Trans activists present collaborative statements at UN Trans Advocacy Week

article, protection from violence and hate, legal gender recognition, trans activists

During the 56th Regular Session of the Human Rights Council Interactive Dialogue with the Independent Expert on sexual orientation and gender (IE SOGI), five of the Trans Advocacy Week delegates delivered statements on behalf of 15 trans and gender diverse activists from the Global South and East. These statements were delivered on 21 June 2024.

The first statement delivered on behalf of ILGA addresses the reports of the previous IE SOGI Mandate holder's country visits to the United Kingdom, Cambodia, and the United States of America, highlighting areas of grave concern, including the rise of the anti-gender movement and anti-trans discourse on legal gender recognition, anti-LGBTI bills, and laws and policies restricting the work of civil society organizations. Furthermore, the statement draws attention to issues relating to gender-inclusive language, censorship of artistic and cultural expression, and the failure of policies to address online hate and disinformation.

Video courtesy of UN Web TV

The second statement, delivered by Nari Alibekova on behalf of TGEU and COC Nederland, addresses the IE SOGI thematic report on the Protection against violence and discrimination based on sexual orientation and gender identity in relation to the human rights to freedom of expression, peaceful assembly and association, commending the attention brought to the worldwide deterioration of LGBTI and civil society human rights. The statement highlights the neo-colonial influence of Russia on Central Asia, the Caucasus and Eastern Europe in the passing of anti-trans laws, and draws attention to the spreading of disinformation that undermines democracy. It concludes by emphasizing the critical importance of the Mandate and encouraging the Independent Expert to strengthen cooperation with other UN mechanisms to protect human rights.

Video courtesy of UN Web TV

The third statement, delivered by Daniel Benitez-Posada on behalf of GATE, also addresses the IE SOGI thematic report, commending the focus on barriers to these fundamental freedoms, including legal restrictions, hostile

environments and the instrumentalization of LGBT rights to distract from entrenched economic and political issues. The statement emphasizes the barriers that trans people face when they do not have access to identity documents that reflect their gender, including the denial of fundamental rights, and urges Member States to adopt legal gender recognition laws based on self-determination.

Video courtesy of UN Web TV

The fourth statement, delivered by Polo Kebadze on behalf of APTN, likewise addresses the IE SOGI thematic report, commending the recognition of the instrumentalization of LGBTI people in the promotion of anti-gender narratives and policies, highlighting how restrictions on freedom of expression, peaceful assembly, and association specifically target trans and gender diverse individuals. The statement draws attention to the criminalization of our communities' existence across all regions of the world focusing on the restriction of the right to freedom of expression as it connects to gender identity.

Video courtesy of UN Web TV

The fifth statement, delivered by Thomars Shamuyarira on behalf of RFSL, once again addresses the IE SOGI thematic report, highlighting the disproportionate impact of restrictive policies on trans individuals and focusing on the unique challenges faced by trans migrants and refugees that result in exclusion from social and political life. The statement commends the focus on the digital sphere as a target for oppressing our communities and the emphasis on the need for more focus on digital misinformation and accompanying policies to address restrictions on freedom of expression.

Video courtesy of UN Web TV

In addition, to the statements delivered above, trans activist from Kyrgyzstan, Anelya Ruslanova spoke at the following side event: 'Next steps to implement the recommendations of the thematic report to HRC56 by the United Nations Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity'.

Talking about what life is like for LGBT people in Kyrgyzstan, Anelya said: "My country, Kyrgyzstan, used to be

called the island of democracy in Central Asia. Unfortunately, now it is not, and Kyrgyzstan is losing points on freedom of speech, freedom of expression, and freedom of assembly and association.

“In recent years, laws have been passed in my country against the LGBT community, and the community itself has been instrumentalised by state and non-state actors who portray us as destroyers of “traditional values”. This rhetoric, as well as some laws against civil society, came from Russia.

“In 2023, the Kyrgyz Parliament initiated and passed amendments to the law on children on the ‘dissemination of harmful information’, namely the prohibition of ‘propaganda of non-traditional sexual relations’.

“In 2024, it adopted a law on “foreign representatives”, which aims to control non-governmental organisations and independent media, allowing their activities to be suspended without a court decision.

“One LGBT organisation that had been providing services and advocacy to thousands of LGBT people for fifteen years has already been suspended. Other LGBT organisations and trans initiatives have almost completely reduced their online visibility and can no longer provide a safe space for LGBT people.

“Due to a general agenda from the state centred on morality and traditional values, police harassment of sex workers occurs. Law enforcement officers practice physical and sexual violence, harassment and extortion of money.

“Legal transition for transgender people in Kyrgyzstan is almost impossible.

“And a month ago, changes were made to the health law that puts unbearable obligations on trans people who want to medically transition. Article 47 of the health law has extremely pathologising language and requires trans people to have so-called full legal capacity, they must be 25 years old, and they must undergo “medical intervention in health care organisations”. We are extremely concerned that the acts to this law will require forced sterilisation through genital surgery, an intervention that not all trans people want, or can afford. This procedure is not within the bounds of human rights.

“As a result, we LGBT people in Kyrgyzstan are left without NGOs, which often act as the only sources of safe spaces and services. We are restricted in our access to our basic rights, including the rights to self-expression and freedom of association. We are silenced and hidden, forced to leave our homes and migrate. We do not have access to medical and legal recognition of gender, and now it is likely that we will be forced to undergo surgery.

“ Kyrgyzstan is undergoing the Universal Periodic Review process at the end of 2024. We urge you to recommend that Kyrgyzstan:

- Make the procedure for medical and legal recognition of gender simple, accessible and based on international recommendations, without requiring surgery
- Remove the article on so-called “propaganda of non-traditional sexual relations”.
- Stop the practice of harassment, discrimination and persecution of sex workers by law enforcement officials.

“And a separate recommendation for the independent expert on SOGI:

- Raise issues of trans people and gender identity within the framework of freedom of expression and pay close attention to Central Asia and Kyrgyzstan in particular.

More info

UN Trans Advocacy Week 2024