



Witness Statement of Shiva*

Name: Shiva
Place of Birth: Tabriz, Iran
Date of Birth: 1960

Interviewing Organization: Iran Human Rights Documentation Center (IHRDC)
Date of Interview: 10 October 2012
Interviewer: Morad Mokhtari (IHRDC Researcher)

*Note: The witness' surname has been withheld.

This statement was prepared pursuant to an interview with Shiva. It was approved by Shiva on October 16, 2013. There are 37 paragraphs in the statement.

The views and opinions of the witness expressed herein do not necessarily reflect those of the Iran Human Rights Documentation Center.

Statement

Background

1. My name is Shiva and I was born in 1960 in Tabriz. I am the second of six children: five boys and one girl. I come from a traditional and somewhat religious family. I underwent an M to F gender reassignment surgery in 2009 in Iran at the age of 48 and I am now a transsexual woman. I didn't have a specific job in Iran and became unemployed after my surgery. Of course I have not gone through the entire gender reassignment surgery yet.
2. From childhood I always had the feeling that there was something wrong and that I was supposed to be a girl. Of course it took me some time to come to this conclusion. Additionally the environment I grew up in suppressed all thoughts I had about being a girl. Physically, I was a boy. To my parents and family I was a boy. However I felt something inside that went against my physical appearance. I was confused, I knew there was something wrong but I didn't know exactly what it was.
3. I didn't fit in anywhere. I used to suppress all my feelings. I used to dream that I was a girl right from birth. I used to draw a lot of inspiration from my dreams, like what makeup or clothes to wear. Altogether I had issues with my situation, clothes and physical appearance. My body and face hair started growing as I matured. I faced many dilemmas and issues on account of it. For example I fell in love with one of my classmates¹ but my feelings for him caused me to blame myself.
4. I was somewhat of a withdrawn child who didn't play with other children. I always felt different. At school break times I would sit by myself. As a result I used to get teased a lot.
5. When I was 18 my friends would talk about their girlfriends. I would sometimes get involved in their conversation and make up stories but deep down I felt different. I couldn't study anymore which caused me to fail the last year of high school and drop out. However after my surgery, I went back to school and got my high school diploma.
6. My problems started when I hit puberty and began having issues with myself. For example sometimes I used [felt-tip] markers to put on makeup and this would lead to my parents punishing me. My siblings didn't get involved much. They would just tell me that a man shouldn't wear makeup or shave his body hair. On other occasions, the neighbors told my parents that my clothes were not manly enough and that I wore makeup and tweezed my eyebrows. This led to altercations between my angry parents and I.
7. I started reading different publications about how I could have surgery. But the reality of the society was something else. The contents of these publications and the discord I felt with the outside world confused me. I couldn't express the feelings I had bottled up inside.
8. I moved to Tehran from Tabriz in my early twenties just to get away from my parents and their disapproval.

¹ In Iran schools are segregated. There are schools for girls and schools for boys.

9. At the age of 23 years old [in 1983] I decided to talk to a doctor. I thought that a doctor might know something that my parents and I didn't. I thought that a doctor would be more open-minded. The one I met with was a general surgeon. He gave me a checkup and said that there was nothing wrong with me. He insulted me and called me crazy. He made me believe that I was really crazy.
10. I was always wearing makeup and women's clothing and going out at night. I preferred going out at nights because the streets were quiet and no one could see me. Before this I was always a woman in my room but a man everywhere else. I had come to the point where I wanted to be a woman in the outside world and there was no better time than nights where no one could see me.

Police Station Rape

11. Around 15 years ago [in 1997], one night in Tabriz when I was out, police patrol got suspicious and arrested me. In the car the officers kept teasing me and asking me what I had between my legs. One of them was touching and mocking me.
12. They took me to a police station and left me there. I believe it was the 16th precinct that was halfway to Tabriz. There it was just the shift officer and I. He asked me why I was dressed like a woman. He took out the clothes I had in my bag, which were for women. He sarcastically said, "It seems like you're a real woman. What are your breasts like?" Then he started touching my breasts. I felt like us being alone was turning him on. This man was a uniformed officer in his early to mid-thirties. "Shift Office" was written on the board at the top of his head on the wall. His office window faced the street. Behind the office was a pantry. The officer dragged me into the pantry and sexually assaulted me. That's all I can say about that night. I don't want to go into detail. The officer let me go home in the morning. This was the story of how I was raped in that police station. To this day, the thought of what happened that night stresses me.

Arrest and Lashes

13. After I hit puberty I used to get arrested at least once or twice a week because of my hair, makeup and clothes. But the worst happened around five or six years ago [2006-2007]. I was 46 years old at the time and got sentenced to thirty lashes.
14. On the day of my arrest I borrowed my brother's car and went out for a drive at around four or five in the morning. I had makeup on and was dressed like a woman. My hair was long but I wasn't wearing a headscarf. As I was driving I got pulled over at a police checkpoint. They arrested me and took me to the 13th precinct in Tabriz. My identification documents showed that I was a man. At the station they asked me the same questions the police always asked me. They asked me if I were a man or a woman, and why was I dressed like that. They kept cursing and insulting me. The police at the station handed me to intelligence officers in the police station upstairs.

15. When they take you to the police station some officers gather around and start touching your clothes and your hair. Sometimes they undressed you, slapped you or touched you in a sexual way. They would tease and bully you, as though you are a lunatic.
16. Anyway when I was delivered to them, three or four intelligence officers surrounded me as though I was a dangerous criminal. I was so scared that my knees were shaking. Then I was handcuffed and blindfolded. A couple of people slapped me. Next I was undressed and ridiculed. Physically, I was a man, but hormone consumption had caused my breasts to grow.
17. I was kept in the station jail for three days. My cellmates were there because of fraud, theft, [and other offenses]. They knew why I was there and they teased me for it. The weather was cold and I was still dressed like a woman.
18. I was interrogated and sent to the Islamic Revolutionary Court in Tabriz. There the judge asked me why I wore makeup as a man. I trusted him and told him about my problem. He told me that flogging would solve my problem. It was their answer to me. I probably could have objected but I was scared and wanted to get out of there as fast as possible.
19. I was sent to Tabriz central prison. There my photo was taken and a criminal record was created for me. I was kept in a cell till noon. I was then undressed and faced a wall in a cross like position. A soldier flogged me thirty times. I got released after the flogging was over with.
20. Up until that moment, I had tried hard to be a man and failed. After the flogging, I just got fed up with my situation. I was extremely depressed; every night I imagined that intelligence officers were coming to my house. I hid all my girly clothes in my room. The situation was so bad that I even thought about suicide.
21. When I was contemplating suicide, I came up with the idea that maybe I should go to court. I went to Tabriz public court and told them about why I was flogged. I told them about what I had heard on transsexuality. I asked to be referred to someone or someplace because I have always had this problem and cannot accept myself as a man. I even said that if my problem was considered to be a crime, I would rather be executed than continue living like this. I received no answer and was thrown out of the court, because no one had any information about my situation.
22. For a while there I turned to drug therapy. I remember when President Ahmadinejad was visiting Tabriz for the first time [in 2006]; someone told me that I should write him a letter. In my letter I explained my problem and the reason I was flogged. I asked the president about my place in the society. I even said that if my problem was a crime then I would rather be killed than have to suffer like this. I asked him for guidance.
23. I dropped my letter off at the Tabriz governor's office. I received no answer to my letter. They just sent me fifty thousand Tomans [approximately US \$ 54 in 2006] on behalf of the president. He had not read any of the letters that were sent to him. All the people that had sent him a letter just received

the money. I later found out that Ahmadinejad knew nothing about my condition and had denied the existence of LGBT people in Iran.²

24. My parents were traditional and loved their sons. I had always had arguments and altercations with them because they couldn't believe and accept what I was going through. I tried to please them and be what they wanted. I would dress like a man in front of them but it was against the way I felt inside. I would promise them to act like a man, but in my room I was who I wanted to be. My family had seen me struggle for many years and to some extent, they had gotten used to my problem. When I was finally able to accept myself as a transsexual I tried to talk to my family. I even suggested that we all go to a psychiatrist so that they could understand my condition but they didn't even want to listen to what I had to say. So I decided to do this by myself. Even though I wasn't young anymore, I still wanted to be who I really was.

Vaginoplasty process and its issues

25. I really didn't know what to do until I found out about the Welfare Organization. I went to Tabriz Welfare Organization with a friend, because I was uncomfortable talking about my situation. There, I was registered and my gender reassignment process started. First I was sent to Tabriz court. They had no idea about this issue. However I really wanted to prove my case and the issue of transsexuality in that court since that was where I was sentenced to flogging. I was sent to a psychiatrist who confirmed my condition.

26. I had already gone to many psychiatrists and psychologists who told me that I was a problem for society. When a professional thinks like that, you can't really expect more from ordinary people.

27. I went back to Tabriz court with the letter I had gotten from the psychiatrist. However because they had no knowledge of my condition I followed up on my case in Tehran. There I was referred to Tehran Psychiatric Institute for fourteen sessions of psychotherapy. At the end of my sessions a medical committee verified my transsexuality. I went back to Tabriz court with my confirmation letter, but they had no idea how to issue a permit for me.

28. I copied a permit that was issued in Tehran and took it to court in Tabriz. After the Tabriz court corresponded with Tehran, I got my permit. I was actually the first person to receive such a permit in Tabriz. I finally had my surgery in Tehran in 2009 at age 48.

29. [In 2009] around two months after my operation, while still in recovery, I went to Tabriz. I still dressed like a man. In that time I got a new identification certificate, because I wanted to change my gender [status] on my ID. Now I was a woman, but I still dressed like a man around my family. It was a hard time in my life. I dressed like a man in the house but as soon as I got in the street I changed my

² The witness is presumably referring to statements from then-President Mahmoud Ahmadinejad in an address at Columbia University in 2007 when he allegedly said "In Iran, we don't have homosexuals, like in your country," in response to a question from the audience.

clothes and dressed like a woman. Changing clothes in the street had its own issues too. Finally I left my family home.

30. One Friday I decided to go hiking in the mountains. While hiking, I encountered the families of two martyrs.³ I was wearing a hat and men's sportswear. One of the men in that group asked me why I was dressed like that. I looked like a woman but my attire was manly. As I started explaining my situation, one of the women told the others that I was a man with tweezed eyebrows and makeup. I have to say that my eyebrows weren't tweezed; I had tattooed them. These two families surrounded me and started telling me that I should be ashamed of myself. They said that they had given martyrs to this country and how did I dare go outside looking like that.
31. They started beating me up. I was trying to protect myself, as I was still in recovery from my surgery. One of them kicked me in the rib, which still hurts. One of the men told the passersby that I was a man with tweezed eyebrows who had bothered his wife. When people heard this they started beating me up too. They punched me and pulled my hair. At that moment all I could think about was that I'd had a surgery and a permit. I thought I had a right that they didn't know about. Finally they got tired and stepped back. I called the police because I thought that what I had done was legal and the police would protect me.
32. We waited for the police for about two hours but no one showed up. The people who had beat me up wanted to leave but I wanted to press charges against them, since after my surgery I felt like what I had done was legal and I had a right. After a while those people got in a cab and left. A plainclothes officer approached me and told me he was a police officer and could accompany me to the police station. I asked for his identification but he showed me nothing. We got in a cab to go to the police station. After some time I realized that the cab had changed direction. I got into a fight with the driver and the officer, and got out of the car in the middle of the city. Before, every time I got arrested my fear wouldn't let me pay attention to anything. But this time was different; I wrote down the taxi's license plate.
33. I went to the police station and because of the extent of my injuries; they sent me to the medical examiner's office to get examined. Through the cab company I found the cab driver and the plainclothes officer. They both came to the police station. There, I found out that the officer belonged to a branch of law enforcement that monitors places of business. I filed a complaint against him and got a court date.
34. On the court date, I arrived in women's clothes. At first the officer and the cab driver didn't recognize me. The officer told the judge that I had gone hiking dressed like a man. The judge asked for my birth certificate and national identity card. I had changed my birth certificate but not my national identity card. As a result my gender was female in my birth certificate but male in my national identity card. The judge asked me why I had gone hiking dressed like a man. I showed him my permit. He asked me to leave the room. While I was outside, the judge had explained my situation. When I went back in the room I thought that the judge would be on my side, but because the plainclothes officer had

³ By families of "martyrs", the witness is referring to families who lost loved ones in the Iran-Iraq war.

connections, instead of throwing me out of court, they told me that there was nothing to be done and asked me to leave. I had gotten nowhere.

35. In February 2011, at Tabriz train station, the police got suspicious. I was leaving Iran as a woman, with appropriate clothing and full hijab. The officer, who suspected me, dragged me into a little office. I was with my friend Mohammad. The officer told me he wanted to inspect my luggage. I had no problem with that. He asked my friend to go and bring his identification. When my friend left, the officer asked how Mohammad was related to me. I told him that he was my nephew. He didn't believe me and told me that Mohammad was my boyfriend, and asked me if we have a sexual relationship. Again I told him that Mohammad was my nephew and that he was young.
36. One of the men in the room was a ranking officer in uniform and the other one was a plainclothes officer. The latter got close to me, said that he likes me and tried to touch me. He said that he wouldn't go through my luggage and asked when he can see me again. Just wanting to get out of there, I gave him my phone number and told him that I was going to Turkey for a few days. After that he let me go and I left Iran.
37. This was how I spent fifty years of my life.