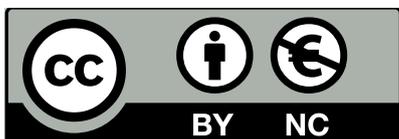


Impact assessment

**COVID-19 and trans people
in Europe and Central Asia**



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Impact assessment: COVID-19 and trans people in Europe and Central Asia

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Abbreviations

BPoC	Black and People of Colour
CEECA	Central-Eastern Europe and Central Asia
COVID	Coronavirus disease
CSOs	Civil Society Organisations
ENAR	The European Network Against Racism
GRA	Gender Recognition Act
HIV	Human Immunodeficiency Virus
LGBTIQ	Lesbian, Gay, Bisexual, Trans, Intersex and Queer
LGR	Legal Gender Recognition
NGOs	Non-Governmental Organisations
STI	Sexually Transmitted Infection
PSOE	Spanish Socialist Workers' Party
SWC	Sex Work Call
TRIM	Trans Rights Index and Map
TGEU	Transgender Europe

Introduction

The impact of COVID-19 on minority and marginalised communities

Despite COVID-19 sometimes being referred to as the “great equaliser”, the pandemic quickly illuminated the deep inequalities minority and marginalised groups face in obtaining healthcare, accessing basic necessities, and living without fear of abuse and violence. Socio-economic injustice affecting these groups has never been more visible.

In 2020, countless accounts of LGB and trans persons, undocumented migrants, refugees, sex workers, BPoC and Roma people, D/deaf and disabled individuals came to light about becoming severely ill, homeless, lacking food and medication, and facing violence and police abuse across Europe and Central-Asia. Those belonging to multiple of these groups, such as sex working trans women of colour, were especially disproportionately impacted.

Although disaggregated data on the basis of gender identity, ethnicity, or other characteristics have hardly been produced due to legal restrictions on sensitive data collection in Europe, testimonies of community-based organisations suggest that the impact of COVID-19 on marginalised groups’ health is harsh. This is due to their high risk of pre-existing health conditions that increase the risk of coronavirus infection and severe COVID-19 disease.¹

Several excluded and minority groups’ access to vital healthcare has been also further compromised: trans people’s transition-related care has been categorised as “non-vital”; disruptions and medicine shortages have occurred in sexual and reproductive care and HIV treatment; and

¹ Nobody Left Outside (2020). *NLO briefing paper. COVID-19 in marginalised groups: challenges, actions and voices*. Available: <https://nobodyleftoutside.eu/wp-content/uploads/NLO-COVID-19-Briefing-paper-Final-August-2020-updated.pdf>

undocumented migrants could not access primary healthcare in many countries due to their residence status.

The economic impacts of the COVID-19 crisis have been exacerbated for cis women and trans people. They generally earn and save less, holding informal or insecure jobs or living close to poverty. Unpaid care work that primarily falls on the shoulders of cis women and trans people, has also increased, with children out-of-school, heightened care needs of older persons, and overwhelmed healthcare systems that redirected their resources to handling the COVID-19 crisis.²

Sex workers - among whom trans sex workers are overrepresented - have been amongst the most affected by the COVID-19 pandemic, similarly to others working in the informal economy. Lockdowns, self-isolation, and travel restrictions prevented them from working, pressing some onto the streets and into destitution, where the risks are heightened by the pandemic. As most sex workers do not enjoy worker status and associated labour rights, the majority of the community has not been able to access the safeguards provided for many other workers, such as sick pay, social benefits, or income substitution. Many had no option but to continue working, potentially facing police fines and punishment for it.³

Undocumented migrants have also reported losing income. In the absence of regularisation of their residence status, they have been unable to access state support, including unemployment benefits and sick leave. Living in crowded settings, such as detention centres and informal camps, or similarly to homeless people on the street, many could not comply with social distancing measures, and consequently faced fines.⁴

² UN Women (2020). *Policy brief: The impact of COVID-19 on women*. Available: <https://www.unwomen.org/en/digital-library/publications/2020/04/policy-brief-the-impact-of-covid-19-on-women>

³ The International Committee on the Rights of Sex Workers in Europe (ICRSE) monitored the impact of COVID-19 on sex workers in Europe: <http://redlightcovid europe.org/>

⁴ See more: <https://picum.org/covid-19migrantsineurope/>

The pandemic furthermore disproportionately affected racial/ethnic minorities, though hardly any data is available on its racialised impact outside the USA. In the United States, the picture is grim: nearly 20% of U.S. counties are disproportionately black, and they accounted for 52% of COVID-19 diagnoses and 58% of COVID-19 deaths nationally in April 2020.⁵ The European Network Against Racism (ENAR) highlights⁶ that racial and ethnic minorities are more likely to be in low-paid and precarious jobs or key workers, and are therefore more at risk of contracting the virus and of facing financial insecurity as a result of government measures. They also point out that racial profiling and police brutality increased due to the heavy focus on enforcement of quarantine regulations, with several cases of police brutality in the context of COVID-19.

Gender-based violence has also increased exponentially due to the COVID-19 crisis. Many women and trans people have been forced to “lockdown” at their residence with their abusers, while services to support survivors have been downsized or made inaccessible. Access to non-stigmatising and sensitive mental health and anti-violence services had been very limited before COVID-19 in many countries of the region, especially for minority or marginalised communities, however, in 2020 even the existing ones were shut down or could not meet the increasing demand.

A key factor in protection against COVID-19 is available information about prevention. Nonetheless, many migrant communities and D/deaf and disabled people were left without official public health information from the World Health Organization or local health bodies in languages they are fluent in. Elderly people and people with disabilities living in care facilities have often been not prioritised to receive personal

⁵ Millett, Gregorio A. et al. (2020). Assessing differential impacts of COVID-19 on black communities, *Annals of Epidemiology*, Volume 47, 2020, pp. 37-44. Available:

<https://www.sciencedirect.com/science/article/pii/S1047279720301769>

⁶ ENAR. (2020). *Evidence of the impact of COVID-19 on racialised communities exposes need to address persistent inequalities and racism*. Available:

<https://www.enar-eu.org/Evidence-of-the-impact-of-Covid-19-on-racialised-communities-exposes-need-to>

protective equipment, thus these in-patient institutions became hotbeds of the virus. Often, professionals such as personal assistants, interpreters, and physiotherapists were unable to continue offering support, because they themselves had contracted the virus or come in contact with persons with COVID-19.

These serious issues became daily struggles for many trans people, especially those who belong to multiple of the above social groups and face intersectional discrimination based on gender, race/ethnicity, disability, age, sex worker status, or class.

The impact of COVID-19 on trans people: methodology and key findings

TGEU has been monitoring the impact of COVID-19 on trans communities in Europe and Central Asia since March 2020 and has observed that they have been harshly affected by the virus. This impact is being felt most severely by trans people who are homeless, sex workers, disabled, migrants, refugees, asylum seekers, poor, young, or elderly.

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TGEU has 157 member organisations across Europe and Central Asia in 47 countries. These include a variety of groups from trans-led collectives to LGBT organisations working on a range of issues. Since April 2020, TGEU has been conducting a membership survey of challenges trans communities and LGBTQ-led organisations face as well as one-on-one consultations with key members and partners. These meetings provided opportunities to assess the situation of local trans communities, to document challenges faced by member organisations, and to inform TGEU's own response and programmatic priorities. The detailed results of the survey can be found on a dedicated page⁷ that is continuously updated throughout the crisis.

⁷ See: <https://tgeu.org/covid-19> and, more specifically, <https://tgeu.org/covid-19/responses-of-our-members/>

Up to the writing of this resource, more than 25 member organisations have provided information from 18 countries in the region. After consultations with our members and partners, it has become clear that trans communities are – and will continue to be – severely affected by this massive-scale crisis.

The key findings of our inquiry are the following:

- The limited response from our membership indicates that national and local groups are occupied and often overwhelmed with their community work, and struggle to allocate resources to other areas of work, such as advocacy and international cooperation.
- COVID-19 hit groups facing intersectional marginalisation the most: sex workers, migrants, refugees, asylum seekers, poor and/or homeless people, disabled, young or elderly trans individuals.
- The majority of governments did not evaluate the specific situation of trans communities nor their specific vulnerabilities. Trans populations are not addressed in emergency plans to our knowledge.
- Little or no measures were adopted by states to ensure that trans people are not subjected to discrimination in the implementation of COVID-19 related interventions, such as introducing lockdown restrictions and its police enforcement.
- Trans civil society were mostly not included in the design of measures to respond to the pandemic.
- The COVID-19 pandemic has considerably worsened the general situation of trans persons and their access to education, housing, health, and employment as well as their living conditions.
- Good practices can be mainly attributed to civil society actors. Many Civil Society Organisations (CSOs) have stepped in during the pandemic to offer essential services to trans people, thus compensating for the lack of governmental responsibility and proactive measures.

In the following chapters, we provide a brief overview of the pre-COVID-19 situation in the areas of health, socio-economic status, and safety for trans people in Europe and Central Asia, and then

illustrate the specific impact of COVID-19. We aim to present how the crisis has exacerbated pre-existing negative conditions, together with community strategies that have attempted to revert escalating scenarios. Based on the evidence collected from our membership, we finally formulate recommendations to be implemented by decision and policy makers.

Impact on health

Pre-COVID-19 situation

Trans people have been for long facing enormous barriers in accessing general and transition-related health care. According to TGEU's report, trans people score significantly worse in health status and wellbeing than general populations. More than half of all trans survey respondents (55.8%) reported having delayed going to the doctor for general healthcare because of their gender identity (sometimes, regularly, or all the time). The most common reason was fear of prejudice from healthcare providers and not having confidence in the services provided.⁸

Key obstacles to realising ideal health outcomes include the following:

- Pathologisation in the legal gender recognition process: of the 41 countries in Europe and Central Asia where legal gender recognition is available, 31 require a mental health diagnosis before adapting identity documents, 3 require that trans people undergo mandatory sterilisation before changing their gender marker.⁹
- 34 % of trans respondents of the EU-LGBTI II Survey¹⁰ reported discrimination in the past 12 months when using healthcare or social services.
- Gender-affirming healthcare services operate with long waiting times and low numbers of competent and sensitive staff.¹¹
- Despite state obligations, trans people are routinely refused cost

⁸ The survey was conducted in Georgia, Poland, Spain, Serbia and Sweden. TGEU (2017). *Overdiagnosed but Underserved. Trans Healthcare in Georgia, Poland, Serbia, Spain, and Sweden: Trans Health Survey*. Available: https://tgeu.org/wp-content/uploads/2017/10/Overdiagnosed_Underserved-TransHealthSurvey.pdf

⁹ See: <https://tgeu.org/trans-rights-europe-central-asia-index-maps-2020/>

¹⁰ For the data explorer, see:

<https://data.europa.eu/euodp/hu/data/dataset/survey-eu-lesbian-gay-bisexual-transgender>

¹¹ TGEU (2017).

coverage for hormones and surgeries.¹² There are only a handful of countries where insurance covers most trans specific healthcare services, including the Netherlands, the UK, Germany, and Belgium. In some countries, such as Georgia, Russia, and Poland hardly any coverage is available.¹³

- TGEU's research¹⁴ shows that trans people face higher risk of poor mental health than their cis comparators. In a multi-country study, 24.5 % of all respondents have attempted suicide at least once in their life, with no significant difference between the gender identity groups. When asking about suicide attempts in the 12 months preceding the survey, on average 10.8% of all respondents had attempted suicide.
- In a research report by the Scottish Transgender Alliance, depression was the most commonly reported problem with 88% feeling that they either currently or previously experienced it.¹⁵

Impact of COVID-19

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With trans-related healthcare not deemed top priority due to hospitals strained under the influx of COVID-19 patients, hormone shortages, and general discriminative attitude in healthcare settings, trans people's health needs have been further side-lined or ignored in the medical establishment during the COVID-19 crisis.

TGEU members reported the following:

- Trans-specific healthcare has not been categorised as vital in many contexts, which created distress among trans communities by, for example, cutting access to ongoing treatments such as hormone

¹² TGEU and ILGA-Europe (2008). *Transgender EuroStudy: Legal Survey and Focus on the Transgender Experience of Health Care*. Available:

http://tgeu.org/wp-content/uploads/2009/11/transgender_web.pdf

¹³ TGEU (2017). *Trans healthcare lottery: Insurance coverage for trans specific healthcare*.

An overview on the basis of 17 countries in Europe. Available: <https://tgeu.org/wp-content/uploads/2017/12/TGEU-insurance-report-2017.pdf>

¹⁴ TGEU (2017).

¹⁵ McNeil, Jay (2012). *Trans Mental Health Study*. Available:

https://www.gires.org.uk/wp-content/uploads/2014/08/trans_mh_study.pdf

therapy and interrupting post-operative care.

- Continued access to hormonal treatment has been a major problem across the region. 10 member organisations covering 9 countries in the region have reported that access to hormone therapy was a pressing issue as many public health services had closed down.
- Trans people often need to travel within their country or abroad to buy their necessary hormones, however, with restrictions on movement, this was impossible.
- Gender identity clinics have closed down and diagnostic processes, which are already lengthy, have come to a halt. Surgeries that had taken years to secure were often being delayed or cancelled, as were pre- and post-surgical care (endocrinologists, general practitioners, etc.).
- Challenges have arisen in sexual and reproductive healthcare (especially for those engaged in sex work) and manifested in the lack of access to preventive and curative healthcare, particularly for those living with HIV, chronic conditions, or compromised immune systems.
- Poverty which increased during the pandemic also prevented trans people from affording hormones and medicine.
- Isolation or cohabitation with abusive family members has been reported to lead to increased anxiety and constant stress, which also negatively affected community members' mental health.

*TransCareCOVID-19 Study: Measuring the impact of the COVID-19 pandemic on trans health & trans health care*¹⁶ is the only research project so far that aimed to assess the impact of COVID-19 on trans health and healthcare in Europe.

Preliminary findings are as follows:

- 1240 participants from Germany, Switzerland, and Austria
- 14% would avoid testing due to fear of discrimination
- 4,3% avoided testing or care due to fear of discrimination
- 30% had at least 1 acute or chronic condition
- 18,1% had restricted access to hormones

¹⁶ See: <https://transcarecovid-19.com/>

ALMA-TQ, KAZAKHSTAN

In the context of the COVID-19 pandemic, the Kazakh government has declared a state of emergency. As the country was under complete lockdown, the trans community started to face problems that they had not been prepared for. Many were left without jobs or any means of livelihood. The high level of transphobia in Kazakhstan exposed the community to a high risk of homelessness. Those sheltered with intolerant relatives face psychological and physical violence, while those whose legal ID does not match their gender identity or expression are being increasingly discriminated against during police controls. In order to tackle these issues, ALMA-TQ, a trans-led community organisation, began to provide free online consultations with medical providers, including psychologists, and secured legal aid for trans people.

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ESPACE SANTÉ TRANS, FRANCE

Espace Santé Trans, a community organisation dedicated to promoting (mental) health access to trans people witnessed a “parallel wave” in March-June 2020 concerning people’s mental health. In Paris, the community mourned several trans women who ended their lives, and the number of requests for support from trans people in great psychological distress increased dramatically. Working together with trans associations which organised emergency aid actions during the crisis, Espace Santé Trans have also witnessed the impact of this crisis on the activists, who suffered from great stress and burn-out. In order to prevent the mental health crisis from escalating as much as possible, Espace Santé Trans provided community support and psychological help for trans people, helping them access mental health care as needed, and coordinated with an inter-organisation group of activists who worked on the frontline distributing aid, providing supervision, and holding a psychological first aid training as well.

Online campaign launched by Alma-TQ during COVID-19 providing humanitarian assistance and offering free online consultations to trans people with psychologists, doctors, and lawyers.

Alma-TQ Initiative Group
8 April 2020

Дорогие подруги и друзья, трансгендерные люди и союзники/цы!

В условиях пандемии и карантинных условий трансгендерные люди сталкиваются с ситуациями, к которым не были готовы. Многие остаются без работы и средств к существованию. Высокий уровень трансфобии в Казахстане подвергает рискам остаться без жилья во время карантина, подвергнуться дискриминации во время проверки документов в режим ЧП или при получении медицинских и социальных услуг. Изоляция может привести к повышению тревожности и постоянному стрессу, что также негативно сказывается на психологическом здоровье.

Если вы трансгендерный человек и находитесь в сложной ситуации из-за пандемии COVID 19, напишите нам!

Чем мы можем помочь?

- Бесплатные онлайн консультации дружественных психологов, врачей и юристов.
- Поиск и предоставление гуманитарной помощи: продукты питания, медицинские средства и средства личной гигиены.

Что нужно сделать, чтобы получить помощь?

Вам необходимо оставить запрос на помощь на нашем сайте по ссылке: <https://www.alma-tq.org/nuzhna-pomosh>. Напишите ваш город, что именно вам необходимо и контакты, по которым с вами можно связаться.

Чем вы можете помочь?

Если вы хотите предложить помощь трансгендерным людям в Казахстане, вы можете связаться с нами, заполнив форму по ссылке: <https://www.alma-tq.org/ya-volonter>

С солидарностью,
Ваши Alma-TQ



Espace Santé Trans' office welcoming trans community members to participate in peer-to-peer support group in a small setting.

Impact on socio-economic status

Pre-COVID-19 situation

Trans people experience widespread discrimination from their early lives on with regards to receiving support from their families and their immediate environments and accessing education and employment. In the context of omnipresent transphobia and without their gender legally recognised, it is not surprising that 33% of trans people experienced discrimination in educational institutions, and 40% at work or looking for work.¹⁷ These numbers underscore that trans people have limited options for gaining long-term and secure jobs. As a consequence, unemployment is common among trans communities, and many of those who work do so in criminalised or informal settings, such as sex work or care work.

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Key obstacles to realising ideal socio-economic outcomes include the following:

- Family and educational institutions are the main sources of housing and economic resources. Global estimates signal high rates of abuse and likeliness of being kicked out of their family homes among young trans people due to their gender identity and/or expression.¹⁸
- Research from the United States of America, Canada, and the United Kingdom confirm that homelessness among trans people is very prevalent.¹⁹ Similar trends can be assumed in other countries of the region as well, however, research is scarce.
- Educational experiences of trans people reveal worrisome trends across the world: schools being sites of abuse, institutional

¹⁷ For the data explorer, see: <https://fra.europa.eu/en/data-and-maps/2020/lgbti-survey-data-explorer>

¹⁸ REDLACTRANS: Borgogno IGU (2013). *La Transfobia en América Latina y el Caribe: un estudio en el marco de REDLACTRANS*. Available: <http://redlactrans.org.ar/site/wp-content/uploads/2013/05/La-Transfobia-enAmerica-Latina-y-el-Caribe.pdf>; Winter S. (2009). Lost in translation: transpeople, transprejudice and pathology in Asia. *Int J Hum Rights*; 13(2): 365.

¹⁹ Totaljobs (2016). *Totaljobs trans employee survey report 2016*. Available at: <https://www.totaljobs.com/insidejob/transemployee-survey-report-2016>; Whittle, Stephen. (2014). *Employment Discrimination and Trans People*. Available at: <https://www.gires.org.uk/employment-discrimination-and-transpeople>

exclusion, and peer bullying. According to a TGEU community survey, 61% of trans children experience bullying in Turkey, while this ratio is 50% in Serbia.²⁰

- Many trans employees are subjected to verbal abuse and even physical violence perpetrated by other employees, as well as by customers, clients, and/or suppliers, while on the job. They also face staggering rates of discrimination in recruitment, promotion, remuneration, and benefits.²¹
- With limited options, a significant segment of the trans community, especially (undocumented) migrants and refugees work as informal workers or in criminalised industries, such as sex work. Without official recognition as workers, they are not entitled to social and welfare benefits, such as sick pay, parental leave, or pension schemes.
- These factors - coupled with anti-trans discrimination from rental agencies and landlords - often lead to lack of access to stable and affordable housing, homelessness, and food insecurity.

Impact of COVID-19

Many trans people are systematically excluded from the formal economy, due to their identification documents not reflecting their gender, gender identity, and/ or gender expression, anti-trans attitudes of employers, and hostile transphobic environments at workplaces. Without financial means and supportive relatives, securing housing in a transphobic housing market has been a close to impossible task for many during COVID-19. The pandemic revealed these inequalities strikingly and marginalised many trans people further or pushed them into dangerous situations.

²⁰ Balzer, Carsten, Jan Simon Hutta (eds.) (2015). *Transrespect versus Transphobia: The Experiences of Trans and Gender-diverse People in Colombia, India, the Philippines, Serbia, Thailand, Tonga, Turkey and Venezuela*. TGEU. Available: <http://transrespect.org/en/tvt-publication-series>

²¹ Whittle, Stephen. (2014).

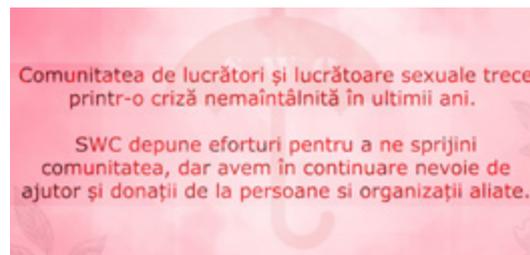
TGEU members reported the following:

- Many trans people struggle to cover bare necessities since many have lost their jobs and/or homes.
- Many suffer decrease or loss of income, especially undocumented migrants and/or sex workers and face high risk of homelessness.
- Lot of trans people shelter with unaccepting or abusive family members or relatives. Out of the 25 organisations who provided written input, 10 organisations (based in France, Kazakhstan, Kyrgyzstan, Malta, Romania, Russia, Serbia, Slovenia, Tajikistan, and a regional network) reported that they have completely shifted their focus to support members with basic necessities, such as food packages, medicine and personal protective equipment, or with money collected through crowdfunding campaigns.

SEX WORK CALL (SWC), ROMANIA

In Romania, a large number of trans people, in particular Roma turn to sex work as a mean of survival. SWC is the first sex worker-led organisation providing support to sex workers of all genders in Romania, in particular to trans, Roma, and migrant workers.

Seeing the destitution of the community during the COVID-19 crisis, SWC provided support to trans sex workers in accessing diverse services, in particular getting identification documents, insurance, or access to HIV treatments. SWC ran a crowdfunding campaign as well to pay out small amounts to those most desperate and turned their office space into a shelter so that those who have lost their housing have a safe space to stay temporarily.



Sex Work Call's online COVID-19 campaign: (left) COVID-19 section of their website stating sets of sex worker-specific recommendations and (right) promotion of their crowdfunding.

ACCEPTESS-T, FRANCE

Acceptess-T is a Paris based community organisation ran by migrant, BPoC trans sex workers. The organisation had already prepared an emergency plan to address the crisis even before the government announced the lockdown and other measures.

Acceptess-T set up FAST, an emergency initiative in March 2020 and has distributed more than 3000 food packages and 5000 medical kits, including condoms, thermometers, gloves, masks, and protective masks. They prioritised those who are migrants and work on the street. They furthermore accompanied sex workers to COVID-19 testings and also helped those with a positive result finding and paying for a safe accommodation for 15 days of quarantine. They also introduced a phone-based and online consultation mechanism with local doctors.

Within the FAST initiative, more than 100.000 EUR were collected from crowdfunding, which is distributed to the trans community, to cover their debts incurring mainly from financing their accommodation, with a focus on those facing multiple discriminations whether they are migrants or sex workers. The FAST crew also tried to negotiate with landlords on lowering rental prices.²² As a result of Acceptess-T's advocacy efforts, the Paris City Hall also contributed financially to the programme.

²² See: https://youtu.be/ZUi_jAPSYng



Medical kits packed in **Acceptess-T's** office in Paris, France.

Trans and queer bar used to store the food, starting point of the distribution chain in Paris.



*Giovanna Rincón, **Acceptess-T** Director, providing direct financial support to community members experiencing housing instability due to the pandemic.*

Impact on safety

Pre-COVID-19 situation

Trans people in all parts of the world are victims of hate-motivated violence, including extortion, physical and sexual assaults, and murder. These forms of violence go frequently unreported and little attention is given to underlying causes and enabling factors, such as anti-trans, transmisogynist, racist, xenophobic, and anti-sex worker hatred and the precarious socio-economic conditions trans people face in many contexts. All these factors expose trans people, especially BPoC and Roma people, migrants, and sex workers, to high degrees of violence.

Key obstacles to realising safety include the following:

- The inability to access quick, accessible, and transparent legal gender recognition exposes trans people to situations of abuse and violence, in all their social interactions.
- Trans people are constantly policed, arrested, and imprisoned because of systemic bias, and even more frequent when also part of other marginalised groups, such as people living in poverty, BPoC and Roma people, sex workers, asylum seekers, refugees, with migration backgrounds, and/or being disabled.²³
- Hostile police attitudes are prevalent across the region and manifest in arbitrary targeting of trans people in everyday situations or in orchestrated efforts. In Russia and Turkey for instance, there have been numerous documented cases of trans people being stopped on the streets for document checks without justified cause, followed by abusive behaviour by police officers.²⁴

²³ Report of the United Nations High Commissioner for Human Rights, Non-discrimination and the protection of persons with increased vulnerability in the administration of justice, in particular in situations of deprivation of liberties and with regard to the causes and effects of overincarceration and overcrowding, 21 August 2017, A/HRC/36/28. *Report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity*, 11 May 2018, A/HRC/38/43.

²⁴ Fedorko, Boglarka. (2018). *Deprived of liberty, deprived of rights: A community report on policing and detention of trans people in Central-Eastern Europe and Central Asia*. TGEU. Available: https://tgeu.org/wp-content/uploads/2018/11/Prison_Report_2018_EN.pdf

- In Georgia and Kyrgyzstan, an outdated administrative offense code, operating with vague definitions of “hooliganism” and adopted by the Soviet government in 1984, is used to target trans people.²⁵
- Cases of police-enforced HIV and STI testing have been reported by sex worker and LGBT communities in Azerbaijan, Kyrgyzstan, Tajikistan, Serbia, Turkey, and Ukraine.²⁶
- The criminalisation of sex work across Europe and Central Asia within diverse legal frameworks exacerbates the vulnerabilities of sex workers, especially of trans women of colour.²⁷ Criminalisation contributes to high levels of police mistreatment and harassment, and the police are one of the most common perpetrators of violence against trans sex workers. TGEU’s ProTrans project, for instance, has documented more than 141 hate-crime incidents taking place in 2016. In the incidents that involved physical and sexual assault and psychological violence at the hands of the police, the majority of the victims were trans women sex workers. Other abusers included organised hate-crime groups and people posing as clients.²⁸
- Due to the lack of trust in police and the criminal justice system, lack of documents matching one’s identity, and/or non-resident status, trans people often decide not to report violent incidents committed against them to authorities, fearing they themselves will be fined, arrested, or deported.

Impact of COVID-19

With heightened police presence across the region in charge of enforcing compliance with emergency lockdown regulations, trans people’ perception of safety has further worsened. As public spaces

²⁵ Ibid.

²⁶ Ibid.

²⁷ Fedorko, Boglarka and Lukas Berredo (2017). *The vicious circle of violence: trans and gender-diverse people, migration, and sex work*. TGEU. Available: <https://transrespect.org/wp-content/uploads/2018/01/TvT-PS-Vol16-2017.pdf>

²⁸ TGEU (2017). *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)*. Available: https://tgeu.org/wp-content/uploads/2017/05/TGEU_OSCE_submission.pdf

became controlled by law enforcement with emergency powers, trans people increasingly started to feel threatened according to TGEU members.

TGEU members reported the following:

- Institutions responsible for processing requests for gender marker change shut down, thus those waiting are in a limbo, which impacts their wellbeing, safety, and financial opportunities as well (Croatia, Romania).
- Member organisations from France, Greece, Kazakhstan, and Romania have reported various forms of racial and gender profiling and increased police abuse ranging from fines to physical abuse and brutality. In France, reported cases of police brutality, particularly against BPoC people and/or sex workers has drastically increased.
- Lockdowns and quarantine measures took a great toll on trans communities. Self-isolation and social distancing have forced many community members to shelter with abusive or unsupportive relatives. This particularly affected trans children and youth.
- Staying at new accommodation has also led to situations of bullying, blackmailing, physical, and psychological violence. At the same time, physical contact with supporting peers was impossible due to movement and travel restrictions and social distancing rules. This led to a sharp decline in psychological wellbeing and mental health for many trans people in the region.

Post-Soviet Trans* Coalition survey results²⁹

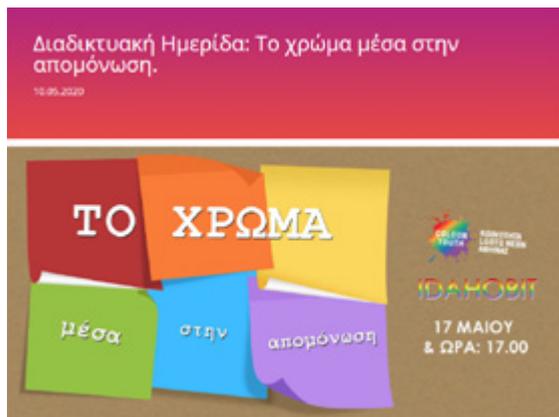
The Post-Soviet Trans* Coalition has been documenting cases of violence during the COVID-19 crisis.

- 28 incidents of discrimination and violence have been recorded.
- Almost half of the incidents (13) occurred at home with partners and family members.
- Half of the discrimination cases (6) were unlawful police actions: unreasonable detention or arrest, inappropriate behaviour of police officers and, in one case, blackmail and extortion.
- In Tbilisi, Georgia, a trans activist set herself on fire in front of the city hall, protesting against authorities who had ignored trans people in the difficult situation during the pandemic. The reaction to her action, however, was detention by the police.

COLOUR YOUTH, GREECE

In Greece, the trans community has a conflicted relationship with the police, thus trans people have been deeply impacted by regular police identification controls that the government initiated as part of a national security plan. The trans community has a history of traumatic experience of harassment by the Greek police. In order to provide some support for the community who might come into contact with police officers and whose legal ID does not match their gender identity/ expression, upon request from its members and people close to the organisation, Colour Youth issued supportive statements that clarify the presented ID belongs to a person in transition so as to not put even more pressure on them to explain the reason for the discrepancy.

²⁹ Information received from the Post-Soviet Trans* Coalition survey results.



Colour Youth's online community gathering in the frame of the International Day Against Homophobia, Biphobia, Intersexism and Transphobia (IDAHOBIT) focusing on LGBT+ isolation in times of crisis.



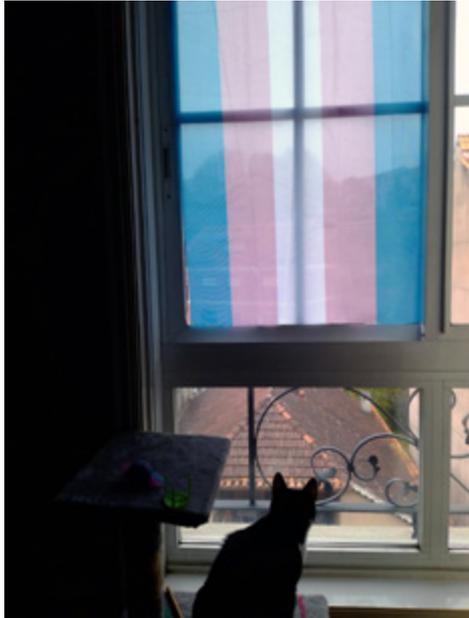
Launch of Colour Youth's support guide to the LGBT+ community during the pandemic.

CHRYSALLIS, SPAIN

Similar to other Southern European countries, Spain has been one of the earliest countries impacted by the COVID-19 virus. The Spanish government declared an emergency on 14 March 2020 and the population was under complete lockdown for two months, followed by months of various restrictions.

Chrysallis, a community-based organisation had to quickly adapt to the lockdown and immediately started to move activities online for the community. They also established a strong presence on social media, specifically focusing their work on providing support to those who are sheltered in unsupportive households.

They have provided personalised peer-to-peer counselling for community members in mental distress, set up closed WhatsApp groups for teenagers, and also initiated empowering actions, such as a storytelling campaign of young trans people coping with confinement.



Two of the many pictures **Chrysallis** gathered in the frame of their Trans Day of Visibility (TDoV) online action #PonUnaBanderaTransEnTuBalcon (#PutATransFlagOnYourBalcony)

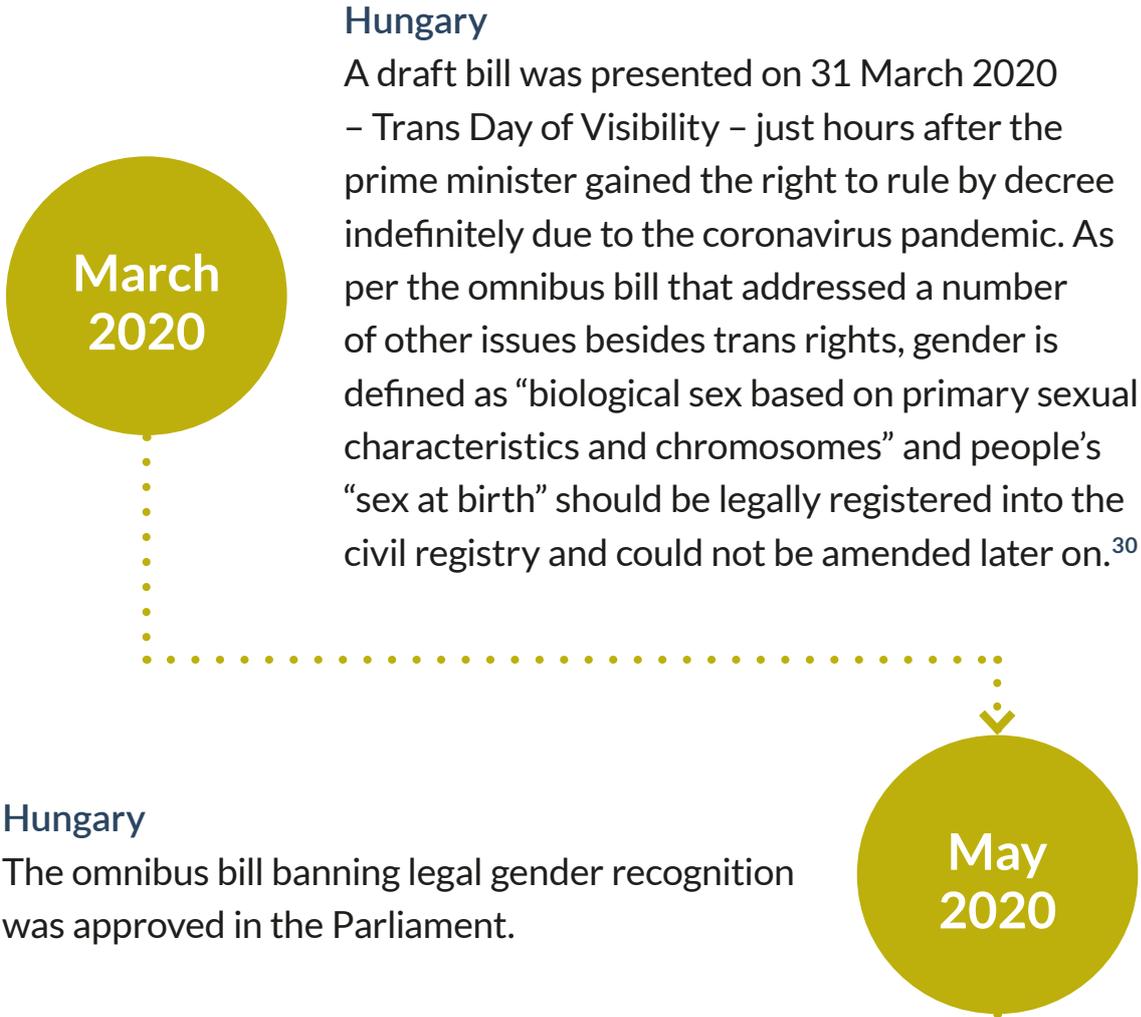


Launch of **Chrysallis'** personalised and peer-to-peer online support group for trans youth.

Political context: increasing anti-trans attacks during 2020

In 2020, amidst the COVID-19 crisis, the region has seen a new form of anti-trans and anti-gender political and legal oppression, namely the introduction of laws that directly ban legal gender recognition of trans and intersex people or gender studies. In the following, we summarise worrying developments of emerging anti-trans legislation and discourses from Europe and Central Asia.

Timeline



³⁰ <https://transvanilla.hu/home/news/legal-gender-recognition-lgr-for-hungary>

Spain

Historical allies, such as the Spanish Socialist Workers' Party (PSOE) publicly turned their back on trans people by publishing a transphobic paper that invalidates trans people's gender and explicitly rejects the right to self-determination.³¹

Romania

An amendment of education law was adopted to ban "activities propagating theories and opinions on gender identity according to which gender is a separate concept from biological sex."³² In December, the law was overturned by the Constitutional Court.³³

Kazakhstan

An amendment was proposed to the draft "Code on the health of the people and the healthcare system". The proposed amendment would make it impossible for trans people between the ages of 18 and 21 and trans people with "behavioural disorders" of all ages to exercise their right to legal gender recognition and other fundamental human rights set out in international human rights treaties ratified by Kazakhstan.

Poland

President Andrzej Duda signed the Family Charter, committing to defending the institution of marriage, not allowing same-sex couples to adopt children, and protecting children and the family from "LGBT ideology."³⁴

³¹ https://www.eldiario.es/politica/argumentario-PSOE-conflicto-Unidas-Podemos_0_1036596464.html

³² <https://www.euronews.com/2020/06/17/romania-gender-studies-ban-students-slam-new-law-as-going-back-to-the-middle-ages>

³³ <https://news.knowledia.com/ZA/en/articles/romania-court-overturns-ban-on-gender-studies-e91c6e4ff41371707271583ae8e6fd72ef88366c>

³⁴ <https://www.gaystarnews.com/article/polands-president-signs-family-charter-against-lgbt-education-and-marriage-equality/>

June
2020

Russia

The State Duma introduced a draft law (Project law No. 989011-7) which proposed several amendments to the Family Code to “strengthen the institution of the family”. The proposed changes to article 70 would introduce a new and unchangeable category “sex” on Russian birth certificates. The bill specifies that “corrections and changes to the record of the birth certificate of a person who has changed their sex are not allowed.”³⁵ Later on, the bill was revoked in November.³⁶

July
2020

August
2020

Poland

The Catholic episcopate adopted an official “position on the question of LGBT+”, which included calls for the creation of “clinics to help people who want to regain their...natural sexual orientation.”³⁷

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United Kingdom

After a 2-years long debate on amending the Gender Recognition Act 2004 (GRA), the Minister for Women and Equalities announced that the government does not support legal gender recognition based on self-determination, and legal recognition would not be extended to non-binary people and those under 18.³⁸

September
2020

³⁵ <https://tgeu.org/russia-outlaws-lgr/>

³⁶ <https://time.com/5915828/russia-lgbtq-victory/>

³⁷ <https://notesfrompoland.com/2020/08/30/polish-bishops-call-for-clinics-to-help-lgbt-people-regain-natural-sexual-orientation/>

³⁸ <https://www.stonewall.org.uk/what-does-uk-government-announcement-gender-recognition-act-mean>



December
2020

Romania

Romanian Constitutional Court ruled the gender studies ban unconstitutional.³⁹

Hungary

The Hungarian parliament adopted several anti-LGBTQ laws, including an amendment to the Constitution that enshrined the traditional notion of “gender”, by defining parenthood as “the mother is a woman, the father is a man.” Another piece of adopted legislation de facto banned adoption for same-sex couples or those unmarried.⁴⁰

³⁹ <https://www.jurist.org/news/2020/12/romania-constitutional-court-rules-gender-studies-ban-unconstitutional/#>

⁴⁰ <https://www.euronews.com/2020/12/15/hungarian-parliament-adopts-anti-lgbt-laws-including-de-facto-ban-on-adoption-by-same-sex->

Recommendations to decision and policy makers

Healthcare measures

- Accessible public health messaging needs to be inclusive and reach migrant, D/deaf and disabled trans communities.
- All forms of preventive and curative care, including sexual and reproductive healthcare must be maintained and made available for all, irrespective of their residence status, and without discrimination on the basis of age, LGBT status, sex work status, or any other social characteristic.
- Hormonal treatment and trans-specific healthcare should be classified as vital and must remain uninterrupted.
- The highest attainable gender affirming healthcare must be provided, on the basis of free, prior, and informed consent.

Socio-economic measures

- Trans-led organisations proved that they can efficiently provide immediate support and respond to the trans communities' diverse needs. They need to be included in decision-making around emergency measures, including distribution of aid and relief.
- Social assistance should be introduced to cover unpaid or low-paid caregivers and informal workers, including sex workers. Direct support, such as paid sick leave, paternal leave, unemployment benefits, and other social support should reach beyond formal employment and be accessible to trans people as well, who often face obstacles when applying due to the mismatch between the sex/gender in their documents and their gender identity/expression.
- A moratorium on evictions should be introduced and those who struggle with rent and mortgage should be supported. Emergency housing should be provided to those discriminated against in the housing market, e.g. trans people and migrants.

Safety measures

- Return procedures and deportations should be stopped.
- Temporary residence permits should be extended to prevent people becoming undocumented.
- Discriminatory profiling practices need to be abolished and police accountability needs to be strengthened. Police enforcement of confinement measures should not be used for identity and residence checks, rather police should refer people to essential services.
- Trans groups need to be included in anti-gender based violence programmes and be supported to set up their own services and referral mechanisms, such as hotlines and shelters.
- Emergency housing for victims of abuse should be allocated, with a special consideration of trans people's placement needs.

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On the long-term, countries must

- Enact legal gender recognition procedures that are quick, accessible, and transparent and are based on the principle of self-determination.
- Decriminalise sex work with the meaningful involvement of sex worker communities.
- Establish safe pathways for migration and ensure that undocumented migrants can regularise their stay.
- Ratify and implement the Istanbul Convention, with a special view of including trans victims/survivors' needs and perspectives.

