

# Lebanon: End systemic violence against transgender women

*Protect against discrimination, simplify legal gender recognition*

HRW (03.09.2019) – <https://bit.ly/2lUU67W> – Transgender women in Lebanon face systemic violence and discrimination, Human Rights Watch, Helem, and MOSAIC said in a report and video released today. Transgender women face discrimination in accessing basic services, including employment, healthcare, and housing, as well as violence from security forces and ordinary citizens.

For the 119-page report, “‘Don’t Punish Me for Who I Am’: Systemic Discrimination Against Transgender Women in Lebanon,” Human Rights Watch, in collaboration with Helem and MOSAIC, interviewed 50 transgender women in Lebanon, including 24 Lebanese trans women, 25 trans refugees and asylum seekers from other Arab countries, and one stateless trans woman, as well as human rights activists, representatives of international agencies, lawyers, academics, and healthcare professionals who work with trans individuals in Lebanon.

“This groundbreaking report shows the ever-present violence and discrimination against trans women in Lebanon,” said Lama Fakih, acting Middle East and North Africa director at Human Rights Watch. “Confronted by ignorance and hostility from society, trans women also face violence and abuse from the

security forces and government that are meant to protect them and their rights.”

Exclusion of trans people is exacerbated by a lack of resources tailored for their needs and by the difficulties they face in obtaining identification documents that reflect their gender identity and expression. Discrimination is often worse for trans refugees, who are already marginalized.

The report shows that the discrimination transgender women face begins at home. Interviewees reported incidents of family violence, including physical and sexual assault, being locked in a room for extended periods, and being denied food and water. Many trans women were pushed out of their homes, and in the case of refugees and asylum seekers, their countries, yet they felt they had no recourse to the law. There are no shelters providing emergency housing for trans women, leaving them to navigate the informal, expensive, and often discriminatory Lebanese housing market on their own. Trans women reported facing discrimination by landlords, flatmates, and neighbors, in addition to being forcibly evicted by the police because of their gender identity.

Many trans women said that they do not feel safe in public. They told the researcher that security forces often subject them to harassment at checkpoints, arrest, or violence because of their appearance, in some cases amounting to torture. While Lebanese law does not criminalize being transgender, article 534 of the penal code, which criminalizes “any sexual intercourse contrary to the order of nature,” has been regularly enforced against trans women. Trans people are also arrested on charges such as “violating public morality” and “incitement to debauchery.” Trans women detained under such

laws reported being placed in men's cells and made to give coerced confessions.

Further, members of the public harass and physically assault trans women with impunity, the report found. Many transgender women said they are forced to hide who they are to survive. One trans woman said that walking through Beirut in daytime "feels like boiling water is being poured on me."

Nearly all interviewees recounted being denied jobs because of their appearance. For trans refugees and asylum seekers, this discrimination is compounded by their lack of legal residency, which limits their ability to work in Lebanon.

Many transgender women also face discrimination when seeking medical care, including being denied treatment because of their gender identity. One trans woman said: "I got really sick and had to be taken to the hospital. When I got there, I was spitting blood, but they refused to let me in because I am trans... I could have died at the hospital door."

Trans women said one of the main obstacles to being able to access basic services was their inability to get identification papers that reflect their gender identity and expression. Trans people in Lebanon can only change their names and gender markers on official documents through a court ruling, often following a "gender dysphoria" diagnosis and surgery, which is expensive and sometimes unwanted. Many trans women are also deterred from seeking rulings due to high fees, lack of legal assistance, and protracted court proceedings.

In January 2016, an appeals court ruled that a transgender man could change his name and gender marker, overruling a lower court, and citing the right to privacy under article 17 of the International Covenant on Civil and Political Rights. The court found that gender affirming surgery should not be a prerequisite to gender identity recognition, but this does not set a binding legal precedent.

Lebanon should act swiftly to end the systemic discrimination and violence against transgender women. Lebanese security forces should stop arresting trans women based on their gender identity and instead protect them from violence, including by holding the perpetrators to account. The Lebanese government should enact legislation protecting against discrimination on the grounds of gender identity and establish a simple, administrative process allowing transgender people to change their names and gender markers on documents based on self-declaration, as is the practice in countries ranging from Argentina to Malta to Pakistan.

Donors and international agencies should fund trans-led initiatives to provide much needed services such as health care, legal aid, and income-generating activities. They should also fund emergency shelters for transgender women across Lebanon.

“Trans women in Lebanon have been forced to hide who they are just to survive, but the government can no longer claim ignorance of the violence and discrimination they face,” Fakihi said. “By sharing their stories, trans women are demanding that the government see them and give them equal access to livelihoods, services, and protection.”

## **Selected Evidence**

Randa, a 25-year-old Syrian trans woman, told Human Rights Watch that she spent five months and five days in detention, much of it underground in Roumieh – “no sun, no air” – after Internal Security Forces officers arrested her for sodomy:

*They interrogated me from midnight until 5 a.m. They beat me nonstop and kept trying to make me tell them names of other LGBT individuals. They barely gave me food or water for 10 days. They didn't let me call a lawyer or assign me one. They shaved my head. They tied me up to a chair with my hands cuffed behind my back. Every time the officer would ask me a question and I said, 'I don't know,' he smacked me across the face. Another officer would come and put out his cigarette on my arm. I got sick while I was detained and I could barely stand up, and I asked for a doctor. They said, 'Leave him to rot and die.' Not only was there harassment from the police, but also other detainees. They cursed me and verbally harassed me the whole time I was there – they referred to me as 'the faggot.'*

Trans women face immediate discrimination when seeking employment due to the mismatch between their gender expression and the name and gender on their identity documents. The barriers to changing gender markers on official documents reinforce trans women's economic marginalization. Elsa, 50, said:

*My problem is my ID, they would never hire me, because I look*

*like a ciswoman [a person who identifies as a woman and was assigned female at birth], no one would doubt that, but my ID says male. I went and applied for retail jobs everywhere in Beirut, they say, 'Okay madame, bring your papers tomorrow and you can start.' As soon as they see my ID, they don't hire me. If I could explain my situation to them, that would be easier, but no one here knows or accepts what it means to be transgender. I tried four times in Bourj Hammoud, twice in Dekweneh, and for a woman my age, the embarrassment and humiliation are just too much.*

While trans women's access to formal employment is limited, their participation in the informal labor market denies them any protection when they are abusively dismissed. Lola, a 42-year-old Lebanese trans woman, said:

*At my last job, at the airport, my hair was very long, but I put it in a bun and wore a cap, but they still insisted I cut it all off, and I just couldn't, so they fired me. The security officers at the airport were not okay with me having long hair, that's the reason they gave me. This was after three months of waking up at 5 a.m. to get to work at 6 a.m. and I worked until 7 p.m. every day, they paid me \$400. I accepted that so that I can work and not be on the streets, and then they fired me.*

In Lebanon, trans people struggle to obtain documents that match their identities. Diana, a 27-year-old Lebanese trans woman, said:

*I threw my ID in the trash and applied for a new one. I told*

*them I lost it. I had to go to my hometown, to the mukhtar, I swear around a dozen times just to have them put my picture on an ID as I look now. I got so much harassment, they asked me, 'Why do you look like this? Aren't you a man? You are disgusting.' The mukhtar said he won't start my papers until I cut my hair, and I had to bribe him so he would accept. Finally, after months of running around, they put my picture on my ID as I look now, but my name obviously stayed the same.*

Lina, 28-year-old Iraqi trans woman, said:

*Changing gender markers and names should be a normal process that doesn't even require lawyers or medical professionals. I don't need to 'prove' to anyone that I'm a woman, it's just an internal feeling.*