



Killings of LGBTIQ+ people in Asia

Submission to the Special Rapporteur on extrajudicial, summary or arbitrary executions

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Joint submission by:

International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA World)¹

With the support of:

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¹ ILGA World (International Lesbian, Gay, Bisexual, Trans and Intersex Association), <https://ilga.org>, established in 1978, is a federation of more than 1,700 organisations from over 160 countries and territories campaigning for lesbian, gay, bisexual, trans and intersex (LGBTI) human rights. ILGA World enjoys the ECOSOC status, consistently engaging with UN human rights bodies, and conducts legal and socio-economic research on the situation of LGBTIQ+ persons. ILGA World supports local LGBTIQ+ civil society groups engaging with United Nations treaty bodies, special procedures and the Human Rights Council. It also produces research publications on social and legal situation of LGBTIQ+ persons. This includes [Annual Treaty Bodies Reports](#), [Treaty Bodies Strategic Litigation Toolkit](#), [Special Procedures Factsheets](#) and [ILGA World Database](#).

² Arus Pelangi is an LGBTIQ+ organization that focuses on fulfilling the human rights of the LGBTIQ+ community in Indonesia. It is a federation with 26 member organizations across Indonesia.

³ Noboprobhaat Foundation is a registered non-profit organization led by SOGIESC youth, dedicated to advancing the rights and empowerment of marginalized communities, particularly in rural areas of the Rangpur Division in Bangladesh. Since its establishment in 2018, the foundation has been actively engaged in advocating for the rights of SOGIESC individuals, rural women, and indigenous people. Through a range of initiatives, including advocacy campaigns and community empowerment programs, Noboprobhaat Foundation strives to create a more inclusive and equitable society for all.

⁴ One Future Collective, a feminist social purpose organisation with a vision of a world built on social justice, led by communities of care. We fight for the right of each person to live a life of safety, dignity, and belongingness by catalysing people power and building just institutions.

⁵ The World Coalition Against the Death Penalty (WCADP) was founded in Rome on May 13th, 2002. Is an alliance of over 160 NGO's, bar associations and local authorities strengthening the international dimension of the fight against the death penalty. Its objective is to obtain the universal abolition of the death penalty. To achieve its goal, the World Coalition advocates for a definitive end to death sentences and executions in those countries where the death penalty is in force. In some countries, it is seeking to obtain a reduction in the use of capital punishment as a first step towards abolition by supporting its member organizations, local, national and regional abolitionist forces and by coordinating the international advocacy towards worldwide abolition of the death penalty. The World Coalition gives a global dimension to the action taken by its members on the ground. It complements their initiatives, while constantly respecting their independence. The World Coalition Against the Death Penalty is committed to making visible gender and intersectional discrimination at work in capital punishment as well as to strengthen the protection of women and gender and sexual minorities facing the death penalty.

⁶ 6Rang (Iranian Lesbian and Transgender Network) was established following the first Iranian lesbian and transgender gathering held in 2010. Its network and contacts span across more than 200 LGBTI+ individuals, the majority of whom are based in Iran.

⁷ TGEU (Transgender Europe) is a trans-led nonprofit for the rights and wellbeing of trans people in Europe and Central Asia.

Introduction

This report will address two forms of unlawful killings to which LGBTIQ+ people are subjected in Asia: (1) capital punishment for consensual same-sex sexual activity (CASSA) and other sexual or moral crimes, and (2) hate crimes, or violent crimes motivated by prejudice based on the victim's actual or perceived sexual orientation, gender identity or expression, and sex characteristics (SOGIESC). Other relevant laws, policies and practices that contribute to or prohibit the unlawful killings of LGBTIQ+ people, including incitement to violence and hatred, will also be tackled.

To produce this report, ILGA World reached out to its regional office and member organizations in Asia to request data, including relevant laws, case studies, and statistics. Additional information through desk research, including the [ILGA World Database](#), was used to complement their contributions.

Death penalty

Several countries, including **Saudi Arabia**, **Afghanistan**, and **Pakistan** impose capital punishment for consensual same-sex activity, often operating under Sharia law or repressive legal frameworks that target LGBTIQ+ individuals⁸.

- In **Saudi Arabia**, individuals accused of same-sex activity are often prosecuted under vague interpretations of Sharia law, leading to arbitrary and discriminatory executions. Confessions obtained under duress and the conflation of sodomy charges with other offenses further exacerbate the injustice faced by LGBTIQ+ individuals⁹.
- In **Pakistan**, the Hudood Ordinance criminalizes sexual intercourse outside marriage, reflecting a broader trend of state-sanctioned discrimination and violence against LGBTIQ+ persons in the region¹⁰.

The use of capital punishment and state-sanctioned violence against LGBTIQ+ individuals represent a grave violation of human rights and undermines the principles of justice and equality. Urgent action is needed to address systemic discrimination, protect LGBTIQ+ rights defenders, and hold perpetrators of violence and state actors accountable for their actions. Only through concerted international efforts and advocacy can we strive towards a world where all individuals, regardless of sexual orientation or gender identity, are treated with dignity, respect, and equality under the law¹¹.

Hate crimes

Across Asia, TGEU's Trans Murder Monitor has documented a troubling trend of violence against transgender individuals, with several countries reporting high numbers of murders. Pakistan emerges as the country with the highest number of documented transgender murders, with a total of 43 cases reported from 2020 to 2023¹². India follows closely behind, with 42 reported murders during the same period, highlighting the significant challenges faced by transgender communities in the region¹³. Transgender murders were documented in 12 countries across Asia, underscoring the widespread nature of this issue and the urgent need for action to address it¹⁴. Despite some progress in legal recognition and protection for transgender individuals in certain countries, systemic discrimination and violence persist, posing significant barriers to the safety and well-being of transgender communities. **India** grapples with challenges in addressing unlawful deaths of LGBTIQ+ individuals, despite legal advancements. Underreporting, biased investigations, and inadequate law enforcement responses hinder effective enforcement. The Transgender Persons (Protection of Rights) Act 2019, while significant, lacks provisions addressing diverse identities and specific hate crime protocols¹⁵. Civil society organizations play a vital role in monitoring rights and advocating for reforms.

While Sections 153A and 295A of the IPC offer some protection, specific legislation targeting hate crimes against LGBTIQ+ individuals is absent¹⁶. Recent judgments and high court rulings have advanced LGBTIQ+ rights, but challenges persist, including societal stigma and underreporting.

Targeted violence against LGBTIQ+ individuals continues, evident in cases in Jaipur and Delhi, where victims faced extreme brutality. Intimate partner violence within LGBTIQ+ relationships and inadequate support systems exacerbate vulnerability. Intersectional oppressions further compound the community's plight, as seen in cases like that of a lesbian woman killed by her tantrik partner in Uttar Pradesh¹⁷.

The Islamic Republic of Iran stands as one of twelve countries where consensual same-sex sexual activity between adults can result in the death penalty, exemplifying a broader pattern of state-sanctioned violence against LGBTIQ+ individuals. Furthermore, the failure of the Iranian state to protect the rights of LGBTIQ+ persons, coupled with societal prejudices, leads to a dire situation where individuals face persecution, violence, and even execution based on their sexual orientation or gender identity¹⁸.

The Islamic Penal Code of Iran criminalizes consensual same-sex acts, imposing severe punishments ranging from flogging to death. Laws pertaining to sodomy and other same-sex activities demonstrate a flagrant disregard for fair trial standards, often leading to arbitrary decisions and state-sanctioned executions. The case of Mehrdad Karimpour and

¹² Information retrieved from the Trans Murder Monitor by TGEU <https://transrespect.org/en/map/trans-murder-monitoring/>

¹³ Information retrieved from the Trans Murder Monitor by TGEU <https://transrespect.org/en/map/trans-murder-monitoring/>

¹⁴ Information retrieved from the Trans Murder Monitor by TGEU <https://transrespect.org/en/map/trans-murder-monitoring/>

¹⁵ Information provided by One Future Collective

¹⁶ Information provided by One Future Collective

¹⁷ Information provided by One Future Collective

¹⁸ Information provided by the 6Rang (Iranian Lesbian and Transgender Network). The Human Rights Committee, in its Concluding Observations on Iran, expressed its concern that "consensual same-sex relations between adults are criminalized by the Islamic Penal Code, and that persons who are convicted in such cases are punished with severe criminal penalties, ranging from public lashing and flogging to death sentences, which are actively enforced by the State," that "some defenders, such as Zahra (Sareh) Sedighi Hamadani and Elham Chobdar, had been sentenced to death, and that the "criminalization of consensual same-sex sexual relations between adults and of gender non-conformity fosters an environment for hate speech and hate crimes against lesbian, gay, bisexual and transgender individuals." For more information, see: CCPR/C/IRN/CO/4, 23 November 2023.

Farid Mohammadi, who were executed despite flawed legal proceedings, underscores the systemic injustice faced by LGBTQI+ individuals within the Iranian legal system¹⁹

The criminalization of advocacy for LGBTQI+ rights, coupled with internet smear campaigns, demonstrates the Iranian government's systematic suppression of LGBTQI+ voices and human rights defenders.

Recent cases, such as that of Zahra Sedighi Hamedani, illustrate the chilling reality that advocating for LGBTQI+ rights can lead to persecution and death, underscoring the urgent need for international intervention and protection of LGBTQI+ activists²⁰.

Iranian laws fail to protect vulnerable individuals, including LGBTQI+ persons, from honor killings and other forms of violence perpetrated by family members. The qisas principle, which allows private individuals to demand retaliation for murder or forgive the perpetrator, often results in impunity for perpetrators of honor crimes²¹.

Cases like that of Alireza Fazeli Monfared and Erfan Kasbkhah (Parsa) highlight the state's failure to investigate killings of LGBTQI+ individuals and hold perpetrators accountable, perpetuating a culture of violence and impunity²².

In **Bangladesh**, LGBTQI+ individuals face egregious human rights violations stemming from discriminatory laws, societal stigma, and inadequate legal protections. Section 377 of the Penal Code criminalizes same-sex relations, subjecting individuals to imprisonment and perpetuating a climate of fear and discrimination²³. Despite recognizing hijras as a third gender, Bangladesh lacks comprehensive legal safeguards against discrimination based on sexual orientation and gender identity, leaving LGBTQI+ individuals vulnerable to abuse and violence.

Recent incidents, including the false arrest and harassment of lesbians by law enforcement, highlight the systemic discrimination and mistreatment faced by LGBTQI+ persons in Bangladesh. The absence of anti-discrimination laws and limited law enforcement response further exacerbates their vulnerability to violence and discrimination. Efforts to introduce legislation protecting LGBTQI+ rights, such as the Transgender Protection Act, face staunch opposition from conservative and religious groups, hindering progress towards legal reforms²⁴.

The pervasive social stigma and lack of safe spaces and support services further compound the challenges faced by LGBTQI+ individuals, perpetuating a culture of impunity for perpetrators of violence. Despite some positive strides, such as recognizing hijras as a third gender and allowing official documentation of their identity, Bangladesh continues to fall short in ensuring the safety and rights of LGBTQI+ individuals²⁵.

In the absence of meaningful legal reforms and effective law enforcement responses, LGBTQI+ individuals in Bangladesh remain at risk of discrimination, harassment, and violence. Urgent action is needed to repeal discriminatory laws, enact comprehensive anti-discrimination legislation, and provide support services to ensure the safety and well-being of LGBTQI+ persons. It is imperative for the Bangladesh government to address systemic

¹⁹ Information provided by the 6Rang (Iranian Lesbian and Transgender Network)

²⁰ Information provided by the 6Rang (Iranian Lesbian and Transgender Network)

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²² Information provided by the 6Rang (Iranian Lesbian and Transgender Network)

²³ Information provided by the Noboprobhaat Foundation with the support of the Independent LGBTIQ+ activists from the Asian region

²⁴ Information provided by the Noboprobhaat Foundation with the support of the Independent LGBTIQ+ activists from the Asian region Md Yasin Ali

²⁵ Information provided by the Noboprobhaat Foundation with the support of the Independent LGBTIQ+ activists from the Asian region

discrimination and uphold its international human rights obligations to protect the rights and dignity of all individuals, regardless of sexual orientation or gender identity.

In **Indonesia**, the legal framework lacks specific provisions addressing hate crimes against LGBTQI+ individuals, exacerbating the challenges in investigating and preventing unlawful deaths within this community²⁶. To this date, the country has made no significant progress in enacting protections against discrimination or harassment based on sexual orientation or gender identity. Rather, it harbours over 50 discriminatory policies targeting the LGBTQI+ community, often disguised under the pretext of maintaining public order. The ambiguity of these regulations enables their misuse to justify persecution and acts of violence against an unjustly marginalized community²⁷.

These laws, intended to uphold justice, have instead been weaponized to oppress and silence LGBTQI+ individuals, undermining their rights and dignity. This discrimination extends beyond legislation, infiltrating media narratives with over 1000 discriminatory news reports in 2023 alone²⁸. Such biased representations contribute to harmful stereotypes, exacerbating the community's marginalization and fostering a climate of hostility.

The consequences of these discriminatory policies reverberate throughout society, hindering LGBTQI+ individuals' ability to live authentically and openly. Human rights violations against this community from 2020 to 2024 illustrate a distressing pattern of violence, intimidation, and discrimination, jeopardizing their right to life. Cases like the brutal killing of a trans woman, Mira, exemplify the alarming level of gender identity-based hatred, while instances of psychological violence and social pressures underscore the vulnerability of LGBTQI+ individuals to systemic threats²⁹.

From physical assaults and rape to rejection and online harassment, LGBTQI+ individuals face multifaceted threats to their rights across public and private spheres. Instances of violence in nightclubs and cultural parades, alongside digital stalking and torture, underscore the pervasive nature of discrimination faced by the community. Despite these challenges, Indonesia has yet to provide adequate protection or recourse for LGBTQI+ individuals, perpetuating a cycle of marginalization and injustice.

Recommendations³⁰

- Repeal all laws, policies, and practices that criminalize CASSA, diverse gender identities and expressions, and sexual or moral crimes, and those that enable and incite hatred, discrimination and violence against persons based on their SOGIESC.
- Establish a legal framework that respects and protects the right of LGBTIQ+ people to be free from violence, including by prohibiting incitement to violence, hatred or discrimination and passing hate crime legislation.³¹

²⁶ Information provided by Arus Pelangi

²⁷ Information provided by Arus Pelangi

²⁸ Information provided by Arus Pelangi

²⁹ For more information, see: [Indonesia: murder of trans woman burned alive must be urgently investigated](#).

³⁰ These recommendations are also applicable to the situation in other regions, which our other submission tackles. Some of these recommendations were drawn from the contribution of CHEVS and Equality for All Foundation Jamaica.

³¹ "One path that many States have followed is to enact stand-alone criminal offences that criminalise the infliction of lethal or non-lethal harm motivated by the victim's real or imputed sexual orientation, gender identity, gender expression or sex characteristics. An alternative to this is the introduction of legal provisions that confer on the judiciary the power to increase penalties when the perpetrator committed the crime motivated by the victim's real or imputed sexual orientation,

- Eliminate discriminatory legal defense strategies such as the “unwanted homosexual advance” or gay/trans/LGBTIQ+ panic defense that aim to legitimize and mitigate the severity of violence against LGBTIQ+ people.
- Conduct sensitization campaigns aimed at changing societal attitudes towards LGBTIQ+ persons, with a focus on religious and community leaders.
- Create specialized task forces within law enforcement agencies with a mandate to investigate and prosecute cases of violence against LGBTIQ+ individuals. These task forces should be adequately trained, equipped, and independent to ensure impartiality and effectiveness in bringing perpetrators to justice.
- Adopt and implement diversity and other enabling policies within law enforcement agencies to enable LGBTIQ+ people to build trust and confidence in law enforcement personnel.
- Empower national human rights institutions and/or other relevant government agencies to collect disaggregated data on violence against LGBTIQ+ people and provide legal and holistic assistance to survivors.
- Ensure that judicial personnel, especially judges and prosecutors, have the necessary training and resources to conduct legal proceedings on violence against LGBTIQ+ people in an impartial and SOGIESC-sensitive manner.
- Implement strict accountability measures within law enforcement agencies to ensure that officers found complicit in or negligent regarding violence against LGBTIQ+ persons are held accountable. This includes disciplinary action, prosecution, and removal from duty where necessary.
- Beyond enacting comprehensive legal reforms, governments must also focus on improving access to support services, and challenging harmful stereotypes and attitudes toward LGBTIQ+ individuals.
- Collaborate with civil society organizations and international bodies, if applicable, to address the root causes of discrimination and violence and create a more inclusive and supportive environment for LGBTIQ+ communities in the region.