**Report from PU “Kyrgyz Indigo”**

**on Extreme Poverty, Human Rights**

**and on Adequate Housing Submission**

**October 31, 2021**

In Kyrgyzstan, there are no provisions prohibiting eating or sleeping in public places, but many LGBT+ people live on daily earnings without financial savings, and become more vulnerable to hunger and poverty, especially in crisis situations. COVID-19 has also had a bad effect on the LGBT+ community and deprived income of many people.

Most trans\* women are deprived of the right to employment and a dignified life due to transphobia, and most often engage in sex work. Sex workers live in rented daily apartments, because of the quarantine, many remained on the street and were unable to return to their families' homes. The government did not provide temporary housing for vulnerable groups during the crisis. Trans\* women women sex workers and LGBT + migrants were particularly vulnerable to hunger and poverty. Unfortunately, trans\* women sex workers are not eligible for economic assistance because they are not included in social protection schemes.

LGBT + migrants also found themselves in a difficult situation. Due to the closed borders, they could not return to Kyrgyzstan, without their own housing, many found themselves on the streets, and humanitarian aid was often issued by the people's headquarters and its receipt often depended on the appearance of a person's identity, as some trans\* people migrants experienced transphobia when receiving humanitarian aid. support. Some of them were forced to violate the state of emergency in order to earn money for food.

The vulnerability of LGBT + people to hunger and poverty is not only observed during crisis situations. Thus, according to Needs Assessment of trans\* people in Kyrgyzstan, which covered 36 people, 34% of them were left homeless due to their trans\* identity. A quarter indicated that they experienced significant difficulties with money due to barriers and social rejection of their trans\* identity. This confirms that discrimination, homophobia and transphobia are key factors in the vulnerability of LGBT + people to poverty and hunger[[1]](#footnote-1).

Trans\* people are currently the most vulnerable group on Extreme Poverty and Human Rights, on Adequate Housing Submission issues in Kyrgyzstan among the LGBT+ community and are subject to discrimination and stigmatization. The biggestt problem for trans\* community is that at the legislative level they cannot change gender marker in IDs. On 17 June 2020, the Parliament of the Kyrgyz Republic adopted amendments to the Law of the “On acts of civil status”. In the new version of the law the para that gave trans\* people the right to change gender marker was deleted.

In 2020, amendments to the Law Until 2020, trans\* people could exchange documents based on the results of a psychological and psychiatric examination according to the certificate of the Republican Center for Mental Health. For this reason, trans\* people face the problem of discrimination at school/university, work, do not have access to banking services, health services, especially on adequate housing submission and face human rights violations in public places. There is cases:

*«I rent an apartment with a friend. A neighbor on the landing for several days insulted and threatened in connection with sexual orientation and gender identity. On August 3, 2020, I called the police. The police arrived and asked to show the documents and the lease agreement****[[2]](#footnote-2)****»*

*(Trans\* woman)*

*«I rented an apartment in Bishkek,. The district police officer repeatedly bothered and demanded to move out of the apartment. On September 19, I was evicted from the apartment with the participation of operatives. Then I turned to the organization's lawyer[[3]](#footnote-3)»*

*(Trans\* woman)*

*“Trans\* women lost her passport, as she gave the apartment to the landlord, to be able to rent an apartment. The landlord of the apartment lost her passport. The trans\* women turned to us that she could not restore, since the birth certificate is with her parents, and they do not give it to her and threaten. She wants to start the procedure for exchanging documents (gender marker), but due to the lack of documents she cannot do this.*

*The women also faced another problem: she was drafted into the army, and now she is afraid to apply to government agencies for the restoration of documents[[4]](#footnote-4)”*

*(Lawyer of PU “Kyrgyz Indigo”)*

*“At the end of September, 2021, a trans\* man was beaten by a law enforcement officer based on his gender identity. Due to the emergency situation, our volunteer - the trans\* man had nowhere to go, and there was no shelter for LGBT+ people in Kyrgyzstan. We applied to the municipal crisis center for women victims of violence for a request to provide housing for him, but were refused. Trans\* man had nowhere to go and was left homeless[[5]](#footnote-5)”*

*(Advocate of PU “Kyrgyz Indigo”)*

*“Trans\* a woman asked for help to find an apartment, as well as the question of what to do if the landlord forcibly evicts from the apartment and how to avoid this in advance[[6]](#footnote-6)”*

*(Advocate of PU “Kyrgyz Indigo”)*

Because of society's rejection of trans\* people, they are denied rental housing, and often our friends stay on the street.

We also see another violation of trans\* women's rights:

*“Trans\* women with a roommate found a hidden camera in her apartment. The police were called, as far as she knows, the case was dismissed. Trans\* woman wants to move out of the apartment, and she has the following questions to our lawyer:*

* *the lessor does not want to return the deposit;*
* *there is a risk that the recording from the hidden camera will leak to the Internet”*

*(Lawyer of PU “Kyrgyz Indigo”)*

According to article 45 of the Constitution of Kyrgyzstan[[7]](#footnote-7), everyone has the right to housing, and no one can be deprived of it. But for some reason we see the opposite.We see that the LGBT+ community is vulnerable in Kyrgyzstan and faces a number of challenges. Those recommendations could improve the situation of our community:

* Adoption of comprehensive anti-discrimination legislation in accordance with international standards, with the inclusion of SOGI as protected characteristics will help to reduce discrimination affecting increasing poverty and hunger;
* - Enabling unfettered access to unemployment insurance and other economic protection programs for all LGBT+ people and sex workers to leave no one behind in providing support in crisis situations to the vulnerable groups;
* - Consult with LGBT+ community-based organizations in the development of social programs and initiatives that will ensure that the needs of the LGBT+ community are being met;
* State support for shelters for LGBT+ people is necessary in the fight against poverty and hunger. There is a need to maintain safe spaces for LGBT+ people, who have been kicked out of their houses. These measures will help improve the quality of life of LGBT+ people, and accordingly, their productivity and contribution to the development of the state.

1. Spotlight Review, Kyrgyz Indigo, p. 4-8, 2021. URL: <https://indigo.kg/uploads/File/2021/01/14/Spotlight-Review.-Kyrgyz-Indigo.docx.pdf> [↑](#footnote-ref-1)
2. Case documented by “Kyrgyz Indigo”. Bishkek, August, 2020. [↑](#footnote-ref-2)
3. Case documented by “Kyrgyz Indigo”. Bishkek, September, 2020. [↑](#footnote-ref-3)
4. Case documented by “Kyrgyz Indigo”. Bishkek, November, 2020. [↑](#footnote-ref-4)
5. Case documented by “Kyrgyz Indigo”. Bishkek, September, 2021. [↑](#footnote-ref-5)
6. Case documented by “Kyrgyz Indigo”. Bishkek, October, 2021. [↑](#footnote-ref-6)
7. Constitution of Kyrgyzstan, 2021, art. 45, URL: <http://cbd.minjust.gov.kg/act/view/ru-ru/112213?cl=ru-ru> [↑](#footnote-ref-7)