس. “مصر اوي.كوم” https://www.masrawy.com/news/news_egypt/details/2023/1/13/2354886/البابا-تواضروس-المثلية-الجنسية-ضد-إرادة-الله-والكتاب-المقدس.

70 شيخ الأزهر: نرفض المثلية الجنسية انطلاقاً من تعاليم القرآن الكريم والكتاب المقدس. “الأسبوع” <https://www.elaosboa.com/262936/>.

71 Noralla, Nora. “Sunni Islamic Jurisprudence, Sex Reassignment Surgery and Transgender Rights.” openDemocracy, December 13, 2021. <https://www.opendemocracy.net/en/north-africa-west-asia/sunni-islamic-jurisprudence-sex-reassignment-surgery-and-transgender-rights/>.

72 “LGBT Rights in Egypt: Equaldex.” LGBTQI+ Rights by Country & Travel Guide. Accessed June 12, 2023. <https://www.equaldex.com/region/egypt>.

73 -Schapiro, Avi Asher, and Maya Gebeily. “LGBTQI+ Conversion Therapy: Banned on Facebook, but Thriving in Arabic.” Reuters, June 3, 2021. <https://www.reuters.com/article/us-mideast-lgbt-conversion-idUSKCN2DF0S9>.

74 Al Jazeera. “بعد إغلاق فيسبوك للصفحة حملة ‘فطرة’ المناهضة للمثلية الجنسية تكشف ملابس القرار (فيديو).” الأخبار | الجزيرة مباشر. “مزمز” <https://www.aljazeera.com/news/2022/7/21/بعد-إغلاق-فيسبوك-لصفحة-حملة-فطرة>.

75 mz3. “مزمز” محمد صبحي: المثلية الجنسية وكورونا جزء من مخطط لإبادة العالم. “مزمز” <https://mz-mz.net/1749276/>.

76 “بعد حملة الكويت.. مصر تعد مبادرة الإعلام الآمن للطفل لمواجهة المثلية الجنسية.” العمق المغربي <https://al3omk.com/759832.html>.

measures to combat the spread of homosexuality in society.⁷⁷

On the other hand, the Egyptian government under strongman Abd Al-Fatah Al-Sisi, who took power in a coup in 2013, has been very active in anti-LGBTQI+ actions. NGOs point out that LGBTQI+ arrests and prosecution are intensive under Sisi. The Egyptian state generally has a solid anti-human rights agenda, still ruled by a military dictatorship. To gain legitimacy, the state monopolizes morality, presenting itself as the moral protector of Egyptian society from immoral foreign agendas.⁷⁸ This state-sponsored morality is strictly anti-LGBTQI+, as it works to demonize sexual and gender minorities, declaring them a Western foreign product. After the coup d'état in 2013, queer people became the center of the moral battle between the new military dictatorship and the previous Islamic regime. The Islamists accused the new regime of being immoral, using queer people as a ploy after videos became public of two men getting married on a Cairo Riverboat. The new regime, eager to prove its morality, arrested all men involved in the incident and sentenced them to three years imprisonment.⁷⁹

In 2023, the justice minister stated to the media that “a family is only a man and a woman, and any other form of relations will be punished by law.” The justice minister also spoke about Egyptian performance on the “homosexuality issue” in the United Nations, ensuring the people that the Egyptian government will not accept homosexuality.⁸⁰ Egypt is part of the Organization of Islamic Cooperation and the Arab League, the two who form the backbone of an **Islamic anti-SOGI voting bloc in the Human Rights Council**. In 2019, Egypt voted against resolution A/HRC/RES/41/18 on the renewal of IE SOGI.⁸¹ The same year, the Egyptian delegation to the UN Human Rights Council refused to accept

any recommendations on LGBTQI+ rights during its third Universal Periodic Review (UPR). The head of the delegation stated “Egypt does not recognize the terminology contained in this recommendation. According to the Constitution and Law, all citizens are equal before the law. The rights of all individuals are protected without distinction, regardless of the charges pressed against any individual.”⁸²

In this atmosphere of social, religious, and political hatred, it became the norm for LGBTQI+ people to be treated like second-class citizens with limited access to education, housing, employment, health, and other fundamental human rights. In recent years, criminal gangs have been entrapping LGBTQI+ people on dating apps and social media, using their queer identities to blackmail and extract money while physically and verbally assaulting them. While what the gangs are doing is illegal, they operate with impunity, knowing that LGBTQI+ people will not report it to the authorities, as the authorities may arrest them instead or not act on it. This is one of many examples of how LGBTQI+ people in Egypt are denied the protection they are entitled to under the law.⁸³

However, in recent years there has been more active discussion about transgender people, especially with some segments of society believing that transgender people should exist only if they fit within the binary and calling for surgeries and hormones to be available. While this narrative may sound outdated, it is a big step forward in the Egyptian context, where transgender people are generally viewed as sinners. Those discussions were most apparent in two high-profile coming-out cases. The first was about the son of a famous Egyptian actor who underwent gender-affirming health care to become a transgender man. Initially, society had a lot of empathy for the actor and his son, as the actor used a narrative indicating

77 “حزب النور بالحوار الوطني: المثلية الجنسية والإلحاد أكبر خطر على هويتنا.” مصر اوي.كوم، May 18, 2023. https://www.masrawy.com/news/news_egypt/details/2023/5/18/2415559-هويتنا-على-خطر-على-هويتنا-المثلية-الجنسية-والإلحاد-أكبر-خطر-على-هويتنا

78 Noralla, Nora. “Sexually Guilty: Custom Morality and the Persecution of the LGBTQ Community in Egypt.” cairo52, June 7, 2023. <https://cairo52.com/2023/06/01/sexually-guilty-custom-morality-and-the-persecution-of-the-lgbtq-community-in-egypt/>.

79 Ibid

80 وزير العدل: الأسرة تتكون من رجل وامرأة وأي شكل آخر سيحاسب عليه الخارجون على القانون. “بوابة الأهرام” eg/News/4183071.aspx.

81 A/HRC/RES/41/18

82 Younes, Rasha. “Egypt’s Denial of Sexual Orientation and Gender Identity.” Human Rights Watch, March 28, 2020. <https://www.hrw.org/news/2020/03/20/egypts-denial-sexual-orientation-and-gender-identity>.

83 Shihab-Eldin, Ahmed. “How Sisi’s Regime Is Ruthlessly Targeting Egypt’s Queer Community.” DAWN, February 27, 2023. <https://dawnmena.org/how-sisis-regime-is-ruthlessly-targeting-egypts-queer-community/>.

that his son suffered from a hormonal disorder that required medical interventions to make him the man he is. However, this public empathy turned into anger after the son debunked this narrative, stating that he was trans and had no hormonal abnormality.⁸⁴ The second case was of a transgender woman who got fired from her position as a teacher and used social media to plead with the Minister of Education to help her. The Minister issued a statement supporting the teacher and called for a greater acceptance of trans people in society. The transgender woman opted to maintain a socially accepted narrative of pathologizing to avoid further discrimination.⁸⁵

4.1.3 LGBTQI+ Organizing

For this research, we conducted focus groups with 12 representatives of local LGBTQI+ groups to understand better the context where they operate.

Context: Any form of LGBTQI+ organizing is illegal in Egypt, and LGBTQI+ NGOs cannot register there. Only two people were arrested for LGBTQI+ organizing, Sarah Hegazi, and Ahmed Alaa, for raising the rainbow flag in 2017. Other incidents of prosecution against LGBTQI+ activists include Malak Al-Kashf, a transgender political activist arrested in 2019 for participating in and organizing a political demonstration. LGBTQI+ NGOs in Egypt either operate underground without official registration or register in a safe foreign country, for example, the Netherlands. Egypt's modern LGBTQI+ organizing started with the Egyptian Revolution in 2011 and is considered generally diverse. Egyptian LGBTQI+ groups interviewed represented a rich set of opinions, work, strategies, and leadership. The group's leadership comprises transgender people, LGBTQI+ people, queer sex workers, people living with HIV, and intersectional queer feminist leadership. The work of the groups includes grassroots community services,

advocacy, research, lobbying, social change, and raising awareness.

Challenges: All 12 LGBTQI+ groups we talked to pointed out that there are two main areas of concern for them: security and funding. LGBTQI+ groups often have limited outreach due to security concerns. Most group activities take place in the digital space, with few grassroots movements such as legal aid, psychological support, community meetings, workshops, and HIV testing taking place in secure places. All 12 participants also use secure communication tools and pseudonyms in their public communications. LGBTQI+ activists noted that there is a gap when it comes to security programming, especially targeting those less privileged.

“I, as a community member and an activist, am aware that security challenges hinder a lot of the grassroots services outreach in Egypt. Only a few within the community bubbles can access those services since groups hardly advertise services outside the community bubbles. I understand why, but I believe there must be a better way to balance security with outreach to have a more effective outreach to those not inside our bubble.”

— Trans woman survey respondent.

Nine out of 12 participants noted that elite, privileged activists have more access to visas and security funds, and it is easier to relocate outside the country in case of a security threat.

“There is a lack of communication and cooperation between different groups, those who have access to global audience and services, i.e., elitist groups usually never share these resources, creating a very uneasy dynamic in the movement.”

— An opinion shared by different representatives during the focus groups

84 ابن هشام سليم: 'أنا متحول جنسياً ومش عندي خلل في الهرمونات'. صور. "اليوم السابع". June 21, 2020. <https://www.youm7.com/story/2020/6/21/%D8%A7%D8%A8%D9%86-%D9%87%D8%B4%D8%A7%D9%85-%D8%B3%D9%84%D9%8A%D9%85-%D8%A3%D9%86%D8%A7-%D9%85%D8%AA%D8%AD%D9%88%D9%84-%D8%AC%D9%86%D8%B3%D9%8A%D9%8B%D8%A7-%D9%88%D9%85%D8%B4-%D8%B9%D9%86%D8%AF%D9%8A-%D8%AE%D9%84%D9%84-%D9%81%D9%8A/4836400>.

85 فريدة رمضان.. مصرية عابرة جنسيا تبحث عن الحياة باكرامة. "الحرية". June 2, 2021. <https://www.alhurra.com/egypt/2021/06/02/%D9%81%D8%B1%D9%8A%D8%AF%D8%A9-%D8%B1%D9%85%D8%B6%D8%A7%D9%86-%D9%85%D8%B5%D8%B1%D9%8A%D8%A9-%D8%B9%D8%A7%D8%A8%D8%B1%D8%A9-%D8%AC%D9%86%D8%B3%D9%8A%D8%A7-%D8%AA%D8%A8%D8%AD%D8%AB-%D8%A7%D9%84%D8%AD%D9%8A%D8%A7%D8%A9-%D8%A8%D9%80%D9%83%D8%B1%D8%A7%D9%85%D8%A9>.

Regarding funding, many activists pointed out that the LGBTQI+ movement in Egypt suffers from monopoly and gatekeeping by two prominent organizations that control around 80% of the funding. Activists noted that such gatekeeping creates an unjust power dynamic between bigger and smaller groups, where smaller groups have to abide by the bigger ones to get access to funding.

There is a monopoly on funding. Two main organizations get most of the available funding and gatekeep others from accessing information regarding the funding. Generally, funding is a highly complex issue. The scarcity of funding available for groups in the region has created a competitive and non-cooperation mindset, where every group is working for itself to receive as much funding as possible.
— Individual independent activist

Activists also pointed out that the two bigger groups have kept a monopoly over networks and connections, which allowed them to receive most of the funding. Activists also pointed out the need for more transparency from funders regarding available funding to local groups and who they are currently funding. Activists also claimed that there is general gatekeeping when it comes to resources apart from funding, especially attending conferences, training, and workshops, pointing out that most of the time, the people with access to those opportunities are the same individuals working in the more prominent groups. The lack of resources creates an atmosphere of competition within the local groups, where groups inter-fight over the limited resources available. This strongly hinders cooperation between groups and creates an atmosphere of mistrust and imbalanced power dynamics. The movement is still quite divided, especially in recent years, after a major scandal hit one of the most prominent local groups. The group was accused of corruption, embezzlement, and abuse of workers by a group of whistleblowers from the group itself. The group had to suspend operations and is currently under investigation for the misconduct.

We saw that the lack of accountability leads to corruption, abuse of power, misuse of funds, etc. We urgently need new community-led accountability mechanisms that will break the corruption cycle.
— Focus group participant

Gaps: When asked about work strategies, plans, and future goals, most groups did not give clear answers, with some needing clarification about what work strategies mean. 10 out of 12 groups also needed more professional skills to implement effective advocacy plans, as most needed training. Most groups also followed one mode of activism, which is social media or storytelling activism. The movement needs more in-depth evidence-backed research and data collection, which can feed into informing future advocacy strategies. The movement also needs more sustainable grassroots services, as most services are only available during funding cycles, with concrete plans to continue even if funding stops.

This reflects the need for further capacity-building programs especially targeting advocacy and non-government organizing mechanisms and strategies. Groups also commented that some don't have internal policies on corruption and accountability, while for those who do, the policies remain largely ink on paper. The absence of an accountability mechanism concerned eight out of 12 of participants, especially in light of the recent scandal. Some activists suggested that funders should take more proactive approaches in mentoring and overseeing the conduct of their grantees. While others pointed out that more involvement from the funders would create more dependency on them, even on the smallest detail. Some suggested the establishment of an independent oversight committee composed of impartial independent activists to oversee the conduct of local groups that receive foreign funding.

Another area of concern was the lack of transparency, especially regarding salaries. While all groups agreed that public transparency is hard to achieve, they also decided that internal salary transparency is critical to building trust among team members. Workers' right is also an area of concern for many. Some activists pointed out that wage theft and underpaying employees are common, especially since upper management doesn't share budgeting details with the rest of the staff. While the movement is mainly diverse, it still lacks representation of intersex people and sex workers, with only one group out of the 12 interviewed having sex workers as part of its leadership and none having any intersex people in their leadership.

Everyone uses the word intersectionality a lot but never applies it. Most groups just work on the same issues, ignoring the needs of

4.2 Morocco

4.2.1 Legal Framing

Morocco's legal framework concerning LGBTQI+ community is characterized by the criminalization of consensual same-sex relations and restrictive laws that infringe upon the rights of individuals based on their sexual orientation, gender identity, and expression. The following section outlines specific laws that exist within the Moroccan penal code, outlining some specific cases of conflicting rights as well as those laws which are specifically used against LGBTQI+ persons.

To begin, the Moroccan constitution first establishes a right to privacy and the protection of their privacy. This is found in **Article 24** of the Moroccan Constitution, adopted in 2011, which states that “[e]veryone has the right to the protection of their private life.”⁸⁶ However, as will be demonstrated in the following laws outlined in the constitution, this constitutional protection of the right to privacy is violated in the case of LGBTQI+ persons. These articles demonstrate that there are still significant challenges and discrimination faced by LGBTQI+ individuals in Morocco.

The primary law used to criminalize same-sex sexual acts in Morocco is **Article 489** of the Moroccan Penal Code. This article vaguely refers to “lewd or unnatural acts” committed between individuals of the same sex. It also prohibits “immodest or unnatural acts with an individual of [their] sex.” The penalties for such acts can range from six months to three years of imprisonment, along with fines ranging from 200 to 1,000 Moroccan dirhams (\$20 to \$99 USD). It is important to note that the law allows for exceptions when the circumstances do not constitute an aggravating factor, but the interpretation of this provision remains subjective

and arbitrary. This law, which originated during the French colonial period, has been retained since Morocco gained independence from France in 1956. The criminalization of consensual same-sex relations in Morocco aligns with the historical imposition of French colonial laws, reflecting a pattern of control and repression of colonized populations by colonial powers.

In a similarly vague sense, **Article 483** of the Moroccan Penal Code criminalizes acts of public indecency, carrying penalties of imprisonment ranging from one month to two years. The broad language of this article, referring to “voluntary nudity” and the “obscenity of gestures or actions,” provides a basis for authorities to target and harass LGBTQI+ individuals in public spaces. According to article 483 “insult to morality” is punishable by up to two years in prison and a fine of up to 500 dirhams (\$49 USD)⁸⁷. **Article 490** extends into individuals’ private lives, specifically forbidding any sexual relations between unmarried persons, to quote: “[a]ll persons of the opposite sex who are not related by marriage, and have sexual relations with each other, are punishable by imprisonment for one month to one year”. This law in particular is used against trans persons, nonbinary and gender nonconforming persons, and sex workers. In the case of trans, nonbinary, and gender nonconforming persons, this law disregards their gender identity, referring to the person only by their binary sex as assigned on their national ID.

In the case of sex workers, there are a number of increasingly severe laws criminalizing their work, people who associating with them, and people offering any form of assistance to them. These laws carry with them the harshest penalties. **Article 498** specifically outlines that any person who knowingly commits the following acts shall be subject to imprisonment for

86 Maroc, Constitution du 1er juillet 2011, <https://mjp.univ-perp.fr/constit/ma2011.htm>

87 Moroccan penal code (Dahir n° 1-59-413 of 26 november 1962 (28 jourmada II 1382).

one to five years and a fine ranging from 5000 (\$500 USD) to 1 million dirhams (\$100K USD), unless the act constitutes a more serious offense:

- Assisting, aiding, or protecting the prostitution of others or soliciting for the purpose of prostitution in any manner.
- Knowingly residing with a person who is habitually engaged in prostitution.
- Hiring, training, delivering, or protecting a person with the intention of engaging them in prostitution or debauchery, even with their consent or by exerting pressure on them, or with the intention of ensuring the continuation of their involvement in prostitution or debauchery.
- Being unable to justify the source of their income in relation to their standard of living, while living with a person who is habitually engaged in prostitution or debauchery, or maintaining suspicious relations with one or more persons engaged in prostitution or debauchery.

Article 501 continues outlining the severity of any association with prostitution or sex work. This article extends punishment as well to anyone involved financially or through providing housing or premises which can be claimed to be assisting anyone involved in prostitution or “debauchery.” This article outlines punishment to the tune of imprisonment of four to 10 years and a fine of 5000 (\$500 USD) to 2 million dirhams (\$200K USD). This extends to anyone involved by committing themselves or, through a third party, any of the following acts: owning, managing, operating, directing, financing or participating in the financing of premises or establishments usually intended for debauchery or prostitution.

While Article 501 and 498 do not specifically target LGBTQI+ individuals, they indirectly affect the queer community. Some LGBTQI+ individuals may engage in sex work; however these laws are not only applied to sex workers. As the penal code is somewhat vague

as to what constitutes “debauchery” this can lead to the criminalization of group housing of queer individuals as well as activists. There have even been instances of the Moroccan penal system using these articles against political leftists and feminists. The criminalization of establishments used for sex work can further marginalize and criminalize LGBTQI+ individuals and sex workers, exacerbating their vulnerability to violence, exploitation, and discrimination.

There are further examples wherein the current legal framework in Morocco lacks inclusive protection beyond heteronormativity, as exemplified by the limited recognition of rape in the penal code. **Article 486** specifically defines rape as an act committed by a cisgender man against a cisgender woman⁸⁸ without her consent. This narrow definition fails to encompass the diverse experiences of sexual violence faced by individuals outside this binary framework. By confining rape solely to a specific gender configuration, the law overlooks the experiences of rape survivors who may not fit within this traditional framework. It fails to recognize and adequately address cases involving same-sex rape, transgender individuals, or nonbinary individuals. Such an exclusionary approach perpetuates systemic discrimination and denies justice to those who have suffered sexual violence.

On a positive note, in a historic development for Morocco, legislation specifically addressing intersex individuals has been enacted. **Article 28** of the official **Dahir** n° 1.21.81, dated July 14, 2021⁸⁹, states that “[t]he declaration of intersex birth is accompanied by a medical certificate that specifies the sex of the newborn. The legal documentation will reflect this information, and in the event of a future change in the intersex individual’s sex, it will be done according to a ruling issued by the competent court.” The aforementioned statement allows for a significant advancement in the rights of intersex individuals in Morocco. It enables them to change both their name and the sex designation on their identification documents. This legislative provision recognizes

88 **Art. 486** “Rape is the act by which a man has sexual relations with a woman against the will of the latter. It is punishable by imprisonment of five to ten years. However, if the rape has been committed on the person of a minor under the age of eighteen years, a disabled or a handicapped person, a person with weak mental faculties, or of a pregnant woman, the penalty is imprisonment of ten to twenty years.”

89 Dahir n° 1.21.81, dated July 14, 2021. <https://www.collectivites-territoriales.gov.ma/sites/default/files/inline-files/Dahir%20n%C2%B0%201.21.81%20en%20date%20du%2014%20Juillet%202021%20en%20application%20de%20la%20loi%2036.21%20relative%20%C3%A0%20l%E2%80%99%C3%A9tat%20civil.pdf>

the autonomy and self-determination of intersex individuals in defining their personal identity. As this is a recent development, it remains to be seen how this change in the law works in practice.

Despite this advancement, overall these laws create a hostile legal environment for the LGBTQI+ community in Morocco. They violate fundamental rights such as privacy, autonomy, and equality, and contribute to discrimination, violence, and marginalization. The criminalization of same-sex acts leads to a climate of fear and secrecy, where individuals may face harassment, blackmail, or violence due to their sexual orientation or gender identity.

Furthermore, enforcement of these laws is not consistent, but their mere existence has a chilling effect on the lives of LGBTQI+ individuals in Morocco. There are cases where these laws have been selectively implemented in cases where individuals are vocal or considered to be too public with their identity, or otherwise critical of the state. Many individuals choose to hide their sexual orientation or gender identity, living in constant fear of being targeted by law enforcement or facing societal backlash. Efforts to decriminalize same-sex relations and advocate for the rights of the LGBTQI+ community face significant challenges due to conservative social and religious norms prevailing in Moroccan society. Repealing discriminatory laws and protecting the rights of LGBTQI+ individuals require legal reforms, changes in societal attitudes, and recognition of the fundamental rights of all individuals, irrespective of sexual orientation or gender identity.

4.2.2 Social, Religious, and Political Elements

Religiously, more than 99 percent of the population of Morocco is Sunni Muslim⁹⁰, though within this there

exists a range between conservatism and liberalism in terms of religious belief. Less than 0.1 percent of the population is Shia Muslim, and together constituting less than one percent of the population are Christians, Jews, and Baha'is. **Article 3** of the constitution of 2011 states specifically that "Islam is the religion of the State, which guarantees to all the free exercise of worship."⁹¹ This article is somewhat deliberately vague in its description of "worship," most likely to be inclusive of Morocco's Jewish community, which has historical significance. The Moroccan Jewish community even has its own legal system, consisting of a "separate set of laws and special courts [which] govern personal status matters for Jews, including functions such as marriage, inheritance, and other personal status matters."⁹² This includes specific religious Rabbinical authorities granted powers over Jewish family courts. Overall, Moroccan society remains religiously and socially conservative, leading to hardships for those outside of the norms allowed within religious and social custom. In general, the LGBTQI+ community in Morocco faces a multitude of challenges that extend beyond legal barriers. In addition to navigating a complex legal landscape, individuals within this community encounter significant socio-economic issues that further exacerbate their marginalization and exclusion. Discrimination rooted in sexual orientation, gender identity, and gender expression permeates various facets of their lives, creating obstacles in accessing fundamental rights such as healthcare, education, employment, and justice.

There are documented instances where LGBTQI+ persons do not report problems to police due to the illegality of LGBTQI+ identities.⁹³ There is irregularity in the response of the police to cases where an LGBTQI+ person is involved as the victim, which could result in more harm to these individuals depending on the personal feelings of the officer involved.⁹⁴ Similarly, there are documented instances where police have been called upon to speak with

90 US State Dept, 2022 Report on International Religious Freedom: Morocco, <https://www.state.gov/reports/2022-report-on-international-religious-freedom/morocco/#:~:text=More%20than%2099%20percent%20of,Jews%2C%20and%20Baha'is.>

91 Maroc, Constitution du 1er juillet 2011, <https://mjp.univ-perp.fr/constit/ma2011.htm>

92 US State Dept, 2022 Report on International Religious Freedom: Morocco, <https://www.state.gov/reports/2022-report-on-international-religious-freedom/morocco/#:~:text=More%20than%2099%20percent%20of,Jews%2C%20and%20Baha'is.>

93 US State Dept, 2022 Country Reports on Human Rights Practices: Morocco, <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/morocco>

94 Ibid

the families of LGBTQI+ persons in order to “coerce LGBTQI+ persons to change, or simply not express, their sexual orientation, gender identity, or gender expression.”⁹⁵

Homosexuality and LGBTQI+ persons have been in the spotlight in political discourse for populist parties and figures due to being outside of what are considered Moroccan norms and values. The Justice and Development Party (PJD), an Islamist party, had notable successes in Moroccan politics, particularly during the 2011 elections, where it emerged as the leading party and formed a coalition government. Its leader, Abdelilah Benkirane, served as the Prime Minister from 2011 to 2017, making it the first time an Islamist party had assumed such a prominent role in Moroccan governance. As recent as December 7, 2021, the former Moroccan Prime Minister Benkirane publicly released a statement that “[w]e will not strive for homosexuals to publicly declare the disobedience of God.”⁹⁶ This illustrates the interplay of political and religious forces utilizing LGBTQI+ persons in order to gain popular support, as this marginalized community still faces significant distrust from society at large.

On a social level, the Moroccan Institute for Political Analysis conducted a poll of Moroccans aged 18 and older to assess, among a number of other factors, their willingness to socialize with persons of select demographics. When asked about who they would be willing to have friendships with, 67% of the respondents stated they would accept having a friend from a different religion, 24% would accept atheist friends, but only 12% would accept having homosexual friends.⁹⁷ According to the same report, a staggering 88% of Moroccans express a lack of trust towards homosexuals, with only 4% indicating full trust.⁹⁸ This finding reflects the prevailing sentiments within society, highlighting a concerning perspective on the LGBTQI+ community. Consequently, the public sphere becomes fraught with danger for many LGBTQI+ individuals, as they fear violence, rejection, and bullying, among other forms of mistreatment. This can also extend to indicate that, as more participants were trusting of atheists than

homosexuals, the prevailing factor in this inherent bias may not be entirely driven by religious factors, but also social.

Access to healthcare services is often limited for LGBTQI+ individuals due to discrimination and stigma. This has led to both a reluctance as well as a restriction to the accessibility of care and treatment for even general healthcare. Many healthcare providers lack proper knowledge and training on the specific health needs of the LGBTQI+ community, leading to inadequate and insensitive care. This lack of access to inclusive healthcare further exacerbates health disparities within the LGBTQI+ community.

In the educational sphere, heteronormativity often dominates the curriculum and classroom environment, leading to the marginalization and erasure of LGBTQI+ individuals. The lack of comprehensive sexual education contributes to misinformation and perpetuates stereotypes and prejudice. This exclusion from educational spaces hampers opportunities for personal and professional growth for LGBTQI+ individuals.

In terms of employment, individuals within the LGBTQI+ community often face discrimination, harassment, and barriers to advancement in the workplace. Many individuals are forced to hide their sexual orientation or gender identity to protect themselves from negative consequences, which can lead to mental health issues and limited career prospects. Legal protections against workplace discrimination based on sexual orientation and gender identity are currently absent in Moroccan law.

Additionally, socio-economic disparities within the LGBTQI+ community are significant. Individuals from lower social classes often face higher levels of discrimination and violence due to the intersection of class and sexual orientation or gender identity. Economic opportunities and access to resources are limited for many LGBTQI+ individuals, which further exacerbates their vulnerability and exclusion from mainstream society.

95 Ibid

96 Amal El Attaq, Benkirane on LGBT: Morocco Is Not Europe <https://www.moroccoworldnews.com/2021/12/345890/benkirane-on-lgbt-morocco-is-not-europe>

97 Trust Index 2022: Trust in Public Administration during the Era of Pandemic, Moroccan Institute for Political Analysis; <https://mipa.institute/en/9017>

98 Ibid.

The cumulative effect of legal and socio-economic challenges places the LGBTQI+ community in Morocco at a significant disadvantage, perpetuating a cycle of discrimination, marginalization, and limited opportunities for advancement. Efforts to address these issues require comprehensive legal reform, increased social acceptance, and the creation of inclusive policies and practices across various sectors of society.

4.2.3 LGBTQI+ Organizing

We organized multiple distinct focus groups involving 13 LGBTQI+ organizations in Morocco, each representing diverse backgrounds, strategies, and various cities across the country. The LGBTQI+ movement in Morocco encompasses several organizations and alliances that are dedicated to advocating for the rights of queer individuals and challenging the societal norms that perpetuate discrimination and marginalization. While the specific names of the organizations have not been provided for security reasons, their work and impact are noteworthy. From our focus groups, the following specific organizations and their work and experiences were identified.

Context: Despite the challenging legal and societal situation that prohibits the formal organization of LGBTQI+ groups in Morocco, the community remains resilient and continues to assemble and demand rights. For this reason, organizations and collectives that do work and operate within Morocco are typically unregistered or are registered in a third-party state. Activism in Morocco has witnessed various phases, including significant individual acts such as the courageous self-outing of Abdellah Taïa⁹⁹ and the establishment of Kif-Kif¹⁰⁰ in 2004 by LGBTQI+ Moroccans in Spain. However, grassroots activism within the country gained momentum during the 20 February Movement in 2011, leading to the founding of “Aswat Magazine” and later the “Aswat Collective.” Furthermore, amidst these circumstances, there is one noteworthy NGO that has successfully registered

in Morocco, operating under the umbrella of a feminist organization.

From the interviews conducted in the course of this study, one representative focuses on creating a safe space for the LGBTQI+ community through a “lab of thoughts.” This space serves as a platform for open discussions, where queer individuals can freely express themselves without fear of judgment or discrimination. Through research initiatives, this organization collects data on the experiences of LGBTQI+ individuals, shedding light on the challenges they face and providing evidence for advocacy efforts. This research is instrumental in raising awareness about the human rights violations and discrimination endured by the queer community. Other organizations engage in mapping abuse cases and victims within the LGBTQI+ community. By documenting these incidents, they not only expose the reality of violence and discrimination but also provide a basis for demanding accountability from perpetrators. This comprehensive approach aims to ensure that the voices of victims are heard and that justice is pursued.

The focus of LGBTQI+ organizing in Morocco is typically focused on grassroots organizing in the form of awareness campaigns and capacity building. In terms of capacity building, one organization organizes workshops and training sessions to empower LGBTQI+ individuals with the necessary skills and knowledge to advocate for their rights effectively. By providing education on human rights, legal frameworks, and communication strategies, they equip community members with tools to navigate and challenge discriminatory systems. These capacity-building initiatives often feature real-life examples and case studies to illustrate the importance of advocacy and empower individuals to drive change.

Challenges: The primary challenges faced by LGBTQI+ organizing within Morocco are those faced from the legal and social stigmatization of LGBTQI+ persons, as well as the specific legal barriers that exist for establishing NGOs and civil society organizations. This limitation creates the problem of lack of funding

99 Abdellah Taïa is Morocco’s first openly gay writer <https://theconversation.com/abdellah-ta-a-is-moroccos-first-openly-gay-writer-his-work-reimagines-being-muslim-queer-and-african-205574#:text=Abdellah%20Ta%C3%AFa%20was%20born%20in.the%20Moroccan%20magazine%20Tel%20Quel>.

100 Kif-Kif <http://www.kifkif.lgbt/que-hacemos/>

opportunities and a culture of withholding access to others to funding and information.

“We face a significant challenge in capacity building for our team. Many of our members lack sufficient knowledge in project management and related aspects. Additionally, we encounter ‘safe spaces’ issues that hinder the execution of our activities in a secure manner.” — Participant in Focus Group

The funding challenges faced by these organizations are significant. Limited access to funds and grants restricts their ability to implement projects and sustain their activities. For example, securing a deposit recipient for funds is often a complex process, and organizations may face rejection when applying for formal funding opportunities. This problem is compounded by strict banking and regulatory requirements that unregistered organizations cannot meet, sometimes leading to investigations under the legal statutes of anti-terrorism funding law or even suspicion of acting as a foreign agent when receiving funds from abroad as an individual. Interview participants in this study reinforced the significance of this issue, emphasizing that access to funds and the banking process are highly risky and dangerous. This financial barrier hinders the organizations’ capacities to expand their reach and address the diverse needs of the LGBTQI+ community. An additional obstacle is the control exerted by funders over projects and advocacy priorities. This control can lead to organizations altering their statutes or shifting their focus to align with the requirements and agendas of the funders, regardless of the funder’s knowledge of the legal, social, and regulatory context within Morocco. This challenge highlights the importance of maintaining independence and ensuring that the organizations’ work remains driven by the needs and priorities of the LGBTQI+ community.

From the interviews conducted over the course of this study, the participant organizers expressed agreement with other representatives about the problem of not sharing information about opportunities for funds and the domination of personal sensitivities and problems in professional situations. Moreover, the lack of funds was raised as a

prominent issue across all participants, as collectively they only have access to one funder at the moment.

“Challenges and difficulties for us involve the access to information. We’ve observed a monopoly of information within activists and groups, particularly concerning project fund opportunities. Personal problems and sensitivities among activists further impede our access to funds and information. For instance, when applying for funds, we’ve encountered situations where funders use voting methods and seek recommendations from other organizations in Morocco, which we perceive as an unjust approach.” Participant in Focus Group

The legal framework within Morocco, as outlined in this country’s legal context, makes organizing in any capacity for LGBTQI+ persons risky and dangerous to all those involved. As covered here, this is especially evident in the case of sex workers. The laws that criminalize sex work and all those associated with sex workers in any way, shape, or form harm the safety of any sex worker organization or collective’s safety. This impacts not only their ability to organize, gather, or collect funds, but also their means of accessing safe spaces to do their work and activities or even live. The representative of one sex worker’s collective in our interviews also noted that internal conflicts that arise through working in such a hostile environment are also a significant drain on their ability to organize. They mentioned that their team keeps working on themselves to improve, as they also work on internal capacity building for the whole team.

Despite these challenges, the organizations prioritize accountability and ethical practices. What is lacking are the tools and strategies necessary to address issues of accountability and ethics within their organizations; while this is a recognized weakness, attempts are being made to create guidelines for creating safe spaces, taking measures to prevent conflicts, and ensuring the inclusion and respect of all individuals involved. They recognize the significance of transparency in their work and have initiated collective discussions to establish rules and measures to prevent and address unethical incidents. For instance, in cases where conflicts arise, an intermediate person may be engaged to mediate and find a resolution that upholds the principles of accountability. These organizations’ tireless efforts

and dedication demonstrate their commitment to the LGBTQI+ movement in Morocco. Through their research, advocacy, capacity building, and commitment to accountability, they strive to empower queer individuals and challenge societal norms. Their work is vital in creating a more inclusive and accepting society, where the rights and dignity of all individuals, regardless of sexual orientation or gender identity, are protected and respected.

Gaps: Due to the risks and sometimes unpredictable landscape within which LGBTQI+ organization takes place in Morocco, the development of organizational planning and strategic development are still in their nascent stages. Most organizations are unable to plan for the long term, prioritizing acting as needs arise and planning for the near future; they work primarily from project to project as they are able to receive funds. During focus group discussions and single interviews, it became evident that a significant number of organizations we engaged with are grappling with a lack of understanding regarding local policies, laws, and effective advocacy strategies.

Therefore, there is a need for training on strategic planning, accountability, advocacy, current legal frameworks, and policy making. There is an awareness of these gaps within the organizations that participated in this study; however, there are limited means to address them at present while they contend with more prevalent issues of security and funding.

Some organizations also lack the capacity for networking and access to collective knowledge that exists. This is due in part to their inability to publicly seek partners, as well as language barriers, and a reluctance of some organizations to expose their network to new partners. As they are unable to reach out publicly due to risks to themselves both socially and legally, some organizations are unable to extend beyond their local network or collective. Likewise, there exist some organizations and collectives that operate in only their local dialect and are unable to interact with those that work in English, French, or Arabic.

Specific Case Study: Taking all this into consideration, one organization can be used as a representative case. This one in particular is emblematic of the challenges and successes found in a number of LGBTQI+ organizations. Their organization represents the first in Morocco led by

and for sex workers, moreover, trans and queer sex workers, and the LGBTQI+ community in general. It was founded in 2020 by 9 people, in the context of the COVID-19 pandemic. This was specifically a response to the pandemic's impact on the sex worker community in order to provide them with healthcare services and necessary assistance. They work on a nation-wide level through direct action addressing critical issues specific to the trans and sex worker communities in Morocco. This is done through the production and distribution of knowledge by using social media platforms in the local Moroccan dialects, Darija and Amazigh, for accessibility. They address HIV prevention and sexual health by facilitating access to health services and work through partnerships and allyships with civil society in general. They have a mixed strategy of activism, including lobbying, advocacy, reproduction of knowledge, and work directly to fight the stigma that the sex worker community faces. Their case is emblematic in a number of ways, highlighting issues that are faced across the LGBTQI+ movement. Specifically, they have been able to address the specific gaps in knowledge and sensibilization while operating under some of the most restrictive laws in the country. They serve as a representative case study since they face the greatest potential legal action as per the Moroccan penal code, but still have success in networking and internal knowledge production. Likewise, they were able to mobilize within the most restrictive context, during the COVID-19 when the country was under strict lockdown which restricted movement even within cities, lack of collective housing, lack of work, and increased policing.

4.3 Lebanon

4.3.1 Legal Framing

Lebanese laws and policies contain discriminatory language that can negatively impact LGBTQI+ people in Lebanon. It is important to note that those policies and laws affect both citizens and residents of Lebanon, as Lebanon hosts a sizable non-citizen population of Palestinians and Syrian refugees, who often face intersectional discrimination due to their queer identities and non-citizen status.¹⁰¹

Lebanese law vaguely criminalizes same-sex relations between men through Article 534 of the penal code, which stipulates that:

“Sexual intercourse against nature is punishable with a penalty of up to one-year imprisonment.102”

Judicial interpretations of sexual intercourse against nature included same-sex relations between men only and not women. This interpretation has been challenged in past years by activists who successfully challenged the interpretation in courts. Several civil and military courts refused to implement the law on those who can prove their sexual relationship was consensual.¹⁰³ In 2014, Judge Naji El Dahdah of Jdeide Court, Beirut, threw out a case against a trans woman who was accused of having sex with a man. The judge stated that “same-sex relations are not contradicting the laws of nature and cannot, therefore, be considered a crime.¹⁰⁴” In 2019, a military prosecutor dismissed charges against a group of men accused

of having sex against nature for having sex with each other. The prosecutor stated that the law failed to define what consisted of intercourse against nature. Thus, the men were allowed to walk free.¹⁰⁵ However, since Lebanese law does not have a strict precedent role, it is still up to the individual judge to decide how to interpret this law. Some still interpret it to mean criminalizing consensual same-sex relations between men.¹⁰⁶

Thus, arrests and prosecution of primarily gay men and trans women occasionally occur in Lebanon. Between 2018-19, Helem documented 64 cases of arrests under Article 534. Most arrests happen arbitrarily because the arresting officer does not like how the person looks. Around 66% of the arrests were of trans women, who face multiple and intersecting forms of discrimination due to their identity and sometimes their profession, as many engage in survival sex work. Those arrested are mistreated, including forced HIV testing and forced outing to their relatives.¹⁰⁷

In 2012, after years of activist campaigning, forced anal examination was banned by the Lebanese Order of Physicians and the Ministry of Justice. The practice was common in cases involving those “suspected of homosexual activities.¹⁰⁸” Despite the ban, the method continues to exist less frequently in cities outside the capital: “Professional physicians’ associations in Beirut prohibit their members from performing

101 Tekath, Sarah. “Gay in Lebanon: LGBTQI+ between Religion, Society & Optimism.” Gay Travel Blog - Couple of Men, March 16, 2023. <https://coupleofmen.com/16647-gay-in-lebanon-lgbtq-between-religion-society-optimism/>.

102 “Lebanon >,” Lebanon - Penal Code (Legislative Decree No. 340). Accessed June 14, 2023. https://www.ilo.org/dyn/natlex/natlex4.detail?p_isn=89873.

103 “Lebanon.” Human Dignity Trust, December 8, 2022. <https://www.humandignitytrust.org/country-profile/lebanon/>.

104 “Lebanon: Being Gay Is Not a Crime nor against Nature.” Ticketing Box Office, March 5, 2014. <https://www.ticketingboxoffice.com/Blogs/Details/538/lebanon-being-gay-is-not-a-crime-nor-against-natur/en>.

105 “Lebanon.” Human Dignity Trust, December 8, 2022. <https://www.humandignitytrust.org/country-profile/lebanon/>.

106 “Lebanon LG BTI Resources.” AMERA International. Accessed May 5, 2023. <https://www.amerainternational.org/lebanon-lgbti-resources/>.

107 THE UNIVERSALPERIODIC REVIEWOF LGBTQI+ RIGHTSIN LEBANON 2020. <https://uprdoc.ohchr.org/uprweb/downloadfile.aspx?filename=8301&file=EnglishTranslation>

108 “Lebanon LG BTI Resources.” AMERA International. Accessed May 5, 2023. <https://www.amerainternational.org/lebanon-lgbti-resources/>.

such examinations, but according to NGOs, no local associations outside the capital have banned them.¹⁰⁹

Trans women can also face criminalization under Article 521, which stipulates that:

“Any man who disguises himself as a woman and enters women-only spaces is punished with maximum six months imprisonment. 110”

There is no evidence of this article being applied to trans women in recent years, as it is often the case that trans women are viewed by the authorities as men and prosecute them under the intercourse against nature article.

Censorship of queer content in traditional and social media is common. The country’s censorship laws give the Ministry of Telecommunication and other regulatory bodies broad powers to block and restrict access to any content against public order and morals.¹¹¹ However, the law requires regulatory bodies to receive judicial approval before issuing an order to block. In 2019, the Telecommunication Minister issued a directive to mobile phone network operators Alfa and Touch to block the popular gay dating app Grindr without receiving judicial approval first.¹¹² This blocking caused concern among activists and human rights advocates as it happened without a judicial order, violating the law. A court order was issued only after the blocking took place in an attempt to add legitimacy to the blocking order by the Telecommunications Minister.¹¹³ Lebanon also has a

long history of banning movies that depict LGBTQI+ characters or intimacy. In 2022, Lebanon banned the Disney movie *Lightyear* for a gay kiss. In 2023, *Scream 6* was banned for featuring LGBTQI+ characters, while the Barbie movie was initially banned before it was allowed to be showed in Lebanese cinemas.¹¹⁴

In 2022, the Minister of Interior issued an internal order to “take the necessary measures to prevent the holding of any celebration, meeting or gathering” which “promote[s] unnatural sex.” The Minister further instructed that “freedom of expression cannot be invoked in this case given that this is a violation of the habits and traditions of our society, contrary to the principles of monotheistic religions.” Two NGOs, the Legal Agenda and Helem, challenged this order in the Council of State, which temporarily suspended the order. However, the Minister issued another order to ban two LGBTQI+ events in defiance of the Court’s ruling.¹¹⁵

There are no unified policies on gender-affirming health care for transgender people in Lebanon. Those who wish to receive those services must pay out of pocket, as public and private health insurance does not cover them. The accessibility to those services depends highly on the person’s income and social status.¹¹⁶ Those who earn well and live in the capital have better chances of accessing gender-affirming health care. According to a 2021 report by Human Rights Watch, the prices of top surgery for trans women are 3,500 USD and 16,000 USD.¹¹⁷ The prices of hormones increased in past years due to the

109 “2022 Country Reports on Human Rights Practices - United States Department of State.” U.S. Department of State. U.S. Department of State, April 27, 2023. <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/>.

110 “Lebanon >.” Lebanon - Penal Code (Legislative Decree No. 340). Accessed June 14, 2023. https://www.ilo.org/dyn/natlex/natlex4.detail?p_isn=89873.

111 Ali Sibai, Marianne Rahme, “Internet Censorship in Lebanon: The case of currency exchange rate online platforms,” SMEX, March 12, 2021, <https://smex.org/internet-censorship-in-lebanon-the-case-of-currency-exchange-rate-online-platforms/>.

112 “Lebanon Blocks Grindr In Latest Attack On LGBTQI+ Community”. 2019. The Independent. <https://www.independent.co.uk/news/world/middle-east/grindr-lebanon-ban-lgbt-rights-dating-app-gay-a8933556.html>.

113 “Grindr Ban: Lebanese Courts Restrict LGBTQI+ Rights”. 2019. SMEX. <https://smex.org/grindr-ban-lebanese-courts-restricts-lgbtq-rights/>.

114 Noralla, Nora. “Anti- LGBTQI+ Extremism Isn’t Limited to Just the United States. Here’s How to Beat Them Worldwide.” LGBTQ Nation, March 10, 2023. <https://www.lgbtqnation.com/2023/03/anti-lgbtq-extremism-isnt-limited-to-just-the-united-states-heres-how-to-beat-them-worldwide/>.

115 “Lebanon LGBTI Resources.” AMERA International. Accessed May 5, 2023. <https://www.amerainternational.org/lebanon-lgbti-resources/>.

116 Osseiran, Nazih. “Stark Choices for Lebanon’s Trans People in Economic Freefall.” Reuters, May 3, 2023. <https://www.reuters.com/article/lebanon-lgbt-hormones-idUSL8N36S2QA>.

117 Noralla, Nora. “Tough Territory for Transgender People in the Middle East and North Africa.” Human Rights Watch, April 8, 2022. <https://www.hrw.org/news/2022/04/08/tough-territory-transgender-people-middle-east-and-north-africa>.

ongoing economic crisis that negatively impacted trans people's ability to access gender-affirming health, not only because of the increasing prices but also due to the availability of some hormones in the market, as the Lebanese government moved to import only necessary medicines from abroad to try to save money. Hormones for trans people were not considered necessary medicine by the Lebanese government.¹¹⁸

Legal gender recognition is only available through a long, complicated, costly judicial process. The cost of such a process can be up to 7,000 USD.¹¹⁹ Lebanese courts often allow legal gender recognition for those who can prove that their changes are "irreversible," i.e., they have undergone all hormonal and surgical interventions to transition. In 2015, a Beirut court stated that "Psychiatrists tried to treat the plaintiff's GID [Gender Identity Disorder] for more than ten years to no avail, leaving no option for the plaintiff but to undergo gender-affirming-treatment out of medical necessity;" allowing GID to be a ground for transition. The Court also added that trans people have a constitutional right to health. The state should provide that right as outlined in its international obligations under the International Covenant on Civil and Political Rights (ICCPR).¹²⁰

Lebanon also lacks unified medical policies for intersex infants. Still, it is a common practice to conduct "correction surgeries" to fit the infant into one of the two binary sexes after receiving parental approval.¹²¹ The Lebanese Psychiatric Society has declassified homosexuality as a mental illness. It issued several statements, the latest of which was in

2022, denouncing the practice of conversion therapy and stressing that homosexuality is not an illness.¹²²

4.3.2 Social, Religious, and Political Elements

Religion is an integral part of the Lebanese social and political identity. The country's laws and policies have entrenched religion and sectarianism as a core pillar of government institutions. Almost all political parties are affiliated with one of the recognized state religions. There is no separation between religion and state.¹²³ The country has not held an official census since 1932. However, estimates put the religious demographic as follows: "64.9 percent of the citizen population is Muslim (32 percent Sunni, 31.3 percent Shia, and 1.6 percent Alawites and Ismailis combined). Thirty-two percent of the population is Christian. Maronite Catholics are the largest Christian group (with 52.5 percent of the Christian population), followed by Greek Orthodox (25 percent of the Christian population). Other Christian groups include Greek Catholics (Melkites), Armenian Orthodox, Armenian Catholics, Syriac Orthodox, Syriac Catholics, Assyrians, Chaldean Catholics, Copts, Protestants (including Presbyterians, Baptists, and Seventh-day Adventists), Roman (Latin) Catholics, and members of The Church of Jesus Christ of Latter-day Saints (Church of Jesus Christ). According to Statistics Lebanon, 3.1 percent of the population is Druze, concentrated in the rural, mountainous areas east and south of Beirut. There are also small numbers of Jews, Baha'is, Buddhists, and Hindus. The Jewish Community Council, which represents

118 Osseiran, Nazih. "Stark Choices for Lebanon's Trans People in Economic Freefall." Reuters, May 3, 2023. <https://www.reuters.com/article/lebanon-lgbt-hormones-idUSL8N36S2QA>.

119 Noralla, Nora. "Tough Territory for Transgender People in the Middle East and North Africa." Human Rights Watch, April 8, 2022. <https://www.hrw.org/news/2022/04/08/tough-territory-transgender-people-middle-east-and-north-africa>.

120 Noralla, Nora. "Confused Judiciary & Transgender Rights: Inside the MENA Region's Case Law on Legal Gender Recognition." Manara Magazine, August 21, 2022. <https://manaramagazine.org/2022/03/confused-judiciary-transgender-rights-inside-the-mena-regions-case-law-on-legal-gender-recognition/>.

121 Noralla, Nora. "Policies of Erasure: How the Mena's Region Intersex People Are Made Invisible." The Tahrir Institute for Middle East Policy, April 20, 2023. <https://timep.org/2023/04/20/policies-of-erasure-how-the-menas-region-intersex-people-are-made-invisible/>.

122 "Lebanese Psychiatric Association Stresses "Homosexuality Cannot Be Considered a Disease"." L'Orient Today. L'Orient Today, June 29, 2022. <https://today.lorientlejour.com/article/1304202/lebanese-psychiatric-association-stresses-homosexuality-cannot-be-considered-a-disease.html>.

123 "Lebanon - Freedom of Thought Report." freedom of thought report, October 14, 2020. <https://fot.humanists.international/countries/asia-western-asia/lebanon/>.

the country's Jewish community, estimates 70 Jews reside in the country.¹²⁴

In recent years, populist speech and right-wing group activities have intensified due to the ongoing economic crisis.¹²⁵ The World Bank describes Lebanon's economic crisis as "the worst economic crisis globally since the mid-nineteenth century."¹²⁶ Lebanon also saw the 2020 Beirut port explosion, symbolizing the state's failure to prevent the crisis and investigate and bring those who caused it to justice.¹²⁷

The Lebanese state and traditional political parties have sought groups to scapegoat and distract the public from their incompetency and corruption. Thus, populist speech targets the most marginalized, mostly foreign domestic workers, migrants, refugees, and LGBTQI+ people. According to a 2022 report by the Samir Kassir Foundation's SKeyes Center for Media and Cultural Freedom, 61% of hate speech on Lebanese TV comes from religious and political figures, 28% from the government, and 11% from the public. In newspapers, 53% comes from the government, 17% from religious and political figures, and 10% from the media. Media usually fails to provide civil society and activists the required space to combat anti-LGBTQI+ narratives.¹²⁸

In 2022, the right-wing Christian group "Soldiers of God" vandalized a rainbow sign that was put up for Pride Month. The group vowed to cleanse Lebanese

lands of LGBTQI+ people. When LGBTQI+ activists sought protection from the state, the Minister of Interior cited the organizers and issued his order to ban LGBTQI+ activities.¹²⁹ The same year, the Grand Jaafari Mufti, Sheikh Ahmad Kabalan, and the Greek Orthodox Archbishop, Elias Aoudé, used harmful and discriminatory terms such as "human anomalies, perversion, guided by sinful desires, and against the moral and spiritual frameworks, changing Lebanon's moral identity" to describe LGBTQI+ people.¹³⁰ In 2023, Hassan Morab, Inspector General of the Islamic Fatwa authority, denounced the raising of rainbow flags by foreign embassies for Pride Month, stating that "those acts do not only provoke religious leaders but all humans born with the correct morals. Homosexuality is a sin in all Abrahamic religions, and we will not accept those who attempt to clean its image."¹³¹ A new bill was pushed by different political groups that would introduce new criminalization articles for LGBTQI+ people, driven by the Amal movement and Hezbollah. Hezbollah's leader Hassan Nasrallah has been personally very active against LGBTQI+ rights in Lebanon throughout 2023, giving several speeches against what he considered a Western abnormality that would corrupt Lebanese youth.¹³²

Since the beginning of the economic crisis, many political and religious leaders warned that Lebanon's weak economy and its reliance on the West might lead to them forcing the Lebanese State to legalize being LGBTQI+.¹³³ Thus, any current attempts to

124 "Lebanon - United States Department of State." U.S. Department of State. U.S. Department of State, June 2, 2022. <https://www.state.gov/reports/2021-report-on-international-religious-freedom/lebanon/>.

125 "Lebanese President Criticized over 'marketing and Populist' Motives." Arab News, January 4, 2022. https://www.arab-news.com/node/1997526/page_view_event/page_view_event/aggregate.

126 "Overview." World Bank. Accessed April 28, 2023. <https://www.worldbank.org/en/country/lebanon/overview>.

127 Schenker, David. "The Lebanon Human Rights Report: Punting on Accountability?" The Washington Institute, March 28, 2023. <https://www.washingtoninstitute.org/policy-analysis/lebanon-human-rights-report-punting-accountability>.

128 Ibid

129 Hamad, Fatma Ben. "In Lebanon, 'Soldiers of God' Threaten the LGBTQI+ Community and Condemn Civil Marriage." The Observers - France 24. The Observers - France 24, July 15, 2022. <https://observers.france24.com/en/middle-east/20220715-in-lebanon-soldiers-of-god-threaten-the-lgbt-community-and-condemn-civil-marriage>.

130 Jarbouh, Widad. "Hate Speech against the LGBTQIA+ Community in Lebanese Media." Skeyes Media | Center for Media and Cultural Freedom, August 15, 2022. <https://www.skeyesmedia.org/en/News/Reports/15-08-2022/10201&author=413>.

131 "إسفارات 'حارة' كل مين إيدو الو... تصرّف غير مقبول لبنانياً على أبوابها" Lebanon Debate, June 12, 2023. <https://www.lebanondebate.com/news/601672>.

132 France 24. "Hezbollah Chief in New Attack on Same-Sex Relations." France 24, July 29, 2023. <https://www.france24.com/en/live-news/20230729-hezbollah-chief-in-new-attack-on-same-sex-relations-1>.

133 "2020 باكورة الشّروط الأميركيّة لمساعدة لبنان: منع تجريم المثليّة الجنسيّة." أساس ميديا - أخبار سياسية من لبنان، الشرق الأوسط والعالم, 2020. <https://www.asasmedia.com/54323>.

decriminalize same-sex relations are pushed against by traditional religious and political figures who are viewed to be holding their grounds against any such attempts to “take advantage of Lebanon’s weak position.¹³⁴” Several surveys found that social acceptance of homosexuality is relatively low in Lebanon. In 2019, a poll from Pew Research Center found that 85% of people agree that homosexuality should not be accepted in society, a 5% increase from 2013.¹³⁵ Another poll from the Arab Barometer from 2018-2019 found that only 6% accept homosexuality.¹³⁶

The hostile legal, political, religious, and social environment has led to LGBTQI+ people being an easy target for criminal gangs who take advantage of their marginalization, knowing that an LGBTQI+ person would not resort to the authorities to protect them. According to Helem, “475 cases of violence against LGBTQI+ persons in 2022, including 15 kidnappings, 299 instances of physical abuse, 132 death threats, and 29 rapes. Additionally, Helem reported 311 cases of verbal abuse.¹³⁷” There were reports in early 2023 of rogue police officers and criminal gangs extorting gay people on dating apps for money.¹³⁸

However, LGBTQI+ activists continue to identify and work with potential political and religious allies despite this hostile environment. The 2019 mass protests gave rise to new political players who vowed to challenge traditional political parties in Lebanon. In the 2021 elections, 13 seats were won by the new reformist actors known as Change MPs. Those MPs have more liberal stands and are more tolerant of LGBTQI+ issues than their traditional counterparts.¹³⁹

4.3.3 LGBTQI+ Organizing

For this research, we conducted focus groups with six representatives of local LGBTQI+ groups to understand better the context where they operate.

Context: Some LGBTQI+ groups operate publicly and are registered with the state. Others opt to operate underground or to register abroad for security reasons. Lebanon generally has a reputation for being more liberal and open to civil society than its neighbors in the region. However, in past years, LGBTQI+ organizing has been challenged by both state and non-state actors. For example, since 2017, Pride events have taken place, but since 2019, they have stopped due to increasing threats by religious groups. In 2018, security forces attempted to shut down the NEDWA regional LGBTQI+ conference organized by the Arab Foundation for Freedom and Equality (AFE). Security forces obtained a guest list of all participants, including those from oppressive countries like Egypt and Iraq. Foreign participants are still banned from entering Lebanon due to their participation to this day.¹⁴⁰ In 2022, LGBTQI+ groups had to cancel several of their activities due to increasing threats from religious groups and the ban order issued by the Minister of Interior. The same year, security forces raided LGBTQI+ groups’ offices in Beirut and demanded to see their registration certificates. Later, LGBTQI+ activists were invited to go for a “chat over coffee” with the security forces. LGBTQI+ activists were also informed that the Cyber Bureau is mentoring their online activities.¹⁴¹ Thus, in this atmosphere, LGBTQI+ organizing is getting more restricted in Lebanon. Middle-class and upper-middle-

134 “دريان-دار-الفتوى-تسمح-بتشريع-المثلية-الجنسية-ولا-يتم-مشرع-مشروع-الزواج-المدني-المخالف-للإسلام” Elnashra News. Elnashra <https://www.elnashra.com/build/images/logo.png>, April 24, 2022. <https://www.elnashra.com/news/show/1576835/الجنسية-ولا-يتم-مشرع-مشروع-الزواج-المدني-المخالف-للإسلام>

135 “LGBT Rights in Lebanon: Equaldex.” LGBTQI+ Rights by Country & Travel Guide. Accessed May 5, 2023. <https://www.equaldex.com/region/lebanon>.

136 Ibid

137 “2022 Country Reports on Human Rights Practices - United States Department of State.” U.S. Department of State. U.S. Department of State, April 27, 2023. <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/>.

138 Noralla, Nora. “Anti- LGBTQI+ Extremism Isn’t Limited to Just the United States. Here’s How to Beat Them Worldwide.” LGBTQ Nation, March 10, 2023. <https://www.lgbtqnation.com/2023/03/anti-lgbtq-extremism-isnt-limited-to-just-the-united-states-heres-how-to-beat-them-worldwide/>.

139 “Lebanon’s New Opposition Mps Must Work Together for Political Change.” Arab Center Washington DC, March 1, 2023. <https://arabcenterdc.org/resource/lebanons-new-opposition-mps-must-work-together-for-political-change/>.

140 “2022 Country Reports on Human Rights Practices - United States Department of State.” U.S. Department of State. U.S. Department of State, April 27, 2023. <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/>.

141 “Lebanon: Unlawful Crackdown on LGBTI Gatherings.” Human Rights Watch, July 4, 2022. <https://www.hrw.org/news/2022/07/04/lebanon-unlawful-crackdown-lgbti-gatherings>.

class cis gay men traditionally led LGBTQI+ groups in Lebanon. However, in recent years, the leadership has become more diverse, although there is still work to do to have fully inclusive leadership in Lebanese LGBTQI+ groups. The groups focus on diverse work areas, including grassroots services, medical care, research, advocacy, security, social awareness, and data collection.

“A primary way of work is we produce knowledge together with our queer peers. No top-down approach. Each project has its methodology of collaborating on work. We did research that involved workshop meetings. The podcast was much more intimate (sex, drugs, and mental health). They were very informal, with no notetaking. How can we, from our position, enable tools that tell stories with our peers? It dictates the method of work of publishing. We have recently been working on a paper and trying to do it collaboratively. More proactive, where are we taking it, keeping track of knowledge production. Prioritize the relationship with the people we work with. It is a bigger priority than the final output of fundraising strategies. That knowledge means nothing if we’re not doing it from a position of strength.” — Focus group participant

Challenges: There was universal agreement among the participants that the two main challenges facing LGBTQI+ groups in Lebanon are security and funding. The current economic crisis has shrunk what was already a small funding pool for LGBTQI+ groups. The scarcity of funding makes it increasingly difficult for them to initiate projects and ensure sustainability. The participants attributed the shrinking funding to a general preference from the funders’ side to create grants that focus on advocacy rather than service provision, which has been a big challenge that LGBTQI+ organizers in Lebanon have had to face. LGBTQI+ groups also spoke on the need for more contextualized funding, as they pointed out that funders often fail to understand their context, challenges, and needs, which leads to grants that do not match the reality of LGBTQI+ rights in Lebanon. Participants also spoke about creating working strategies for Lebanon by Lebanese people, not foreigners, who needed help understanding the Lebanese context. They stated that it is essential for any funder to conduct consultations with local groups before deciding on the goals and strategies

of their grants so that they can match the reality on the ground. For example, a few participants also highlighted that they would work without funding if it meant keeping their communities safe. Some grants specify that the grantee needs to adopt visibility and identity politics within their work. However, activists do not wish to engage with advocacy as its shortcomings are detrimental to the LGBTQI+ community in Lebanon.

“We were not funded for 9 of the 11 years we have been working. The founders worked pro-bono and believed in the premises of a culture center (3rd one we opened), not visibility politics for donors. The donors are involved and informed in collaboration. We establish trust and create a network with like-minded organizations. We produced a film called jer2a (courage); everyone involved is queer and from the region. Countering narratives forced on us (from the West), and each project is based on the community that spearheads it. The premise is to avoid preying on community members to advance a project. Focus on the community’s needs.”— Focus group participant

Nevertheless, safety issues always threaten sustainability, so some organizations avoid engaging in long-term projects. Participants also spoke on having requirements such as registration for funding, which only favors the bigger, more well-established organizations and leads to the concentration of funding into one or two registered groups. The lack of resources can create an atmosphere of in-fighting and competitiveness, where groups opt out of cooperating to secure more funding.

“The problem with why Lebanon seems to be LGBT-friendly is that there is no rule of law other than it being friendly. A lot of classism plays a role. When you work on hypervisibility to fight a state that does not exist, you will only get the authority to target the minority and weak. Picking up fights with a state that does not exist while dealing with militias in different areas. If you’re visible, you are terrified because you don’t know who’s coming at you. You can’t request anything from the government (corrupt institutions, no counting on it, so you can’t ask it for anything).”— Focus group participant

Gaps: Participants spoke about gatekeeping, mainly caused by funders and the lack of policies to diversify the recipients of grants. Participants pointed out that there is a need for more funding for trans-led groups as they are one of the most impacted groups and yet one of the least funded. Participants also spoke about gatekeeping practiced by non-LGBTQI+ led groups, mostly INGOs operating in Lebanon, who receive the bulk of available funding for civil society without ensuring inclusive distribution. Participants also spoke of the need for more grants to economically assist LGBTQI+ people impacted by the economic crisis and Beirut port explosion. While the Lebanese LGBTQI+ movement is generally professional and composed of individuals with diverse skills, participants spoke of the need for more capacity-building programs, especially ones targeting mid-experienced workers and activities. Participants pointed out that current capacity-building programs only focus on those with little to no experience and do not cover the needs of those who work above entry level positions. Specific capacity building programming targeting refugees and those who come from disadvantaged socio-economic classes is also needed in the country.

Apart from funding and safety, there was no mention of strengthening accountability within the LGBTQI+ movement. When the funding issues are resolved, there could be more space for discussions around accountability, anti-corruption, and workers' rights, and groups may feel more secure about their long-term financial stability. The Lebanese LGBTQI+ movement witnessed a scandal that hit its biggest group and led to the group ceasing its operations. The full details behind the scandal are unclear. Still, it does symbolize the need for more effective internal oversight policies and accountability mechanisms to ensure such incidents do not occur again.

4.4 Kuwait

4.4.1 Legal Framing

Kuwait has in its legal arsenal several laws that can restrict the rights of LGBTQI+ people and criminalize them.¹⁴² Article 193 of the Penal Code of 1960 punishes male same-sex relations, stipulating that:

“If a man has consensual intercourse with another and both of them are 21, then they shall be punished with a maximum of seven years imprisonment.143”

While article 198 punishes transgender gender expression, stipulating:

“Whoever makes an immoral gesture or act in a public place, or so that whoever is in a public place can see or hear it, or imitates the opposite sex in any way, shall be punished with imprisonment for a period not exceeding one year and a fine not exceeding one thousand dinars or one of these two penalties.144”

Data about the implementation of these laws is hard to obtain, as the Kuwaiti authorities do not release their arrest numbers. However, open sources indicate that people have been arrested and prosecuted under those laws actively. The authorities primarily target trans women and effeminate gay men for their clear queer expression. In 2013, local newspapers reported that the authorities managed to arrest 215 gays and lesbians after investigating “internet cafes and

suspicious places across the country.^{145”} In 2017, the authorities conducted multiple raids on “homosexual massage parlors,” arresting 41 people, deporting 71 and shutting 22 parlors.¹⁴⁶

In 2019, Maha al-Mutairi, a trans woman, was detained and abused in custody. The authorities refused to investigate the abuses she underwent, charging her under Article 198 and “misusing phone communication” under Article 70 of the telecommunication law. She was found guilty and sentenced to two years, imprisonment a fine of 1,000 Kuwaiti dinars (USD 3,315) before being released pending appeal.¹⁴⁷ In 2022, the authorities announced they arrested 18 gay men in a massage center. The same year, the authorities announced it had arrested and deported over 3000 people for being transgender or gay.¹⁴⁸ In 2013, Kuwaiti MPs attempted to pass a law requiring immigrants to undergo physical tests to determine whether or not they are LGBTQI+ so they can be denied residency and deported. The law was not passed, but the Ministry of Interior still holds legal powers to deport or ban any person they suspect of being LGBTQI+ from the country.¹⁴⁹

In 2022, Kuwait saw a landmark rule when the Supreme Constitutional Court overruled Article 198; it was prematurely celebrated. Western NGOs hailed the overturn as a win for transgender people in Kuwait, despite Kuwait not addressing the “intimating the opposing sex” charge itself, instead overturning the law on legal technicalities. The law was overturned

142 “Kuwait | Human Dignity Trust”. 2023. *Humandignitytrust.Org*. <https://www.humandignitytrust.org/country-profile/kuwait/>

143 *Undp-Aciac.Org*. <http://www.undp-aciac.org/publications/ac/compendium/kuwait/criminalization-lawenforcement/criminal-60-ar.pdf>.

144 Ibid

145 “Kuwaiti Police Detain 215 People in Crackdown on Homosexuality.” CBCnews, May 15, 2013. <https://www.cbc.ca/strombo/news/kuwaiti-police-arrest-215-lgbt-people.html>.

146 “Kuwait | Human Dignity Trust”. 2023. *Humandignitytrust.Org*. <https://www.humandignitytrust.org/country-profile/kuwait/>

147 “Kuwait: Quash Conviction against Transgender Woman.” Human Rights Watch, October 14, 2021. <https://www.hrw.org/news/2021/10/14/kuwait-quash-conviction-against-transgender-woman>.

148 “مجتمع / سميًا وشعبيًا.. كيف تُحارب الكويت المثلية؟”. أخبار الخليج العربي | الخليج أونلاين “كيف تُحارب الكويت المثلية؟”

149 “الحد من تفتش ظاهره الشذوذ- / www.alquds.co.uk”, October 7, 2013. <https://www.alquds.co.uk/> الحد من تفتش ظاهره الشذوذ... وهينة الامر بالمعروف تعلن ضبط 91 ألف / وهينة الامر

because it violates the constitutional right to privacy, as its vagueness and lack of definition would allow police officers to interfere in people's private lives arbitrarily.¹⁵⁰ Since the overturn of the law, several Kuwaiti MPs introduced new bills to the parliament to either fix those technicalities or strengthen the law. One of the proposed amendments stipulates that "imitating the opposite sex" will be defined as "Every male who appears dressed in women's clothing or uses cosmetics in a way that makes him appear as a woman. Every woman appears in men's clothing in a way that makes her appear, male, according to the country's customs. Anyone who undergoes operations or medical procedures or uses medical drugs to alter their appearance to resemble the opposite sex."¹⁵¹ The implementation of Article 198 did not stop after the Court's judgment, as indicated by the Ministry of Interior statement in early 2023, that it is still conducting operations to arrest those who violate morality by imitating the opposite sex.

Kuwait also banned gender-affirming healthcare in 2020 after it amended its medical liability law to ban medical staff and facilities from providing "any medical care that may lead to a change in one's sex." The law stipulates that this kind of medical care is only available if the person is proven to be intersex. Then they are allowed to undergo treatments to fit within the binary. This amendment simultaneously denies transgender and intersex rights by promoting sex reassignment surgeries as the only possible solution for intersex people while denying transgender people from those treatments.¹⁵²

Kuwait also does not allow legal gender recognition for transgender people. Kuwaiti transgender people must undergo a lengthy, costly, and sometimes humiliating judicial process in which they must try

to prove that they are intersex and not transgender. Otherwise, their application will be rejected. A Kuwaiti Court of Appeal expert response to a legal gender recognition request reads: "We should not allow our demons to take over our souls; this operation is considered a great sin in Islam. If one suffers from a gender identity disorder, one should aim to cure it, not with surgery but with therapy. We reject the plaintiff's request, as what they have done goes against Islam and human nature."¹⁵³

Whether in traditional or social media, LGBTQI+ media and content are censored in Kuwait. Kuwaiti laws such as Cybercrime Law 63/2015 and Law No (3) for the Year 2006 On Press and Publications invoke the notions of "spreading immorality," "public order," and "social values" to justify banning any media that they deem immoral. Traditionally, LGBTQI+ media is immoral in the eyes of Kuwaiti authorities.¹⁵⁴

4.4.2 Social, Religious, and Political Elements

Kuwait is considered more liberal than its Khaleej neighbors by many, mainly because it does have more constitutional protection and a somewhat functional legislative assembly. However, to be the most liberal in the Khaleej is no celebration, as the region is generally considered one of the most illiberal and politically and socially conservative.¹⁵⁵ Kuwait is an absolute monarchy, with social structures built around traditional family and religious customs. Islam is both the majority religion and the state religion as stipulated in the Constitution. 76% of citizens and noncitizens are Muslims.¹⁵⁶ Kuwaiti society has been vocal about its anti-LGBTQI+ beliefs for decades. Article 198, for example, was significantly amended

150 Noralla, Nora. "Transgender Discrimination Continues in Kuwait, despite a Court Ruling." DAWN, February 13, 2023. <https://dawnmena.org/transgender-discrimination-continues-in-kuwait-despite-a-court-ruling/>.

151 Ibid

152 Ibid

153 Noralla, Nora. "Confused Judiciary & Transgender Rights: Inside the MENA Region's Case Law on Legal Gender Recognition." Manara Magazine, August 21, 2022. <https://manaramagazine.org/2022/03/confused-judiciary-transgender-rights-inside-the-mena-regions-case-law-on-legal-gender-recognition/>.

154 See the Cybercrime law 2015. *Moi.Gov.Kw*. <https://www.moi.gov.kw/main/content/docs/cybercrime/ar/law-establishing-cyber-crime-dept.pdf>. And press and publication law https://menarights.org/sites/default/files/2019-01/KWT_PressAndPublicationsLaw_EN.pdf

155 Bandow, Doug. "Liberalish Rather than Liberal: A Kuwaiti Grades the Gulf Kingdom." Cato.org, November 27, 2013. <https://www.cato.org/blog/liberalish-rather-liberal-kuwaiti-grades-gulf-kingdom>.

156 "Kuwait - United States Department of State." U.S. Department of State, May 15, 2023. <https://www.state.gov/reports/2022-report-on-international-religious-freedom/kuwait>

in 2008 to criminalize “imitating the opposite sex,” to combat what many Kuwaitis viewed as a “new Western phenomenon” that would destroy the Muslim youth if not combated. A second common narrative in Kuwaiti society around LGBTQI+ people is that they are mentally ill and should be treated with conversion therapy.¹⁵⁷

The notion of LGBTQI+ people being a Western cultural invasion that would destroy the fabric of society is popular in the Khaleej region, and Kuwait is one of the most prominent champions of this narrative.¹⁵⁸ In 2022, Kuwait joined the Khaleej crusade on “rainbow” when the Ministry of Trade announced that it would confiscate and destroy any rainbow-colored product in the country. The Ministry of Trade also issued a general directive to ban the entry of such products and instructed customs agents to search for them. The Ministry also called on the citizens of Kuwait to assist it in its crusade by reporting any rainbow-colored produce or any product they suspect promote “the LGBTQI+ ideology.”¹⁵⁹ The same year, Kuwait joined a second crusade, this time against streaming platforms, after Disney’s Lightyear and other movies depicting LGBTQI+ characters came out. Kuwait and other countries in the region did not only ban those films from showing in movie theaters but also forced Disney to issue a statement vowing not to show any LGBTQI+ content in the Middle East and North Africa.¹⁶⁰ The same year and in response to the controversy around neighboring Qatar’s hosting of the World Cup, several Kuwaiti NGOs started massive nationwide campaigns denouncing LGBTQI+ people.

The campaigns focused on portraying LGBTQI+ rights as a cultural issue, not a human rights issue, pointing out how Western nations are trying to force their culture on the Khaleej countries.¹⁶¹

Meanwhile, Kuwaiti academics and medical professionals are known to have very conservative opinions about LGBTQI+ people. It is common for Kuwaiti TV to host so-called experts on LGBTQI+ treatment to outline how being LGBTQI+ is a disease that can be cured if parents follow their instructions.¹⁶² In 2022, a professor at Kuwait University stated that “homosexuality largely is the result of father’s neglect, with 84% of homosexuals having an absent parent.”¹⁶³ The word “homosexuality” is often used as a catchall term to describe all LGBTQI+ people, as conservative actors in Kuwait view any identity outside the cisheteronormative binary as “homosexual.” Dr. Ahmed Abd Al-Malak discussed the issue of “homosexuality” with Kuwaiti media, stating that “homosexuality comes in many forms, some are biological and some social. For example, some people are born with female and male genitalia; these rare cases are biological. The majority of the homosexual cases are social.”¹⁶⁴

In 2023, Kuwait hosted the Islamic Organization for Medical Sciences conference, which focused on sexually transmitted diseases (STDs). The conferences hosted 200 researchers from across the Muslim world. While the focus should have been researching and treatment around STDs, there was another major objective, denouncing “homosexual

157 “They Hunt Us Down for Fun” Discrimination and Police Violence Against Transgender Women in Kuwait- Human Rights Watch. 2012. <https://www.hrw.org/sites/default/files/reports/kuwait0112ForUpload.pdf>

158 Noralla, Nora. “Anti- LGBTQI+ Extremism Isn’t Limited to Just the United States. Here’s How to Beat Them Worldwide.” LGBTQ Nation, March 10, 2023. <https://www.lgbtqnation.com/2023/03/anti-lgbtq-extremism-isnt-limited-to-just-the-united-states-heres-how-to-beat-them-worldwide/>.

159 “مجتمع الميم: حملة السلطات في الكويت للإبلاغ عن علم قوس قزح تغذي وصمة العار تجاه المثليين” BBC News عربي, June 21, 2022. <https://www.bbc.com/arabic/business-61832139>.

160 Smith, Jacob. “Disney+ to Remove LGBTQ Content in Middle East to Comply with Local Censors.” Bounding Into Comics, August 10, 2022. <https://boundingintocomics.com/2022/08/10/disney-to-remove-lgbtq-content-in-middle-east-to-comply-with-local-censors/>.

161 Noralla, Nora. “This World Cup, the Biggest Loser Was LGBTQI+ People in the Middle East and North Africa.” cairo52, January 19, 2023. <https://cairo52.com/2023/01/18/this-world-cup-the-biggest-loser-was-lgbtq-people-in-the-middle-east-and-north-africa/>.

162 WEINTHAL, BENJAMIN. “Anti-Gay Kuwaiti Academic Claims Suppository ‘Cure’ for Homosexuality.” The Jerusalem Post | JPost.com, April 24, 2019. <https://www.jpost.com/middle-east/anti-gay-kuwaiti-academic-claims-suppository-cure-for-homosexuality-587684>.

163 “أكاديميون وأطباء: الشذوذ الجنسي يبقى شذوذاً لو غلف بالألوان والجديفة ضرورة لحماية أبناءنا” Bobianews. Accessed June 20, 2023. <https://web.archive.org/web/20230606060950/https://bobianews.net/أكاديميون-وأطباء-الشذوذ-الجنسي-يبقى-شذوذاً-لو-غلف-بالألوان-والجديفة-ضرورة-لحماية-أبناءنا/>.

164 Ibid

sexual behavior that leads to the spreading of these diseases.¹⁶⁵” The Kuwait Minister of Health, Dr. Ahmed Al-Oudi, stated “There are a group of viruses that require international action to confront them, including those transmitted through various immoral and abnormal -homosexual- practices.... We are seeing the return of many old diseases such as HIV due to those homosexual practices.¹⁶⁶”

Meanwhile, the head of the Islamic Organization for Medical Sciences, Dr. Mohamed Garallah, stated, “We seek the participation of the world and humanity in confronting these diseases, sexual deviations and anomalies, as they are the predominant means of transmission of these diseases, as proven by scientific evidence, and we mobilize scientists and doctors to implement the teachings of the Islamic religion and all divine religions, and everyone with a sound instinct in confronting these epidemics to protect humanity and promote human health.¹⁶⁷” He added that he hoped that the conference would lead to the establishment of work plans to combat homosexuality globally. The conferences also discussed “possible treatments to homosexuality” including by religious means such as Quranic treatment, prayer, and others. Thus, Kuwaiti academics are building an entire science around combating LGBTQI+ identities, with great success, as Kuwait media, government, and educational institutions adopt this pseudoscience and provide it with spaces to spread hatred and misinformation around LGBTQI+ people.¹⁶⁸

Kuwaitis are also active on social media, especially Twitter, often initiating anti-LGBTQI+ campaigns with different hashtags. In 2023, network provider, Zein, came under attack after it announced it would provide access to Disney+ and placed ads for the popular American series “Grey’s Anatomy.” Kuwaitis started the campaign “Zein spreads homosexuality” as they considered airing the series and other

Disney+ programs to be a direct violation of social and public morals, as those shows contain scenes of homosexuality, debauchery, and explicit sexual content.¹⁶⁹ In 2022, Kuwaitis organized a campaign to restore the Twitter account of a politician and parliamentarian candidate, Girah Al-Fawaz, after allegedly being suspended for “denouncing homosexuality.” The campaigners were keen to point out that this is Western hypocrisy as the West preaches about freedom of expression and then restricts Kuwaiti’s freedom of expression for Kuwaitis who denounce LGBTQI+ identities.¹⁷⁰ This narrative is widespread in Kuwait and other Khaleej countries, focusing on portraying hate speech against LGBTQI+ people as free speech; if restricted by social media platforms, then it’s a synonym of Western hypocrisy.

It is also important to note the intersectionality of Kuwait’s very restrictive laws on women and the lack of visibility of queer women in the country. In Kuwait, like many other societies in the region, women are viewed as male property, whether of the father, husband, or brother. Strict guardianship laws limit the movement of Kuwaiti women and restrict their existence in public spaces beyond what is sanctioned by the family. Women are also treated as a possible source of shame, and their movement is closely monitored and restricted to ensure that no woman would do anything shameful for the family. Thus, this can explain why most of the social discussion is around so-called “homosexual men” and not women, as women’s sexuality is not taken seriously by society and is just viewed as an extension of her male guardian.

Kuwait is also part of the Islamic bloc in the United Nations and is very vocal about its anti-LGBT stance. Kuwait has never accepted any recommendations during its UPR reviews, despite receiving multiple.

165 “الكويت: بمشاركة ٠٠٣ باحث من ٠٢ دولة.. مؤتمر دولي يستهض العلماء لمواجهة الانحرافات الجنسية والشذوذ” [The Tudors, January 16, 2023. https://iumsonline.org/ar/ContentDetails.aspx?ID=27726.](https://iumsonline.org/ar/ContentDetails.aspx?ID=27726)

166 Ibid

167 Ibid

168 Ibid

169 “اختيار المحرر / زين-تدعم الشذوذ ومطالبات بمقاطعتها.” <https://article.albawaba.net/ar/-الكويت-تدعم-الشذوذ-ومطالبات-بمقاطعتها-1510047>

170 “لماهضته الشذوذ الجنسي.. تويتر يعلق حساب أحد المرشحين الكويتيين - وكالة أنباء تركيا.” [وكالة أنباء تركيا - الصوت التركي بالصدى العربي” September 25, 2022. https://tr.agency/news-164484.](https://tr.agency/news-164484)

4.4.3 LGBTQI+ Organizing

Context: Kuwaiti laws place numerous restrictions on the operations of civil organizations. Organizations that promote LGBTQI+ rights are banned in the country. However, Kuwait has two types of underground LGBTQI+ organizing, diaspora and communal. The Kuwaiti LGBTQI+ community often organizes events and activities that are less about activism and more about communal relations. Diaspora activists have become more vocal in the recent decades. However, the LGBTQI+ movement in Kuwait, like in other Khaleej countries, is mainly invisible and small compared to other countries like Egypt, Morocco, or Lebanon. This invisibility is primarily due to the hostile environment in Kuwait created by society and state.¹⁷¹ However, one success story is a strategic litigation case, which overturned the 198 articles. We spoke to individuals directly involved in the case's process, and they informed us that it happened through community organizing and not NGO organizing. It was initiated by several individuals who came together and jointly paid for the costs of the case and built strategies with the lawyer. The case focused on the technicalities rather than "intimating the opposite sex" itself, giving the case a better chance to be heard. This strategy of concentrating on technicalities did prove successful after the Court's decision.

However, activists spoke of their disappointment in how Western NGOs and media reported on the matter, portraying it as "a transgender win" or "a victory for transgender rights" without bothering to consult the people behind the case. In their opinion, this framing hurt the community more than anything, as now the case has become about transgender people who are strongly tabooed in society. In their views, the win was the work of the Kuwaiti transgender community, and Western NGOs pretended as if it was their win. Moreover, this Western framing has already led to several MPs producing new bills that would not vaguely criminalize being transgender but directly and criminalize transgender identity.

Challenges: The movement is still in its initial stage and is trying to find its place within the human rights spaces in Kuwait. Since Kuwaiti society is very tight-knit, it is hard to organize service-providing activities

on any scale, as families monitor the movement of Kuwaiti youth, especially women. Advocacy efforts are also limited as it is hard to collect data and research any human rights issues and LGBTQI+ issues in Kuwait. Since the movement is built more on community organizing and not structured NGOs, they often lack access to resources such as funding, since most of the available funding in the region targets only groups, initiatives, and NGOs but individuals.

"We focus more on small scale communal organizing due to the hostile context we are operating in. Kuwaiti transgender people have been organizing for a while on their own. We have no access to funding and no information regarding it."— Independent activist

Gaps: Accessing LGBTQI+ activists in Kuwait are a challenge. For security reasons, Kuwaiti activists are primarily off the radar and do not interact with other regional activists or attend international conferences. This creates a gap for INGOs and regional NGOs wishing to cooperate with local Kuwaiti activists on LGBTQI+ activities. Furthermore, Kuwaiti activities' absence in LGBTQI+ spaces lead to the erasure of discussions around LGBTQI+ people's needs and challenges in Kuwait. However, this absence does not absolve INGOs and others from accurate reporting on Kuwaiti LGBTQI+ issues. As discussed above, the coverage of the Court's decision was very harmful to the local community and the people who initiated the case. Future reporting should always conduct an in-depth investigation on the issue using open sources or try to connect with well-informed local activists who can provide better guidelines on covering Kuwaiti LGBTQI+ issues.

"After the case was won, international media and NGOs jumped on it to report it as a victory for transgender rights without understanding the national context or consulting with those working on the ground; this led to a considerable backlash, as now the case is being associated with transgender rights, which is viewed as a Western import, not welcomed in Kuwait."— Independent activist

171 دعاة بحرضون على قتلهم... مساع لتأسيس جمعية تناصر المثليين في الكويت. "رصيد22" 2019, August 1. <https://raseef22.net/article/1074613> دعاة-بحرضون-على-قتلهم-مساع-لتأسيس-جمعية-تناصر-المثليين-في-الكويت

5. Recommendations

Drawing from the insights gleaned in this study on the LGBTQI+ movement in the SWANA region, our research team offers the following recommendations. These suggestions are specifically tailored for the Astraea Foundation and other donors operating in the region.

- **Improve access to LGBTQI+ activists:**

Establish secure channels of communication to facilitate interaction and collaboration between activists and regional/international NGOs. Create opportunities for activists to attend international conferences and engage with other regional activists. Facilitate LGBTQI+ activists' network by connecting them with regional partners.

- **Enhance reporting on LGBTQI+ issues:**

Conduct in-depth investigations. In cases where LGBTQI+ organizations are not publicly visible, connect with well-informed local activists to provide accurate and nuanced coverage of LGBTQI+ issues. Work with local human rights activists to understand the local context and how best to develop LGBTQI+ organizations and networking. Ensure that local partners represent an intersectional and inclusive approach to LGBTQI+ issues, not excluding certain other marginalized groups, i.e. trans persons, migrants, disabled persons, and sex workers

- **Address funding challenges and gatekeeping practices:**

Diversify the distribution of grants, prioritize funding for trans-, sex worker-, and youth-led groups, who are often the most impacted but least funded. Ensure inclusive representation in funding allocation and avoid gatekeeping practices within LGBTQI+ groups. Ensure a diverse dispersal of funds in order to avoid monopolistic organizations. Expanding access to conferences, workshops, and training is paramount to facilitating personal and professional growth. These resources provide valuable opportunities for LGBTQI+ individuals to learn from experts, gain new skills, build networks, and broaden their perspectives.

- **Strengthen capacity-building programs:**

Develop training programs that target activists and local NGOs. Focus on strategic planning, advocacy, current legal frameworks, and policymaking to enhance the skills of activists. Offer training in report writing, grant writing, mechanisms for applying for funds, funds management, record keeping, and accounting. In response to security concerns, offering online training presents a viable solution to avoid potential risks. By utilizing secure online platforms, participants can access valuable training opportunities while ensuring safety. Online training provides a convenient and secure environment, allowing individuals to enhance their skills and knowledge without compromising security.

- **Establish accountability mechanisms:**

Implement internal oversight policies and accountability mechanisms within organizations to prevent incidents of corruption and misconduct. Consider the establishment of an independent oversight committee composed of impartial independent activists to oversee the conduct of local groups that receive foreign funding.

- **Improve organizational planning and strategic development:**

Provide training programs focused on long-term strategic planning. Emphasize the importance of accountability, advocacy, and policy-making to enable organizations to plan for the long term and address systemic issues. Foster knowledge sharing on local policies, laws, and effective advocacy strategies.

- **Promote networking and access to collective knowledge:**

Create safe spaces and platforms for networking, knowledge-sharing, and collaboration within the LGBTQI+ movement, overcoming barriers such as risks, language differences, and reluctance to expose networks. Facilitate mentorship programs, workshops, and conferences to connect diverse voices from the LGBTQI+ community.

- **Expand activism strategies and evidence-based research:**

Encourage the LGBTQI+ movement to go beyond social media and storytelling activism and focus on evidence-based research and data collection to inform advocacy strategies and policy recommendations. Support the development of sustainable grassroots services, ensuring continuous support for LGBTQI+ individuals even when funding cycles end.

- **Prioritize transparency and workers' rights:** Encourage internal salary transparency within organizations to build trust among team members.

Advocate for workers' rights, combat wage theft, and promote fair treatment of employees within the LGBTQI+ movement.

- **Foster representation and inclusivity:** Strive for greater representation of intersex persons, trans persons, migrants, people with disabilities, and sex workers in leadership positions within the LGBTQI+ movement. Ensure that advocacy efforts are intersectional and inclusive, addressing the unique challenges faced by different communities within the LGBTQI+ spectrum.

- **Facilitate access to resources and tools:** Provide access to resources, toolkits, and online platforms that offer guidance and best practices in areas such as fundraising, strategic planning, advocacy, and organizational development.

Develop online portals that compile relevant materials and make them easily accessible to activists in the SWANA region. Ensure accessibility for people with disabilities as well as ensuring inclusive language.

- **Foster partnerships and knowledge exchange:** Facilitate partnerships and collaborations between organizations within the SWANA region to promote knowledge exchange, expertise sharing, and learning from each other's experiences.

Encourage cross-regional learning and collaboration by organizing events, conferences, or study visits that enable activists to connect with peers from other countries or regions.

- **Evaluate and assess impact:** Regularly evaluate the effectiveness and impact of capacity-building programs to ensure that they

meet the needs of participants and contribute to the overall strengthening of the LGBTQI+ movement. Collect feedback from participants and use it to improve and refine capacity-building initiatives over time.

- **Encourage collaboration and solidarity:** Build alliances with other social justice movements and marginalized communities to amplify the impact of the LGBTQI+ movement and advocate for intersectional equality. Share resources, expertise, and engage in collective action to achieve social change.

- **Funding, gatekeeping and intersectionality:** To counter gatekeeping practices, funders and donors must actively seek out and support smaller or marginalized organizations. Funding programs should prioritize diversity, equity, and accessibility, ensuring fair distribution of financial resources across the LGBTQI+ community. Moreover, transparent and inclusive funding mechanisms that incorporate the input and decision-making power of smaller organizations can help overcome existing power imbalances. This requires extensive outreach campaigns and necessitates a comprehensive approach. Capacity-building initiatives are crucial to empower organizations with the necessary skills and knowledge. Investing in language training, providing accessible information resources, and offering guidance on writing effective funding proposals can significantly enhance organizations' ability to secure funding. This would begin to address the issues of representation and diversity, but it does not address all of the barriers that hinder access.

To further address the issue of accessibility, language barriers need to be accounted for. Information and resources need to be provided in accessible languages in order to foster a more inclusive funding landscape. Empowering organizations with the necessary tools and dismantling gatekeeping practices will contribute to the growth and sustainability of the movement, amplifying its impact and advancing the rights and well-being of the LGBTQI+ community in the region.

These challenges underscore the urgent need for improved accessibility to funding for LGBTQI+ organizations in the SWANA region. It is necessary to establish transparent and secure channels for financial support in order to address the issue of

gatekeeping by monopolistic organizations. This is crucial to mitigate risks and foster the growth and sustainability of the LGBTQI+ movement. Collaboration is required between stakeholders, international donors, and civil society organizations to develop a transparent network of funding opportunities. Additionally, establishing mechanisms to facilitate transparent financial transactions and international funding transfers while safeguarding the privacy and security of activists is of utmost importance.



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116 East 16th Street, 7th Floor, New York, NY 10003

P: 1.212.529.8021

F: 1.212.982.3321

info@astraeafoundation.org

www.astraeafoundation.org