

LGBTQ SEX WORKERS IN THE CEECA REGION

an overview



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ABOUT SWAN

The Sex Workers' Rights Advocacy Network ([SWAN](#)) is a network of 27 civil society organisations in 20 countries in Central and Eastern Europe and Central Asia (CEECA) advocating for the human rights of female, male and transgender sex workers. SWAN member organisations work with or are led-by sex workers; sex worker leadership is an organising principle of the network.

SWAN was founded in 2006 and was officially registered as the SWAN Foundation in January 2012.

FOREWORD

'In general I can say that trans sex workers are happy with their lives. Sometimes when we come together and discuss, they say things like I'm good because you know, there are few other jobs where I can make money and feed myself. [When] I ask them about future plans they say: I don't know, so far I am going to earn money to buy a house, to support my parents; I can't look for another job as I have no other skills'. So, in general, they are happy, they are satisfied. They are able to get out of dire situations and I think that shows the resilience of the community and it is quite exemplary.'

- trans woman sex worker, Sex Workers Forum, Russia

When writing about living and working conditions for lesbian, gay, bisexual, transgender and queer (LGBTQ) sex workers, the temptation can be to portray the community as highly vulnerable, facing grave levels of violence, discrimination, and socio-economic



issues. Although these factors play a key role in shaping the lives of LGBTQ sex workers, the life of each individual trans, gay, or bisexual sex worker is boundlessly more than the violence and discrimination they face. The quotation opening this paper, from a migrant trans sex worker based in Russia, highlights that the lives of LGBTQ sex workers are also lives filled with hope, resistance, and- all too rarely mentioned- happiness.

This resource, developed by SWAN, was initiated by the demands of LGBTQ sex workers in Central Europe, Eastern Europe, and Central Asia. They wanted to see their issues and demands better reflected by the LGBTQ and sex workers' rights movements, and to be understood by the policy-makers, funders, and other stakeholders who have the power to implement changes that can drastically improve their lives.

This report will explore the legal and social environments in which LGBTQ sex workers live and work, the impact of criminalisation, stigma, and the human rights violations that their communities face. It illustrates how LGBTQ sex workers are indeed at high risk of abuse by many actors - including state actors - and that they face several particular issues with regard to accessing health and justice and basic socio-economic needs (such as housing, education and access to other forms of employment).

These various vulnerabilities, however, should not conceal the strength of the community and of individual LGBTQ sex workers. Often forced to live their lives without family or social support, LGBTQ sex workers work, cross borders, support each other and their families and organise to create political and social change. As the above-mentioned trans woman sex worker activist says: *'they are able to get out of dire situations and I think that shows the resilience of the community and it is quite exemplary.'*



ABOUT THIS PAPER

Introduction

The lives of LGBTQ sex workers in Central Europe, Eastern Europe and Central Asia are impacted by many hardships, including precarious living conditions, various forms and levels of criminalisation and discrimination as well as violence and human rights violations. As a vulnerable group within an already marginalised community, LGBTQ sex workers live their lives at the intersection of two overlapping identities. However, this community receive little, if any, attention from policymakers, civil society and funders. Transgender sex workers and men who have sex with other men (MSM) sex workers are also often forgotten in the response to the HIV epidemic and inadequately served.

This briefing paper developed by SWAN aims to fill the gap in knowledge about LGBTQ sex workers in Central Europe, Eastern Europe and Central Asia. The scope of this briefing paper does not allow for a full analysis of discourses, attitudes, laws, policies and practices impacting LGBTQ sex workers, but rather aims to provide a general overview of key issues and trends as documented by SWAN members and NGOs working in the fields of LGBTQ rights, human rights, gender equality and sexual health/HIV. The first section provides an overview of the main issues faced by this community, analysing the impact of repressive laws and policies on sex work and Sexual Orientation, Gender Identity and Expression (SOGIE), as well as incidences of violence and human rights violations. The second section documents obstacles in access to services, in particular, related to justice and health, including HIV services. The final sections include recommendations to civil society, policymakers and funders to improve the lives of LGBTQ sex workers in CEECA.

Methodology

This briefing paper was developed by SWAN between September and December 2021. Members of SWAN were invited to respond to a survey, available in English and Russian, which included 26 questions. Further in-depth interviews with members of SWAN and other stakeholders took place online. Interviews were conducted with sex workers members of STAR-STAR (North Macedonia), Kirmizi Semskiye (Turkey), Sex Work Polska (Poland), Ameliya (Kazakhstan), Legalife (Ukraine), Tais Plus (Kyrgyzstan), Temida (Georgia) and Sex Work Forum (Russia) as well as The Eurasian Coalition on Health, Rights, Gender and Sexual Diversity (ECOM) and Transgender Europe (TGEU).

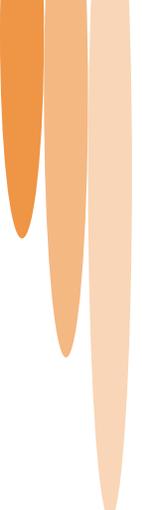
Data analysis of these interviews was conducted by a consultant, and upon being written, the briefing paper was reviewed and approved by the SWAN Secretariat and Management Committee.

Terminology, disclaimers and warning

This paper uses the term 'LGBTQ sex workers' to refer to cisgender, transgender and non-binary, gay, bisexual and lesbian sex workers. This paper also refers to 'MSM (men who have sex with men) sex workers', with the understanding that many men who sell sex to other men are not necessarily gay.

This paper mainly refers to trans women, gay and other male sex workers who sell sex to men, who are the most visible members of this community. This also reflects the general lack of data and evidence regarding lesbian and trans men sex workers.¹

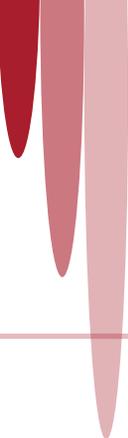
1 <https://www.taylorfrancis.com/chapters/edit/10.4324/9781003152835-27/trans-men-sex-work-max-nicolai-appenroth>



Finally, the acronym LGBTQ was consciously chosen rather than LGBTQI (lesbian, gay, bisexual, transgender, queer, intersex) sex workers as no respondents reported on the specific intersection of sex work and intersex identities. This is not to argue that intersex sex workers do not experience violence and discrimination, as other members of the LGBTQ sex-working communities. Whilst several intersex sex workers are active and visible in the sex workers' rights movement globally, no information was available for CEECA.

The quotes contained within this briefing paper, identified as italics, are taken directly from the interviews conducted for this report. Some of the structure of these quotes have been altered to follow grammatical English, but this will be identified by angle brackets.

Warning: this report contains graphic descriptions of violence against LGBTQ sex workers including police violence, sexual violence and murder.



STIGMA, DISCRIMINATION AND LEGAL OPPRESSION

This first section offers a brief overview of how the national and regional political contexts and legal frameworks regarding sex work and SOGI impact LGBTQI sex workers. It also explores the socio-economic needs of the community and the consequences of precarity and lack of access to education, formal labour markets and housing.

Stigma and discrimination

'Doctors or the police openly laugh at these communities (LGBTQ sex workers). The stigma goes very deep.'

- trans woman sex worker, Legalife - Ukraine

LGBTQ sex workers face a 'double stigma', due to their involvement in sex work in addition to their gender identity or sexual orientation. This stigma and discrimination permeate and impact most aspects of their lives, including their access to services, and fuels both direct and structural violence.

Repressive laws and policies against sex workers and LGBTQ people in the region contribute to pervasive stigma against these communities, and whilst some countries have developed anti-discrimination laws and policies, these rarely translate to concrete improvements. As reported by activists in Georgia: 'In 2013, an anti-discrimination law was voted [through], however, the law is nicely written but rarely applied.'

Respondents commonly spoke about discrimination by police officers and medical personnel.

'We also face stigma and discrimination in [the] medical institution. Violations of trans sex workers' rights from police, from clients... is much more frequent than against cis women sex workers.'

- trans woman sex worker, Tais Plus, Kyrgyzstan

Stigma and discrimination also fuel personal and institutional violence - and these are both causes and consequences of criminalisation and legalised oppression.

Political, social and cultural context

'There has been an increase of Georgian LGBT people, including sex workers, moving to European countries such as Belgium, in particular following the violent repression of Pride in 2013 and changes to visa restrictions for Georgians. There has been a rise of neo-nazi groups with the church also calling for hatred against LGBTQ people. We have videos of religious people saying that LGBTQ people should be found and killed.'

- LGBT activist, Tamida, Georgia

The CEECA region is a large and diverse region, with cultures containing several dominant religions and a complex history that influences its current political and social directions as well as developments. Although some CEECA countries such as North Macedonia, Georgia, Ukraine, Bulgaria and Romania have recently developed a more progressive approach to LGBTQ communities reflected in anti-discrimination laws, prevalent attitudes towards non-conforming genders and sexualities continue to be deeply ingrained within a conservative, cis-heteronormative² and traditional family values framework. In many countries in the region, acceptance of gender and sexuality diversity is regressing. For example, according to 2020 research by Pew Research

2 Heteronormativity- A discourse based on assumption that heterosexuality is the norm and privileges this over any other form of sexual orientation. Cisnormativity- A discourse based on assumption that cisgender is the norm and privileges this over any other form of gender identity.

Center³, only 14% of respondents in Ukraine and Russia agreed that homosexuality should be accepted by society. The International Lesbian Gay Bisexual Trans and Intersex Association Europe (ILGA- Europe), which represents 600 LGBTQI organisations from 54 countries across Europe and Central Asia, has consistently documented both the positive and negative developments regarding LGBTQ issues in Europe. In its Rainbow Europe - which includes the Rainbow Map and Index, ILGA Europe ranked 49 European countries on their respective legal and policy practices for LGBTI people, from 0-100%: the majority of ECEA countries (Central Asian countries are not included in the mapping) fell below 20% on the index (Moldova, Bulgaria, Ukraine, Poland, Belarus, Russia, Turkey, Armenia, Azerbaijan).⁴ In 2021, [Azerbaijan](#) (2%), [Turkey](#) (4%), Russia (8%), and [Armenia](#) (8%), ranked the worst in terms of LGBTQI equality.

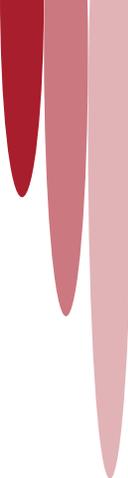
In recent years 'anti-gender movements' have strongly developed in the region, influenced by various factors and actors. Constructed as a response to so-called 'Western ideology' and the 'Europeanisation' of the region, and instrumentalised by various populist leaders in order to deflect from national, economic or other crises, anti-gender movements have successfully mobilised to repeal or create various laws in ECECA aligned with their ideology. The broad anti-gender movement has developed itself in opposition to various social issues including gay marriage, reproductive rights, gender studies, sex education, and gender identity. This movement has focused its efforts on reproductive rights in particular access to abortion and LGBTQI rights - and to a lesser degree on sex workers' rights, as sex work is already highly criminalised and discriminated against.

The results of the anti-gender development in the region include the ban on access to safe abortion and LGBT-free zones in Poland, bans on equal marriage in several Central European countries, anti-LGBT propaganda laws in Russia, bans on Pride events in Turkey, alongside countless other examples. As noted by ILGA-Europe in 2019:

*'For the first time in the Index's ten-year history, **countries are moving backwards** as existing laws and policies disappeared: **Poland** no longer provides access to medically assisted reproduction for single women, while **Bulgaria** removed all their administrative and legal procedures for changing name or gender markers in the*

3 <https://www.pewresearch.org/global/2020/06/25/global-divide-on-homosexuality-persists/>

4 <https://www.ilga-europe.org/report/rainbow-europe-2022/>



*official documents for trans people. **Serbia** and **Kosovo** did not renew their equality action plans. **Bulgaria, Hungary** and **Turkey** are countries which slide back on the ranking because of their government's failure to uphold fundamental civil and political rights such as freedom of assembly, freedom of association and protection of human rights defenders over the past year. The result is **an increasingly unsafe and unsustainable environment for LGBTI organisations and human rights defenders** in a growing number of countries.'*

ILGA Europe, Rainbow Mapping, 2019⁵

Several NGOs, think tanks and academic institutions have analysed and documented the strategies, networks of influence and funding of these anti-gender campaigns, alongside the interconnection of fundamentalist religious organisations, wealthy individuals, populist leaders and political parties.⁶ In Russia in particular, a coalition of state foundations, private individuals such as oligarchs, politicians and the Russian Orthodox Church have been identified as essential actors and funders of the anti-gender movement, in particular the Agenda Europe, a professional advocacy network representing 100 conservative organisations collectively campaigning to push back against LGBTQ and women's rights in the region.⁷ Russian funding also supports extreme right-wing parties and militant organisations across Europe, playing a significant role in opposing LGBTQ and women's rights at a national level through lobbying as well as direct action including violence against LGBTQ and women's rights organisations.⁸ Catholic foundations in Poland have been identified as among the most influential foundations in Europe active in the anti-gender movement.

"Populist politicians are the first actors against sex workers and LGBTQ [people]. In every scandal we see a politician using it for [their] own public promotion or [for] raising [their] profile. Also religious politicians... In our region religion is not an ideology, it is a politics, especially in the former Soviet Union."

- representative, The Eurasian Coalition on Health, Rights, Gender and Sexual Diversity (ECOM)

5 <https://ilga-europe.org/report/rainbow-europe-2019/>

6 <https://www.epfweb.org/node/837>

7 https://www.epfweb.org/sites/default/files/2021-03/rtno__EN_epf_online_2021.pdf

8 <https://www.epfweb.org/node/837>



While there is a growing body of research concerning the real-life consequences of far-right populism on LGBTQ people, less research has been conducted on the connection between the anti-gender movement, ultra-conservative actors and anti-sex workers' rights campaigns and legislation proposals. However, there is a growing recognition of the influence of anti-LGBT and anti-abortion religious organisations on the global level such as Christian Action Research Education - CARE in the UK or 'anti-trafficking' organisations such as Exodus Cry in the US - which support the abolition of prostitution through the criminalisation of clients and third parties including digital platforms.^{9 10}

We cannot speak of the erosion of women's and LGBTQ people's rights without acknowledging the heavy toll these push-backs have on sex workers. Any backlash against women's rights and LGBT rights also negatively impacts sex workers of all genders who belong primarily to these social groups.

'The main opponents to LGBTQ and sex worker communities and individuals are radical militant organisations such as Tradition & Order and others who support traditional family values, are against sex work... But radical feminists are also a sore spot. The radical feminists in Ukraine are also very against trans people and don't recognise trans women as women and trans men as men. They also support the criminalisation of clients.'

- trans sex worker, Legalife, Ukraine

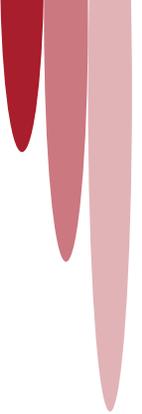
Alongside religious fundamentalists and far-right groups, abolitionist feminist discourses, which define prostitution as violence against women and call for an abolition of prostitution through the criminalisation of clients, are becoming increasingly prominent in the region with a growing number of activists calling for a ban on prostitution.

As documented in SWAN's report on Sex Work Legal Frameworks (2019):

'Almost all sex worker groups report that abolitionist groups emerge and become vocal in their contexts. In Ukraine for instance, several Facebook groups, such as FeminismUA, FemUA Nordicmodel, and Resistanta withdrew from the 2018

9 https://pureadmin.qub.ac.uk/ws/portalfiles/portal/49739342/Ellison_final_revised_12th_April.pdf

10 <https://scot-pep.org.uk/wp-content/uploads/2020/12/LGBTQbriefing.pdf>



*Women's March, because Legalife- Ukraine, a sex worker advocacy organisation, was listed as an organiser.⁹⁸ Similarly, in Russia, abolitionist organising is on the rise, with many outspoken abolitionist feminists and online groups publicly calling for the adoption of client criminalisation, the so-called Swedish Model. The idea of penalising clients of sex workers has also been publicly supported by officials of the Russian Orthodox Church and has inspired legislative actions, such as the introduction of administrative penalties for the purchase of sexual services in Belgorod in 2012.'*¹¹

However, it is worth stressing that the push for recognition of prostitution as violence against women by abolitionist feminist activists has so far had limited results in terms of changes to legal frameworks. However, it has also led to the increased criminalisation of sex workers. In Serbia for example, the push for the Swedish Model has led to further criminalisation of all parties, including sex workers: Serbia criminalised the purchase of sex in 2016 but simultaneously increased the penalty to sell sex, further entrapping those who sell sex in poverty, which exposes them to increased risk, exploitation and harsher working conditions. The efforts to introduce the Swedish Model in Serbia therefore only furthered the criminalisation and exclusion of sex workers.¹²

Double legal oppression

'We do see positive trends in terms of legal changes but they are not making a big difference [for] LGBTQ sex workers' lives at the moment.'

- trans woman sex worker, Legalife, Ukraine

As documented by SWAN in its "Sex Work and Legal Frameworks" report: *'in the majority of CEECA countries, sex workers are penalised by administrative offences, often called misdemeanours or petty crimes. However, these administrative offences in countries such as Serbia and Croatia, these administrative offences should be rather interpreted as*

¹¹ <https://swannet.org/resources/sex-work-legal-frameworks-in-ceeca/>

¹² <https://www.nswp.org/news/law-amendment-serbia-increases-penalties-sex-work>

provisions of criminal law, given the nature of the sanction (imprisonment), its gravity, and its range. In Albania, provisions related to sex workers are included in the criminal code. In some countries, sex work is not addressed by administrative and criminal laws, while only four countries in the region explicitly legalise or regulate (some form of) sex work.

Clients of sex workers are only punishable by administrative laws in Serbia, Bosnia Herzegovina, and Lithuania in the region, while third parties that organise and facilitate sex work are penalised and criminalised by administrative and criminal provisions in the overwhelming majority of CEECA countries, depending on the offence they are prosecuted for. Providing premises for sex work – brothel-keeping – is only legalised and regulated in two countries of SWAN membership, in Turkey and Greece.'

Whilst there is no authoritative comparative data analysing violence against LGBTQ sex workers compared to the general sex working population, many respondents noted that LGBTQ sex workers face a type of double stigma and double legal oppression, because of their LGBTQ identity and their criminalised labour. In countries where sex work is regulated such as Greece or Turkey, in practice, only cis women sex workers are legally allowed to work in brothels. In those countries, MSM and trans sex workers are forced to work in public areas, clubs, saunas and flats and are at greater risk of violence, including police violence. Elsewhere, public morality and public order laws are often used against street-based sex workers including LGBTQ sex workers: 'administrative article of harassment in public places', Kazakhstan; 'petty hooliganism' and 'disorderly conduct', Kyrgyzstan; ', indecent behaviour" Slovenia; "performing acts of exhibitionism or other explicit sexual acts' Romania. These ambiguous offences are routinely used against street-based sex workers and are notably difficult to contest.

Consistently, obscenity laws are also used punitively against sex workers:

'The 'Kabahatler kanunu', [translated as]'Law of misdemeanours', is used to fine trans sex workers when they go out even to a shop or to walk their dog. Obscenity laws [are] used against LGBT sex workers a lot. This includes online spaces too. There is the law governing prostitution. They try to charge sex workers with 'promoting prostitution', even when they open a Twitter account for themselves. Which is ridiculous.'

- cis woman, member of Kirmizi Semsiyi, Turkey

INCLUSION AND EXCLUSION IN LGBTQ AND SEX WORKERS ORGANISATIONS

'Many LGBT sex workers go to sex workers' community organisations for support, for example, Tais Plus in Kyrgyz, as they are non-judgmental. For HIV services, you can go to both [LGBT and sex work-led services]. For legal assistance: it is better to go to [a sex worker-run service] as the lawyers know better the laws around sex work. For community and recreational events, trainings... it is better to go there. Many (cis) sex workers don't understand our trans identities, but conflicts are not frequent. I think sex worker organisations have a more humane attitude towards us.'

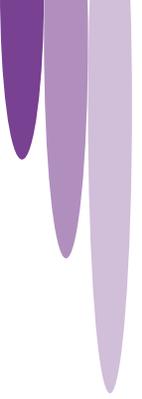
- trans woman sex worker, Sex Workers Forum, Russia

'Many LGBTQ sex workers would rather go to an LGBTQ organisation or service than to a sex worker one. It is easier for them to say we are LGBTQ than having to disclose that they do sex work. Even though there is stigma against sex workers within LGBTQ community'

- cis woman sex worker, Legalife, Ukraine

The stigma and discrimination faced by LGBTQ sex workers can, unfortunately, be replicated by both LGBTQ and sex workers' services, organisations and movements. As shown in the quotes above, each national and local context is different and situations vary greatly between each country. LGBTQ sex workers might decide to use services from either an organisation more focussed on LGBTQ or sex work issues. It is worth noting that there are very few specifically LGBTQ sex worker organisations in the region, with the exception of North Macedonia, Romania, Armenia and Turkey. It is also critical to understand that LGBTQ sex workers who are 'out' (public about working in the sex industry) might feel more confident to visit both LGBTQ and sex worker services; meanwhile LGBTQ sex workers who are not 'out' will not attend sex work-specific services and may be concerned about the risk of being outed and potential impact of stigma.

Some sex worker organisations noted that their inclusion of trans and MSM sex workers was quite recent and an ongoing but beneficial process:



'We only started to work with trans and male sex workers only for [the] last three or four years. In the past, we were approaching the issue of trans and male sex workers only through the lens of sex work- although trans and male sex workers face other issues not directly linked to sex work. We started to understand this better and are developing needs assessment and research.'

- cis woman sex worker, Legalife, Ukraine

General distrust of authorities or organisations that may be perceived as linked to state institutions can be an obstacle to accessing basic services, even if these are community-led.

'We don't have access to all trans sex workers. Those who know us do come but many don't know and don't come. In Kyiv for example there is a very closed group of trans sex workers - but they usually refuse to come and meet with our organisation. One trans sex worker from the group will meet with one of our social workers and accept commodities and information for the whole group then distribute it to everyone else – some of them are even afraid to meet a social worker. However, it is difficult to give proper information to everyone through one person. We can't really organise counselling. Frequently they would call the hotlines to discuss their issues and I suggest to meet us they say 'no we don't want to.'

- cis woman sex worker, Legalife, Ukraine

Finally, respondents also noted that LGBTQ movements and organisations could also reflect the wider anti-sex work stigma and discrimination. Although European organisations such as ILGA-Europe or Transgender Europe have taken a clear position in favour of sex workers' rights and decriminalisation of sex work, this support does not always translate into concrete policy and political actions.

The lack of inclusion of LGBTQ sex workers can also be related to what is often referred to as 'respectability politics'. Many LGBTQ activists and advocates do not include sex workers' rights as an advocacy issue for fear that this would harm their general advocacy for LGBTQ rights.

'Generally, [the] LGBTQ movement keep[s] distance from sex workers - but also from people who use drugs (PWUD) - from people who live a less socially acceptable life. Even within the trans community, many trans sex workers will be ostracised by other trans people because of their involvement in sex work.'

- trans woman sex worker, Legalife, Ukraine

SOCIO-ECONOMIC NEEDS: POVERTY, ACCESS TO FOOD AND HOUSING

Homophobic and transphobic attitudes in the family, and in society at large negatively impact LGBTQ sex workers and have direct consequences on their socio-economic status and material living conditions, such as access to basic necessities, food and housing. As noted by several respondents, entry into sex work is often a consequence of familial rejection or violence from family members who do not accept the gender identity, presentation or sexual orientation of their child.

“Many young trans people get expelled from their family when they start to transition, in particular in a family with a very religious background or with members in the military. And they need a place to live and to pay for food and buy hormones. For those who know about IT and how it works they can start to do cam sex work and might rent an apartment to work and then sometimes also look for clients. This is mostly in Kyiv.”

- trans woman sex worker, Legalife, Ukraine

Rejection from family, exclusion and bullying in the education system and widespread discrimination in labour markets limit LGBTQ people - in particular trans women's - access to other forms of employment. For many, sex work is the only form of economic activity available.

‘For trans women in particular, there are very limited options in the labour market. Although Georgia has anti-discrimination policies, access to education and to [the]labour market can be very limited for trans people, and sex work can be the one way to survive.’

- LGBT activist, Tamida, Georgia

Expenses related to gender transition (such as hormone therapy and surgeries) is also acknowledged as an important factor for engagement in sex work:

‘The cost of hormone therapy and surgery is very high. Even with a normal salary (around 500 US\$ average in Ukraine), you can cover your basic needs but not surgery, ie.

vaginoplasty in Ukraine costs 3000 \$ - abroad it's 8-10000 \$. It is very difficult to collect this amount if you also rent a flat and pay for food. So this is why a large number of trans women start doing sex work - and then they face risks of discrimination, HIV, sexual violence - the risks are high. So we need to look [at] and pay attention to the basic needs of trans people. If they [had] access to stable employment, stable housing, education, they would not need to start sex work.'

- trans woman sex worker, Legalife, Ukraine

LGBTQ sex workers also face discrimination while accessing housing which can lead to further precarious or dangerous living arrangements.

'It is also difficult for LGBTQ sex workers to find a place to rent as not many landlords want to rent to them.'

- trans woman sex worker, Legalife, Ukraine

Many LGBTQ sex workers find themselves unable to access safe and permanent housing, due to uncertain income, as well as the impossibility of providing bank statements or gathering enough money for a deposit. The limited number of beds in homeless shelters and a lack of LGBTQ-friendly shelters lead to high levels of homelessness and unsafe and precarious housing in the community. Additionally, the issue of food destitution for LGBTQ sex workers remains largely unexplored and under-researched. A report, prepared as part of the Food Bank Saves Lives a 2021 project and implemented by the ChemBrothers initiative group with technical and expert support from HPLGBT in Ukraine, assessed that of the 200 project participants, *'73% of MSM and other gay chemsex workers are homeless and their income is approximately USD 56 over the last three months (in total).'*¹³

The intersections of sex work with trans-, bi- and homophobia, lack of access to education and formal labour markets, and poverty is a crucial issue for LGBTQ sex workers and is seen as a priority by the community. Meanwhile, the digitalisation of society and greater access to Information and Communication Technologies in particular phones is reshaping the way LGBTQ sex workers work and live as explored in the next section.

¹³ The Food Bank Saves Lives – 2021 project was aimed at an emergency response to the situation related to the fact that the majority of MSM and other gay chemsex workers¹ due to the COVID-19 pandemic were left without sources of income, homeless, starving and on the brink of poverty. https://www.hplgbt.org/publish/library/en/Report_FBBSL-2021_en.pdf

MOBILITY AND MIGRATION

The research done by SWAN in 2021, on Sex work and migration in CEECA¹⁴, documents a high level of mobility and migration of sex workers within the region. The majority of movement is registered within countries, eg. from rural areas, villages and towns to cities and other larger population centres, transportation hubs, centres for business and industry, areas with high levels of male migrant workers, or between neighbouring countries within a region. Migration outside the CEECA region is less common, and Western Europe, which used to be a target destination in earlier years, now is becoming less attractive due to reductions in earnings and a perceived increase in violence.

According to this research, one of the most pressing reasons for sex worker migration in CEECA is the need to secure greater privacy and anonymity. Sex workers in general, and especially LGBTQ sex workers, leave their hometowns, cities or countries as a way to increase their safety and gain some protection from stigma and public shame. This stems from the pressure to conform to gender-based norms in highly conservative, patriarchal environments, particularly in rural locations, along with the social punishment that is inflicted on individuals when they are seen not to comply with these norms.

For transgender sex workers, anti-sex work discrimination intersects with transphobia, creating severe risks to safety. The relative anonymity and more liberal attitudes often found in bigger cities offer improved scope for safety and trigger mobility.

“We know that trans sex workers are heading to big cities, and the most important reason for this is to get away from transphobia.”

- trans woman sex worker, Kirmizi Semsiyeye, Turkey

For many, often the only option to escape severe transphobic harassment, violence and economic marginalisation is to leave their country of origin.

14 [Sex Work and Migration in CeeCa | SWAN](#)



"We have a lot of trans people who move from Armenia and go to Russia – different regions. A lot of trans sex workers go to other countries. They tell me they can't stay in Armenia and continue, because first, it's dangerous, and second, we don't have clients in Armenia."

- trans woman sex worker, Rights Side NGO, Armenia

Anti-gay propaganda, the political climate around LGBT and sex-work issues and the homophobic and transphobic rhetoric of state representatives and institutions in some countries fuel the widespread stigma and individual trans people's fear for their security and well being.

"[A] Huge part of [the] LGBTQI community is leaving Russia. Everyone who knows [another] language or can work, have left since 2012. There is lack of support in the country, we can not provide much support, so they leave."

- trans woman sex worker, Sex Workers Forum, Russia

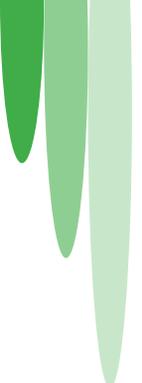
"Around 80% of LGBTQI sex workers are migrating abroad. Especially in 2016-17 when the political climate was very bad, many LGBT people permanently moved out"

- trans woman sex worker, STAR, North Macedonia

The second most common reason for the migration of LGBT sex workers is economic, with movement towards regions with better economies or more clients. This economic incentive for trans sex workers is increased by the need to access hormone therapy or surgeries which are inaccessible or unaffordable in their own countries.

Travelling for trans sex workers is not always easy or safe, however, even when trying to use legal routes:

"Cis sex workers can go Dubai. But trans sex workers have a problem with their gender marker. [The] last 3 sex workers went to Sharm el Sheik, the Authorities opened their passport in the airport and see that their sex on the passport didn't match their gender expression. They were taken to a room, held for 3 days and then returned to Yerevan. It's the same situation with Russia. For example, one week ago I had the same problem. A Russian border guard opened my passport and saw



that it said male, not female. After one hour I took my passport and was returned to Yerevan.”

- trans woman sex worker, Rights Side NGO, Armenia

Transphobia and homophobia in the region also affects LGBTQ sex workers migrating from other parts of the world.

“We had one case about a year ago. 6 Cuban trans sex workers came to Yerevan to work. They stayed in Yerevan for 6 months and then went to work in other countries in Europe. Because Cuba has a transphobia problem – they say that Armenia is a safer place for them to work and make money. After 6-7 months they realised it was not a safe space - so they left to go to different countries (in Europe).”

- trans woman sex worker, RightsSide NGO, Armenia

The same practices of outing, shaming and discrimination are imposed on all trans sex workers, regardless of their origins. However, migrants are especially vulnerable due to fear of deportation and the potential legal and personal risk of harm in their country of origin.

“We have one case in court now of 2 trans Cuban sex workers who have HIV. [A] Transphobic and Homophobic person in the government put their personal information on a Facebook post – and exposed the trans women. And said the women should be deported- they should not be allowed to stay here and do sex work.”.

- trans woman sex worker, RightsSide NGO, Armenia

DIGITALISATION, MEDIA PORTRAYAL, AND THE COST OF VISIBILITY

Social changes linked to the wider availability of digital tools have led to both positive and negative outcomes for LGBTQ sex workers. New forms of online sex work have developed such as cam work (sex work through webcams), allowing sex workers to earn an income with relatively increased safety; platforms have allowed sex workers to communicate amongst themselves and with clients; and sex workers' rights organisations have gained greater visibility and impact thanks to diverse social media allowing them to share their message with a wider audience.¹⁵

However, several interviewees denounced the role that digitalisation and media play in the negative portrayal of LGBTQ people and sex workers, noting the role of both traditional and social media. Negative portrayals of LGBTQ and sex workers' activists and their organisations can lead to grave consequences, as explained by respondents in Kyrgyzstan:

'We don't do interviews because it can be dangerous to LGBT and sex workers' communities. Recently, people are uploading more videos on Youtube, they conduct form[s] of personal investigation and list all the different LGBT or sex workers organisations. They name the organisations, who work there, where they live, their gender identity and sexual orientation... They give really detailed profiles on the organisations and people who work there. Organisations are forced to change their location; they lose staff, become depressed, face family issues as they are forcefully outed as LGBT or sex workers. These cases are more and more frequent.'

- cis woman sex worker, Tais Plus, Kyrgyzstan

The role of social media, which allows the sharing and dissemination of hate speech, was also considered a component in the widespread discrimination faced by LGBTQ sex workers.

¹⁵ <https://www.nswp.org/resource/nswp-smart-guides/smart-sex-workers-guide-digital-security>

'Homosexuality is not included in [the] list of psychiatric [diagnoses] but society generally sees it differently. Many people think gay people should be sterilised, they circulate opinions like this on social media and it is even discussed in Parliament. [This is true] as well for disabled people or trans people. That women with HIV should not be allowed to give birth and that children of sex workers and drug users should be taken away.'

- cis woman sex worker, Aneliya, Kazakhstan

Many respondents also noted that for many LGBTQ sex workers, being 'out' or public was not a possibility due to the risks to their safety:

'LGBTQ sex workers are afraid to speak out, they are not visible. They are afraid to say they do sex work due to the immense amount of stigma.'

- trans woman sex worker, Legalife, Ukraine

The democratisation of digital tools was also seen as potentially increasing dangers for sex workers, as perpetrators of violence could more easily find sex workers online or use digital tools to record and disseminate violence against LGBTQ sex workers.

'If you search for LGBT sex workers in Kazak, you will find videos on Youtube - for example, sex workers providing services indoors. The video is quite blurry so you can't really see who is the perpetrator but these men beat up the sex workers there and share their videos on Youtube.'

- cis woman sex worker, Aneliya, Kazakhstan

Furthermore, respondent also noted that online visibility can lead to further criminalisation:

'Sex workers are charged with obscenity even though they are really not putting a picture up with their genitals showing. They are being charged even when they share a picture of themselves with a bikini on a beach. What we argue in the court, we always point at Turkish celebrities sharing similar pictures on Instagram and other social media. Once at a court case the prosecutor was arguing that the trans worker posed in her underwear. We said that it was a bikini and not underwear. Then the judge had to let her go.'

- cis woman, member of Kirmizi Semsiyi, Turkey

ACCESS TO HEALTH

Access to health services is often compromised for LGBTQI sex workers. Facing discrimination by health care professionals, being unable to afford services and health materials or being excluded from LGBTQ services, LGBT sex workers are confronted by a myriad of obstacles that contribute to unequal access and poorer health outcomes.

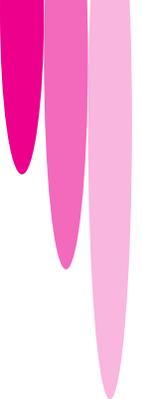
The COVID-19 pandemic and associated state regulations such as lockdowns, and work and travel restrictions have further marginalised already vulnerable communities, including sex workers. As documented by SWAN¹⁶ in its report on the impact of the COVID-19 pandemic among sex workers in CEECA, many health services were shut down or unable to operate. The long-term impact of COVID-19 on public health, including sexual health and mental health, will take years to be fully understood. What is certain is that marginalised communities, including sex workers, were and will continue to be disproportionately affected by both the medical and social impact of the pandemic.

Discrimination in healthcare settings

'When I had to go to hospital and go to surgery, I hadn't yet changed my documents. People who register you at the registration desk of the hospital are usually old people, with an old soviet mentality. They start screaming your name loudly as it appears on ID, discuss your issues very loudly so everyone hears. I don't know if they do it on purpose or if they lack knowledge. I would avoid going to the hospitals. They also assume you have HIV and can't be touched, approached or treated. I had a big scandal at the hospital and now lawyers are submitting complaints about this situation.'

- trans woman sex worker, Legalife, Ukraine

16 [THE IMPACT OF THE COVID-19 PANDEMIC AMONG SEX WORKERS IN CENTRAL AND EASTERN EUROPE AND CENTRAL ASIA \(CEECA\)](#)



Several respondents from our survey explained the difficult situation faced by LGBTQ sex workers needing health services. Although some community members are able to receive a few services, in particular in regards to sexual and reproductive health and HIV at LGBTQ or sex workers' organisations, access to primary care can often be challenging due to discriminating attitudes from medical staff.

'HIV prevention programmes are working, they are funded by Global Fund - Alliance Programme for Trans people. Trans people can access HIV testing, screening for Hepatitis and Syphilis, condoms and lubricants etc. Trans people can go to these organisations, there are mobile clinics like the mobile clinics of the Alliance: they go around roads and hot spots where sex workers work. However, when it comes to primary care, not all trans people or trans sex workers have contact with family doctors. My work right now is to find family doctors friendly to our communities, doctors that are prepared to sign contracts with trans people and sex workers. They don't care about your identity, just that you are a human being. For trans sex workers who can get a family doctor, they have to go to a private doctor which costs around 50 USD by appointment.'

- trans woman sex worker, Legalife, Ukraine

A Lack of friendly endocrinologists (medical professional experts in hormone treatment) is a very significant obstacle for trans sex workers. Without proper medical advice, many trans sex workers inject or take hormones orally without knowing the potential health risks of unmonitored self-administration.

'When someone takes Hormone Replacement Therapy, they start to change, the other trans girls say, 'oh you look so cool what are you taking?' 'Ohh I take these tablets'. Then they go to [the] pharmacy and buy these tablets but they don't know the dosage. There are no friendly endocrinologists. So we don't know where to go to get the right dosage. The tablets used are often hormonal contraceptives used by cis women. So they take two, three tablets a day because they think the effect will be stronger. However, there are dangerous side effects like thrombosis or tumours. Which is why you should do this under [the] supervision of an endocrinologist.'

- trans woman sex worker, Forum of Sex Workers, Russia

Precarity and its impact on access to health

Several respondents also highlighted the impact of poverty on their access to sexual health materials as well as the fact that health professionals such as dentists or plastic surgeons might charge LGBT sex workers a higher price for a service.

'The economy is also so bad, so there are difficulties in accessing safer sex materials like condoms for example. The cheapest condom pack is 65 Turkish Lira now and this is really high. The sex workers say that buying condoms is really expensive, because sometimes with 1 client they have to use 3-4 condoms. '

- cis woman, member of Kirmizi Semskiye, Turkey

'PREP is extremely expensive to get.'

- trans woman sex worker, Kirmizi Semskiye, Turkey

Lack of inclusion of trans-specific healthcare in national health protocols means trans sex workers must privately pay for hormones and surgery, often at higher rates, and in unsafe and unregulated environments.

'Especially for LGBTI sex workers, they don't just face price discrimination by private actors but also when they are trying to access health services, for example for plastic surgery. They are charging trans people much higher. Or for example if they go to dentist, just because they are trans sex workers, the dentist will always first ask for HIV test before taking them'.

- cis woman, member of Kirmizi Semskiye, Turkey

HIV prevention, treatment and care

According to UNAIDS¹⁷, whilst new HIV infections have declined by 37% and deaths from AIDS-related illnesses have halved globally over the last 20 years, in EECA, new infections have increased by 183% and deaths from AIDS-related illnesses have risen by 190%. In 2021, around 160 000 people were newly infected with HIV in Eastern Europe and Central Asia, a 48% increase since 2010. The number of AIDS-related deaths in the region in 2021, at around 44 000], is 32% higher than in 2010, despite expanding HIV treatment coverage and the availability of new prevention methods and measures to control opportunistic infections.

Concentrated amongst key populations and their partners, the epidemic had been fueled by years of political neglect and moralistic policies.

Access to HIV prevention, treatment and care for LGBTQ sex workers is greatly impacted in the region by structural factors such as unavailability of services, lack of funding, repressive policies, lack of education and discrimination in services, as well as stigma and self-stigma.

“Access to services are available only where big donors are (Elton John, Andrey Rilkov, Global Fund)

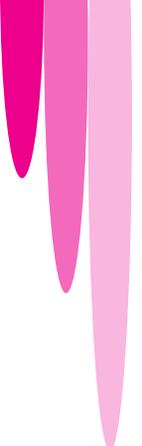
- cis woman sex worker, Sex Workers Forum, Russia

Several respondents also noted that even in countries where the Global Fund is still present, they face difficulties either obtaining funding for sex worker services or else that the funding available was not appropriate for the needs of the community.

“The Global Fund has just announced it will fund services for MSM and sex workers. We asked the Global Fund to decouple sex workers from MSM - but they refused, if you take the funding you have to work with both groups.”

- cis woman, member of Buzurg, Tajikistan

17 https://www.unaids.org/en/resources/presscentre/pressreleaseandstatementarchive/2022/july/20220727_global-aids-update



A respondent also noted that the biggest gaps in regards to services funded by Global Fund in our region included:

“Social enabling programs addressing socialisation, gender-based violence, mental health, community mobilisation. Not only supplies of condoms and lubricants and information/communication which is still the major focus of Global Fund and medicalised programs.”

- representative/member of The Eurasian Coalition on Health, Rights, Gender and Sexual Diversity (ECOM)

Unfortunately, donors, including the Global Fund, are simultaneously leaving the region, whilst governments still lack the political will to integrate and provide sustainable support to interventions coming from civil society, and especially from communities. Even in modest cases of transitioning towards governmental funding, sex-worker community groups are the first to be left behind due to their criminalised status, the stigma attached and/or lack of understanding as to why meaningful involvement of sex-working communities is crucial for sustainable responses.

“This year the Global Fund stopped funding projects for sex workers, so there is absolutely no international funding for sex workers in the country at the moment. Kazakhstan committed to ending HIV/AIDS only amongst MSM, people who use drugs and PLWHIV. What they are doing at the moment is that AIDS Centre will have friendly doctors- you can do your HIV and STI test and there are condoms available for distribution.”

- cis woman sex worker, Ameliya, Kazakhstan

Countries where HIV programs are funded to some extent from state budgets do not follow the proper costing approaches which are usually applied in HIV programs supported from external sources, and respondents noted several problems with this system. The cost of HIV services for sex workers is calculated as lower compared to other key populations (Ukraine). There is also a trend towards hiding sex workers under the umbrella term “key populations” in social contracting programs (Kyrgyzstan). Meanwhile, human rights issues are not considered by HIV programs funded or meant to be funded from the state budget.

The recent trend in international donors’ shift in focus (strategic or geographic), combined with the above-mentioned lack of governmental (political) support and growing conservatism in the region, will undeniably have a negative impact on the HIV epidemic in the region.

VIOLENCE, POLICING AND ACCESS TO JUSTICE

Causes of violence

'In 2012, when I was a street sex worker, the situation was horrible: every night, every day we were attacked, beaten, set on fire, fired bullets at - we had no anti-discrimination laws [to protect us]. Trans people were taken to [the] police and fined for resisting police, violation of public orders, etc. We had to pay those fines and these fines also impacted our [income] very badly. In 2013, [there was an introduction of an] anti-discrimination law. Today, yes, there are fewer attacks... however, the law is nicely written but rarely applied. [There are] still many aggressions and attacks against us.'

- LGBT activists, Tamida, Georgia

Violence and human rights violations against LGBTQ sex workers in CEECA take many forms and are committed by various perpetrators, including state authorities such as police and immigration forces, clients and people posing as clients, third parties, family members and intimate partners as well as passers-by and society at large.

Several SWAN members have documented reported cases of hate crime against sex workers to OSCE, in particular when sex workers were targeted because of their gender, gender identity, sexual orientation, religious or ethnic identity and HIV status.

Various factors contribute to violence against LGBTQ sex workers, including hatred against sex workers, homo-transphobia as well as negative attitudes towards migrants, people who use drugs, people living with HIV and religious and ethnic minorities. For example, individuals perceived as Muslims in Russia, such as migrants from Kyrgyzstan and Tajikistan.¹⁸

¹⁸ <https://www.thenewhumanitarian.org/feature/2015/04/24/hope-and-fear-kyrgyz-migrants-russia>

Most interviewees attributed the roots of violence to conservative understandings of gender and gender roles, due to prevalent religious (Catholic, Orthodox, Muslim) and patriarchal value systems in the region. Economic inequality was also noted, in particular, to explain the increased amount of violence during COVID-19 lockdowns and restrictions (such as an increase in violence, blackmail, and theft).

Another key factor respondents pointed to, in order to explain the high levels of violence against LGBTQ sex workers, was the almost-certain impunity accorded to perpetrators of crime and violence against them. With limited or no access to justice, LGBTQ sex workers remain an 'easy target' for those wanting to attack, harass, abuse or exploit them.

Violence by the general public

Several respondents noted the extreme violence faced by LGBTQ sex workers at the hands of the general public, or by people posing as clients, as well as the police's inadequate response to these assaults. Respondents also cited more lenient punishments for those attacking LGBTQ sex workers.

'Georgia is a Caucasus country: patriarchal and orthodox, with a strong traditional and moralistic approach. Frequently, people exercise justice themselves without resorting to the police. They can often come to a hotspot where trans and queer sex workers work and start to fire bullets at people. Recently we had a case of a Member of Parliament who came to one of these hotspots and cut the face of a trans sex worker with a knife. He was detained and he will be imprisoned for one year. Just one year! When you steal from a shop it's five years. When you cut a trans sex worker's face it's one year.'

- LGBT activist and former sex worker, Tamida, Georgia

Blackmail and threats of blackmail against LGBTQ sex workers are not only perpetrated by police but are also common from clients or those posing as clients:

'We currently have this case of a male sex worker who is being blackmailed by a client. The sex worker has family and children. The client filmed their encounter and he is now using this video to blackmail the sex worker, saying he will inform his family unless the sex worker provides services for free regularly.'

- cis woman sex worker, Legalife, Ukraine

Police violence

'Many policemen [abuse] male sex workers. They abuse them, threaten them, force [them] to provide sexual services. They threaten them that they will detain them and will take them to the police station. It is clear that if this person is put in detention he will be raped by [the] other inmates.'

- cis woman sex worker, Legalife, Ukraine

Respondents to the SWAN survey and interviews shared several cases of serious violence and human rights violations by state authorities, in particular by police and immigration authorities. Police violence has previously been researched and documented by SWAN in its 2009 report 'Arrest the violence'. In a sample of 301 sex workers interviewed, 280 sex workers experienced instances of physical or sexual violence. One in five interviewees also experienced physical violence at the hands of police¹⁹. A report from Shah-Aiym - 'Situation of sex workers in Kyrgyzstan 2020: results of documenting human rights violations, researches and monitoring'²⁰ documents 330 cases of human rights violations in Kyrgyzstan in 2020, and the majority of these violations are perpetrated by the police.

'In Izmir, there is a street called Bornova street and that's where all trans sex workers stay. They both live and work there. And in recent years the police stationed 3-4 police cars and crowd control water cannons on both ends of the street. They are trying to scare sex workers and prevent the clients [from going] there. When trans

19 https://swannet.org/files/swannet/File/Documents/Arrest_the_Violence_SWAN_Report_Nov2009_eng.pdf

20 <https://swannet.org/shah-aiym-network-publishes-the-results-of-violence-against-sex-workers-in-kyrgyzstan/>



women go out, they are being arrested by the police although they didn't break any law. They are then being put in a cell overnight. The next day they are being put in front of a judge and the judge always lets them go because of course they didn't commit any crime by going in the street. The police know this and they still act this way to basically impose psychological violence.'

- cis woman, member of Kirmizi Semskiye, Turkey

Several respondents also noted the widespread use of blackmail by police officers to obtain signed confessions or documents or extort sexual services.

'People are afraid of blackmailing. When you are detained, they see that you are a trans person or gay man they start [to] blackmail you. They say if you don't sign something, or say what we want we will inform your relatives or your workplace. People are very afraid of this.'

- trans woman sex worker, Legalife-Ukraine

Very few sex workers are able to access justice and redress, in particular when the perpetrator is a police officer

'A trans sex worker was advertising on a website - a police officer registered on this website to go after trans women sex workers - they started corresponding with him and the police officer took her outside of the city. When they left the city, he started beating her saying 'such people as you deserve to be killed.' This was hate based on the fact she is a trans woman and she is a sex worker.... he also raped this person using her high heel shoe. He then threw her out of the car. Someone found her and took her home. She was afraid to make a complaint but she was supported by several organisations and we were approached as well. She was worried to come out of the closet as both trans woman and sex worker. We were able to provide medical and psychological assistance. But the cases did not go further.'

- cis woman sex worker, Aneliya, Kazakhstan

Violence against LGBTQ sex workers can be extreme. The quote below refers to the murder of Hande Buse Seker who was violently murdered and her body further desecrated by a police officer in Turkey.

'Hande Buse Seker was a trans woman sex worker in Izmir, Turkey. She was murdered by a police officer in her flat in a horrific, monstrous way. He killed her with gun, then he raped her and after that he pissed on her. Then he raped her friend. Hande had security cameras installed in her flat for protection. So in the court everyone watched the videos. It was clear as day. But he defended himself saying it was the influence of alcohol and he feels very sorry etc. For this kind of murder, he should have gotten 'aggravated lifetime' in normal circumstances, however, he was only given a lifetime prison sentence. We (Kirmizi Semskiye) are trying to challenge this decision.'

- cis woman, member of Kirmizi Semskiye, Turkey

Access to Justice

'If a client hurts a sex worker, they argue at the court that 'I didn't know she was a sex worker, she lied to me, she tried to rob me etc.' And then they are excused'.

- trans woman sex worker, Kirmizi Semskiye, Turkey

As noted in previous sections LGBTQ sex workers face high levels of violence, human rights violations and discrimination. However, redress or access to justice is practically nonexistent.

'Most sex workers who call our hotline want to receive counselling. When they are victims of violence or crimes, they are unwilling to carry their complaint forward. They are not even prepared to discuss that they go to the police and submit a complaint, this topic is taboo. They say that the only thing that we can do is : we need to speak to a counsellor and need psychological support. Nobody is prepared to report cases...'

- cis woman sex worker, Legalife, Ukraine

Previous sections in this briefing paper demonstrate the harms that sex workers experience when in contact with the police. Even as a victim of crime, reporting to the police is not only seen as ineffective but regularly leads to re-victimisation.

'Sex workers, in general, are not able to report cases of violence or rape to the police as well as blackmail etc., because [of the] risk the inquiry will be turned against them. They will be questioned about what happened and how it happened. Sex workers can only go to community organisations or human rights organisations and make anonymous complaints and inquiries and the case can be documented.'

- cis woman sex worker, Aneliya, Kazakhstan

Police attitudes towards LGBT sex workers - and their fear of contact with the police - also leads to victims of crime being unable to report violence, crime and exploitation to the authorities as they know their cases would not be recorded or treated seriously. In many cases, sex workers reporting a crime are re-victimised by the police and /or arrested or detained for sex-work-related offences. In its 2020 report 'Undeserving victims: a community report migrant sex workers victims of crime in Europe' - which included evidence from 10 countries including Greece, Hungary and Romania, the European Sex Workers' Rights Alliance documented the factors that might affect sex workers decisions to report when they are victims of crime, such as *'fear of the consequences of reporting as an (undocumented) migrant such as detention and deportation; fear of the consequences of reporting as a sex worker such as fines and prosecution for sex-work-related offences (soliciting; brothel- keeping); being outed, losing custody of one's child; fear of being evicted from one's home or apartment where sex workers work/live; fear of negative consequences of reporting for others: co-workers or apartment owners fined or prosecuted for third-party offences as well as previous negative experiences with and general distrust towards police.'*²¹

It is worth noting that in some instances, sex workers have had positive interactions with the police, as an activist in Georgia explains:

'I was a bit shocked: three years ago, one trans sex worker, she called the police directly as she had a problem with a client - the client did not pay for her. She told the police very clearly it was a problem, that the client did not pay for her. In this police station, they called this client and asked what was happening [about the payment], then the client decided to give her the money.'

- LGBT activist, Tamida, Georgia

²¹ https://www.eswalliance.org/undeserving_victims_a_community_report_on_migrant_sex_worker_victims_of_crime_in_europe

Activists in Georgia linked improvements to the treatment of sex workers by the police following the creation of 'human rights divisions in internal affairs and police officer sensitisation training.'

'In Tbilisi, we have 6 police stations which are more educated about LGBTQ issues (following the creation of human rights divisions in internal affairs and sensitisation training). In these police stations, they would get support. but in rural areas or outside Tbilisi, the situation would be different.'

LGBT activist/sex worker, Tamida, Georgia (Failures of Justice, SWAN 2015)

However, these positive interactions are very limited and do not counter the structural violence sex workers face and how discrimination against LGBTQ sex workers can directly impact the justice system. As shown in the previous example of the murder of Hande Buse Şeker in Turkey, perpetrators of violence against trans people are often given lesser sentences. The Turkish court invoked "undue provocation (*haksız tahrik*)," to deliver as light a sentence as possible for the murderer, assuming that he was provoked and that the killer had, in short, a good or at least understandable reason for the deed. As pleaded by the murderer of Hande Buse Seker, the "good behaviour (*iyi hâl*)" clause appeals for additional mercy for the murderer, also effectively reducing his sentencing.²²

22 <https://kaosgl.org/en/single-news/slaughter-of-trans-people-goes-on-unabated-as-turkey-debates-hate-crimes>

CONCLUSION

As documented in this report, LGBTQ sex workers in CEECA face a complex and dangerous web of intersectional oppression and discrimination. Patriarchal and conservative attitudes towards sexuality and gender expression or identity shape the laws and attitudes that govern and negatively impact the lives of LGBTQ sex workers. Fuelled by criminalisation and stigma, many LGBTQ sex workers find themselves unable to access basic commodities and at the receiving end of many forms of violence.

Trans-, bi- and homophobia lead to family exclusion, unequal access to education and the formal labour market, poverty and the over-representation of LGBTQ people in sex work. These factors contribute to unequal access to housing as well as poorer health outcomes. In regards to access to health, discriminatory attitudes by healthcare professionals, lack of adequate and affordable services as well as unfair costs also prevent LGBTQ sex workers from attaining the best health outcomes. Fast changes in digitalisation have created both opportunities and risks for sex workers, with an increased capacity to communicate with one another and clients and simultaneously a greater risk to their privacy, leading to harassment and violence.

The report also further documents the causes and impact of violence on LGBTQ sex workers in CEECA: from the general public, clients or people posing as clients as well as from state authorities such as police and migration officers. Violence and unfair treatment within justice systems also contribute to the inability of LGBTQ sex workers to report crimes committed against them, further sustaining a climate of impunity that in effect encourages violence against sex workers. In this very difficult context, LGBTQ sex workers continue to self-organise to defend their rights and their communities.

SWAN hopes this report contributes to a better understanding of the issues and needs of this particularly vulnerable community and offers recommendations to civil society, policy-makers and funders to further include and protect LGBTQ sex workers in CEECA.

RECOMMENDATIONS

Below are recommendations identified through consultation with sex workers' communities and inspired by resources from the Global Network of Sex Work Projects, in particular their 'Male Sex Workers' and 'Trans Sex Workers' briefing papers. For further recommendations on LGBT communities, please consult ILGA²³, GATE²⁴ and TGEU²⁵.

Recommendations to policymakers and programme designers

- ▶ Support sex workers' call to decriminalise sex work
- ▶ Acknowledge that sex work is work for people of all genders and move away from any policy design that is influenced by the argument that sex work is violence against women
- ▶ Ensure that LGBTQ sex workers have full access to protection by the law, and justice in cases where violence is perpetrated against the community
- ▶ Implement international human rights standards without discrimination and prohibit discrimination on the grounds of gender identity, gender expression and sex work status in all sectors, including health care, housing, employment, commercial services, and education.
- ▶ Eliminate laws that criminalise 'homosexuality' or 'cross-dressing', and cease implementing discriminatory laws that are used to target trans people.
- ▶ Enact hate crime legislation that affords specific protection for LGBTQ people against transphobic and homophobic violence and incidents

23 <https://www.ilga-europe.org/files/uploads/2022/06/Empowering-LGBTI-sex-workers.pdf>

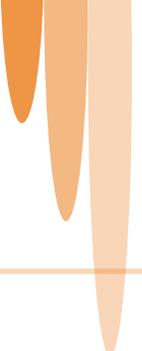
24 <https://gate.ngo>

25 <https://tgeu.org/sex-work-policy/>

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- ▶ Develop transparent and efficient procedures for changing trans people's name and gender on every relevant legal document, including birth certificates, ID cards, passports, educational certificates and other documents.
 - ▶ Establish the basis for legal gender recognition with efficient procedures allowing trans sex workers to access quality trans-specific health care services including hormone therapy, treatment, surgery and psychological support. End requirements like 'psychiatric diagnosis' and 'sterilisation', and improve the quality of trans-specific health care services.
 - ▶ Provide training to health service professionals, law enforcement officials and public officials with regard to the needs and rights of LGBTQ sex workers
 - ▶ Engage with LGBTQ sex workers on their specific needs to ensure health services meet the needs of the community and are designed and delivered with a rights-based approach, including appropriate HIV prevention, treatment, care and support

Recommendations to donors

- ▶ Ensure that funding is allocated to communities of male sex workers and trans sex workers who are actively engaged in activism and advocacy for the realisation of LGBTQ sex workers rights
- ▶ Ensure that funding for HIV prevention takes into account the specific needs of LGBTQ sex workers and does not assume that these needs are fully met in general sex worker programmes or programmes targeting men who have sex with men
- ▶ Ensure information regarding project calls is sent to LGBTQ and sex workers' organisations and develop easier procedures for applications.
- ▶ Work with sex workers' groups to develop programmes that aim to respond to the urgent needs of LGBTQ sex workers such as tackling crisis situations, murders, extreme violence, etc.
- ▶ Ensure inclusion of labour rights, human rights and identity rights of trans people and sex workers as priorities within project calls.



Recommendations to service providers and those who want to work with LGBTQ sex workers

- ▶ Respect the diversity of the LGBTQ sex worker community and cater services to their multiple realities and needs
- ▶ In all services provided ensure that opportunities are created for the self-organisation and mobilisation of LGBTQ sex workers
- ▶ Build networks with sex workers' rights organisations and groups to better understand the situation of LGBTQ sex workers, and support sex workers' organisations in their call for the decriminalisation of sex work.
- ▶ Understand the links between gender identity, gender expression and sex work within local or regional realities, and advocate for change accordingly.
- ▶ Carry out training for LGBTQ sex workers on capacity building, project cycle management, advocacy and lobbying, language, IT skills, etc.

Recommendations to media reporting on issues related to LGBTQ sex workers

- ▶ Stop circulating sensationalistic information about incidents involving trans sex workers, such as raids, arrests, court cases, etc. Instead consult TSW organisations in regards to news around trans issues or sex work
- ▶ Try to gather first-hand information from TSW themselves rather than relying on the views of police or other actors who are transphobic and/ or whorephobia
- ▶ End discriminatory language against LGBTQ sex workers
- ▶ Train media staff on the issues, needs and demands of LGBTQ sex workers, in close consultation with sex worker and LGBTQ organisations



SWAN

**SEX WORKERS' RIGHTS
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