Regional submission to the UN Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity in Central Asia, the South Caucasus and Belarus

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Executive Summary
This submission examines how criminalization, discriminatory policing and inadequate detention safeguards expose LGBT people to arbitrary deprivation of liberty and custodial abuse across Central Asia, the South Caucasus and Belarus. Drawing on ECOM's regional monitoring, anonymized case documentation and independent investigations, it identifies recurring violations involving coercive questioning, violence, medical abuse, unsafe detention conditions and interference with privacy. Transgender detainees face additional risks arising from discriminatory placement and isolation. Weak independent oversight and limited access to effective remedies further compound these violations.

1. Scope, Legal Standards and Evidence Base

This submission examines countries Uzbekistan, Turkmenistan, Tajikistan, Kazakhstan, Kyrgyzstan, Azerbaijan, Armenia, Georgia and Belarus. Deprivation of liberty has the meaning given in Article 4 of the Optional Protocol to the Convention against Torture (OPCAT).[1] It includes police custody, prisons, pretrial facilities, border detention and closed medical or residential institutions where people cannot leave at will. States must protect people from unlawful detention and ill-treatment by officials and from foreseeable violence by others in their custody. Articles 7, 9, 10, 17 and 26 of the ICCPR and the Convention against Torture establish the principal obligations;[2] The Nelson Mandela Rules specify minimum safeguards.

The evidence comes from ECOM's community-based monitoring, anonymized case documentation, national legal analyses, a 2026 Uzbekistan briefing and independent

[1] Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (adopted 18 December 2002, entered into force 22 June 2006) 2375 UNTS 237, art 4; Subcommittee on Prevention of Torture, General Comment No 1 on Article 4 (2024) CAT/OP/GC/1, paras 2-3, 42-45.
[2] International Covenant on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171, arts 2(1), 7, 9, 10, 14, 17, 26; Convention against Torture (adopted 10 December 1984, entered into force 26 June 1987) 1465 UNTS 85, arts 2, 11-14, 16.

investigations. ECOM recorded 647 cases in seven countries in 2025, including 57 classified as arbitrary deprivation of liberty and 69 as torture or other ill-treatment. The categories overlap, and many people never approach monitors. Their value lies in revealing recurring practices and the experiences concealed by official statistics. This submission uses individual accounts to explain those practices; confidential sources must remain protected.

Selected 2025 community-monitoring classifications[3]

Country	All cases	Arbitrary-deprivation category
Armenia	18	2
Tajikistan	47	23
Uzbekistan	78	15
Kazakhstan	33	8
Kyrgyzstan	30	7

2. Legal and Policy Frameworks

Over the past five years, governments across Central Asia, the Caucasus and Belarus have expanded the legal and administrative instruments used to control LGBT people's lives. Criminal laws, restrictions on gender recognition, and broadly defined prohibitions concerning public morality and LGBT-related expression have reinforced existing practices of discriminatory policing. These measures expose people to prosecution and detention while giving authorities greater power to interfere in private relationships, investigate personal communications and intimidate those seeking protection.

The most direct form of persecution persists in Uzbekistan and Turkmenistan, where consensual sexual relations between men remain criminal offences punishable by imprisonment. Uzbekistan's Article 120 has been enforced for years, with criminal proceedings increasing sharply since 2024.[4] Beyond prosecution, the threat of imprisonment enables police to demand money, obtain information about other LGBT people and conduct coercive investigations. Turkmenistan's Criminal Code similarly criminalizes consensual sexual relations between men under Article 133.[5] Documented convictions and police operations demonstrate how

[3] Oksana Kovtun, *Between Law and Reality: Report on Human Rights Violations against LGBT People in Eastern Europe and Central Asia in 2025* (ECOM 2026) Table 2, pp 10-12. The full dataset also covers Moldova and Ukraine. Categories overlap; totals do not measure national prevalence.

[4] Criminal Code of the Republic of Uzbekistan (22 September 1994), art 120, as amended by Law No ZRU-389 of 10 August 2015.

[5] Criminal Code of Turkmenistan (revised by Law No 456-VI of 17 April 2022, effective 1 January 2023), art 133(1).

criminalization facilitates investigations into personal relationships and community networks. Severe restrictions on independent monitoring leave detainees particularly vulnerable to abuse.

Elsewhere, authorities increasingly rely on public-order and morality legislation to suppress LGBT visibility. Belarus expanded its regulation of pornography in 2024 to encompass representations of same-sex relationships and transgender identities.[6] Amendments to child-protection legislation in 2025 reinforced these restrictions.[7] In June 2026, Article 19.16 of the Code of Administrative Offences entered into force, introducing penalties for the positive portrayal of same-sex relationships and gender transition, including administrative arrest in specified circumstances.[8] Azerbaijan demonstrates how general administrative offences can facilitate discriminatory policing without explicitly criminalizing consensual same-sex relations. During the 2017 crackdown, detainees were prosecuted under Article 535.1 of the Code of Administrative Offences for alleged disobedience of police orders.[9] During the December 2025 mass operation, police reportedly imposed fines for petty hooliganism.[10] Armenia lacks comprehensive anti-discrimination legislation explicitly protecting SOGI. ECOM's 2025 monitoring documented police refusals to register complaints, ineffective investigations and coercive demands for information about same-sex partners during military service.[11]

Restrictions on transgender rights have developed alongside these measures. Georgia's 2024 Law on the Protection of Family Values and Minors severely restricted legal gender recognition, gender-affirming healthcare and LGBT-related expression.[12] Legislative amendments adopted in April 2025 subsequently removed express references to gender identity and expression from the country's anti-discrimination law.[13] In Kyrgyzstan, the 2020 Law on Civil Status Acts removed the previous administrative basis for legal gender recognition,[14] while legislation adopted in 2023

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[6] Resolution of the Ministry of Culture of the Republic of Belarus No 24 of 19 March 2024, 'On Amendments to Resolution of the Ministry of Culture of the Republic of Belarus No 18 of 8 May 2007'published on the National Legal Internet Portal, 11 April 2024, No 8/41365.

[7] Law of the Republic of Belarus No 86-Z of 12 July 2025, 'On Amendments to Laws Concerning the Protection of Children's Rights' art 1, amending the Law on the Rights of the Child No 2570-XII of 19 November 1993

[8] Law of the Republic of Belarus No 138-Z of 15 April 2026, 'On Amendments to Codes Concerning Administrative Liability', inserting art 19.16 into the Code of Administrative Offences of 6 January 2021.

[9] A and Others v Azerbaijan App no 17184/18 and 23 other applications (ECtHR, 19 March 2024) para 3; Giorgi Gogia, 'Brutal Police Raid on LGBT-friendly Venue in Azerbaijan' (Human Rights Watch, 14 January 2026) https://www.hrw.org/news/2026/01/14/brutal-police-raid-on-lgbt-friendly-venue-in-azerbaijan accessed 10 November 2026. .

[10] Code of Administrative Offences of the Republic of Azerbaijan (29 December 2015), art 510(1) (petty hooliganism).

[11] Kovtun (n 3).

[12] Law of Georgia on the Protection of Family Values and Minors, No 4437-XVI of 17 September 2024, arts 2-3, 6-10.

[13] Law of Georgia No 430-II of 2 April 2025, 'On Amendments to the Law of Georgia on the Elimination of All Forms of Discrimination', art 1, amending art 1 of the Law on the Elimination of All Forms of Discrimination, No 2391-II of 2 May 2014.

[14] Law of the Kyrgyz Republic No 110 of 1 August 2020, 'On Civil Status Acts', replacing Law No 60 of 12 April 2005, which provided for amendments to civil-status records on the basis of medical documentation concerning a change of sex.

restricted information concerning so-called non-traditional sexual relationships.[15] The 2024 Law on the Protection of Citizens Health established a minimum age of 25 for medical interventions concerning gender transition.[16] A bill advanced through its first parliamentary reading in June 2026 proposed further prohibitions on legal gender recognition and gender-affirming healthcare.[17] Such measures have direct implications for detention, where identification procedures and placement decisions frequently depend on official sex markers. For transgender people whose documents do not reflect their identity, encounters with police and custodial authorities can expose them to heightened scrutiny, humiliation and unsafe confinement.

3. Violence, Discrimination and Conditions of Police Custody

For LGBT people across the region, encounters with law enforcement can lead to arbitrary detention, intimidation and abuse. Police operations targeting private gatherings, identity checks in public spaces and raids on venues associated with the LGBT community frequently involve interference with personal privacy and restrictions on access to legal assistance. Once taken into custody, individuals may be subjected to coercive questioning, threats and humiliation, often without clear information about their legal status or the grounds for their detention.

A documented police operation in Uzbekistan in 2026 illustrates how these practices operate together. At approximately two in the morning, officers entered a rented country house where 23 young people were spending time together. According to their accounts, police confiscated their phones, compelled them to unlock their devices and examined private correspondence, photographs and contacts. All 23 were taken to a district police station, where they remained for approximately 12 hours without meaningful access to legal counsel. The following day, investigators ordered coercive forensic medical examinations, which the detainees had no genuine opportunity to refuse. This was one of three operations documented in 2026 involving 62 detainees, following which 34 criminal cases were initiated under Article 120 of the Criminal Code. The case demonstrates how the policing of private gatherings can lead directly to criminal investigations, with personal communications and compulsory medical procedures used to obtain evidence against those detained.[18]

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[15] Law of the Kyrgyz Republic No 176 of 9 August 2023, ‘On Amendments to Certain Legislative Acts of the Kyrgyz Republic’, arts 1-3, amending the Code of Offences, the Law on Measures to Prevent Harm to Children's Health and Development, and the Law on Mass Media.

[16] Law of the Kyrgyz Republic No 14 of 12 January 2024, ‘On the Protection of Citizens’ Health in the Kyrgyz Republic’, art 47.

[17] Draft Law of the Kyrgyz Republic ‘On Amendments to Certain Legislative Acts of the Kyrgyz Republic’ (2026), Bill No 1-1437, concerning amendments to the Family Code, the Law on Civil Status Acts and the Law on the Protection of Citizens' Health; approved at first reading by the Jogorku Kenesh on 4 June 2026. See Human Rights Watch, *Kyrgyzstan: Anti-Trans Bill Threatens Rights* (15 June 2026).

[18] ECOM, *Brief on the Situation of LGBTIQ+ People in Uzbekistan in 2026: Article 120 of the Criminal Code, Mass Raids, Forced Invasive Examinations, and the Lack of Effective Protection from Torture* (2026) 5–7, sections 5.2–7 (confidential analytical brief, on file with ECOM).

Discriminatory apprehension has also been documented in Kyrgyzstan. In July 2026, two transgender women walking in Bishkek were detained by police for approximately three hours. According to community-based documentation, officers physically assaulted them, mocked their gender expression, prevented them from contacting lawyers or relatives and examined their personal photographs while demanding access to private messages. The women were subsequently released. Their experience demonstrates how gender expression can become a basis for police scrutiny and degrading treatment in the absence of a substantiated criminal accusation.[19]

In Armenia, a case documented by a human rights organization in 2025 reveals similar intrusions into private life during police custody. A man brought to a police station on suspicion of possessing prohibited substances was required to open his social-media accounts. After discovering information concerning his same-sex relationships, officers subjected him to homophobic insults. Although the original suspicion proved unfounded and he was released several hours later, he reported being required to sign documents without being allowed to examine their contents or receiving an explanation of his rights. His fear of further mistreatment and disclosure of his private life prevented him from challenging the officers' conduct.[20]

The December 2025 police operation at an LGBT friendly venue in Baku, Azerbaijan, demonstrates the collective dimension of these practices. At least 106 people were detained, with some reportedly held outdoors in freezing conditions for several hours without adequate clothing, food or water. Police searched confiscated mobile phones, collected personal information and questioned detainees about their private lives. Many were subsequently released after being subjected to administrative proceedings.[21]

Medical procedures constitute a further instrument of coercion. ECOM recorded 13 cases of medical abuse in 2025, seven in Uzbekistan, including three cases involving forced anal examinations and five involving involuntary HIV testing. These procedures were reportedly conducted without informed consent and, in some instances, accompanied by threats of prosecution under Article 120. Forced anal examinations lack scientific validity as evidence of consensual same-sex conduct and may amount to torture or other prohibited ill-treatment.[22]

Across these accounts, police custody is associated with violations that extend beyond the initial grounds for apprehension. Denial of legal assistance, physical and psychological abuse, interference with personal communications and coercive medical procedures expose LGBT detainees to serious risks before any determination of criminal responsibility.

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[19] Community-based human rights documentation, Kyrgyzstan (27 July 2026) (source identity withheld for protection).
[20] Independent human rights documentation, Armenia (2025) 26, 37 (source organization anonymized for protection; identifying publication details withheld).
[21] Gogia (n 9).
[22] Kovtun (n 3) 34.

4. Overlapping Forms of Discrimination: Transgender People in Detention

ECOM's 2025 data classify 11 incidents involving transgender women as arbitrary deprivation of liberty. For transgender people, detention introduces an additional threat: custodial authorities frequently disregard their gender identity when determining placement, security arrangements and access to healthcare. Transgender women may face violence and humiliation in male detention facilities, while separation from other prisoners can result in prolonged isolation. Both practices expose detainees to serious harm, particularly where decisions are made without individual risk assessments or effective oversight.

The consequences are evident in Kyrgyzstan. In August 2026, the initiative group documented the case of a transgender woman held in Bishkek's SIZO-1 who had spent more than two weeks without outside assistance. Her lawyer subsequently reported that her head had been forcibly shaved and that she was being held in a solitary cell. Community organizations arranged legal representation and delivered essential supplies, while her lawyer prepared a complaint to the Ombudsperson concerning her treatment and detention conditions.[23]

The case exposes a wider institutional problem. An earlier investigation by the Association for the Prevention of Torture documented the informal prison hierarchy in Kyrgyzstan, where LGBT prisoners are relegated to the status of "untouchables", making them particularly vulnerable to exclusion, humiliation and violence.[24] In Belarus, similar discrimination within prison hierarchies, including the isolation and mistreatment of prisoners assigned an inferior status because of their actual or perceived sexual orientation. Its investigation also recorded the experience of a transgender woman whose female identity documents did not prevent detention officials from questioning whether she could be placed in a women's cell. She was denied necessary medication during detention.[25]

Restrictions on legal gender recognition reinforce these risks. ECOM's analysis of Georgia shows how the 2024 prohibition on changing official sex markers institutionalizes the discrepancy between transgender people's identity and their documentation.[26] In Uzbekistan, ECOM has documented transgender women being detained following identity checks and treated as suspects under criminal provisions targeting same-sex conduct. Where detention systems rely on official sex markers without considering individual circumstances, transgender people face heightened risks of unsafe placement, involuntary disclosure and discriminatory treatment.[27]

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[23] Community-based human rights documentation, Kyrgyzstan (5 August 2026) (source identity withheld for protection).
[24] Association for the Prevention of Torture, *Addressing Vulnerabilities of LGBT Persons in Detention: Jean-Jacques Gautier NPM Symposium 2015* (APT 2015) 13-15.
[25] TG House, *The Monitoring of Repression and Discrimination Against the Belarusian LGBTQ+ Community in 2025* (28 January 2026) section 4.

[26] Law of Georgia on the Protection of Family Values and Minors, No 4437-XVI (17 September 2024) arts 6-7
[27] ECOM, *Analysis of the National Legislation of Georgia Related to SOGI and HIV* (2026) section 8 https://ecom.ngo/en/library/georgia-sogi-hiv-legislation/

5. Institutional Practice, Participation and Accountability

Police custody can expose LGBT people to violations that continue after release, particularly through the misuse of personal information and intimidation of those seeking remedies. ECOM recorded 164 privacy-violation cases in 2025, including 113 involving actual or threatened disclosure of SOGI and 60 involving extortion.[28]

In Belarus, independent monitoring described the detention of a gay man in the Vitebsk region in August 2025. After reviewing his telephone, officers reportedly summoned and questioned other men found among his contacts.[29] The initial detention thereby extended into scrutiny of a wider social network. In Kyrgyzstan, a transgender woman reported that police made humiliating recordings during questioning and circulated them privately; after release she sought help to stop their distribution. Following the December 2025 Baku raid, a police-affiliated social-media account reportedly published footage appearing to include material from confiscated phones.[30]

The limitations of judicial remedies are evident in Azerbaijan. Following the 2017 mass arrests of LGBT people, the European Court of Human Rights struck out 24 applications in March 2024, including 19 following a unilateral declaration in which the government acknowledged Convention violations and offered compensation.[31] The Court did not determine the merits of the allegations, and the government made no commitment to investigate them. The renewed mass police operation in December 2025 highlights continuing concerns about institutional accountability.[32] In Georgia, civil society organizations documented significant barriers to reporting and investigating hate crimes. In one case, an LGBT activist withdrew her complaint after investigators reportedly pressured her and warned of possible legal consequences.[33] These experiences illustrate how institutional intimidation and the absence of effective safeguards can discourage victims from pursuing accountability.

6. Recommendations

To states and national authorities

1. Promote alignment with international human rights standards. Encourage the review and reform of legislation that criminalizes consensual same-sex relations between adults with a view

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[28] Kovtun (n 3) 10 - 11, 19 - 21, table 2.
[29] TG House (n 25) s 3, case 5; community-based case documentation, Kyrgyzstan (February 2026) (source details withheld for protection);
[30] Community-based human rights documentation, Kyrgyzstan (27 July 2026) (source identity withheld for protection). Gogia (n 9).
[31] A and Others v Azerbaijan (n 9) paras 8-9, 17-23, 28-31.
[32] Human Rights Watch, *World Report 2025: Azerbaijan* (2025), section 'Sexual Orientation and Gender Identity' https://www.hrw.org/world-report/2025/country-chapters/azerbaijan accessed 19 October 2026.; Gogia (n 9).
[33] ILGA World, Women's Initiatives Supporting Group, Tbilisi Pride and Equality Movement, State of Human Rights of LGBTI People in Georgia (2021 to 2025) (joint submission to the fourth Universal Periodic Review cycle, July 2025) para 12.

to decriminalization. Ensure that morality, expression and public-order laws are consistent with international human rights obligations and do not facilitate discriminatory prosecution or detention based on SOGI.

2. Strengthen safeguards against arbitrary detention. Ensure that all apprehensions are formally recorded and legally justified, with prompt access to independent legal counsel, communication with trusted persons, medical assistance and judicial review. Prevent unregistered detention, coercive questioning and pressure to sign statements without legal assistance.

3. Eliminate coercive medical practices in custody. Prohibit forced anal examinations and non-consensual testing for investigative or punitive purposes. Safeguard medical confidentiality and ensure uninterrupted access to essential healthcare, including HIV treatment and medically indicated gender-affirming care.

4. Ensure safe and dignified treatment of transgender detainees. Establish individualized placement procedures based on confidential consultation, expressed preferences and risk assessment rather than official sex markers alone. Prevent discriminatory treatment, unsafe placement and prolonged isolation imposed under the pretext of protection.

5. Safeguard personal information. Restrict searches, collection and retention of private communications and sensitive data to lawful and necessary purposes. Investigate forced outing, extortion and the misuse of confiscated information to identify or intimidate other LGBT people.

6. Ensure independent investigations and remedies. Establish confidential complaint mechanisms, guarantee legal assistance and protection against reprisals, and investigate allegations of abuse promptly. Ensure accountability, compensation and rehabilitation for victims.

To UN and regional human rights mechanisms

7. Pursue country-specific accountability. Use treaty reviews, communications and monitoring procedures to address criminalization in Uzbekistan and Turkmenistan, detention-monitoring independence in Kyrgyzstan, and recurring allegations of police abuse in Azerbaijan and Belarus.

8. Address evidence gaps while protecting sources. Prioritize monitoring of immigration detention, psychiatric institutions and other closed facilities. Support confidential community-based documentation, protect sensitive personal information and require informed consent before disclosing identifying details.