

# Call for input to the report of the Special Rapporteur on violence against women and girls to the Human Rights Council on prostitution and violence against women and girls



## Submission from TGEU (Transgender Europe)

TGEU is a regional membership-based organisation with 215 member organisations in 50 countries in Europe and Central Asia, working to protect and strengthen the human rights of trans people. For further information see <https://tgeu.org/>  
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Trans people face widespread structural and institutional discrimination leading to barriers to education and stable employment which in turn contribute to the risk of poverty and homelessness. They also face a high risk of violence at home, family rejection, and may choose to migrate to avoid persecution based on their gender identity and gender expression, which may put them in a position of having no formal employment permits in their country of residence.

Within trans communities, those most affected by this structural discrimination and exclusion from stable, formal employment, including (un)documented trans migrants, trans youth, and trans Black and people of colour are more likely to turn to informal or criminalised settings, including sex work, to survive. The informal or criminalised nature of this work is more likely to lead to trans people in these communities getting trapped in a vicious circle of violence, precarity, poverty, and housing instability.

TGEU's flagship Trans Murder Monitoring consistently finds that of those trans people murdered whose occupation is known, a large share are sex workers<sup>1</sup>.

The [TGEU sex work policy](#) and the [TGEU report 'The Vicious Cycle of Violence: trans and gender-diverse people, migration, and sex work'](#), go into further detail about why trans people often rely on sex work to survive, the health and safety risks that face trans people when any aspect of sex work is criminalised, and the tight connection between anti-sex work prejudice with anti-migrant prejudice, transphobia, racism and sexism.

In addition to the two above linked documents, the following additional comments are specific to the situation of sex workers in the Eastern European and Central Asian regions.

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<sup>1</sup> <https://tgeu.org/trans-murder-monitoring-2023/>

## **Trans sex workers in Eastern Europe and Central Asia (EECA)**

The following points outline how the criminalisation of sex work puts sex workers and especially trans sex workers in unnecessary danger.

### **Violence from state actors**

- Transgender women in **Ukraine** engaged in sex work are afraid of clashes with the **military** - they can be mobilized into the army if the gender marker in the documents has not been changed. As a result, they avoid crowded places and do not work on the street, where they could be detained. If transgender sex workers flee to another country to seek asylum, they may also be detained and drafted into the army upon crossing the border.

### **Lack of access to health care**

- Since the beginning of the war in Ukraine, migration within the EECA region has increased. And the criminalization of sex work and the lack of recognition of sex work as a form of work means that in many countries sex workers cannot obtain the health insurance that all formal workers are entitled to, leaving trans sex workers dependent on local organizations for services.

### **Violence, blackmail, exposure to HIV through coercion by clients not to use protection or lack of availability of condoms**

- Trans women involve in sex work for many reasons. Sex work makes them even more vulnerable in different contexts: to visibility and violence, to blackmail from law enforcement officers. Trans women in sex work are vulnerable to HIV and the use of psychotropic substances, including chemsex.

### **Essential health care and HIV services lose funding because of connection with sex work**

- In Kyrgyzstan, a deputy demanded the dissolution of the Country Coordination Mechanism (CCM - responsible for all HIV prevention and treatment strategies in the country), since part of the Global Fund money goes to HIV prevention among key populations among which there are men who park sex with men and trans women.

Sources:

<https://swannet.org/unveiling-the-regional-impact-war-in-ukraines-ripple-effect-on-sex-workers-and-advocacy-organizations-in-central-and-eastern-europe-and-central-asia/>  
<https://ecom.ngo/news-eeca/v-kirgizstanerasformirovan-skk>

The following points outline how sex workers are being targeted using other hostile anti-trans and anti-LGBTI laws

- In Russia, the legal framework has changed and new initiatives have been initiated against LGBT people. At the end of 2022, the Russian parliament passed a new law that restricts freedom of speech for LGBTI people by banning public discussion of homosexuality and gender identity among people of all ages. By February 2023, cases of persecution of trans sex workers using the law on “LGBT propaganda” for publishing advertisements on the Internet became known: from the point of view of the police, they “publicly express interest in the attractiveness of non-traditional relationships.” Trans women migrants in Russia are threatened with deportation from Russia. The absence of all necessary documents is an additional lever of intimidation and pressure, along with fines and deportation.

Sources:

<https://tgeu.org/russia-adopts-new-anti-lgb-and-anti-trans-law/>

<https://en.zona.media/article/2023/02/27/propaganda>

- A similar initiative was adopted in Kyrgyzstan, in August 2023 a law to amend the child protection law was adopted. This amendment prohibits sharing information on diverse sexual orientation or gender identity, as so-called “promotion of non-traditional sexual relations”.
- Such initiatives have the greatest impact on marginalized groups within LGBT communities, trans women with intersecting identities, and primarily migrant trans women involved in sex work.

Sources:

<https://tgeu.org/kyrgyzstan-proposes-anti-lgbti-propaganda-law/>