The rise of binary laws and their impact on trans communities in Europe and Central Asia

article, protection from violence and hate, legal gender recognition, resilience against anti-gender ideology

Across Europe and Central Asia, governments are increasingly introducing laws and policies that reinforce a strict gender binary, restricting the rights, healthcare and public lives of trans and gender diverse people.

These developments are not isolated. Across very different political contexts, governments are adopting increasingly similar legal approaches, often justified through claims about protecting ‘children’, ‘women and families’, ‘national security’ and ‘traditional values’.

TGEU’s recent policy brief analyses this growing trend, asks how these policies are connected, and what they mean for trans communities and democracy more broadly.

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Why is this happening?

The expansion of these policies is taking place alongside the growing influence of anti-gender, conservative and nationalist movements across the region. Political developments in the United States, the United Kingdom, and Russia have helped to strengthen these actors and contributed to the circulation of similar narratives and legal models across Europe and Central Asia.

Different countries, the same legal playbook

From Hungary and Bulgaria to Slovakia, Georgia, Kyrgyzstan, Belarus and Türkiye, governments are introducing measures such as:

- Defining sex strictly as male and female, based on biological characteristics
- Eliminating or restricting legal gender recognition
- Criminalising or banning trans-specific healthcare
- Limiting rights related to family life, including marriage, parenting, and adoption
- Introducing ‘anti-propaganda’ laws targeting gender diversity, sexuality, and bodily autonomy
- Criminalising or restricting discussion of gender diversity

While the details differ between countries, the direction is increasingly similar: narrowing the space in law and society for people who do not fit a rigid gender binary.

For trans and gender diverse people, the consequences are exclusion from public life, forced disclosure of gender

identity, greater risk of violence and shrinking spaces for trans communities. It also affects intersex people, families, and society by entrenching harmful legal and medical binaries.

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A warning sign for democracy

Binary laws are about more than technical legal issues. They are part of a wider process of democratic backsliding. Attacks on trans rights go hand in hand with restrictions on civic space, growing pressure on civil society, attacks on human rights defenders and efforts to weaken democratic participation and the rule of law.

This makes the rise of binary gender policies a concern not only for trans and gender diverse people, but for anyone working to protect human rights, democracy and open civic space.

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TGEU's position

TGEU calls on governments, institutions, and allies to:

- Recognise binary gender laws as part of broader democratic backsliding
- Respond early to the spread of exclusionary legal models
- Ensure sustained, flexible funding for trans-led organisations
- Defend legal gender recognition based on self-determination
- Strengthen protection mechanisms for trans people and human rights defenders

The spread of binary gender policies is not inevitable. Understanding how these laws emerge, how they travel across borders and how they connect to wider attacks on democracy is essential to challenging them.

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