



R E G I O N A L  
**REPORT**

**ON VIOLATIONS OF THE RIGHT  
TO HEALTH OF LGBT PEOPLE  
IN THE REGION  
OF EASTERN EUROPE  
AND CENTRAL ASIA IN 2023**

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# ABBREVIATIONS

**AIDS** Acquired immunodeficiency syndrome

**ECOM** Eurasian Coalition on Health, Rights, Gender and Sexual Diversity

**EECA** Eastern Europe and Central Asia

**HIV** Human immunodeficiency virus

**LGBT** Lesbian, gay, bisexual and trans people

**MSM** Men who have sex with men

**NGO** Non-governmental organization

**PEP** Post-exposure prophylaxis for HIV

**PrEP** Pre-exposure prophylaxis for HIV

**SOGI** Sexual orientation and gender identity

**STI** Sexually transmitted infections

**TB** Tuberculosis

## METHODOLOGY AND LIMITATIONS

***A regional analysis of violations of the right to health of LGBT people in the EECA region was carried out using the following process:***

- 1** Documentation of cases of violations of the human rights of LGBT people at the national level by ECOM activists/monitors in each individual country. If monitoring of human rights violations is not carried out by ECOM in a country, then data collected by ECOM partners in countries and data from open sources are used for the analysis;
- 2** Review and comparison of data with the results of the previous analysis of legal barriers to the right to health and with other analytical materials produced by ECOM to identify trends at the national level.
- 3** Analysis and development of recommendations to eliminate legal barriers and barriers related to law enforcement practices that affect LGBT people at the national level.
- 4** Systematization and unification of the data obtained by ECOM country monitors and partner organizations within a single analytical document at the regional level.

***ECOM took the following limitations into account when carrying out the analysis:***

- 1** Depending on the sources of information in different countries, the quality and completeness of the information documented may vary, which hinders comparative analysis across all countries in the EECA region. In addition, the number of documented cases in a given country, as well as the comparison of indicators across countries, does not reflect the actual situation regarding violations of the rights of LGBT people, since this depends on the capabilities and resources of the monitoring teams and on the security situation of LGBT people in each country.
- 2** The data presented in the report does not fully reflect the prevalence of a given violation in the EECA region. The number of cases documented depends on a number of factors, including the availability of teams, their experience, the resources that ECOM was able to invest in support of this work, and security issues in countries that affect the level of openness of community members. For example, in large cities, there may be local LGBT organizations and initiatives that are open to partnerships to carry out monitoring, while outside large cities, monitoring may be more complicated due to a lack of access to community representatives, and the situation regarding human rights violations may be worse. Data collection, namely the ability to reach certain groups within the community, is also affected by the identity of the monitor: a trans person is more likely to have access to trans people, while a gay person will be able to reach a larger number of other gay men and MSM, whose rights were violated. There was no targeted collection of data on violations of the rights of lesbian, bisexual and queer women, but some cases in which they were victims were documented and taken into account in the preparation of this report.

- 3 In light of the above, the report does not provide an analysis of the annual growth in the number of violations of the rights of LGBT people. However, in the relevant sections of the report, data from previous years is mentioned as it is illustrative and allows for the identification of certain trends in the region.

Thus, the number of cases documented and included in the analysis does not reflect the real prevalence of violations of the rights of LGBT people, including the types of violations and perpetrators, both in the EECA region and in each individual country. At the same time, the data presented in the report allows us to identify the key clusters of problems faced by community members and the main violations related to these types of problems, as well as to analyze the specifics of such violations in different countries of the region.

# BRIEF OVERVIEW OF KEY CHANGES FOR 2023 IN THE EECA REGION – LEGISLATION

This regional report presents the main changes in legislation regarding the right to health and other related rights that occurred in 2023 in 10 countries of the EECA region. More detailed information on the legal barriers affecting the quality of life of LGBT people in each country can be found in publications devoted to an analysis of national legislation in the countries of the EECA region, which is carried out by ECOM annually.



## **Armenia**

A number of issues remain unregulated in the legislation of Armenia. Although the UN, Council of Europe, and the OSCE<sup>1</sup> have made extensive recommendations on this matter, there were no changes at the legislative level in Armenia in 2023.



## **Azerbaijan**

In 2023, there were no changes to legislation that would lead to an improvement or deterioration in law enforcement practices in relation to LGBT people.



## **Georgia**

«On paper», Georgia remains the country with the highest level of protection from discrimination for LGBT people in the EECA region. At the same time, no changes were made to legislation. Previous recommendations on improving the situation of trans people were not implemented<sup>2</sup>.

Backsliding at the level of national policy development was documented in 2023: local activists protested after issues related to the protection of the rights of LGBT people were not included in the new version of the National Action Plan for the Protection of Human Rights<sup>3</sup>.

<sup>1</sup> For example, 30 recommendations received by the country during the 3rd cycle of the UPR in 2020 related to the rights of LGBT people and protection against discrimination; more information at [https://upr-info-database.uwazi.io/library/?q=\(al-Aggregations:!f,filters:\(issues:\(values:!\(%276e415998-2b91-42a8-94a5-a21859de6cdd%27\)\),state\\_under\\_review:\(values:!\(%272aohp7y9qun%27\)\)\),from:0,includeUnpublished:!f,limit:30,order:desc,sort:creationDate,treatAs:number,-types:!\(%275d8ce04361cde0408222e9a8%27\),unpublished:!f\)](https://upr-info-database.uwazi.io/library/?q=(al-Aggregations:!f,filters:(issues:(values:!(%276e415998-2b91-42a8-94a5-a21859de6cdd%27)),state_under_review:(values:!(%272aohp7y9qun%27))),from:0,includeUnpublished:!f,limit:30,order:desc,sort:creationDate,treatAs:number,-types:!(%275d8ce04361cde0408222e9a8%27),unpublished:!f))

<sup>2</sup> In country reports, ECOM has repeatedly noted the lack of a regulatory framework for changing gender markers and other procedures allowing trans people to exercise their rights

<sup>3</sup> <https://civil.ge/archives/569085>



## Kazakhstan

In 2023, there were no changes to legislation that would lead to an improvement or deterioration in law enforcement practices in relation to LGBT people.



## Kyrgyzstan

On 9 August, 2023, the first legislative act came into force in Kyrgyzstan, which directly prohibits the «propaganda of homosexuality». The Law «On Amendments to Certain Legislative Acts of the Kyrgyz Republic (to the Code of the Kyrgyz Republic on Offenses, and to the Laws of the Kyrgyz Republic «On Measures to Prevent Harm to the Health of Children, Their Physical, Intellectual, Mental, Spiritual and Moral Development in the Kyrgyz Republic» and «On the Media»)» stipulates that information that is harmful to the health and development of children includes information that *«negates familial and traditional social values, promotes non-traditional sexual relationships and creates disrespect towards parents or other family members»*.

The draft bill «On Ensuring the Right to Equality and Protection from Discrimination», submitted for public discussion in 2022, was never brought to a vote.



## Moldova

In February 2023, Parliament adopted amendments to the Law «On Ensuring Equality» and expanded the list of protected characteristics. All forms of discrimination based on SOGI are now prohibited<sup>4</sup>.



## Russian Federation

In July 2023, Russia adopted a legislative act that completely prohibits transgender transition<sup>5</sup>: *«It is prohibited to carry out medical interventions, including the use of medications aimed at gender reassignment»*. In November 2023, the Russian Parliament approved a bill<sup>6</sup>, that expands the prohibition of «LGBT propaganda» and limits the ability to exhibit «LGBT behavior», making any self-expression impossible for LGBT people. The new law also recognizes the LGBT movement as extremism, and restricts any propaganda and expression of opinions on LGBT-related issues.

<sup>4</sup> Article 1. Purpose of the law and scope of application: (1) The purpose of this law is to prevent and combat discrimination, as well as to ensure equal rights for all persons under the jurisdiction of the Republic of Moldova in the political, economic, social, cultural and other spheres of life, regardless of race, color, national, ethnic and social origin, social status, citizenship, language, religion or belief, age, sex, gender identity, marital status, sexual orientation, disability, health status, HIV status, opinions, political affiliation, property, birth, or any other characteristic. [https://www.legis.md/cautare/getResults?doc\\_id=135522&lang=ru](https://www.legis.md/cautare/getResults?doc_id=135522&lang=ru)

<sup>5</sup> Source — <http://publication.pravo.gov.ru/document/0001202307240059?index=3>

<sup>6</sup> Source — <https://www.dw.com/ru/v-rf-prinat-zakon-o-zaprete-propagandy-netradicionnyh-seksualnyh-otnosenij/a-63871877>





## **Tajikistan**

In 2023, there were no legislative changes in the country impacting the situation of LGBT people, however, the work that had begun to discuss changes to the Criminal Code continued. As part of this work, civil society attempted to make proposals to take into account the changes that occurred in 2022 in the new Criminal Code, namely the provisions of the new equality law<sup>7</sup>.



## **Uzbekistan**

In 2023, there were no changes to legislation that would lead to an improvement or deterioration in law enforcement practices in relation to LGBT people.



## **Ukraine**

The Civil Partnerships Bill, introduced into Parliament in 2023, was never put to a vote even in the first reading<sup>8</sup>.

• <sup>7</sup> The Law of the Republic of Tajikistan on Equality and the Elimination of All Forms of Discrimination is the first equality law  
• in the Central Asian region. The law defines discrimination and its forms (direct and indirect discrimination, harassment in  
• the workplace, incitement to discrimination, segregation and others) and contains a fairly broad list of protected character-  
• istics. It does not mention SOGI, but contains the wording «and other circumstances», which should allow inclusion of SOGI  
• through legal practice and court decisions.

• <sup>8</sup> Bill No. 9103 <https://itd.rada.gov.ua/billInfo/Bills/Card/41497>

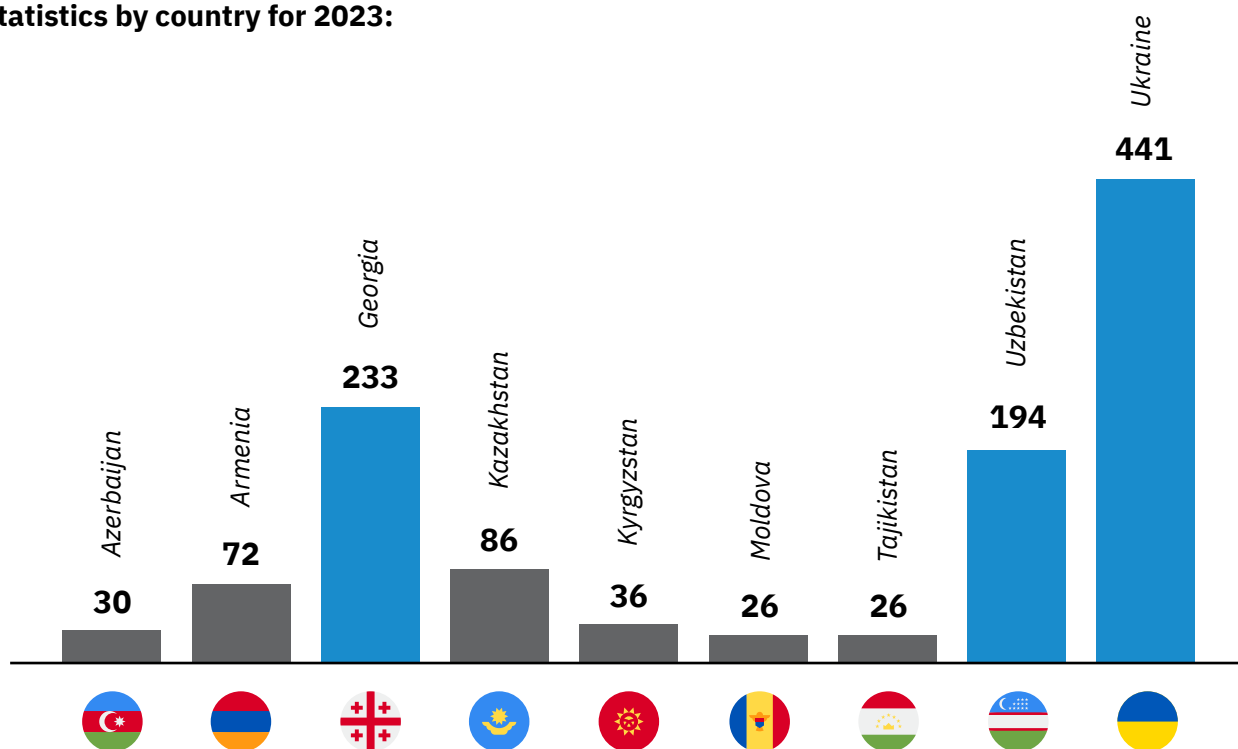
# ANALYSIS OF HUMAN RIGHTS VIOLATIONS IN 2023 – PRACTICE

In total, in 2023, in 10 countries of the EECA region, ECOM and partners recorded 1,387 cases of human rights violations. Often one case involved several different types of violations, and in some instances, there were several different perpetrators in one case.

For the purposes of this analysis, we relied on quantitative and qualitative data collected by ECOM and country partners, data from system for monitoring, as well as information from other open sources (reports from human rights and/or international organizations).

Data was analyzed separately in cases where it was not certain that a comparative analysis could be carried out due to the different approaches to data collection, even in the work of ECOM's national partners or documenters.

## Statistics by country for 2023:



Separately, ECOM partners in the Russian Federation (RF) documented 117 cases of violations of the rights of individuals, and 126 cases of prosecution of organizations, initiative groups, media, and social media groups for LGBT-related content.

This totals 1,144 cases for 2023 in the system for monitoring, and 243 cases documented in Russia, which exceeds the total number of cases analyzed by ECOM in an analogous report for 2022.

On the one hand, the increase in the number of documented cases indicates unresolved problems: impunity for violations of the rights of LGBT people, especially in countries such as Uzbekistan, Ukraine, Georgia, RF, and Kazakhstan. On the other hand, documenting cases, their detailed analysis and the number of documented violations in many of these cases indicate an increase in documenters' access to the LGBT community, as well as an increase in the confidence of the community in the work of NGOs and documenters. People are willing to share their stories and to look for ways to restore their violated rights.

## VICTIMS

It was already mentioned above that access to victims often directly depends on the identities of the documenters and their work experience. This often leads to situations where victims belong to 1-2 groups within the community, while representatives of other groups may not report violations to documenters. The second factor relates to which groups are targeted for monitoring in the country and/or region.

Since projects are mainly targeted at gay, bisexual, and other MSM and trans people, lesbian and bisexual women are much less likely to come to the attention of documenters.

In their work, documenters identified the following categories of persons whose rights were violated:

LGBTQ	Azerbaijan	Armenia	Georgia	Kazakhstan	Kyrgyzstan	Moldova	Tajikistan	Uzbekistan	Ukraine	Total
Gay men	5	30		31	7		8	117		198
MSM	14	11	204	22	9	16	9	18	455	758
Trans people	6	28	17	15	9	6	7	11	35	134
Bisexual people	2	5	9	2	7	4	1	39		69
Lesbians	2	4	4	14		2	2	4		35
Queer people		1		7	1	2				11
Intersex people				1		1				2


*\* It should be noted that there were differences in approaches to documenting across countries. In some countries, gay men are included as a separate category, while in other countries, all men are grouped in the «MSM» category. The categories of «queer» and «intersex» people were not separately included in all countries.*

Documenters in the Russian Federation did not separately indicate the characteristics of victims, so these cases are not taken into account in the table above.

In Ukraine, documenters used two classifications: «MSM» and «trans people», so data is filled in in the corresponding cells in the table.


## CHARACTERISTICS


In addition to sexual orientation and gender identity, in various cases the violations recorded related to HIV-positive status, sex work, and migrant or asylum-seeker status.


 Sexual orientation

 Gender identity

 Migrant

 Refugee

 Person living with HIV

 Sex worker

## VIOLATIONS

All cases collected in 2023 were analyzed according to the type of violation. Often, one case involved several types of violations, for example when an asylum-seeker was first denied entry to a country and access to the asylum procedure, then was not allowed to see a lawyer, or was threatened that entry into the country would be denied if they were found to be HIV-positive.

In the monitoring system, documenters can use a wide range of classifiers that allow them to more fully document the stories of victims, and highlight different episodes within them. For the purposes of this analysis, these classifiers were grouped into several large clusters.

*Note\* – the table does not contain cases from Ukraine and Russia.*

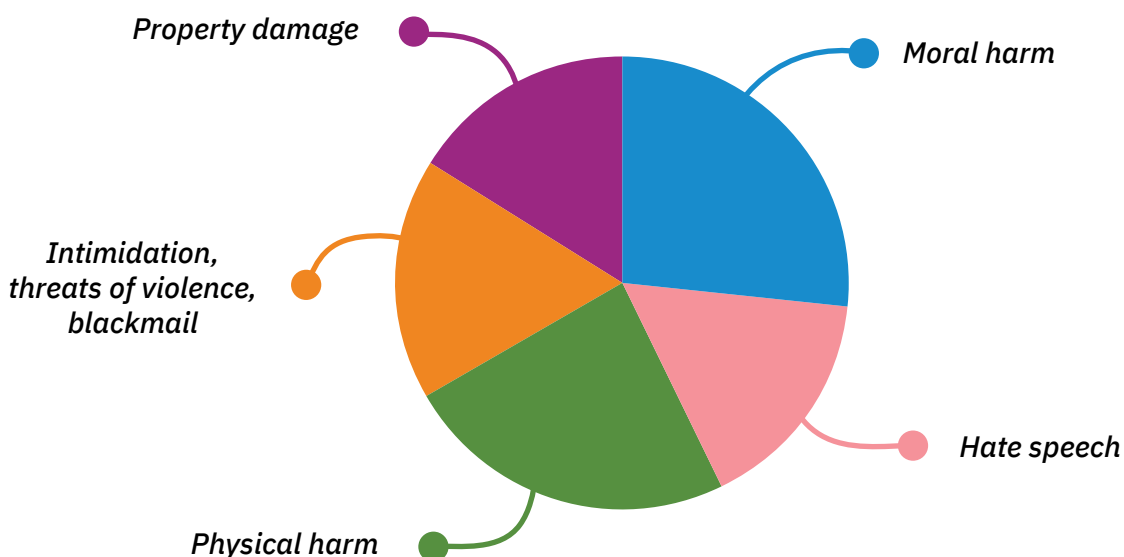
	Azerbaijan	Armenia	Georgia	Kazakhstan	Kyrgyzstan	Moldova	Tajikistan	Uzbekistan	Total by type of violation
<b>Violation of the right to health</b>									
Refusal to provide medical services	3	1	13	5	5	8		3	38
Refusal to provide emergency medical care			11	1	1	2		2	17
Refusal to provide hospital care and other medical services (except as specified below)	3	1		2	4	1		2	13
Refusal to prescribe and provide ARV therapy				1	1	1			3
Refusal/barriers to receiving ARVT				1	1				2
Refusal/barriers to receiving hormone therapy						4			4
Refusal/barriers to receiving PrEP				1					1
Negligence of doctors, which led to deterioration of health									0
Refusal/barriers to STI treatment						1			1
Humiliating treatment during a stay in a medical facility	2		3	4	4	3		4	20
Disclosure of HIV status		3	2	6	3	4	3	6	27
Disclosure of other medical information (other than HIV status)		1		1					2
Financial difficulties in accessing health services					1	5		1	7
Forced HIV testing				1		8	1	2	12
Extortion of payment for medical services that should be provided free of charge					1			1	2
<b>Denial of access to services</b>									
Refusal to provide services	9	9	20	12	8	15	3	12	88
Denial of social services									0
Denial of access to other public services		3	3	2	1	7			16
<b>Violation of the right to protection</b>									
Denial of protection and investigation by law enforcement agencies	6	3		5	1			7	22
Violation of the right to a fair trial			1	2			1	2	6

	Azerbaijan	Armenia	Georgia	Kazakhstan	Kyrgyzstan	Moldova	Tajikistan	Uzbekistan	Total by type of violation
<b>Torture, ill-treatment and abuse of power</b>									
Use of force by law enforcement	3	4		2	9		7	7	32
Other abuses of power by law enforcement agencies	1	4		5	5	3	3	37	58
Torture or ill-treatment during detention/incarceration	2	1		1	1			3	8
Intimidation, threats of violence, blackmail	11	27	77	30	10	8	13	116	292
Unauthorized search of home/person	1			2	4			6	13
Illegal arrest, detention		2		1	5		4	7	19
Unreasonable fines								2	2
Falsification of case materials									0
Extortion of money/bribes	3	4	8	11	9	2	7	52	96
Forced cooperation (become an informant)							4	11	15
Coerced confession								4	4
<b>Infliction of harm</b>									
Physical harm	23	31	123	31	19	8	15	154	404
Muder/attempted murder		4	3						7
Assault by private individual		13							13
Sexual assault/harassment	5	3	15	10	2	1	2	23	61
Moral harm	21	50	114	66	26	22	17	139	455
Property damage	16	18	31	19	15	18	14	138	269
Property damage		4		2	2			32	40
Assault by private individual	7		115	11	4	2	2	45	186
<b>Violence in the family</b>									
Forced marriage		1		1				2	4
Forced to engage in prostitution	1							1	2
Domestic violence	11	4		6	3	3	2	32	61

	Azerbaijan	Armenia	Georgia	Kazakhstan	Kyrgyzstan	Moldova	Tajikistan	Uzbekistan	Total by type of violation
<b>Violations in the field of labor</b>									
Forced labor, slavery		1							1
Termination of employment, refusal to hire	6	3	2	2		1		6	20
Requiring a certificate of HIV status for employment						1			1
<b>Prosecution and criminalization (SOGI/HIV and other characteristics)</b>									
Criminalization of HIV transmission		1					2		3
Criminalization of sex work								5	5
Criminalization of possession/use of drugs without intent to sell		1							1
Criminalization of MSM							1	29	30
<b>Hate speech and disclosure of status (other personal information)</b>									
Hate speech, verbal abuse	8	31	106	29	8	9	9	71	271
Public dissemination of defamatory information, slander		4	2	8	3	4		9	30
Disclosure of SOGI, outing	13	15	7	11	3		5	11	65
Infringement of honor and dignity in the media and on social media						1			1
<b>Violation of the right to housing and privacy</b>									
Eviction, forced to leave place of residence	9	6	20	3	2	2		14	56
Other violation of the right to privacy			2			5			7
<b>Other</b>									
Refusal of political asylum (entry into the country and/or registration of an application for asylum)						7			7
Denial of family reunification						1			1
Denial of access to education			2						2
<b>Total violations</b>	<b>164</b>	<b>253</b>	<b>680</b>	<b>295</b>	<b>161</b>	<b>157</b>	<b>115</b>	<b>998</b>	<b>2815</b>
Number of cases (base)	30	72	233	86	36	26	26	194	703

**In total, there were 2,815 violations in 703 documented cases.** This data excludes cases from Ukraine, where documenters use a different case registration scheme (more detailed than in other countries), and from the Russian Federation, where the system for monitoring is not used. There, information is mainly collected through open sources and is not systematized by type of violation. In describing trends, threats, as well as positive changes for 2023, information from all countries was taken into account, as all documented cases were considered and analyzed.

It was also noted during the analysis that some of the classifiers are complementary in nature in relation to the main violation. For example, almost all cases of violence committed by law enforcement agencies, passers-by, hate groups, or by friends and relatives are recorded in the categories of «physical harm” and «moral harm” in addition to the categories of «torture or ill-treatment during detention», «assault by private individuals» or «domestic violence». Similarly, many cases of «denial of services», «violations of the right to health», or «forced eviction» are also classified as «property damage» and «moral harm».





**In the case database, documenters have the following set of filters:**

<b>PHYSICAL HARM</b>	<b>MORAL HARM</b>	<b>PROPERTY DAMAGE</b>
Murder/attempted murder	Intimidation, threats of violence, blackmail	Eviction, forced to leave place of residence
Assault by private individuals based on hate	Hate speech, verbal abuse	Termination of employment, refusal to hire
Sexual assault, harassment	Public dissemination of defamatory information, slander	Financial difficulties in accessing health services
Forced to engage in prostitution	Disclosure of HIV status	Property damage/material harm motivated by hate
Forced marriage	Disclosure of SOGI, outing	Restrictions on civil rights in connection with registered drug use
Forced labor, slavery	Disclosure of TB status	Deportation or threat of deportation due to HIV status
Forced/coerced abortion due to HIV status	Disclosure of other medical data (except HIV and TB status)	Illegal arrest, detention
Illegal arrest, detention	Humiliating treatment during a stay in a medical facility	Unauthorized search of home/person
Use of force by law enforcement	Violations of the right to freedom of assembly	Unreasonable fines
Other abuses of power by law enforcement agencies	Violations of the right to freedom of expression	Forced HIV testing
Criminalization of HIV transmission		Extortion of money/bribes
Criminalization of sex work		Extortion of payment for medical services that should be provided free of charge
Criminalization of possession/use of drugs without intent to sell		Planting drugs
Criminalization of MSM		Forced cooperation (become an informant)
Torture or ill-treatment during detention/incarceration		Coerced confession
Negligence of doctors, which led to deterioration of health		Requiring a certificate of HIV status for employment
		Barriers to the work of NGOs established by the state

## ○ DENIAL OF ACCESS TO SERVICES

*S. required massage services for health-related reasons (he was referred by his attending physician). He found a massage studio and made an appointment. The first session went well, but when he returned for the second session, they refused to serve him without providing an explanation. Later S. found out that a friend of his worked in the neighboring office, and knew about his homosexuality. S. asked her directly if she talked about him at work, and the friend confirmed that she had outed him*

The broad category of «denial of access to services» includes both cases of denial of medical services, which will be described in the next section, and cases of violations of clients' rights in other areas, for instance cosmetic services, bars, restaurants and other entertainment establishments, as well as in the rental of short- and long-term housing.

In almost all countries, cases were recorded involving dining and entertainment establishments, which can be divided into two categories: refusal of services by staff and conflicts provoked by other clients. In such cases, staff members generally sided with homo- or transphobic clients, and asked the victims to leave the establishment.

As a comparison of data from different countries shows, the reaction of victims to such cases strongly depends on their ability to restore their violated rights. If victims have opportunities to respond (other than reporting the incident to a documenter and talking to a psychologist), they are more likely to state that their problem was resolved. In countries where the level of acceptance and protection of the rights of LGBT people is slightly above average, victims are more willing to file complaints about such violations with the help of documenters and/or lawyers, and demand an apology and compensation.

Conversely, in countries where the police generally do not respond to complaints from community members, and/or are themselves the violators of human rights, victims often refuse to report conflicts in the service sector to the police, and do not even want to file complaints with the management of such establishments.

## ○ VIOLATION OF THE RIGHT TO HEALTH

*A trans\* girl went to a private clinic for plastic surgery. During the preliminary examination, she informed the surgeon about her HIV-positive status. The surgeon refused to operate on her, citing a ban imposed by the chief physician on performing the procedure on HIV-positive people.*

This cluster comprises a large number of cases, however, there are more and more cases that are not directly related to HIV services every year. On the one hand, this is due to the total number of cases and progress in data collection (more and more victims state that their rights were violated). On the other hand, in recent years, the greatest progress has been seen in relation to improvements to HIV services in many countries in the region.

**A significant part of complaints about violations of the right to health are cases involving:**

- ✔ denial of medical care in public and private clinics due to patients' SOGI;
- ✔ hostility and insults from health workers;
- ✔ attempted rape and forced sexual contact by medical staff;
- ✔ threats, blackmail, and extortion from staff (most often in cases where the victims are not out and/or have families, and in countries where there is a low level of acceptance of LGBT people and/or same-sex relationships are criminalized);
- ✔ in the field of HIV: refusal to issue ART and/or PrEP, and humiliation of patients).

A separate category of cases involves forced HIV testing in the context of migration and asylum applications (Moldova and the Russian Federation), employment, and even for the use of sports facilities (Uzbekistan).

This cluster also included cases of disclosure of HIV status by medical personnel, which is often accompanied by disclosure of the victim's SOGI. Generally, such information is disclosed to one or two categories of third-parties: relatives (wife or parents), or to neighbors and employers, which may lead to domestic violence, divorce, ridicule and insults from neighbors, friends, classmates and/or colleagues. In extreme cases, entire «chains of disclosure» have been recorded in Uzbekistan, where medical workers inform relatives and the police about the victim's HIV status, and hint at their possible homosexuality, after which the police begin to blackmail and persecute the victim, and disclose their status to neighbors, classmates, or colleagues. In situations where victims have no legal protection of their rights, they are forced to change their place of residence in order to avoid constant persecution.

## ○ TORTURE, ILL-TREATMENT AND ABUSE OF POWER

*P. has 2 SIM cards in his phone: one for family and work, the second for his personal life and online dating. One evening P. was leaving the gym and received a call from an unfamiliar number on his work (!) number. He was told that the person wanted to meet and discuss an order, explain what the client wanted, and to agree on a price. P. offered to meet the next day in a cafe, since he is a freelance designer. The man who called him replied that it was urgent, and that he had a car and was willing to drive wherever necessary. P. then agreed, not realizing that this was some sort of trick, since the man called him on his work number. He explained where the potential client should go. About 20 minutes later, the man called again from the same number, and said that he was waiting by the road. When P. approached the car, he began to suspect something was wrong. A middle-aged man got out of the front passenger seat, opened the back door, and nodded his head to the side, indicating to P. to «get into the car». P. was forced into the car by two men. They told him that he had resisted the police, and that they were taking him to the station. P. was brought to the police station, where he spent 5 days. He was accused of resisting law enforcement, assaulted in his cell, and forced to pay money in exchange for silence about the fact that he is a «faggot».*

*Since P. was essentially kidnapped and his parents did not know where he was, on the second day his relatives began calling him. The police confiscated his phone. Then, they called his brother and told him to come to the station, saying that his «little brother» was sitting in their cell in administrative detention, and was serving 5 days of arrest. When his brother arrived, they outed P. to him. P.'s brother tried to beat him up in front of the police, and then said that he would not help and left. On the fifth day, P. was released, but was told to bring money. After his release, P. met with his ex-partner, warned him that the police had launched a raid against LGBT people, borrowed money, and flew out of the country.*

In 2023, the number of cases in this cluster did not decrease, rather, more cases were documented than in 2022, as in the case of other clusters. The «leading countries» also remained unchanged; the largest number of such cases were recorded in countries with the highest levels of stigma and discrimination, impunity among law enforcement agencies, and where there is criminal liability for voluntary same-sex relationships among adult men.

***The usual «scenario» of such cases has not changed. The following violations are typical:***

- ✔ refusal by law enforcement agencies to provide assistance to victims, turning victims into the accused;
- ✔ psychological and physical violence; both in cases where victims turn to the police for protection, and when the police come to their home, stop them on the street, or respond to a call in a public place;
- ✔ refusal to open a case and/or quick closure of a criminal case without proper investigation when victims file complaints;
- ✔ denial of protection to sex work;
- ✔ demand for bribes, provision of sex services (and often rape);
- ✔ demands to provide information about other members of the LGBT community; such violations were also documented in connection with LGBT-friendly activists;
- ✔ disclosure of victims' SOGI and/or HIV status to their loved ones, relatives and/or at work;
- ✔ physical violence (assault and torture) in police stations, public places, or in victims' homes.

## ○ VIOLATION OF THE RIGHT TO PROTECTION

*In April 2022, K. and his partner were convicted and sentenced under Article 120 of the Criminal Code of the Republic of Uzbekistan. During the investigation of the case, all of their valuables and available money were taken from their apartment. The investigator, who was in possession of K.'s phone, transferred all the money from his account to his cards. Meanwhile, according to K., during their arrest no inventory was taken of their belongings, no witnesses were present when their apartment was searched, and the apartment was not sealed.*

*Statements made in court regarding the unlawful actions of the investigators were not taken into account. After the sentence was commuted (to payment of 15% of their income to the state, probation, and mandatory visits to a psychologist), K. made an appeal to the President's office with a complaint about the illegal actions of the investigators who were handling his case. After this appeal was received, K. was contacted by the investigator who was in charge of his case. It turned out that his father was a retired high-ranking law enforcement officer. They met with K. together and began to threaten to have his sentence reinstated, which he would serve out in a penal colony. They also said he would not be able to prove anything, since there were no documents confirming what was stolen during the investigation. They threatened that something might happen to his mother, and said that at most, they would agree to reimburse him for the cost of the phone that was taken from him during the arrest. They insisted that he write an explanatory statement withdrawing his complaints against them. After contacting a lawyer for a consultation on this issue, K. was forced to agree to the conditions presented by the perpetrators and to write an explanatory note stating that he has no claims against them.*

As noted in the previous paragraph, one of the problems in the region is the inability of victims to exercise their right to protection, when turning to both law enforcement and judicial bodies.

In countries with a high level of stigma, as well as in countries that criminalize voluntary same-sex relationships between adult men, in almost all cases, victims choose not to contact law enforcement agencies. Meanwhile, in countries with a lower level of stigma and a higher level of legislative protection, there is an increase in complaints by LGBT people to the police and other institutions in order to defend their rights.

## ○ INFLICTION OF HARM

*Two trans women were planning to go on vacation abroad. At the airport, after checking in, they were subjected to a search of their persons. The airport employee demanded to see their personal belongings. When they opened their suitcase, he began to scatter its contents, and said loudly that he was looking for drugs, since all «trans people are involved in drugs and prostitution» and that «they not only don't have the right to go on vacation, they don't have the right to live either». He started shouting across the whole airport that he would not let them through. All of the people in the long line were silent witnesses to what was happening. After a long search and insults, he had to let the victims pass, since he found nothing on them. He shouted after them that they were whores who were flying away to continue their dirty work in another country. With their mood now ruined, the victims flew out of the country.*

This was the cluster mentioned most frequently in all countries of the region. Based on the statements of the victims, documenters included cases of physical, material and moral harm here. This cluster also includes an analysis of cases of murder/attempted murder, assault, and sexual assault and/or harassment. In most cases, there are multiple violations within a single case, for example, physical and material harm or violence and moral harm.

The same cases are described in other clusters. For instance, physical violence is mentioned in situations involving violence committed by law enforcement agencies, death threats and physical violence from private individuals, and domestic violence. Cases of physical violence from friends and colleagues have also been documented, both after the victim voluntarily came out or after being outed. A large number of cases of physical harm involve cases of sexual violence from casual partners and assaults during fake dates. In relation to this, we have observed, on the one hand, a change in the situation in countries where there have been positive changes, greater visibility of LGBT people, and at least small improvements in the work of the police, which has resulted in victims being more willing to file complaints and seek justice. Meanwhile, in Uzbekistan, for example, where same-sex relationships are criminalized, there is no protection mechanism for victims, and the documenter is often the only person with whom they can discuss what happened. Often, the police, after receiving complaints from victims, do not take their statement, persuade them «not to ruin the statistics for them», and/or downplay the harm in order to avoid conducting an investigation.

Another large category of cases in this cluster involves sexual violence, which saw an increase compared to the previous year. This may be a result of both a general increase in victims' willingness to report violations to documenters, as well as impunity. Perpetrators in these cases include strangers, relatives, and representatives of law enforcement agencies.

Cases of material harm partially overlap with cases of physical violence. Cases of blackmail, extortion, and robbery also fall into this category. By material harm, victims sometimes mean having to pay for services that should be free, for example, in cases of refusal to provide medical services.

The category of moral harm is very broad, but, like the previous two categories, this type of harm accompanies many other cases of human rights violations. Cases involving «moral harm» include violations such as insults, outing, denial of services, including medical services, domestic violence, and the breakdown of friendships.

## ○ VIOLENCE IN THE FAMILY

*M. is 23 years old. He had a relationship with an older man from another city. They met on the weekends. M. told his parents that he was visiting a friend. His parents began to insist that M. introduce them to his friend and invite him to visit, so that they would not worry and would know who he was visiting. M put it off, but eventually gave in and invited his partner over for dinner. His parents began asking his partner about how long they had been friends, and where they spend their time together. His partner did not answer quickly, and mixed up his story. As a result, his parents became suspicious. A few days later, M.'s father took his phone without permission while he was sleeping and read his messages. He then woke up his son and interrogated him. Under pressure from both parents, M. told his parents about his relationship with his partner, after which his parents beat him. Within two months, M.'s parents arranged a marriage for him, and after the wedding, they sent him and his wife to relatives in Kazakhstan.*

Cases of domestic violence are increasingly common among cases referred to documenters. This has been observed in all countries where monitoring was carried out. Perpetrators include close relatives (parents, brothers or sisters), as well as partners and ex-partners.

Most of the cases in this cluster involve the negative reactions of family members after the victim comes out or is outed, including verbal insults, physical violence, and eviction from housing. There are also cases where adult men who do not live with their relatives have been persecuted, when their parents or other relatives have access to their home (i.e. have their house keys).

Another group of perpetrators includes both current and ex-partners. One category of conflicts arises when one of the partners learns about the other's HIV-positive status or trans identity.

Changes have been observed in relation to how victims themselves respond to domestic violence and what actions they are willing to take. It is clear that in all countries, community members have begun to report such cases more often and are willing to consult psychologists. Another positive change is that in countries where there are services for victims of domestic violence and there is less stigmatization of LGBT people by the police, victims are now willing to contact the police with the support of documenters, and even request injunctions to protect themselves from perpetrators (for example, in Ukraine).

Another positive change is the willingness of relatives responsible for domestic violence to contact psychologists and to try to find solutions together. Such cases are rare, but do represent a positive trend. Such a situation is only possible when:

- ✔ community members are more likely to report such violence;
- ✔ there are support services they can contact;
- ✔ social transformations are taking place and same-sex relationships are being normalized in the country.

Conversely, in countries where same-sex relationships are criminalized and/or anti-gender propaganda is promoted, victims are unable to benefit from police protection. Often, their only option is to leave home. Victims who cannot afford an independent life due to limited resources and/or lack of work are often subjected to physical violence, and are forced into «treatment for homosexuality» or forced marriages.

## ○ VIOLATIONS IN THE FIELD OF LABOR

*A gay man working as a teacher in a school was summoned to the school's headmistress in early September, after she had received information about his sexual orientation. He was asked to write a voluntary letter of resignation, so that, according to her, «a scandal would not break out if someone else found out about his sexual orientation». In addition, the headmistress advised him not to work in the field of education in the future*

As in previous years, the largest number of cases in this cluster involve dismissals from work that are accompanied by the disclosure of personal or medical information (outing based on the victim's SOGI or disclosure HIV status). In most countries, victims choose not to pursue such cases, and instead, look for a new job. Only in Ukraine were there cases where colleagues and/or employers apologized to the victims, who then remained at their job.

## PROSECUTION AND CRIMINALIZATION (SOGI/HIV AND OTHER CHARACTERISTICS)

*I. is 18 years old and lives with his father, who has a disability. In October 2023, a local police officer came to their home and assaulted I. because neighbors complained that «men with strange appearances» often came to his apartment. The district police officer accused I. of discrediting his father's honor, and said that if the victim's father could not continue raising him because of his disability, then the district police officer would do it, beat any improper thoughts out of him, and teach him to be a man.*

Cases of threats, blackmail, extortion and violence primarily against men and sometimes trans persons occur in Uzbekistan, where voluntary same-sex relationships are criminalized, as well as in Tajikistan, where there is a ban on the establishment and activities of public associations that «infringe upon the rights and legitimate interests of citizens, human health and public morality».

Quite often, threats of criminal prosecution are used by the police against victims in order to blackmail them, extract bribes, and to force them to become informants and reveal information about other community members. In such cases, victims have no legal recourse. Often, all they can do to avoid violence, constant demands for money, or betraying other members of the community is to leave their city or the country. For community members, this generally entails going to Russia, where they also risk persecution due to their SOGI and/or HIV status and are unable to receive protection.

Another trend in Uzbekistan involves the disclosure of HIV status by medical workers to local police officers, and subsequent threats and prosecution under Article 120 of the Criminal Code by local police officers.

## HATE SPEECH AND DISCLOSURE OF STATUS (OTHER PERSONAL INFORMATION)

*S. met a guy through social media and arranged a date with him. Four strangers came to the meeting place and assaulted him. They took his phone, forced him to unlock it, called his father, and told him that his son was gay. After the conversation with his father, they let S. go. He went home, where his father was waiting for him. His father beat him, insulted him, and accused him of disgracing their entire family. He then kicked S. out of the house. S. called his friend and told her what had happened. She tried to calm him down and give him some hope, but since she was out of town, she could not go see him. After talking with him on the phone, she said that she would return the next day, and they would see each other and think about how to help him. The next day, her mother called and said that in the morning, S. had been found hanged.*

According to the classification used by documenters, this section includes cases of both public manifestations of hate speech, as well as insults, threats, blackmail, and disclosure of status between individuals.



Public manifestations of hate speech include two large categories: the use of hate speech preceding and accompanying physical violence against LGBT people in public places (on the street, in restaurants, and other establishments), and hate speech on social networks and in the media.

There are documented cases of hate speech between individuals involving families, parents, siblings, and other relatives, as well as friends, partners and/or housemates, and colleagues. In such cases, there are also frequent cases where insults, humiliation, and blackmail accompany other manifestations of violence against victims. Victims are often dismissed from work after being outed in professional environments.

Most countries do not have separate legislation that regulates or imposes adequate punishment for hate speech. When victims file complaints related to hate speech, this is often done together with complaints about other violations, such as domestic violence or physical violence on the street.

## ○ RESTRICTION OF FREEDOM OF SPEECH AND/OR LIABILITY FOR LGBT PROPAGANDA

*The Ministry of Justice writes that a blogger from Russia promoted LGBT relations, which contradicts state policy to «preserve and strengthen traditional Russian spiritual and moral values, as well as constitutional priorities in the field of protecting the family, motherhood and childhood».*

Most of the cases documented in Russia involve prosecution for so-called «LGBT propaganda». The victims in these cases must pay fines, are deemed to be foreign agents, and face other sanctions, such as the disruption/cancellation of public events, internal audits, dismissals, and, in the case of foreign citizens, expulsion from the country. A total of 118 such cases were documented (aside from restrictions on the freedom of speech, such cases involve domestic violence, physical violence from strangers and law enforcement agencies, denial of services, including medical services, dismissal from employment, and expulsion from the country).

The increase in the number of cases of inspections and sanctions was provoked, among other things, by a wave of denunciations. After the tightening of legislation on so-called propaganda and on foreign agents, documenters recorded a wave of people denouncing random passers-by on the street, work colleagues, posts on social networks, and publications in the media. This situation of insecurity and the constant threat of persecution for any outward manifestation of dissent force people to seek refuge outside the country. An analysis of cases from other countries in the region shows an increase in the number of asylum requests from Russian citizens specifically. Two key arguments are given as the reason: persecution due to SOGI and a reluctance to be mobilized and sent to the front of the war in Ukraine.

Employees of public organizations and activists have also become targets. They are accused of administrative offenses for not marking their NGO's publications, posts, and other activities with the notation «foreign agent», as required by legislation, according to the police. All these barriers are aimed at pushing the work of NGOs out of the public sphere and depriving the community of access to services and support from human rights organizations. It also makes the work of human rights organizations impossible and dangerous.

In 2023, in addition to individuals, groups on social media, websites, publishers, film distributors, and other legal entities were extensively targeted for purging under the pretext of «LGBT propaganda», which resulted in fines and sanctions. A total of 127 such cases were recorded. In such instances, sanctions included fines, blocking websites, social media pages or podcasts, disrupting or cancelling events, banning books from sale, and classifying legal entities as a «foreign agent».

## ○ VIOLATION OF THE RIGHT TO HOUSING AND PRIVACY

*O. rented a one-room apartment with his partner. While they were sleeping, their landlady came to their apartment without warning and opened the door with her key. She saw them in bed together, started screaming, and scared them. The landlady demanded that they leave and gave them three days. As she left, she screamed and humiliated O. and his partner because they were gay.*

Cases recorded under this cluster also fall into other clusters. Violations of the right to housing occur most often in two situations.

The first large group involves discrimination on the part of landlords who somehow find out about the homosexuality of their tenants and refuse to extend their lease (essentially throwing them out onto the street). Such cases are sometimes accompanied by a violation of privacy, when landlords enter rental apartments without permission to check on how their tenants are behaving. Sex workers experience similar violations.

Another type of violation of the right to housing relates to cases of domestic violence (after the victim comes out or is outed), accompanied by forced eviction. In such situations, victims very rarely have means of protection or are willing to contact law enforcement agencies. The most common response is to submit the case for documentation, and to speak with a psychologist. Good practices on the part of documenters and other human rights organizations include explaining to victims that landlords cannot refuse them solely on the basis of their SOGI, discussing the need to conclude rental agreements and protect their rights, and providing assistance to find temporary shelters if victims have nowhere to go.

In addition, cases of violation of privacy overlap with cases involving the disclosure of personal data and medical information. There have been documented cases of outing victims to friends, colleagues, classmates, and/or relatives, as well as cases of disclosure of medical information.

## VIOLATIONS RELATED TO TRANS PEOPLE

*A. is a trans person and lives in a small town. Her neighbors began to threaten her. A. contacted the police chief at the local police department. He said that she had better leave. At first it looked like he was joking, but then he added: «We will do everything so that you leave». Later, A. and her friend were attacked on the street. The police and the prosecutor's office refused to open a case. A. was accused of having provoked the attack and under threat, was forced to sign documents stating that she was withdrawing the charges. At the medical facility where she sought help after the attack, she was insulted and humiliated. Only after A. said that she would tell everything to journalists was she provided with medical assistance, and left alone by the police. There was no investigation. A. received threats from unknown people, due to which she eventually decided to leave her hometown for the capital.*

In all countries where documenters work, violations against trans people are recorded using the same methodology as violations against gay men and other MSM. This subsection gathers descriptions of only the largest clusters of cases related to issues of gender identity and expression.

- ✔ Cases where people are stopped in public places for the purpose of identification, document checks, and often searches of personal belongings, which are accompanied by inappropriate questions, failures of law enforcement officers to recognize newly issued documents (in the case of legal gender reassignment), and verbal abuse.
- ✔ Physical violence on the street, often accompanied by either reluctance and fear of contacting the police (especially in countries where same-sex relationships are criminalized), and/or the refusal of law enforcement agencies to investigate and assess such cases.
- ✔ In Ukraine, a separate category of violations consists of refusals by members of military medical commissions to exempt trans persons from conscription and mobilization.
- ✔ A significant category of violations against trans persons consists of cases of denial of protection by law enforcement agencies, as well as insults and violence from representatives of such bodies.
- ✔ Another large category involves domestic violence related to coming out, including threats of forced marriage or eviction from one's home.
- ✔ There are frequent cases of stigma, abuse and dismissals of trans people from work, which leads to poverty, their inability to cover basic needs, including medical care and hormone therapy, and often to involvement in sex work.
- ✔ A significant part of the documented cases in all countries of the region involve moral and physical violence from both clients and other sex workers, as well as landlords, since involvement in the sex industry is a common reason for refusal to rent housing.



## PERPETRATORS

In addition to the types of violations, possible perpetrators were grouped into large clusters for analysis, with a list of all possible perpetrators identified by victims.

Guardianship authorities	1
Security services	1
Prison guards and administrators	1
AIDS center or other specialized doctor/institution related to HIV treatment	1
TB dispensary or other specialized doctor/institution related to TB treatment	1
Narcological service	1
School, lyceum	1
* Prison staff	2
Prison medical staff	2
Emergency medical services	2
Pimp, «momma»	2
REA-Case- State perpetrator: Judge/Court	3
State-provided lawyer	3
Media and journalists	4
School	5
Prosecutor	7
Border guards	7
University	7
Representatives of political bodies	8
Migration service (civil services)	11
Administrative services	12
Social services	13
* Judicial system	15
* Field of education	15
Client of sex workers	15
* Local authorities and civil services	22
Landlord	22
Hospital	24
Doctor NOT directly involved with HIV/TB	26
Work colleague	26

Employer	28
Military, army personnel	29
Service sector	34
Representative of key population	38
Neighbors	50
* Medicine	54
Hate group	59
Sex partner, husband/wife	68
Acquaintances	89
** Other offenders	111
Relatives	159
* Law enforcement bodies	168
Militia/police	178
Unknown attackers	230
** Government agencies	312
** Private individuals	419

In 2023, the trends of previous years remained relevant. Perpetrators are primarily representatives of the state (312), the majority of which are representatives of law enforcement agencies, the military, social services, local authorities, migration services, and medical workers in government clinics. The second largest group is private individuals (419), which includes two large subgroups: unknown attackers (230) and relatives (159). Cases of complaints against the actions of employers (28), colleagues (26), and neighbors (50) have increased.

## CONCLUSIONS AND RECOMMENDATIONS

- 1 The number of documented cases of rights violations has been steadily increasing year after year, and 2023 was no exception. This indicates the development of a network of documenters, the expansion of their access to community representatives, an increase in the level of trust in documenters and in public organizations in general, an increase in the willingness of the community to discuss violations, and very importantly, an increase in the level of their knowledge about their rights. Many documented cases show that community members provide others with information about opportunities to contact documenters, share their story, and receive psychological and/or legal support.
- 2 On the other hand, the increase in the number of cases is not directly proportional to the quality of documentation. In this regard, it is worth noting both the need to increase the level of legal awareness of community members so that they can identify violations of their rights and report them, and to work with documenters to improve their level of professionalism.
- 3 It is important to note the significant increase in people's willingness to stand up for their rights in certain countries where levels of LGBT acceptance are higher. In addition, an important and fairly new trend is related to feedback and information provided in some cases about the restoral of victims' rights and compensation received. Similar to the increase in the level of trust in documenters, this is a factor that will lead to an increase in the desire to openly defend one's rights in the future.
- 4 On the other hand, in countries with the lowest level of acceptance of the LGBT community, and which criminalize same-sex relationships and prohibit so-called propaganda, an increase in the level of willingness to openly defend one's rights often leads to re-victimization by perpetrators, especially law enforcement agencies.
- 5 Unfortunately, an analysis of documented cases shows that in 2023, the same clusters of human rights violations remain relevant as in previous years, such as: violence, abuse of power, and lack of protection from law enforcement agencies, denial of various types of medical care, including the provision of HIV services, disclosure of HIV status and SOGI, physical and sexual violence, threats, blackmail, extortion and violations of the right to work (this list is not exhaustive).
- 6 Violations of the rights of LGBT people by healthcare workers remain prevalent. Such violations range from openly hostile and abusive attitudes to cases of sexual violence (as well as cases of extortion, disclosure of personal data, denial of medical care, including emergency treatment), and are systemic, as they are not limited to the actions of individual medical workers, but reflect the general «policy» of medical institutions in relation to LGBT people. It is necessary to continue informational and educational work with medical workers in order to create tolerant attitudes towards LGBT people, ensure the non-discriminatory provision of services, and to introduce relevant thematic modules into training programs for doctors. It is important to monitor cases of refusals to provide certain services (or the provision of services of inadequate quality), monitor medical institutions for discriminatory treatment of patients based on SOGI and/or HIV status, and to ensure timely responses to such cases. Special attention should be paid to the provision of medical services to trans people, including the development of procedures and protocols for the provision of medical care and subsequent monitoring of their implementation.

- 7 In relation to the access of trans people to medical care, the issues of the low level of knowledge of medical workers, high levels of transphobia, and the inability of many members of the trans community to afford medical care, including hormone therapy, due to poverty, remain relevant. In addition to efforts to increase the level of knowledge of medical workers and build a base of friendly doctors, the provision of financial support for trans people remains crucial, especially in countries with high levels of homo- and transphobia, where the only source of income for trans people is often sex work. In 2023, a significant number of cases of violence against sex workers committed by their clients were recorded, which often go unpunished.
- 8 The issue of violations of the rights of trans people when changing their gender marker in documents and their inability to obtain certain documents (for example, in 2023, complaints were recorded related to refusals to amend educational documents) or services continue to be relevant. Linking identification numbers to an unchangeable gender marker also remains a key issue, and leads to obstacles even after a person changes their passport documents. In such cases, it is necessary, on the one hand, to inform trans people about their rights and what to do in the event of refusals by civil registration authorities, for example, and on the other, to carry out educational work with employees of relevant institutions to minimize such violations. Since the situation related to changing gender markers has remained unchanged since 2022 in many countries, advocacy campaigns to change the regulatory framework remain necessary.
- 9 Emerging trends documented in 2023 include cases of refusals to register applications for asylum from persecution due to sexual orientation, gender identity, or involvement in LGBT activism, as well as cases of outing in the field of education, denial of the right to education, and an increase in the number of cases of domestic violence, related to both victim's SOGI and domestic violence between same-sex partners.
- 10 There is a growing number of cases involving the use of social media groups by radical homo- and transphobia groups and individuals to arrange dates and meetings with LGBT people in order to commit physical violence, blackmail victims, threaten them with disclosure of their personal data, and to extort money from them. Impunity for such cases also remains prevalent. As in 2021, such cases are often planned, with the perpetrators preparing for an attack in advance, and in many cases posing as law enforcement officers, thereby preventing victims from seeking help from the police. There has also been an increase in the number of attacks in the street and in other public places, which are not properly investigated or punished in most countries of the region.
- 11 In 2023, violations of the rights of LGBT people in connection with Russia's war against Ukraine continued, with documented cases of LGBT people leaving Russia to seek asylum to avoid mobilization and persecution in their country. Attempts to violate the right to asylum and refusal to provide protection were recorded in Moldova. It is important to note that most of these cases in Moldova were resolved thanks to the work of NGOs, however, an increase in the number of refugees should be expected, given the significant deterioration of the situation in Russia itself, where, in addition to the fear of mobilization, members of the LGBT community faced increased persecution in 2023 due to the tightening of legislation prohibiting propaganda.
- 12 In Ukraine, cases of transphobia were recorded in military registration and enlistment offices and in the work of military medical commissions. There have also been cases where members of law enforcement agencies and the military on patrol or on duty at checkpoints more closely scrutinize LGBT people. There remains an acute need to carry out sensitization work with employees of military registration and enlistment offices, military personnel, and representatives of the territorial defense in order to develop tolerant attitudes and inform them about the unacceptability of human rights violations, and to respond to and investigate violations. In addition, it is necessary to strengthen outreach work with members of military medical commissions to familiarize them with the algorithm of work and existing legislation related to trans people and people living with HIV.

- 13 Just as in 2022, hate speech is the leading type of violation of the rights of LGBT people. However, questions remain about the limitations of the methodology, since many cases involving hate speech recorded by documenters are cases between individuals, and not cases of public hate speech disseminated in the media and/or on social media (with the exception of Russia). The issue of making changes to the methodology for disaggregating data entered into the database remains relevant, as is separately monitoring hate speech in public discourse in order to assess the situation in countries. Such monitoring would allow for the development of a hypothesis about whether the level of violations of the rights of LGBT people is linked to the level of publicly acceptable homo- and transphobia in society.
- 14 The issue of the low rate of investigation into documented violations, even in cases where victims choose to report violations to law enforcement agencies, remains quite prevalent. It is necessary to continue both regular monitoring of cases and analysis of the legal environment and barriers in order to continue to promote systemic changes, primarily related to ensuring that LGBT people have a real opportunity to exercise their right to protection.



