



Eastern European Coalition
for LGBT+ Equality

Celebrating 25 years of the mandate of the Special Rapporteur on violence against women: Call for submissions

The written input from the Eastern European Coalition for LGBT+ Equality¹

The main challenges to addressing violence against LBT women in Eastern Partnership Countries and Russian Federation in its various forms;

1. Gaps in Legal Framework and Policy

According to the CEDAW Committee, “the discrimination of women based on sex and gender is inextricably linked with other factors that affect women, such as race, ethnicity, religion or belief, health, status, age, class, caste, and sexual orientation and gender identity. Discrimination on the basis of sex or gender may affect women belonging to such groups to a different degree or in different ways than men.”² However, the mainstreaming of SOGIESC issues in gender equality agenda as well as legal framework and mechanisms directed at tackling domestic and gender based violence, remains a challenge.

Eastern Partnership Countries and Russian Federation represent a group of states, with varying degree of political will and actual reforms to tackle gender based violence and/or violence against LGBT+ people. Out of the six countries in the Eastern Partnership, 5 have legislation tackling domestic violence, but none mention LGBT+ community as one of the groups vulnerable to this type of violence. At the same time, according to the experience of the community-based LGBT+ organizations in the region, violence against LB women and transgender individuals both in the family, but also on the part of intimate partners remains a serious and disregarded problem. **In these circumstances, it is even more alarming, that only 4 countries in the region signed and only 1 ratified the Council of Europe Convention on preventing and combating violence against women and domestic violence**, a document, that represents a good basis for making the approach towards tackling domestic and gender-based violence more inclusive. In addition, those EaP states that offer more protections for LGBT+ people (including anti-discrimination legislation), continue to ignore, that **permanent initiatives, rather than sporadic reactions, are required to ensure that lesbian, bisexual women and transgender**

¹ The Coalition features the following organizations: PINK Armenia, GENDERDOC-M, Insight (Ukraine), Gay Alliance Ukraine, Women’s Initiatives Supporting Group (Georgia), the Russian LGBT Network

<https://www.facebook.com/LGBTEasternCoalition/>

² CEDAW/C/GC/28, 16 December 2010

people receive the same protection and support as other women who are subjected to gender-based and domestic violence. When it comes to the Russian Federation, which is not a part of EaP framework, however is a very influential actor in the region, we have seen deterioration both in terms of women's rights (with decriminalization of physical violence in the family) and rights of LGBT+ people.

To summarize, the human rights situation in the region differs to a certain extent from country to country, at the same times as we observe commonalities in 1) consistently negative attitude towards the rights of LGBT people (despite the reforms that are being introduced in some of the states); 2) segregation of SOGIESC issues from gender equality agenda and their active exclusion from measures tackling domestic and gender based violence. In a nutshell, there is a crosscutting lack of recognition that homo/bi/transphobia is indeed a form of gender-based violence and is strongly connected to the society's understanding of gender roles.

2. Violence, discrimination and psychosocial challenges

Women face different types of pressure and violence when their gender and sexuality intersect. One aspect of the hardships faced by LBT women, that is rarely discussed is the alienation from family members and social circles, conditioned by the fact that most people in the region choose not to come out to their families, due to high levels of xenophobia and public aggression towards LGBT community. What this leads to is the lack of support systems that, in turn "negatively influences a person's socialization and generally makes the self-realization of a person harder in different spaces, including education and workplace" making this group even more vulnerable to violence.³ In addition to this, LBT women often suffer from higher levels of depression, and engage in self-harm activities to a higher extent. A problem that is neither properly studied, nor addressed in the region.

Transgender people in general and transgender women especially, remain one of the most marginalized communities in the region. The vulnerability of this community to different types of violence, is strongly connected to the challenges in receiving education, finding employment, lack of support networks and consequently, the need to engage in commercial sex work, which is criminalized and extremely stigmatized across the region. The situation is often aggravated by homophobic and transphobic prejudices of the police and other service providers.

3. Importance of the mandate and Recommendations

Since 2011, the Special Rapporteur on Violence against Women has made strong references on SOGIESC issues⁴ and addressed a number of individual complaints on the human rights situation of LBT persons. The *Eastern European Coalition for LGBT+ Equality* sees the mandate as an important driving force for promoting intersectional approach to preventing gender based violence. We believe that reiterating concrete asks on inclusion of SOGIESC issues into the efforts

³http://www.women.ge/data/docs/publications/WISG-LGBTI-Persons-and-intersectional-discrimination_WISG_2018_GEO&E_NG.pdf

⁴https://ilga.org/downloads/SP_factsheet_violence_against_women.pdf

addressing gender-based violence with the governments in the region, are indispensable and could be expressed in following terms:

- The importance of addressing the inclusion of LGBT+ people in relevant domestic legislation, action plans (where applicable) and implementation mechanisms tackling domestic, gender-based and sexual violence, needs to be acknowledged and systematically highlighted;
- Sexism and homo/bi/transphobia, as well as lack of information on gender and sexuality, need to be addressed by the States through programs and reforms targeting gender stereotypes and homo/bi/transphobic attitudes. Without such initiatives to change public attitudes and reduce xenophobia, the programs aimed at changing behaviour and mindset of perpetrators, will not be sufficient to solve the problem;
- Relevant authorities in each State should take the responsibility for ensuring that information about shelters for survivors of gender based violence reaches all women, and that such accommodation is accessible irrespective of sexual orientation and/or gender identity;
- Police, as well as relevant professionals delivering services to the survivors of domestic, gender-based and sexual violence, need to be provided with relevant training tackling gender stereotypes and homo/bi/transphobic attitudes, in order to make sure that all the survivors, regardless of their sexual orientation and/or gender identity and expression receive equal treatment and avoid retraumatization.