



TRANS* PEOPLE WORKING GROUP

on HIV and Sexual Health
in Eastern Europe and Central Asia

Statement of ECOM and the Working Group of Trans* People
for the International Transgender Day of Remembrance:

«STOP DISCRIMINATION AND VIOLENCE AGAINST TRANS* PEOPLE!»

20 November, 2019



WORKING GROUP
OF TRANS PEOPLE
on HIV and Sexual Health in EECA



Eurasian Coalition
on Male Health

The Eurasian Coalition on Male Health (ECOM) and the EECA Regional Working Group of Trans People on HIV and Sexual Health (RGТ) express their position in advance of the International Transgender Day of Remembrance.*

The tradition of the International Transgender Day of Remembrance was launched in 1999 by the lawyer and trans woman, Gwendolyn Ann Smith, as a day of remembrance for Rita Hester, an American trans* woman who was murdered the previous year in 1998. The International Transgender Day of Remembrance for transgender people who were killed as a result of transphobic crimes serves as a reminder of existing stereotypes, hatred, and discrimination towards trans* people.*

Transgender people are one of the most stigmatized and discriminated groups in the region of Eastern Europe and Central Asia, which is reflected in serious violations of the human rights and freedoms of trans* people.



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Among key populations in the HIV response, the trans* community is the group that is the least covered by response measures to the HIV epidemic. Trans* people are a target group in HIV prevention projects in only three countries of the region: Ukraine, Kyrgyzstan, and Armenia. Moreover, the actual target group included in such projects is trans* women. Trans* men and non-binary persons are not covered by such projects.

In the majority of countries of Eastern Europe and Central Asia, discrimination based on gender identity and transgender status is not prohibited at the legislative level. In Kazakhstan and Belarus, prohibitions on such discrimination are not provided in legislation. Laws preventing the free flow of information about LGBT issues in force in a number of EECA countries do not allow trans* people to talk openly about themselves, including to report crimes committed against them on the basis of transphobia. In several countries of the region, there are no prescribed regulatory procedures for undergoing transgender transition, or for changing one's legal name and documents.

In countries such as Armenia, Azerbaijan, Tajikistan, and Georgia, there are currently no regulatory procedures regulating transgender transition, and changing one's documents is not possible.

In Kazakhstan, transgender transition can only be started from the age of 21, although full legal capacity in the country begins at the age of 18. Sterilization is a mandatory component of transition, which contradicts the very concept of human rights. Doctors dictate the conditions for transition based on their ideas about gender, which often contradict the self-perception and needs of clients.

In Belarus, even after changing your legal documents, you keep your original tax identification number that contains a marker for your original gender, which means that trans* people are constantly at risk of having their status disclosed to employers and officials. During the transition phase, it is nearly impossible to get an official job, since a person's passport data does not correspond to their appearance. This pushes many trans* people into sex work.

Trans* people in Ukraine cannot adopt children jointly with their partner if they are not in a heterosexual marriage. In addition, people with a psychiatric diagnosis of «transsexualism» are not allowed to adopt children on the basis of an order of from the Ministry of Health.



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In our countries, in addition to institutional discrimination and domestic (everyday) violence, one of the main problems that trans* people face is barriers to access to healthcare. The lack of transgender patient management protocols, lack of access to hormone therapy, psychotherapeutic and sexological care, as well as the invisibility of trans* people living with HIV, even to HIV-service organizations, makes them a vulnerable group in the context of the HIV epidemic and the spread of STIs. The lack of studies, especially regarding risks for trans* men and non-binary people, ensures that transgender people remain invisible in the fields of science and health.

Stigma and discrimination, as well as a lack of programs and courses in medical and educational institutions lead to the provision of low-quality and unprofessional care to trans* people by medical staff and psychologists.

Attitudes in society, formed by an inadequate presentation of trans* issues in the media and by laws limiting the dissemination of information about LGBT issues in the Russian Federation, which negatively affect the perception of trans* people, not only in Russia, but also in a number of other EECA countries, prevents trans* people from exercising the rights to education and to work.

The adverse factors described above have an oppressive effect on trans* people, which often leads to suicidal behavior.

Every year, in all countries of the region, dozens of cases of violence against trans* people are recorded, including murders committed on the basis of transphobia. However, these egregious cases do not qualify as hate crimes, for the reason that transphobia is not included as one of the motivations for hate crimes prescribed in national criminal codes. Many cases are not investigated due to the transphobia of law enforcement bodies, which leads to the social insecurity of transgender people, creates a sense of impunity for crimes motivated by transphobia, and fuels a false sense of righteousness among perpetrators of violence.

The EECA Regional Working Group of Trans* People on HIV and Sexual Health and the Eurasian Coalition on Male Health urge government officials, leaders of civil society organizations, and donor agencies to support the transgender community of the EECA region in the fight for civic equality and to contribute to improving the situation.



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WE APPEAL TO:

1 legislative and governmental bodies in the countries of EECA:

- ◆ to formulate or reformulate antidiscrimination norms in legislation and explicitly prohibit discrimination on the basis of gender identity or transgender status,
- ◆ to consider cases of violence against trans* people as hate crimes (specifically on the basis of transphobia), make any necessary amendments to criminal legislation, and to ensure the investigation of such crimes as hate crimes,
- ◆ to develop protocols for legal transition procedures and support their implementation,
- ◆ to amend legislation that restricts the rights of trans* couples, such as the right to adoption;

2 the media:

- ◆ to report cases of violence against trans* people from a human rights perspective and without using hate speech,
- ◆ to draw attention to the legal and social vulnerability of transgender people;

3 non-governmental organizations and other human rights institutions:

- ◆ to promote the visibility of transgender people,
- ◆ to lobby for antidiscrimination legislation and/or amendments to such legislation to ensure direct protection for transgender people from discrimination,
- ◆ to take into account the needs of trans* people and to include transgender issues in their agenda, human rights monitoring activities, and other program and project activities;



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4 the transgender community:

- ◆ to speak out about their needs and about cases of discrimination,
- ◆ to document cases of discrimination by submitting statements to law enforcement agencies and by bringing them to the attention of monitoring missions of international human rights organizations,
- ◆ to support each other in standing up for their rights, including at the inter-country level,
- ◆ to increase their own visibility through public actions, informational interventions, communication with mass media, as well as by working with allies,
- ◆ to cooperate with human rights organizations on advocating for changes to regulations that limit the rights, freedoms, and social opportunities of trans* people.

