



Embassy of the United States of America

Baghdad, Iraq

April 22, 2009

The Honorable Jared Polis
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Polis,

Thank you for your letter of April 4 expressing serious concern about the status of lesbian, gay, bisexual, and transgender (LGBT) citizens of Iraq. As we discussed during your recent visit to Iraq, both the Department and the Embassy are deeply troubled by the recent reports of violence against LGBT Iraqis. Please be assured that we condemn any persecution of LGBTs in Iraq.

I met with the Minister of Human Rights, Wijdan Salim, on April 9 to discuss this issue and to flag our concerns. She was clear that there are no Iraqis on death row charged with offenses related to homosexuality, as has been charged by some international human rights organizations. Moreover, the Embassy Justice Attaché has reviewed the offenses listed by the courts for all the defendants who are currently under sentences of death; none of them was sentenced to death for engaging in homosexual conduct. The Attaché has also reviewed relevant sections of the Iraqi Penal Code and confirmed that homosexual conduct is not punishable by death in Iraq.

We have seen the international media report that, according to Amnesty International, as many as 25 men and boys were killed over the past few weeks by militia or relatives influenced by religious leaders who have publicly condemned homosexuality. (We are aware of but cannot confirm reports that the toll may be even higher and may include children.) Reports from Embassy contacts familiar with the areas where some of the bodies were found suggest the killings are the work of militias who believe homosexuality is a form of Western deviance that cannot be tolerated.

The Honorable
Jared Polis,
United States House of Representatives.

Some media reports also suggest that the Government of Iraq (GOI) is involved in the murders. We have no evidence that GOI security forces are in any way involved with these militias. In the wake of the violence, the Iraqi Ministry of the Interior spokesperson asserted publicly that targeting of homosexuals is a capital offense that is punishable by death under Iraqi law. He confirmed that Iraqi security forces will pursue the perpetrators of the violence.

We also looked into the “Magaweer al-Dakhiliya” mentioned in your letter. Translated as “Ministry of Interior Commandos,” this is a term that has been used in the past to refer to the National Police, which up until 2006 was a heavily militia-infiltrated source of sectarian harassment but which has transformed over the past two years through extensive purging and re-training — including in human rights — into a more effective, professional force. Accusations against “commandos” could reflect a lingering perception that the National Police or similar Ministry of Interior forces are still associated with sectarian militias, even if those government forces no longer have ties to the militias who committed the acts. We are working with GOI and international contacts, including the UN, NGOs, and other diplomatic missions, to verify any alleged links.

As we continue to monitor the situation, we welcome any further information you may have about specific incidents of violence against the LGBT community in Iraq. You mentioned in our meeting in the Embassy that your staff would send us additional information, but to date I do not believe we have received anything.

Sincerely,

A handwritten signature in black ink, appearing to read "Patricia A. Butenis". The signature is fluid and cursive, with a large initial "P" and "B".

Ambassador Patricia A. Butenis
Chargé d'Affaires