FOR THE RECORD

Documenting violence against trans people
Experiences from Armenia, Georgia, Germany, Moldova, Russia, and Ukraine
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Since 2008, Transgender Europe (TGEU) has been a pioneer in research on trans people’s lived experiences of violence and crime: its Trans Murder Monitoring (TMM) project has documented a total of 2,264 reported killings of trans and gender-diverse people in 68 countries worldwide between 1st of January 2008 and 30th of September 2016.\(^1\)

Anti-trans violence has also become the focus of attention in European and international policy discussions and research in recent years. In 2012, the European Union Fundamental Rights Agency’s (FRA) LGBT survey\(^2\) identified transgender persons as particularly vulnerable to hate crimes and unlikely to report them. One of the survey’s most shocking results is that

\[
\text{35 per cent of the respondents had been attacked or threatened with violence in the five years before the survey was carried out.}
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The results also shed light on the extent to which trans people face bias-motivated discrimination in different areas of life, including employment, education, healthcare, housing and other services. Transgender respondents, as well as lesbian and bisexual women, were more likely than gay and bisexual men to have been discriminated against on the basis of their gender and sexual orientation in the 12 months preceding the survey. Furthermore, almost a third of the responding trans persons felt

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\(^1\) http://transrespect.org/en/tmm-trans-day-remembrance-2016/
that they had been discriminated against in their employment or job search in the 12 months prior to the survey. Every fifth transgender person also reported discrimination in healthcare settings, which rate is twice as high as among those who don’t identify as transgender.

The FRA concludes that the most frequent reasons for not reporting were a belief that “nothing would change”, a lack of knowledge about how or where to report an incident, and fear of homophobic or transphobic reactions from the police.

The Organization for Security and Co-operation in Europe (OSCE) also confirmed that “homophobic hate crimes and incidents often show a high degree of cruelty and brutality. They often involve
severe beatings, torture, mutilation, castration, even sexual assault. They are also very likely to result in death. Transgender people seem to be even more vulnerable within this category.” At the global level, the *Discrimination and violence against individuals based on their sexual orientation and gender identity* (A/HRC/29/23) report issued by the Office of the UN High Commissioner for Human Rights (OHCHR) also acknowledges that gender-based violence against trans people is often particularly brutal, and in some instances characterised by levels of cruelty exceeding that of other hate crimes.

In line with the above policy developments and increasing attention to transphobic violence, TGEU has gradually been placing more emphasis on monitoring and reporting transphobic incidents in the form of discrimination, hate speech, and hate crimes. By working together with LGBT and trans groups and NGOs within the framework of its ProTrans and Eastern European Partnership Project (EEPP), TGEU facilitated the collection of violent cases in contexts where evidence is scarce and anecdotal, in order to improve public policies to prevent and tackle discrimination and violence against trans people.

In the Eastern European Partnership Project (EEPP), trans rights collectives and NGOs joined the group of 5 ProTrans partner organisations that had been working with TGEU since 2014 on violence monitoring and related advocacy, namely from Hungary, Serbia, Kyrgyzstan, Turkey, and Moldova. EEPP partners work in Germany, Georgia, Armenia, Russia, and Ukraine, and additional activities in Moldova have also been added within the EEPP project framework.

During 2016, partners participated in various activities coordinated by TGEU. They monitored discriminatory and violent incidents in their communities, and entered them in TGEU's online monitoring system after receiving training on violence monitoring in Berlin, Germany, in April 2016, contributed to the development of campaign materials together with TGEU on the Transgender Day of Remembrance

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4 See more about the project: http://tgeu.org/pro-trans/
(20th November 2016), and organised events on the occasion to reach out to their communities and various stakeholders.

**VIOLENCE AGAINST TRANS PEOPLE**

Trans people around the world face multiple types of violence: structural, institutional, societal, and direct violence. Structural violence is violence that is inscribed in the very social structures in which trans people live, produced and maintained by ideologies of gender and sexuality and relationships of power that collude to restrain agency. Transphobia can be institutional, reflected in policies, laws, and institutional practices that discriminate against transgender people. It can be societal, which is reflected in rejection and mistreatment of transgender people by others. Finally, it can manifest in interpersonal transphobic incidents and hate crimes specifically targeted at trans people. The present publication demonstrates the ways in which trans people are subject to all these forms of violence in the six countries in which the Eastern European Partnership Project (EEPP) was implemented.
When we think about violence against trans people, we often link violence with murder, rape, psychological threats, emotional abuse, and the direct and intentional use of force. However, structural violence, violence that is part of everyday life and social interactions, does not always appear as such, but is subtly woven into the fabric of the ordinary, resulting in no less negative consequences than interpersonal violence and transphobia. Structural violence is a form of violence resulting from and perpetuated by hierarchical, unjust, and oppressive social systems and arrangements, such as historically rooted social structures and relationships, e.g. conservative gender roles and the logic of the economic system. Structural violence often remains unquestioned and unchallenged because it is so deeply embedded in social arrangements: it goes unnoticed and unrecognised, and it thereby contributes to preserving the modus operandi of our everyday lives.

Institutional violence against trans people is also the result of oppression and hierarchies that are the central organising elements of institutions such as state registrars, psychological clinics and committees, healthcare services, and courtrooms. It manifests in biased and discriminatory treatment of trans people, which is widespread in many institutional settings. As such, it is present in everyday interactions between trans people and school staff, state officials, service providers, healthcare personnel, and legal professionals. Furthermore, oppressive institutional practices can be cemented by harmful and discriminatory public policies and laws that provide a legal basis for oppression and the marginalisation of trans people.

Societal violence manifests in the rejection and mistreatment of trans people by others, including discrimination and hate speech. These incidents may not qualify as crimes under domestic legislation, but they are elements of a transphobic social climate, which is why EEPP partners found it important to monitor them.

Hate crimes are criminal acts motivated by bias or prejudice towards particular groups of people, and they can be based on gender, gender identity, sexual orientation, ethnicity, religion, age, disabilty, among
other characteristics. Hate crimes are often the most visible manifestation of hatred towards the trans community. A hate crime comprises two distinct elements:

» It is an act that constitutes an offence under the criminal law, irrespective of the perpetrator’s motivation; and
» In committing the crime, the perpetrator acts on the basis of prejudice or bias.

Other forms of violence, including structural, institutional, and societal violence, often precede, accompany, or provide the context for hate crimes. Several indicators might suggest that bias was involved when the perpetrator committed the act (e.g. offensive language, the characteristics of the offender, a history of previous hate crimes, etc.).

Several instances of police violence were registered in the participating countries. In the incidents, which involved physical and sexual assault as well as psychological violence at the hands of the police, the majority of the victims were trans women sex workers.
ARMENIA
Ashot Gevorgyan is currently the chair of the MSM Armenia coalition. Ashot was involved in many LGBTIQ organisations, locally, regionally, and internationally since 2006. He had an internship at UNAIDS, worked for the Ombudsman of the Republic of Armenia, and developed and managed several projects funded by various UN agencies, European institutions, and other governmental and intergovernmental agencies. Currently, Ashot is studying Political Science in the Czech Republic.

“The project with TGEU gave us a unique opportunity to mobilise our community around different issues such as hate crime and hate speech monitoring and reporting. We also carried out a specific trans-related informational campaign and now we are working with different stakeholders to improve the lives of trans people in Armenia. This is the only specifically trans-targeted project in Armenia and we are confident that it will bring positive change to our communities.”

MSM Armenia is a coalition of three NGOs and an initiative group: Men With Social Mission, We For Civil Equality, Armenian Gender Institute, and TG Action. Now, due to our continued efforts, we are composed of hundreds of people representing different backgrounds and identities. Our mission is to ensure equality, inclusion and involvement of all members of vulnerable groups, whatever their economic, social, cultural, civic and political views, beliefs and characteristics are, in Armenian
society by providing legal, social, psychological, and healthcare services, by promoting community strategies in dialogue and forging partnerships with civil society and government institutions.

On the European Action Day for Victims of Hate Crime, 22nd of July, MSM Armenia and its trans member organisation, Trans Action Yerevan, hosted a one-day meeting on the issue of violence. The focus of the meeting was the improvement of support to trans people who are exposed to violence. During the conference we spoke about the issues of violence towards trans people, and as one of the solutions for the prevention of violence, we highlighted the organisation of educational activities to raise awareness among trans people about their rights and to educate society on trans issues, specifically on hate crimes, their causes and consequences, and in particular their link to hate speech. Additionally, we discussed how to support victims and how to prevent violence against trans people with community strategies.

As part of the project, MSM Armenia launched an informational campaign for Transgender Day of Remembrance (TDoR) and issued a number of public statements addressing different (non)
governmental local and international stakeholders in Armenia. Several slogans, flyers, and stickers were developed in Armenian and used during the informational campaign. As a result, some of the stakeholders contacted us to discuss trans rights in Armenia in more depth, as well discussing ways in which to collaborate with us. This campaign also aims to advocate for the inclusion of trans issues on the agenda of institutions such as the European Union, United Nations agencies, and diplomatic missions in the country.

Within the framework of this project, informational materials developed by TGEU were translated into Armenian, including stickers, flyers, and video materials. The hate crime monitoring system was also translated into Armenian, making it easier for Armenian community to report cases.

Discrimination against transgender people in Armenia manifests itself in a variety of ways. The general public attitude towards the trans community is extremely hostile. The word ‘homosexual’ (trans people are mostly assumed to be homosexuals in Armenia) is used as an insult and in attacks against political opponents, even among various governmental bodies and within the church. Trans people are hiding because the general attitude states that they are ill and were born sick. Trans people are also often seen as committing sinful or “abnormal” behaviour, a problem for society, often linked together with child abuse and commercial sex. Armenian society still thinks homosexuals and trans people are the main vectors of HIV/AIDS and STIs.

Armenia does not have legislation regarding hate crimes or hate speech. There is no official mechanism for legal gender recognition, and gender identity, gender expression, and sexual orientation are not covered by any laws. The option of going to court or reporting to the police, even to human rights organisations or the ombudsman’s office, involves having to deal with personally sensitive aspects of one’s life and involves the risk of public exposure or another attack. As a result, hate crimes and hate-motivated incidents often go unrecorded. The victims usually refuse to report the attack as they do not believe that they would receive any help from the police or any
other institution. This fear is well-founded, as police investigations into homophobic or transphobic attacks are mostly ineffective. Trans people are frequently attacked in their homes or on the streets, any kind of public event is inadequately protected by the police, and posters with death threats to LGBT persons are often displayed on the street without consequence.

Armenia also does not have specific legislation for gender recognition. The lack of legal procedure makes it difficult for the trans community to change their documents and legal names. According to reports, there has only been one case so far, a MtF person who changed their name on their identity documents in 2016. As there are no trans-specific regulations and legislation, the Ministry of Justice requires different documents, which varies from case to case. The required documents usually include a psychiatric diagnosis and a medical certificate proving that the person has undergone gender reassignment surgery. When it comes to MtF people, they can face additional requirements such as medical certificates provided by the Ministry of Defence based on the military entrance healthcare check. Generally, trans people cannot afford medical examinations, therapy and legal gender recognition, because there are no trans-inclusive medical professionals in the country, and the economic situation of the community itself is quite poor. Further, the lack of legislation makes the process of changing documents stressful and extremely bureaucratic.

There is no data regarding the discrimination of trans persons within the labour market or in the education system in the country. NGO reports, however, confirm that there are very limited options for trans people in the labour market because of the discriminatory approaches in the education system and the public attitude in general. Many trans people, therefore, live in isolation or work as sex workers, as there are few other options available. According to the law on Labour and Employment, “any factors not related to the work cannot be used for discrimination of an employee” and “all social services are provided to all Armenian citizens on an equal basis”. However, the legal basis is insufficient to ensure the protection of the rights of LGBT persons in the field of employment, social care, and insurance.
“Neither my parents nor my sister, nor my friends - not a single person from my past life has agreed to accept me for who I am. I accepted myself only 4 years ago when I was 24. I moved to Yerevan from Sisian (city in the south of Armenia) to find some freedom here. But no one had a willingness to employ a ‘man with feminine behaviour’. I started to provide sexual services, I was sleeping on the streets then. 2 months later I finally rented an apartment in Yerevan to provide my services there. My first property owner found out that I am a trans person and kicked me out. I started hormone therapy without any doctor, because there is no professional here, I read some forums and based on that I started it. Now I have male marked everywhere in my documents, which means problems everywhere with my feminine appearance. I am collecting money for my gender reassignment surgery, but can’t do that, the easiest way for me is to do that in Moldova. I live here in Yerevan for 4 years now, I was beaten by my clients 4 times, and couldn’t visit a doctor or report to the police because it is stressful. They will laugh at me, call my parents and my father will kill me. This is not a place where a trans person can live.”
An unidentified group of young people attacked 3 trans women in the centre of Yerevan in August 2016 by assaulting them physically and psychologically. The victims didn’t file a report on the attack with the police because of the lack of trust in officials. The victims told us that they were attacked because they were “identified as homosexuals”. They have been told “gays don’t have a place in this holy country and should be burned in the middle of the day in the centre of the Republic Square”. They went to the hospital on the same day with the support of MSM Armenia and Trans Yerevan initiative to make sure the incident was documented.

2 trans sex workers in August, 4 in September, 5 in October, and 7 in November 2016 were attacked and beaten in one of the cruising parks in Yerevan. Unfortunately, this is a common issue in cruising areas and it happens every month, especially in the evenings. As much as we speak up about it, the number of incidents still increase. All of these incidents happened because of (potential) clients who were transphobic (although society in general identifies trans people as homosexuals). Usually, they get angry when they are refused services by a sex worker. The victims didn’t want to report the incidents to the police because of a lack of trust, and due to the fact that they would have to tell the authorities that they are a sex workers, which would result in a fine.

Between September and December 2016, 32 trans people (25 trans women, 22 of whom were sex workers, plus 7 trans men) reported threats that they received on dating apps and websites such as Grindr, Hornet, Mamba, Odnoklasniki, and Badoo.
Natia Gvianishvili is a lesbian feminist activist and researcher from Georgia. She represents Women’s Initiatives Supporting Group (WISG), a feminist organisation working on LGBT issues with a special focus on lesbians, bisexual women, and transgender persons. She is one of the founders of the Independent Group of Feminists. In 2012 she received a Master’s degree in Gender Studies. She worked on WISG’s LGBT Discrimination Study (2012), where she authored the chapter on the situation of transgender people, and in 2014 she prepared a separate qualitative study on the Situation of Transgender Persons in Georgia.

“This project has been one of our first close partnerships with Transgender Europe. It allowed us to participate in the 6th European Transgender Council, in several events with trans rights activists from all over Europe and Central-Asia, and we were also able to introduce a system of monitoring of transphobic incidents in our country. This cooperation has been extremely important because we are able to highlight transgender issues more in our work and find ways of empowering the transgender community living in Georgia.”

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5 Available at: http://women.ge/en/2012/12/28/lgbtdiscriminationsurvey/
6 Available at: http://women.ge/en/2015/02/25/transgenderstudy/
Women’s Initiatives Supporting Group (WISG) is a feminist organisation working on LGBT issues in Georgia. The primary aim of the organisation is to empower lesbians, bisexual women and transgender persons. Along with being a grassroots organisation, WISG is also a major expert when it comes to advocating for the improvement of the legal situation of LGBT people in Georgia. Since 2014, WISG has been actively working on the issue of legal gender recognition and access to transition procedures for transgender persons.

Georgian legislation is not explicitly repressive towards transgender persons, however, many issues relevant to the group are not regulated by law. While changing one’s name is very easy, legal gender recognition is only possible after “full gender reassignment surgery”, even if it is not directly required in any Georgian law and even though no law, decree or standing order defines what “full gender reassignment surgery” is.

Despite the lobbying attempts since 2014, the Ministry of Justice remains reluctant to change the existing practice of legal gender recognition for transgender persons. A round table meeting dedicated to legal gender recognition was held in cooperation with the Georgian Human Rights Secretariat and the Council of Europe’s Sexual Orientation and Gender Identity Unit on the 29th of November 2016. Representatives of Transgender Europe, the European region of the International Lesbian, Gay, Bisexual, Trans, and Intersex Association (ILGA-Europe), WISG, the Human Rights Education and Monitoring Centre (EMC), members of transgender community as well as representatives of Ministry of Justice and the Ministry of Labour, Health and Social Affairs of Georgia took part in the event. While no concrete plans of working on a solution to the issue were agreed at the meeting, we believe that the discussion that took place is a step forward towards better cooperation between the authorities responsible and the organisations working on the rights of transgender persons.

Transition procedures for transgender persons are also an enormous grey area, where it is left for doctors to decide what tests they will require to “diagnose” a trans person and the way in which they
will proceed with transition. There are no protocols recognised by the Ministry of Labour, Health and Social Affairs that allows doctors to plan and prescribe treatments for patients willing to undergo transition. It is also important to note that none of the services available (obtaining diagnosis, psychological counselling, gender reassignment surgery) are covered by any insurance – public or private.

The fact that transgender people are left out of the major legal frameworks in Georgia, being at the same time highly vulnerable to discrimination due to intolerance in society and visibility of trans identities, transgender persons in Georgia often have limited access to food and services provided by the state.

Many transgender persons face unemployment, only seeking jobs that do not require documents, making themselves vulnerable towards labor discrimination in terms of stability, income, and working conditions. Some of the transgender women in the community are engaged in commercial sex work, which, in turn, makes them more vulnerable towards violence both from their clients and the police. Sex work is an administrative offense under Georgian legislation, which is why police officers, from time to time, raid the cruising areas for sex workers. Most of the discriminatory treatment that occurs during these raids goes unreported.

Many transgender persons avoid seeking medical help (mental health related as well) and intentionally delay medical help, or self-medicate. They have little access to proper housing, which has already led to one fatality. In February 2016, transgender woman B. Sh. passed away in her room in Tbilisi as a result of a gas leak (according to the official version of the Ministry of Internal Affairs).

As research into the situation of transgender persons in 2012\textsuperscript{7} and in 2014\textsuperscript{8} showed, the majority of trans people systematically become victims of psychological violence. The perpetrators of violence may be strangers, as well as family members and friends. The pressure that transgender people face from society is ongoing and becomes particularly severe if trans individuals cannot afford (or do not wish) to conform to one of the two gender roles prescribed by our culture. There are frequent cases in
which, in order to avoid violence and discrimination in social settings such as in work or school, transgender people are forced to adapt the gender expression and role expected by society based on one’s sex assigned at birth.

Negative stereotypes and attitudes towards transgender persons (especially trans women) are widespread in Georgia, particularly thanks to the media coverage of transgender issues. Most of the popular talk shows prey on transgender women, making a scandal out of their appearance on TV. There are also cases of misgendering victims or survivors of transphobic violence as well as reinforcing stigma through discriminatory language or stereotypical emphases in the articles and reports. In such cases, WISG, together with partner organisations, regularly addresses the Journalist Ethics Charter. Although the regulations of the Charter are not legally binding, the rulings set a precedent for trans-sensitive media coverage.

Transgender persons are guaranteed protection from discrimination by the Law on Elimination of All Forms of Discrimination of Georgia, which explicitly mentions gender identity. However, the implementation of this law, two years after its adoption, still remains problematic. There are several factors contributing to this. Not only is the implementation mechanism inefficient (either going directly to court or submitting a complaint to the Ombudsman’s office whose recommendations are not binding), but there is a very low awareness of what constitutes discrimination among the community and also within law enforcement agencies. One of the biggest difficulties is finding and providing sufficient evidence of the bias involved in the incidents.

We have little information about cases of discrimination against transgender persons. Most of them are not reported to the police, the Public Defender’s Office, or human rights organisations.

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8 Available at: http://women.ge/data/docs/publications/WISG_Transgender_survey_2015.pdf
This is also due to the fact that transgender persons avoid seeking medical help, choose to present as cisgender men or women during the necessary visits, and some of them avoid starting transition or changing their name in their documents. Transgender men who are undergoing hormone therapy without medical supervision (due to financial constraints, but also for fear of discrimination) are, on the other hand, changing their name in their documents, saying that sometimes operators in different fields, such as banks, customs, etc., simply ignore their gender marker.

The cases of discrimination known to us are perpetrated mostly by private individuals and companies. We currently have one case of discrimination (two transgender women denied service by a cab driver due to their gender identity) submitted to the Public Defender’s Office.

Prevention of, as well as adequate reaction to, hate crimes still remains a problem in Georgia. Violence against transgender persons (especially trans women) is widespread. Throughout 2016, WISG documented around 20 cases of attacks on transgender persons. The severity ranged from physical assault to attempted murder.

WISG’s observation is that, in 2016, attacks on transgender sex workers, as well as their illegal detention, became more prevalent. It has been observed that the police are not responding to hate crimes perpetrated against trans women sex workers. During such incidents, both perpetrators and victims are detained and charged with petty hooliganism. In court, however, the charges against transgender women are dropped because the prosecutors cannot provide proof of the charges. One such case made it to the report of the Public Defender of Georgia (N7216/16)\(^9\). According to the Ombudsman’s report, a trans woman called the police to report a violent attack on several transgender women in a cruising area, however, the police did not take this call seriously and used transphobic slurs against the survivors of the attack. This case

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was reported to the General Inspector, however, the latter did not confirm that this was inappropriate behaviour on the part of the police officers in question.

Some of the most alarming cases that not only point to the violence against transgender persons, but also to circumstances that make them particularly vulnerable to such violence, occurred between 2014-2016.

» A transgender woman, Sabi Beriani, was murdered in her apartment in Tbilisi on the 10th of November 2014. The perpetrator was sentenced to 4 years of imprisonment for setting the apartment on fire as he was leaving. Due to the fact that there were no eye witnesses in this case and the perpetrator also had some injuries (allegedly resulting from the fight with the victim), the judge ruled that he killed Sabi Beriani in self-defense. The Court of Appeal unfortunately agreed with this ruling and now the prosecutor has submitted the case to the Supreme Court.

» On the 14th of October 2016 another transgender woman, Zizi Shekeladze, was brutally attacked in a cruising area in Tbilisi. After one month in a coma, she passed away in November 2016. We know little about how the investigation will proceed. It gives us hope, however, that the perpetrator was found by the police. He was denied bail and remains in police custody.

» On the 25th November 2016, a transgender sex worker was attacked and sustained injuries to her face (namely, her nose was broken) by two strangers in a cruising area. On the night of 27th November, allegedly the same men attacked five other transgender women, also in the same area. The perpetrators haven’t been identified by the police yet. This rising number of attacks, however, is alarming. Despite our active involvement and numerous letters addressing the Ministry of Internal Affairs (MIA), we are still struggling to convince the authorities to take this issue seriously.
Emy Fem is a sex-positive sex worker, workshop leader, performer, consultant, and international activist. She is engaged on multiple levels with themes of the body and sexuality. As a queer sex worker, escort, domme, and actress in feminist porn, she has numerous personal connections to the theme of sex work. http://emyfem.net

Kay Garnellen is a writer, performer/actor, trans-rights activist, and sex worker who loves making porn. Kay is poly-collaborative and loves working with other artists for their inspiration, motivation, and to develop new skills. Currently living in Berlin, Kay enjoys the creative life and all the possibilities and fun that the city still offers. http://kaygarnellen.tumblr.com/

“The cooperation with TGEU, through the EEPP project, supported us in organising an event around Transgender Day of Remembrance (TDoR) in the area of Berlin where most trans street sex workers work in order to make it accessible for those most affected by the violence for which we remember this day, and, furthermore, to raise more awareness of violence against trans sex workers, especially those working on the streets. This cooperation allowed us to get support in our work and it had a wider political impact.”
Trans*sexworks is a peer project for and by trans sex workers. The rationale of the project is that trans sex workers are often excluded from advice and support structures because there are no suitable services provided. At the same time, there are needs specific to trans people in sex work that are not sufficiently covered. We – as Trans*sexworks – focus on finding out what is required in order to improve our working conditions and quality of life. We include all sex workers in our activism, whether they are working indoors or street-based, with or without the internet, independent or not, trans women, trans men or non-binary persons.

Within the framework of the project, we monitored incidents of violence and discrimination against trans sex workers. On TDoR, we organised an event in the quarter where most of the trans street sex workers are located. The event was focused both on opening up a supportive space in order to think about those who died, also focused on supporting one another and connecting trans people from different communities. We had a public commemoration event on the street. In Germany, trans communities often are not very inclusive of or to trans street sex workers, as events never take place in their environment,
and often are held during their working hours or do not connect with the needs of trans street sex workers. We were able to use the space of a Turkish community project for the first part of the event. A person from the community prepared food and hot drinks so people could enjoy a warm meal together. As the event took place just before the regular working hours of a lot of trans street workers, people could join in before starting work. People used the space to talk, to spend time together, and to connect.

After the food, Emy Fem and a few other people spoke about TDoR and we all went outside, equipped with red umbrellas and candles, in a silent walk. We gathered around a fountain on the street where people used the opportunity to share their feelings and stories about the day and commemorated all those were murdered in the past year. Later, candles were left at the fountain to leave a sign for all those trans people that were affected by trans discriminatory violence this past year, as well as for all the trans sex workers in solidarity with their everyday experience of structural and individual violence.
For the EEPP project, we decided to concentrate on the experiences of trans sex workers, as these experiences are often not taken into account by mainstream society or in trans communities. Germany is perceived as a country where the situation for trans people is, compared to a lot of other countries, quite good. Germany does have a legal gender recognition procedure, trans-specific health care is available for trans people who have access to health insurance and, even though in Germany trans people face discrimination and violence (e.g. at work, in education, in the medical system but mostly in state-run institutions such as at the immigration office, the Jobcenter or in court), a lot of trans people do not have to fear life-threatening violence on a daily basis. Many are able to live a decent life, especially those who have access to privilege structures of mainstream society such as the labour market, the housing market, health insurance, and community support.

However, the situation of trans people varies widely, depending on their intersectional position in society. Due to racist structures and everyday racism, trans people of colour and black trans people, for example, face not just trans discriminatory violence but also its intersection with racism, which increases the risk of being confronted with discrimination and violence. Trans sex workers face the intersection of trans discrimination, whore* stigmatisation and violence, as well as discrimination and violence based on their legal status, their race, and/or because they are migrants and lack class privilege. Connected to all of this, lack of education often prevents them from understanding/entering state welfare systems.

We are trans and we are sex workers. Even though we all work in Germany, we come from different countries. Most of us have a migrant background and many of us have difficulties regarding our legal status. Therefore, a lot of us do not have access to health insurance and social welfare. Multiple stigmatisation has a big impact on our lives. For a lot of us, it is hard to get a job outside of sex work, to get health insurance and to find a safe living place, due to being trans, lacking fluency in German, having no support from family and friends in our countries of origin and having (almost) no access to German bureaucratic structures. The option of getting a job in another sector is often complicated by our inability to prove our work experience, as it is not possible to talk about having done sex work previously. We do not call ourselves victims and we
do not want to support the image that we are forced to work in the sex business because sex work is also an option that allows us to earn money. However, when you try to earn money with sex work all night long and you do not understand the complicated welfare system, you are more likely to give up. Often it does not seem possible to enter the system of social benefits and the job market.

Another serious problem is the fact that homeless shelters are often not accessible for trans street sex workers, as their opening hours conflict with their working hours and people have trans discriminatory experiences connected with these places. Homeless shelters in Germany usually separate people based on their legal name and gender, and not their self-identification and chosen names. When we are placed with non-queer cisgender men in homeless shelters, we have to face a wide range of trans discrimination and thus are unable to take care of our basic needs. Additionally, the option to live in queer projects or shared flats is nearly impossible for non-queer trans sex workers. Therefore, many trans sex workers live in very difficult conditions or end up in very dependent relationships with a person who often expects sexual services in exchange for being able to share their space. Trans street sex workers also often need access to hormones and surgeries, however, this access is extremely difficult for them. Without health insurance and no legally recognised gender, people do not have access to prescriptions for hormones and therefore, for example, use contraception pills and self-made injections. These practices are often unsupervised, without blood tests being carried out. Regarding surgery, it is quite likely that trans sex workers will undergo surgery without any follow-up check-up due to lack of money for safe surgeries.

Another serious problem for trans sex workers from lower social classes, resulting from the demands of many German clients for unprotected sex is that these unsafe practices make prevention of HIV and STIs almost impossible.

When we are visible in public we get attacked in Germany on a regular basis. People on the street yell at us, call us “son of a whore”, “faggot”, or a “fucked up tranny”. They throw bottles at us and
attack us physically. They spit in our faces and try to have sex with us without payment (sometimes they manage this and even take off with our money). This is not the reality for every trans sex worker, but is more common for those working on the street, often without legal status, registration, health insurance, or even a safe place to sleep. This is an everyday reality that is not paid enough attention to in Germany when talking about violence against trans people. A lot of the cases are not reported to the police as we often have negative experiences with them, especially as police is not a safe institution for various reasons for trans sex workers: being a migrant; if you do not have papers; if you do not speak the language. Also the trust in NGO-based support structures is, for many of us, very difficult as there is a lack of education among cisgender social workers, often resulting in negative experiences in our countries of origin within social work structures, which does not help to build up a trusting relationship.

During the project, while talking with the trans street sex workers, several stories about violence were told. Violence is an everyday reality on the street. People told us about their experiences, but mostly we talked about the structure of violence and discrimination against them. This atmosphere of abusive and violent clients, trans discrimination, and a racist police force that simply does not react to reports of violence or cannot be called due to the sex workers’ lack of legal status, in addition to the whole structural intersectional discrimination, makes it nearly impossible for many of the trans street sex workers to get access to health insurance, social welfare, or a safe living place. These experiences were present in most of the stories we heard from trans sex workers. However, the workers from the street did not approach us to tell their stories. Instead, we approached them as there is no real existing structure for supporting trans sex workers, where people can meet and share their experiences. All trans-related community places existing in the city of Berlin are not used by trans street sex workers and even less by queer trans sex workers.

“I have worked on the street as a trans sex worker for 10 years and experienced transphobic violence several times. One time, a young boy asked me for a sexual service for free. For sure I told him I would not do it. At this time, 7 guys passed by who then waited for me at the end of the street. They beat me up
brutally and I had trouble with one of my eyes the next day because of it. It happened around 1am on the street where street-based sex workers gather. After the guys disappeared, I called the police. It took them 45 minutes to pass by and they weren’t helpful at all.”

“I made a deal with a client about a sexual service. We went in to the local park and we had sex. After he came, he stole my money and my handbag. I called the police and gave them all the information that they were interested in, but in the end nothing happened and they did not give shit.”

“I met a guy and we made our deal to have sex in the park. For whatever reason, we decided that he would pay me afterward. I gave the sexual service he asked for. When he refused to pay, another trans sex worker passed by to support me. In the end, the guy was too strong and disappeared without paying.”

“I am having stressful situations with people on the street where I work every day. The guys yell at us and throw bottles at me and my sex working colleagues. Words like “son of a whore”, “faggot”, and “tranny” are normal to hear at work. The guys want to fuck me without condom and they ask for blowjobs for 5€. It’s my daily life.”

“I was in the park and gave a blowjob. He paid me 30€ and everything seemed to be alright. Unfortunately, he didn’t come but it wasn’t my fault, I did exactly what he asked for. Because of it, he started choking me then he stole my mobile phone and ran away. I called the police and told them the story but they didn’t even show up.”

“I was on my way home after work in a hotel. It was around 8pm and I was dressed in my work clothes. Two guys started yelling “tranny” behind me and began to behave aggressively towards me. They asked me to piss off immediately and threw a heavy bottle at my head and disappeared. None of the people around me reacted.”
Artiom Zavadovschi is the LGBT Community Development Programme Coordinator at the GENDERDOC-M Information Centre. Working locally and regionally, they reaches out to both the LGBT communities and the general public to empower and engage the former in the common fight for equality and to raise awareness of LGBT issues, and decrease the high level homophobia and transphobia, among the latter. Their portfolio in GENDERDOC-M encompasses community organising and development as well as reaching out to the transgender communities.

Sasha Sugac is the Trans and Gender Non-Conforming Peer Support Group Coordinator within the “ProTrans: Protecting Transgender People from Violence in Eastern Europe” project implemented by GENDERDOC-M Information Centre in 2016 – 2018. He reaches out to trans and gender non-conforming people, facilitates peer support group meetings, and raises public awareness about transgender and intersectionality issues.

“Within this project, GENDERDOC-M has managed to draw more public attention to the problems faced by trans people and took important steps to convene the trans community. We organised support group meetings, a public art exhibition, a film screening and an event on the Transgender Day of Remembrance (TDOR).”
The EEPP project in Moldova was implemented by the GENDERDOC-M Information Centre, the country’s only LGBT community-based and advocacy organisation. The main focus of this organisation’s activity is raising awareness and increasing visibility of LGBT issues, as well as community organisation and provision of services. This project has contributed to GENDERDOC-M’s ongoing efforts in these fields. In 2016, GENDERDOC-M facilitated six meetings for the Trans and Gender Non-Conforming Peer Support Group members, organised a public art exhibition, and screened a film on Transgender Day of Visibility.

Within this project, the organisation has managed to draw public attention to the problems faced by trans people (including gender non-conforming people) not only in Moldova but all over the world. Our activities took place around Transgender Day of Remembrance (TDoR). They included the online and physical distribution of information materials related to TDoR as well as the public screening of Tangerine (2015), a fiction film on black trans sex workers in the USA, thus introducing the local audience to the issue of intersectionality. Prior to the screening, two GENDERDOC-M activists read the entire list of trans and gender non-conforming people who were murdered around the world during the past year. Members of the Trans and Gender Non-Conforming Peer Support Group produced a short video drawing public attention to the violence committed against trans people, which was also screened at the beginning of the event.

Film screening poster

Moldova still lacks any legal gender recognition process to regulate or facilitate the changing of identification documents (including birth certificates) for trans individuals issued by the state. The lack of documentation corresponding to one’s de facto physical appearance and identity constitutes a real obstacle for employment, border crossing, voting, opening a bank account, and in other areas where presentation of documents is requirement. The Law on Civil Status Documents contains a single provision (Article 66 “Request of modification, correction or completion of a civil status document”), which implicitly refers to transgender individuals and their right to have their preferred gender (male or female only) legally recognised.

Trans people who seek legal gender recognition are forced to undergo psychiatric examination, carried out by a specialised commissioned within the Ministry of Health, which issues a medical certificate allowing them to apply for the name and gender marker change (female or male only) at the State Registry Office. However, due to this legal impasse, they are denied the right to have their birth certificates changed and thus have to go to court. Thanks to an established practice, facilitated by GENDERDOC-M’s free legal aid service, seven individuals have managed to have their gender identity recognised with documentation since 2012.

In April 2016, seven members of the Moldovan Parliament of the Socialist Party registered a draft law on amending and completing the Code of Administrative Offences and the Law on the Rights of a Child with articles prohibiting so-called ‘propaganda of homosexual relations among minors’. The anti-gay propaganda bill seeks to complete Article 88 of the Code of Administrative Offences titled “Bringing a minor to a state of intoxication produced by alcohol or other substances” with Article 881 “Propaganda of homosexual relations among minors” as follows: “Propaganda of homosexual relations among minors with means of assemblies, mass media, Internet, booklets, brochures, images, audio-video spots, films and/or audio-video recordings, via audio recordings, amplifiers or other means of sound amplification is sanctioned with a fine from 200 to 300 conventional units (EUR 181- 272) applied to individuals, [and] a fine from 300 to 500 conventional units (EUR 272-
454) applied to legal entities”. It also suggests that the police are the principal law-enforcement body expected to apply this law in practice. Also, the bill seeks to amend Article 21 of the Law on the Rights of a Child titled “Protection of family by the state” with paragraph (3) as follows: “The state ensures protection of a child from the propaganda of homosexuality for any purpose and under any form”. If adopted, this law may be arbitrarily applied against anybody who distributes information about gender identity and gender expression due to the complete lack of understanding of the differences between gender identity and sexual orientation. The primary target of this law would be mass media, LGBT organisations and LGBT initiative groups.

Transphobic crimes are not recognised by the police, prosecutors or by the judiciary. Current Moldovan Criminal Code does not consider gender identity and/or gender expression as aggravating circumstances for a crime committed against trans and gender non-conforming people based on prejudice. Moreover, when transphobic crimes are reported to the police and/or prosecutor’s office, these law-enforcement authorities refuse to investigate them accordingly, justifying their inaction with the lack of criminal intent despite sufficient evidence. Thus, Moldovan state lacks and still refuses to provide effective legal remedies to survivors of transphobic hate crimes and to prosecute perpetrators of such offences.

However, 2016 saw a considerable change. The Moldovan government, following the proposal by the Ministry of Justice, tabled a draft law on introducing amendments to the Criminal Code and Code of Administrative Offences to the Parliament. The draft law, backed by the Office for Democratic Institutions and Human Rights of the Organization for Security and Co-operation in Europe (ODIHR/OSCE), aims to provide the definition of bias-motivated crimes and offences that are inclusive of sexual orientation, gender identity, and gender expression. Currently, the bill is being examined by parliamentary committees.

At the same time, it should be noted that there are at least three ways that the mass media portrays trans people in Moldova. Some mass media outlets present trans people sensationaly, i.e. as a subject of
exoticism\textsuperscript{10}; some simply reflect international facts related to trans people, such as the lifting of the ban on military service for trans individuals in the US army\textsuperscript{11}. Other mass media outlets, which focus on the production of quality journalism and respect journalistic integrity, produce their own content reflecting the issues faced by trans people in Moldova. Despite the positive attitudes towards trans issues and the good journalistic intentions, the last category of mass media still tends to present trans people within the frame of the “born in the wrong body” concept.

» How does your family react to the fact that you are trans?
» It’s a difficult case. My mother found out about it from social media when she read my story. She doesn’t understand it. My father believes that everything will change with age. I haven’t come out to my older brothers yet, but recently I’ve overheard their conversation and learned, with horror, that they treat people, who I identify myself with, with hostility.

E., 18-year-old trans man. Quote from the interview taken from the article Not Your Body. What It Takes to Be Transgender in Moldova published on NewsMaker.md, 20 May 2016.\textsuperscript{12}

GENDERDOC-M carries out annual monitoring and documentation of the violation of LGBT people’s rights and publishes annual reports on the overall situation of the observance of LGBT rights. In 2016, the organisation documented 25 cases of discrimination and discriminatory incidents based on sexual orientation and 3 cases of discrimination and discriminatory incidents based on gender identity.

\textsuperscript{10} http://www.allfun.md/article/9408
\textsuperscript{11} http://www.jurnal.md/ro/international/2016/7/1/armata-americana isi-deschide-portile-si-pentru-persoanele-transgen/
\textsuperscript{12} http://newsmaker.md/rus/novosti/ne-tvoe-telo-kak-transgenderam-zhivetsya-v-moldove-25207
» In March 2016, the organisation was made aware of a case that happened in October 2015. J., a 17 year-old trans woman who had previously dropped out of school to avoid further bullying, became a target of online transphobic bullying. Her former school teacher had come across her pictures in the VK.com social network where J. was wearing makeup. This teacher initiated an online group discussion of a transphobic nature with several of her students, J.’s former classmates where she discussed J.’s looks. One of the students, who was part of the discussion, felt uncomfortable with the discussion and sent J. screenshots of the conversation. J.’s parent decided to submit an official complaint to the school’s administration in March 2016. It is unknown whether the case has been resolved.

» In October, S., a 28-year-old trans man, had an online conversation with a hairdresser who intentionally kept misgendering him even though she was aware of his gender identity. When he told her he was upset by her actions, she said it was “unmanly” to complain and that he should have played the “unfeminine” role till the end. Otherwise, he was “passing” as a woman, including his situation of being unemployed.

» In November 2016, a cisgender GENDERDOC-M volunteer telephoned a shop in Chișinău, which was seeking a female-only shop assistant. Intending to find out how trans-inclusive the employment policies of this shop would be, he stated that he was a trans woman. The employer asked if he was a representative of a “sexual minority”. Insisting that their shop was “normal and traditional”, the employer added that the individual (in their perceived role as a trans woman) had made a mistake in looking for a job with them because she would look “a bit absurd” in their shop.

Also in 2016, GENDERDOC-M registered 7 homophobic hate crimes, 10 homophobic incidents, and 3 transphobic hate crime incidents.

» The 17-year-old trans woman, J., was subjected to two attacks based on her gender identity and expression on a street near her home. Both times she managed to escape from her perpetrators. Both times, complaints were submitted to police with no result. On another
occasion she was sexually assaulted by a male neighbour. In order to avoid his abusive
behaviour, she came out to him as trans. She then learned from other neighbours that the
man had promised to “take revenge on her”. Due to the possible repetition of attacks, she
had to change residence.

» In October 2016, during the Coming Out Day celebration party, A., a 29-year-old event
organiser and drag performer, was subjected to a transphobic verbal assault, which almost
turned into a physical attack, by a group of aggressive male visitors outside a night club
in Chişinău. When they were smoking alone outside, the group of five male visitors were
leaving the venue. The most aggressive one pushed A. into the wall with the entrance door.
After A. told the assailant to be more careful, he started to insult them and wanted to
physically attack them. Thanks to the intervention of another club visitor and club security,
a physical attack was prevented.
Siberia, Russia
SOCIAL PROJECT LAVERNA
https://www.facebook.com/lavernaproject

**Anastasia Megid** is a feminist, trans-ally, international trainer on human rights, and translator. Anastasia is one of the founders of the first trans-feminist project in Russia – project LAVERNA. She develops and coordinates trainings on human rights, gender equality, inclusivity, and LGBTQI rights in Europe and Asia. Anastasia is a graduate of international programmes on peacebuilding, social entrepreneurship, business development, and international development. She holds an MA in European Studies.

**Soldado Kowalisidi** is a trans and intersex activist, trainer on human rights, sexual orientation and gender identity, researcher, and interpreter. Soldado has an MA degree in International Relations from Omsk State University (Omsk, Russia) and Ludwig-Maximilians-University (Munich, Germany). Until March 2015, Soldado lived in Siberia where he started the trans-feminist project LAVERNA for trans and queer people. Soldado is currently working as a consultant on community development for Amnesty International Ukraine.

“Cooperation with TGEU by being part of the EEPP project provided us with a valuable opportunity to strengthen the dialogue on the issues faced by trans people in Russia, to provide information on the violence faced by trans communities in the Siberian region, to build cooperation within communities on our local level, as well as to become part of the international effort to end violence against trans people.”
One of the most valuable and beneficial aspects of our work through the EEPP project was cooperating by organising events for the Transgender Day of Remembrance (TDoR) and with campaigning and publication of materials. LAVERNA is a volunteer run trans-feminist initiative that focuses strongly on empowering trans and queer communities, developing leadership potential, creating support networks and enabling access to socio-economic stability. As an initiative working with some of the most vulnerable communities in one of the most remote regions of the country, cooperation with TGEU through the EEPP project allowed us to access resources that otherwise would be inaccessible for us. Having a chance to publish and share informational and campaigning materials and organise the event for the communities has helped us to reach out to new beneficiaries and to create new allies in the human rights arena.

Apart from monitoring cases of violence and discrimination against trans people, our project has organised events for TDoR to raise awareness about violence faced by trans communities all over the world. On the 21st of November 2016, volunteers of the project and members of the community gathered to send messages of support and solidarity to trans communities, and to put the message “Stop Transphobia” in central parts of the city.

On the 27th of November, in cooperation with a local feminist initiative and a local LGBT centre, LAVERNA organised an event to open up dialogue about the issues faced by trans people in the region and to present the project “My Story”. The event included a workshop and discussion on gender-based violence, a presentation of the recent research of LAVERNA on violence against trans people in Siberia and the current situation of trans communities in the Siberian region. It also showcased the presentation of the photo-project “My Story” created by LAVERNA for TDoR. “My story” is a collection of stories from trans individuals and their friends and families from all over Siberia. Through their open letters the participants talk about their journey towards understanding their gender identity, accepting who they are and the struggles they have faced. As of today, 20 individuals from 3 regions aged between 18-50 have taken part in the project.
In Russia, transgender individuals face daily discrimination and structural violence from government institutions and society. The stigma around being transgender is spread and supported through the violent institutional practises, legislation, as well as through social beliefs and daily cases of violence, discrimination, and hate speech.

In 2013, Russia adopted the law on “propaganda of homosexualism among minors” which also covers “propaganda of transgenderism”. The law uses the term “propaganda” which is vague enough to create space for individual interpretation of what actions fall under LGBT “propaganda”, thus leaving it up to individual courts taking up particular cases. Under the framework of the law, any work related to informing minors about the issues of sexual orientation and gender identity might be considered propaganda. As a result, this law limits the access of teenagers to reliable information about issues related to gender identity and limits how LGBTQI human rights NGOs and individual transgender activists can tackle the violence and discrimination faced by transgender teenagers. It also increases the stigma of LGBTQI communities and informally encourages discrimination and violence against them. For example, homophobic and transphobic groups such as “Occupy Paedophilia” have been actively framing their violent attack against LGBT community as acts of fighting paedophilia and saving children.

In Russia there is no quick, transparent, and accessible procedure of legal gender recognition. Because of that, the process of changing legal documents can take several years, forcing transgender individuals to use old legal documents even when they do not match their gender expression. Having a legal document where the gender marker does not correspond with gender expression makes transgender

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13 Occupy Paedophilia, a loosely organised network of homophobic vigilantes that calls itself a “social movement”, claims to be protecting children from all forms of paedophilia and has associated branches and imitators in dozens of cities and towns across Russia.
people particularly vulnerable to abuse, discrimination in the field of employment and results in denial of access to certain services. The results of the research “Violations of transgender people’s rights” carried out by the Transgender Legal Defence Project in 2015-2016\textsuperscript{14} has shown that most transgender people in Russia face discrimination and violation of their rights because their legal documents do not match their gender identity. The majority of transgender individuals who took part in interviews and a survey reported that they deliberately refrain from purchasing goods and using services in order to avoid conflicts and stressful situations. Discrimination in the field of employment is one of the major problems faced by transgender individuals in Russia. According to the research, out of 29 recorded cases of violations of transgender people’s rights at workplace, in 15 cases trans individuals were denied employment, in 5 reported cases they lost their job, and in 9 cases they faced harassment and bullying at work.

Apart from the broader institutional and structural violence transgender individuals in Russia face, discrimination takes place on a daily basis in the forms of harassment, bullying, assaults, and acts of violence. In 2016, LAVERNA conducted research on the current situation of transgender and queer individuals in the Siberian region.\textsuperscript{15} From February to June 2016, 98 people took part in the research across 11 geographical territories of the region. The alarming results of the research show that trans and queer communities in Siberia are severely affected by day-to-day transphobia from society as well as from the government, with 81% facing discrimination based on their gender identity in the forms of assaults, 70% facing transphobic speech from people they don’t know, and 11% mentioning beating as the most frequently faced form of transphobia. The vast majority of transgender individuals articulated a need for a stable income and a safe space as the crucial requirements to ensure an improvement in their quality of life. This is reflective of the highly problematic issue of employment, with frequent cases of discrimination at work and high levels-of-day to day transphobia and discrimination. Because of the transphobic environment in the Siberia region, trans and queer people have to hide their identity, which leads them to suffer from isolation and depression. According to LAVERNA’s research, 87% of respondents have thought about suicide and 33% have attempted suicide.

\textsuperscript{15} Available in English: https://drive.google.com/file/d/0B0H8sgxlDeuAU2F1dzBNam41MGs/view
Throughout 2016, our project documented 18 cases of discrimination against transgender people in the Siberian region of Russia. In 12 of the 18 cases, transgender individuals have faced sexual and/or physical violence. Transgender sex workers aged between 19 to 25 made up the group that was most likely to have experienced rape. For example, one sex worker told us when she arrived at the apartment of a client, 4 middle-aged men were waiting for her. They beat her up, raped her and filmed it on a video camera. They said that they were part of the “Occupy paedophilia” group. As a result of this, the victim had injuries to her intestines, was concussed and lost several teeth.

The “Occupy paedophilia” group also specifically targeted transgender activists in the wider Siberian region. Overall, we have documented 5 cases of violence and group attacks on transgender individuals by members of this hate group. Currently, the majority of the group members in cities are under arrest for hooliganism.

» A transgender man faced violence and cruel treatment when he started hormone therapy. His ex-partner found out about it and thought that the behaviour of X was a sin. He asked X to come over to his house, locked him up and raped him multiple times. Since this attack, X has tried to commit suicide a number of times.

» A transgender teenager was on the receiving end of hate speech and bullying behaviour from his classmates. The bullying led to physical violence. Classmates beat up X, saying that he was “not a real man”. The victim had to move house and transfer to another school. He had multiple bruises, was concussed and experienced anxiety.

In all of the documented cases of physical and sexual violence, victims did not contact the police due to the lack of trust in the criminal justice system and the fear of being humiliated once again.
UKRAINE
Fritz von Klein is a trans activist and queer/anarcho-feminist. Since 2016, he has worked as a community manager with Insight in Kiev, Ukraine. He enjoys giving lectures about queer theory, intersectionality, polyamory, and trans health. Fritz is also the head of the queer/anarcho-feminist initiative “Lavender menace”.

“Within the framework of the EEPP project, various information materials have been produced and public events organised, dedicated to Transgender Day of Remembrance. It was the first time that the issues of the trans community were brought to the public’s attention in such a visible way.”

Insight is a Ukrainian LBT-feminist organisation with a strong focus on promoting trans rights. We are a team of dedicated people who believe that all people are equal regardless of personal characteristics. Our mission is to improve the quality of LGBTI lives through the implementation of educational, advocacy-focused, informational, cultural, and social programmes as well as providing necessary services for our community members.
Within the project, the transgender community held a public demonstration, organised by Insight and dedicated to Transgender Day of Remembrance (TDoR) on the 20th of November 2016 in Kyiv. About two dozen people came to pay their respects to the memory of the trans people who were killed or driven to suicide, with some people carrying portraits of some of the victims. Before they held a moment of silence, they arranged candle-lit lanterns in the shape of the transgender symbol. Activists also held a banner saying “No to Transphobic Violence”. The purpose of this demonstration was to draw public attention to the issue of transphobia and its fatal consequences.

In Kharkiv, activists also took the streets carrying the transgender flag, a megaphone, and information leaflets in an effort to spread awareness on trans issues. Even though there was no support or
protection from the police, activists managed to share their message and inform people about the day. Activists participating in an Insight-backed initiative in Zaporizhia also launched sky lanterns in remembrance of anti-trans violence victims. A trans activist from Kryvyi Rih also held a protest in the city’s central park.

Transphobia is rife in Ukraine. It is constantly fueled by the ideology of the far right-movement, which came to prominence after the Euromaidan revolution, and the huge influence that the traditional church still has on public opinion. Recently, the word “gender” was removed from the law on domestic violence because it “goes against the traditional values”, a decision vocally supported by the Ukrainian Council of Churches. The misinformation around the word was so fervent that some religious Christians held protests against the “demons of hunger, poverty and gender”.

Video on the Transgender Day of Remembrance event in Kiev by an online news portal, available: http://bit.ly/2gHDW9G
The procedure for changing legal gender in Ukraine is very lengthy and filled with discriminatory requirements. According to the Ministry of Health Order No. 60, to obtain permission for gender recognition surgery, a person has to be diagnosed with “transsexualism”, which requires mandatory placement in a psychiatric ward for evaluation for 30 to 45 days. In addition, the legal instrument regulating legal gender recognition states that “intensive psychotherapeutic work aimed at the patient’s refusal of change (correction) of sex should be conducted with them”. Consequently, conversion ‘therapy’ is part of state policy and can be conducted at any psychiatric facility.

The experiences of trans persons in psychiatric institutions during their ‘voluntary’ hospitalisation varies considerably. Negative experiences include the confiscation of personal belongings and communication devices; restrictions on freedom of movement; dehumanising medical procedures (such as probing questions, the imposition of gender stereotypes, objectification and being forced to undress); not being accommodated in a ward of their preferred gender or being allowed to use the bathroom of their choice (which also leaves persons open to bullying and discrimination); and refusal to address trans persons by their name and pronouns.¹⁶

To be diagnosed with ‘transsexualism’, a person cannot have any other psychiatric diagnosis. This forces trans people with mental health conditions to either hide and suppress their problems (especially in case of phobias, mood or personality disorders) or give up on transitioning (if they are schizophrenic, autistic etc.). The current procedure also dictates that a transgender person can change their gender marker in their documents only after undergoing complete surgical sterilisation. Permission to transition is refused if a person is not straight, is married, has underage children, has no permanent job and residence,

etc. There are known cases of people committing suicide after fulfilling the requirements of the committee and undergoing all surgeries.

After the Russian military interventions in Ukraine in 2014, trans people have faced an increase in violations of their human rights. It has been reported that many were unable to access medical services and hormone therapy, were denied humanitarian aid because their documents did not match their appearances, and those in conflict zones could not leave the territories due to regular ID checks. In Crimea, those who had valid documents were supposed to obtain Russian Federation passports, but again, many people chose to remain without documents, given that their personal documents did not reflect their gender expression. It has been also reported that some people from Crimea have changed their documents according to Russian law, but there are also cases of changing names and surnames when the gender marker remains unchanged.

With an outdated and overcomplicated legal gender recognition procedure, trans people who do not meet the full criteria live under constant threat of being outed. Without a personal ID that correctly represents their appearance and identity, transgender people become an easy target of discrimination, harassment, and violence. According to online surveys, the majority of trans men living in small towns or rural areas have been victims of correctional rape, the abuse occurring on an ongoing basis in many cases. Trans women often face violence due to misogyny, transphobia, and hatred towards sex workers.

Sadly, the trans community itself rarely speaks out about experiences of discrimination because of the prevailing and internalised norm that being transgender is “wrong”, “unnatural”, or “sinful”, with these views being backed by the government, police, church, and the medical establishment.

Trans persons face discrimination in all spheres: at home, school, in the workplace, in public places and on the street, in healthcare, and even in church.¹⁷
“My boss said: ‘There is no place here for you anymore. We don’t need a hermaphrodite or ‘it’ like you here. Go away.’ And after that they didn’t pay me for a whole month of my work.”

The situation regarding hate crimes and hate speech is also a serious concern. Legislation does not provide for hate crimes committed on the basis of sexual orientation, gender identity and expression. The police do not record statistics on such crimes, and the Ukrainian Parliament Commissioner for Human Rights has raised concerns about the failure to record and investigate hate crime incidents. Police are not trained on trans issues specifically, either, and LGBT hate crime-focused trainings often neglect trans people and their needs.

According to civil society reports, there are systematic and widespread abuses committed by law enforcement officials against LGBT people in the Ukraine. This includes arbitrary detention, blackmail, threats, ill-treatment, and poor conditions in detention facilities. According to reports, trans persons are only held in accommodation reflecting their gender identity when they have obtained legal recognition of their gender identity. Trans people whose identity papers only reflect their sex assigned at birth are considered to belong to that gender and are treated accordingly. Non-binary individuals, who do not seek legal recognition as either a man or a woman, are not able to choose what prison they are accommodated in. There is no possibility for trans people to start or continue hormonal treatment while imprisoned.18

**TERMINOLOGY**

**Gender** traditionally refers to a social and cultural construct of being a man or a woman. However, some people do not identify within the gender binary of man/woman. Gender exists independently of sex, and an individual’s gender does not always correspond with the sex assigned at birth.

**Gender expression** is the external manifestations of gender, expressed through a person’s name, pronouns, clothing, haircut, behaviour, voice or body characteristics. Society identifies these cues as masculine or feminine, although what is considered masculine and feminine changes over time and varies by culture.

**Gender identity** is a person’s inner sense of their gender. For trans people, their own internal gender identity does not match the sex they were assigned at birth. Most people have a gender identity of man or woman (or boy or girl), but for some people it does not fit neatly into one of those two choices.

**Gender identifier or marker** is a gendered designator on, for example, an identity document (passports). The most obvious gender markers are designations such as male/female or Mr/ Mrs/Ms/Miss.

**Genderqueer** or **gender-fluid** or **non-binary** describe a person who does not identify with the male/female binary but somewhere outside or between.
**Legal gender recognition** is the official procedure to change a trans person’s name and gender identifier in official registries and documents such as their birth certificate, ID card, passport or driving license. In some countries, it’s impossible to have your gender recognised by law. In other countries, the procedure is often long, difficult, and humiliating.

**Monitoring** is a broad term describing the active collection, verification, and use of information to address human-rights problems over time. In the specific context of hate crimes, the purpose of monitoring is to document violence motivated by hatred and to draw the attention of national authorities or international organisations to the violation of recognised human rights.

**Sex** is the classification of people as male or female. At birth infants are assigned a sex, usually based on the appearance of their external anatomy. However, a person’s sex, as defined by biology, is a combination of bodily characteristics including: chromosomes, hormones, internal and external reproductive organs, and secondary sex characteristics. Persons whose biological sex cannot be classified as either male or female are classified as intersex, however, they may identify as intersex persons, male, female, trans persons, or other.

**Sex work** refers to adult sex workers of all genders who receive money or goods in exchange for sexual services, either regularly or occasionally.

**Transgender** or **trans** is an umbrella term for people whose gender identity or expression differs from the sex assigned to them at birth and those people who wish to portray their gender identity in a different way to the sex they were assigned at birth. It includes those people who feel they have to, or prefer or choose to, whether through language, clothing, accessories, cosmetics or body modification, present themselves differently from the expectations of the gender role assigned to them at birth. This includes, among many others, transsexual and transgender people, transvestites, cross dressers, no gender, multigender, genderqueer people, including intersex and gender-variant people who relate to or identify as any of the above.
Transgender man or trans man or FTM (Female to Male) are terms that may be used by people who were assigned female at birth but identify and live as men. Some may prefer to simply be called men, without any modifier.

Transgender woman or trans woman or MTF (Male to Female) are terms that may be used by people who were assigned male at birth but identify and live as women. Some may prefer to simply be called women, without any modifier.

Transition includes some or all of the following personal, medical, and legal steps: telling one’s family, friends, and co-workers; using a different name and new pronouns; dressing differently; changing one’s name and/or sex on legal documents; hormone therapy; and possibly (though not always) one or more types of surgery. The exact steps involved in transition vary from person to person.

Hate crimes (or bias crimes) are criminal acts motivated by bias or prejudice towards particular groups of people. This could be based, among other characteristics, on gender, gender identity, sexual orientation, ethnicity, religion, age or disability. A hate crime comprises two distinct elements: it is an act that constitutes an offence under the criminal law, irrespective of the perpetrator’s motivation; and in committing the crime, the perpetrator acts on the basis of prejudice or bias.

Transphobia is a matrix of cultural and personal beliefs, opinions, attitudes and aggressive behaviours based on prejudice, disgust, fear and/or hatred directed against individuals or groups who do not conform to or who transgress societal gender expectations and norms. Transphobia particularly affects individuals whose lived gender identity or gender expression differs from the gender role assigned to them at birth, and it manifests itself in various ways, e.g., as direct physical violence, transphobic speech and insulting, discriminatory media coverage and social exclusion. It also includes institutionalised forms of discrimination such as criminalisation, pathologisation, or stigmatisation of nonconforming gender identities and gender expressions.