

ANTI-TRANS HATE CRIMES

IN CENTRAL AND EASTERN EUROPE AND CENTRAL ASIA

Summary of Transgender Europe's submission to the Office for Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Co-operation in Europe (OSCE)

May 2017



ABOUT THE SUBMISSION

Transgender Europe (TGEU) presents a collection of hate crimes against trans people every year and, together with partner organisations, submits them to the OSCE Office for Democratic Institutions and Human Rights (ODIHR). ODIHR publishes hate crime data for all its member states based on information provided by states, international organisations, and civil society.¹ As countering hate crime requires a comprehensive effort, ODIHR works together with government institutions, criminal justice systems, civil society actors, and international organisations, and supports them in designing and developing monitoring mechanisms and data collection, drafting legislation that addresses hate crimes, and building the capacity of prosecutors and police in OSCE countries to understand, investigate, and prosecute these crimes effectively.

This brief report focuses on violence and hate crimes against trans people in Central and Eastern Europe and Central Asia in 2016, and presents a summary of the cases collected by TGEU's Transrespect versus Transphobia Worldwide and ProTrans projects through partnerships with trans rights groups and advocates in the respective countries.²

HATE CRIMES

Hate crimes are criminal acts motivated by bias or prejudice towards particular groups of people, and they can be based, among other categories, on gender, gender identity, sexual orientation, nationality, ethnicity, religion, age, or disability. Hate crimes are often the most visible manifestation of hatred towards trans communities.

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.

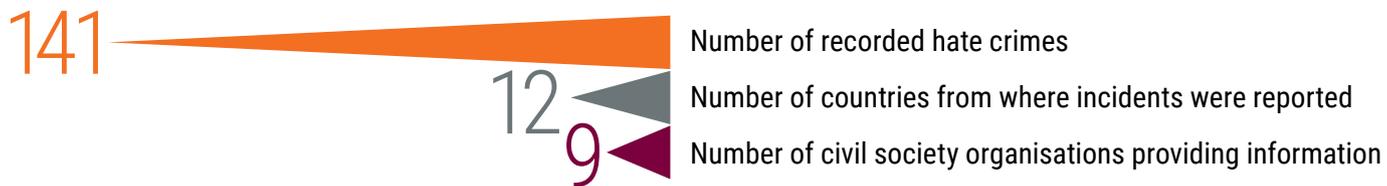
As the hate motive implies that the crime was committed not primarily against the victim, but against a whole community based on the bias related to the victim's (actual or perceived) belonging to a particular group, TGEU and partners make efforts to document and verify indicators that show anti-trans bias involved in the recorded incidents. These can include language used during the incident, the perception of the victim/survivor or the witness, or the location and timing of the incident.³

¹ See more: hatecrime.osce.org

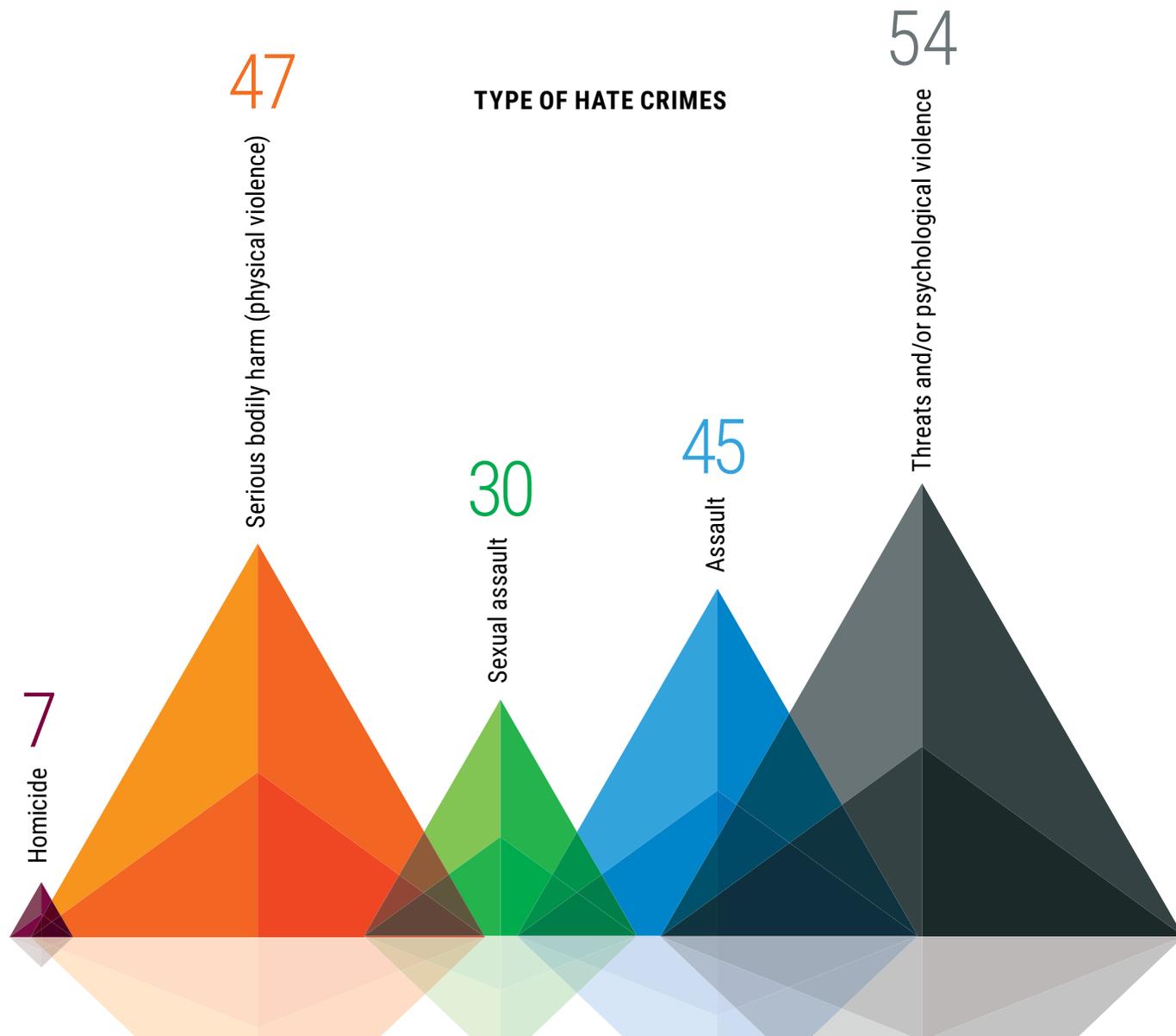
² To learn about the Transrespect vs Transphobia Worldwide project, visit transrespect.org. To find out more about the ProTrans project, our partnership-building work in Central and Eastern Europe and Central Asia, and all the submitted cases, see tgeu.org/pro-trans.

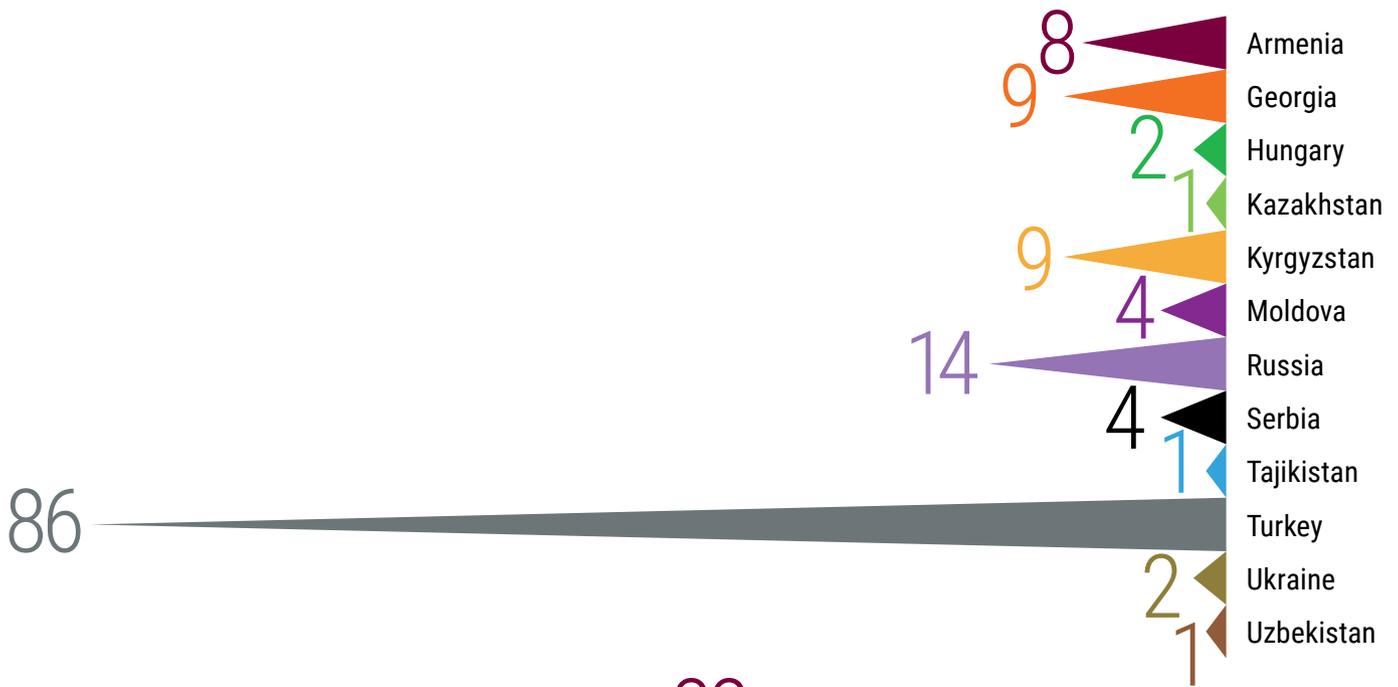
³ Find out more about how we monitor hate-motivated incidents in our monitoring guidelines: tgeu.org/wp-content/uploads/2013/11/Monitoring_Transphobic_Incidents_final.pdf

SUMMARY OF RECORDED CASES

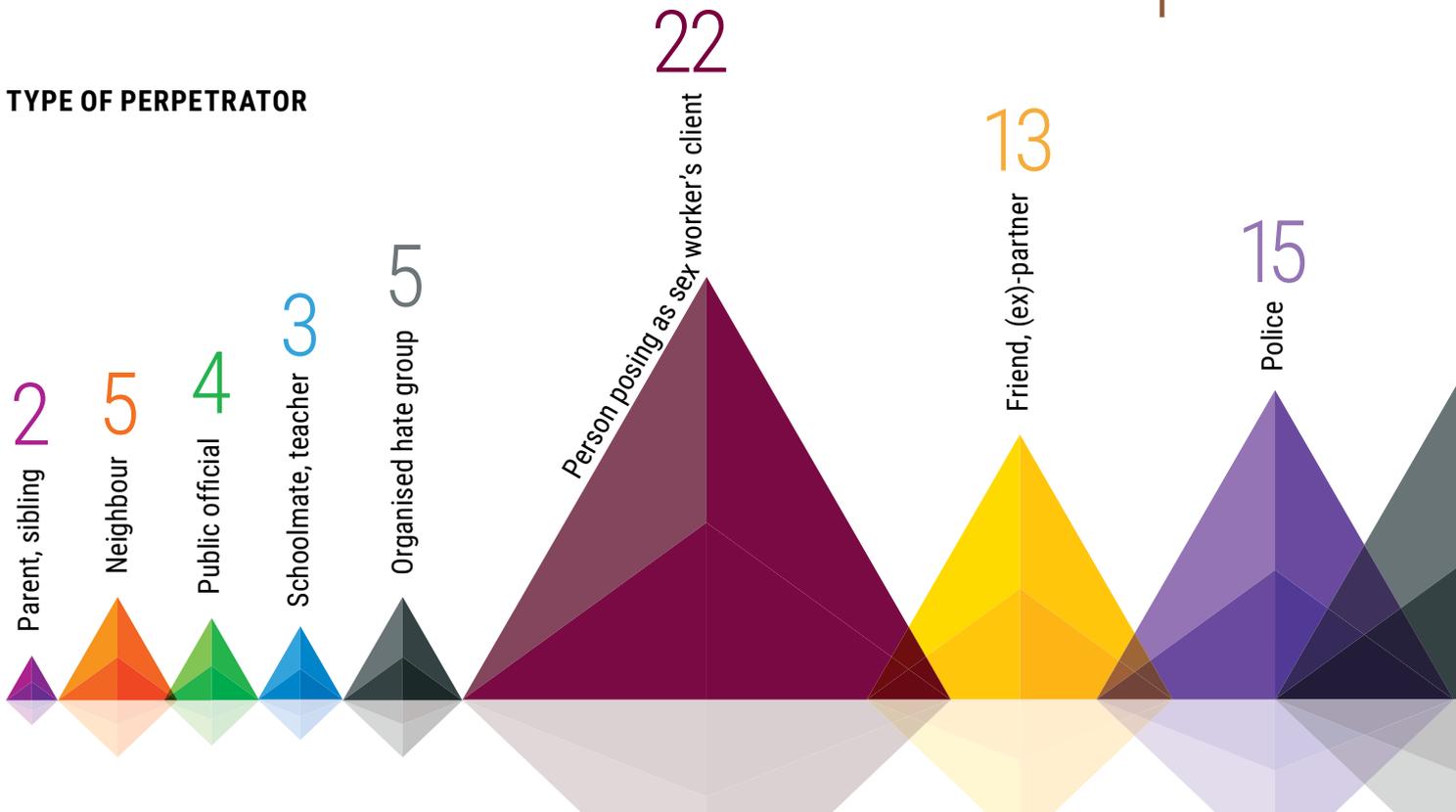


TYPE OF HATE CRIMES

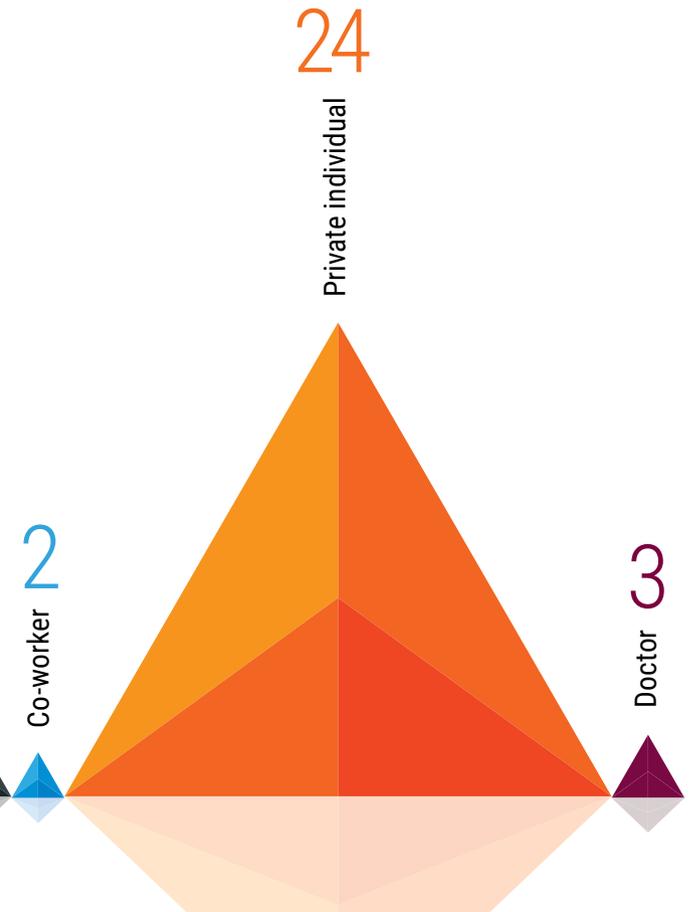
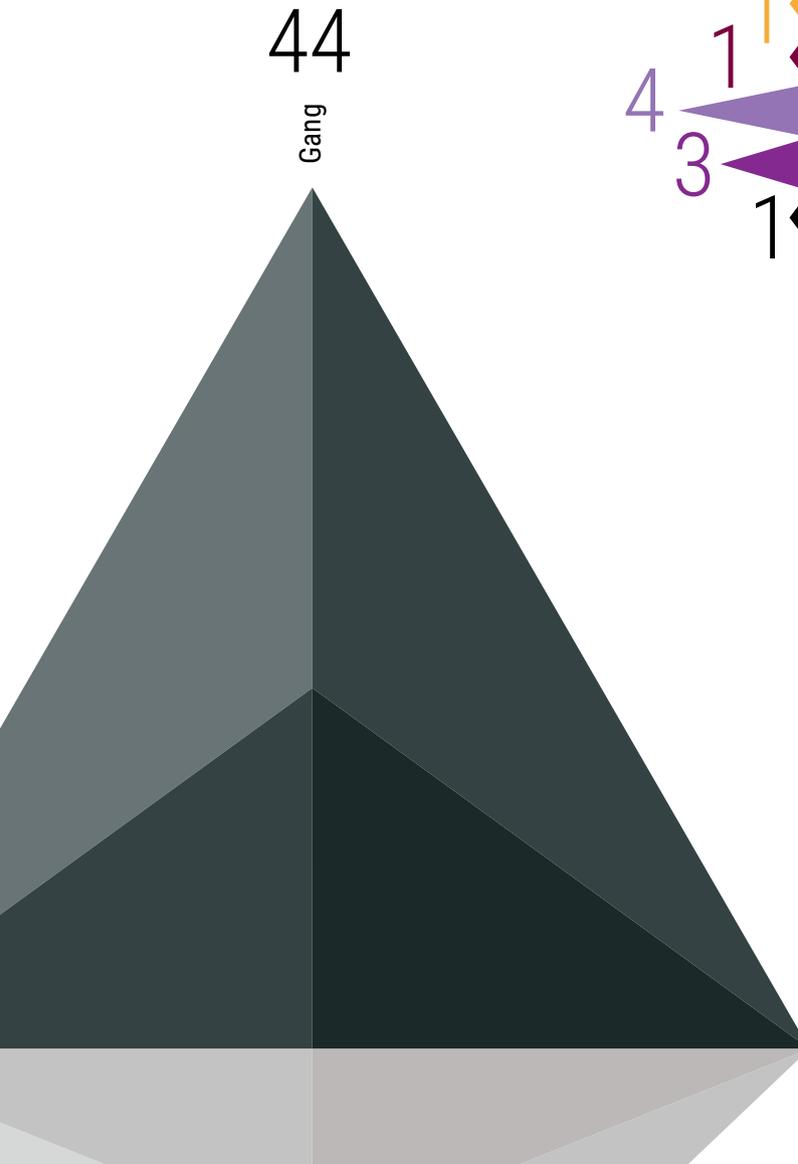
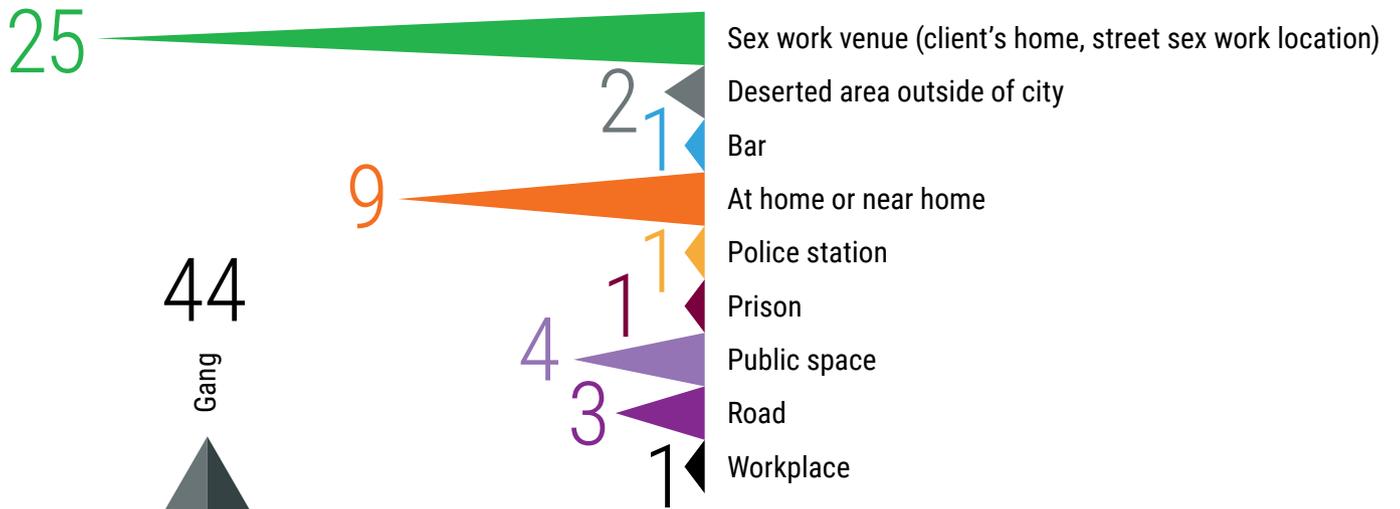




TYPE OF PERPETRATOR



LOCATION OF SERIOUS BODILY HARM CASES



HATE CRIMES COUNTRY BY COUNTRY⁴

ARMENIA

The majority of the 8 hate-motivated crimes recorded by MSM Armenia targeted trans women and crossdresser sex workers either in cruising areas in Yerevan or the sex worker's apartment. The incidents were committed by gangs and private individuals who posed as clients to target trans sex workers and were classified as assaults and sexual assaults. One case of police abuse and profiling was also documented: a trans sex worker in the centre of Yerevan near a sex work area was approached by two police officers who stated that sex work and being a trans person do not fit with traditional Armenian values. They threatened her saying that if they see her again at the same spot, they will use excessive physical force and remove her from that area.

The incidents that were committed against non-sex worker trans people took place in public spaces (one of them next to a queer bar) and involved groups as offenders. Both incidents involved physical violence.

6 trans sex workers were physically attacked in a cruising area in Yerevan. The entrances to the sex worker venue were surrounded by men with cars and some of them entered the park to find trans people and beat them. Victims hid in the trees in the park, but the offenders started to throw stones towards them to find them. One of the trans persons shouted that she was calling the police and journalists. A police car at that moment - by coincidence - was driving on the nearest street. The gang thought that the victims had called them and left the park. After that, the attacked group of trans sex workers could leave too. They didn't come back on that day again in order to escape a possible second attack by the same gang.

⁴ Cases from those countries are included where systematic monitoring was carried out by TGEU's partner organisations in the framework of the ProTrans and Eastern European Partnership projects. See more: tgeu.org/pro-trans



GEORGIA

The Women's Initiatives Support Group (WISG) collected 14 hate-motivated incidents in 2016, among them one murder. Out of the incidents that qualify as hate crimes (9), in 5 cases trans sex workers were targeted by private individuals and people posing as clients. The reported cases shed light on frequent maltreatment and violence committed by the police: in several incidents, when the victims/survivors called the police upon facing a violent attack, the police arrested and pressed charges against them based on Article 173 of the Administrative Offences Code of Georgia (resisting the request of a police officer) or Article 166 (petty hooliganism), and did not focus on identifying or pressing charges against the offenders.

On the 14th of April 2016, late at night, a trans woman was on the pedestrian part of one of the central streets of Tbilisi with her friend when an unknown man approached and started to beat them immediately. She called the ambulance and police. She got arrested for administrative offense based on Article 173 of the Administrative Offences Code of Georgia. The victim stated police were being transphobic towards her and she claims she did not commit the administrative offense she was accused of. On the 18th of April the victim was found guilty and sentenced to five days of imprisonment for the offense.



HUNGARY

During 2016, Transvanilla Transgender Association reported 11 hate-motivated incidents, out of which 2 constituted hate crimes. Both incidents targeted trans women in public spaces; one sexual assault was committed in a bar while the other case was a physical assault where a stranger hit a trans woman on the street.

A trans woman was sexually harassed by 2 men in front of the bathroom of a bar. She only managed to get rid of them with the assistance of other customers.



KYRGYZSTAN

In Kyrgyzstan, out of the 9 hate crimes recorded by Labrys Kyrgyzstan, 2 involved sex workers. In one of the incidents, police raided a sex worker's apartment after the Minister of Internal Affairs had made a statement about cleaning the city from sex workers. Trans women sex workers were detained and exposed to humiliation and mockery at the police station. Invited journalists filmed them on camera without concealing their identities, and one trans woman was asked questions such as, "do you want to change your passport?" and "do you plan to have surgery?"

The use of Internet and media platforms to humiliate and out trans people occurs in other cases as well, such as in a video distributed in online social media networks, in which the crossdresser victim/survivor was forced to remove the wig from their head and announce their name according to their passport. Another trend is the negative interaction with public officials, specifically police officers and border control staff. The long-term effects of the attacks led most victims to face depression and live in fear of another attack.

The victim's colleagues did not know his gender identity. Once, when he arrived at work, cisgender men colleagues gathered and asked him to come out to them. They surrounded him and began to tell him that they knew about his identity, asking the trans man to show his genitals. The victim tried to justify himself, saying that it was not true in order to avoid physical violence. At this point, the director of the company came and led the victim out from the crowd. Thus, he managed to escape possible physical and sexual abuse.

A trans woman sex worker had some drinks with two men. They found out that she was trans and knocked out her teeth in a brutally violent act. She lost consciousness. The perpetrators put a bag on her head, took her out of the city to a river and attempted to drown her. Luckily, a passing witness came to her rescue.



MOLDOVA

GENDERDOC-M registered 4 transphobic hate-motivated incidents in 2016, being 3 physical and 1 sexual assault. Offenders were gangs and private individuals and, in one case, the neighbour of the attacked trans person.

A 17-year-old trans woman 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.



RUSSIA

In the Siberia region, most of the cases documented by LAVERNA occurred between a victim and a not-previously-known perpetrator. Additionally, another pattern is that the attackers tend to be more than one person, in groups of over two. 4 of the 13 cases were sexual assault, and 2 of those victims/survivors were sex workers. In one case, the victim was told to stop spreading (homosexual/trans) propaganda. 3 of the cases also included threat by knife. The Siberia cases also had a pattern regarding the abuses being filmed and shared on social media. One case of outing with photos spread over social media, one case of a rape was filmed, and one case had a trans person being forced to call themselves a pervert on camera. Additionally, one of the cases involved the well-known hate group Occupy Paedophilia.

The trans man survivor started hormone therapy and his ex-boyfriend found out about it. His ex-boyfriend was very religious and thought that he was committing a sin. The ex-boyfriend set a meeting with the victim at his home. When he came, his ex-boyfriend took out a knife and started threatening him, saying that he would kill him. After half an hour of threats, the trans man was forced to take off his clothes and was raped. He was lying in that apartment all night, and he managed to find a key and run away only in the morning.



SERBIA

Gayten LGBT recorded 4 cases of assault and psychological violence in 2016. 2 of the crimes were committed by private individuals, one by the parents of the victim/survivor, and one by a medical professional.

A trans woman suffered verbal and physical assault by her parents who said that she was not a “real man.” They physically assaulted her when she came home from a night out.



TURKEY

From the 520 incidents committed against trans persons and recorded by Red Umbrella Sexual Health and Human Rights Association, 86 have been processed and included in the submission to ODIHR. These hate crime cases took place in Adana, Afyon, Ankara, Antalya, Aydin, Bakırköy, Bursa, Çorlu, Elazığ, Eskişehir, Istanbul, İzmir, Mersin, Muğla, and Samsun.

In 2016, 5 murders of trans sex workers were reported from Bakırköy, Çorlu, and Istanbul. 4 of the victims were killed in their homes, while the mutilated body of a young trans woman activist, Hande Kader, was found by the side of a road in Istanbul.

Out of the 86 incidents, it is known or presumed that, in 70, the victims/survivors were sex workers. 38 serious bodily harm, 24 assault, and 19 sexual assault cases were verified and included in the submission. The most common perpetrators were gangs (more than a third of the cases). People posing as clients were also among common assailants (15 cases). In 11 cases, police and prison guards were the offenders.

In Bursa, a sex worker trans woman was forcibly taken into custody by the police and badly beaten, threatened, and imposed an administrative fine. She needed medical care after the incident.

In Eskişehir, a trans woman who is a prison detainee claimed that she was subjected to insults, discrimination, mistreatment, and sexual abuse in jail.

UKRAINE

Insight recorded 2 cases of psychological violence from 2016, one committed by a medical professional and one by an organised hate group.

A trans man started to receive threats about rape and murder because of his trans status. Some extreme-right groups shared his photos and hate speech towards him in social networks within their subscribers. He received approximately 10-15 letters with threats. The administrators of the social network replied that there was nothing of criminal nature happening and didn't block the offender groups and threads with the trans man's photos.



Federal Foreign Office

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Text review: **Lukas Berredo**

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