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Defending the Rights of LGBTQ People in the MENA Region

Recommendations for Policy and Practice

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Executive Summary

Based on years of research, and on project implementation, this policy brief aims to provide policy makers and practitioners with a compass for their work concerning LGBTQ people in the MENA region. This policy brief is twofold, as it first aims to provide the reader with a brief on the lines of work needed to improve the situation of LGBTQ people in the MENA, and the importance of LGBTQ inclusion for development. Secondly, and most importantly, this brief focuses on offering an alternative framework of thinking and practice, which is more suitable for the context of the MENA region. The brief presents a methodology that has been developed through years of project work and piloting. The methodology demonstrates the importance of using context-specific language in order to address the discrimination of non-normative people, including but not limited to LGBTQ people, as they are victims to the same types of legal, political, economic and social discrimination and persecution- this policy brief has been made possible through the financial support of the Swedish Institute.

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Background: LGBTQ Rights in the MENA Region



The Middle East and North Africa (MENA) region is experiencing an increasingly difficult socio-political climate, severe violations to the human rights of vulnerable populations such as women, ethnic and religious minorities and LGBTQ persons. Violence and discrimination against LGBTQ has been a growing and pressing issue, and has also received significant international attention. However, important new opportunities for working on gender and sexuality issues are emerging. Prior to 2010, the majority of countries in MENA were under dictatorial leaders that heavily regulated, politicised and/or prevented civil society’s work – in particular, work that

addressed gender inequality issues. Following the recent revolutions (and in some instances, regime changes) across the region, there are also new opportunities to test states’ willingness to engage with civil society on human rights. At the same time, information, research, and resources on the state of gender, sexuality and bodily rights in the MENA region are scattered, disorganised, and repetitive or exist and are produced primarily outside the MENA region, with few resources published in Arabic. This results in serious knowledge gaps and complicates the connection of the debate with MENA specific social, cultural, legal, and religious frameworks.

It has been established through previous research¹ that the inclusion of LGBTQ folk in society, the economy and politics is of great importance for democratic development and human rights, as well as poverty reduction and for national economic growth. Work on LGBTQ inclusion in the Middle East, North Africa, and the gulf has proven to be challenging, particularly in relation to national development. Homophobic and transphobic attitudes and discriminatory views still dominate the development sectors in the regions, making it difficult for LGBTQ organisations and groups to engage directly and meaningfully with policy change on any level the sector. For that reason, there is still room for capacity building for LGBTQ-focused organisations to lead development and growth using a bottom-up approach focusing on the empowerment of LGBTQ individuals and groups and allies, rather than on empowering and supporting state institutions that do not comply to international human rights mechanisms to which they are signatory and that discriminate against those groups, and do not allow for such work to take place. Instead, supporting state institutions must always be accompanied with support provided to non-normative people, including LGBTQ individuals and must always take into consideration the need to develop the awareness and capacity of state institutions to become more inclusive to non-normativity.

¹ See CTDC publications for more info: <http://ctdc.org/ctdc-publications/>

LGBTQ people, and particularly queer women and trans persons, are among the most vulnerable and disadvantaged groups in the MENA region. Discrimination against LGBTQ people leads to difficulties in accessing employment opportunities, education, health care and housing. LGBTQ people face multiple discriminations and violence, on the level of the state through discriminatory legislation including penal codes that criminalise non-normative sexual practices, and on the social and family level, which include stigma and violence. Whereas legislation differs from one country to another, on the level of society discrimination is very similar and is manifested in misconceptions and fallacies around non-normative sexual preferences. In order to address LGBTQ rights in way that is sensitive to the context, CTDC has developed an alternative methodology, which we termed SPGP (Sexual Practice and Gender Performance), which also aims to reconcile the differences between LGBTQ and women's rights activism in the region.

“LGBTQ people, particularly queer women and trans persons, are among the most economically disadvantaged groups in the MENA region”



Programmatic Recommendations for LGBTQ Rights Work

In order to address LGBTQ issues in the region, we suggest several lines of work to take place simultaneously. However, and of importance, is bearing in mind a contextualised, localised methodology in order to avoid a backlash. The methodology is discussed in a later section.

Through project work, comprehensive independent research and feedback from LGBTQ community members, CTDC has developed evidence-based theory of change highlighting the main areas of work necessary to (1) **improve the quality of life for LGBTQ people** with increased respect for their human rights and to (2) **address stigma, discrimination and homophobia** directed against them (See Theory of Change on page 4). Although these impacts are correlated, as to improve the lives and rights



of LGBTQ people, there is a need to address discrimination and homophobia, and by addressing stigma and discrimination, LGBTQ people's lives are *de facto* improved. However, based on research and evidence, there are reasons for dealing with both impacts separately: (1) LGBTQ lives can be improved in the short-term through specific lines of work, (2) addressing stigma and discrimination is a long-term objective, (3) one can improve LGBTQ lives without completely eradicating discrimination, stigma and homophobia, and (4) to be able to address stigma and homophobia, there is a need to empower the LGBTQ community to voice their needs and claim their rights throughout that process.

Bearing the overarching goal to **contribute to poverty reduction efforts and economic growth** in mind, our programmatic recommendations are based on the following key assumptions:

1. Changing public perceptions' towards LGBTQ issues will reduce discrimination and increase inclusion of LGBTQ people in society,
2. Building the capacity of LGBTQ individuals, groups and organisations will empower them to claim space as part of the development sector,
3. Empowering LGBTQ individuals and providing support services to them will contribute to their wellbeing, advancement and activism voicing their concerns to become more integrated into the development sector,
4. Enhancing regional collaboration between different LGBTQ groups and organisations will reduce isolation, create safe space and offer opportunities of learning and knowledge exchange, particularly benefiting the countries where homosexuality is illegal organising and meeting in other countries is more feasible and secure,
5. Producing more evidence and facilitating knowledge production around LGBTQ issues in the region will enable stakeholders to address LGBTQ rights and inclusion more adequately.
6. Working in Arabic with a "do no harm" and "leaving nobody behind" perspective will enhance greater social support and reduce risks of backlashes and rejection.

Theory of Change on Addressing LGBT Inclusion in the Middle East and North Africa

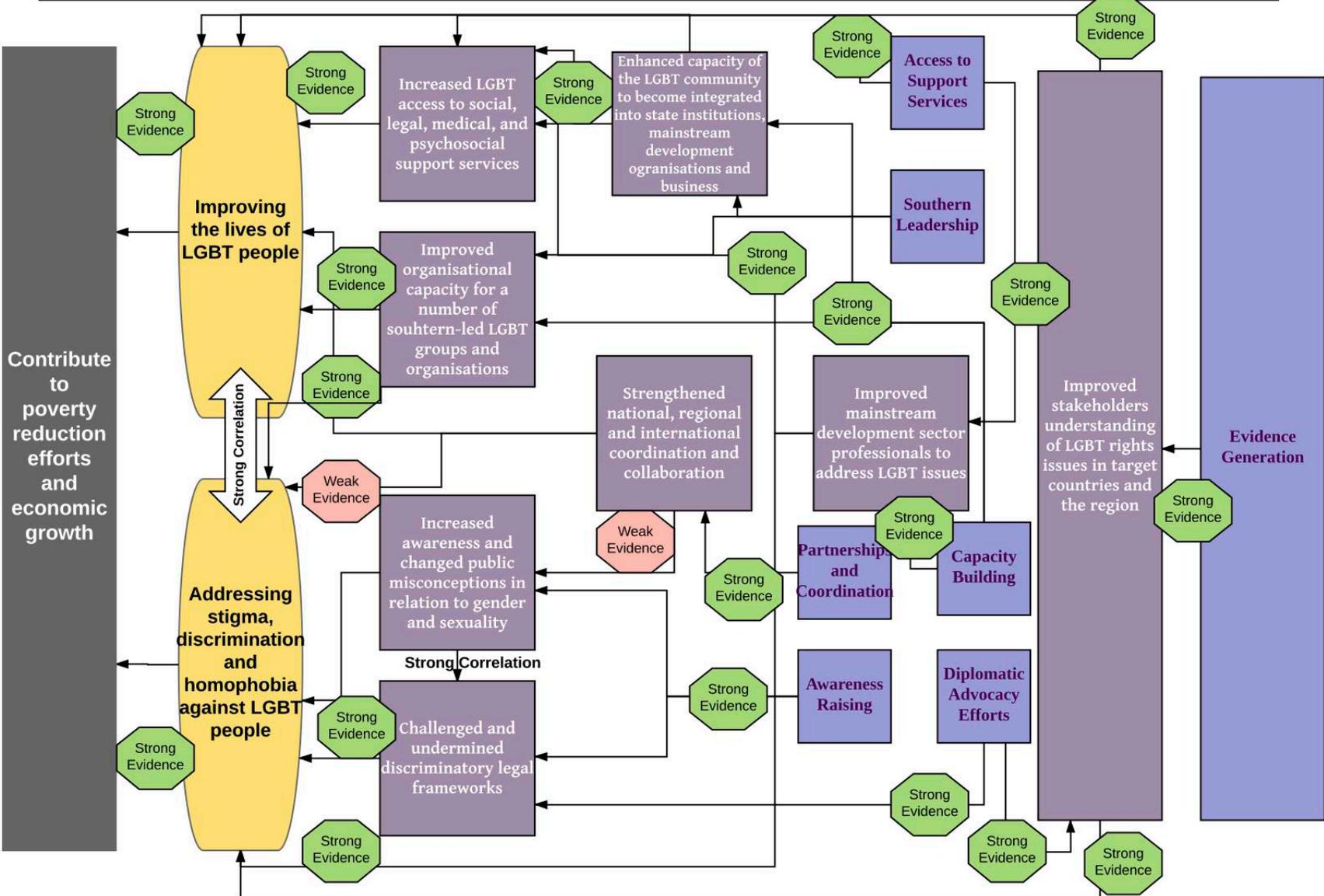


Chart Keys

- Outputs** (Blue box)
- Outcomes** (Purple box)
- Impact** (Yellow oval)
- Strong Evidence** (Green octagon)
- Weak Evidence** (Red octagon)

We have developed our Theory of Change, based on research and consultations with LGBTQ organisations, groups and activists in several countries in the MENA region. Our rigorous research on LGBTQ issues in the region highlighted the challenges LGBTQ people face on a daily basis, in relation to integration in society, access to opportunities, isolation and mental health issues, as well as with discriminatory legislation that criminalises their sexual preferences. Through small-scale projects across the region, we have been able to gather evidence to support most of our proposed interventions, however, there is still a need to continuously produce evidence. The need for producing more evidence around LGBTQ issues in the MENA region in specific, and in Arabic-speaking countries in general, is insurmountable and continuous. Bottom-up research and southern-led knowledge production is not only important to help us understand the situation, lack of rights and life quality of LGBTQ people, but also to help track changes in their situation and assess the impact of the lines of work being carried out in that field. Equally important is ensuring and **empowering southern leadership** to lead the work on LGBTQ rights in the region following **capacity building** and **improving access to different types of support services including social, medical, legal and psychosocial support**. **Enabling partnerships and coordination** between funders, as well as LGBTQ activists and organisations themselves in the region, can take LGBTQ rights issues into another level making it a region-wide movement for gender and sexual rights. In addition to that, **awareness raising on multiple levels** to include development practitioners, policy makers and the general public is necessary in order to reduce stigma and discrimination consequently leading to improving LGBTQ rights in the region.

In order to improve the lives of LGBTQ people and reduce stigma and homophobia, we propose the following lines of work (outcomes), which were developed, also, through years of research, piloting of small-scale projects and the experiences of tens of local partner organisations:

1. **Increasing LGBTQ person's access to social, legal, medical and psychological support services and safe spaces:** there is overwhelming evidence from all over the world that increasing access to support services for any disadvantaged community improves their lives and their well being. Our research has also shown that this type of support creates a sense of community, and provides safe spaces for LGBTQ people to express themselves away from isolation and reduces social anxiety and depression. Findings from a survey of 1,800 participants across the region showed that people were more likely to feel anxious and/or depressed if they were isolated from the LGBTQ community and had no access to safe spaces.
2. **Enhancing capacity of the LGBTQ community to become more integrated in state institutions, mainstream civil society, development organisations and businesses:** developing the capacities of communities increases their chances to access employment and to become more integrated in public and private institutions, utilising their skills. The Arab Foundation for Freedoms and Equality regional work, through their social change programme, showed that their graduates were able to become more integrated in the development sector, and in many cases were able to establish groups and organisations across the region that helped hundreds of others, who felt isolated.

3. ***Improving organisational capacity of southern-led LGBTQ groups and organisations:*** research has shown that the presence of local southern-led LGBTQ organisations is essential for improving the lives of LGBTQ people. Such organisations and groups, however, struggle to survive financially, particularly those who do not have legal structures or organisational skills to sustain themselves. CTDC's work on organisational development of LGBTQ organisations in Tunisia evidenced that such work is needed, as following a foundational year of organisational development trainings and mentoring partner organisations were able to secure funding on their own, become operational and increased their outreach to rural areas outside capital cities. There is also strong evidence from our work on the country level that improved organisational capacity of LGBTQ organisations enables them to address stigma, discrimination and homophobia on the country level more adequately, through national lobbying, advocacy and awareness raising. This has proven to be effective in Lebanon, Tunisia and Iraq. There is room for the exchange of lessons learnt from the field between different organisations in different countries.
4. ***Strengthening national, regional and international coordination, collaboration and advocacy:*** Coordination and collaboration on multiple levels have proven to be very effective in terms of reducing country isolation for LGBTQ people and improving their livelihoods. Regional and international meetings, lessons exchange, and mutual learning have provided a sense of community and belonging to otherwise isolated individuals and groups. Despite the fact that there is strong evidence that this has allowed the room for joint advocacy on the international level, there is little evidence on the effectiveness of such meetings in terms of developing common advocacy on the regional level to address discrimination and homophobia in the participating countries. The lack of evidence is due to the lack of resources pooled into joint regional work, and the limited opportunities for meetings for coordination and collaboration around joint regional advocacy efforts.
5. ***Increasing mainstream development professionals' awareness to address LGBTQ issues:*** there is evidence from the field in Lebanon, Iraq, Syria and Tunisia that sensitisation projects aiming to raise awareness of development workers is very effective and useful to achieve both impacts; improving livelihoods and tackling discrimination. This line of effort has proven to be effective in increasing LGBTQ people's access to services and also in creating solid allies within the development sector.
6. ***Increasing awareness and changed public misconceptions in relation to gender and sexuality:*** based on the assumption that some of the discrimination against LGBTQ people is due to misconceptions and belief in myths, awareness raising can be affective to address stigma, discrimination and homophobia. Due to the strong correlation between improving lives and addressing discrimination, this has proven to be effective in many cases. Awareness raising through gender and sexuality workshops, delivered to LGBTQ persons' families in Tunisia, have made them more accepting. Gender and sexuality workshops delivered to Syrian women from conservative backgrounds have made them self-reflective and more accepting of difference. There is also evidence from CTDC's training of trainers that such workshops have enabled trained trainers to deliver trainings around gender and sexuality inside conservative areas in Syria. However, awareness raising through social media is still an area to be explored. There have been a few successful examples of such campaigns, but there has not been enough well designed social media campaigns to suggest that there is strong evidence.

7. **Challenging and undermining discriminatory legal frameworks:** Discriminatory legal frameworks like family laws and eradicating the penalty laws that criminalise homosexuality are very important to improve the lives of LGBTQ people and to reduce discrimination and homophobia. However, evidence suggests that in the MENA region legislators are hesitant, when it comes to legal change, due to public attitudes and misconceptions. Therefore, this correlation between both lines of work is very important to highlight, as the laws are very likely to change if people's opinions change. Private Diplomatic pressure and international advocacy have been effective in challenging legal frameworks. Evidence from Uganda, for instance, shows that the state reduced its crackdown on LGBTQ people, following pressure from the World Bank. In Tunisia, in addition to awareness raising campaigns, UPR reports and international pressure led the government to accept ending anal testing for men suspected of having homosexual sex. Current international pressure on the Egyptian government is expected to be effective, particularly if economic pressure is placed.
8. **Improving stakeholders understanding of LGBTQ rights in the region:** There is overwhelming evidence about the importance of generating evidence not only to inform stakeholders, but also for its programmatic value and to ensure that the work is being carried out effectively and is responsive to community needs. There is also strong evidence that well-informed stakeholders are more capable of succeeding in their advocacy efforts.

The outcomes proposed in this theory of change are interrelated and interlinked, in the sense that achieving some of them aids in achieving others as well. One of the challenges that remain in the face of such efforts is the lack of funding directed towards the Gulf. As countries in the Gulf are considered affluent based on economic indicators, LGBTQ people remain largely marginalised, discriminated against and in some cases punished by death. Therefore, inclusion in regional programmes is necessary to support and serve this segment of the community and decrease their isolation.

In order to address LGBTQ rights in way that is sensitive to the context, CTDC has developed an alternative methodology, which we termed SPGP (Sexual Practice and Gender Performance), which also aims to reconcile the differences between LGBTQ and women's rights activism in the region.



Sexual Practice and Gender Performance

The SPGP framework² is an innovative methodology and approach that goes beyond LGBTQ categories to extend refugee protection, development and human rights work. It aims to be more inclusive to those who might be perceived as LGBTQ but who do not necessarily identify with such categories (Abu-Assab, Nasser-Eddin and Greatrick, 2017³). To this end, the SPGP framework is grounded in intersectional feminist theory that takes into account all factors that intersect to shape peoples' experiences, including, but not limited to, class, religion, race, age, as well as colonial histories. Whereas this framework has been developed in the context of the MENA region, we believe it is applicable to other contexts as well. The framework suggests **that people experience violence and discrimination based on sexual practices and performances rather than sexual identity categories**. Unlike race, for instance, sexuality is often **only visible when practised** and not when identified with. For example, a person in a heterosexual relationship might decide to identify with the term 'queer'. Despite this identification, if their practice is not **seen** as non-normative, they are very unlikely to experience the discrimination and violence others might face. On the other hand, a person in a homosexual relationship might not feel that any of the LGBTQ letters 'fits' with the way they define themselves, but this same person is more likely to experience violence and discrimination due to their practices and preferences if **seen**.

In recent years, several international and local organisations in the MENA region have started offering workshops and running campaigns to increase awareness around Sexual Orientation and Gender Identity (SOGI) and LGBTQ rights, to promote LGBTQ rights and reduce discrimination. Unfortunately, many of these efforts have, in many cases, prompted backlashes in the region and increased discrimination against non-normative people. SOGI workshops for organisations' staff have often been basic, and feedback from SOGI training participants presented suspicions over the concept of LGBTQ rights. This, we found, has been due to people's inability to relate to the terminology used. As one participant explained: 'people feel this is imposed on us by donors, and we cannot go to local communities and tell them you need to accept the gays.'

Therefore, we have been developing SPGP as a conceptual framework that makes it easier for practitioners and researchers to approach issues of sexuality in the MENA region in particular, and to raise awareness and reduce discrimination against non-normative people. This conceptualisation is based on five major cornerstones; (1) Recognising Gender as a Performance, (2) Treating Gender and Sexuality as Inseparable, (3) Non-normative people are not only LGBTQ-identified (4) Gender and Sexuality are Political Issues, and (5) Colonial Effects on Gender and Sexuality. As such, our framework and approach is grounded in intersectional feminist theory that we believe is applicable to development work. Our experience using the framework led us to believe that for any gender and sexual rights advocacy efforts to be successful they should take all five cornerstones into consideration, especially when designing campaigns, providing services or designing training curricula. Based on these ideas, we developed different training curricula and tested them in different contexts. The main themes of our curricula revolve around the major cornerstones of the SPGP framework.

² Please note this section will also appear in Gender and Development's special issue on sexuality in March 2018.

³ Abu-Assab, Nour, Nasser-Eddin, Nof and Greatrick, Aydan, 2017. "Conceptualising Sexualities in the MENA Region: Undoing LGBTQI Categories." CTDC Publications. <http://ctdc.org/publication/conceptualising-sexualities-mena-region-undoing-lgbtqi-categories>.

Recognising Gender as Performance

A starting point for any conversation around gender is challenging the binary system and traditional gender roles, as this binary system is in fact the starting point of discrimination against LGBTQ-identified people and people who have non-normative gender performances and sexual practices. Based on that system, men are expected to **perform** in masculine ways, and women are expected to **perform** in feminine ways. The masculine and the feminine are expressed in the way people dress, behave, speak and style their hair, etc. For a long time now, development work has focused on women's issues or women's rights, overlooking those who perform their gender outside the binary system. The patriarchal gender order in Arabic-speaking countries also recognises 'men' and 'women' as the only possible and acceptable gender identifications, considering any gender performance outside this 'norm' as unacceptable, leading to persecution. Recognising gender as a performance and gender roles as ascribed and not 'natural' encouraged many participants involved in our trainings to reflect on their personal positions and the roles they adopt. It also made them recognise and explain themselves how society favours masculinity over femininity. **Women who take on masculine gender performances are considered by society as 'upgrading', and thus are far less targeted in patriarchal societies, because masculinity is valued more.**

Our research demonstrated that, in many countries in the MENA region, a woman who 'does' masculine roles is labelled as '*Ukht Rjal*', meaning literally the sister of men. However, class also plays a major role: masculinities do not operate in the same way across classes. For example, a self-identified queer woman from a working-class background in occupied Palestine said: "My parents, especially my father, encouraged my masculine behaviours. They perceived me as one of my other brothers, and they also thought that by acting in masculine ways I can protect the family's honour, and this means I would not engage in extramarital sexual encounters". Another self-identified queer woman from an upper-middle class family said "My mother always pushed me into the feminine. I was always a tomboy, but she always wanted me to sit in a 'proper' feminine way, with my legs closed, unlike men. She always hated my hair short, as she thought it made me look masculine".

During the pilot of our SPGP framework in 2014, we held a workshop in the South of Turkey with 35 Syrian refugee women coming from rural and conservative backgrounds. We talked with participants about how gender is not a fixed binary of men and women. Women participants recognised the performativity of gender through referring to the gender division of labour within the household, and also pointed out how their unemployed husbands felt 'emasculated' because they were unable to provide for their families (see also Nasser-Eddin, 2017⁴). That realisation facilitated the way for our trainers to move on to discuss **how men who perform in feminine ways are discriminated against, because they are seen and perceived by society as 'downgrading' in their gender performances.** As such, there is a greater risk for an individual perceived as male to behave in a 'feminine' way, than for an individual seen as a female to behave in a 'masculine' way⁵. Ultimately, conveying this to participants helped to facilitate a conversation about sexuality too, despite the fact that such conversations are considered taboo. The policy implication here is that, **by approaching sexuality in relation to gender performances, our trainers were able to outmanoeuvre the backlash that is typically generated when the conversation starts with LGBTQ identities.**

⁴ Nasser-Eddin, Nof, (2017) "Gender Performativity in Diaspora: Syrian Refugee Women in the UK" in Freeman, J, Kivilcim, Z. and Ozgur Baklacioglu, N. (eds.) A Gendered Approach to the Syrian Refugee Crisis. Routledge Publishers: London.

⁵ People whose assigned sex at birth is male are, generally, more exposed to direct violence when performing in ways considered feminine, than is the case for females performing masculinity. For example, a self-identified gay man from Kuwait stated: I got hit twice in public just for being a bit feminine. A self-identified bisexual man from Jordan stated: I have been sexually abused multiple times and it happens to me because I look feminine, the abuser usually does not know anything about my sexual orientation, they do not know that I am bisexual, they assume I am gay.

Treating Gender and Sexuality as Inseparable

Using this method also ensures the creation of a safe space during training workshops as participants start developing sympathy towards non-normative people, because it makes them realise that they are subjected to the same system of oppression. To meet societal expectations, and live up to the oppressive gender-binary system, people are also expected to be in 'legitimate' relationships with others from the opposite sex. Therefore, homosexual relationships directly challenge the conventional gender order. **Sex between men is generally considered as more 'threatening' to the patriarchal structure**, because it involves penetrative sex and a phallus is directly involved. As for **women who have sex with women, their sexual practice can be considered as less 'disturbing' to the patriarchal gender order**, because a sexual encounter between women is thought of as not involving a phallus, and thus not involving clear penetration. In male homosexual relationships, the person who performs a 'dominant' and/or 'top' role is considered to be more masculine, and thus stronger and their sexual practice is more in line with the role expected from him by society. By contrast, the person who is at the 'receiving' end and/or 'bottom' (i.e. the one who is penetrated) is seen to be 'effeminate', 'weak' and 'feminine' and therefore non-conforming to the performance expected of him. Therefore a policy implication is that **understanding that gender and sexuality are interlinked and interwoven is very important when raising awareness around the taboo subject of sexuality in the MENA region.**



The rainbow flag is unfurled at a concert in Cairo, Egypt, prompting a large-scale government clampdown on people perceived to be LGBT

When dealing with homosexuality in training courses with non-LGBTQ identified individuals, who can often be very homophobic, we focus on individual and personal rights and freedoms, non-normativity and the role that oppressive binary gender structures play in their own lives to make the topic relatable. **Returning to gender and performativity makes the topic more digestible and easier to comprehend.** One of the main challenges that usually arises from this topic is the idea that homosexuality is prohibited by religion. However, we have found through piloting the curricula that participants have been responsive to learning how colonisation in fact criminalised homosexuality through the introduction of Penal Codes⁶. During these sessions, our trainers try as much as possible to avoid referring to sexual practices, as sex outside marriage for heterosexuals is also taboo, and sex is largely practised in private. **It has proven useful to highlight conversations about gender performances to push people to accept difference, especially because homosexual men, and women to a certain degree, face discrimination and violence often due to their non-normative gender performance.** For example, a self-identified gay man from Jordan stated: 'I have never experienced anti-homosexuality sentiments in Jordan because I look 'masculine' and 'manly', I would have had different experiences if I looked much more feminine, and that's why I never had a problem.' A self-identified gay man from United Arab Emirates said: 'in this country when you're seen with a gay person, the community does not take it well. Even men who are feminine have to act like they're straight.'

⁶ In the Middle East and North Africa, homosexuality was criminalized through British and French colonization of the region. Anglo and Franco civil codes were copied into mandates and colonies of France and Britain. Such laws that are still implemented in some countries in the MENA region include the law that allows rapists to get away with rape if they offer marriage to their victims, as well as honor killing laws.

Non-Normative People are not only LGBTQ-identified

Self-identified LGBTQ people are not the only group faced with violence, persecution and discrimination on the bases of gender and sexuality. In our trainings, we draw on the similarities between the experiences of non-normative people in general and self-identified LGBTQ people as well. For instance, we shed light on the fact that even couples that do not wish to have children are frowned upon and considered non-normative according to societal expectations. During a focus group with non-normative women from the region, participants pointed out that they are not expected to have any sexual activity outside marriage, regardless of the identity of their partner or the nature of the activity. They also talked about the multiple oppressions they face and how patriarchy influences their smallest life decisions. For instance, women were more likely to talk about control over their bodies, movement, dress and their careers, while this has not been the case for men who had sex with men. A self-identified lesbian from Jordan pointed out: 'patriarchy is everywhere around. I am where I am because I am a woman. It is not because I am a lesbian. I cannot travel freely, and I cannot even imagine leaving my family's home to live with a partner. Patriarchy influences my relationships to everyone around me, including my mother, brother, and sister.' A self-identified lesbian from Tunisia stated: 'you know I do not think I am struggling because I am a lesbian. There is oppression and discrimination against women, even heterosexual women; you know they can go to prison just like us. Let's not forget also the political context, and who is running the country now, and how it is affecting personal freedoms.'

This further reinforces the idea that we need to start talking about gender and sexuality through an intersectional feminist lens that recognises that not all self-identified LGBTQ persons face discrimination due to their sexuality on its own, but also due to gender, making LGBTQ rights feminist issues. It also highlights the fact that non-normative people who do not identify as LGBTQ face discrimination similar in its nature to those who identify as such, highlighting the idea that a comprehensive approach to gender, sexual and bodily rights is needed to improve the lives of all non-normative people in the region.



Gender and Sexuality as Political Issues

Our research has also concluded that, oftentimes although well intentioned, practitioners overlook the fact that **in the MENA region gender and sexuality are political issues, thus requiring a politically sensitive approach** if they are to be addressed effectively. For decades, gender equality and women's rights have been signifiers and markers of 'liberation', advancement and democracy, particularly in the Global North. Gender inequality has been often condemned in the Global South, by Northern states, and especially in reference to women's rights in the MENA region. For example, the 2003 US invasion of Iraq was often justified on grounds that it would 'liberate' women. Although far from true, this narrative has been resisted all across the region, and has in fact caused more gender inequality and a rejection of 'western' notions of women's rights (for more on this see al-Ali and Pratt, 2009⁷).

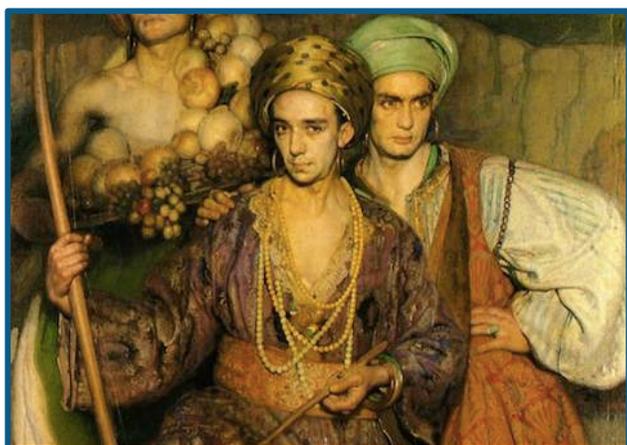
In addition to the rejection of western notions of feminism and women's rights, dictatorships across the region have often attempted to portray themselves as supporters of women's rights. In the wake of the so-called Arab Spring, and as people started rebelling against dictatorships, gender dynamics have changed as well (for more on this see Abu-Assab, 2017⁸). People's rejection of dictatorships was also accompanied in some parts of society with rejection of notions of women's rights and gender equality, which were perceived as having been imposed on society by dictators. Dictators' alliance with feminism, also known as 'state feminism', led those previously oppressed by such regimes to reject feminism. In our workshops, we found that **people opposed to such regimes are more likely to be opposed to narratives around women's rights and LGBTQ rights as they associate such narratives with oppressive regimes**. In Syria, for instance, in the early days of the crisis, both sides, regime loyalists and opposition groups, attempted to undermine each other by calling the opposing side *shawath*, which literally translates to inverts. This name-calling has further politicised sexuality in the context, and homosexuality became an accusation of immorality and corruption. Our approach, in our workshops, however, mitigates this politicisation, through actually **making people aware of how gender and sexuality are misused by political power, whether through state-feminism or through other means, demonstrating that rights, equality and justice should not be rejected because of such misuse and politicisation**. In one of our training of trainers workshops, a participant stated, 'this concept of state-feminism has blown my mind away. It made me think about things differently and I think it is very important for people to know that their personal lives are politicised for political gains and powers. It will help me massively in my trainings about gender and I am sure people will start reacting differently to such awareness raising workshops.' The important learning point here is the need to reclaim back feminism, gender and sexual rights from the political agenda.

⁷ Al-Ali, Nadje and Pratt, Nicola, 2009. What Kind of Liberation?: Women and the Occupation of Iraq. University of California Press.

⁸ Abu-Assab, Nour, (2017), 'Destabilising Gender Dynamics: Syria Post 2011' in *A Gendered Approach to the Syrian Refugee Crisis*, 16–25. London: Routledge.

Colonial Effects on Gender and Sexuality

Academics have written widely on how gender and sexuality, as well as gender relations, have changed in previously colonised contexts due to colonisation and the effects it has left behind (see Puar, 2013⁹; Said, 1978¹⁰; Massad, 2007¹¹; Habib, 2009¹²; Boone, 2014¹³, and Abu-Assab, 2017¹⁴). Despite the fact that this has been established and widely recognised within academic circles, it is rarely acknowledged among rights and development practitioners and policy makers from the Global North. We have also come to realise that in fact even people in previously colonised contexts in the MENA region do not know that all of the laws criminalising sexualities and reinforcing gender inequality have been imposed by colonial powers, namely in the MENA region the British and the French. We have provided trainings and awareness raising workshops in contexts who are very resistant to universalised concepts of human rights and women's rights. We encountered situations, where people refused to attend trainings because they did not want to hear about 'CEDAW¹⁵' again. We found however **that starting the conversation with how colonisation has created a culture of gender inequality and sexual oppression always brought people on-board and made them more interested in the issue of gender and sexual rights.**



In our workshops, we also found that people attending such workshops are in fact more interested in engaging in deep conversations, away from the shallow descriptions of what women's rights and LGBTQ rights should look like. In some Arabic-speaking countries in the region, there is a law that allows rapists to get away with rape, if they offer marriage to their victims. This particular law in Syria and Tunisia was imposed during French colonial rule. These discussions in workshops and trainings have also proven to be a very effective way to change people's misconceptions and views that gender inequality is natural. Instead, **people start recognising that the fight for gender and sexual**

rights is not alien to them, and is not a 'Western' imposition, but rather part and parcel of pre-colonial traditions and cultures that were changed through colonial processes. During a workshop we carried out in Tunisia in November 2017 with families of self-identified LGBTQ people, discussions around the impact of colonisation on gender and sexuality completely changed their perceptions, encouraging some of them to create a collective to fight for personal freedoms namely gender and sexuality. In one of the workshops with Syrian lawyers currently residing in Turkey, we asked lawyers, men and women, to point out the laws that are discriminatory in the Syrian penal code, and the majority said none. Later in the workshop, when we went into the details and pointed out the pieces of law that reinforce gender inequality and homophobia explaining the history of such laws, the lawyers felt that in fact the law as it stands now is discriminatory and will need reform and adjustments. This highlights the need to address discriminatory legislation from a historical perspective to create greater acceptance for revisions.

⁹ Puar, Jasbir, 2013. "Rethinking Homonationalism" in *International Journal for Middle East Studies*, 45, 336-339.

¹⁰ Said, Edward, 1978. *Orientalism*. London: Routledge.

¹¹ Massad, Joseph, 2007. *Desiring Arabs*. Chicago University Press: Chicago.

¹² Habib, Samar, 2009. *Female Homosexuality in the Middle East: Histories and Representations*. London: Routledge.

¹³ Boone, Joseph, 2014. *The Homoerotics of Orientalism*. Columbia University Press.

¹⁴ Abu-Assab, Nour, (2017), 'Destabilising Gender Dynamics: Syria Post 2011' in *A Gendered Approach to the Syrian Refugee Crisis*, 16–25. London: Routledge.

¹⁵ CEDAW is the Convention on the Elimination of All Forms of Discrimination Against Women

Toward an Inclusive Approach to Development

So far, we have demonstrated how using the five cornerstones of the SPGP framework aids massively in raising awareness around gender and sexuality in the MENA region, without creating a backlash or excluding people. SPGP in this sense can be used to **build awareness of the fact that people with non-normative sexual orientation and gender identities (including some non-normative heterosexuals) face similar social, cultural and legal discriminations, and that to reduce discrimination against self-identified LGBTQI people and non-normative people, we need to take the context into consideration.** From there, a conversation can begin that ensures legal and policy protection can evolve to respond to the challenges facing non-normative people. The SPGP (Sexual Practices and Gender Performances) framework, seeks to **bring both the visible and the invisible nature of sexuality and gender into conversation with the intersections of class, gender, race, faith and nationality.** The framework aims to provide a way of thinking about and conceptualising the issues facing people whose sexuality and gender identities resist narrow, fixed identities and categories.

In addition to being potentially helpful in fostering tolerance and acceptance toward non-normative peoples living in wider society, we also believe the SPGP framework can potentially be used in advocacy and policy as a way of building a constituency of people with non-normative sexualities and genders. These two aims are linked and complementary: the SPGP is a conceptual framework that **aims not only to provide a framing that feels relevant and comfortable, but aims to foster solidarity and rally non-LGBTQ people to seek changes in legal frameworks affecting them, to create allies, and to bring more people on board to advocate for gender and sexual rights and freedoms.**

This analysis has real implications for policy and practice. Clearly, supportive and empowering work **needs to avoid polarising and dividing societies.** If 'coming out' as LGBTQ is a necessary step to claiming rights, individuals may find themselves at extreme risk. Non-normative people who are living in fragile or conflict-affected contexts, where security is low and the general population is experiencing high levels of violence, are at particular risk of persecution and victimisation. **International actors seeking to support their rights need to develop approaches that are sensitive to these issues.**



Conclusions and Recommendations

LGBTQ categories are limited, as they do not properly reflect the breadth of experiences present in the region. People with non-normative sexualities and genders are not always necessarily self-identified LGBTQ individuals, and LGBTQ identity categories are widely perceived by society as ‘western’ ‘alien’ and ‘foreign’ imports. Thus, a more inclusive alternative to LGBTQ rights identities is needed.

This policy brief aimed to provide policy makers with a compass for work around gender and sexual rights in the MENA region in specific and in Arabic-speaking countries more broadly. We have demonstrated how work on LGBTQ issues in the region cannot be done without the will and the desire to change, and we can only do so through coordination of efforts, and agreement that more holistic approaches are needed to achieve the ultimate goal of improving non-normative peoples lives and reducing stigma and discrimination against them. In addition to the long-terms solutions presented above, this is a summary of short-term recommendations that can make a difference in the lives of non-normative people in the region:

- Recognising that people experience violence and discrimination based on sexual practices and performances rather than sexual identity categories is important for any development work aiming to defend the rights of LGBTQ people.
- Understanding that gender and sexuality are interlinked and interwoven is very important when raising awareness around the taboo subject of sexuality in the MENA region, thus returning to gender and performativity makes the topic more digestible and easier to comprehend.
- Putting LGBTQ rights issues at the forefront of the feminist agenda through talking about gender and sexuality through an intersectional feminist lens that recognises that not all self-identified LGBTQ persons face discrimination due to their sexuality on its own, but also due to gender.
- Reclaiming feminism, gender and sexual rights back from the political agenda is important so that people become aware of how gender and sexuality are misused by political powers, whether through state-feminism or through other means, and demonstrating that rights, equality and justice should not be rejected because of such misuse and politicisation.
- Addressing discriminatory legislation from a historical perspective and lens to create greater acceptance for revisions.
- ‘Do no harm’ and ‘leave no one behind’ are principles that should be strictly adhered to when doing gender and sexual rights in the region, particularly because these issues are delicate and mistakes can lead to grave backlashes against non-normative people.

