



**Annual Human Rights Report for The LGBTQ+ Community in The
Cooperation Council for the Arab States of the Gulf (GCC)**

The Alwan Foundation, 2024

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I. Introduction

Overview of The Cooperation Council for the Arab States of the Gulf (GCC)

The Gulf Cooperation Council (GCC) constitutes Saudi Arabia, Qatar, Kuwait, Bahrain, Oman, and the United Arab Emirates (UAE). Policies and criminal laws in these countries are shaped according to Islamic Sharia law, which makes LGBTQ+ rights subject to marginalization and punishment. Despite the varying levels of social and economic openness across these countries, the challenges related to freedom of expression and gender identity remain largely similar.

Report Objectives

This report aims to provide a comprehensive overview of the status of LGBTQ+ rights in the GCC countries, shedding the light on the legal and social obstacles faced by individuals who belong to this community. Additionally, the report documents cases from each GCC country and offers recommendations for improvement. Finally, the report emphasizes the analysis of legal framework, civil and political rights, economic and social rights, and health-related rights.

Terminology

The report uses terms such as “gay” (referring to individuals attracted to the same sex, whether male or female) and “transgender” (referring to individuals whose gender identity does not match their assigned sex at birth). Additionally, The term LGBTQ+ is used for brevity. Understanding these terms is essential to grasp the content of this report.

II. Legal and Institutional Framework

National Laws

Homosexual relationships are illegal in all GCC countries under Islamic Sharia ‘law’, which is the primary source of legislation. In Saudi Arabia, penalties can include the death penalty based on Islamic Sharia interpretations. In Kuwait, Bahrain, and the UAE, punishments can include imprisonment and heavy fines.

Legal Developments

During the past years, laws targeting homosexuality have been harshened by labeling them as “sexual deviance.” Additionally, transgender individuals face prosecution under the pretext of “imitating the opposite gender,” considered a crime in GCC countries, increasing the legal risks experienced by LGBTQ+ individuals.

International Commitments

Despite being members of the United Nations and signatories to several international human rights treaties, such as the international Covenant on Civil and Political Rights (ICCPR), GCC countries have notable reservations on provisions related to gender identity and sexual orientation, placing them in contradiction with their international obligations.

Institutional Challenges

In most GCC countries, there are no governmental entities that advocate for LGBTQ+ rights. On the contrary, some governmental and religious institutions monitor individuals and impose penalties for homosexuality or transgender identity, while promoting hate speech and incitement against members of the LGBTQ+ community.

Comparisons Between International Commitments and Local Laws in GCC Countries

1. ICCPR (International Covenant on Civil and Political Rights):

- a. **International Commitment:** Countries like Bahrain and Kuwait are signatories to the ICCPR, which guarantees fundamental human rights such as freedom of expression, assembly, and the right to privacy. Article 17 ensures protection from arbitrary interference in private lives.
- b. **Local Violations:** GCC countries, including Bahrain and Kuwait, criminalize same-sex relationships and impose penalties based on sexual orientation or gender identity, contradicting Article 17 of the ICCPR.
- c. **Comparison:** Criminalizing consensual same-sex acts among adults violates basic human rights guaranteed under Article 17, with no legal exceptions allowing states to deviate from these obligations based on one's sexual identity or gender expression.

2. CEDAW (Convention on the Elimination of All Forms of Discrimination Against Women):

- a. **International Commitment:** The UAE, Qatar, Kuwait, and Saudi Arabia are signatories to this treaty, which obligates states to protect women's rights and gender equality.
- b. **Local Violations:** GCC countries prohibit transgender individuals from legally changing their gender, creating severe social and legal challenges that contradict the principle of gender equality. They also impose strict penalties on individuals for imitating the opposite gender.
- c. **Comparison:** Non-recognition of transgender identities or repression of transgender individuals contradicts the principle of gender equality expressed in CEDAW. Discrimination based on gender identity violates the states' obligations under the treaty.

3. CAT (Convention Against Torture):

- a. **International Commitment:** GCC countries are signatories to this convention, which prohibits all forms of torture and inhumane or degrading treatment.
- b. **Local Violations:** Documented cases in Saudi Arabia, Qatar, and Kuwait reveal instances of torture and mistreatment of individuals detained for charges related to sexual orientation or gender identity. In Qatar, reports indicate individuals were subjected to military-style training and head shaving.
- c. **Comparison:** Subjecting LGBTQ+ individuals to torture or harsh treatment during detention clearly violates the CAT, irrespective of local laws criminalizing the accused acts.

4. UDHR (Universal Declaration of Human Rights):

- a. **International Commitment:** Although non-binding, the UDHR is an international standard that emphasizes dignity and equal rights for all. Article 1 states, “All human beings are born free and equal in dignity and rights,” and Article 2 asserts the right to non-discrimination.
- b. **Local Violations:** GCC laws criminalizing same-sex relationships and transgender identity constitute direct discrimination based on sexual identity. Furthermore, hate speech against LGBTQ+ individuals, often disseminated through religious sermons, contradicts the UDHR's principles.
- c. **Comparison:** Criminalizing LGBTQ+ individuals and promoting hate speech against them violate the UDHR’s principles, which serve as an ethical framework for the global community.

5. ICESCR (International Covenant on Economic, Social, and Cultural Rights):

- a. **International Commitment:** States like Kuwait are obligated to ensure equal rights to work, education, and healthcare for all without discrimination.
- b. **Local Violations:** LGBTQ+ individuals in GCC countries face significant discrimination in accessing jobs, education, and healthcare. In some cases, transgender individuals are denied appropriate medical care, violating Article 12, which ensures “the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.”
- c. **Comparison:** Discrimination against LGBTQ+ individuals in accessing healthcare or education violates international obligations under the ICESCR. States must ensure equitable access to these rights without discrimination based on sexual or gender identity.

Summary of Comparisons:

Comparisons between GCC local laws and international commitments highlight significant disparities. While these countries attempt to project a positive image internationally, laws criminalizing homosexuality and transgender identity, coupled with hate speech, starkly contradict their obligations under international treaties.

III. Social and Cultural Situation

Societal Acceptance

Gulf societies are among the most conservative in the Islamic world, where homosexuality and non-conforming gender identities are viewed as blatant violations of religious and cultural values. LGBTQ+ individuals often face social rejection from their families and communities, with such issues being treated as behavioral or moral deviations threatening family values, societal cohesion, and child safety.

Discrimination

Discrimination against LGBTQ+ individuals is pervasive across the Gulf. These individuals are often subjected to family rejection, complete social ostracization, and, at times, violence. They may also be denied access to education, employment, or housing.

Media Influence and Public Discourse

In some countries, such as Saudi Arabia, public platforms, including official religious sermons, are used to incite hatred against LGBTQ+ individuals. Efforts to raise awareness or advocate for the rights of this marginalized group are actively suppressed, directly impacting individuals' lives and exacerbating social discrimination.

IV. Civil and Political Rights

Freedom of Expression and Assembly

In all GCC countries, any activity advocating for LGBTQ+ rights is prohibited. Individuals attempting to speak publicly on these issues face imprisonment or fines. Freedom of expression regarding gender identity and sexual orientation is severely restricted, and no officially recognized advocacy movements exist to defend this community.

Right to Personal Safety

LGBTQ+ individuals in the Gulf face familial and societal violence, as well as institutional violence. There are no laws to protect them from such violence, and cases are often ignored or downplayed by authorities.

Documented Discrimination Cases

Numerous cases have been documented where individuals were arrested due to their sexual orientation or gender identity in Saudi Arabia, Qatar, Kuwait, and Bahrain. Many of these individuals report being tortured during detention.

V. Economic, Social, and Cultural Rights

Discrimination in Employment

In most GCC countries, LGBTQ+ individuals face discrimination in job opportunities. They may be fired from their jobs or barred from certain professions if their sexual orientation or gender identity is discovered.

Access to Healthcare and Education

Although there are no explicit legal prohibitions against accessing education or healthcare, social discrimination makes it challenging for LGBTQ+ individuals to secure these rights safely. In some cases, individuals are forced to abandon their education due to targeted discrimination.

Targeted Societal Violence

Discrimination and social violence against LGBTQ+ individuals extend beyond authorities to the broader community. People may face ostracization or physical violence due to their appearance or sexual orientation.

VI. Health-Related Rights

Accessibility to Healthcare

LGBTQ+ individuals in the Gulf face significant barriers in accessing healthcare, particularly transgender individuals who require hormone therapy or gender-affirming surgeries. Governments provide no support for such healthcare needs, often framing these issues as illegitimate or a result of moral or religious shortcomings.

Mental Health

LGBTQ+ individuals are at higher risk for depression and anxiety due to discrimination and social rejection. However, mental health support services for them are unavailable in the Gulf, and some are subjected to conversion therapy, which exacerbates their mental health challenges.

VII. Violations and Documented Cases

Saudi Arabia

1. A Saudi citizen, Anas Al-Ruwailee, was arrested and referred to the Public Prosecution. As of the date of this report, no official charges have been filed, but he remains in detention under investigation. Authorities claim the arrest was due to content "violating public morals and decency," although only non-explicit images and videos reflecting his gender nonconformity were shared.
2. A transgender individual was beaten by a group of young men in a parking lot in eastern Saudi Arabia. No official government statement was issued regarding this incident.
3. Writer and producer Abdulaziz Al-Muzaini reported being sentenced to 13 years in prison after authorities claimed his series "Masameer" promoted homosexuality. The video documenting this was later removed from his account.
4. A Friday sermon delivered at the Grand Mosque in Mecca on July 7, 2023, incite hatred against LGBTQ+ individuals, framing their rights as a societal threat. This sermon was government-approved, as all Grand Mosque sermons require official authorization.
5. Activist Tariq Aziz was sentenced to one year in prison (May 2021 to May 2022) for advocating LGBTQ+ rights on X (formerly Twitter.) After his release, he sought asylum in the United States and now works with the Alwan foundation.
6. Reports from Saudi prisons indicate detainees are held for "imitating the opposite gender," a charge targeting LGBTQ+ individuals specifically.
7. Witnesses report LGBTQ+ individuals being denied services at cafes due to their gender expression.

Qatar

1. A Mexican-British citizen was arrested for his homosexuality after being lured through a dating app for gay men. His brother confirmed the arrest and reported his mistreatment.
2. Reports claim 25 LGBTQ+ individuals were detained, tortured, and subjected to military training, including head shaving. The Qatari government has not issued any official statement, and Alwan could not independently verify the claims.
3. LGBTQ+ individuals in Qatar report harassment by government authorities based on their gender appearance.

Kuwait

1. A proposed law against "imitating the opposite gender" includes imprisonment for up to two years and fines of up to 3,000 Kuwaiti Dinars.
2. Public employees face harsher penalties if found guilty of "imitating the opposite gender."

Bahrain

1. A 2024 law imposes strict penalties against homosexuality, including a minimum of six months imprisonment and fines up to 2,000 Bahraini Dinars.
2. Witnesses reported a raid in May 2024 on a restaurant in Adliyah, where several individuals were arrested due to their gender non-conforming appearances.

Oman and the United Arab Emirates (UAE)

Alwan was unable to reach LGBTQ+ individuals directly in these countries. However, reports indicate they face social discrimination, family rejection, and harassment from authorities, particularly if they express themselves openly.

VIII. Recommendations

For the GCC Governments

1. Amend laws criminalizing homosexuality and gender nonconformity.
2. Repeal laws against "imitating the opposite gender."
3. Enact laws protecting LGBTQ+ individuals from discrimination and hate crimes.

For the International Community

1. Pressure GCC governments to improve their LGBTQ+ human rights records.
2. Provide legal and humanitarian support to those facing discrimination in these countries.

IX. Conclusion

Most GCC countries lack clear or specific laws against LGBTQ+ individuals, relying instead on the broad interpretations of Islamic Sharia for criminalization. This legal vagueness allows governments to evade international human rights pressure. Furthermore, the absence of reliable statistics or documented cases complicates advocacy efforts. With low freedom of expression, pervasive suppression, and severe oppression, many LGBTQ+ individuals fear speaking out, further limiting the availability of credible sources. These complexities underscore *the urgent need for the international community to understand how GCC governments manipulate legal ambiguities to avoid accountability. Continued monitoring, advocacy, and the adoption of explicit laws recognizing LGBTQ+ rights are essential to achieving positive change.*

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